

**ARE FEMA'S ASSISTANCE PROGRAMS ADE-
QUATELY DESIGNED TO ASSIST COMMUNITIES
BEFORE, DURING, AND AFTER WILDFIRE?**

(117-30)

REMOTE HEARING
BEFORE THE
SUBCOMMITTEE ON
ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND
EMERGENCY MANAGEMENT
OF THE
COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES
ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

OCTOBER 26, 2021

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Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

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OCTOBER 22, 2021

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Economic Development, Public Buildings, and Emergency Management
FROM: Staff, Subcommittee on Economic Development, Public Buildings, and Emergency Management
RE: Subcommittee Hearing on “Are FEMA’s Assistance Programs Adequately Designed to Assist Communities Before, During, and After Wildfire?”

PURPOSE

The Subcommittee on Economic Development, Public Buildings, and Emergency Management will meet on Tuesday, October 26, 2021, at 10:00 a.m. in 2167 Rayburn House Office Building and via Zoom to receive testimony. Members will receive testimony from witnesses with expertise and experience in emergency management, wildfire suppression, and federal disaster response and recovery programs. The Subcommittee will hear from Andrew Phelps, Director of the Oregon Office of Emergency Management, on behalf of the National Emergency Management Association; Rich Elliott, Deputy Chief of Kittitas Valley (WA) Fire & Rescue, on behalf of the International Association of Fire Chiefs; Kacey KC, State Forester and Firewarden of the Nevada Division of Forestry; and Casey Hatcher, Deputy Chief Administrative Officer for Butte County (CA).

BACKGROUND

Wildfires in the western United States are burning hotter, more frequently, and causing an increasing and unprecedented amount of damage and destruction to the natural and built environment.¹ Concurrently, the wildland urban interface (WUI)—or the areas where residences and other development meet or mix with undeveloped natural areas is growing.² There exist multiple federal assistance programs—including several at the Federal Emergency Management Agency (FEMA)—for state, local, tribal, and territorial governments and individual survivors impacted by wildfire, dependent on whether the President grants an emergency declaration, a major disaster declaration, or a Fire Management Assistance Grant pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act, P.L. 93–288, as amended).

¹ Parks, S. A., & Abatzoglou, J. T. (2020). *Warmer and drier fire seasons contribute to increases in area burned at high severity in western US forests from 1985 to 2017*. Geophysical Research Letters, 47, e2020GL089858. Available at: https://www.fs.fed.us/rm/pubs_journals/2020/rmrs_2020_parks_s002.pdf.

² U.S. Department of Agriculture, Forest Service. *New analyses reveal WUI growth in the U.S.* Available at: <https://www.nrs.fs.fed.us/data/wui/>.

For wildfires that receive a major disaster declaration, federal assistance exists for individuals under- or uninsured by private insurance who lose their homes to natural disasters such as wildfire. This includes FEMA's Individual Assistance (IA) programs and the Small Business Administration's (SBA) Disaster Loans program, which may provide immediate assistance directly to individuals following a major disaster.³ FEMA IA programs include the Individuals and Households Program (IHP), Mass Care and Emergency Assistance, the Crisis Counseling Assistance and Training Program, Disaster Unemployment Assistance, Disaster Legal Services, and Disaster Case Management. IHP is the primary FEMA program to assist disaster survivors; it covers housing needs such as home repair, limited property replacement, and rental assistance.⁴

Rather than a major disaster declaration for federal assistance for wildfires, the president may grant a Fire Management Assistance Grant (FMAG, Stafford Sec. 420). FMAGs were established in the Disaster Management Act of 2000 (DMA2K, P.L. 106-390) to provide fire suppression assistance to states experiencing a wildfire at risk of becoming a major disaster. As with a major disaster declaration, there is a non-federal cost share requirement of 25 percent for FMAGs.⁵

FMAGs have successfully reduced the number of major disaster declarations for wildfire.⁶ From fiscal year (FY) 2009 to FY 2018 FEMA awarded 374 FMAGs to states experiencing wildfire, totaling \$952,318,049 in financial assistance.⁷ The statistics indicate that FMAGs are more common for wildfires as 33 FMAGs have been granted thus far in 2021.⁸ Whereas, between FY 2009 and FY 2020, only 22 major disaster declarations were declared for wildfires.⁹ FMAGs provide states federal assistance when suppressing a fire, but the FMAG declaration does not include access to FEMA's IA or PA programs. For individuals impacted by FMAG-declared wildfires, residences not covered by private insurance that are damaged or destroyed by wildfire are not eligible for FEMA's IA or SBA's disaster loans.

The Disaster Recovery Reform Act of 2018 (DRRA, Div. D of P.L. 115-254) included a significant enhancement to FMAG assistance, authorizing post-disaster Hazard Mitigation Grant Program (HMGP, Stafford Sec. 404) assistance to be made available for FMAG declarations. FEMA administers "HMGP Post Fire" assistance differently than traditional HMGP.¹⁰ The committee has informally heard from stakeholders in the emergency management community and local governments trying to recover from wildfires that HMGP Post-Fire is more challenging to utilize than traditional post-major disaster HMGP.¹¹ That said, investments in wildfire mitigation in the WUI could significantly alleviate damage and destruction to private property and limit future impact of wildfire.¹²

Wildfires that do result in a major disaster declaration are those that incur the greatest dollar amount of damage. California tops the list of approved declarations with nine major disasters due to wildfire between FY 2009 and FY 2020. Colorado and Oklahoma follow with three approved major disaster declarations during the same period.¹³ Major disaster declarations include some combination of FEMA's IA and PA programs, as well as access to the post-disaster HMGP and typically SBA loans.

³ University of Pennsylvania Risk Management and Decision Processes Center. Wildfires and Recovery: FEMA's Individual Assistance Funding Provides Important Support—But Unfunded Damages Remain. April 16, 2020. Available at: Wildfires and Recovery: FEMA's Individual Assistance funding provides important support—but unfunded damages remain—Risk Management and Decision Processes Center (upenn.edu).

⁴ CRS. *FEMA Individual Assistance Programs: An Overview* (R46014). December 5, 2019. Available at: <https://sgp.fas.org/crs/homesec/R46014.pdf>.

⁵ CRS. *Fire Management Assistance Grants: Frequently Asked Questions* (R43738). August 17, 2021. Available at Fire Management Assistance Grants: Frequently Asked Questions (congress.gov)

⁶ GAO. *Wildfire Disasters: FEMA Could Take Additional Actions to Address Unique Response and Recovery Challenges*. October 2019. Available at <https://www.gao.gov/assets/gao-20-5.pdf>

⁷ Id.

⁸ FEMA. *Declared Disasters*. Available at: <https://www.fema.gov/disaster/declarations>.

⁹ Id.

¹⁰ FEMA. FEMA POLICY: Hazard Mitigation Grant Program—Post Fire Policy #207-088-2. April 29, 2019. Available at: https://www.fema.gov/sites/default/files/2020-04/SignedPolicyFEMA_HMGP_Post-Fire_policy_207-088-2_apr292019.pdf.

¹¹ GAO. *Disaster Resilience: FEMA Should Take Additional Steps to Streamline Hazard Mitigation Grants and Assess Program Effects*. February 2021. Available at: <https://www.gao.gov/assets/gao-21-140.pdf>

¹² FEMA. *Multiple Mitigation Measures Save Home From Wildfire*. Available at: <https://www.fema.gov/case-study/multiple-mitigation-measures-save-home-wildfire>.

¹³ FEMA. *Declared Disasters*. <https://www.fema.gov/disaster/declarations>

Wildfires that impact rural counties and which receive FMAG assistance typically incur a lower total dollar amount of damage when compared to fires that burn in more populated regions. However, fires impacting rural communities often burn a greater percentage of the region's total housing stock.¹⁴ A recent report published by CoreLogic found the total percentage of homes burned in Wyoming, a state with a small and predominately rural population, exceeds that of California.¹⁵ Fires that burn a high percentage of a region's property cause a shortage of housing stock and displace a greater number of residents.¹⁶ Wyoming has never received a major disaster declaration for wildfire, but has been granted several FMAGs—leaving individual survivors without access to FEMA's IA assistance post-fire.¹⁷

The map below depicts the historical distribution of FEMA's IHP program where non-western states are more likely to receive a major disaster declaration for hazards such as flooding, hurricanes, or severe storms.¹⁸

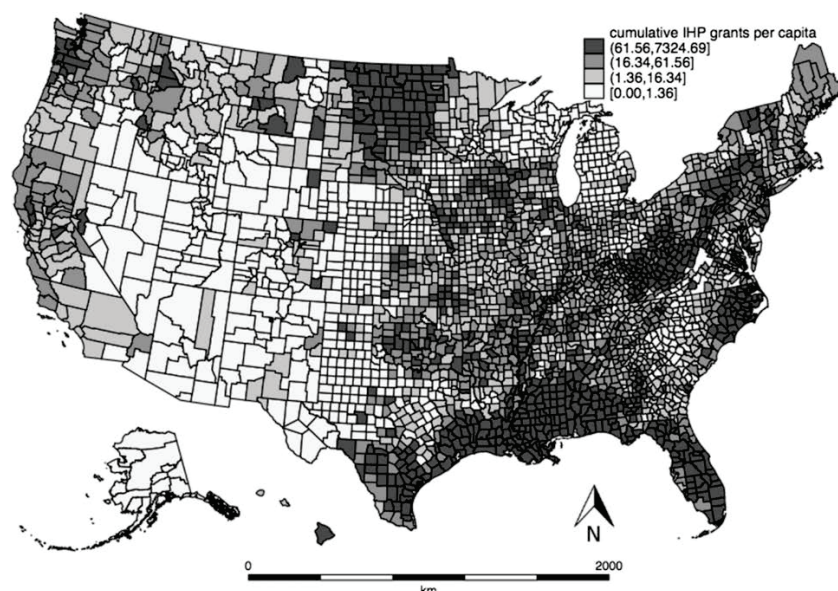


Figure 1. Distribution of cumulative IHP per capita by county (1992–2015)¹⁹
* Map includes major disaster declarations for all hazards, not just wildfire

While FEMA's IA programs are not intended to meet the full needs of disaster survivors, recent declared events have been a cause for concern regarding both denial rates for IA, as well as suspected fraudulent registrations for FEMA assistance.²⁰ In May 2021, Chairs DeFazio and Titus, and Ranking Members Graves (MO) and Webster sent a letter to the FEMA Administrator expressing frustration

¹⁴ E&E News. *Wyoming Tops California for Wildfire Risk, Report Says*. Sept 30, 2021. Available at: <https://subscriber.politicopro.com/article/eenews/2021/09/30/wyo-tops-calif-for-wildfire-risk-report-says-281401>.

¹⁵ CoreLogic. 2021 Wildfire Report. September 29, 2021. Available at: <https://www.corelogic.com/wp-content/uploads/sites/4/2021/09/2021-Wildfire-Final-Infographic.pdf>

¹⁶ E&E News. *Wyoming Tops California for Wildfire Risk, Report Says*. Sept 30, 2021. Available at: <https://subscriber.politicopro.com/article/eenews/2021/09/30/wyo-tops-calif-for-wildfire-risk-report-says-281401>.

¹⁷ FEMA. *Declared Disasters*. Available at: <https://www.fema.gov/disaster/declarations>.

¹⁸ Natural Hazards. *Does Post-Disaster Aid Promote Community Resilience? Evidence from Federal Disaster Programs*. June 1, 2021. Available at: <https://link.springer.com/article/10.1007/s11069-021-04826-2>

¹⁹ Id.

²⁰ NPR. *As Western Wildfires Worsen, FEMA is Denying Most People Who Ask for Help*. July 1, 2021. Available at: *As Climate Change Worsens Wildfires, FEMA Denies Most California, Oregon Claims* : NPR

that the approval rate for IHP applications has reached an all-time low.²¹ Following the September 2020 wildfires in Oregon, FEMA denied 70 percent of IHP assistance requests after it filtered out applicants that were potentially fraudulent.²² Following the 2017 and 2018 fire seasons in California, 48,856 individuals applied for IHP and roughly only one-fifth received some amount of assistance.²³

Applicants approved for IHP assistance to repair or replace their homes often realize the grants do not cover full repair and replacement costs, as insurance might. The maximum amount of IHP assistance awarded for home replacement is \$34,900. DRRRA removed limits on the amount of rental and other needs assistance an applicant is eligible to receive in conjunction with property repair and replacement assistance; the maximum award for combined assistance is \$72,000. Applicants deemed eligible for SBA loans are eligible for up to \$200,000 of assistance via low-interest loans.²⁴ All other costs of recovery tied to personal property are the responsibility of the survivors.

The application process for IHP has repeatedly been described as overwhelming and confusing by disaster survivors.²⁵ Applicants must navigate a series of steps before a decision is rendered on their application. For example, if an individual's home is deemed habitable after a disaster, they must apply and be denied an SBA loan before being made eligible for home repair through FEMA's IHP. It has been documented that this process is especially challenging for individuals whose identity documents were destroyed during the disaster, who are low-income, or who live in a mobile home on land they do not own.²⁶

Yet challenges remain for survivors of wildfire major disasters who do get approved for assistance. Communities trying to recover from wildfires often face challenges finding available rental stock or siting temporary housing sites.²⁷

CONCLUSION

Given the risk that wildfire poses to communities, it is critical to examine whether FEMA programs are meeting the needs of wildfire-prone areas. While FMAGs have effectively helped states cover fire suppression expenses, in an effort to fight fires before they may cause damage and destruction which could warrant a major disaster declaration, there are clear limitations for residents living in or near the WUI and communities trying to recover from these events.²⁸ FEMA's IHP can help survivors of major disasters afford temporary housing, make some repairs, and begin to rebuild their homes,²⁹ but there are challenges for addressing post-disaster housing needs for displaced survivors, especially those of lower-income or other historically vulnerable populations.³⁰ The Government Accountability Office (GAO) has

²¹ T&I. *Letter to FEMA Administrator*. May 13, 2021. Available at: <https://transportation.house.gov/news/press-releases/committee-leaders-question-fema-after-approvals-for-disaster-survivor-aid-program-falls-to-all-time-low>.

²² NPR. *As Western Wildfires Worsen, FEMA is Denying Most People Who Ask for Help*. July 1, 2021. Available at: [As Climate Change Worsens Wildfires, FEMA Denies Most California, Oregon Claims](https://www.npr.org/2021/07/01/1036085807/how-a-blistering-housing-market-could-be-making-wildfires-even-more-dangerous) : NPR

²³ University of Pennsylvania Risk Management and Decision Processes Center. *Wildfires and Recovery: FEMA's Individual Assistance Funding Provides Important Support—But Unfunded Damages Remain*. April 16, 2020. Available at: [Wildfires and Recovery: FEMA's Individual Assistance funding provides important support—but unfunded damages remain—Risk Management and Decision Processes Center \(upenn.edu\)](https://www.upenn.edu/riskmanagement/2020/04/16/wildfires-and-recovery-femas-individual-assistance-funding-provides-important-support-but-unfunded-damages-remain)

²⁴ *Id.*
²⁵ GAO. *Wildfire Disasters: FEMA Could Take Additional Actions to Address Unique Response and Recovery Challenges*. October 2019. Available at <https://www.gao.gov/assets/gao-20-5.pdf>.

²⁶ *Id.*
²⁷ See KEZI.com. *FEMA denies request for some temporary housing options for wildfire survivors*. December 1, 2020. Available at: <https://www.kezi.com/content/news/FEMA-denies-request-for-some-temporary-housing-for-wildfire-survivors-573251461.html>; Los Angeles Times. *Californians moved to Oregon for affordable housing. Wildfires left them homeless*. September 21, 2020. Available at: <https://www.latimes.com/world-nation/story/2020-09-21/oregon-fires-destroyed-lost-homes-california-housing>; NPR Planet Money. *How A Blistering Housing Market Could Be Making Wildfires Even More Dangerous*. September 14, 2021. Available at: <https://www.npr.org/sections/money/2021/09/14/1036085807/how-a-blistering-housing-market-could-be-making-wildfires-even-more-dangerous>.

²⁸ GAO. *Wildfire Disasters: FEMA Could Take Additional Actions to Address Unique Response and Recovery Challenges*. October 2019. Available at <https://www.gao.gov/assets/gao-20-5.pdf>.

²⁹ CRS. *FEMA Individual Assistance Programs: An Overview* (R46014). December 5, 2019. Available at: <https://sgp.fas.org/crs/homesec/R46014.pdf>.

³⁰ GAO. *Wildfire Disasters: FEMA Could Take Additional Actions to Address Unique Response and Recovery Challenges*. October 2019. Available at <https://www.gao.gov/assets/gao-20-5.pdf>.

additionally reported that IHP is not meeting the needs of low-income renters and homeowners post-wildfire.³¹

WITNESS LIST

- Andrew Phelps, Director, Oregon Office of Emergency Management, on behalf of the National Emergency Management Association
- Kacey KC, State Forester and Firewarden, Nevada Division of Forestry
- Rich Elliott, Deputy Chief, Kittitas Valley Fire & Rescue (WA), on behalf of the International Association of Fire Chiefs
- Casey Hatcher, Deputy, Chief Administrative Officer, Butte County Administration (CA)

³¹GAO. *Wildfire Disasters: FEMA Could Take Additional Actions to Address Unique Response and Recovery Challenges*. October 2019. Available at <https://www.gao.gov/assets/gao-20-5.pdf>.

**ARE FEMA'S ASSISTANCE PROGRAMS ADE-
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TUESDAY, OCTOBER 26, 2021

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC
BUILDINGS, AND EMERGENCY MANAGEMENT,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

The subcommittee met, pursuant to call, at 10:04 a.m., in room 2167 Rayburn House Office Building and via Zoom, Hon. Dina Titus (Chair of the subcommittee) presiding.

Members present in person: Ms. Titus, Mr. Garamendi, Mr. Webster, Miss González-Colón, Mr. Guest, and Mr. LaMalfa.

Members present remotely: Mr. DeFazio, Ms. Norton, Ms. Davids of Kansas, Mrs. Napolitano, Mr. Carter of Louisiana, Mr. Carbajal, Mr. Massie, and Mr. Gimenez.

Ms. TITUS. The subcommittee will come to order.

I ask unanimous consent that the chair be authorized to declare a recess at any time during today's hearing.

Without objection, so ordered.

I also ask unanimous consent that Members not on the subcommittee be permitted to sit with the subcommittee at today's hearing and ask questions if they feel like it.

Without objection, so ordered.

As a reminder, please keep your microphone muted unless speaking. Should I hear any inadvertent background noise, I will request that the Member please mute their microphone.

To insert a document into the record, please have your staff email it to DocumentsT&I@mail.house.gov.

We will begin with an opening statement, and then I will pass it to our ranking member for his opening statement.

I would like to welcome everyone to today's hearing and thank our witnesses for joining us to discuss whether the Stafford Act and the Federal Emergency Management Agency's, or FEMA's, response, recovery, and mitigation programs that are designed to help our communities before, during, and following wildfire are working as they should be.

While southern Nevada, which is my district, downtown Las Vegas, doesn't have the same magnitude of risk for wildfire as elsewhere, the State certainly had similar experiences further north as our neighbors in California, Oregon, and Washington.

All Western States have seen record-setting wildfires in recent years. Drought conditions have resulted in forests that are just ready to explode, and it can be caused from a lightning bolt, a campfire spark, utility lines being interrupted by trees, or an arsonist's match. We have seen all of those.

As our witnesses note in their testimony, wildfire season now starts earlier and lasts longer, finishes later. Fires burn hotter, larger, and longer due to climate change. Fall storms, like those bringing welcome precipitation to the West just this week, arrive later, and they are less helpful in extinguishing the still-raging forest fires.

We see that FEMA is providing an unprecedented number of Fire Management Assistance Grants to States in order to provide much-needed Federal assistance for fire suppression costs.

While I am sure our witnesses would rather not be experts in all things related to wildfires, they do represent States and communities that have been or currently are devastated by these destructive and sometimes deadly events. The subcommittee looks forward to hearing about their experiences, their successes, and their frustrations in responding to, recovering from, and mitigating against these firestorms.

My hope is that today's hearing will provide a clearer picture as to whether FEMA's disaster and mitigation assistance programs are flexible enough to address the challenges currently faced by Western States.

And I would mention that, while the West's monstrous fire complexes have received the largest amount of media attention in recent years, forested States in the Southeast are also experiencing wildfires with increased frequency.

What changes may be necessary to ensure that Federal recovery programs, whether under FEMA or under HUD, meet the needs in the wake of these wildfires as they do for disasters such as tornadoes, hurricanes, and floods? We want to be sure that we recognize the severity of wildfires and that we are dealing with them accordingly.

So, what does recovery look like 1, 2, or 5 years after a fire? How have survivors fared? Are housing needs being met in a timely way, or are they just picking up and leaving like one-offs? Do individuals have access to crisis counseling and mental health services after they have experienced such deadly and threatening events?

The mental health situation is often ignored, but we know that it can have long-term impacts on both the community and an individual. And I am proud to join our colleague, Representative Ayanna Pressley, in introducing her Post-Disaster Mental Health Response Act, which is bipartisan legislation that expands access to FEMA's crisis counseling program for all emergencies, not just those declared major disasters.

A consistent thread across all of our FEMA-related oversight seems to be—and we hear it from all of you—burdensome bureaucracy and redtape. What might we cut with statutory changes that will make this situation better? What regulations or policies might FEMA need to revisit to be sure they are fully considering all of the post-fire needs? And are there any opportunities for a more united Federal, State, and local approach to recovery?

The committee is scheduled to take up legislation tomorrow in a markup that will provide some additional relief for recipients of FMAGs, a bill to establish that 75 percent Federal share is the minimum and that FEMA must work to establish criteria for when the Federal share increases for fires of a certain magnitude.

Additionally, in the Resilient AMERICA package introduced by Chair DeFazio, Ranking Member Graves, Ranking Member Webster, and myself, there are provisions to boost resources for pre-disaster mitigation. And that includes providing assistance for communities interested in updating their building codes, establishing a pilot block grant program so States can assist residents in the wildland-urban interface in enhancing defensible space around their property, and also installing fire-resistant building materials to reduce risk.

So, we have done a lot, but we have a lot to do, and we appreciate the advice and information from our expert witnesses. Thank you for joining us today. I look forward to the discussion.

And I now yield the floor to Ranking Member Webster.

[Ms. Titus' prepared statement follows:]

Prepared Statement of Hon. Dina Titus, a Representative in Congress from the State of Nevada, and Chair, Subcommittee on Economic Development, Public Buildings, and Emergency Management

I'd like to welcome everyone to today's hearing and thank our witnesses for joining us to discuss whether the Stafford Act and the Federal Emergency Management Agency's (FEMA) response, recovery, and mitigation programs are designed to help communities before, during, and following wildfire.

While Southern Nevada doesn't have the same magnitude of risk for wildfire as elsewhere, the state has certainly had similar experiences further north as our neighbors in California, Oregon, and Washington.

All Western states have seen record-setting wildfires in recent years. Drought conditions have resulted in forests ready to explode—whether from a lightning bolt, errant campfire spark, utility lines being interrupted by trees, or an arsonist's match.

As our witnesses note in their testimony, wildfire season starts earlier and finishes later. Fires burn hotter, larger, and longer.

Fall storms—like those bringing welcome precipitation to the west this week—arrive later and are less helpful in extinguishing still raging infernos.

And we see that FEMA is providing an unprecedented number of Fire Management Assistance Grants to states in order to provide much needed federal assistance for fire suppression costs.

While I'm sure our witnesses would rather not be experts in all things related to wildfire, they represent states and communities that have been, or currently are, devastated by these destructive and often deadly events.

The subcommittee looks forward to hearing about their experiences—successes and frustrations—in responding to, recovering from, and mitigating against these firestorms.

My hope is that today's hearing will provide a clearer picture as to whether FEMA's disaster and mitigation assistance programs are flexible enough to address the wildfire challenges currently faced by western states.

While the west's monstrous fire complexes have received the largest amount of media attention in recent years, forested states in the southeast are experiencing wildfires with increasing frequency, as well.

What changes may be necessary to ensure that federal recovery programs—whether they be under FEMA or the Housing and Urban Development's (HUD) Community Development Block Grant–Disaster Recovery (CDBG–DR) program—meet the needs in the wake of wildfires as they do for other disasters such as tornadoes, floods, and hurricanes?

What does recovery look like one, two, or three years post fire?

How have survivors fared? Are housing needs being met in a timely way, or are they just picking up and leaving? Do they have access to the crisis counseling and

mental health services they may need after experiencing their lives and livelihoods go up in smoke?

A consistent thread across all of our FEMA-related oversight seems to be a burdensome bureaucracy. What red tape might Congress be able to cut with statutory changes? What regulations or policies might FEMA need to revisit to ensure it is fully considering needs of communities post-fire? Are there opportunities for a more unified federal approach to recovery?

The committee is scheduled to take up legislation at mark-up tomorrow that will provide some additional relief for recipients of F-MAGs: a bill to establish that 75 percent federal share is the minimum and that FEMA must work to establish criteria for when the federal share increases for fires of a certain magnitude.

Additionally, in the Resilient AMERICA package introduced by myself along with Chair DeFazio, Ranking Member Graves, and Ranking Member Webster, there are provisions to boost resources for pre-disaster mitigation including: providing assistance for communities interested in updating their building codes to reflect the latest hazard resistant designs, establishing a pilot block grant program so that states interested in assisting residents in the wildland-urban interface enhance defensible space around their property, or installing fire-resistant building materials to reduce risks.

I once again thank our witnesses for joining us today to share their perspectives and experiences. I am grateful for your testimony and look forward to our discussion.

Mr. WEBSTER. Thank you, Chair Titus.

And thank you for our witnesses who are here with us today.

An all-hazards approach to disasters is critical to ensure the preparedness and clear direction in responding to all the disasters there are. However, each type of disaster has its own peculiarities and challenges. Wildfires are no different. And, unfortunately, wildfires have devastated communities across the States in recent years, and there have been lots to manage, lots to fight, lots to respond to.

So, it is critical for us to ensure FEMA, the Government lead agency on disasters, is positioned to assist those communities to prepare for, mitigate against, and recover from wildfires.

The most effective actions to prepare for or mitigate against wildfires may be very different than those actions needed for floods or hurricanes or the like. And after a disaster, whether it is a wildfire or hurricane, we need FEMA to act effectively and efficiently to get assistance to affected communities without costly delay and mountains of paperwork.

We must find ways to make sure FEMA works for the communities hit by the disaster, not against them. That is why I am pleased we have witnesses here today who have firsthand knowledge of what is needed and how FEMA programs can effectively support efforts to prepare for and respond to wildfires. We may learn a thing or two that we can apply to other types of disasters as well.

I look forward to hearing the testimony of the witnesses today. And thank you, Chair Titus. I yield back.

[Mr. Webster's prepared statement follows:]



Prepared Statement of Hon. Daniel Webster, a Representative in Congress from the State of Florida, and Ranking Member, Subcommittee on Economic Development, Public Buildings, and Emergency Management

Thank you, Chair Titus, and thank you to our witnesses joining us today.

An all-hazards approach to disasters is critical to ensuring preparedness and clear direction in responding to all disasters.

However, each type of disaster is different and has its own unique challenges.

Wildfires are no different.

Unfortunately, wildfires have devastated communities across many States in recent years.

There have been 114 fire management assistance declarations in 2020 and 2021 and 8 major disaster declarations for wildfires.

It is critical for us to ensure FEMA—the federal government’s lead agency on disasters—is positioned to assist those communities to prepare for, mitigate against, and recover from wildfires—just as they do with other disasters.

The most effective actions to prepare for or mitigate against wildfires may be very different than actions needed for floods or hurricanes. And after a disaster—whether wildfire or hurricane—we need FEMA to act effectively and efficiently—to get assistance to affected communities without costly delay and mountains of paperwork.

We must find ways to make sure FEMA works for the communities hit by disaster, not against them.

That is why I am pleased we have witnesses here with us today who have first-hand knowledge of what is needed and how FEMA programs can effectively support efforts to prepare for and respond to wildfires. We may learn a thing or two we can apply to other types of disasters as well.

I look forward to hearing the testimony of the witnesses today.

Thank you, Chair Titus. I yield back.

Ms. TITUS. Thank you, Mr. Webster.

I would now recognize Mr. DeFazio, chairman of the T&I Committee, and Mr. Graves, the ranking member, in that order, if they are present.

Mr. DEFAZIO. Thank you, Madam Chair. I appreciate that you’re holding this important hearing.

In particular, I would like to welcome Andrew Phelps, who is the director of the Oregon Office of Emergency Management, joining us as a witness. He has been critical in a number of natural disasters that have impacted Oregon in recent years, including last year’s wildfires, which were the worst of at least recent recorded history—5,000 structures, 9 people lost their lives, tens of thousands evacuated, and it was extraordinary.

And Oregon, working with FEMA, did, for the most part, a good job. There are some issues that we will delve into a little bit here regarding housing. Also, the whole issue, which has been raised in the testimony I read, about the problems of using HMGP funds for mitigation projects.

I think there is kind of a slant in FEMA over the years that they really kind of got used to dealing with hurricanes and floods, and wildfires were not so large or prevalent of an issue until very recently. And I think a lot of the bureaucracy hasn’t quite adjusted to that.

In particular, mitigation prevention, but also mitigation after. I was reading something about how there are problems where there is no categorical exclusion for these recovery projects. I read in one of the testimonies that it can take up to 2 years to talk about putting in native plants and doing other things to prevent landslides afterwards and begin to recover.

So, I think a good deal of work needs to be done here, and I am really looking forward to hearing from the witnesses.

Also, along with Chair Titus and Ranking Members Graves and Webster, we raised questions earlier this year with FEMA regarding denial rates. And there are different reasons. I know we have to protect against fraud; I get that, totally get that. But the process shouldn't be so difficult for people to get the Individual Assistance they need.

And the documentation sometimes—for instance, in Puerto Rico, you had to finally waive some of the documentation requirements because the courthouses were gone. So, people couldn't prove that that was their property or they had lived there for so long, and started accepting some self-attestation. And we have similar problems when it comes to the mobile home parks, I think, several of which were burned during the fire disasters in Oregon.

So, anyway, I look forward to hearing all the testimony and, hopefully, looking at ways we can just make a few changes in the way FEMA does things. Generally, I am very appreciative of the Agency and its work, but I think we need a little adjustment when it comes to wildfires, wildfire mitigation, prevention, and recovery.

Thank you, Madam Chair.

[Mr. DeFazio's prepared statement follows:]

Prepared Statement of Hon. Peter A. DeFazio, a Representative in Congress from the State of Oregon, and Chair, Committee on Transportation and Infrastructure

Thank you, Chair Titus, and thank you to our witnesses for being with us today. In particular, I'd like to thank Andrew Phelps, the Director of the Oregon Office of Emergency Management who is joining us as a witness. His leadership has been critical in responding to the growing number of natural disasters that have impacted the state of Oregon in recent years.

The issues we'll be discussing are critical for states like mine that experience wildfires. Climate change and an expanding wildland-urban interface are causing wildfires to inflict an unprecedented amount of damage to the natural and built environment.

Oregon understands the gravity of this issue all too well. In 2020, Oregon experienced the most devastating wildfire season in our state's recent history. More than 5,000 structures across the state were damaged, including thousands of homes in low-income communities. Tens of thousands of Oregonians were forced to evacuate and, tragically, nine people lost their lives. I remain committed to helping Oregonians through the long recovery process in the wake of these fires.

The recovery process in Oregon has highlighted the importance of FEMA's assistance programs and making sure they are designed to meet the needs of wildfire survivors. I am grateful for FEMA's tireless work in Oregon and across the U.S. to help disaster-impacted communities recover. However, the growing number and severity of wildfires and their impact, particularly in the West, makes it necessary to re-evaluate whether FEMA's programs are doing enough to support local communities.

In the last year alone, FEMA has provided assistance to states experiencing wildfires by issuing 33 Fire Management Assistance Grants or F-MAGs and 5 Major Disaster Declarations. F-MAGs provide wildfire suppression assistance to states so they can stop fires before they become Major Disasters.

This high number of declarations causes us to ask the question, "what can we do to protect our communities from these fires?" The answer is to invest in mitigation efforts. Mitigation is a commonsense way to save lives and property, and it's cost effective. That's why I strongly support finding ways to expand funding for mitigation projects at the local and individual level.

After an F-MAG or Major Disaster Declaration, states are eligible for Hazard Mitigation Grants or HMGP. However, local stakeholders have told me that it is challenging to use HMGP funds for wildfire mitigation projects. As I said previously, mitigation is the key to reducing the devastating impact these disasters have upon communities. Investing in defensible space around a home can be the difference between a family's home being saved and being burned to the ground. We must make

sure that HMGP and other federal mitigation grants are designed to accommodate the type of mitigation needed to protect communities from wildfires.

As Chair Titus mentioned in her statement, I am pleased to have introduced the Resilient AMERICA package. The improvements to hazard mitigation that this legislation provides will help individuals and communities make the investments in mitigation that are needed to combat natural hazards.

While mitigation efforts can reduce the impact of wildfires, they cannot eliminate it completely. That's why it is also vital that relief programs are meeting the needs of survivor's post-fire.

In September of 2020, I was proud to pass the FEMA Assistance Relief Act. This bill reduces the financial burden on states and communities after natural disasters. I am eager to continue this work and evaluate the F-MAG program to consider how amendments may reduce the financial burden our communities face after a wildfire.

In May of this year, myself, Chair Titus, Ranking Member Graves, and Ranking Member Webster sent a letter to FEMA raising concern regarding denial rates for FEMA's Individual Assistance program and increasing instances of fraud. I plan to work with FEMA to resolve these issues and safeguard qualifying applicant's access to assistance.

Once again, thank you to our witnesses for joining us today. I look forward to hearing your testimony and learning from your local experience.

Ms. TITUS. Thank you, Mr. Chairman.

Is Ranking Member Graves with us? No?

All right. I guess not, so we will go ahead and hear from our witnesses. I would like to introduce them and welcome them.

Mr. Andrew Phelps has already been introduced by Chairman DeFazio; he is the director of the Oregon Office of Emergency Management, and he is here on behalf of the National Emergency Management Association.

Ms. Kacey KC, who is a State forester and firewarden in the Nevada Division of Forestry; Mr. Rich Elliott, deputy fire chief, Kittitas Valley Fire and Rescue, on behalf of the International Association of Fire Chiefs; and Ms. Casey Hatcher, deputy, chief administrative officer at Butte County Administration.

So thank you all for being here. We look forward to hearing your testimony.

Without objection, our witnesses' full statements will be included in the record.

Since your written testimony has been made a part of the record, the committee would request that you limit your oral testimony to 5 minutes.

So now we will proceed with our witnesses.

Mr. Phelps?

TESTIMONY OF ANDREW PHELPS, DIRECTOR, OREGON OFFICE OF EMERGENCY MANAGEMENT, ON BEHALF OF THE NATIONAL EMERGENCY MANAGEMENT ASSOCIATION; KACEY KC, STATE FORESTER AND FIREWARDEN, NEVADA DIVISION OF FORESTRY; RICH ELLIOTT, DEPUTY FIRE CHIEF, KITTITAS VALLEY FIRE AND RESCUE (WA), ON BEHALF OF THE INTERNATIONAL ASSOCIATION OF FIRE CHIEFS; AND CASEY HATCHER, DEPUTY, CHIEF ADMINISTRATIVE OFFICER, BUTTE COUNTY, CALIFORNIA

Mr. PHELPS. Thank you so much, Chairman DeFazio, for the introduction, Chairwoman Titus, Ranking Member Webster, and distinguished members of the committee, for allowing me to testify today.

I am proud to provide testimony on behalf of NEMA, the National Emergency Management Association, representing the State emergency management directors of all 50 States, Territories, and the District of Columbia.

The phrase “spreading like wildfire” is no longer just an idiom. It is becoming an all-too-frequent reality for emergency managers, first responders, and the communities we serve, as the threat of wildfire continues to expand beyond Western States, with devastating fires impacting our friends in the Southeastern U.S. and along the east coast.

Managing the impacts from wildland fire is challenging and unique. Given the high percentage of Federal land in Western States and the checkerboard of land ownership, many wildland fires originate on Federal lands before impacting local communities. As a result, what begins as a Federal incident often leads to costs to State and local governments.

Unfortunately, Federal disaster response and recovery assistance has been delivered through the lens of floods and hurricanes. Unlike those hazards, wildfires are no-notice events, can burn for months, and often combine with one another to create large, complex incidents.

We saw this repeatedly in Oregon last year. The 2020 firestorm was a worst-case fire scenario come to life for us in Oregon as we fought fire while also battling a global pandemic. Oregon’s wildfire activity steadily increased over the past decade, with more fires burning hotter in areas that historically haven’t burned and with fire season becoming a 12-month event.

The September 2020 fires, however, were unlike anything we had ever seen. Over the span of 2 days, dozens of new fires ignited as what could be considered hurricane-force winds whipped across our State, rapidly driving existing fires past containment lines, overwhelming already-strained resource and response systems, and torching homes, businesses, and critical infrastructure in dozens of communities across Oregon. My heart breaks for those who lost so much, and especially the nine Oregonians who lost their lives.

Now, 14 months after the fires, we find strength and hope as we continue to heal, grieve, and recover. Nearly every destroyed home site has been cleared of hazardous materials and other debris left behind by the flames. Hundreds of new homes are being built, as long-term recovery groups help survivors access necessary resources to help them write their own recovery stories.

Through partnerships with Federal and State agencies, philanthropic and nonprofit organizations, and the private sector and local governments, neighborhoods, cities, and natural spaces are showing signs of recovery. Oregon and her people and communities are strong.

Our experience in Oregon, however, highlights the need for changes in how we, as a Nation, apply existing emergency programs and structures at the Federal level to these disasters. Now, this hearing is slightly ahead of the ongoing policy review process with my colleagues at NEMA, but I can give you a sense of the issues we are examining to determine recommendations.

FEMA should be the lead coordinating agency for all incidents requiring Federal assistance to ensure coordination and continuity

between disaster response and recovery. They must exercise leadership to ensure programs such as Public and Individual Assistance adequately address the wildfire threat. They should update incident period and declaration criteria and include post-fire emergency work that is eligible under PA.

The predeployment of equipment through Fire Management Assistance Grants, or FMAGs, is currently limited to out-of-State resources. We should utilize this grant for prestaging firefighting resources within the State to prevent fires from reaching more severe levels of destruction.

FEMA policies for mitigation programs currently limit mitigation activities on Federal land. Unfortunately, it is often the impacts of fires on Federal land that lead directly to the need for additional firefighting and mitigation on State and private land. Creativity will be required to ensure mitigation programs can assist in managing these events holistically.

I also want to acknowledge our partners from FEMA who have been assisting us in Oregon throughout our wildfire recovery. Many of the innovative solutions to challenges we have experienced should be memorialized in policy, because disasters, after all, are policy issues. They are a result of how we build, where we build, and the investments we choose or do not choose to make.

Extreme weather, prolonged drought, and the devastating fires we have experienced in Oregon are not anomalies or outliers; they are indicators of what is to come. We must ensure Federal programs can adequately support State and local governments in response and recovery efforts and properly evolve with this threat.

We at NEMA look forward to working with you in addressing these challenges. And, once testimony is concluded, I am happy to take any questions the committee may have. Thank you.

[Mr. Phelps' prepared statement follows:]

Prepared Statement of Andrew Phelps, Director, Oregon Office of Emergency Management, on behalf of the National Emergency Management Association

Thank you, Chairwoman Titus, Ranking Member Webster, and distinguished members of the Committee for allowing me to testify today.

I am proud to testify today on behalf of the National Emergency Management Association (NEMA). NEMA represents the state emergency management directors of all 50 states, territories, and the District of Columbia. As Director of the Oregon Emergency Management Agency and on behalf of my colleagues in state emergency management, we thank you for holding this discussion on how programs of the Federal Emergency Management Agency (FEMA) aid in the mitigation, response, and recovery to wildfires.

BACKGROUND

The mounting impacts of past fire suppression policies, environmental and ecological alterations, disease outbreaks, and the development growth within or adjacent to fire-prone ecosystems creates the perfect storm for areas to be more susceptible to larger and vastly destructive wildfires. As of October 12, 2021, nine states reported 45 large fires currently burning around the country. These fires have burned a total of nearly 6.5 million acres of land across the country. This is coming off the second-worst year in recent history, with over 10.1 million acres burned in 2020. This translates into enormous costs for all levels of government, communities, businesses, and homeowners. The average annual federal firefighting costs for the last five years is \$2.35 billion, more than \$400 million higher than the ten-year av-

erage of \$1.9 billion. Not only are fires becoming more dangerous and burning faster and further, but they are also increasingly costly in suppression costs.

According to the U.S. Department of Agriculture Forest Service, recent increased fire activity is a result of increasingly hot and dry summers; stronger winds; insect and disaster infestations; and human population growth in the Wildland Urban Interface. The risk of wildfire impacts to lives, infrastructure, property, and natural resources is a growing crisis that demands action in a comprehensive approach for community protection and forest management. These recommendations are the beginning of that comprehensive approach.

Managing the state and local emergency management impacts from wildland fire is challenging and unique. Given the high percentage of federal land in western states, many wildland fires originate on federal lands before impacting local communities. As a result, the federal incident results in costs to local communities for actions such as structure protection, evacuation, and pre-positioning of resources. Often these incidents also result in loss of homes, infrastructure, resources, and sometimes cost lives. Post-fire effects from federal incidents impact local communities when landslides, debris flows, and flooding result and become local issues to resolve.

Leveraging federal grants for response or mitigation efforts becomes problematic when they do not have adequate allowances for some of the unique needs of fighting wildfires. In the long-term approach, state and local land managers can be proactive in lessening threats to communities, while federal land managers struggle to implement meaningful fuels reduction projects near communities. In total, there would be great benefit to federal agencies taking a more active role in protecting communities before, during and after wildland fires originating on federal lands. Throughout this statement I will highlight some additional examples and remedies.

THE IMPACT IN OREGON

The 2020 firestorm was a worst-case fire scenario come to life for us in Oregon, when Oregonians were already reeling from the impacts and uncertainty of the COVID-19 pandemic. Oregon saw an increase in wildfire activity over the past decade, with increasing frequency, intensity, and duration of fire seasons. The September 2020 fires, however, were unlike anything ever seen in the state. At the peak of fire season, in a matter of days, dozens of fires ignited as hurricane-force winds whipped across our state, driving existing fires past containment lines, overwhelming already strained response systems, torching homes, businesses, and critical infrastructure in dozens of communities across Oregon.

We issued statewide warnings for wildfire in the days leading up to the fires. Preventive messaging and evacuation notices, community planning, the quick actions of law enforcement and firefighters, and the culture of preparedness built in Oregon, undoubtedly saved lives. Despite the selfless and heroic work of first responders, nine Oregonians tragically lost their lives. Where infrastructure still allowed, local, state, and federal agencies issued alerts and warnings and media partners amplified those messages. Despite our best effort, tens of thousands were temporarily displaced and 4,500 homes were destroyed, leaving thousands more without a home. Businesses were burned to the ground, leaving workers jobless in an already struggling economy. Toxic smoke blanketed the entire state, impacting the health of every Oregonian, with Oregon's air quality listed as the worst in the world for days on end.

Words like “unprecedented” fail to convey the devastation left behind by these fires, and “resilient” and “inspiring” seem inadequate descriptors of how Oregonians responded to the worst wildfire disaster in the history of the state. Even as the state works to grieve, heal, and recover, we continue responding to new wildfires, leaving traumatized families and communities terrified they may be next, and forcing those who lost their homes in the infernos wondering how to navigate the complexities of an overly bureaucratic recovery system.

Nearly 14 months after the fires, we find strength and hope. Nearly every destroyed homesite has been cleared of hazardous materials and other debris left behind by the flames. Hundreds of new homes are being built, as long-term community recovery groups help survivors access necessary resources to help them write their own recovery stories. Through partnerships with federal and state agencies, philanthropic and non-profit organizations, the private sector and local governments, neighborhoods, cities, and natural spaces show signs of recovery. Oregon and her people and communities are strong.

The devastating wildfires experienced over the past several years in Oregon, along with historic ice storms, severe flooding, and record-setting heat waves that have cost dozens of lives are not anomalies or outliers. They are indicators of a changing

hazard profile and point to the types of emergencies and disasters Oregon and others will continue to face. We must change how we view these emergencies. They are not natural disasters, because disasters are not natural; disasters are policy issues. They are a result of how we build, where we build, and the investments we choose, or do not choose, to make.

OPPORTUNITIES FOR PROGRAMMATIC IMPROVEMENTS

As an association, NEMA is still working through the development of specific policy and legislative recommendations. What I can share with you today is the universe of issues we will examine to determine next steps like adjustments to policy, Stafford Act amendments, or regulatory changes. Overall, however, the most pressing issue is leadership and a better understanding of the threat at the federal level.

Wildfires can no longer be viewed as merely a fire service problem or function of first responders. As these fires continue spreading and having broader impacts, they become a whole-of-government hazard which must be treated as such to include robust prevention activities. Furthermore, to understand wildfires, one must first understand forest management, drought, and the interplay with existing FEMA programs. While NEMA would not recommend creating new, hazard-specific programs, we believe existing programs could be tailored somewhat to meet the evolving and continuing wildfire threat.

Clarify the Federal Role. FEMA should be the lead coordinating agency for all multi-agency incidents across all phases of a wildfire, including recovery. This will include ensuring FEMA's capacity to successfully achieve interagency coordination through appropriate resourcing, staffing (including wildfire subject matter expertise), and authorities. Furthermore, FEMA must exercise leadership with its own policies and ensure the Public Assistance Program and Policy Guide (PAPPG) clarifies available assistance and reduces the amount of on-the-fly policy interpretation currently being done within disparate FEMA regions. Given the large amount of US Forest Service and Bureau of Land Management lands that are continually impacted by wildfires, coordination and land use agreements should be put in place prior to wildfire season to ensure there are no delays in recovery due to ownership issues. In many States across the Country, these federal lands have trees that when burned, fall onto local, state, and private property.

Prepositioning Deployments. When preparing to fight wildfires, one of the most valuable capabilities is that of prepositioning firefighting assets. Currently, eligible pre-deployment costs through the Fire Management Assistance Grants (FMAG) are limited to out-of-state resources. Allowing the state to utilize FMAG assistance for the prepositioning of in-state resources would be a logical interim step to requiring us to look outside our borders first. Consideration should also be given to allow for funding the pre-staging of firefighting resources to prevent fires from reaching the severity where an FMAG is needed, much as we do for hurricanes or floods.

Definition of Incident Period and Declaration Criteria. Unlike a hurricane that is predictive and leaves a specific trail of destruction in its wake, wildfires are unpredictable and often overlapping. In some cases, four or five fires start at different times in different locations and merge to form one massive event. Current policies dictating the establishment of an incident period are not conducive to this type of event across multiple jurisdictions and authorities. There are one of two ways in which this could be resolved. First, the initial attack of a wildfire could qualify for emergency protective measure once the National Geographic Area Coordination Center (GACC) and the National Interagency Fire Center (NIFC) reach Preparedness Level (PL) 5. Secondly, instead of considering only localized impacts of fires, declaration criteria could be based on statewide impacts to include ongoing firefighting incidents. Furthermore, the declaration criteria used for Individual and Public Assistance disasters are not well-suited for informing fire declaration decisions as they do not consider the full range of impacts of large fires on local, and especially rural, communities and states.

Emergency Work Eligibility. Large fires expose burn scars to erosion from wind and soil saturation. This often leads to landslides and mudslides. The federal firefighting services recognize this hazard and take emergency protective measures to protect property within their jurisdiction under the Burned Area Emergency Response (BAER) and Emergency Stabilization and Rehabilitation (ESR) programs. Similar emergency stabilization measures taken by state and local governments are eligible Category B measures under FEMA PA declarations. In managing and FMAG, however, emergency protective measures outside the FMAG incident period are ineligible, putting additional strain on state and local resources. FMAG program guidance should mirror the same eligibilities and time frames for emergency work as those found in the PA program.

Mitigation & Wildfires. FEMA policies for mitigation programs currently limit the execution of mitigation activities on federal land. Unfortunately, it is often the impacts of fires on those federal lands that lead directly to the need for additional fire-fighting and mitigation on state and private land. This dichotomy could be resolved by allowing states to conduct mitigation activities not only on state land, but also those federal lands whose land and forest management practices may directly impact wildfire-prone communities. Empower FEMA to ensure other federal agencies are “at the table” for assessment, recovery, and mitigation processes beforehand. Such an allowance, coupled with FEMA having the authority to compel other federal agencies to convene as necessary would greatly reduce the impact of wildfires on both federal and non-federal land.

Wildfires dramatically alter the terrain and ground conditions of the affected area. Communities impacted by wildfire may be at an even greater risk of flooding and mudslides. Thus, the Disaster Recovery Reform Act (DRRA) made clear that post wildfire mitigation efforts to avoid future damage, hardship, loss, or suffering in any area affected by a wildfire (like activities that avoid flooding and landslides) are eligible for funding. FEMA should utilize the flexibility afforded in the DRRA to the maximum amount possible and apply the same criteria used by other federal agencies for approving soil stabilization and reseeding projects on non-federal land when post-fire mitigation funds are used.

Environment and History Preservation (EHP) Reviews. Managing EHP reviews remains an issue both pre- and post-wildfire. By nature of the environment in which wildfires occur, environmental reviews represent an integral part of the preparedness and recovery to these events. EHP reviews are cumbersome for wildfire recovery and mitigation proposals. The lengthy timeline is often due to the lack of applicable Categorical Exclusions under the National Environmental Policy Act (NEPA). This leads to requirements for full environmental assessments which can take a year or more to complete. This process may lead to the result of simple targeted pruning and thinning in rural-residential neighborhoods; or planting native samplings on a burned hillside. These administrative delays impact these communities that need simple mitigation tactics quickly. Such reviews should allow creative approaches and flexibility in the grant application timeframe, particularly for disadvantaged communities. Many of these concerns can be improved by developing Programmatic Biological Opinions (BO) with other federal regulatory agencies such as the U.S. Fish and Wildlife Service and National Marine Fisheries Service for wildfire response, recovery, and mitigation activities. These BO’s can pave the way for federal agencies to streamline approval of these activities via pre-determined avoidance and minimization measures.

Recovery Policies. Many FEMA programs are built through the lens of hurricanes and flood but could be properly adjusted to meet the ever-growing wildfire threat with some modest adjustments. The PAPPG should be updated to ensure the inclusion of wildfire-specific challenges around debris removal and eligibility as well as the lingering toxicity and contaminants once a wildfire has moved through a community. It could also be amended to include a specific wildland fire disaster indicator to recognize expenses related to an initial and extended attack (IEA) indicator.

CONCLUSION

As emergency managers look to help our communities adapt to our changing climate and take steps to reduce our shared risk, we must take an intentional and deliberate approach to ensuring our disaster risk reduction strategies and programs do not simply account for the disasters we have faced before, but what we are certain to face tomorrow. We must prepare our communities in a way that is equitable, inclusive, and accessible as disasters have the greatest impacts on those who can least afford them.

Wildfires are unique from other disasters such as hurricanes and storms because they have the capability of decimating entire communities to the point where nothing is left standing. The threat has also moved from a fire season to a year-round persistent danger across most of the Western United States and is no longer exclusive to this region. Florida, Georgia, Alabama, Tennessee, and other states east of the Mississippi River have also experienced large wildfires in recent years. We are seeing increasingly large and severe wildfires; drought conditions, low reservoir levels, and parched landscapes; and stress on the electric grid due to extreme heat throughout the West. These challenges are interconnected and cannot be looked at, or responded to, in isolation, and FEMA’s policies and response strategies need to evolve with the threat. These policy gaps can be resolved by a recognition of the unique threat posed by wildfires, the need for adaptive policies, and a whole-of-government approach to finding solutions. The state emergency managers, through

NEMA, stand ready to work with Congress and FEMA in identifying and implementing the necessary changes to better respond to this dynamic threat.

Ms. TITUS. Thank you, Mr. Phelps. We appreciate that.

Our next witness is from the State of Nevada. We are delighted she is here. Ms. KC first joined the Nevada Division of Forestry in 2002 and has served as State forester since April of 2017.

Ms. KC has more than 15 years of professional experience in forest management and natural resource conservation, including her tenure as Nevada Division of Forestry deputy administrator and as the program manager of Nevada's Sagebrush Ecosystem Program.

She holds a degree in forestry resource and conservation from the University of Montana. She is a native of Gardnerville, Nevada. And she is the first female State forester to head the Nevada Division of Forestry.

Congratulations on that. Welcome to the hearing, and we look forward to your testimony.

Ms. KC. Thank you for the introduction.

Good morning, Chairwoman Titus, Ranking Member Webster, and members of the committee. Again, my name is Kacey KC, State forester/firewarden for the Nevada Division of Forestry. I appreciate the opportunity to speak with you today and submit my written testimony as the subcommittee examines FEMA's wildfire assistance programs.

Climate change conditions, dangerous fuel accumulations, and increased development in the wildland-urban interface have caused significant increases in catastrophic loss of life, property, and ecosystems across the United States, but, as you have also heard this morning, most dramatically in the Western United States.

These changes have increased burdens on insurance companies and national programs like those managed by FEMA to assist with the increase in the cost of not only wildfire suppression but the losses suffered to homes and business owners.

In the last 21 years, Nevada has burned close to 10 million acres, which averages to just over 470,000 acres per year. This is more than double the previous 20-year period in Nevada. Of note, within this 21-year period, Nevada has burned close to or over 1 million acres annually in 6 different years—which, in the previous 20 years, there was only 1 year, which was an anomaly in that 20-year period.

The increase in fire frequency and intensity is requiring more active ecosystem management to prevent catastrophic loss prior to wildfires starting. In 2020, NDF, along with our Federal and local government partners, treated over 182,000 acres, which was a 48-percent increase from 2019, despite challenges related to the pandemic and workforce issues. This year, we have collectively treated over 257,000 acres so far, which is, for the first time ever probably, more than we have burned in the State this year so far.

The Nevada Division of Forestry is designated as the Governor's authorized representative for the application of Fire Management Assistance Grants, or FMAGs, in Nevada. FEMA's FMAG program is critical, and we very much appreciate the support for State and local and Tribal governments because of the 75-percent reimburse-

ment rate afforded to those partners for non-Federal wildfire suppression cost.

NDF applies for FMAGs on behalf of all local government fire departments under contract in the State of Nevada, which equates to 98 percent of the fire departments within the State. FMAG eligibility is based on these primary criteria: threats to human lives and property, availability of State and local government fire-fighting resources, high fire danger conditions, and the potential for major economic impact.

Although population size for threatened communities is not explicitly identified in FEMA's guidance to States on FMAG applications, it appears to be widely used when determining eligibility. This has continuously ruled out many of Nevada's largest and most affected areas for wildfire loss, which is our rural areas, who do suffer severe economic loss to landowners, to rural economies, to agricultural enterprises, mines, tourism, and local and State governments.

In 2018, FEMA allocated Hazard Mitigation Grant Program, or HMGP, funds for wildfire mitigation to those FMAG communities. Since 2016, NDF has been awarded 17 FMAGs, and subsequently over \$10.7 million in HMGP funds, to those communities.

Of the \$10.7 million, close to \$8 million has been awarded for wildfire mitigation projects, yet none of those funds have been implemented on the ground due to a lengthy application and environmental review process. The funds that were allocated for equipment purchases have been executed and completed.

A portion of these HMGP funds is needed for emergency stabilization measures immediately to ensure that there is no further loss to lives and properties due to flooding or landslides following rain or snow events after wildfires. FEMA should create a program to advance the necessary portion of these HMGP funds to recipients immediately upon approval so that emergency stabilization measures can be put in place.

With lengthy delays of funding availability, we find ourselves in a much more costly and time-consuming restoration project due to ongoing erosion, sedimentation, and invasion of nonnative fuels.

FEMA programs for floods and earthquake mitigation are very well-established, with precalculated benefits and average costs for certain projects to expedite review and approval. A similar project should be developed for wildfire emergency stabilization measures and mitigation projects for wildfires to streamline the process and ensure that the actions can hit the ground immediately.

Thank you for allowing me time to speak on this issue. Following testimony, I, too, will be available for questions.

[Ms. KC's prepared statement follows:]

**Prepared Statement of Kacey KC, State Forester and Firewarden, Nevada
Division of Forestry**

Good morning, Chairwoman Titus, Ranking Member Webster, and Members of the Committee. My name is Kacey KC, State Forester/Firewarden for the Nevada Division of Forestry. I appreciate the opportunity to speak with you today and submit my written testimony as the Subcommittee examines FEMA's wildfire assistance programs.

BACKGROUND

Climate change, dangerous fuel accumulations, and increased development in the wildland urban interface has caused a significant increase in catastrophic loss of life, property, and ecosystems across the United States, most dramatically in the Western U.S. Fire seasons have expanded to year-round wildfire occurrence and fire intensity has increased, leaving little surviving native vegetation post-wildfire. These fire frequencies have been shortened to lengths that only allow short-lived, weedy, and flammable species to remain on our landscapes. In many Western States, these changes are causing increased burdens on insurance and national programs like those managed by FEMA to assist with the increase in the costs of wildfire suppression and the losses suffered to home and business owners.

Nevada's wildland fire occurrences have followed this same trajectory. During the 20-year period between 1980 and 1999, Nevada burned 4,160,929 acres. This is an average of 208,046 acres burned per year. This 20-year period included the most devastating year on record, 1999, in which over 1.7 million acres burned (see graph below). The wildfire events of 1999 were an anomaly within that period, as Nevada had never experienced anywhere near 1 million acres burned since the inception of wildfire data collection. In the next 21 years, from 2000 to 2020, Nevada burned 9,959,185 acres, which is an average of 474,247 acres burned per year, more than double the previous 20-year period. Of note, within this latter 21-year period, Nevada has burned close to or over 1 million acres annually in 6 different years. This is directly correlated to climate in years of extended drought interrupted by a year or two of above average precipitation and warmer overall temperatures.

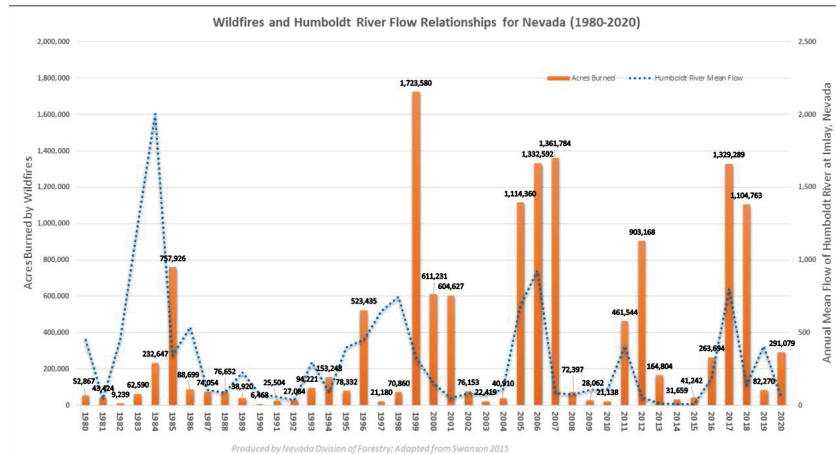


Table: Annual wildfire acreage burned in Nevada overlaid with Humboldt River flows, which is indicative of most Nevada watershed response showing Nevada's largest fire seasons by acres burned are the 2–3 years following high water flows.

Between 2005 and 2020, wildfires have destroyed more than 89,000 structures, including homes and businesses in the United States. The most damaging wildfires have occurred in the last few years, accounting for 62 percent of the structures lost over the last 15 years (Headwaters Economics, 2020). The following list shows significant losses due to wildfires in the United States over the last decade (NIFC, 2021).

- 2011: Texas—5,900 structures damaged or destroyed
- 2012: Colorado—3 civilian fatalities and 605 homes lost
- 2013: Arizona—19 firefighter fatalities and 129 structures destroyed
- 2014: California—341 residences destroyed;
Washington—342 residences destroyed
- 2015: Washington—3 firefighter fatalities and 342 residences destroyed
- 2016: Tennessee—14 fatalities, 2121 residences destroyed
- 2017: California—7,778 residences destroyed;
Florida—44 residences destroyed
- 2018: California—88 civilian and firefighter fatalities and over 18,800 structures lost
- 2019: California—315 residences destroyed;

- Alaska—57 residences destroyed
- 2020: Oregon—11 civilian and firefighter fatalities and over 3000 structures destroyed;
- California—10,500 structures destroyed and 33 civilian and firefighter fatalities

The increased loss in structures, lives and ecosystems and further damage from subsequent floods is requiring a significant increase in the need for active ecosystem management across Nevada, better coordination and participation among multiple partners, and increased funding from multiple sources to address the threat of catastrophic wildland fire loss.

NEVADA'S USE OF FEMA WILDFIRE FUNDS

The Nevada Division of Forestry (NDF) is designated as the Governor's Authorized Representative (GAR) for the application of Fire Management Assistance Grants (FMAG) in Nevada. FEMA's FMAG program is critical for state, local, and tribal government agencies because of the 75% reimbursement rate afforded to these partners for wildfire suppression costs of non-federal response assets. To be accepted, an FMAG must be submitted when the threat of wildfire impact is imminent. During the active response of suppression assets, the program assesses the following criteria for eligibility: threats to human lives and property, including critical infrastructure and watersheds; availability of state and local government firefighting resources; high fire danger conditions; and the potential for major economic impact. NDF's on-call duty officers work with FEMA's regional officials and a Forest Service Technical Advisor to submit a timely application that meets the program's qualifying criteria, if they are present.

There are two primary issues NDF has identified with the FMAG approval process:

- 1) Although population size for a threatened community is not explicitly identified in FEMA's guidance to States on FMAG applications, it appears size is widely used when determining eligibility. This has continuously ruled out many of Nevada's rural fires that have caused severe economic loss to landowners, rural economies, agricultural enterprises, mines, tourism, and local and state governments. This was brought to light when the FMAG request for the South Sugarloaf Fire, a fire that burned over 364 square miles, was denied originally and then again when appealed by NDF.
- 2) Eligibility for the same community varies year to year, even when eligibility criteria remain the same and are consistently met. This was evident in the FMAG request for the Nevada side of the Tamarack Fire this year, which was originally denied; however, the same community had received two FMAGs in previous years. This causes confusion for GARs when supplying information to FEMA in the FMAG process.

In 2018, FEMA allocated Hazard Mitigation Grant Program (HMGP) funds for wildfire mitigation, rehabilitation, emergency stabilization, and restoration to the community/county/state that was awarded an FMAG. This first allocation in 2019 counted all successful FMAGs awarded from 2016–2018, then was allocated each year thereafter based on those years approved FMAGs. Nevada was deemed an area of high wildfire threat and was awarded the maximum amount of funding per FMAG through this HMGP allocation. The allocated HMGP amount in Nevada started at \$566,677 per FMAG and has increased every year. Currently, Nevada receives \$778,778 per FMAG. Since 2016, NDF has been awarded 17 FMAGs and subsequently over \$10.7 million in HMGP wildfire mitigation funds have been allocated. Each year, FEMA and the State of Nevada's Division of Emergency Management have solicited grant proposals for funds allocated to Nevada. The State of Nevada, along with its local fire protection organizations have applied and been selected for awards of the HMGP Grants. Of that \$10.7 million, close to \$8 million has been awarded to wildfire mitigation projects or equipment, approximately \$1.5 million went to mitigate other hazards and over \$2.2 million was returned to FEMA due to withdrawn applications. The complicated application process and the length of time to award has caused many applicants, particularly local government fire departments who do not have the capacity to deal with this, to turn down these FEMA funds. NDF has tried to apply on behalf of these jurisdictions to keep the funding in Nevada, however, has also had difficulty navigating the process, which averages two to three years to complete. Applications for equipment purchases move through the FEMA application process with ease; however, mitigation, fuel reduction, rehabilitation, and home hardening processes all experience substantial delays.

The Nevada Division of Emergency Management (NDEM) is the recipient of all HMGP funds in the State of Nevada, including wildfire mitigation, as those funds

are tied to the State of Nevada Enhanced Hazard Mitigation Plan. NDEM works diligently with FEMA on behalf of NDF and local government entities to ensure these wildfire mitigation HMGP funds are used for wildfire mitigation in the most critical and high-risk areas. Ecosystem management, cultural resource clearances, and wildfire mitigation, however, are not NDEM's area of expertise, which has caused delays in applicant receipt of funding and the funding of projects that are not of the highest priority. State Forestry Agencies like NDF have State Forest and Resource Management Action Plans as well as Shared Stewardship Plans, created with state, federal, and local government partners which identify the areas of highest wildfire risk in need of treatments.

NDF has applied for, and been awarded, funds for five projects to date through NDEM and the wildfire mitigation HMGP funds. The application process is more challenging than most other sources of mitigation funding but is manageable. Once selected, the environmental clearance process is extensive and has taken over three years so far, as we have not yet made it through any of those processes and received funds for implementation. Much of this funding is necessary to assist the affected county with immediate emergency stabilization measures to ensure that when the first rain or snow falls following the fire, there is no further damage to lives and property due to flooding or landslides. If three years have passed before funding can be allocated, then NDF and our partners have not been able to mitigate the post-wildfire impacts to lives and property. We and our local partners find ourselves in a much more costly and time-consuming restoration project due to the ongoing erosion, sedimentation, and runoff processes that tend to follow wildfires, particularly when known issues are not managed in a timely manner following the wildfire occurrence. In addition, the longer the time between the fire and the restoration activities, the harder it is to avoid highly competitive non-native, noxious species out competing native vegetation following fire and contributing to the loss of water supplies for communities, habitat for wildlife, and other economic activities tied to healthy ecosystems.

SUGGESTIONS TO ENSURE SUCCESSFUL IMPLEMENTATION OF FEMA FUNDS

- 1) Ensure that FMAG eligibility criteria are equally applied across all states and do not favor highly populated areas over more rural areas, as loss of livelihoods and economic impacts are critical regardless of overall human population.
- 2) Ensure FMAG eligibility criteria are clearly written and understood by FEMA staff and applicants.
- 3) Have FEMA work directly with State Forestry agencies, like NDF, and/or other federal land management agencies, who have been implementing wildfire mitigation projects for over 100 years and have current plans and strategies depicting the highest risk areas from wildfire needing treatment, to ensure that wildfire mitigation (HMGP) funds go to the highest priority risk reduction areas when they are not being used solely for rehabilitation of the awarded FMAG fire. The GAR for the wildfire HMGP funds should be the same as that for the FMAG process and should align with the State Forestry agencies that manage natural resources and wildfire risk reduction in the State.
- 4) Have FEMA and DEM receiving agencies establish agreements with State Forestry agencies to expedite cultural resource reviews to ensure expeditious application of wildfire mitigation HMGP funds on critical risk reduction projects.
- 5) Allow an advance of a portion of the FMAG-related HMGP funds to be awarded to allowable recipients immediately upon approval so that emergency stabilization measures can be put in place for the protection of lives, properties, and remaining natural and cultural resources.
- 6) FEMA programs for flood and earthquake are very well established with set projects to expedite review and approval. Develop a similar process for wildfire emergency stabilization measures and mitigation projects to streamline the process of application review, approval, and award to ensure that timely actions can be applied on the ground.
- 7) Many States in the Western U.S. have identified wildfire as a top priority in their Multi-Hazard Mitigation Plans. Funding for active fuel management has traditionally gone directly to Department of Interior and Department of Agriculture agencies, which then pass down to states, local governments, and tribal entities. Traditional funding streams should be continued and increased to address growing wildfire occurrences. If FEMA is going to have a role in fuel management, it should be clearly defined, and the process should mimic those of DOA and DOI agencies.
- 8) FEMA grants require extensive Benefit Cost Analysis (BCA) reports for submittal. The current criteria should be evaluated to ensure it covers wildfire

issues in addition to other funded disasters equally. Also, pre-calculated benefits for wildfire mitigation should be designed for common projects to expedite the application process.

Ms. TITUS. Thank you very much, Ms. KC.
We will now go to Mr. Elliott.

Mr. ELLIOTT. Good morning, Chair Titus, Ranking Member Webster, and members of the subcommittee. I am Deputy Fire Chief Rich Elliott with Kittitas Valley Fire and Rescue, which is in central Washington State.

Today, I am representing the International Association of Fire Chiefs as the chair of the Wildland Policy Committee. I thank you for the opportunity to testify at today's hearing.

The wildland fire problem is a national problem. Every State in the Union faces the threat of wildfires burning through their communities. We must take comprehensive action to address this problem. It will require cooperation between Federal, State, Tribal, Territorial, and local governments as well as the private sector and the general public.

FEMA programs can be used to address this wildland fire problem. They can fund mitigation, preparedness, response and recovery activities. Most importantly, they bring stakeholders together to plan and cooperate before the fire occurs.

One example, FEMA's BRIC program, which is Building Resilient Infrastructure and Communities, is an opportunity to engage everyone to mitigate the cost of wildland fires. BRIC grants can promote the use of building codes, such as the International Wildland-Urban Interface Code, and fire-resistant materials to reduce fire damage. They also can fund the removal of hazardous fuels and protect community lifelines.

However, we must also use these grants to build capacity for mitigation projects. Local jurisdictions require technical assistance to educate the public about the importance of activities like prescribed fire. Also, we need help in navigating the environmental reviews and the litigation that are part of the mitigation process. The Nation must also develop an experienced workforce to handle a surge in mitigation projects.

Due to budget shortfalls and COVID-19, fire departments across the Nation are facing staffing shortages and challenges procuring equipment. An example would be the semiconductor shortage, which is delaying the delivery of brush trucks to fight wildland fires.

Many fire departments must train their firefighters to respond to wildland fires. Volunteer fire departments are facing problems recruiting and retaining personnel due to COVID-19 restrictions. Even career and combination fire departments are unable to induct recruit classes at a rate they require.

FEMA's grants, the Fire, SAFER, and EMPG programs, can help with these challenges. Fire and SAFER provide matching grants directly to local fire departments for training, equipment, and staffing. The EMPG program can be used for planning for the response to wildfires. And I thank you for the support of these programs.

The FMAG program, mentioned before, is a tool for funding the response to major wildland fires. It brings together Federal, State,

Tribal, Territorial, and local authorities to work in a collaborative manner. However, there is room for improvement.

We recommend that the committee consider the Wildfire Recovery Act, H.R. 1066. This bill would allow FEMA to set thresholds for raising the Federal match for FMAGs. This would help communities devastated by wildfires to recover faster.

We also ask that FEMA use the FMAG to fund the full footprint of the wildfire regardless of whether it crosses jurisdictional boundaries. This will promote cross-border cooperation during wildland fires.

FEMA can also take steps to improve mutual aid response. The reimbursement process can take years to resolve between FEMA and the States; the local fire department can be left holding the bill. FEMA could make the reimbursement process more transparent so that the local fire department can determine when they will be reimbursed. In addition, FEMA could standardize the reimbursement cost of common resources, like volunteer firefighters.

FEMA could also adopt tools that complement the EMAC system. For example, the National Mutual Aid System makes it easier for fire chiefs to identify and request the closest resources during a wildland fire. This program can support both intrastate and interstate mutual aid.

The IAFC urges FEMA to promote community preparedness efforts like Ready, Set, Go! which promote local preparedness and planning. They educate homeowners about how to protect their property and safely evacuate when necessary.

I thank this committee for its leadership in creating the HMGP Post-Fire program. This allows affected areas to prevent flooding after fires and create erosion barriers, reseeding, and other activities.

After a fire, FEMA could provide additional technical assistance to help communities recover and rebuild. In some cases, latitude may be required so that a fire station could be rebuilt in a safer location.

As I conclude, I emphasize the importance of action. In 2020, we had 59,000 fires burn across more than 10.1 million acres. The Federal cost alone has increased from \$240 million in 1985 to \$2.3 billion in 2020. Without aggressive action, we can expect to see the severity of these fires increase as well as the cost to lives and property.

The IAFC stands as a partner to local and State agencies, and I will be available for questions after.

[Mr. Elliott's prepared statement follows:]

Prepared Statement of Rich Elliott, Deputy Fire Chief, Kittitas Valley Fire and Rescue (WA), on behalf of the International Association of Fire Chiefs

Good morning, Chair Titus, Ranking Member Webster, and members of the subcommittee. I am Deputy Fire Chief Rich Elliott of the Kittitas Valley (Washington) Fire and Rescue department and chair of the Wildland Fire Policy Committee of the International Association of Fire Chiefs. I appreciate the opportunity today to discuss the assistance programs of the Federal Emergency Management Agency (FEMA) and how they help communities before, during, and after wildland fires.

The IAFC represents the leadership of firefighters and emergency responders worldwide. IAFC members are leading experts in firefighting, emergency medical

services, terrorism response, hazardous materials incidents, wildland fire suppression, natural disasters, search and rescue, and public-safety policy. Since 1873, the IAFC has provided a forum for its members to exchange ideas, develop best practices, participate in executive training, and discover diverse products and services available to first responders.

America's fire and emergency services are the only organized group of individuals who are locally situated, staffed, trained, and equipped to respond to all types of emergencies. There are approximately 1.1 million men and women in the fire and emergency service—consisting of approximately 300,000 career firefighters and 800,000 volunteer firefighters—serving in over 30,000 fire departments around the nation. They are trained to respond to all hazards ranging from earthquakes, hurricanes, tornadoes, and floods to acts of terrorism, hazardous materials incidents, technical rescues, fire, and medical emergencies. America's fire and EMS personnel usually are the first on-scene at an incident and the last to leave.

Every state in the nation can face the destruction and loss of a major wildland fire. The year 2020 was one of the worst wildfire years on record. Approximately 59,000 fires burned more than 10.1 million acres. Overall, the cost of wildland fire suppression for the American taxpayer continues to increase. In 1985, the U.S. Forest Service and U.S. Department of Interior spent approximately \$240 million on wildland fire suppression. By 2020, these costs had escalated to approximately \$2.3 billion. These figures leave out state, tribal, territorial, and local firefighting costs and the tragic loss of life and private property caused by wildland fires.

The nation must focus on addressing the wildland fire problem, especially for communities in the wildland-urban interface (WUI). This task will require collaboration between federal, state, tribal, territorial, and local governments along with the private sector and the general public. Because of its support for states and local communities through the Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 100-707), FEMA is an important partner in the effort to address the wildland fire problem. FEMA specifically can play a major role in mitigating wildland fires, preparing for future fires, responding to these fires, and helping communities to recover from them.

FEMA'S ROLE IN MITIGATING WILDLAND FIRES

FEMA's mitigation programs can play an important role in helping communities prevent damage from wildland fires. To mitigate their risk, communities must promote building codes to make structures fire resistant; use prescribed burns and other forestry strategies and remove hazardous fuels. FEMA's Building Resilient Infrastructure and Communities (BRIC) program represents a \$1 billion opportunity to mitigate natural hazards, such as wildland fires. The BRIC program funds efforts to adopt building codes and implement mitigation projects that protect community lifelines. BRIC grantees are states, U.S. territories, federally recognized tribal governments and Washington, D.C., but local governments can be subapplicants. The BRIC grants have supported programs to reduce the biomass and hazardous fuels in the WUI and use it for electricity generation. In addition, it has funded projects to support partnerships between local fire departments and builders to adopt codes and guidelines to use fire-resistant materials in designing roofs, exterior siding, doors, windows, decks, and other housing components. By including a large amount of federal funding with an opportunity for federal, state, local and private partners to work together, the BRIC program represents a major new tool for mitigating the threat of wildland fires. The IAFC thanks the subcommittee for its leadership in creating the BRIC program.

There are challenges to mitigation that need to be addressed. Legislation like the INVEST in America Act (H.R. 3684) and the Build Back Better Act (H.R. 5376) would increase funding for the BRIC program and forest management programs. However, there is a need to ensure that proper planning is done on these projects. With the new focus on mitigation, there is a need for greater technical assistance to address issues like the National Environmental Policy Act review and associated litigation. In addition, the national workforce shortage may create a problem as jurisdictions across the nation all ramp up mitigation projects at the same time.

To address these challenges, the nation must invest in building capacity for mitigation efforts. It is important to educate the public about mitigation practices and standardized practices. Also, the nation must focus on continuing and maintaining projects in the WUI, not just starting them. The IAFC also urges Congress to focus on using collaboration between local fire departments; state and private foresters; federal, state, tribal, territorial, and local elected officials; the private sector and the public to build support for mitigation as a discipline and longstanding effort to prevent wildland fires.

FEMA'S ROLE IN PREPAREDNESS

FEMA's grant programs help local fire departments prepare for wildland fires. Fire departments face several challenges in preparing to respond to wildland fires. According to the National Fire Protection Association's *Fourth Needs Assessment of the U.S. Fire Service*, 63% of the surveyed fire departments provide wildland firefighting but have not formally trained all of their personnel involved in wildland firefighting.¹ In addition, the COVID-19 pandemic has created shortages of fire and EMS personnel and wildland fire training opportunities. This problem especially affects the volunteer fire service, where COVID-19 has restricted recruitment activities and fundraising events. Volunteer fire departments are facing personnel shortages due to COVID-19 because their volunteers may be in at-risk categories, may be concerned about exposing their families to COVID-19, or may be concerned that they will lose their jobs if they become ill. Even career and combination fire departments have been unable to induct new recruit classes into fire academies at the rate they need.

In addition, fire departments are facing challenges with mutual aid and COVID-19. To combat a wildland fire, it is important to get firefighting resources on-scene as quickly as possible. Fire departments rely upon their neighbors and intrastate—and even interstate—resources to combat wildland fires. However, as COVID-19 has infected fire departments, fire personnel are unable to work due to illness or quarantine. This reduces resources available for mutual aid. In addition, some jurisdictions are unable to send resources in response to mutual aid requests because they want to maintain staffing at home in case of COVID-19 surges or they are concerned that their personnel will be exposed to COVID-19 during mutual aid deployments. In addition, the wildland fire year and hurricane season can both become more severe at the end of summer and early in the fall, which means that fire capabilities otherwise available for wildland fires may be deployed for hurricane response. Federal wildland firefighters face additional challenges like a pay cap that limits the time that they can spend fighting fires in a year.

FEMA has important programs to help fire departments address these challenges. The Assistance to Firefighters Grant (AFG) program and Staffing for Adequate Fire and Emergency Response (SAFER) grants provide peer-reviewed matching grants directly to local fire departments. The AFG grants fund equipment, training, and fire prevention programs which all can be used to prepare for wildland fires. The SAFER grant program includes matching grants to hire career firefighters and also funds recruitment and retention programs for volunteer firefighters. We appreciate Congressional support for the AFG and SAFER program during the pandemic, especially for including \$100 million for the AFG program in the CARES Act (P.L. 116-136), and an additional \$200 million for the SAFER program and \$100 million for the AFG program in American Rescue Plan Act (P.L. 117-2). In addition, the Emergency Management Performance Grants (EMPG) can be used to help communities fund planning for wildland fires, including developing evacuation plans.

The AFG's Fire Prevention and Safety grants also can fund community preparedness programs. Local communities should take steps to mitigate the risk of fires by removing hazardous fuels, promoting protective areas around buildings, using fire-resistant building materials, and planning for evacuations if necessary. The IAFC's Ready, Set, Go! program provides a model program for community preparedness. The program is a partnership with the U.S. Forest Service that promotes wildfire awareness and preparedness in local communities; helps local homeowners protect their homes and prepare for evacuation; and then ensures that the local population can leave in time when a wildland fire threatens. I ask that FEMA support programs like Ready, Set, Go! in local communities.

FEMA also can take steps to improve mutual aid for local fire departments. One of the greatest challenges that fire departments face is the delayed reimbursement for interstate mutual aid deployments. The reimbursement process can take a long time as the states and FEMA negotiate reimbursement. Then the reimbursement must travel from the state receiving FEMA assistance to the state that sent the fire departments' resources, and then on to the local fire department. In the interim, a local jurisdiction can wait years for reimbursement for hundreds of thousands of dollars in costs from the mutual aid deployment. The reimbursement process must be streamlined and more transparent. The process should be fixed so that fire chiefs and local jurisdictions can track their reimbursement requests through the bureaucracy. In addition, basic costs should be standardized, including the costs of common resources like volunteer firefighters.

¹*Fourth Needs Assessment of the U.S. Fire Service*, National Fire Protection Association, November 2016, p. ix.

In order to help order and track resources, the IAFC developed the National Mutual Aid System (NMAS) as a proposed complement to the national Emergency Management Assistance Compact (EMAC). NMAS will allow a fire chief or state fire agency to identify required firefighting resources within a state or in neighboring states, order them, and then track them as they travel to the scene of the wildland fire. This system will build surge capacity by making it easier to identify and deploy the closest and most appropriate resources to a wildland fire and get assets on-scene in a timely manner. A time-effective response can bring a wildland fire under control faster and reduce casualties and property damage.

The Fire Management Assistance Grant (FMAG) program is an important tool that FEMA has for fighting wildland fires. The FMAG program funds wildland firefighting activities with the purpose of preventing them from becoming major disaster declarations. The FMAGs also promote coordination between local authorities, state foresters and FEMA regions to control a fire and reduce the damage that it can cause.

While FMAGs are important tools, there are opportunities to improve them. The IAFC supports Representative Joe Neguse's Wildfire Recovery Act (H.R. 1066), which would allow FEMA to set thresholds for raising the federal cost-share for FMAGs. As we have seen recently, wildland fires can destroy small towns in the WUI, which makes it difficult for them to meet a 25% federal cost-share. If the federal government can absorb more of the cost of the FMAG, it will allow those communities to get back on their feet and start providing basic services to their communities.

In addition, we ask that declared FMAGs be designed to cover the footprint of the wildland fire. In 2020, the Evans Canyon Fire burned into fire districts in both Kittitas County and its neighbor, Yakima County. Unfortunately, FEMA determined that the fire damage in only Yakima County warranted an FMAG declaration, which meant that agencies like Kittitas Valley Fire and Rescue were not reimbursed for their expenses. We ask that when an FMAG-declared fire covers more than one jurisdiction, all affected jurisdictions be eligible to apply for reimbursement.

FEMA'S RESOURCES FOR RECOVERY

After wildland fires strike, FEMA has several programs to help local communities recover. Programs like the Individual Assistance and Public Assistance programs help individual homeowners and local governments survive and rebuild after a disaster. One program that I would like to highlight is FEMA's Hazard Mitigation Grant Program (HMGP) Post Fire. This program allows a state or territory to apply for assistance after the first FMAG declaration of the fiscal year and the opportunity closes six months after the close of that fiscal year. This funding is extremely helpful for communities as they recover from wildland fires. The post-fire grants allow communities to build erosion barriers, re-seed land, and take other steps to prevent flooding after wildland fires. The program also supports reforestation programs so that areas burned by the fire can be rehabilitated to prevent further damage. I thank the committee for creating this program.

I would like to highlight the need for FEMA to provide technical assistance to communities as they navigate the Public Assistance process. A small rural community in the WUI may not have the capability to meet the paperwork requirements for requesting, managing, and reporting on Public Assistance funding. In addition, there needs to be some latitude in some of the Public Assistance requirements. For example, it may not make sense to rebuild a fire station in the exact same location where it was gutted by a wildland fire.

I thank the committee for allowing me to discuss FEMA programs' roles in addressing the nation's wildland fire problem. The threat of wildland fires is growing across the nation and the costs of responding to these fires in dollars, property lost, and casualties is increasing. FEMA is a vital partner in addressing the threat of meeting this challenge. FEMA programs like the BRIC program can be used to mitigate the threat of fires. The AFG, SAFER, and EMPG grants can help communities prepare for wildland fires by developing training and planning and paying for equipment and staffing. The FMAG program is a helpful tool in funding wildland fire response and promoting coordination between federal, state, tribal, territorial, and local partners. Finally, FEMA's recovery programs, like the HMGP Post Fire, can help communities prevent further damage and start to rebuild after a wildland fire. It is important that federal, state, tribal, territorial, and local governments work with the private sector and general public to address this growing threat. The IAFC looks forward to working with the committee to improve this collaboration.

Ms. TITUS. Thank you, Mr. Elliott.

Our last witness is Ms. Hatcher, and I understand Mr. LaMalfa would like to introduce Ms. Hatcher.

You will be recognized. Thank you.

Mr. LAMALFA. Thank you, Madam Chair Titus.

We are delighted to have today with us Casey Hatcher, who has the opportunity to speak with us today about the various issues she has run into as the deputy, chief administrative officer for Butte County in my district in northern California.

She joined Butte County in 2011 as a member of the Economic Development Unit, has worked in some shape or form on disaster recovery since the 2008 California wildfires, including the county's Emergency Operation Center and the disasters that affected Butte County since the 2017 Oroville Dam spillway incident; the 2017 Wall fire, Ponderosa fire, LaPorte fire, and Cherokee fire; the 2018 Camp fire; the 2020 North Complex fire; and, most recently, the million-acre 2021 Dixie fire.

She has a wealth of knowledge about these wildfires and their response needs and how they impact county governments, and I know she is eager to speak with all of us about this today. And she has been a delight to work with and effective in helping the recovery for all these disasters that we face in northern California. I appreciate her insight today.

Thank you, Madam Chair.

Ms. TITUS. Thank you, Mr. LaMalfa.

Ms. Hatcher, you can go ahead.

Ms. HATCHER. Good morning, Chair Titus and Ranking Member Webster and members of the subcommittee.

And thank you, Congressman LaMalfa, for the introduction.

I appreciate your time today.

As deputy, chief administrative officer, as Congressman LaMalfa mentioned, I serve as the Camp fire recovery director for Butte County. Butte is a suburban county in northern California with just under 210,000 residents. We are located west of the Sierra Nevada Mountain Range, and a significant portion of our county is in areas at risk for wildfires.

As Congressman LaMalfa mentioned, we are no stranger to disasters. In just the last 5 years, we have experienced 12 disasters. Seven have Federal declaration. This includes the 2018 Camp fire, the most deadly and destructive wildfire in California history.

Our county knows that FEMA assistance is critical for local governments when recovering from disasters. We simply could not do it alone. But it appears that the Stafford Act and FEMA are designed more to serve areas prone to disasters like hurricanes, storms, and floods than wildfires. But as the severity and frequency of wildfires increases, the Stafford Act and FEMA must change to better address these types of disasters.

I will walk through a few examples today that highlight what we have seen in recent wildfires in our county.

Housing is critical after a wildfire. Homes are destroyed, and then residents cannot live back in the burn area until debris removal is complete. Butte County lost 14 percent of its housing stock in the 2018 Camp fire.

FEMA approved direct housing assistance, but it took 9 months before an official FEMA housing group site was ready with manufactured housing units. In the meantime, fire survivors lived in hotels, tents, trailers, slept in parks, or moved from place to place. So much time lapsed that many people waiting for FEMA housing moved from the area and resettled permanently.

FEMA tried to place housing units back on individual properties, which could have been a little faster. But, by its own requirements, no one could live temporarily on the property until the toxic debris was removed, which took about a year.

Additionally, the units didn't meet the building code to be placed in the wildland-urban interface—you have talked about this as the "WUI"—because they didn't meet fire standards. This also prevented the 600-plus manufactured housing units that ultimately ended up in the FEMA group sites from being sold to fire survivors as permanent housing solutions.

It appears the housing units FEMA has are most often used in areas after storms and floods, and when we asked about getting WUI-compliant units, we were told they simply didn't have any in the system.

Moving on to debris removal, this is a critical step after a wildfire because it literally clears the way for rebuilding. Butte County advocated for almost a year for a debris removal program for burnt hazardous trees. The program was ultimately approved. It included trees that could fall into the roadway and harm the public but not trees that pose an increased risk to become fuel for future fires. Standing burnt trees can make future fires worse and should be eligible for debris removal.

A unique factor of wildfires is they often burn on national forest land. However, Forest Service land cannot be included in debris removal programs funded by FEMA, and sometimes the Forest Service is uninterested or unable to remove the debris or trees on its own. This leaves burnt hazardous trees along the roadway as fuel for future fires.

This happened in the Camp fire. This happened in the 2020 North Complex fire in Butte County. But it will be a more significant issue for the 2021 fires, like the Caldor fire that burned near Lake Tahoe in California.

Debris removal efforts after fires in our county put hundreds of heavily loaded trucks on roads not constructed for that type of traffic. FEMA was reluctant to approve permanent work for road repairs and wanted to shift those costs to the contractors who performed debris removal or to the private utility companies that had been in the area restoring services after the fire. This really left Butte County fighting for assistance to repair crumbled roads.

After the 2020 North Complex fires, we estimate \$35 million is needed to pay the local share of costs for road repairs and repairs that were denied by FEMA. And that is on top of \$47 million in unmet road repair needs after the 2018 Camp fire just 2 years earlier. This is more than our typical annual road budget in total.

Local governments lack adequate funds for infrastructure normally and cannot stretch those local funds to repair roads after a major disaster.

I highlighted a few examples for you today, but there are many more in the written testimony. And I am happy to answer any questions from the subcommittee. Thank you for your time, and thank you for considering the topic today and your focus on emergency management.

[Ms. Hatcher's prepared statement follows:]

Prepared Statement of Casey Hatcher, Deputy, Chief Administrative Officer, Butte County, California

Chair Titus, Ranking Member Webster, and Members of the Subcommittee:

Thank you for the opportunity to share Butte County's observations and experiences working with the Federal Emergency Management Agency (FEMA) and its programs on natural disasters and events related to wildfires. Butte County is located in northern California approximately 90 miles north of Sacramento with a western boundary of the Sacramento River and an eastern boundary of the Sierra Nevada Mountains. The majority of the County's approximately 209,000 residents live in five incorporated towns or cities. The rest of our citizens live in small, unincorporated rural communities. The County encompasses 1,636 square miles of terrain with an elevation that spans from 90 to 7,800 feet above sea level, making our geography incredibly diverse. Over half the County's land is within a moderate, high, or very high fire severity zone as designated by the State of California. The eastern-most portions of the County are within the Plumas and Lassen National Forests.

Unfortunately, Butte County is no stranger to disasters. In the last five years alone, the County experienced twelve natural disasters, including seven federally declared disasters. Currently, Butte County is actively managing four disasters including three with federal declarations.

In 2018, the Camp Fire struck Butte County and became the most deadly and devastating wildfire in California's history, burning for 17 days, destroying 154,000 acres of public and private property, over 14,000 homes, and 5,000 businesses and other structures. The fire forced the evacuation of more than 52,000 residents, injured 17 people including 5 firefighters, and claimed 85 lives.

In 2020, California experienced its worst fire season on record as fires burned across the entire State. Again, Butte County was the site of the most deadly and destructive fire of the season, the North Complex Fire. The fire started in Plumas County and burned into Butte County more than three weeks later destroying 2,300 structures, including over 1,500 homes, burning approximately 125,000 acres in Butte County, and claiming 16 lives.

In 2021, the historic Dixie Fire, which started in Butte County, burned into four other counties destroying 1,329 structures and claiming one life. The Dixie Fire burned nearly one million acres across northern California to become the largest single wildfire in California's history.

These wildfires, along with other federally declared disasters pertaining to drought and flooding, have tested the limits of disaster response not only at the local County level, but at the state, and federal level as well.

I have experience in Butte County's Emergency Operations Center in response to numerous wildfires over the last decade. I currently function as the Camp Fire Recovery Director and have been in this role since shortly after the 2018 Camp Fire. The County still maintains a Disaster Recovery Operation structure in response to the 2018 Camp Fire and I work directly with FEMA staff in the ongoing recovery effort. My testimony is focused on disaster recovery after the 2018 Camp Fire and the 2020 North Complex Fire in Butte County as that is my recent, direct experience with disaster response and recovery related to wildfires.

FEMA assistance is critical for local governments in response and recovery from disasters. The assistance provided to California counties by the State of California through its Governor's Office of Emergency Services and other State agencies is also vital. Butte County simply cannot support the response and recovery from recent wildfires without the support of the State of California and the federal government through FEMA and other federal agencies.

The Stafford Act and FEMA are intended to assist areas prone to disasters, in particular disasters related to hurricanes, storms, and floods. However, as the severity of wildfire disasters increases, there is tremendous opportunity for the Stafford Act, FEMA, and other federal agencies to change in a way that better serves the specific needs of communities before and after wildfires. I have outlined some of

those opportunities in this testimony, including changes to FEMA Individual Assistance and Public Assistance. Now is the time to learn from recent wildfire disasters and update the federal approach to disaster prevention, response, and recovery in wildfire-prone communities.

INDIVIDUAL ASSISTANCE AFTER A WILDFIRE

1. Eligibility for Individual Assistance

Disaster survivors must document residency to be eligible for Individual Assistance from FEMA. However, prior to a disaster, some residents can be precariously housed, nearly homeless, or living in non-traditional household settings, such as multiple families living together. Residents who were living with family or friends but not on the official lease, or families living in homes left by deceased family members who never officially completed the property transfer, could not prove residency after being displaced by the 2018 Camp Fire. These individuals and families were left homeless after the fire. These families and individuals often have the greatest need for resources after a disaster. Yet they cannot qualify for assistance because they cannot prove residency in the disaster area. The Stafford Act should be amended to clarify eligibility for FEMA Individual Assistance to disaster survivors who lack clear documentation of residency. This would create an opportunity to assist individuals who are often the most desperate after a disaster, preventing disaster homelessness and creating a path toward recovery for underserved families and individuals.

2. Direct Housing Assistance after a Wildfire

FEMA provides direct housing assistance to eligible disaster survivors through its Individuals and Households Program. The 2018 Camp Fire burned nearly 14,000 residences, approximately 14 percent of the County's entire housing stock. FEMA approved direct housing assistance including the construction of FEMA group sites where fire survivors lived in manufactured housing units or travel trailers. Yet, it took more than nine months after the Camp Fire before the first official group site was ready for fire survivors. In the meantime, fire survivors lived in hotels, tents and trailers, or moved from place to place. So much time lapsed before FEMA group sites were available that the 1,200 eligible households indicating a need for housing dropped to 680 as people moved from the area and many resettled permanently. FEMA has an opportunity to work with states and local governments to identify ways to construct temporary housing sites more quickly after a wildfire.

The FEMA manufactured housing units can be set up on individual properties to eliminate the need for large group sites. However, the housing units used for the 2018 Camp Fire survivors did not meet the California building codes for fire safety and could not be placed into the Camp Fire burn scar, which is located in the Wildland Urban Interface (WUI). This also prevented the units occupied by Camp Fire survivors at the FEMA group sites from being sold to those families as a permanent housing solution. At the time, County staff inquired about getting WUI compliant units and were told they did not exist within the FEMA system. It appears the FEMA housing model is directed more toward flood-prone areas and not areas prone to wildfires. Providing manufactured housing units that comply with fire safety measures that can be placed temporarily and permanently in the WUI is critical to providing housing assistance after a wildfire.

3. Disaster Case Management after a Wildfire

Immediate Disaster Case Management (IDCM) may be approved by FEMA to assist disaster survivors. IDCM was approved after the 2018 Camp Fire for 90 days, but this short period did not meet the needs of fire survivors. Wildfires can have a long response period. Fires may burn for weeks and communities may be under evacuation even longer while areas are made safe to repopulate. For example, areas burned by the 2018 Camp Fire were evacuated for over a month. Additionally, owners with debris from burned structures cannot return to the property to live in temporary housing until the debris is removed and the property is certified clean. The California Governor's Office of Emergency Services completed the structural debris removal approximately one year after the Camp Fire, which eventually created an opportunity for owners to return to their properties to live in temporary housing while rebuilding. IDCM is needed while fire survivors navigate the near-term steps in recovery. Ideally, a smooth transition would exist between IDCM and the Disaster Case Management Program (DCMP). Unfortunately, what occurred after the 2018 Camp Fire was an abrupt gap in case management support for fire survivors with no transition and then a wait for another case manager through the DCMP. Wildfire disasters often lead to hurried, traumatic evacuation experiences followed

by the complete destruction of a home. This layered trauma is exacerbated when recovery services like IDCM and the DCMP are difficult to navigate.

The formula for determining how many case managers are needed for a DCMP does not appear to adequately serve disaster survivors after a wildfire. Just over 8,300 households requested support in their recovery after the 2018 Camp Fire, yet the County was allotted only 15 DCMP case managers. Eventually, an additional eight case managers were approved to serve fire survivors, but the caseloads still remained overwhelming. Butte County eventually entered into an agreement using AmeriCorps volunteers who served 1,200 Camp Fire survivors who had been on a waiting list for over one year. The County's program added an additional 52 case managers to meet the demand for recovery support.

Navigating disaster recovery is challenging even for resilient survivors with financial resources. Wildfires often burn through rural, disadvantaged communities where many fire survivors need additional support for recovery. Providing reliable, coordinated case management for wildfire survivors is critical to rebuilding these rural communities. FEMA has an opportunity to coordinate with State and local governments to understand the types of communities most often devastated by wildfires and design case management programs to support for those disaster survivors.

PUBLIC ASSISTANCE AFTER A WILDFIRE

1. Reimbursement for Consecutive Disasters

When communities, such as Butte County, experience consecutive major natural disasters, resources become strained, not only within the local government, but within the community at large. This limits the ability to respond to and recover from the immediate disasters as well as any future disasters. Congress has an opportunity to amend the Stafford Act to increase the federal reimbursement rate to 90 percent for disasters occurring to the same region in consecutive years. This additional reimbursement substantially increases the ability of the local government and the community to respond and recover from all the disasters.

2. Timelines for Submitting Claims for Reimbursement

Rural and suburban local governments often have limited emergency management staff to navigate the sophisticated process of receiving FEMA public assistance for emergency and permanent work. Local governments typically divert existing staff from their work serving local residents or hire temporary disaster workers to document and submit expenses for reimbursement. For example, Butte County had just 90 days from its scoping meeting to complete this work for the emergency protective measures after the 2020 North Complex Fire. FEMA has an opportunity to amend the Public Assistance Program and Policy Guide to account for the unique nature of wildfires, which may burn for weeks, causing lengthy evacuations and requiring mutual aid resources from hundreds of jurisdictions as areas are made safe for repopulation and recovery.

3. Debris Removal after a Wildfire

Debris removal activities, such as clearance, removal, and disposal, are eligible activities according to FEMA's Public Assistance Program and Policy Guide. Debris removal is critical after a wildfire because the debris from burned structures contains toxic materials and must be removed and properly disposed. Additionally, burnt hazardous trees pose a risk of falling and becoming fuel for future fires. The removal of burnt hazardous trees was not initially included in the authorized debris removal activities after the 2018 Camp Fire. It took nearly one year after the fire for FEMA to approve a program to remove burnt hazardous trees. Now, removal or structural ash and debris, along with burnt hazardous trees, are often approved together for wildfires. It is encouraging to see FEMA learn the unique needs of wildfire disasters in this case.

Another opportunity to address debris removal after a wildfire disaster is to make eligible the removal of burnt hazardous trees that pose an increased risk to become fuel for future fires. Standing burnt trees exacerbate future fires by precipitating spotting where segments of branches can break off and fly into the convection column and cast embers, essentially making the trees act like Roman Candle. The embers from the standing burnt trees can be carried miles away, which is exactly what happened in the 2018 Camp Fire. The heavy fuel loading of fallen, dead trees can lead to extreme fire behavior in future fires as grass, brush, and conifer reproduction begins to grow in between the fallen, dead trees.

Debris removal is often a critical first step toward recovery for local residents and communities. FEMA requires debris removal be in the public's interest to be eligible

for reimbursement. A Health Officer must declare a local health emergency finding that debris removal is necessary to reduce a threat to public health and safety. This emergency must stay in place while debris removal activities are completed. Debris removal after a wildfire can take months, yet the local health emergency must be renewed every 30 days. If the local health emergency lapses, debris removal activities become ineligible. This timing can be difficult for small jurisdictions where governing bodies often do not meet every week or even every two weeks. FEMA has an opportunity to assist local governments by reducing administrative hurdles and increasing the timeframe for renewing the local health emergency.

4. Debris Removal in National Forests

A local health emergency finding that debris removal is necessary to reduce a threat to public health and safety becomes the basis for a local ordinance requiring private property owners to properly remove and dispose of debris after a wildfire. Local ordinances apply to privately owned property, but do not apply to state and federally owned land including National Forests. Significant opportunities exist for FEMA and the United States Forest Service to coordinate and ensure burnt hazardous trees in National Forests are removed so they do not present a danger to the public. Unfortunately, FEMA does not currently allow USFS property to be eligible for debris removal activities even when the trees are in a local government right-of-way. Land in National Forests burned in both the 2018 Camp Fire and the 2020 North Complex Fire in Butte County, leaving thousands of burnt hazardous trees along the roadways. Numerous fires in 2021 including the Dixie and Caldor Fires burned in National Forests as well and will face the same issue if it is not resolved.

5. Permanent Work

Public infrastructure may be damaged or destroyed in a wildfire and is eligible for permanent repairs funded by FEMA Public Assistance. While building back a public facility destroyed in a fire may be relatively straight forward, recovering other types of infrastructure is more challenging. Specifically, permanent infrastructure, such as roads and bridges, can be further damaged during portions of the recovery and restoration effort, and for extended periods of time, even years. Debris removal efforts after the 2018 Camp Fire and the 2020 North Complex Fire put hundreds of heavily loaded trucks on roads not constructed for that type of truck traffic over a sustained amount of time. Debris removal after a wildfire often takes place during the wet winter and spring months that follow fire season, which exacerbates the damaged caused by heavy truck traffic. Roads simply crumble under these circumstances. Additionally, private utilities traveled through the area restoring power, telecommunications, and water service to destroyed areas. The damages from these routine recovery efforts for debris removal should be considered when FEMA assesses a road for permanent recovery work so the road can be returned to pre-disaster conditions.

After the 2020 North Complex Fire, FEMA was reluctant to approve permanent work for road repairs and wanted to shift those costs to the contractors who performed debris removal or to the private utility companies restoring services to the area. This left Butte County fighting for assistance to repair crumbled roads. Butte County estimates \$35.5 million is needed to pay the local share of costs for road repairs and for repairs that were denied by FEMA. That \$35.5 is on top of \$46.6 million in unmet road repair needs or local costs after the 2018 Camp Fire. Disaster upon disaster in Butte County is creating an infrastructure repair problem that could take decades to address even with adequate funding. If roads are left in disrepair after a disaster, it causes generational impacts to the infrastructure as local governments lack the adequate local funds for road repair and maintenance to address the disaster and recovery repairs while still maintaining the rest of the road system throughout the jurisdictions. Traditional infrastructure funding is not designed to fix disaster damage. FEMA should fund permanent work to return infrastructure to pre-disaster conditions.

I have outlined numerous opportunities to update the Stafford Act and FEMA's Public Assistance Program and Policy Guide to more fully address wildfires as these types of national disasters increase in frequency and severity. State and local governments are a partner to FEMA in this effort and together we can frame the best practice guidelines for assisting communities before and after wildfires.

Thank you for this opportunity to testify before the Subcommittee.

Ms. TITUS. Well, thank you, Ms. Hatcher.

This testimony has been very helpful.

We will now move on to Members' questions. Each Member will be recognized for 5 minutes. And I will start by recognizing the full committee chair, Mr. DeFazio.

Mr. DEFAZIO. Thanks, Madam Chair.

There is a pattern here, and particularly, I mean, first raised by Andrew Phelps, about how FEMA really looks at these disasters, as he says, "through the lens of hurricanes and floods but could be properly adjusted to meet the ever-growing wildfire threat with some modest adjustments." And that is a theme. We heard about housing units that weren't fireproof, et cetera, et cetera.

So, if everybody could come up with one or two things that you think—and state it briefly—that should be changed that would orient FEMA more toward fires, fire recovery, and mitigation of pre-fire, that would be helpful to me.

I am trying to kind of—this agency must have more acronyms than any other agency in the Federal Government, so I have no idea how to keep up with them. But if you can be specific, that will be great.

Andrew, why don't we start with you.

Mr. PHELPS. Thank you, Chairwoman Titus, Chairman DeFazio.

Well, let's call out maybe some of the references in the PAPPG, another acronym, the Public Assistance Program and Policy Guidance. I would recommend, a quick change or a really impactful change would be how we view hazard trees.

By FEMA's definition, hazard trees are those that have a split trunk, broken canopy, or are leaning at an angle of over 30 degrees. That is not the kind of damage you see to trees in wildfires. Very often, wildfire trees will look perfectly healthy on the outside and take a skilled arborist to make that determination as to whether or not a tree can survive for months or years after a fire.

Looking at how we handle private-property debris or commercial debris removal, what constitutes a damaged concrete slab—there are some nuances that we find after a fire burns through an area that cause damage that may be repairable after a hurricane or may be more obvious after a hurricane or a flood but just needs much greater consideration following a wildfire.

Mr. DEFAZIO. OK.

Kacey, do you have some thoughts on this? I—

Ms. KC. Yes.

Mr. DEFAZIO [continuing]. Saw you nodding your head.

Ms. KC. Thank you.

I think the first one that pops up for me—this was a great discussion. I think one of the big ones is working with experts. It requires that local government, State government, Federal Government, all of us, work together—emergency managers, State forestry agencies.

Restoration and reparation after fires—in communities, it looks very similar to other issues, other floods and other disasters in some ways. In some ways, it doesn't. And so, we need to set the standards to make sure that wildfire criteria are looked at, those things that happen after fires.

But when you are looking at ecosystems, too, we have to timely remove those trees if we are going to get any funding—or get any money back from, say, the timber that could be sold. We have to have markets to sell that timber. The current rate of wildfire destruction in the Western United States, we don't have a market for the timber that is coming off for normal projects, let alone the mega-fires and giga-fires, or whatever they are calling them today, that we are seeing.

And so, we need to work together to look at all the criteria on how all these funds would be applied for wildfire mitigation and precalculated benefits so that we can get this money out there quickly to the ground.

Mr. DEFAZIO. OK.

Anybody else want to volunteer on this?

Mr. ELLIOTT. Yeah. This is Rich Elliott on behalf of the IAFC.

I would say the reimbursement process. We view the IAFC members and local governments as a surge capacity, working with the States and the Federal partners on medium-size incidents. And if we can do this correctly, a lot of times we can keep those small or medium-size incidents from becoming these large, complex fires with multimillion-dollar price tags attached to them.

And whether it is through the NMAS process or just transparency or just a guarantee that, hey, this is when the payments will come out, it would make the local governments a little bit more willing to, sort of, lean forward and help the neighbors, and, overall, the suppression cost would be reduced.

So, thank you.

Mr. DEFAZIO. Great.

Ms. Hatcher?

Ms. HATCHER. Thank you, Chair DeFazio, for the question.

I concur with everything that was mentioned by the other witnesses and would just add that it is important to focus on the people affected by wildfires and displaced by these large disasters that are now occurring, and a focus on housing and looking at the eligibility of people who can receive housing, which I mention in my written testimony, and the type of housing units and the way they are deployed. Unlike areas affected by floods and storms, it is very difficult to deploy large housing sites in wildfire areas, particularly close to burn scars.

So, a focus on housing, I think, is really critical.

Mr. DEFAZIO. OK. Yeah. I saw that, in your county, they brought in these units that cost \$325,000 each. I don't know, they must have been pretty nice. But they didn't have the proper siding or any kind of fireproofing, right?

Ms. HATCHER. I think it is just not typical that they are deployed for wildfires. I think they are used for floods and hurricanes and storms. And so, what was so unfortunate is they couldn't be placed inside the burn scar. So, they couldn't go back on lots as temporary housing to be there for any number of fire seasons, and then they couldn't be placed there permanently.

I think that seems like a pretty simple fix, potentially, understanding the diversity in States for building codes and the ability to make them hardier against wildfires if that is where they are going to be placed, either temporarily or permanently.

Mr. DEFAZIO. Yes. That is definitely something we are going to have to follow up on. The committee will need to follow up with the leadership at FEMA in terms of developing units that are suitable for areas that are fire-prone versus flood- or hurricane-prone. Very different kinds of needs.

And I just—the price tag seems to me a bit exorbitant, knowing we make very nice manufactured homes in Oregon, and also I think we need to delve into that too. It seems very high, particularly for one that isn't suitable for replacement in that area.

So, thanks, everybody. I appreciate your suggestions and look forward to working with you on that.

With that, I yield back the balance of my time, Madam Chair.

Ms. TITUS. Thank you, Mr. Chairman.

I now recognize Mr. Webster, our ranking member.

Mr. WEBSTER. Thank you, Chair Titus.

Deputy Hatcher, you highlight challenges of FEMA's deadlines for submitting for reimbursement and so forth. We have run into that in hurricanes too. We have had some problems with the timeline being too short or sometimes being too long and things happening in the occurrence of those events that—actually, in some cases, flooding. The flood doesn't come until maybe 30 days after the event because the water is building.

So, anyway, how does that impact your ability to respond to recovery activities and balance that with paperwork?

Ms. HATCHER. Thank you for the question, Ranking Member Webster. I suspect this is not just a problem for wildfires but, as you mentioned, in a State like yours, is also an issue with storms, floods, and hurricanes.

The unique factor that wildfires have is that the length of the fire can be prolonged, and then the area can be evacuated for a significant period of time. After the Camp fire, the area was evacuated for over a month before people could even go back to view properties, get in to have FEMA do inspections, have their insurance companies do inspections. So, the timelines for those types of disasters can be quite different.

I think the PAPPG, as Mr. Phelps mentioned, the guidelines that FEMA follows to operationalize these programs, should take into consideration the uniqueness of the disaster when establishing the administrative timelines, essentially, for submitting for reimbursement.

And we had a very short timeline after the 2020 North Complex fire. Luckily, we were a bit of a well-oiled machine because we had just done it for the 2018 Camp fire. Otherwise, we simply would not have been able to meet that timeline and would have compromised local reimbursement.

We have a lot of experience, unfortunately, but I am thinking of other rural communities who might experience a wildfire and not be prepared with administrative staff or that type of opportunity to meet those deadlines. So, I think FEMA really needs to look at them more on a disaster-by-disaster basis.

Mr. WEBSTER. OK. So, do you think it should be a more flexible timeframe that is permitted under each of these scenarios, the ones you talked about, the one I talked about?

Ms. HATCHER. Yes. I think that, while they want to put in place a standard, not every disaster is the same, so something more flexible would help local communities respond.

Mr. WEBSTER. You also mentioned in your testimony about heavy equipment, trucks, I think, and other things to move, probably to move things out of the way or whatever needs to be done, but the roads that are there aren't designed to take the heavy load.

Give a little bit more about what complicates that when you go for reimbursement and so forth when maybe somebody is trying to charge you for those damages?

Ms. HATCHER. When a fire burns through an area, it can often scorch the pavement and damage the road, and those repairs need to be made. But what often exacerbates the damage to the roads is the emergency response and then the recovery associated with debris removal from structures, debris removal from trees, restoration of utilities in the area, the firefight. There is a lot of damage on these local roads that really are not rated for that type of truck traffic.

And we saw this really significantly in the 2020 North Complex fire, where FEMA pushed back significantly on those road repairs. They wanted to shift that responsibility elsewhere. And the county simply doesn't have a mechanism to collect those funds from other places for road repairs. You know, FEMA's Public Assistance funding is designed for this permanent type of work, for road repairs.

And we found ourselves really in a constant battle with FEMA over this issue. And you kind of are left in this adversarial relationship with FEMA that feels like they don't understand the community and that maybe you are going to be left with generational damages to your roads, because there simply aren't local funds to fix them.

Mr. WEBSTER. Yes. So, were they trying to charge you, or were they trying to charge maybe a contractor that was hired to do some of the heavy equipment movement of materials and so forth? What was going on?

Ms. HATCHER. That is right. They indicated that we should have it in the contracts with the debris removal contractors that they should restore the roads. But that was not included in the contracts the State had with the contractors, and there was really no mechanism for them to repair the roads.

That is not a situation we have ever seen before. Perhaps that has worked in other disasters, but not any that we have heard of. So, they were trying to essentially transfer the responsibility with no real ability to do it, which essentially means that the road doesn't get repaired.

Mr. WEBSTER. Thank you very much.

I yield back.

Ms. TITUS. Thank you.

Ms. Norton? I recognize Ms. Norton.

Ms. NORTON. Thank you, Madam Chair.

My first question is for Mr. Phelps of the Oregon Office of Emergency Management.

Mr. Phelps, disaster survivors have found that the so-called IHP application—Individuals and Households Program—which is FEMA's primary program for home repair, property displacement,

and rental assistance—they found this application to be overwhelming and even confusing.

This process is especially inaccessible to low-income individuals and those who live in mobile homes or on land they do not own.

What recommendation would you propose for streamlining the IHP application process and ensuring that low-income survivors can obtain access to disaster relief?

Mr. PHELPS. Thank you for that, Representative. As we have heard a little bit this morning, disaster recovery really needs to be survivor-centric.

FEMA has made some improvements based on lessons they have observed on our wildfire disasters. They have lowered some of the barriers to proving residency or home ownership documentation, going down to as far as self-attestation. That is a great step in the right direction.

But we need to step away from this notion that, when we are trying to offer assistance to survivors, the first thing we are trying to do is prevent fraud, the second thing we are trying to do is prevent an IG investigation, and then the third thing we are trying to do is help survivors. Survivors and helping survivors needs to be at the front end of every decision that is being made.

One of the other successes that we had here in Oregon was a re-engagement with disaster survivors. Those folks that received a denial letter early on, several months later FEMA came back and met with those folks and said, OK, what were the barriers, why were you denied, and what can we provide in terms of assistance to help you navigate these processes?

That resulted in many millions of dollars that disaster survivors in Oregon were entitled to being paid out that wouldn't have otherwise been paid out had they not done that reengagement.

So, the second bite at the apple, as it were, for disaster survivors is important, but we need to ensure that FEMA is proactively leaning forward, working with the States and local communities to provide that assistance.

Anything that we can do to lower barriers to assistance must be done. There are many Federal programs that offer various assistance to folks during disasters, during blue-sky days. We should do an audit of all of those programs, see what those lowest barriers are to assistance, and apply those to disaster scenarios, because this is a time when folks can least afford to navigate complex bureaucracies and when they need the help the most.

Ms. NORTON. Thank you.

Ms. KC, your testimony notes that FMAG eligibility will vary for the same community from year to year, even though the community is experiencing the same threats to human lives and property.

Could you describe the impact to your State's emergency management planning as a result of the fluctuation in FMAG eligibility?

Ms. KC. Thank you for the question, Ms. Norton. This is Kacey KC again.

Yes, it tends to vary. I am not sure—we look at the criteria for a qualifying FMAG experience. I am sure that there are limited funds. Obviously, all of us—and when we are competing with, let's say, California or Oregon in 2019, in those years where there is

devastation and large fires everywhere, with a lot of homes and properties being threatened and/or lost, that might be part of the reason. But that upfront would help us to understand when we are applying.

This particular instance we are talking about is a community within Nevada that has been impacted by wildfire and evacuated for wildfire 3 of the last 5 years and has seen loss to both homes and structures and infrastructure in the community.

I think it is really critically important—Chairwoman Titus brought it up earlier—that we remember, too, when we are looking at the increase to these fires across the State, there are huge impacts to the mental health of the people who are continuously being evacuated. This is the third time those folks have been evacuated, and this continues to impact them in different ways.

So, we need to look at how this is applied, because, again, going back to the FMAG for the payment—you know, the whole purpose of an FMAG in general is to help assist local government and State government response to these fires. It is critical. The States and local governments don't have the funding for the increased fires across our lands. And we do have to ensure that we have the closest available resources available to fire, regardless of the patch or the type of fire department we work for.

So, I think those things are critical. And maybe just understanding right upfront—the criteria are out there for FMAG applications, but when they are in times of crunch or there is a high need for the FMAG, what are they then looking at to rank the States and the projects that are being applied for.

Ms. NORTON. Thank you.

My time has expired.

Ms. TITUS. Thank you.

We will now go to Mr. Gimenez.

Mr. GIMENEZ. Thank you, Madam Chair.

And, Chief Elliott, I don't know if you know, but I was a former fire chief for the city of Miami, so we are both firefighters. And I know that the best way to deal with fires is to prevent them, right, not even have them. So, I know that FEMA has issues with reimbursement and the housing stock and all that, and other people are going to be talking about that. I am going to be talking about how to prevent these devastating forest fires.

And so, fire needs three things: It needs an ignition source, and it needs oxygen, and it needs fuel. The ignition source, sometimes we can control it, sometimes we can't. Oxygen, it is in the air, nothing you can do about that. But the fuel you can do something about.

Are there some restrictions on the ability—and this also could be answered by Ms. KC—on the ability to manage forests and the fuel load of those forests so that, once a fire actually starts, the severity of those fires can be diminished? Are there some restrictions on your ability to do that?

Mr. ELLIOTT. Absolutely. And some of them have been referenced both directly and indirectly.

The ability to sort of process the biomass on our public and private lands doesn't exist in a lot of communities. And I would defer—I have been down to the State of Florida and the State of

Georgia and watched their—they have very active land management programs, and their forests are generally healthy and somewhat resistant to very complex and damaging fires. You come up to the Northwest, where you think there would be forests, and we don't do the job that we should be doing.

And I think that is true in a lot of communities, in a lot of States, that, for a lot of different reasons, probably from a whole bunch of different perspectives, we have degraded our ability to manage the lands in a way that is healthy for the next generation.

And that leads to clogged fuels. Whether it is prescribed fire, whether it is some grazing, appropriate logging, those type of things, a lot of those activities have been curtailed or made very difficult. And, therefore, the land is ripe for a very catastrophic fire that does a lot of damage.

Mr. GIMENEZ. So, would you say that that is a lack of resources, money? Or is it regulations that kind of tie your hands?

Mr. ELLIOTT. In my experience, it is a combination of both of those. And, yes, the regulations make it difficult and maybe are driving the fact that there isn't infrastructure in terms of private industry and a business to process those products coming off the land. And so, I think it is probably a combination of both of those.

And we need to look holistically at the health of our—it is not only the forests. It is the grasslands; it is the shrubsteppe. We have done some things wrong for 110 years, very well-intentioned, and we probably need to change the narrative a little bit over the next couple of decades.

Mr. GIMENEZ. Fair enough.

Would it be fair to say that, if we actually invested more money in prevention, we could be saving a heck of a lot of money in after-the-fact mitigation and all the money that we have to spend after the big forest fire? Is that fair to say? Is that an accurate statement?

Mr. ELLIOTT. I think preparedness, mitigation, and prevention all end up saving you money on the backside, yes, absolutely.

Mr. GIMENEZ. Yes. In relation to what you said about Florida, Georgia, et cetera, I know that, in Florida, we had over 1 million acres of controlled burns, you know, the last year, and yet in the entire State of California, I think they had maybe 30,000. And the forest in California is a heck of a lot bigger than and a lot more area than the ones in Florida.

We learned our lesson from the big fires that we had about 10, 15 years ago, and so we manage our wild areas, our forest, I think a heck of a lot better. And so, I think as a Government, I would like to see us more focused in on regulations and also the way to actually manage the forest a lot better and then we can prevent these large fires.

Ms. KC, would you say that that is accurate, that is an accurate statement, or do you have a difference of opinion?

Ms. KC. Thank you for the question. No, I think that is a very accurate statement. That is why I did highlight the fact that we are working very closely together, State, Federal, local government, in our State. We have created a shared stewardship agreement under the Governor of the State of Nevada to bring together all State, local government, Federal agencies who have land manage-

ment responsibilities to, one, we do have limited resources, limited funding, and so we have to prioritize our projects in the highest risk areas. And so, we are looking at those areas. We have identified 13 in the State of Nevada are actively working in all of them to address that risk.

And just to give an example, this is a California fire example, but the Caldor fire that came through Lake Tahoe, we have been working collaboratively in the Lake Tahoe Basin for decades. We learned early on that jurisdictional patches didn't matter when fires came through, nor when bugs and insect and disease come through, so we had to look at mitigation and suppression the same way.

So, we implemented a tactic like the mutual aid tactic spoken of earlier for fire suppression, for mitigating fuels in the basin. And when you saw that fire come through the Tahoe Basin, we had no single loss of structure, not any in that basin. And it wasn't by chance. It was because of the 89,000 acres we had treated collectively in high-risk areas that gave firefighters a safe place to defend those homes from.

And so, I think that that is so critical, making sure that we are working together, addressing those highest risk areas, and making sure that all of the management actions we are taking are collaborative and really have an impact on what is happening on the ground.

Mr. GIMENEZ. Thank you so much. My time is up, and I will yield back, but I hope to be working with both of you to develop some legislation too for mitigation purposes. Thank you.

Thank you, Madam Chair.

Ms. TITUS. Thank you.

I now recognize Mrs. Napolitano.

Mrs. NAPOLITANO. Thank you, Madam Chair.

Ms. Hatcher, you state that trauma from wildfires can be exacerbated [inaudible] FEMA's Immediate Disaster Case Management and the Disaster Case Management Program. FEMA's Crisis Counseling Assistance and Training Program play a role [inaudible] especially in mental health. Is that true?

Ms. HATCHER. There is significant trauma that is experienced by wildfire survivors, and that, I think, is somewhat unique—although, to be fair, I don't want to take anything away from other disasters—because they often can occur quickly, evacuations have to happen immediately, and there can be the trauma of a very hurried evacuation followed by the loss of your house and all of your things.

And the Disaster Case Management we found after the 2018 Camp fire just simply wasn't adequate to address the needs from a time perspective and the scope of the services for fire survivors.

Mrs. NAPOLITANO. Thank you very much. Well, that involves also the housing. The temporary housing was inadequate because it was built for floods and hurricanes. Maybe we could find the less costly and better built in the future.

And, also, I am concerned about the fact that they don't expedite the funds. Is there an issue with the paperwork or with the turnaround time that you are faced with, anybody?

Ms. HATCHER. I can speak to that. We did receive some expedited funds after the Camp fire because it was such a large incident, and the amount of paperwork associated with just that expedited claim activity is so substantial that we have had to bring on additional staff just to help with those claims.

I want to be fair to FEMA and recognize the need to follow the Stafford Act and to meet the policy guidelines, but it feels like there is lots of opportunity to reduce the burden on local governments who are so strapped for resources when responding from wildfires.

Mrs. NAPOLITANO. Would you be kind enough to recommend some of those comments to us in the committee so we can benefit further, ma'am? It would be greatly appreciated.

But it seems like we are not gearing for climate change for any of the agencies. The paperwork for citizens, how do they know what to apply for? If they are turned down, do they know they can apply for the next batch? Or how long it takes between them. Would somebody be able to answer that?

Mr. PHELPS. This is Andrew from Oregon, Representative Napolitano. Happy to speak to that issue.

Navigating a complex web of Federal programs, assistance programs after you have lost everything—your home, your job, and in some cases, family members—does nothing to alleviate the trauma that folks have experienced during a disaster. I applaud FEMA's efforts to assist with Disaster Case Management. Finding ways to match folks in the community, getting multicultural, multilingual folks out in the community to serve as caseworkers and help folks navigate these complex problems, those are all steps in the right direction.

But, again, we need to make sure that we are erring on the side of helping survivors. Does fraud exist? It does exist. We have got documentation of that here in Oregon from our disasters. But when someone has been living in a hotel or a motel or in their car for weeks and weeks and weeks after they have lost their home in a fire, it is pretty easy to determine that those folks are not trying to commit fraud; they are just trying to rebuild their lives.

So, anything that we can do to lessen the burden, provide that real almost social work case management approach to disaster survivors, and understand that folks need to be met where they are after a disaster. I am fortunate. If I was impacted by a disaster, I could take a week off of work and work through the process. A lot of folks aren't in that position, and we need to make sure that those that are most marginalized and disadvantaged in our communities are the ones that get the most assistance.

Mrs. NAPOLITANO. Especially the ones that have less income and are minorities.

For all the witnesses, the GAO has stated that FEMA's Individuals and Households Program is not meeting the needs of low-income renters and homeowners post wildfire. In your experience, what has been the most pressing obstacle in aid to these populations, so that we can try to address that sooner rather than later?

Casey?

Ms. HATCHER. This is Casey Hatcher, and I would echo what Mr. Phelps had to say about needing to focus on the fire survivor first

and not the assumption of fraud or worrying about an audit. I think this is what really prevents us from individually assisting each person through their scenario.

We could reduce the barriers for eligibility for that Individual Assistance and look to help people with their individual scenario. Maybe they were multiple families living in a household together and are having trouble proving residency. Maybe they simply want assistance to live temporarily outside of the county while they figure out their rebuild. Maybe they need mental health resources.

But we saw, after the 2018 Camp fire, that the case management assistance that came forward and the mental health assistance just wasn't enough to address the magnitude of the need from our fire survivors.

Mrs. NAPOLITANO. Thank you very much. Provide those comments to the committee, please.

Madam Chair, I yield back.

Ms. TITUS. Thank you.

I now recognize Miss González-Colón.

Miss GONZÁLEZ-COLÓN. Thank you, Madam Chair. I have got one question, and I want to yield to Mr. LaMalfa. My question will be to Mr. Phelps. We manage some different things from FEMA, one of the agencies that types—what types of categorical exclusions must be helpful in your case. You highlight how the environmental and historic preservation reviews can be cumbersome and a challenge with the lack of categorical exclusions that can help speed up the process. If you can point out what specifically you are saying about this?

Mr. PHELPS. Thank you, Representative. I would say when we look at something like the EHP requirements, the environmental and historical preservation requirements, very often when we are looking at things like emergency protective measures, the process of going back and recreating whether or not considerations were made for environmental and historical preservation, as we are trying to stop a wall of flames from moving into a county and destroying thousands of homes and taking lives, I think that is an unrealistic expectation.

So, we need to be a little bit more flexible, understand the dynamic nature of wildfires in particular, and exercise that flexibility to ensure that when our firefighters are out there working in the heat, the smoke for days on end, they are doing the best they can to both be good environmental stewards but also save lives, protect the property, and also do what they can to protect the environment.

Going back and trying to re-create some of that documentation after the fact is overly cumbersome and places a greater liability and strain on resources that are already tapped to save lives and property.

Miss GONZÁLEZ-COLÓN. Thank you, Mr. Phelps.

I want to yield the rest of my time to Mr. LaMalfa.

Mr. LAMALFA. Thank you, my colleague from Puerto Rico. I appreciate the time and also working with you previously on dealing with Puerto Rico's disasters and hurricanes. So, I hope things are improving for you there as well. Thank you.

I will be speaking with Casey Hatcher here a little bit from my home county of Butte. Obviously, we have faced a lot in the last few years in northern California and in Butte County, dating to the spillway disaster at Oroville Dam that has been rebuilt well now.

And I want to say right upfront too that FEMA's response has been very good, by and large, with what we have tried to accomplish in all these disasters, and working with the State and Cal OES, and just trying to break through what would have been normal, you know, the bureaucracy that might happen, we got some pretty rapid response on that.

But as Casey lined out here, there are things that maybe are unnecessarily still bureaucratic in nature that we need to work through, and just to get quick response, getting people back in homes and things like that, or the FEMA trailers.

And I do share Chairman DeFazio's concern that if these units are really costing \$325,000 for a portable home, portable building like that—I would envision it being \$90,000 to \$120,000, \$140,000. I don't know why something has to cost so much just because Government is the one involved purchasing it. So, we need to take a closer look at that.

But, Ms. Hatcher, would you elaborate a little bit on the cost of repeated disasters. You talk about the roadways. Here, right here, over my shoulder [indicating photo poster], this is actually the front page of the Wall Street Journal—yesterday, I believe it was—Highway 70, just across from Butte County in Plumas County. I guess, Butte County is off the hook on that one, so to speak, but this is just an example of post fire with the amount of erosion. And we talked about this in a previous hearing with Chief Randy Moore, can we do things to get on the post-fire erosion and dangers we have there?

Anyway, Ms. Hatcher, please elaborate on the disaster post-fire costs and the challenges the county faces on roads. We had that with Oroville Dam and others.

Ms. HATCHER. Thank you, Congressman LaMalfa. That picture is a really great example of exactly what happened. That is in a burn scar, and that slide is what can happen after a fire disaster. And when you are a small county like we are, and you have a fire followed by a slide and a flood followed by a fire, there is so much impact that strains your local resources to be able to respond, that we would like to see changes to the level of assistance that is provided to communities that have consecutive disasters in some period of time, because there is an inability to pay that local share of costs again and again to address these varied types of disasters.

After a wildfire, the land needs time to restore itself, and becomes more susceptible to slides and floods and things of that nature, and you can see that type of consecutive disaster happen.

Mr. LAMALFA. Yes. As I noted, your parents are in the U.S. Forest Service as well, and we know that that land doesn't restore itself. We have got to get back out and do the work on that for restoration for all these hundreds of thousands of acres. So, thank you, and I yield back my time.

Ms. TITUS. Thank you, Mr. LaMalfa. We will come back to you when it is your turn.

Now it is Mr. Garamendi.

Mr. GARAMENDI. Thank you, Madam Chair. I might like to start here with asking for unanimous consent to enter into the record a recent article in the Washington Post by Hannah Dreier about the Erickson family who lost their home in the Camp fire. So, I would like to have that entered into the record.

Ms. TITUS. Without objection.
[The information follows:]

Article entitled, “The Last Days Inside Trailer 83,” by Hannah Dreier, Washington Post, October 17, 2021, Submitted for the Record by Hon. John Garamendi

THE LAST DAYS INSIDE TRAILER 83

As climate disasters increase, a last-gasp FEMA camp for wildfire survivors tests the government’s obligations to the displaced.

by Hannah Dreier

Washington Post, October 17, 2021, at 9:00 a.m. EDT

<https://www.washingtonpost.com/nation/2021/10/17/disaster-survivors-fema-housing-trailer/>



Mike and Crystal Erickson’s trailer at the FEMA park in Chico, Calif. (Melina Mara/The Washington Post)

CHICO, Calif.—Mike Erickson had been living in the trailer park for 341 days when he saw the new sign. It was unmissable, a blue billboard at the entrance to what had become a place of last resort for families made homeless by the worst wildfire in California history. Its message was unmissable, too. In 12 days, the site would be closing and everyone would have to be out.

Mike knew who had put it there. The same agency that had carved this trailer park from nothing after the 2018 fire, transforming a 13-acre field between a cemetery and a set of train tracks into a haven for survivors to start rebuilding their lives: the Federal Emergency Management Agency.

Nearly a hundred families lived at the site at one point, but one by one they had been moving away until on this day in September only a handful were left. Mike’s trailer was at the farthest end. There were no streets here and no addresses, just small numbers glued to the sides of trailers. His was 83.

He trudged back through the gravel, wondering what to tell his wife. “I thought by now we’d have something figured out,” he said.

Sixty years old, Mike had arrived at this moment because of a FEMA program intended to be among its most merciful, but which has become fraught with challenges in a time when whole communities are being wiped out by unprecedented wildfires and storms.

When survivors are left with nowhere to go, the government sends FEMA to give them free housing, typically for up to 18 months after the date of the disaster. The agency has provided emergency trailers to nearly 200,000 families over the past 15 years. But now, with disasters and the needs that follow them increasing, the government finds itself trying to decide what it owes the displaced. How long is truly long enough to shelter the most vulnerable? Is it sufficient to give them housing or do they need social services, too? And should an emergency management agency really be playing landlord for years at a time in the first place?

For Mike, the looming question was more urgent: What would happen after these 12 days?

Inside the trailer, his wife, Crystal Erickson, 60, was lying in a hospital bed that took up most of the small living room. Partially paralyzed from a stroke and unable to navigate through the gravel with her wheelchair, this is where she spent all her time.

“What’s up, honey?” she asked.

“FEMA came by. Same thing as always,” he said, trying to sound relaxed. But after 35 years together, she knew when something was wrong.

Mike took her hand, patted it and let go. “Just trust me,” he said.



Inside, Mike helps his wife eat in her hospital bed. Crystal has stroke-related mobility issues. (Melina Mara/
The Washington Post)



Sons Jacob and Ronald flank Mike, third from left, as he and Crystal, left, pose for a family vacation photo in 2008. (Melina Mara/The Washington Post)

* * *

Mike and Crystal were in this park because their home had been destroyed by the kind of wildfire that was once unheard of in the United States but that now, after so many others—the Dixie Fire, the Caldor Fire—seems almost routine. Known as the Camp Fire, it had started before dawn in November 2018, raced through terrain made tinder-dry by drought, burned down almost every house in the mountain town of Paradise, and killed 85 people and displaced 50,000, including Mike and Crystal. They were among the last to evacuate and had driven through thick black smoke listening to the pop of propane tanks exploding.

Afterward, FEMA had to decide what to do with the people like the Ericksons had just become—survivors without insurance, without means, who had never been homeless before but were now.

It wasn't clear at first that the government would build a trailer park. FEMA had turned away from those after the Hurricane Katrina recovery effort, when families lingered in flimsy, formaldehyde-tainted mobile homes. The agency experimented instead with making emergency repairs directly to survivors' homes. It also partnered with the Department of Housing and Urban Development to give families rental subsidies and mandatory case management to connect them with social services.

By 2013, the FEMA trailer park had gone almost extinct. But under the Trump administration, the agency returned to building entire communities of trailers from scratch, saying the alternatives were costly and inefficient. The Government Accountability Office later found it was impossible to evaluate this claim because FEMA doesn't systematically track costs or outcomes for its housing programs. The national council set up by Congress to advise the agency immediately called on FEMA to resurrect its direct repair program, and elected leaders from hard-hit states asked FEMA to bring back its HUD partnership.

But FEMA continued to see trailer parks as the best option, at least for the time being, saying in a statement: "FEMA is evolving. We are not the same agency from 10 years ago, and we will not be the same agency in 10 years from now." As a result, thousands of families were soon living in trailers again, including at the Chico site, which cost more than \$300,000 per trailer to set up. Mike and Crystal moved there in September 2020. Before that, Crystal had spent six months in the hospital, while Mike had bounced between motels and campsites. They also lived temporarily at a different FEMA site. But Trailer 83 seemed to offer a kind of stability they hadn't experienced since before the fire.

The place came with rules, one of which said tenants had to submit proof every fifteen days that they had applied for at least one permanent housing option. Every

fifteen days, Mike turned that in, along with the results: nothing. Rental vacancies had fallen to less than half of 1 percent in Chico as 20,000 fire survivors crammed into a city of 90,000. Mike wrote personal letters to landlords of wheelchair-accessible apartments but didn't hear back. When he went to sign up for affordable housing, he learned that the waiting list was three years long and closed to new applicants.

Now, with 11 days left before the deadline to move out, Mike flipped through a notebook where he'd written down the names and numbers of every official he had spoken with since the fire. As he began making calls, he fidgeted with his hair, which he used to wear in a buzz-cut but had grown out into tangled curls.

The first person he reached was a young woman at a social services agency. He told her about who he had once been: a man who had coached his son's Little League team, held a steady job, owned a home and had lost that home in 2016, buried in medical debt after his wife's stroke. He said they moved to a rental with their 18-year-old son, who helped care for Crystal while he worked. He explained their son had initially moved to Trailer 83, too, but FEMA had said he couldn't stay because he wasn't on his parents' paperwork, and that with no one to help Crystal during the day, Mike couldn't work, and so they were living on her disability payments of \$2,800 a month—\$1,799.31 of which FEMA was now billing them for because a few months earlier, overwhelmed, he had missed turning in proof of his fruitless rental searches.

By the time he got around to telling the woman that they were about to be evicted, she was letting him know that she couldn't help. "We don't really have room for new cases," she said, but offered to connect him with another nonprofit.

"Okay, I sure appreciate it. Thank you," Mike said.

After a while, Crystal fell asleep and Mike slipped out for a walk. There was no greenery at the site, no shade, and no color aside from the green trash bins outside each home. He walked past Trailer 46, where a small woman who liked to keep to herself peeked through the blinds. Past Trailer 11, where a father, preparing to move out, was trying to scrape off the glow-in-the-dark stars he'd put up for his kids. Past Trailer 7, where a FEMA eviction notice fluttered on the door, warning, "We have not been able to contact you by telephone and must speak with you right away." Mike knew that the man who lived inside had a hole in his trachea and couldn't talk.

When he reached Trailer 32, a snarling German shepherd ran at him. The dog had bitten him twice, but Mike liked visiting with its owner, Jay Rose, who was stacking boxes in the truck he used for his job hauling portable toilets.

"You mind if I ask if you found a place to go?" Mike asked.

"No, just putting stuff in storage," Jay said. "I'm gonna be the last one in here."

Mike told Jay about his efforts to find a place. "I'm so fried now, it's hard to even make contact," he said.

He didn't want to stay too long. He'd left his phone charging and worried about missing a call from someone with a lead. He hurried back, climbed the steps and checked his phone in his bedroom. No calls.



Jay Rose, left, one of the last people still living in the trailer park, says goodbye to Mike while packing up to meet a move-out deadline. (Melina Mara/The Washington Post)



An overwhelmed Crystal is comforted by her son Jacob. (Melina Mara/The Washington Post)



Mike hits some golf balls in the gravel outside the trailer. (Melina Mara/The Washington Post)

* * *

Mornings in the trailer often started the same way: With Crystal hearing tires rolling on gravel and Mike looking out to see if it was FEMA. With nine days to go, Crystal heard that crunch as Mike was making coffee and braced herself, but it was only a garbage truck. “I’m surprised they’re still taking the trash away,” Mike said, and dropped the curtain.

But there was someone from FEMA there, on the other side of the park. Housing task force leader Sharon Rodarte had come to check on the last tenants. These were always the hardest cases—the families who left behind wrecked appliances, or walls full of holes, or towering piles of junk and trash, or in one case a dead dog. “Some people aren’t grateful,” she said when she walked up to Trailer 7 and discovered that the man who couldn’t speak had moved away overnight, leaving behind a broken pipe that was gushing water beneath the unit.

Now she headed toward Trailer 83. Crystal heard the crush of tires and a knock at the door. Rodarte explained that she was there because she had a phone number for the Ericksons to call—“our housing navigator for trying to find homes for people who are going to be homeless.”

Mike grabbed his notebook and stepped outside, closing the door behind him. He had written the word “deficient” in it, and he looked down and read from the page. “You know this place is deficient for us,” he said.

“Okay, I don’t want to get into this,” Rodarte said.

But Mike was off now, listing the things that had made life so difficult in the trailer. No roll-in shower. No way to cool the place below 78 degrees. No washer or dryer, even though it wasn’t safe to leave Crystal alone to go to a laundromat, which was why there were five garbage bags of laundry sitting by the door.

“I’m gonna go,” Rodarte said. “Just give the man a call.”

“Okay, just walk away,” Mike called after her. “Thank you for being so courteous and respectful.”

Back inside, Mike regretted getting mad. “I’m exploding over nothing lately,” he told Crystal, who instantly blamed herself. She had been more emotional since the stroke, cycling through feelings of calm, fear, anger, grief, and now another emotion took hold, this time making her cry. “I’m sorry, honey. I’m so sorry,” she said.

“It’s not your fault, you know that. You didn’t start that fire,” Mike said. He turned on the television for her and gave her a sippy cup, the kind a child might use, with two shots of brandy.

When he called the housing navigator, he got an automated message saying that the phone system was down. Mike hung up and looked out across the park. He wondered, how have so many people figured this out?

That evening, there was another knock at the door. This time it was their daughter, Rita. She'd lost her home in the fire, too, and, like their son, was barred from the extra trailer bedroom. She lived a few blocks away, in a tent under an oak tree. Paradise fire survivors make up about a third of Chico's growing homeless population, and many had moved into the 100-person encampment where Rita was staying. Rita didn't talk about all that went on there, like the man who had been stabbed to death in a fight a few weeks earlier as she watched with horror, prompting her to start carrying a hunting knife in her bra and another in her backpack.

When she walked in, Crystal's mood changed again. "Give me a kiss," she called.



Mike and Crystal's daughter, Rita, sits in a rickety beach chair at a homeless encampment in Chico. (Melina Mara/The Washington Post)



Using a net attached to a lifting machine, Mike helps Crystal out of bed so she can use the bathroom. (Melina Mara/The Washington Post)



Mike soothes Crystal's bed sores while she is lifted. (Melina Mara/The Washington Post)



Mike splashes his face with some water while packing up the family's belongings. (Melina Mara/The Washington Post)

* * *

There were tasks Rita did almost immediately whenever she visited. She combed Crystal's hair, trimmed her fingernails, gave her sponge baths.

Mike did everything else. He checked Crystal's blood sugar five times a day. He made her meals and helped feed her. He put fresh bandages on the bedsores she'd been developing. And sometimes he left her alone, as he did one morning with seven days left before the deadline. He tried to get out every day to clear his head, even if it was just to hit a few golf balls and watch them skip across the gravel.

Before he left, Crystal asked him to straighten her in bed so she could breathe better. "I think I'm a little cockeyed today," she said.

"You've been cockeyed for years," he said, teasing.

Some things Crystal only let herself think about when she was alone, like how badly she'd deteriorated since the fire. After her stroke, she had still been able to sit up on her own. But with no physical therapy in more than two years, she'd grown weak and rigid. The only person who had come out was a nurse who monitored her blood-thinning medication for a while, then said she had to stop because the gravel was damaging her car.

Crystal had worked in nursing homes, and made Mike promise that he would never put her in one. It was an easy promise for Mike to keep. He'd grown up with distant parents—an alcoholic father and a strict mother—and had wanted his own family to be close and loving. But people with disabilities are often unnecessarily institutionalized after natural disasters, especially if they are poor, according to a 2019 report from the National Council on Disability. Crystal didn't think she could avoid long-term care much longer. Lately, she was sleeping with the overhead light on because of a dream she'd been having in which she had been sent to hell for being a burden on her family.

When Mike got back from the store, she told him about how she was longing to see trees and grass. "I feel stupid for wanting that," she said.

"It's not stupid," Mike said, and proposed they at least go out to the porch. It was a 10-minute process to get her out of bed by himself. He rolled her back and forth to get her into a net, which he then attached to a lifting machine. He began pumping a lever to lift the net into the air. When Crystal was suspended, he maneuvered her toward a wheelchair, and then hit the lever again to lower her until she could sit.

Outside, the air was dry and full of ash from two wildfires burning nearby. Minutes passed. She was smiling. Then she looked uncertain. Then she was in pain

from her bedsores and started crying. Then she was calling out for Mike, who had gone inside to do the dishes.

He rushed her back in and hoisted her in the net as her crying turned to screaming. "Oh God, just do it," she screamed, suspended now above the bed. But Mike was afraid of letting her fall and was so focused that he didn't hear the crunch of approaching cars.

It wasn't until someone was knocking that he looked out and saw two FEMA security guards and two women who were strangers. "Give me a minute," he yelled. But the knocking got louder and so Mike paused and threw the door open, revealing Crystal suspended in the net, clothed in only a T-shirt.

"You might as well get a front-row seat," Mike said to the group. The guards looked aghast and took a step back. "You want to know why we haven't gotten out of here? I'm doing this all day long." Mike slammed the door. "You're doing good," he said to Crystal as he lowered her into bed and pulled up her sheet.

When he opened the door again, the guards had retreated to their cars and only the two women remained. They said they were from a disaster case management program and wanted to help Mike apply for a subsidized apartment. "FEMA just reached out to us, with the site closing in a week," one of the women said. "We're here to support you."

Mike felt a flood of relief. He invited them in, apologizing.

"Please do not apologize," the woman said. "My heart is feeling for you right now."

She helped Mike fill out an application and said she would get them signed up for food stamps, too. She suggested the Ericksons might be able to buy their trailer and move it somewhere permanent, because FEMA generally auctions them off at the end of housing programs, with bids sometimes starting at a few hundred dollars.

Another mood shift for Crystal, as she thought of a trailer park near her son and how nice it would be to see him more often.

The sense of hope the women brought with them carried over into the next day, and the day after, five days to go now, as the Ericksons waited to hear about the housing application and another stranger arrived at their door. Word had started spreading among Paradise survivors about their case. The visitor said he'd heard that Crystal lived in a hospital bed and couldn't even shower. He had come over on his own with a large rubber tub for her.

He and Mike wrestled the tub inside, moving bags of laundry to make it fit. Soon, the trailer was filled with steam from hot water and the comforting smell of bath soap.

"Oh, that feels good," Crystal said after Mike had put her in the net and maneuvered her into the tub. She waved her arms beneath the surface of the water, transfixed. She could feel her hands and legs unclenching. She started splashing. "Do I get to stay here forever? Till they move us out?" she asked. Mike smiled. "Soak as long as you want," he said.

They went to bed feeling better than they had in 349 nights. And then came the next day, four days left, when the good feeling began to drain away.



Crystal gets her first real bath in a year, thanks to a concerned wildfire survivor's gift of a rubber tub.
(Melina Mara/The Washington Post)

* * *

How is hope dashed? In three conversations.

First, the women came back and explained that the Ericksons couldn't buy their trailer because FEMA wasn't selling them to survivors who had failed to provide regular proof of rental searches.

Then, another case manager stopped by and told them that they hadn't qualified for the apartment. Their income was too low. And there was nothing else to apply for. "Trust me—we have looked everywhere, in every town. We are in a housing crisis in this county and we have literally tried everything," she said.

And then a FEMA supervisor called to say that if the Ericksons were not out by the deadline, they would be trespassing and he would call the police. "I'm sorry about it, but that's the way it goes," he said. "We're at the end of the game. It's really in your best interests to move on."

Mike felt his temper rising, but spoke softly so Crystal would not hear. "We'd love to move on," he said. "We're not here because we love to be here. You know that, right?"

"Well, we have done everything we can under federal law, as FEMA, to help you out," the supervisor said.

Two days left to go now, and FEMA workers were showing up to collect keys from the remaining tenants, including Jay Rose, the man who had predicted he would be the last one left in the park.

The inspector who completed his walk-through waited with her finger on the circuit breaker until he microwaved a last frozen breakfast sandwich. "Good luck," she said as she flipped off the power. He had 10 days paid at a motel, and then would be sleeping in his truck.

Away went Jay. Away went his snarling dog. Away went everyone else, and by that evening, the only trailer left in the park with anyone still home was the one where Crystal was in her hospital bed and Mike was on the porch when a truck pulled up.

The man who got out had dozens of colorful tattoos over his arms and legs, and he handed Mike a business card that said "Stephen Murray: Camp Fire Survivor/Supporter." He explained that he had helped others facing eviction from FEMA parks and had heard from a friend of a friend that the Ericksons were about to be put on the street. "I'm going to at least try to get you in a hotel for a few nights," he said before he left.

What an unbelievable place this is, Mike thought as he leaned with his elbows on the porch railing. Created out of nothing. About to be nothing again. And his

last version of hope coming down to a man who had the slogan “Stephen Murray Spreading Love” tattooed on his biceps and etched into a rubber bracelet, which he had slipped off his wrist and onto Crystal’s.

For three years now, it had been one strange and heart-rending thing after another, going back to those first weeks after the fire when Mike was living at a campground and had seen people clutching blankets and struggling to speak coherently.

“I used to look down on them and think, ‘Can’t you pull yourself out of that?’ But now I can’t pull myself out of it, either,” he said.

Mike needed to go in and check on Crystal, but he kept staring at the moon, which was glowing red through the fire smog.

“I don’t condemn them anymore,” he said. “I didn’t understand how far you can go down, I guess.”



Stephen Murray, whose business card says “Camp Fire Survivor/Supporter,” tells Crystal and Mike that he will help them find at least a temporary place to stay. (Melina Mara/The Washington Post)



Mike stops to regain his composure while moving boxes out of the trailer. (Melina Mara/The Washington Post)



Case managers tell Crystal and Mike that they have not qualified for the apartment they had applied for a few days earlier. (Melina Mara/The Washington Post)

* * *

One day left now, and when Mike woke up, he was struck by how quiet the park had become. In that silence, his phone rang.

“Finding a handicap hotel room in California is hard,” Stephen said. “But I’ve got one.”

And just like that, the Ericksons had a place lined up. It would be for a week. Stephen said he would pay for it. He had also rented a storage unit and would send someone for the hospital bed.

"Thank you," Mike said, and then told Crystal that they had a place to go.

"It's got sidewalks, right?" she asked.

"Yes," Mike said.

She tried to picture it. "I'm so excited to get out of here," she said.

Mike had some boxes saved, and he started taping them together. He didn't need many. There wasn't much to pack, mostly donated clothes and kitchen supplies.

"You're always so organized," Crystal said, watching Mike fold up her blankets.

"Not this time," he said.

He taped together a new box and tossed in a pair of pliers that were among the only things they'd saved from the fire, a self-help book about managing stress and the notebook with his FEMA information.

It didn't take long. An hour and 14 small boxes. Now that they had a destination, Mike arranged for a paratransit bus to come.

He rolled the lifting machine through the trailer for a last time, swung Crystal in the net and lowered her in the wheelchair. A few more minutes and he had the bed stripped and disassembled. Nothing more to do but sit and wait.

"Way too quiet in here," Mike said, and unpacked the radio so he could listen to music.



Mike and Crystal, accompanied by Jacob, arrive at their hotel after leaving the trailer on move-out day.
(Melina Mara/The Washington Post)



Her sons Ronald, left, and Jacob spend some time with Crystal at the hotel. (Melina Mara/The Washington Post)



In a moment of relief, Mike jumps into the hotel pool. (Melina Mara/The Washington Post)

* * *

At last, there was the sound of tires on gravel, and a friend of Stephen's took the boxes and the bed. Another rumble and the bus arrived.

Mike followed Crystal down the ramp, leaving the trailer door open. He helped strap her in and paid their fare. As the bus began rolling away, Mike looked out the window, taking everything in one last time, while Crystal squeezed her eyes shut.

"I don't want to look around. I can't stand this place," she said.

Mike was remembering the early days when they first moved in, before their son left. "The kids not being able to stay with us, that just tore our family apart," he said.

As they approached the entrance, Crystal glanced back at the lot. "I liked it better when there were all those trailers," she said.

"It made a great driving range to hit the golf balls," Mike said, and with that, the bus passed through the fence and turned right, and the Ericksons were gone, except for a few things they had left behind. A lawn chair, a fan, a mirror, a mop. All of it noted by a FEMA inspector who came later that day. "Okey-doke," he said. "I've seen a lot worse." The deadbolt didn't work, so he pulled the front door shut and pronounced it good enough. "We're finished," he said, and hours later, as night settled in, Trailer 83 was a shadow in a dark corner of an empty lot. There was nothing to break the silence as midnight came and then went and the park was officially closed. The housing program was over. FEMA had fulfilled its obligations to the displaced.

At the motel across town, Crystal was asleep and Mike, who had been so excited when they arrived that he jumped into the pool with a whoop, lay awake in bed. They'd ordered pizza and watched a movie, and when they got tired, Crystal had asked Mike to leave the overhead lights on. Now, as she slept, he stared up at them, thinking that they couldn't afford to stay beyond the week Stephen had booked.

They would need to find somewhere to go. He had six days left to figure it out.

Mr. GARAMENDI. The article speaks about the human element of the disaster and the long, long process that this particular family—and, unfortunately, it is not a unique situation, but it is one in which it exemplifies the complexity and the difficulty that occurs after a disaster such as the Camp fire.

We are going to have to figure this out. The questions that have been asked and the answers that have been given are all most appropriate and begin to point out the nature of the problem. Part of the problem is it is by the book, and several of us have talked about maybe there ought to be a few efforts to move beyond the book, the rules and the regulations and flexibility there of those rules and regulations.

The second issue really goes to one of the long-term housing needs, and that has been discussed here in some detail, about the time it takes to be able to return to a community that has been burned out. The other has to do with the housing itself, which is an ongoing problem for the State of California.

I would like to go to Deputy Chief Hatcher, if I could. Do you think the answer is for FEMA to develop a mobile home park, or what would be—or what other alternatives are there? What would be the best solution, in your mind, in a case such as Camp or, say, half of a Camp situation?

Ms. HATCHER. Thank you, Congressman Garamendi, for the question.

We would like to see FEMA have solutions for temporary to permanent housing that addresses the needs of those with the fewest resources. You mentioned the Ericksons, which they were the last family left in FEMA's group housing site after the Camp fire.

And I want to be clear that FEMA assisted many, many households, and we are incredibly thankful for the assistance that comes from the Federal Government, but there has to be a solution that looks to permanent help for folks as opposed to just a temporary solution. Because we lost 14 percent of our housing stock and less than 10 percent of that has been rebuilt nearly 3 years after the Camp fire. And there is just simply not an opportunity for those

with few resources to quickly recover after a wildfire like this because of the prolonged nature of recovery.

Mr. GARAMENDI. Well, we have discussed the nature of the temporary housing being built in such a way as to meet current codes in California. That is one thing that may be able to deal with this.

The other is the necessity for holistic support, and that has been discussed in different ways here. The role of the State of California is critical in this, because most of the support systems are either funded by or directed by the State that the county should carry out one or another of those programs.

So I am really looking here for any one of you, and perhaps, Casey, you seem to be the go-to person here, but—and perhaps Mr. Phelps, how can we develop a solution in which all of the resources that exist from healthcare to social services to homeless programs of one sort or another, how can all of those be focused for the benefit of those individuals, such as the Ericksons and others whose homes have been destroyed in one or another of these disasters?

Ms. HATCHER. I would say that we need to have a coordinated approach. There are a whole variety of agencies that bring resources to bear after a wildfire and they are often very beneficial resources but sometimes can lack coordination.

And you are right that there is assistance coming from the State of California and from the Federal Government. And I mentioned earlier the Disaster Case Management. And we would really like to see the case managers from FEMA better coordinate with those that are in the local community from community-based organizations to really set individuals on their own path to recovery.

It can be incredibly difficult to navigate all of the resources available after a disaster, and that could be a really key piece. It maybe is not within the purview of this committee, but other resources that come for housing assistance like Community Development Block Grant funding for disaster recovery that is overseen by HUD is kind of divorced from coordinating with FEMA, and those pieces need to tie together better.

Mr. GARAMENDI. Thank you very much. My time is expired. There is a lot more to be said here about this issue of coordination. I would point out that there is a major housing element in the reconciliation bill that we hope to get out of here soon.

With that, I yield back.

Ms. TITUS. Thank you, Mr. Garamendi.

Back to Mr. LaMalfa.

Mr. LAMALFA. Thank you again, Madam Chair.

We find a lot of parallel concerns here with what Mr. Garamendi was saying as well on the housing situation, I think. And we also have to step back a little bit and really ask the question, is it FEMA's long-term mission to be so far into housing? We had to work to get them to approve temporary housing for up to 2 years following the Camp fire for the folks like down in Gridley, et cetera.

But is it really the proper role, so bringing up—is there—we have to look at a mechanism, maybe a smoother handoff to HUD longer term that would be for those folks that are underinsured or not insured that get burned out. We are talking in the Camp fire, Paradise, and others around Magalia, Yankee Hill, Concow. And

then also the situation we had where we lost most of the town of Greenville up in Plumas County, and next door to that, Canyondam. And then we have a situation over in Lassen County, the town of Doyle.

So, you have all these issues that are going to be long-term situations, and since FEMA is an emergency management agency, we need to forge together a mechanism for a better handoff. So, FEMA is going to have to keep responding to other disasters, whether it is going to be the many fires that we are going to face in the future and hurricanes and who knows, earthquakes, whatever you are going to have in this country.

And that is not to take away from FEMA. That is not to take away from need. I want to downplay that at all. The need is going to be very great until we, on the wildfire side, do much, much better at forest management and buffers we need around these communities.

So, coming back to you again, Casey Hatcher—since we have two Caseys—let me talk about quickly the Beckwourth fire versus the Dixie fire. Beckwourth happened just before the Dixie fire farther up north, in Easton, California, basically about 10 days before Dixie.

Ironically, as I was returning from being up there with the folks at the Beckwourth fire, I saw the Dixie fire had started just a couple hours before I came down the Feather River Canyon on 70, and there were fire folks on the scene already. But who knew at that moment that that was going to turn in months later to nearly 1 million acres.

In this case here, what we see is Greenville in Plumas County versus Doyle up in Lassen County, you have two different types of disaster. One group of survivors basically is going to get assistance and one will not. And what we are talking about with the Lava fire and Salt fire in Shasta and Siskiyou Counties, you have—they are overstretched from disaster up there as well.

So, you have issues where if those fires had happened closer together in time, that they would have been more eligible to make FEMA be able to draw all the fires into one big disaster, I guess. We have the situation—it has to cause a bigger threshold of disaster to have them become eligible for it, so you have to have more damage to unlock Federal assistance. So, if you can tie them together or—nobody wants a bigger number.

So, Casey, given the record-setting fire seasons that we have seen in 3 of the past 4 years, we are looking at—with Butte County, but we know about your neighboring counties too, are we at the point where we are going to have to keep needing more and more resources to help fight these fires and begin the long-term recovery? What are we looking at? It is pretty discouraging.

Ms. HATCHER. It does seem to be that the frequency and intensity is going up. And you mentioned a situation that we had in 2017. We had two fires in the summer that didn't qualify for a major disaster declaration from the Federal Government and one that happened to be part of the fires that happened in the North Bay in 2017 that did because it got grouped with it. And they received resources and benefits that similarly sized fires in our community didn't. But it is the consecutive nature of the disasters and

the ability for the local government to operationalize assistance that really is at play.

When you look at Plumas County, which is where I grew up, it is so small, and the resources that they need to help Greenville are significant because of the size and the need of their county. And those types of circumstances and the consecutive nature of the disasters need to be considered when we are taking a look at what type of assistance is provided to communities, because we are seeing an increasing need for this recovery and, as was mentioned earlier, an increasing need to mitigate these types of disasters.

Mr. LAMALFA. Thank you. Appreciate it. My time is expired.

I yield back.

Ms. TITUS. Thank you.

I now recognize Mr. Carter.

Mr. CARTER. Thank you, Madam Chair.

A recent article in the Washington Post titled “The Last Days Inside Trailer 83” detailed the last few days of a family living in the Chico housing site. This article described the difficulties that many wildfire survivors have finding permanent housing after a disaster. It also describes how all the rules and requirements in our disaster recovery program actually affect people’s everyday lives.

This story stuck with me because I saw how difficult it was for the people in Louisiana after Katrina to get permanent housing. Sixteen years later, we find ourselves with the same situation with Ida. I also worry about the means for constituents of Louisiana’s Second Congressional District who survived Ida.

What this article showed me was that no matter what specific act of nature, whether it is a wildfire, heat wave, a freezing spell, an earthquake, or a hurricane, those of us who face any natural disaster face many of the same challenges afterwards.

Mr. Phelps, any lessons learned that can be applicable to hurricanes, moving forward from the wildfires, in the experiences that you found yourself in?

Mr. PHELPS. Thank you for that, Representative Carter. And, first, happy birthday. I believe birthday wishes are in order for you today, sir.

Mr. CARTER. Thank you very much.

Mr. PHELPS. We talk a lot about the Federal assistance and the Federal family that comes to support you after a disaster. We heard a little bit already about HUD and some of the Community Disaster Block Grants that are available. That funding needs to come sooner. We haven’t yet received CDBG–DR funding through HUD. We need to ensure that FEMA is in lockstep with their partners in HUD.

I would recommend that they look at the model that we have adopted here in Oregon. Days after the fires began, we established a work group with emergency management, our Oregon Department of Human Services, which was responsible for mass care and the immediate sheltering needs, and the Oregon Housing and Community Services Department, which handles housing across the State. And we began charting out what our path would look like for permanent housing for disaster survivors.

You don’t have that same kind of relationship, I don’t think, between FEMA and HUD. To see more engagement, interaction be-

tween those agencies earlier on in a disaster, it avoids even the need for a handoff, which was discussed earlier. These two agencies then are working in sync from the beginning to identify long-term permanent housing solutions as opposed to a stage gate process where folks are moving from temporary shelter to intermediate housing to long-term housing. The sooner we can get folks out of hotels, motels, or shelters and into permanent housing, the better off our survivors and the economic viability of our communities are going to be.

So, that would be one recommendation, ensure much closer connectivity between FEMA and HUD early on in a disaster when we know that hundreds of thousands of homes have been lost.

Mr. CARTER. Any thoughts on how we can use the experiences that you guys have had to establish paths to permanent housing?

Mr. PHELPS. I think a lot of that is lowering some of the barriers to accessing Federal assistance that we have talked about already this morning and that is included in my written testimony, ensuring that we have got case managers who understand the complexities or the lack of affordable housing in communities and can work in partnership with community-based organizations, to think creatively and be innovative in how we are siting affordable homes.

We keep putting these folks that have lost homes back into hazard zones, whether it is moving them out of the wildland-urban interface and into flood plains. That has got to stop. We are just kicking the can down the road to the next disaster, and we are putting our most vulnerable at risk.

Mr. CARTER. And I think the Washington Post story really, really zeros in on the personal side, human effect of how this affects people when it becomes a matter of adding insult to injury. We know that when people go through these horrific natural disasters, they find themselves in a place where they never could have imagined they would be. And then add further insult to injury, when they seek help from Federal agencies, they are treated very differently in often cases, where people are made to have onerous requirements to prove who they are, what they lost.

We know that fraud is a real case, but we should do things to make it easier, more accessible for people to get resources than to be treated like criminals when trying to get resources.

What do you think about truncating or lessening the requirements to get these resources to people?

Mr. PHELPS. It is an absolutely critical piece of this puzzle. Again, I think FEMA has made great strides in the last couple of months by changing their Individual Assistance policy to reduce the barriers that folks have to show to prove home ownership or residency. We need to see that applied across other programs as well as folks try to access Federal assistance.

Mr. CARTER. Thank you very much. I yield back.

Ms. TITUS. Thank you, Mr. Carter.

Now Mr. Guest.

Mr. GUEST. Thank you, Madam Chairman.

Chief Elliott, in your report that was issued prior to your testimony, on page 3, you talk about FEMA's role in mitigating wildland fires. You say, "FEMA's mitigation programs can play an important role in helping communities prevent damage from

wildland fires.” You talk about things such as prescribed burns or removing hazardous fuels.

You also reference the BRIC program, the Building Resilient Infrastructure and Communities program, and how that has the opportunity to mitigate natural hazards. And you go on to say that “BRIC grants have supported programs to reduce the biomass and hazardous fuels in the WUI and use it for electricity generation.”

It sounds to me what you are referring to there is generally just forest management, ways in which we can manage the forest so that we can better prevent wildfires before those fires begin, the old adage, “An ounce of prevention is worth a pound of cure.”

And so, I would ask, if you would, could you expand, Chief, on the BRIC program, and particularly expand on the use of things such as prescribed burns, and where you talk about the reduction of biomass and being able to use that to generate electricity?

Mr. ELLIOTT. Yes, sir, and thank you for the opportunity.

So, what we are looking at from sort of a local perspective is developing an infrastructure that makes the Federal Government’s and FEMA’s efforts sustainable over the long term. Removing fuel or active land management or active forest management is an ongoing process, and so from our perspective, we see the key to this as developing technologies in industries and in some cases re-installing industries in communities so that we can process that biomass, to some extent make that an economic contributor and take that liability and turn it into an asset. And, yes, this is entirely about active land management.

And when we talk about programs like the BRIC program, really this goes back to the cohesive strategy, which two of the elements there are resilient fire-resistant landscapes and fire-adapted communities. And we have to accept the fact that there is a fire interval on most of our lands in this country. In other words, there is a cycle of fire that is going to come back, and the longer we put that off through artificial suppression, the more damaging that catastrophic fire is going to be when those weather conditions or the fuel conditions are bad.

So, the mitigation and the prevention efforts are absolutely where we believe we should be focusing, because that is going to create for our grandkids less of an issue with wildland fire in the United States. We can’t turn this around in a year. We are doing what we can for the recovery and the suppression, but we need to get ahead of this problem, and that is going to be through active land management, mitigation, and prevention.

Mr. GUEST. And these forest management programs, is it your opinion that, one, it would create a healthier forest, and then ultimately that, in the long run, as this program continues to play out, that we would have less damage, less destruction because of the wildfires that are regularly occurring?

Mr. ELLIOTT. Absolutely. All of those things done correctly will produce a more resilient ecosystem, more resilient landscape that we can use. And we also believe that, especially in many communities, that this can redevelop industries or create new technologies where those industries actually contribute to the local communities as well, that this isn’t something we keep going back to the Federal Government for fuels mitigation.

Mr. GUEST. And when you talk about fuels mitigation, when you talk about reduction of biomass, would that include things such as thinning of forest land and things of that nature? If you would just kind of explain in a little more detail, when you are talking about those two categories more specifically, what are you referring to?

Mr. ELLIOTT. Yes. The caveat here is “appropriate”: appropriate logging, whether it be commercial or just thinning projects, whether that be chipping projects, prescribed fire is absolutely part of the solution. And we also look at the reintroduction of grazing in certain lands. Again, all of this balanced against—done in the context of what is correct and what will actually contribute towards long-term forest health, and, again, we are talking about grasslands and shrubsteppe as well.

Mr. GUEST. Thank you. Madam Chair, I am out of time. I yield back.

Ms. TITUS. Thank you.

I now would recognize Mr. Carbajal.

Mr. CARBAJAL. Thank you, Madam Chair. I want to thank all the witnesses that are here today participating in our hearing.

Ms. Hatcher, in 2020, California experienced its worst fire season on record as fires burned across the entire State. The year 2021 is, again, proving that fire season is becoming year-round, with over 2 million acres burned throughout California.

In my district, we just had the Alisal fire break out a few days ago, on October 11. Thankfully, it is now 97 percent contained, and I want to extend my thanks and gratitude to all the firefighters and first responders that helped in this effort.

While a lot of the focus centers around getting fires under control, other important aspects are pre-fire deployment of resources and post-fire response. From your experience in county government, how can FEMA better support counties in their post-fire response?

And after meeting with first responders, many have raised the issue of the need to predeploy resources ahead of fire-prone conditions. However, this places a cost burden on local governments. What has been your experience in Butte County?

Ms. HATCHER. Thank you, Representative, for the question, and I am so glad to hear the fire is becoming contained in your community.

The post-fire resources that—the need is significant after a wild-fire, from everything to the cleanup to the housing to, as has been mentioned here, mental health services and Disaster Case Management support. I think one of the things that FEMA could really do, not just right after a disaster but on an ongoing basis, is to provide technical assistance and help local governments to build capacity.

We had, before the Camp fire, one person in our office of emergency management locally. And we grew that capacity to be able to respond after the Camp fire and the 2020 North Complex fire, but many rural and suburban communities simply don’t have those types of capacities. And I would recommend that there is a lot of technical assistance even before a disaster strikes that can be provided to local governments.

You also mentioned the staging of resources, and we have seen this be an issue both before wildfires as well as other events,

storms, floods, things of this nature. I think the flexibility of FEMA's mitigation assistance to recognize the type of need, whether it is the clearing of fuels to prevent disasters or whether it is the staging of resources to help to protect life when there is a disaster, they have pretty strict mitigation requirements that don't recognize some of those other types of community lifelines that are in need.

Mr. CARBAJAL. Thank you.

Ms. KC, the Disaster Recovery Reform Act of 2018 included a significant enhancement to FMAG assistance, authorizing post-disaster Hazard Mitigation Grant Program assistance to help local communities recover. However, as I have experienced this firsthand in my district, there is an abundance of redtape that has made these Federal dollars hard to access in many cases.

While my office was ultimately successful in working with FEMA to ensure that over \$13 million in Federal dollars were awarded to the Santa Barbara County Flood Control and Water Conservation District to help build a debris basin, the delays experienced were clearly unacceptable. How can FEMA be a better partner in helping alleviate the burden on local governments to be able to access these resources and funds?

Ms. KC. Thank you for the question, Representative Carbajal. I think you have heard a lot of the same, so I am going to repeat what has been said maybe in a different way, maybe in the same way. I think a lot of it is preplanning and working together ahead of these disasters.

We experienced and are experiencing the same delays. We are very thankful for those HMGP funds and the amount of funding that is flowing through FEMA to help us recover from a rehabilitation and revegetation side from wildfires in the State of Nevada. But we are also experiencing those delays, and I think part of that is the upfront planning with partners, not just looking at the State through our emergency management, our all-hazard mitigation plan, but State forestry agencies, local governments.

We have plans for resource management. We know ahead of time where fires—we can't predict where human cause starts will happen, but we do know where fires are going to have the greatest impact in our State, because we look at historical data. We know where we are really dense in our forest, so we need to look at those areas and work collectively.

We are very good at working together, land management agencies, emergency management agencies, health departments. It is probably time for us to expand that reach in the beginning to work together to make sure that we are prepared, and we know what plans are out there, and then FEMA could utilize those plans that have been vetted by partners and worked collaboratively to create for implementation, to expedite implementation.

Mr. CARBAJAL. Thank you very much. I am out of time.

I yield back.

Ms. TITUS. Thank you.

I have one question for anybody on the panel. We heard you say that we need to put the fire survivor first. We know from previous experience with evacuations, whether it is a hurricane or earthquake, that many times people won't evacuate if they can't take

their animals with them, their pets. And nobody has mentioned pets or wildlife or livestock. How does this fit into FEMA's recovery plans? Or is it a housing problem?

Ms. HATCHER. Chair Titus, you are absolutely correct that many times people will not evacuate unless they can take their animals. And in Butte County, we offer large and small animal shelters. And recently, our ag commissioner has developed a program that allows people back into the evacuated areas to feed commercial livestock in order to help promote the evacuation of these areas, so that first responder personnel can focus on fighting the wildfire instead of evacuating individuals.

We are very pleased that FEMA reimburses this type of assistance, and we think that they can better help facilitate this by helping to share these types of best practices across communities where they are being effective. It is a challenge as shelters start to close and there aren't rental housing units or permanent housing units for people to go with pets. It is a challenge for getting people to move from shelters or temporary housing assistance, though, and that is an area where we could work with FEMA to develop some best practices.

Ms. TITUS. I think that would be great. We would appreciate that.

Can you tell us how it works in Nevada, Ms. KC?

Ms. KC. Yes. Thank you for the question, Chair Titus. It is very similar. We work with our emergency management agencies, our public health officials, so the response is very similar from an evacuation of people, their pets, their livestock. There is a lot of people that come together to ensure that things get moved into the right areas.

One of the things that I would say upfront is when we talk about the three tiers, the active land management, building those resilient landscapes, fire-adapted communities, so that is the construction in and around, and then making sure that we have the proper suppression assets, that is the cohesive strategy, that is how we are going to address this.

Some of FEMA's programs do address these issues. There are lots of other programs in the Federal Government that also address those. And so, coordination amongst those programs and who is the right party to take on those responsibilities, we need to make sure that that is part of our consideration as we are moving into these disasters.

And just coordinating and planning ahead, you wouldn't think about this necessarily, but a lot of the fires that have been discussed today that happened in California had significant impacts into the State of Nevada, both from evacuees that came into the State of Nevada and have moved here permanently. So, our housing market has been affected.

We have been building more and more houses into the wildland-urban interface, trying to create affordable housing where people can live, and so we are just kind of increasing our risk here. So that coordination needs to happen, not only within the State and amongst the State and Federal, local government agencies, but also across State lines where we are going to have impacts.

Ms. TITUS. Well, one of the things we have heard throughout the morning is this need for an all-of-Government approach. One group that is also involved when businesses are affected is the Small Business Administration. So, when we are looking at who we need to coordinate with and who needs to be at the table, and as we try to revise some of these provisions you all have suggested, we want to be sure that that is the case and we don't leave anybody out.

I would argue that you also need to have some environmentalists at the table because that is where you are going to hear some of the opposition to some of the more extreme forest management issues, where it comes to endangered species, et cetera.

Anybody want to comment on that?

Mr. ELLIOTT. This is Rich Elliott. Yes, we have been working to try and create some level of balance, because, obviously, the rules that exist today exist for reasons. And so, we need to take a more balanced approach when we talk about active land management and make sure that what we are doing to the land actually contributes to the long-term health of that ecosystem.

If we can pair that with an economic benefit to the community in terms of specific kinds of logging, grazing, those types of things, that is an added benefit. But obviously this has to be about restoring balance to our ecosystem across the U.S.

And what we are seeing is, maybe it is weather patterns but, you know, we certainly have a drought in the West, but our ecosystems are stressed. And when they are stressed, even if it is a traditionally more wet area, it only takes a few degrees over a few years or a few percentage points in RH and suddenly something will burn when it wouldn't normally burn.

And those are the kinds of realities that we are facing. And, absolutely, this needs to be a very balanced approach, but it needs to—there is probably going to need to be some compromise on both sides. No logging, no grazing has not been a good policy. Putting out every fire has not been a good policy over the last 110 years, and we need to shift a little bit.

And probably developing in certain areas hasn't been a good national policy, that we create risk in areas that we know are going to burn catastrophically just due to their topography and their vegetation, regardless of what kind of land management we do.

Ms. TITUS. Well, thank you, Chief.

As we wind up this morning, I have heard some things repeated throughout all the questions and the answers. We need more coordination and cooperation, an all-of-Government approach. We need flexibility, one size doesn't fit all among the programs and relief. We need to review the needs and perhaps expand what services are available, and that includes everything from mental health to paying highway repair. We need mitigation and prevention, not just recovery efforts. And we need to do this quickly because the situation is getting worse, and it is becoming an existential issue.

So, I thank all of you for your testimony. We really appreciate it.

Mr. Webster, anything you want to add?

Mr. WEBSTER. I will just say, you summed it up well. All these things are more expansive than we would ever think. Floods are more than just water. It is all kinds of things. And the same with

hurricanes, fires, and so forth. So, thank you for this hearing. It has really been great.

Ms. TITUS. Thank you, Mr. Webster.

Also, I would ask unanimous consent to insert into the hearing record the statement from the National Low Income Housing Coalition. Without objection.

And is there another one, you said?

And also, I would like unanimous consent to insert into the hearing record a statement from the Western Governors' Association. That would include our Governor Sisolak.

[The information follows:]

**Statement of the National Low Income Housing Coalition, Submitted for
the Record by Hon. Dina Titus**

Chairman DeFazio, Ranking Member Graves, Subcommittee Chairwoman Titus, Subcommittee Ranking Member Webster, and members of the subcommittee, thank you for the opportunity to submit a statement for the record on ways to ensure that our nation's disaster housing recovery and response efforts address the unique and often overlooked needs of the lowest-income and most marginalized survivors, including people of color, people with disabilities, people experiencing homelessness and others.

The National Low Income Housing Coalition (NLIHC) is dedicated solely to achieving socially just public policy that ensures people with the lowest incomes in the United States have affordable and decent homes. NLIHC leads the Disaster Housing Recovery Coalition of more than 850 national, state, and local organizations, including many working directly with disaster impacted communities and with first-hand experience recovering after disasters. We work to ensure that federal disaster recovery efforts prioritize the housing needs of the lowest-income and most marginalized people in impacted areas.

NLIHC has worked on disaster housing recovery since Hurricane Katrina, and from this experience, we have come to a simple conclusion: America's disaster housing recovery system is fundamentally broken and in need of major repair and reform. It is a system that was designed for middle-class people and communities—a system that never contemplated, and so does not address, the unique needs of the lowest-income and most marginalized people. Because of this fundamental design flaw, these families are consistently left behind in recovery and rebuilding in disaster after disaster. The disaster recovery system not only ignores the needs of the lowest income people, but it exacerbates many of the challenges they faced prior to the storm: disaster response and recovery often worsens the housing crisis, solidifies segregation, and deepens inequality.

When disasters strike, the lowest-income and most marginalized survivors are often hardest hit. They have the fewest resources and face the longest, steepest path to recovery. Despite the clear need, federal efforts frequently leave these survivors without the assistance needed to recover and leave their communities less resilient to future disasters. Without this critical assistance, many of the lowest-income and most marginalized survivors return to uninhabitable homes, sleep in cars or at shelters, double- or triple-up with other low-income families, or pay more than half of their limited incomes on rent, putting them at increased risk of displacement, eviction, and, in worst cases, homelessness.

These barriers and opportunities are reflected in "Fixing America's Broken Disaster Housing Recovery System," a two-part report published by NLIHC and Fair Share Housing Center of New Jersey.

Our policy recommendations reflect nine core principles that should guide our country's disaster housing response and recovery:

1. Recovery must be centered on survivors with the greatest needs and ensure equity among survivors, especially for people of color, low-income people, people with disabilities, immigrants, LGBTQ people, and other marginalized people and communities;
2. Everyone should be fairly assisted to fully and promptly recover through transparent and accountable programs and strict compliance with civil rights laws, with survivors directing the way assistance is provided;

3. Securing help from government must be accessible, understandable, and timely;
4. Everyone in need should receive safe, accessible shelter and temporary housing where they can reconnect with family and community;
5. Displaced people should have access to all the resources they need for as long as they need to safely and quickly recover housing, personal property and transportation;
6. Renters and anyone experiencing homelessness before the disaster must quickly get access to quality, affordable, accessible rental homes in safe, quality neighborhoods of their choice;
7. All homeowners should be able to quickly rebuild in safe, quality neighborhoods of their choice;
8. All neighborhoods should be free from environmental hazards, have equal quality and accessible public infrastructure, and be safe and resilient; and
9. Disaster rebuilding should result in local jobs and contracts for local businesses and workers.

These core principles and the following policy recommendations should serve as a guidepost for this committee and other federal policymakers as you work to reform our nation's disaster housing recovery framework.

BARRIERS TO AN EQUITABLE HOUSING RECOVERY

After a disaster, including wildfires, displaced families must have a safe, accessible, and affordable place to live while they recover. FEMA programs can provide crucial assistance to help survivors recover from a disaster by providing temporary shelter and financial assistance and making basic structural repairs to homes. However, FEMA created unnecessary and often insurmountable barriers to accessing these programs, leaving many low-income survivors at increased risk of displacement, eviction, and, in worst cases, homelessness.

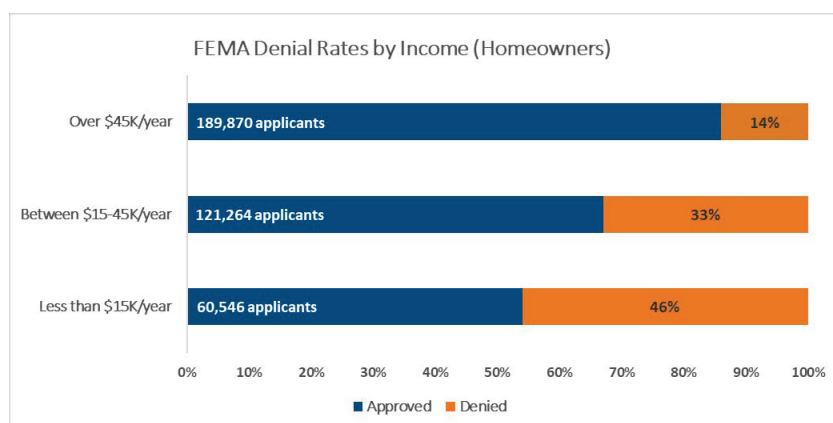
FEMA programs are not designed to serve lower-income people with the greatest needs; these households are consistently denied assistance. For example, nearly 95% of applicants for recovery assistance after the 2020 wildfire season were denied assistance by FEMA.¹ After the 2020 wildfire season in Oregon, FEMA had denied 70% of non-fraudulent claims.² This effect occurs during other disasters as well. Applicants for assistance with the lowest incomes were denied FEMA Individual Assistance (IA) at very high rates after Hurricane Harvey. The vast majority of higher-income households were approved³ (see Figure 1).

¹McMinn S. 2021. FEMA Rejected 95% of Aid Applicants During California's Last Wildfire Disaster. Why?. Retrieved from <https://www.npr.org/2021/07/02/1011877546/fema-rejected-95-of-aid-applicants-during-californias-last-wildfire-disaster-why>

²McMinn S. 2021. As Western Wildfires Worsen, FEMA is Denying Most People Who Ask for Help. Retrieved at: <https://www.npr.org/2021/07/01/1010897265/as-western-wildfires-worsen-fema-is-denying-most-people-who-ask-for-help>

³Adams, A. 2018. Low-income Households Disproportionately Denied by FEMA Is a Sign of a System that is Failing the Most Vulnerable. Retrieved from <https://texashousers.org/2018/11/30/low-income-householdsdisproportionately-denied-by-fema-is-a-sign-of-a-system-that-is-failing-the-most-vulnerable/>

FIGURE 1.



Although the early available data from FEMA's response to Hurricane Ida show an improvement in IA eligibility rates overall, data from other disasters in 2021 show similar denial rates to the past disaster responses. Further analysis and access to granular application information will be needed to determine if this trend holds for applications by lower-income disaster survivors.

FEMA's Failure to Address Housing Needs

Despite the clear need, FEMA housing programs neglect the housing needs of America's lowest-income disaster survivors and exacerbate housing insecurity. Without the affordable and accessible homes survivors need, many return to uninhabitable homes, sleep in cars or tents, stay at shelters, double- or triple-up with other low-income families, or pay more than half of their limited incomes on rent, putting them at increased risk of eviction and, in worst cases, homelessness.

Research from NLIHC demonstrates that disasters exacerbate the existing rental housing crisis for households with the lowest incomes.⁴ After Hurricane Sandy, households already dealing with housing instability were further destabilized through displacement and increased rents. Two years after Sandy, few new affordable homes had been completed yet survivors were no longer eligible for federal rental assistance.⁵

The impact of disasters on low-income people's housing needs is made worse by FEMA's continued refusal to activate the Disaster Housing Assistance Program (DHAP), rendering some survivors homeless.⁶ During past disasters, both Republican⁷ and Democratic^{8,9} administrations upheld DHAP as a best practice for disaster housing recovery. DHAP was created after hard-won lessons from Hurricane Katrina, and it has been used successfully in some major disasters since that time. Under DHAP, displaced families receive longer-term direct rental assistance and case management services provided by local housing professionals with extensive knowledge of the local housing market. This assistance helps families find perma-

⁴National Low Income Housing Coalition. 2019. Long-term Recovery of Rental Housing: A Case Study of Highly Impacted Communities in New Jersey after Superstorm Sandy. Retrieved from <https://nlihc.org/sites/default/files/Sandy-Rental-Recovery-Report.pdf>

⁵Fair Share Housing Center, Latino Action Network & NAACP New Jersey State Conference. 2015. The State of Sandy Recovery (Second Annual Report). Retrieved from http://fairsharehousing.org/images/uploads/State_of_Sandy_English_2015.pdf

⁶National Low Income Housing Coalition. 2018. Setting the Record Straight: FEMA's Failure to Address Long-Term Housing Needs of Survivors. Retrieved from https://nlihc.org/sites/default/files/FEMA_Setting-The-RecordFEMA-TSA.PDF

⁷Homeland Security and Counterterrorism. 2006. The Federal Response to Hurricane Katrina: Lessons Learned. Retrieved from <https://permanent.access.gpo.gov/lps67263/katrina-lessons-learned.pdf>

⁸Federal Emergency Management Agency. 2009. National Disaster Housing Strategy. Retrieved from https://www.fema.gov/media-library-data/20130726-1819-25045-9288/ndhs_core.pdf

⁹Federal Emergency Management Agency. 2011. National Disaster Recovery Framework: Strengthening Disaster Recovery for the Nation. Retrieved from <https://www.fema.gov/pdf/recoveryframework/ndrf.pdf>

ment housing solutions, secure employment, and connect to public benefits as they rebuild their lives.¹⁰

After recent disasters, FEMA instead relied on its Temporary Shelter Assistance (TSA) program and other programs that are inaccessible to many low-income survivors. TSA is intended to reduce the number of survivors in congregate shelters by covering the cost of staying in an approved hotel or motel for an initial period of up to 14 days. Once again, this is a program better suited to middle-class households than to low-income people.

Low-income families are often unable to access TSA motels due to financial and other barriers, including the practice of motels charging daily “resort” fees and requiring security deposits or credit cards. Because TSA must be renewed every 14 days, those disaster survivors who are able to access the program face arbitrary deadlines that cause them to scramble to submit required paperwork or leave the motel before finding a permanent housing solution. While FEMA is authorized to provide TSA for at least 18 months, the Trump administration abruptly terminated¹¹ the program for nearly 2,000 Puerto Rican families displaced to the mainland after Hurricane Maria, forcing them to find alternative housing or to return to their uninhabitable homes on the island with just a few hours’ notice. Without DHAP, states that received large numbers of displaced Puerto Rican survivors—including Massachusetts and Connecticut—saw increased homelessness by 14 percent and 17 percent respectively.^{12 13}

To date, the Biden administration has failed to activate DHAP for survivors of Hurricane Ida and other major disasters.

FEMA’s other temporary housing assistance programs—Rental Assistance and Direct Temporary Housing Assistance—are also problematic for low-income families. Through its Rental Assistance program, FEMA provides financial assistance to survivors to rent temporary housing. The amount of assistance provided to survivors is based on the impacted area’s Fair Market Rent (FMR), which is often considerably less than rental costs in the area to which survivors have been displaced. Moreover, FEMA rental assistance covers rent and utilities for only two months at a time, which is too short a timeframe for many of the lowest-income survivors. Many landlords are often unwilling to enter into leases with survivors when only two months of rental assistance is assured.

Under FEMA’s Direct Lease program, FEMA enters into lease agreements with property owners to provide rent assistance for survivors. A similar program, the Multi-Family Lease and Repair program, allows FEMA to enter into lease agreements with multifamily housing property owners and to make repairs to provide temporary housing. Both programs, however, have extremely low rates of participation by property owners and are inadequate to meet post-disaster rental needs.¹⁴

After Hurricane Harvey, FEMA piloted a program where states take on the responsibility of implementing and managing temporary housing programs. These state-run disaster housing programs face significant delays and do not address the full scale of housing needs because FEMA continues to retain control over eligibility and the program-assignment process. According to FEMA, only a few hundred families were served under state-administered housing programs following Hurricanes Harvey and Irma, despite damage to or destruction of more than 307,000 homes in Texas¹⁵ and 65% of all homes in the Florida Keys.¹⁶ Other programs like Multi-family Lease and Repair were wholly unsuccessful because property owners declined to participate.

¹⁰National Low Income Housing Coalition. 2017. Disaster Housing Assistance Program. Retrieved from <https://nlihc.org/sites/default/files/DAHP-Program.pdf>

¹¹National Low Income Housing Coalition. 2018. NLIHC’s Response to Court Ruling Allowing FEMA to Move Forward on Evicting Hurricane Maria Survivors. Retrieved from <https://nlihc.org/news/nlihc-response-courtruling-allowing-fema-move-forward-evicting-hurricane-maria-survivors>

¹²Martin, T. 2019. After a Long Road, Hurricane Maria Evacuees Settle in Massachusetts. Retrieved from <https://www.wgbh.org/news/local-news/2019/01/23/after-a-long-road-hurricane-maria-evacuees-settle-in-massachusetts>

¹³Skahill, P. 2018. Hurricane Maria Drives Up Connecticut’s Homelessness Numbers. Retrieved from <https://www.wnpr.org/post/hurricane-maria-drives-connecticuts-homelessness-numbers>

¹⁴AP. 2020. FEMA Looks to Provide Hurricane Victims Temporary Housing. Retrieved from: <https://apnews.com/article/louisiana-9541dafbac6b890535bb21dc58844d29>

¹⁵CBS News. 2019. We’re Still Here: Volunteers Rebuilding Homes 2 Years After Hurricane Harvey. Retrieved from <https://www.cbsnews.com/news/hurricane-harvey-houston-meet-the-volunteers-rebuilding-homes-all-handshearts-2019-08-24/>

¹⁶CNN. 2017. Florida Official: Death toll rises to 12 in state, Retrieved from: <https://www.cnn.com/2017/09/12/us/irma-damage-aftermath/index.html>

A similar situation is currently occurring in Louisiana during the aftermath of Hurricane Ida. FEMA is reimbursing state-level agencies to provide travel trailers to disaster survivors to utilize prior to the deployment of FEMA Temporary Housing Units (THUs)—which typically take four months to deploy. While the state has procured hundreds of travel trailers, few families have received them as of this writing. In the meantime, disaster survivors are being encouraged to sleep in tents on their properties or utilize large tent encampments in several locations around Southeast Louisiana.¹⁷

Due to the lack of housing assistance, one year after Hurricane Harvey nearly 20% of individuals experiencing homelessness in Houston reported that they became homeless as a result of the disaster.¹⁸ Without DHAP, homelessness increased in Houston by 18%.¹⁹ This is a colossal failure of the federal government's disaster recovery efforts.

Due to the rural nature of many areas struck by wildfires, FEMA housing programs are even more disadvantaged. While areas suitable for THU deployments are abundant in such areas, the units must be hooked up to utilities and other infrastructure in order for them to be inhabitable. Creating or replacing such infrastructure is time-consuming, leading to large delays in temporary housing assistance that allowed disaster survivors to become homeless. Five months after the Camp Fire destroyed 14,000 homes in Butte County California, FEMA had yet to set up THUs for disaster survivors.²⁰ As a result, nearly 19,000 Camp Fire survivors moved to Chico, California, overwhelming the city's social service systems and exacerbating the housing crisis across the region.²¹

During the current COVID-19 pandemic, FEMA should have activated DHAP to provide housing and shelter for people experiencing homelessness. DHAP could have been used to quickly move people out of congregate shelters or encampments and into affordable homes, where they can more easily keep themselves and their neighbors healthy. Instead, FEMA has worked with some states and localities under its Public Assistance program to place a very limited number of people experiencing homelessness into temporary motels for self-quarantine and self-isolation.

Before Public Assistance funding for these motels end, FEMA should activate DHAP to help transition these individuals into permanent housing, rather than allowing individuals to be pushed back into homelessness as is already beginning to happen. For example, after funding for a hotel voucher program in Fort Lauderdale, Florida ran out on July 17, over 70 people experiencing homelessness who had been temporarily residing at a Rodeway Inn & Suites were forced to leave, even if they did not have a permanent housing plan.²²

FEMA Neglects the Needs of Marginalized Populations

People Experiencing Homelessness

People experiencing homelessness are often most at risk during a wildfire or other disaster and have the fewest resources to recover. People experiencing homelessness are unlikely to have the resources needed to adequately prepare for or evacuate prior to a disaster, and their unique needs are often overlooked by emergency managers when planning for disasters. During the recovery, homelessness resources are stretched thin to accommodate those households that became housing insecure as a result of the disaster and resources for pre-disaster homeless populations are deprioritized. Communities are often unable to return to the level of care provided to people experiencing homelessness before the disaster.

¹⁷ Muller, W. 2021. As trailers trickle in, push for temporary housing continues 6 weeks after Hurricane Ida. Retrieved from <https://www.houmatoday.com/story/news/2021/10/16/trailers-trickle-in-push-temporary-housing-continues-6-weeks-after-hurricane-ida/8468315002/>

¹⁸ Vigh, E. 2019. Hurricane Harvey Caused Homelessness Lingers in Harris County 2 Years Later. Community Impact. Retrieved from <https://bit.ly/3hEvKHW>

¹⁹ Ward, A. 2018. Homeless after Harvey: For Some, the Historic Flooding in Houston Washed Away Shelter and Security. Retrieved from <https://www.houstonchronicle.com/news/houstonweather/hurricaneharvey/article/Homeless-after-Harvey-For-some-the-historic-13171309.php>

²⁰ Rittiman, B. 2019. FEMA 'will not address all housing needs' for Camp Fire Survivors. Retrieved from: <https://www.abc10.com/article/news/local/wildfire/fema-will-not-address-all-housing-needs-for-camp-fire-survivors/103-3a323e14-752e-4716-98eb-e7bfbf367120>

²¹ Wade, M. 2019. City of Chico 'Overwhelmed' By Influx of Camp Fire Survivors. Retrieved from: <https://www.abc10.com/article/news/city-of-chico-overwhelmed-by-influx-of-camp-fire-survivors/103-3bb43c11-124a-4742-8278-3b8b6af08648>

²² Kelley, E. 2020. Fort Lauderdale Ending Program to House Homeless in Hotels This Weekend. Retrieved from <https://www.sun-sentinel.com/coronavirus/fl-ne-fort-lauderdale-evicts-homeless-20200717-h5vjhwlnfnf6batks4rgegk3va-story.html>

Given the level of homelessness prevalent in many areas at risk of wildfires, the failure to integrate individuals experiencing homelessness within the disaster response and recovery framework is even more dangerous. In fact, individuals experiencing homelessness are often unjustly blamed for starting wildfires, placing them at even more risk of imprisonment and harassment.²³

Despite the clear need, people experiencing homelessness are often excluded from or face additional barriers to FEMA resources, including mass shelters and individual assistance. Following Hurricane Irma, there were reports of people experiencing homelessness being forced to wear armbands and be separated from other disaster survivors.²⁴ Pre-disaster homeless populations are often denied FEMA assistance, even if all their belongings were destroyed in the disaster.²⁵ These actions further stigmatize people experiencing homelessness and often prevent them from accessing the resources they need to stay safe.

During the current COVID-19 pandemic, people experiencing homelessness are particularly at risk of severe illness and death from coronavirus, yet many of these individuals have been unable to access the assistance they need to self-isolate and self-quarantine.

Narrow eligibility criteria for FEMA reimbursement, however, created significant barriers to moving people experiencing homelessness to safety in hotels and motels. In San Francisco, for example, people experiencing homelessness must be over the age of 60 or have documented underlying health conditions in order to be deemed eligible. This narrow interpretation of eligibility criteria has limited the efficiency of San Francisco's hotel program.²⁶ Additionally, FEMA reimbursement of non-congregate shelter for people experiencing homelessness is only made available if a Governor requests it; people who are homeless in states with governors who do not prioritize their needs are left with no assistance.

Seniors and People with Disabilities

People with disabilities face barriers to assistance. They are two to four times more likely to die or sustain a critical injury during a disaster than people without disabilities.²⁷ Despite an increased risk of death and injury, many emergency plans do not address how local officials can reach those with disabilities during a disaster. People with disabilities are often diverted to "special needs" or "medical shelters," even if they do not require the level of care provided there. This practice fosters forced institutionalization and places people with disabilities at greater risk of injury or death.

Individuals with disabilities struggle to evacuate from wildfires.²⁸ One reason for this is that emergency notifications commonly lack accessibility for those with disabilities. Text-only or audio-only messages can often fail to be understood and failures to provide American Sign Language interpreters for emergency press conferences can leave many in the dark. Given the rapid nature of wildfires and the split-second evacuation needs, such messages should be uniform and provided with all accessibility measures necessary for individuals with disabilities to fully comprehend to such messages and react.

The consequences of failure is clear from experiences during recent hurricanes. During Hurricane Harvey, elderly residents in a Galveston, Texas nursing home were photographed with floodwaters up to their waists,²⁹ and 14 nursing home residents in the largely unregulated state nursing home industry died in 2017 from

²³ French, P. 2021. Banning the Homeless Won't Keep California From Burning. Retrieved From: <https://newrepublic.com/article/163739/los-angeles-homeless-encampments-wildfire>

²⁴ Dearen, J., & Kennedy, K. 2017. *Yellow Wristbands, Segregation for Florida Homeless in Irma*. Retrieved from <https://www.usnews.com/news/us/articles/2017-09-29/yellow-wristbands-segregation-for-florida-homeless-in-irma>

²⁵ Ehrlich, A. 2019. *After Wildfires, Homeless People Left Out of Federal Disaster Aid Programs*, Oregon Public Broadcasting. Retrieved from <https://www.opb.org/news/article/fema-disaster-aid-wildfires-homeless-people/>

²⁶ Karlis, N. 2020. *How Bureaucracy Kept the Bay Area from Housing the Homeless*. Retrieved from <https://www.salon.com/2020/06/21/how-bureaucracy-kept-the-bay-area-from-housing-the-homeless/>

²⁷ Timmons, P. "Disaster Preparedness and Response: The Special Needs of Older Americans," Statement for the Record, Special Committee on Aging, U.S. Senate, September 20, 2017, available at https://www.aging.senate.gov/imo/media/doc/SCA_Timmons_09_20_17.pdf.

²⁸ Morris, A. 2021. We Didn't Have a Plan: Disabled People Struggle to Evacuate from Wildfires. Retrieved from <https://www.nytimes.com/2021/09/12/us/wildfires-disabled-people-evacuation.html>

²⁹ Ferguson, J. W. 2017. *Eighteen People Rescued from Flooded Assisted Living Facility*. Retrieved from https://www.galvnews.com/news/free/article_e1ffff8e-435d-5c78-ab46-57d6bc7dc6a5.html

heat exhaustion when their facility lost power in Hurricane Irma.³⁰ The COVID-19 pandemic has devastated people residing and working in nursing homes, psychiatric hospitals, and other congregate settings for people with disabilities. People living in these settings comprise less than 1% of the U.S. population, but nearly 50% of coronavirus deaths.³¹

Immigrants and People with Limited English Proficiency

Individuals with limited English proficiency often face difficulty in accessing FEMA resources. For example, in Puerto Rico, FEMA struggled to find translators or provide basic information in Spanish, which is the predominant language on the island.³² While FEMA's regulations require that such documents are produced, advocates commonly express concern that the agency and its grantees regularly distribute forms only in English or with limited translated versions.

Given the agriculture nature of many areas that experience wildfires, immigrant agricultural workers commonly experience the brunt of such disasters. The failure of emergency response systems to include translated information on assistance, shelters, and other recovery information seriously precludes such households from accessing assistance. In addition, the continued persecution of such populations based on their immigration status often creates a culture of fear that prevents such households from calling for help and receiving emergency messaging even if it is translated. Many farmworkers are unaware of approaching wildfires with many only learning of the danger upon actively seeing the wildfire and fleeing.³³

Onerous Title Documentation Requirements

For decades, eligible applicants were wrongfully denied FEMA assistance due to inflexible and arbitrary requirements, rigid interpretations of rules, and confusing and bureaucratic processes.

FEMA consistently requires disaster survivors to provide title documentation in order to prove eligibility for the agency's Individual Assistance (IA)³⁴ program and other recovery aid, even though its own guidance on Individual and Household Assistance allows alternative documentation of ownership. Low-income homeowners, residents of manufactured housing, renters without written leases, and other individuals frequently lack such documentation or the ability to quickly procure proper documents. FEMA's rigid and unnecessary policy has harmed low-income disaster survivors since at least 1995.

After Hurricane Maria, FEMA denied assistance to at least 77,000 survivors due to title documentation issues.³⁵ For months, NLIHC's Disaster Housing Recovery Coalition pushed FEMA to remove this unnecessary obstacle to low-income Puerto Ricans receiving needed assistance. Finally, FEMA's Office of Chief Counsel engaged and worked with DHRC members Ayuda Legal Huracan Maria, Fundación Fondo de Acceso a la Justicia, and Servicios Legales de Puerto Rico to prepare a "sworn statement" that would allow Puerto Rican homeowners without title documents to prove ownership of their homes so that they can receive the assistance to which they are entitled. While FEMA allowed survivors to use this method to apply for assistance, FEMA refused to make the sworn statement available on its website or on social media.

These same issues occurred in the continental U.S. In North Carolina and other parts of the American South, rural, historically African American communities often do not use title systems, instead implementing informal systems like those used in

³⁰ CNN. 2017. *Husband and Wife Among 14 Dead After Florida Nursing Home Lost A/C*. Retrieved from <https://www.cnn.com/2017/10/09/health/florida-irma-nursing-home-deaths-wife/index.html>

³¹ Mizner, S. 2020. *COVID-19 Deaths in Nursing Homes are not Unavoidable—They are the Result of Deadly Discrimination*. Retrieved from <https://www.aclu.org/news/disability-rights/covid-19-deaths-in-nursing-homes-are-not-unavoidable-they-are-the-result-of-deadly-discrimination/>

³² Davidson, J. 2020. *How a lack of diversity at federal agencies can have serious consequences*. Retrieved from https://www.washingtonpost.com/politics/how-a-lack-of-diversity-at-federal-agencies-can-have-serious-consequences/2020/02/29/ceec904e-5a65-11ea-8753-73d96000faae_story.html

³³ NPR. 2015. "Farm Workers in Wildfire Areas Aren't Always Aware of Evacuation Plans." Retrieved from <https://www.wkyufm.org/post/farm-workers-wildfire-areas-arent-always-aware-evacuation-plans#stream/0>

³⁴ Individual Assistance (IA) programs provide financial and program assistance directly to disaster survivors, as opposed to governments or eligible nonprofits. See: <https://www.fema.gov/media-library-data/1565194429982-5674cd81399feab00cc72ab7ff4d84f/FACTSHEET IndividualAssistanceProgram.pdf>

³⁵ National Low Income Housing Coalition. 2019. *Impact of Hurricane Maria*. Retrieved from <https://nlihc.org/sites/default/files/Hurricane-Impact-Maria.pdf>

Puerto Rico. After Hurricane Katrina, thousands of poor Alabamians were denied assistance due to lack of formal title on their damaged homes. After Hurricane Michael, FEMA denied assistance to as many as 50% of applicants in certain parts of the panhandle largely due to elderly households and mobile homeowners lacking FEMA-required title documentation.³⁶ After California's wildfires, FEMA denied assistance to 70% of applicants due to title issues.³⁷ Those denied were predominantly rural mobile homeowners, many of them farmworkers or other low-income workers, who do not have title to their homes. In all cases, FEMA refused to modify its programs to accommodate the situation, choosing instead to deny eligible applicants needed assistance to which they were entitled.

Work to reform FEMA's harmful policy began with efforts by NLIHC, disaster survivors, and partners in Louisiana, Alabama, and Mississippi after Hurricane Katrina, and they were continued by the DHRC and advocates in Texas and Florida after Hurricanes Harvey and Michael, in California after several wildfires, and in Puerto Rico in the aftermath of Hurricane Maria.

After sustained advocacy, FEMA issued substantial changes in September 2021 to how it conducts verification for occupancy and ownership of disaster damaged homes.³⁸ Under FEMA's new policy, these survivors can now self-certify ownership of their homes when they do not have other documentation, overcoming a major hurdle to recovery. FEMA will also allow all survivors to submit a broader array of documents to prove occupancy and ownership of their homes. These changes are much needed and long overdue. In addition, attention must be given to the implementation of these rules, which anecdotally have not been applied evenly in the response to Hurricane Ida.

Disincentives to apply for assistance like title documentation requirements and resulting high denial rates not only limit immediate assistance for low-income survivors, but also distort the entire disaster recovery process because IA application data is used to make funding determinations throughout the federal disaster recovery process.

FEMA's Systemic Lack of Transparency

FEMA has consistently refused to clarify or make public important information about its aid application process. By not releasing this information, FEMA makes it difficult, if not impossible, to determine who is eligible to receive assistance and why assistance is denied. A confusing appeals process leads to higher denial rates for low-income disaster survivors.

While FEMA, SBA, and HUD offer assistance programs to disaster survivors, basic information on program eligibility is not made publicly available. Without such information, disaster survivors often apply to all programs with the hopes that at least some assistance will be provided. For low-income individuals who may lack internet or phone access or who may need special accommodations to allow them to apply, completing multiple applications can be especially problematic. As a result, many of the disaster survivors with the lowest incomes forgo applying for assistance all together, despite their need.

FEMA has consistently refused to give survivors reasons upfront for denials or opportunities for applicants to correct errors or provide more information. Instead of receiving guidelines or clarification from FEMA, survivors and advocates must work through a lengthy administrative process in order to be given a reason for their denial. The lack of clarity makes it more difficult for assistance organizations attempting to inform and assist low-income survivors after a disaster. As a result, appeals take longer and are more costly.

The FEMA appeals process is confusing and difficult. A denied applicant must first submit a form explaining the dispute and providing supporting documentation. FEMA denial letters, however, provide only very vague reasons for the initial denial of assistance. The denied applicant must refute all possible interpretations of the reason, or they will lose their appeal. As a result, low-income survivors with little access to legal representation or the money for a protracted legal fight simply do not appeal at all.

It is extremely difficult to access basic data about FEMA programs and processes. Freedom of Information Act (FOIA) requests to FEMA often go months or years without being answered. NLIHC filed a FOIA request in December 2018 requesting

³⁶ National Low Income Housing Coalition. 2019. *Impact of Hurricane Michael*. Retrieved from <https://nlihc.org/sites/default/files/Hurricane-Impact-Michael.pdf>

³⁷ National Low Income Housing Coalition. 2019. *Impact of the 2018 California Wildfires*. Retrieved from <https://nlihc.org/sites/default/files/California-Wildfire-2018.pdf>

³⁸ NLIHC. 2021. FEMA Announces Major Improvements for Low-Income Disaster Survivors. Retrieved from: <https://nlihc.org/resource/fema-announces-major-improvements-low-income-disaster-survivors>

basic materials, including FEMA’s application for assistance, procedure manuals for determining eligibility, and data sharing agreements with HUD and other federal agencies. To date, FEMA has not provided these materials. In other cases, FEMA refuses to provide basic information, claiming grounds of privilege. In recent years, some progress has been made with the release of data after major disasters through FEMA’s OpenFEMA portal. These changes, while a welcome development, are not enough and may not be continued.

FEMA’s Inflexibility and Inability to Adjust to New Conditions

Climate change means wildfires and other disasters are more destructive, more frequent, and impact a broader geographic scope, posing new challenges for FEMA and disaster recovery efforts. FEMA is not adapting its thinking or its programs to respond to these challenges, instead sticking to a rigid system of disaster aid and recovery based on responding to contained local disasters. FEMA has little capacity to effectively deal with both large, regional disasters and the unique circumstances and needs of a specific community impacted by a disaster.

FEMA has a rigid allegiance to protocol over outcomes, a stubborn reliance on programs inaccessible to low-income survivors and repeatedly refuses to release important data on recovery outcomes. FEMA relies heavily on protocol written in Washington, D.C. and not on what the agency hears from advocates, survivors, FEMA employees in the field, and other stakeholders. FEMA systems are not designed to adapt to situations on the ground. As a result, predictable issues repeatedly arise after each disaster and go unaddressed by the agency, further harming low-income survivors.

FEMA has consistently failed to learn larger lessons from past disasters and apply them to future disaster recovery efforts. FEMA’s own internal watchdog, the Department of Homeland Security Office of the Inspector General, removed criticisms from reports on the agency’s disaster response and replaced them with success stories, praising FEMA’s work.³⁹ As a result of this lack of internal critique and self-adjustment, FEMA repeats the same mistakes, and does similar harm, disaster after disaster.

EQUITABLE SOLUTIONS CENTERED ON THE NEEDS OF SURVIVORS

A reformed disaster housing recovery system that is centered on the needs of the lowest-income and most marginalized survivors and their communities must ensure opportunities for resident and public engagement, systemic transparency, full accountability and due process, robust equity and civil rights enforcement, fair mitigation practices, and a focus on increased local capacity and benefit. These priorities must be reflected in every stage of disaster recovery and response, from pre-disaster emergency planning through long-term recovery and post-recovery mitigation, to help address the systemic racism and classism that have resulted in our broken current disaster housing system.

Resident and Public Participation

A reformed disaster housing recovery and response framework must ensure robust, ongoing, and timely opportunities for public engagement through structured collaboration with stakeholders beginning with emergency planning and response and continuing through the closeout of recovery and mitigation programs. Residents must be empowered to make decisions for themselves and their communities, and their input must be given substantial weight.

Current disaster housing response and recovery efforts effectively limit opportunities for impacted residents to meaningfully engage and contribute to the rebuilding of their communities after a disaster. State officials are under enormous pressure to respond and rebuild as quickly as possible, often making any public input process rushed and ineffective. Engagement is often limited because residents are unaware of emergency response, rebuilding, and mitigation plans, whether because state officials fail to announce public meetings or because materials are provided only in English or in formats that are not accessible, including to people with disabilities. Moreover, plans often do not include essential information—including information about how funds will be spent and who will be eligible for which funds—that is needed for the public to engage effectively. Opportunities for engagement are limited, irregular, and occur too late in the process.

³⁹U.S. Department of Homeland Security Office of Homeland Security. 2019. *Special Report: Review Regarding DHS OIG’s Retraction of Thirteen Reports Evaluating FEMA’s Initial Response to Disasters*. Retrieved from <https://www.oversight.gov/sites/default/files/oig-reports/OIG-19-41-May19.pdf>

Systemic Transparency

Basic, essential information about federal disaster response and recovery efforts must be made publicly available in a timely manner. This transparency must be systemized, so that it is not provided on an ad hoc basis. Data transparency is critical to ensuring informed public policy decisions, allowing greater public participation in disaster recovery efforts, and helping public and private entities better recognize gaps in services and identify reforms needed for future disaster recovery efforts.

The current federal disaster response and recovery, however, suffers from a systemic lack of data transparency. After past disasters, this failure to provide basic transparency—ranging from damage assessments, determination of unmet needs, program design and implementation, grantee and subgrantee performance, and how federal dollars are spent—has hampered efforts to effectively target and distribute aid to those most in need.

Full Accountability and Due Process

Accountability and due process must be central in any reformed disaster housing recovery and response framework. Federal efforts must ensure that all eligible survivors receive the assistance needed to get back on their feet.

The daunting application process for disaster aid discourages survivors from applying for assistance. The application and appeals processes are confusing, time-consuming, and frustrating. As a result, low-income survivors—especially seniors, people with disabilities, and people with limited English proficiency, and other individuals—face high, unnecessary, and counterproductive barriers to receiving federal disaster housing recovery assistance and many forgo applying for assistance altogether. By not providing full accountability, transparency, and due process to applicants, the federal government has made it difficult—if not impossible—to determine who is eligible to receive assistance and why assistance was denied, leading to high denial rates for low-income disaster survivors.

Robust Equity and Civil Rights Enforcement

Equity must be a central and explicit goal of federal disaster housing response and recovery efforts, and each stage of the response and recovery must be examined and reformed to ensure that federal, state, and local efforts actively dismantle systems of oppression. All emergency response, long-term recovery, and mitigation actions must be designed and pursued in a manner that addresses and prioritizes the needs of the lowest-income survivors, people of color, seniors, people with disabilities, immigrants, and other protected classes. All such actions must also be explicitly anti-racist: analyzed to determine if they exacerbate, leave in place, or ameliorate existing or historic patterns of segregation and discrimination in housing and infrastructure, and remedied accordingly.

Fair Mitigation Practices

All emergency response, long-term recovery, and mitigation efforts must be designed and pursued in a manner that provides survivors with the choice to relocate or rebuild their communities resiliently, minimizing displacement. As the climate changes, disasters will be both more frequent and more destructive. In response, local and state officials have begun to focus on mitigation and infrastructure improvement. Too often, such upgrades go to more affluent communities, while the needs of lower-income people and people of color are ignored. Moreover, federal, state, and local recovery efforts may actively contribute to displacement by failing to provide survivors with meaningful choices to rebuild resiliently, relocate, or improve infrastructure (such as storm drainage, floodplain management, and other common mitigation measures) in their disaster-affected communities. This effectively leaves low-income survivors at greater risk for future disasters than they were prior to the disaster.

Increased Local Capacity and Benefit

All emergency response, long-term recovery and mitigation efforts must maximize the engagement of local contractors and workers and build the capacity of local community-based organizations, putting as much federal resources as possible into the impacted economy and impacted survivors.

Local community-based organizations and networks are in the best position to engage with and have intimate awareness of the unique needs of the lowest-income survivors. These local organizations often do not receive the support needed to build capacity to scale up efforts quickly after a disaster. By relying on out-of-town contractors for everything from debris removal to repair of electrical grids, state and local governments miss an opportunity provide employment, job training, and contracting opportunities to low-income local workers and small- and minority-con-

trolled businesses, who often are in severe need of work as a result of disasters' disruption to local business.

FIRST STEPS TO FIX AMERICA'S BROKEN DISASTER HOUSING RECOVERY SYSTEM

The "Fixing America's Broken Disaster Housing Recovery System" report provides specific policy recommendations to reimagine and redesign a new disaster housing recovery framework that is centered on the needs of the lowest-income and most marginalized survivors. This work will take many years. However, there are a number of actions Congress can take to immediately address some of the biggest challenges facing survivors.

Permanently Authorize and Automatically Activate the Disaster Housing Assistance Program (DHAP)

Congress should permanently authorize DHAP and automatically activate it after every major disaster to provide longer-term housing assistance and wrap-around services to low-income survivors. Such assistance should be provided to eligible survivors until the long-term housing recovery—including the rebuilding of affordable rental housing stock—is complete.

Enact the "Housing Survivors of Major Disasters Act"

Congress should enact the "Housing Survivors of Major Disasters Act," (H.R. 3037)⁴⁰ introduced by Representative Adriano Espaillat (D-NY) and Representative Jennifer González-Colón (R-PR). The bill, which passed unanimously out of the House Transportation and Infrastructure Committee in February 2020, contains critically needed reforms to ensure that the lowest-income and most marginalized survivors can access the housing assistance they need to rebuild their lives. We thank the Committee for its work on this bill and ask that you attach the legislation to any upcoming emergency disaster supplementals or appropriations language.

The "Housing Survivors of Major Disasters Act" would address the significant title-documentation challenges that have resulted in tens of thousands of eligible disaster survivors being wrongfully denied FEMA assistance. The bill would cement and expand upon recent FEMA application process reforms in statute while also extending the benefits of the new policy to those denied assistance in the past. It would provide a new framework to make it easier for disaster survivors to prove residency in disaster-impacted areas, either by completing a "declarative statement" form or by submitting a broader range of acceptable documents such as utility bills, credit card statements, pay stubs, and school registration in lieu of a formal title to property or leases.

Ensure Equity is an Explicit Policy Goal

Congress must ensure that equity is a central and explicit goal of federal disaster housing response and recovery efforts. Our current disaster housing recovery framework exacerbates and reinforces racial, income, and accessibility inequities at each stage of response and recovery. Survivors of color and communities of color are disproportionately harmed by the current disaster housing recovery system.

Federal disaster housing response and recovery efforts must address and prioritize the needs of the lowest-income and most marginalized survivors, including people of color, people with disabilities, immigrants, and other protected classes. All actions must be explicitly anti-racist: analyzed to determine if they exacerbate, leave in place, or ameliorate existing or historic patterns of segregation and discrimination in housing and infrastructure and remedied accordingly.

Congress must ensure that disaster housing recovery efforts undo the racial, income, and accessibility inequities embedded in our current disaster housing recovery framework. Disaster recovery efforts—which often include significant, robust funds—represent a unique opportunity to rebuild in a way that addresses, rather than entrenches, these disparities.

Require Full Transparency

Congress should require that FEMA provide basic, essential information about federal disaster response and recovery efforts, including damage assessments, determination of unmet needs, program design and implementation, grantee and subgrantee performance, and how federal dollars are spent. Congress should require FEMA to provide full transparency on program eligibility, the aid application process, and reasons for denials of assistance. Data collected by the government must be open and accessible at the most granular and comprehensive level, while pro-

⁴⁰H.R. 3037, "Housing Survivors of Major Disasters Act of 2021." Retrieved from <https://www.congress.gov/bill/117th-congress/house-bill/3037/related-bills?r=38&s=1>

pecting personally identifiable information. This information must be made publicly available in a timely manner and this transparency must be systemized, so that it is not only provided on an ad hoc basis.

Data transparency allows policymakers and advocates to be informed about program results and make policy improvements and incorporate best practices into future activities. Issues of equity clearly exist in the disaster recovery process, and Congress must require FEMA to implement better transparency practices so the problems can be identified and rectified.

Ensure Survivor-Centered Approaches to Assistance

Congress must ensure that every survivor receives assistance to which they are entitled. FEMA maintains a culture of rigid allegiance to narrowly defined protocol over outcomes; as a result, many disaster survivors, including many of the lowest-income survivors, are wrongfully denied needed assistance. Congress should require FEMA to prioritize categorical eligibility, simplify the application and appeals process, and track and report on outcomes to ensure recovery aid reaches those in need.

Rather than creating and implementing numerous categories of ineligibility, disaster assistance programs should employ broad-based categories of eligibility, with the aim that every survivor receives the recovery assistance to which they are entitled. Through the use of damage assessments, geographic information, and other data, a reformed federal disaster housing recovery system can provide categorical eligibility to survivors in disaster-impacted areas. With a shift in emphasis to categorical eligibility, many of the convoluted rules and requirements employed by recovery assistance programs will no longer be necessary, allowing for an easier, quicker, and more flexible application process.

FEMA should allow for a flexible system of documentation for distributing disaster recovery assistance. Applying the least restrictive guidance regarding alternative documentation—and doing so consistently across all jurisdictions—would cut down on wasted time and confusion on the parts of both applicants and advocates alike. In order to employ full categorical eligibility, there must be a system in place that permits alternative documentation to ensure all survivors can receive assistance.

Congress should also require FEMA, HUD, and other federal agencies involved in disaster recovery efforts to work together and create a single, universal application for aid to make the process easier, quicker, and more flexible, reducing the administrative burden and speeding the process.

Address the Unique Needs of People Experiencing Homelessness

Congress should enact legislation to ensure equitable treatment of individuals experiencing homelessness through the response and recovery effort. Pre-disaster homeless populations are often denied FEMA assistance. Even if they lost all of their belongings in the disaster, FEMA will often deny survivors any benefits once their status as pre-disaster homeless is established.⁴¹ With no resources to adequately prepare or recover from a disaster, people experiencing homelessness are among the most harmed disaster survivors.

FEMA has interpreted current law to deny assistance to people experiencing homelessness prior to a disaster, despite their exceptional needs. Congress should enact clarifying legislation to ensure that people experiencing homelessness prior to the disaster have access to the same emergency shelter and disaster relief assistance as other survivors, including rental assistance.

CONCLUSION

Our country must develop a new disaster housing recovery system that centers the housing needs of the lowest-income survivors, including people of color, people with disabilities, and others. In addition to addressing immediate housing needs caused by the pandemic, Congress should address our nation's pervasive structural and racial inequities and reform federal disaster planning and response efforts to be inclusive and intersectional. We must reform existing programs by centering racial equity and equity for all historically marginalized people to ensure that affordable housing investments and federal disaster recovery resources reach all impacted households.

⁴¹ Ehrlich, A. 2019. *After Wildfires, Homeless People Left Out of Federal Disaster Aid Programs*, Oregon Public Broadcasting. Retrieved from <https://www.opb.org/news/article/fema-disaster-aid-wildfires-homeless-people/>

Western Governors' Association's Policy Resolution 2021-06, Disaster Preparedness and Response, Submitted for the Record by Hon. Dina Titus

OCTOBER 25, 2021.

The Honorable DINA TITUS,
Chairman,
Subcommittee on Economic Development, Public Buildings, and Emergency Management, Committee on Transportation and Infrastructure, House of Representatives, 2165 Rayburn House Office Building, Washington, DC 20515.

The Honorable DANIEL WEBSTER,
Ranking Member,
Subcommittee on Economic Development, Public Buildings, and Emergency Management, Committee on Transportation and Infrastructure, House of Representatives, 2164 Rayburn House Office Building, Washington, DC 20515.

DEAR CHAIRMAN TITUS AND RANKING MEMBER WEBSTER:

In advance of the Subcommittee's October 26, 2021 hearing, "Are FEMA's Assistance Programs Adequately Designed to Assist Communities Before, During, and After Wildfire?", attached please find the Western Governors' Association (WGA) Policy Resolution 2021-06, *Disaster Preparedness and Response*.

In the resolution, Western Governors address pre- and post-disaster challenges in the West, as well as the flexibility and inclusivity of federal disaster-related programs, standards and processes for program access, and the administration of assistance. The resolution also addresses issues related to risk reduction, intergovernmental communications, and funding to meet these challenges.

I request that you include this document in the permanent record of the hearing, as it articulates Western Governors' policy positions and recommendations on this important issue.

Please contact me if you have any questions or require further information. In the meantime, with warm regards and best wishes, I am

Respectfully,

JAMES D. OGSBURY,
Executive Director, Western Governors' Association.

ATTACHMENT

WESTERN GOVERNORS' ASSOCIATION

POLICY RESOLUTION 2021-06

DISASTER PREPAREDNESS AND RESPONSE

A. Background

1. Major disasters, emergencies and extreme weather events are devastating to the people, property, economy, and natural environment of the communities in which they occur. The outcomes of disasters and emergencies can often be far-reaching, with effects on the national economy, infrastructure, and the import and export of commodities.
2. In the United States, disasters and emergencies and their economic and public costs have increased significantly in recent years. Federal disaster declarations (including emergency declarations, major disaster declarations, and fire management assistance grants) have surged since they were first utilized in 1953. From 1953 to 1989, the average number of annual federal disaster declarations was 27.8. That number escalated to an annual average of 108.7 from 1990 to 2016. The year 2020 saw a record 308 disaster declarations by the federal government. Of these declarations, 230 were for emergencies or major disasters, surpassing the previous record of 128 dating back to 2011.
3. The federal government plays a critical role in disaster and emergency response and long-term recovery efforts. Accompanying the greater number of disasters has been an increasing level of federal disaster aid. From 1980 to 2009, the number of federally declared disasters which resulted in costs exceeding \$1 billion averaged approximately 4.5, annually. That number has surged. From 2016 to 2020, the numbers rose with an average 16.2 disasters exceeding \$1 billion in costs each year. In 2020, there were a record-setting 22 disasters that exceeded \$1 billion in costs.
4. Proactive emergency management efforts, such as hazard mitigation and risk reduction activities, have an incredible return on investment. Research has

shown that actions taken before a disaster to reduce hazards save, on average, six dollars in future response and recovery costs for every dollar spent on hazard mitigation. At a time when state budgets are struggling to keep up with more frequent and costly disasters, investing in hazard mitigation could have a profoundly positive effect on state and local budgets.

5. Certain types of disasters pose unique threats to western states and have occurred with greater frequency in recent decades. These include floods, droughts, tornadoes, mudslides, earthquakes, hurricanes, and, particularly, wildfires. Wildfires consumed approximately three million acres nationwide in 1960. In three of the past six years, over ten million acres have burned annually. 2020 saw 10.1 million acres affected by wildfire, of which nearly ninety-five percent were in western states. Federal agencies' wildfire suppression costs have increased from less than \$240 million in 1985 to over \$2.2 billion in 2020. Experts project that wildfires will continue to worsen, in terms of acreage burned and in economic effects.
6. Disasters and emergencies have disproportionate effects on different populations and communities. Race and ethnicity, language, education and economic barriers, and immigration status can negatively affect the outcomes of those experiencing an emergency or disaster. These factors have effects beyond the initial response and extend to recovery, risk reduction, and preparedness program accessibility and equity.
7. The National Response Framework and National Disaster Recovery Framework describe how the federal government, states, territories, localities, tribes, and other public and private sector institutions should respond to and recover from disasters and emergencies. Local emergency agencies—police, firefighters, and medical teams—are to be the first responders in a disaster or emergency. State, territorial, local, and tribal governments have the lead roles in disaster response and recovery. Federal agencies can become involved in disaster and emergency response when resource capacity or effective emergency management is beyond the capabilities of a state, territory or tribe. These federal efforts are primarily directed through the Department of Homeland Security's Federal Emergency Management Agency (FEMA).
8. Governors have a key role in managing emergency response. Governors typically are the state or territorial elected official responsible for making a state disaster declaration and directing disaster response in their jurisdiction. Governors are also responsible for deploying their state National Guard in emergency situations. Governors hold the sole authority to request federal assistance when a disaster overwhelms state and local capabilities, and are responsible for negotiating and implementing interstate mutual aid agreements.
9. Disaster and emergency response and long-term recovery create a significant financial burden. When authorized by FEMA, the Public Assistance, Individual Assistance, and Hazard Mitigation programs provide federal funding which can alleviate this strain. Affected homeowners may seek Individual Assistance; state and local governments may seek Public Assistance to reimburse for costs incurred from debris removal, emergency protective measures during the response, and permanent repair of damaged public infrastructure; and Hazard Mitigation funds can help communities rebuild and become more resilient against future disasters. Other federal agencies, such as the Small Business Administration, Department of Agriculture (USDA), Department of Housing and Urban Development (HUD), and Federal Highway Administration also have programs designed to assist in disaster and emergency recovery efforts. For example, the USDA Natural Resource Conservation Service (NRCS) Emergency Watershed Protection Program is designed to protect people and properties from flooding that often follows wildfire events.
10. In recent years, some petitions for long-term federal recovery aid have been denied. This has been most apparent in petitions for Individual Assistance to counties affected by disasters and emergencies, but has also occurred in connection with state requests for Public Assistance. A denial of federal aid compounds problems for affected communities struggling to recover from the devastation of a disaster or emergency and slows recovery efforts in many western states.
11. While most disasters affect a specific local area, the COVID-19 public health emergency was national in scope. The COVID-19 pandemic has highlighted the need for close coordination between federal, state, territorial, local and tribal governments in emergency management. The pandemic continues to cause significant disruption across the world, requiring ongoing attention from Governors and emergency management and public health officials, af-

fecting the lives of all Americans, and complicating the flow of goods and services across international borders.

B. Governors' Policy Statement

1. Governors need maximum flexibility to respond to disaster and emergency circumstances that may evolve quickly over the course of a disaster through the initiation of recovery. Therefore, we should expeditiously remove any barriers limiting a Governor and their executive branch agencies' ability to save taxpayer money and expedite response and recovery efforts while safeguarding lives, property and the environment. Western Governors recognize that planning processes and disaster and emergency protocols are important aspects of emergency management, but that Governors also need significant freedom to adapt those plans to changing circumstances during the evolution of a disaster or emergency.
2. Federal, state, territorial and tribal efforts to prepare for, mitigate against, respond to, and recover from emergencies and disasters must ensure programs and response efforts are inclusive, equitable, and accessible and representative and reflective of the affected communities. Concepts of inclusivity, diversity, equity and accessibility must be included from initial development of programs, policies and procedures to reduce risk in our communities and address post-disaster survivor needs.
3. Western Governors recognize that community resilience is key to ameliorating the effect of many disasters and emergencies. Hazard mitigation and risk reduction are the most cost-effective ways to protect lives, property, infrastructure and the environment from the effects of natural and human-caused hazards. Effective risk reduction strategy development and implementation leverage broad stakeholder input across multiple disciplines, sectors and levels of government. Infrastructure planning should include consideration of risk reduction measures for known hazards as well as address the dynamic hazard profile created by a changing climate. We must plan for tomorrow, not yesterday.
4. Western Governors encourage Congress and federal agencies to reassess the structure of disaster mitigation grant programs, which can be too restrictive or narrowly tailored to address community needs. Additionally, establishing consistent administration standards for different federal grant programs, including the Hazard Mitigation Grant Program, the State Homeland Security Program, and the Building Resilient Infrastructure and Communities and Emergency Management Performance Grant programs, would streamline application processes and eliminate confusion at the local level.
5. Federal agencies conducting disaster recovery and assistance, as well as the programs which they administer, should receive adequate and consistent funding and allow Governors and their designated executive branch agencies to have critical input on where those funds are needed most. The lack of speed, certainty and consistency in appropriation of federal disaster funding, such as HUD Community Development Block Grant–Disaster Recovery (CDBG–DR) funds, are a hindrance to coordinated recovery efforts and effective utilization of public funds. For example, there is no current appropriation (or public consideration) of funding for the 2020 California wildfires, which occurred more than seven months ago. Additionally, the inconsistent incorporation of HUD mitigation resources (CDBG–MIT) is an obstacle to effective coordination of mitigation efforts across program areas.
6. Many rural western communities have less concentrated populations than eastern states, making it difficult for western states and territories to qualify for Individual Assistance and Public Assistance declarations. Additionally, certain criteria, such as considering Total Taxable Revenue of the entire state when evaluating whether to provide a major declaration for a localized event, makes it virtually impossible for large states to receive a declaration. Federal processes used to evaluate the need for access to disaster aid programs should be reconsidered. Federal agencies should reexamine the standards used to determine the provision of Individual Assistance to homeowners and the access to federal aid needed for recovery from disasters and emergencies that affect western states and territories. The historically underfunded USDA NRCS Emergency Watershed Protection Program should be revisited and strengthened.
7. Western Governors recognize that as the first responders to a disaster or emergency, states, territories, local governments, and tribes have better information about local conditions and needs in the response and immediate recovery phases of a disaster or emergency. FEMA and other applicable federal agencies

should work directly with individual states and territories, through Governors or their designees, to jointly identify disaster risks and methods by which such risks may be addressed. In collaboration with Governors or their designees, federal agencies should reassess the administrative mechanisms to establish the most effective means to determine the necessity and provision of federal disaster assistance.

8. Federal agencies should provide state, territorial, local, and tribal government officials with accessible and clear information on available federal resources and programs and the most effective utilization of those resources in disaster recovery. WGA has worked with federal partners to improve interagency coordination on post-wildfire restoration work, including a roadmap of assistance available to communities affected by wildfire and identification of “navigators” to help communities prioritize post-wildfire restoration needs. Western Governors urge the federal government to prioritize the funding of these important efforts, as they should have a positive effect on maximizing the value of restoration work and, more importantly, addressing the needs of communities affected by wildfire.
9. Western Governors recognize that while aid may be provided following a disaster, the event itself could be avoided or minimized if resources were directed to pre-disaster mitigation efforts. Rebuilding is too-often provided in a delayed fashion or conducted without safeguards necessary to prevent future disaster-related damages. This compounds the vulnerability of western communities and resources in the face of disasters. Federal legislation should reconsider the important role of pre-disaster mitigation that reduces the risk and minimizes the effects of disasters and emergencies. When possible, pre-disaster mitigation should be incentivized at the state and local levels. Additionally, some western and midwestern states are at risk of catastrophic earthquake. Mitigation assistance beyond that currently administered by FEMA is needed. Finally, mitigation funds tied to Fire Management Assistance Grant (FMAG) declarations assist fire-ravaged communities. The FMAG and Hazard Mitigation Grant Program (HMGP) Post Fire Grant programs should be continued.
10. Western Governors encourage the Administration to consider actions to increase communication between and cohesion of federal agencies in disaster and emergency response. The Executive Branch should consider placing FEMA in the lead role to coordinate communication between and cohesion of federal agencies in disaster and emergency response. Strengthening federal emergency management processes to promote single, comprehensive points of contact would streamline state-federal coordination and help ensure states and territories can allocate resources where they are most needed. Western Governors support the consideration of a national emergency management strategy to provide consistent lines of communication between federal, state, territorial, local and tribal governments.
11. Federal agencies should seek to eliminate duplicative administrative processes to streamline post-disaster assistance. Multiple agencies requiring overlapping or duplicative reviews for post-disaster assistance adds time and cost to recovery efforts.
12. Western Governors recognize the need for clear, consistent, truthful and timely communication about the scope and scale of disasters and emergencies, both between all levels of governments and between governments and their constituents. Clearly articulating what is known, and what is not known, about a disaster or emergency is critical to developing and executing an effective response from governments, promoting public confidence in those response actions, and empowering citizens to make informed decisions about their safety and welfare.

C. Governors’ Management Directive

1. The Governors direct WGA staff to work with Congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

This resolution will expire in June 2024. Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. Please consult <http://www.westgov.org/resolutions> for the most current copy of a resolution and a list of all current WGA policy resolutions.

Ms. TITUS. Well, that will conclude our hearing. I hope that these excellent witnesses will stay available to us and provide us with your wise counsel as we try to address some of these issues.

I ask unanimous consent that the record of today's hearing remain open until such time as our witnesses have provided answers to any questions that may be submitted now in writing. I also ask unanimous consent that the record remain open for 15 days for any additional comments and information submitted by the Members or the witnesses so they can be included in the record of today's hearing.

Without objection, so ordered.

We now stand adjourned.

[Whereupon, at 11:50 a.m., the subcommittee was adjourned.]

SUBMISSIONS FOR THE RECORD

Prepared Statement of Hon. Sam Graves, a Representative in Congress from the State of Missouri, and Ranking Member, Committee on Transportation and Infrastructure

Thank you, Chair Titus.

Wildfires have impacted communities across the Nation.

On a bipartisan basis, this committee has worked to improve FEMA and the federal government's emergency management system.

The goal is to help communities prepare for, mitigate against, and respond and recover from disaster.

Unfortunately, paperwork, red tape, and conflicting interpretations of law create hurdles for many communities hit by disaster.

That is why I introduced bipartisan bills, including the Preventing Disaster Revictimization Act and, just last week, the SPEED Recovery Act, to help individuals and communities cut through the red tape in FEMA assistance.

These bills will help communities—especially small and rural communities—to recover more quickly from all disasters, whether those are wildfires, floods or other events.

But we know every disaster is different.

I look forward to hearing from the witnesses today on the unique challenges of wildfires and how FEMA can be best positioned to help.

Thank you, Chair Titus. I yield back.

Statement of the National Association of Mutual Insurance Companies, Submitted for the Record by Hon. Dina Titus

The National Association of Mutual Insurance Companies (NAMIC) is pleased to provide comments to the United States House of Representatives Committee on Transportation and Infrastructure Subcommittee on Economic Development, Public Buildings, and Emergency Management on the topic of the threat of worsening natural disasters. As Americans around the nation continue to be impacted by and recover from severe natural catastrophes like wildfires, we thank Chairwoman Titus and Ranking Member Webster, as well as full committee Chairman Peter DeFazio and Ranking Member Sam Graves for holding today's hearing on such an important topic.

NAMIC is the largest property/casualty insurance trade group with a diverse membership of more than 1,400 local, regional, and national member companies, including seven of the top 10 property/casualty insurers in the United States. NAMIC members lead the personal lines sector representing 66 percent of the homeowner's insurance market and 53 percent of the auto market. Through our advocacy programs we promote public policy solutions that benefit NAMIC member companies and the policyholders they serve and foster greater understanding and recognition of the unique alignment of interests between management and policyholders of mutual companies.

UNIQUE CAPABILITY AND ROLE OF INSURANCE INDUSTRY IN MANAGING CLIMATE RISK

Despite an unprecedented level of natural disasters over the last decade, the U.S. property/casualty insurance industry always has been well positioned and fully capable to serve policyholders and play a critical role in the disaster mitigation and recovery process, standing shoulder-to-shoulder with the federal government and emergency responders to help victims recover and rebuild. With the U.S. expecting to face increasingly severe climate impacts in the years ahead, the property/casualty

insurance industry looks forward to continuing fulfilling this critical role, but it is now more important than ever to consider the devastating impact of severe weather events. During this critical time, as the U.S. is affected by catastrophes in all corners of the nation, including devastating wildfires, we must ensure we are doing all we can to protect communities across the nation ahead of the next disaster.

To put it simply, no industry has done more to advance real-world policies designed to combat climate risk than the property/casualty insurance industry, and insurers look forward to continuing to push for policies rooted in science to better protect homes and communities. NAMIC has been working to promote resiliency efforts in the U.S. for decades. In 2011, recognizing the growing number of severe climate events, NAMIC launched the BuildStrong Coalition, a group of insurers, architects, emergency managers, builders, contractors, fire fighters, and code officials all dedicated to building stronger in the face of the risks from a shifting climate. The Coalition launched one year after the industry funded construction of the Insurance Institute for Business and Home Safety Research Center, which conducts state-of-the-art research into the how-to of resilient construction. While few organizations in Washington were talking about the need to make communities more resilient, NAMIC and the BuildStrong Coalition for years were working to educate Congress about the lifesaving power of stronger building codes and mitigation and the need to create a national mitigation investment strategy. In 2018, the landmark Disaster Recovery Reform Act (DRRA) was enacted into law. The DRRA is a transformational law that is making America's communities more resilient, including through the creation of a massive new pre-disaster mitigation fund, the Building Resilient Infrastructure and Communities (BRIC) Program. That program is already generating new resources for states and localities to implement and enforce resilient building codes.

THE BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES PROGRAM

Pursuant to the DRRA, an amount equal to 6 percent of disaster relief spending can automatically be deposited into the BRIC Program, which will award grants on an annual basis to states and communities all over the country in order to undertake projects and perform other risk reducing activities that are designed to mitigate. Because of the way the BRIC Program is structured, where funds are prioritized for states and communities that have stronger resiliency standards in place, communities are incentivized to actively understand where they stand on a national basis in terms of resilience, and are empowered to plan tangible actions that would amplify their to draw down the impacts of disaster hazards. The DRRA also ensures BRIC funds can be used ability for the enforcement of strong building codes and requires that construction performed using BRIC funds be built to modern codes.

The first application period ran from Sept. 30, 2020 to Jan. 31, 2021, and the application period for the next round of funding will open tomorrow, on Sept. 30, 2021. Demand for the first round of BRIC funding, in which BRIC is awarding \$500 million to states and communities, was heavy. FEMA received nearly \$5.5 billion in applications from 53 states and territories, with 8 states applying for projects totaling \$200 million or more. On the heels of this high demand, President Biden announced on May 24 that the next round of funding for the BRIC Program in Fiscal Year 2021 will award \$1 billion in funding. This represents the largest-ever funding level for risk-reducing mitigation measures before disasters in the U.S. In a sign of how much the pre-disaster landscape has changed, as recently as 2015 the federal government provided a total of \$30 million to states and communities for pre-disaster mitigation efforts.

THE PATH FORWARD—RESILIENT AMERICA ACT

Congress should continue to lead the way as we pursue the goal of enacting policies to provide incentives for ensuring our nation's communities—including underserved communities—are being fortified. As such, NAMIC commends Chairman DeFazio, Ranking Member Graves, Chairwoman Titus, and Ranking Member Webster for the recent introduction of the bipartisan H.R. 5689, the Resilient America Act. The Resilient America Act is a critical piece of legislation that includes a host of important policies that will provide resources for communities to protect homeowners in the face of devastating catastrophes, including wildfires. The bill includes a number of important provisions that will increase state and local capacity for mitigation by significantly boosting BRIC funding levels, create new tools and incentives for the state and local adoption of modern building codes, as well as those that will help harden the nation's communities and lifeline infrastructure, including electric and energy grid. Importantly, the legislation would also ensure that a certain per-

centage of BRIC funds can be used towards building code enforcement, and critically, would help address aging structures by utilizing BRIC funds to provide resources and incentives to individuals and communities for the purpose of undertaking retrofits.

NAMIC views the Resilient America Act as an important next step to follow the DRRRA during this critical time where the nation is experiencing more and more severe weather events. We thank you for holding today's hearing and look forward to working together in an effort to advance the Resilient America Act and create a stronger, more resilient America.

