

Dept. of Justice: AG Kaul secures court order requiring Trump administration to restore hundreds of millions in disaster mitigation funding

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MADISON, Wis. – Attorney General Josh Kaul and a coalition last week secured a [court order](#) requiring the Federal Emergency Management Agency (FEMA) to promptly take steps necessary to reverse the termination of the Building Resilient Infrastructure and Communities program (BRIC) to restore hundreds of millions in funding to communities relying on the program. The decision follows a motion filed by the coalition to compel FEMA to comply with a previous court order from December.

For the past 30 years, the BRIC program has provided communities across the nation with resources to proactively fortify their infrastructure against natural disasters. By focusing on mitigation and community resilience, the program has saved lives, reduced injury, protected property, and saved money that would have otherwise been spent on post-disaster costs.

“The Trump administration should not have tried to terminate funding that helps communities prepare for natural disasters,” said AG Kaul. “The Trump administration must comply with the law and restore the BRIC program.”

On July 16, 2025 AG Kaul and the coalition [filed a lawsuit](#) to prevent FEMA from terminating its BRIC program – an action which had already delayed, scaled back, and cancelled hundreds of mitigation projects across the country that depend on

this funding. On December 11, 2025, the coalition [won its case](#). The court declared the termination of this congressionally mandated program unlawful and ordered FEMA to promptly take all steps necessary to reverse the termination. On February 17, 2026, the coalition filed a motion asking the District of Massachusetts to enforce its December 11 order, as the Trump Administration had failed to take all necessary steps to reinstate the program. Last week, the court sided with the coalition and granted its requested relief.

Last week's order requires FEMA to make pre-disaster mitigation funds available as required by statute, communicate the status of current BRIC projects to the states, and file status reports with the court outlining any actions taken or planned to comply with the order. The order also requires FEMA to issue a fiscal year 2024 Notice of Funding Opportunity for the BRIC program within 21 days.

Over the past four years, FEMA has selected nearly 2,000 projects to receive roughly \$4.5 billion in BRIC funding nationwide. FEMA's effort to cancel the BRIC program had resulted in the cancellation of dozens of projects across Wisconsin, including tornado safe rooms in Grant County and flood protection infrastructure along the Kickapoo River.

Joining AG Kaul in securing this order are the attorneys general of Arizona, California, Colorado, Connecticut, Delaware, the District of Columbia, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, North Carolina, Oregon, Rhode Island, Vermont, and Washington, as well as the Governors of Pennsylvania and Kentucky.

View this press release on the [DOJ website](#).