

FEMA: THE CURRENT STATE OF DISASTER READINESS, RESPONSE, AND RECOVERY

(118–27)

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

FIRST SESSION

SEPTEMBER 19, 2023

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

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SEPTEMBER 15, 2023

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 “*FEMA: The Current State of Disaster Readiness, Response, and Recovery*”

I. PURPOSE

The Subcommittee on Economic Development, Public Buildings, and Emergency Management of the Committee on Transportation and Infrastructure will meet on Tuesday, September 19, 2023, at 10:00 a.m. ET in 2167 of the Rayburn House Office Building to receive testimony on a hearing entitled “*FEMA: The Current State of Disaster Readiness, Response, and Recovery*.” The hearing will examine how the Federal Emergency Management Agency (FEMA) is carrying out its mission of “helping people before, during, and after disasters.”¹ At the hearing, Members will receive testimony from the Honorable Deanne Criswell, Administrator of FEMA.

II. BACKGROUND

FEDERAL ASSISTANCE FOR DISASTERS—

FEMA is the Federal Government’s lead agency in preparing for, mitigating against, responding to, and recovering from disasters and emergencies related to all hazards—whether natural or man-made.² FEMA’s primary authority in carrying out these functions stems from the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act; P.L. 100–707, as amended).³ The Stafford Act authorizes three types of declarations: (1) major disaster declarations; (2) emergency declarations; and (3) fire management grant (FMAG) declarations.⁴

PRESIDENTIALLY DECLARED MAJOR DISASTER—

When states or territories are overwhelmed and the “disaster is of such severity and magnitude that effective response is beyond the capabilities of the state and the

¹ FEMA, ABOUT US, (Aug. 31, 2023), available at <https://www.fema.gov/about>.

² DEPARTMENT OF HOMELAND SECURITY, FEMA, (Feb. 3, 2023), available at <https://www.dhs.gov/employee-resources/federal-emergency-management-agency-fema>.

³ Stafford Act, Pub. L. No. 100–707.

⁴ *Id.*

affected local governments,”⁵ the Governor of the affected state may request the President declare a major disaster.⁶ FEMA’s primary Stafford Act programs for disaster recovery in the aftermath of a major disaster are in the Public Assistance Program and the Individual Assistance and Households Program (IHP).⁷ Following a major disaster declaration, FEMA also provides Hazard Mitigation Grant Program (HMGP) funds.⁸

The Public Assistance Program, authorized primarily by Sections 403, 406, and 428 of the Stafford Act, reimburses state, tribal, and territorial governments as well as certain private non-profits for repairing and rebuilding disaster damaged buildings and infrastructure.⁹ Additionally, the Public Assistance program also reimburses for costs associated with debris removal and emergency protective measures undertaken to reduce threats to public health and safety. The Public Assistance Program does not provide direct services to citizens for private property damage. The Federal cost-share for Public Assistance is 75 percent but may be increased by the President.¹⁰

The IHP is authorized primarily by Section 408 of the Stafford Act. The IHP includes 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 used to assist disaster survivors; it includes housing assistance and other needs assistance. Housing assistance includes money for repair, rental assistance, or “direct assistance,” such as the provision of temporary housing.¹¹ The current limits for IHP assistance is \$41,000 for housing assistance and \$41,000 for other needs assistance.¹²

Section 404 of the Stafford Act authorizes HMGP, which provides grants to state, tribal, and territorial governments to fund mitigation projects that: (1) are cost effective and (2) reduce the risk of future damage, hardship, and loss from natural hazards.¹³ The purpose of this grant program is to fund practical mitigation measures that effectively reduce the risk of loss of life and property from future disasters. State, tribal, and territorial governments may use their HMGP funds to assist families in reducing the risk to their homes from natural disasters. The Federal cost share for HMGP is 75 percent.¹⁴

THE DISASTER RECOVERY REFORM ACT OF 2018 (DRRA)—

On October 5, 2018, the President signed the Disaster Recovery Reform Act (DRRA; P.L. 115–254) into law.¹⁵ DRRA addresses the rising costs of disasters in the United States and reformed Federal disaster programs to ensure communities are better prepared for future hurricanes, flooding, earthquakes, wildfires, and other disasters. This legislation was intended to improve pre-disaster planning and mitigation, to reduce the future loss of life and the rising costs of disasters through the Building Resilient Infrastructure and Communities (BRIC) program.¹⁶ Studies have shown for every dollar spent in mitigation, between four and thirteen dollars is saved in avoided disaster recovery costs.¹⁷

DRRA also addressed other critical issues such as wildfire prevention, eligibility for disaster assistance, and agency efficiency and accountability.

⁵ FEMA, A GUIDE TO THE DISASTER DECLARATION PROCESS AND FEDERAL DISASTER ASSISTANCE 1, (last accessed Sept. 12, 2023), available at https://www.fema.gov/pdf/rebuild/recover/dec_proc.pdf.

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ FEMA, ASSISTANCE FOR GOVERNMENTS AND PRIVATE NON-PROFITS AFTER A DISASTER, (Feb. 23, 2023), available at <https://www.fema.gov/assistance/public>.

¹⁰ 42 U.S.C. § 5172

¹¹ FEMA, INDIVIDUALS AND HOUSEHOLDS PROGRAM, (Feb. 3, 2023), available at <https://www.fema.gov/assistance/individual/program>.

¹² 42 U.S.C. § 5174

¹³ FEMA, HAZARD MITIGATION GRANT PROGRAM (HMGP), (Dec. 27, 2022), available at <https://www.fema.gov/grants/mitigation/hazard-mitigation>.

¹⁴ *Id.*

¹⁵ DRRA, Pub. L. No. 115–254.

¹⁶ FEMA, BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES, (Dec. 1, 2022), available at <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities>.

¹⁷ NATIONAL INSTITUTE OF BUILDING SCIENCES, NATURAL HAZARD MITIGATION SAVES 2019 REPORT (December 2019), available at https://www.nibs.org/files/pdfs/NIBS_MMC_MitigationSaves_2019.pdf.

III. CURRENT CHALLENGES

DISASTER RELIEF FUND—

The Disaster Relief Fund (DRF) is a no-year appropriation against which FEMA can direct, coordinate, manage, and fund eligible response and recovery efforts associated with domestic major disasters and emergencies that overwhelm state resources pursuant to the Stafford Act.¹⁸ Through the DRF, FEMA can fund authorized Federal disaster support activities as well as eligible state, territorial, tribal, and local actions such as providing emergency protection and debris removal.¹⁹ The DRF also funds the repair and restoration of qualifying disaster-damaged public infrastructure, hazard mitigation initiatives, financial assistance to eligible disaster survivors, and FMAGs for qualifying large forest or grassland wildfires.²⁰

In February 2023, the Committee was first made aware of a potential DRF deficit that was projected to occur in July.²¹ Subsequently, the monthly DRF report shifted the depletion projection to August 2023 which was confirmed by the FEMA Deputy Administrator during a Subcommittee hearing in May.²² However, during that hearing FEMA was unable to provide the Subcommittee with details on the timing of any request for supplemental appropriations.

On August 10, 2023, the President submitted a supplemental request to Congress with \$12 billion in disaster funding in addition to funding for Ukraine, border and migration, and wildland firefighter pay.²³ On August 29, 2023, the Administrator sent a letter to the Committee indicating that FEMA was implementing immediate needs funding (INF).²⁴ The implementation of INF halts DRF obligations to states, territories, and Federally recognized tribes for mitigation and long term recovery projects like the repair and replacement of disaster damaged roads, bridges, schools, and wastewater treatment plants. DRF funding is only obligated for response activities that lessens the loss of life and property and meets disaster survivor's immediate unmet needs during and following a disaster.²⁵ As of September 12, 2023, the DRF balance is \$2.9 billion.²⁶

On August 31, 2023, President Biden requested an additional \$4 billion for the DRF because of the disasters occurring across the United States, increasing the total disaster supplemental request to \$16 billion.²⁷

MAUI FIRES—

On August 8, 2023, Maui, Hawaii, experienced historic and devastating fires resulting in destruction in Lahaina. On August 9, 2023, the President approved a FMAG to support firefighting efforts and on August 10, 2023, a Federal major disaster declaration was issued.²⁸ The Maui fire is one of the deadliest wildfires in the

¹⁸ FEMA, DISASTER RELIEF FUND: MONTHLY REPORTS, (Aug. 29, 2023), available at <https://www.fema.gov/about/reports-and-data/disaster-relief-fund-monthly-reports>.

¹⁹ FEMA, FACT SHEET: FEMA'S PUBLIC ASSISTANCE PROCESS, (June 7, 2018), available at <https://www.fema.gov/press-release/20210318/fact-sheet-femas-public-assistance-process>.

²⁰ FEMA, DISASTER RELIEF FUND: MONTHLY REPORTS, (Aug. 29, 2023), available at <https://www.fema.gov/about/reports-and-data/disaster-relief-fund-monthly-reports>.

²¹ FEMA, FEBRUARY 2023 DISASTER RELIEF FUND REPORT, (Feb. 9, 2023), available at https://www.fema.gov/sites/default/files/documents/fema_disaster-relief-fund-report_022023.pdf.

²² FEMA, MAY 2023 DISASTER RELIEF FUND REPORT (May 9, 2023), available at https://www.fema.gov/sites/default/files/documents/fema_disaster-relief-fund-report_052023.pdf.

²³ Letter from Shalanda Young, Director, Office of Management and Budget to Kevin McCarthy, Speaker, United States House of Representatives (August 10, 2023), available at <https://www.whitehouse.gov/wp-content/uploads/2023/08/Final-Supplemental-Funding-Request-Letter-and-Technical-Materials.pdf>.

²⁴ Letter from Deanne Criswell, Administrator, FEMA to Sam Graves, Chairman, H. Comm. on Transp. & Infrastructure (Aug. 29, 2023) (On file with Comm.).

²⁵ FEMA, IMMEDIATE NEEDS FUNDING FACT SHEET, (Aug. 2023), available at https://www.fema.gov/sites/default/files/documents/fema_inf-fact-sheet.pdf.

²⁶ E-mail from Brian Fauls, Congressional Affairs Specialist, Congressional Affairs Division, FEMA (Sept. 12, 2023, 4:30 p.m. EST) (on file with Comm.).

²⁷ Josh Boak, *Biden wants an extra \$4 billion for disaster relief, bringing the total request to \$16 billion*, AP NEWS, (Sept. 1, 2023), available at <https://apnews.com/article/wildfire-hurricane-flooding-fema-disaster-relief-budget>.

²⁸ See E-mail from Jason Nelson, Chief, Disaster Response & Recovery, Congressional Affairs Division, FEMA (Aug. 10, 2023, 9:20 a.m. EST) (on file with Comm.); FEMA Notification of a Major Disaster Declaration for the State of Hawaii (FEMA-4724-DR-HI), (Aug. 10, 2023), available at <https://www.fema.gov/disaster/4724>.

United States' history.²⁹ As of September 5, 2023, 115 individuals were reported as dead, and 66 individuals were reported as missing.³⁰

FEMA is coordinating the Federal response effort with three disaster recovery centers on the island of Maui, and more than 10,500 survivors have registered for Federal assistance.³¹ To date, \$20.8 million has been approved to assist over 5,000 households under the IHP.³² The cause of the fire is currently under investigation. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is supporting Maui County Fire Officials and other local partners efforts to investigate the causes of the fire including possible poor electric infrastructure and management.³³ A lawsuit has been filed alleging these claims.³⁴

IV. CONCLUSION

September is National Emergency Preparedness Month and FEMA currently has active disaster declarations for floods, hurricanes, and wildfires. Given this, the hearing will focus on the Nation's current state of disaster readiness, response, and recovery under FEMA's leadership and guidance.

V. WITNESS

- The Honorable Deanne Criswell, Administrator, Federal Emergency Management Agency (FEMA), United States Department of Homeland Security

²⁹ Bill Hutchison, *Maui wildfire now ranks as the fifth-deadliest in US history*, ABCNEWS, (Aug. 22, 2023), available at <https://abcnews.go.com/US/maui-wildfire-now-ranks-deadliest-us-history/story?id=102249625>.

³⁰ E-mail from Jessica Zanotti, Congressional Affairs Specialist, Congressional Affairs Division, FEMA (Sept. 5, 2023, 1:39 p.m. EST) (on file with Comm.); Audrey McAvoy, *The number of people missing following devastating Maui wildfires has dropped to 66, governor says*, AP NEWS (Sept. 8, 2023), available at <https://apnews.com/article/hawaii-wildfires-maui-recovery-josh-green-5255b24219ba35e98ecf2d684c197717>.

³¹ *Id.*

³² E-mail from Jessica Zanotti, Staff, FEMA to Staff, H. Comm. on Transp. & Infrastructure (Sept. 4, 2023) (On file with Comm.).

³³ Robert Legare, *Federal investigators deploy to Maui to assist with fire probe*, CBS NEWS, (Aug. 18, 2023), available at <https://www.cbsnews.com/news/maui-lahaina-wildfire-federal-investigators-deploy-to-assist-with-fire-probe/>.

³⁴ Andy Rose, *Who caused Maui's devastating wildfire? Lawsuit adds telecom companies and landowners to the list*, CNN (Sept. 7, 2023), available at <https://www.cnn.com/2023/09/07/business/maui-fire-lawsuit/index.html>.

FEMA: THE CURRENT STATE OF DISASTER READINESS, RESPONSE, AND RECOVERY

TUESDAY, SEPTEMBER 19, 2023

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 10:05 a.m., in room 2167 Rayburn House Office Building, Hon. Scott Perry (Chairman of the subcommittee) presiding.

Mr. PERRY. The Subcommittee on Economic Development, Public Buildings, and Emergency Management will come to order.

I ask unanimous consent that the chairman 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.

Without objection, so ordered.

As a reminder, if Members wish to insert a document into the record, please email it to DocumentsTI@mail.house.gov.

The Chair now recognizes himself for the purposes of an opening statement for 5 minutes.

OPENING STATEMENT OF HON. SCOTT PERRY OF PENNSYLVANIA, CHAIRMAN, SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

Mr. PERRY. I want to thank our witness, the Honorable Dianne—correction, Deanne. Is it Deanna or Deanne?

Ms. CRISWELL. Deanne.

Mr. PERRY [continuing]. Deanne Criswell, the Administrator of the Federal Emergency Management Agency, or FEMA, as we call it, for being here today.

Today, we are focusing on the current state of FEMA's readiness, response, and recovery. FEMA's core mission is to help people before, during, and after disasters. Unfortunately, FEMA has added layers of bureaucracy and adopted political agendas which have impacted how it delivers on its core mission. The Biden administration is imposing an agenda focused on climate change and equity, which is diverting away from FEMA's core mission.

On August 28th, the committee was alerted that the Disaster Relief Fund—we will consider that the DRF at this point—would

move to Immediate Needs Funding, or INF, until additional funds are appropriated. Now, under INF, Federal reimbursements to States, Territories, and federally recognized Tribes for long-term disaster recovery projects are halted. Instead, the remaining balance in the DRF is reserved for any immediate lifesaving response activities.

Committee staff first asked FEMA back in February—that is a long time ago now—what it was going to do to avoid the DRF running out of money, since FEMA's own monthly reports indicated the DRF was projected to be depleted by now, in September, where we are. FEMA provided no real solutions or answers.

Despite ongoing inquiries in the weeks and months since, we were not notified of a supplemental request until it was officially submitted to Congress in August, last month, and the request was tied to Ukraine spending.

Now, in the wake of one of the deadliest fires in United States history, a supplemental request for additional disaster funding comes with strings attached to Ukraine? You just think about that in the audience and if you are watching this. The American taxpayer, the people that are suffering from disasters, and somehow couldn't be bothered to discuss getting the DRF refunded until August, and it is tied to Ukraine. I can't reconcile that.

I have overarching concerns about decisions being made that waste taxpayer dollars and reduce our readiness. We see FEMA's funding request to support domestic disaster response activities tied with Ukraine. We see FEMA, under this administration, significantly expanding its mitigation programs in ways that no longer require projects to demonstrate that they will, in fact, reduce costs or actually save lives, all in the name of equity and climate change. We also see FEMA resources diverted for other purposes, such as the border crisis, despite FEMA reportedly being understaffed and obviously underfunded.

The Homeland Security Act prohibits—prohibits—the diversion of FEMA assets, functions, or mission for the continuing use of any other DHS organization unless such assignments do not reduce the capability of FEMA to perform its missions. Yes. And yet your agency can't be bothered to follow that law. That is concerning to me.

FEMA clearly has a significant capacity problem, and every diversion of resources undermines its ability to perform core missions. The GAO confirmed this capacity issue at a hearing earlier this year. But we know, in response to letters from Chairman Graves of the full committee to FEMA, that key FEMA personnel have been diverted by the Secretary to assist with bringing people into the country illegally.

FEMA's Emergency Food and Shelter Program, originally created to help homeless Americans, has now become a program to pay for illegal foreign nationals residing in our communities and in our cities.

I know I may disagree with many of my colleagues on the role of the Federal Government and what it should play when it comes to disasters. But, regardless, FEMA should not be used to advance partisan policy objectives, and FEMA resources—taxpayer re-

sources through FEMA—should not be diverted for other purposes unrelated to its mission.

Ultimately, all of this impacts FEMA’s readiness and ability to respond to disasters happening across our country, from the Maui wildfires to Hurricane Idalia and multiple flooding events. Now, we can debate the role of the Federal Government, but at the very least—at the very least—we need to ensure FEMA is focused on its core mission because that is the one thing that this Congress or that a Congress and the President agreed to and signed into law.

I look forward to hearing from you today, Administrator Criswell. [Mr. Perry’s prepared statement follows:]

Prepared Statement of Hon. Scott Perry, a Representative in Congress from the Commonwealth of Pennsylvania, and Chairman, Subcommittee on Economic Development, Public Buildings, and Emergency Management

I want to thank our witness, the Honorable Deanne Criswell, the Administrator of the Federal Emergency Management Agency for being here today.

Today, we are focusing on the current state of FEMA’s readiness, response, and recovery. FEMA’s core mission is to help people before, during, and after disasters.

Unfortunately, FEMA has added layers of bureaucracy and pushed political agendas, which have impacted how it delivers on its core mission. The Biden Administration is pushing an agenda focused on climate change and equity, diverting away from FEMA’s core mission.

On August 28th, the Committee was alerted that the Disaster Relief Fund (DRF) would move to immediate needs funding (INF) until additional funds are appropriated. Under INF, federal reimbursements to states, territories, and federally recognized tribes for long-term disaster recovery projects are halted.

Instead, the remaining balance in the DRF is reserved for any immediate, life-saving response activities. Committee staff first asked FEMA back in February what it was going to do to avoid the DRF running out of money, since FEMA’s own monthly reports indicated the DRF was projected to be depleted by now.

FEMA provided no real solutions or answers.

Despite ongoing inquiries in the weeks and months since, we were not notified of a supplemental request until it was officially submitted to Congress in August, and the request was tied to Ukraine spending.

In the wake of one of the deadliest fires in United States history, a supplemental request for additional disaster funding comes with strings attached to Ukraine. I have overarching concerns about decisions being made that waste taxpayer dollars and reduce our readiness.

We see FEMA’s funding request to support domestic disaster response activities tied with Ukraine. We see FEMA, under this administration, significantly expanding its mitigation programs in ways that no longer require projects to demonstrate that they will in fact reduce costs and save lives—all in the name of equity and climate change. We also see FEMA resources diverted for other purposes, such as the border crisis, despite FEMA reportedly being understaffed.

The Homeland Security Act prohibits “the diversion of FEMA assets, functions, or mission for the continuing use of any other DHS organization unless such assignments do not reduce the capability of FEMA to perform its missions.”

FEMA clearly has a significant capacity problem, and every diversion of resources undermines its ability to perform core missions—the Government Accountability Office (GAO) confirmed this capacity issue at a hearing earlier this year. But we know, in response to letters from Chairman Graves of the Full Committee to FEMA, that key FEMA personnel have been diverted by the Secretary to help with the border crisis.

FEMA’s Emergency Food and Shelter Program, originally created to help homeless Americans, has now become a migrant program. I know I may disagree with many of my colleagues on the role the federal government should play when it comes to disasters. But, regardless, FEMA should not be used to advance partisan policy objectives, and FEMA resources should not be diverted for other purposes unrelated to its mission.

Ultimately, all of this impacts FEMA's readiness and ability to respond to disasters happening across the country, from the Maui wildfires to Hurricane Idalia, and multiple flooding events. We can debate the role of the federal government, but at the very least, we need to ensure FEMA is focused on its core mission.

I look forward to hearing from you today, Administrator Criswell.

Mr. PERRY. I now recognize the ranking member, Member Titus, Representative Titus, for 5 minutes for an opening statement.

**OPENING STATEMENT OF HON. DINA TITUS OF NEVADA,
RANKING MEMBER, SUBCOMMITTEE ON ECONOMIC DEVELOPMENT,
PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT**

Ms. TITUS. Well, thank you, Mr. Chairman.

And thank you, Administrator Criswell, for joining us today as we discuss FEMA's ability to lead disaster response and recovery.

Since your testimony to the subcommittee last year, climate change and severe weather incidents have continued to generate dire circumstances that your agency has had to deal with. The Disaster Relief Fund, as a result, which serves as the backbone of your response and recovery programs, is nearing depletion. So, it is of utmost importance that Congress fulfill the President's request for supplemental funding, and we should do that free of any poison pills that try to impose social policy into this area.

That is the only way that FEMA can continue to provide the necessary resources for ongoing recovery efforts like we are seeing in Maui and Florida, and we are likely to see even more emerge in the near future as we are into hurricane season. So, I appreciate your steadfast leadership of FEMA during this difficult time.

My home State of Nevada has also experienced some terrifying impacts of climate change, and I want to take time to thank the FEMA people and the emergency response managers in my State for their rapid response to the extreme weather that threatened communities, especially in southern Nevada. You don't think about having a hurricane in the desert but, indeed, we saw that across southern California and some of its impact into the southern part of Nevada.

We also had unrelenting heat. And we know that heat is a threat, just like other natural disasters, that needs to be addressed. And we had repeated flash flooding. A wadi, or a channel, that can be dry for years can suddenly become a rushing river. And we have a drought in the West that has been ongoing and likely will cause some of these disasters to get worse in the coming years.

So, as we work together with Nevada communities, I think this demonstrates one of the priorities of the administration, which is an all-of-Government approach, and that is the only way we can deal with this.

In addition to all of Government, we think equity is important. We think that solutions must guarantee that all disaster survivors and communities are created and treated fairly by these programs, and these programs are addressed fairly, regardless of the neighborhood.

Natural disasters amplify existing disparities in our society, and it should go without saying that Government is here to address the needs of every American equally. Not just the more affluent neigh-

borhoods should be rebuilt as we try to respond to these kind of crises.

The subcommittee has received considerable testimony from underserved communities about their frustration of how they seem to be ignored, how much time it takes, how they are not in a position to get additional funding, and we need to be sure that FEMA addresses that.

And I know that you do, Administrator, I know you recognize these longstanding disparities and you have been working with us to try to address them. We appreciate your work to implement new laws and policies that will have these long-term benefits and improve the well-being of victims all across the board.

I especially appreciate and value your public support for reforms in the bill introduced by myself, Congressman Garret Graves, Congressman Troy Carter, and Congresswoman Jenniffer González-Colón, and this is the Disaster Survivor Fairness Act. We passed that out of the full committee unanimously earlier this year. I would like to see it come forward, because it was unanimous, bipartisan, and it was designed to make Federal disaster aid more accessible to survivors. And it can contribute to some of the problems that the chairman has pointed out about making it more efficient and more effective.

It removes barriers by creating a universal application for Federal assistance, and it empowers the Agency to assess home damage more fairly, more quickly, and more accurately. This should ease the burden on families applying for disaster assistance, and we hope to see it passed because these are the worst times in their lives and that is the least their Government can do.

So, Administrator, I thank you and your colleagues for the work you have done to shepherd FEMA in a positive direction. I think you have done that by acknowledging and addressing the impacts of climate change, prioritizing equity, which we think is important, and investing in mitigation and resilience so we do build back better.

We recognize the challenges you face, and we want to do everything we can to help you, and we know that that fund needs to be replenished. So, thank you for being here.

And I yield back.

[Ms. Titus' prepared statement follows:]

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

Thank you, Mr. Chairman. I want to thank Administrator Criswell for joining us today as we discuss FEMA's readiness to lead disaster response and recovery.

Since your testimony to this Subcommittee last year, climate change and the related severe weather events have continued to generate dire circumstances for FEMA. The Disaster Relief Fund, which serves as the backbone for FEMA's response and recovery programs, is nearing depletion. It is of the utmost importance that Congress fulfill President Biden's supplemental funding request, free of any poison pills, so FEMA can continue providing the necessary resources for ongoing recovery efforts, including those in Maui and Florida, and needs that will emerge in the near future. I greatly appreciate your steadfast leadership and the dedication of FEMA's staff during this challenging time.

My home state of Nevada has experienced terrifying impacts in the wake of the new climate reality, and I want to take the time to acknowledge all of the emergency managers across the state and in my district who have been working diligently to prepare for and respond to extreme weather threatening our communities. This summer we all held our breaths as a hurricane threatened to cross the desert. Meanwhile, Las Vegas has experienced unrelenting extreme heat and repeated flash floods. What's more, is that a record drought in the West indicates these disasters will only grow worse in the coming years and we must work together to ensure Nevadan communities are ready to handle their consequences.

Solutions must guarantee that all disaster survivors and communities are treated fairly by FEMA's programs. Natural disasters amplify existing disparities in our society and it should go without saying that the government must address the needs of every American equally in disaster recovery. Some of our most vulnerable populations, however, have been neglected or overlooked. The subcommittee has received testimony from underserved communities over time regarding frustration with FEMA's attention to their needs in times of recovery.

Administrator, I know you recognize these long-standing disparities and are working with us to change them. We appreciate your work to implement new laws and policies that will have long-term benefits, improve the well-being of victims following disasters, and enhance the resilience of our public infrastructure and homes.

I especially value your public support for reforms in a bill introduced by myself, Congressman Garret Graves, Congressman Troy Carter, and Congresswoman Jennifer González-Colón—the Disaster Survivor Fairness Act, which passed out of the full committee unanimously earlier this year. This legislation is designed to make federal disaster aid more easily accessible to survivors, and it is my hope this bill can contribute to FEMA adapting to the current disaster climate. It removes barriers to aid by creating a universal application for federal disaster assistance and empowers the agency to assess home damage more fairly and accurately post-disaster. This should ease the burden on families applying for disaster assistance after what might have been the worst days of their lives.

Administrator, I thank you and your colleagues for the work you have done to shepherd FEMA in a positive direction by acknowledging and addressing the impacts of climate change, prioritizing equity, and investing in mitigation and resilience. We recognize the challenges you face, and we want to do everything in our power to help you succeed.

Thank you.

Mr. PERRY. The Chair thanks the gentlelady from Nevada.

The Chair now recognizes the chairman of the full committee, Chairman Graves, for 5 minutes for his opening statement.

**OPENING STATEMENT OF HON. SAM GRAVES OF MISSOURI,
CHAIRMAN, COMMITTEE ON TRANSPORTATION AND INFRA-
STRUCTURE**

Mr. GRAVES OF MISSOURI. Thank you, Chairman Perry, and thank you, Administrator Criswell, for being here today.

On a bipartisan basis, the committee, and this subcommittee, in particular, have worked to improve FEMA and the Federal Government's emergency management system. I am proud to again be one of the cochairs of FEMA's National Preparedness Month, which helps educate the American people on what they can do to be prepared.

FEMA's role is critical. We have had recent flooding and tornadoes in my district, and it is important for FEMA to work quickly and closely with the State emergency management agencies and local responders.

Last month, on August 4th, an EF2 tornado ripped through the city of Baring in Knox County, Missouri, in my district. Governor Parson submitted a Federal disaster declaration on September 6th, and I hope that FEMA will work swiftly and efficiently to approve this declaration so the people in Missouri can continue to recover.

I also hope that many of the reforms that we have passed in my time on the committee are going to help remove a lot of unnecessary redtape and bureaucratic policies as we move through the recovery process.

So, I look forward to hearing what the Administrator, what you have to say today on this and other critical issues as we prepare for and respond to disasters all across this country.

And with that, Chairman Perry, I yield back.

[Mr. Graves of Missouri's prepared statement follows:]

Prepared Statement of Hon. Sam Graves, a Representative in Congress from the State of Missouri, and Chairman, Committee on Transportation and Infrastructure

Thank you, Chairman Perry, and thank you to Administrator Criswell for being here today.

On a bipartisan basis, the Committee and this subcommittee in particular, have worked to improve FEMA and the federal government's emergency management system. I am proud to again be one of the co-chairs of FEMA's National Preparedness Month to help educate the American people on what they can do to be prepared.

FEMA's role is critical. With recent flooding events and tornados in my district, it's important for FEMA to work quickly and closely with the State Emergency Management Agencies and local responders.

Last month, on August 4th, an EF-2 tornado ripped through the city of Baring in Knox County, Missouri. Governor Parson submitted a federal disaster declaration on September 6th, and I hope FEMA will work swiftly and efficiently to approve this declaration so the people of Missouri can continue to recover.

I also hope that many of the reforms we have passed in my time on the Committee will help remove unnecessary red tape and bureaucratic policies as we move through the recovery process.

I look forward to hearing from the Administrator today on this and other critical issues as we prepare for and respond to disasters across the Nation.

Mr. PERRY. The Chair thanks the gentleman.

The Chair now recognizes the ranking member of the full committee, Mr. Larsen, for 5 minutes for his opening statement.

OPENING STATEMENT OF HON. RICK LARSEN OF WASHINGTON, RANKING MEMBER, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. LARSEN OF WASHINGTON. Thank you, subcommittee Chair Perry and subcommittee Ranking Member Titus, for calling today's hearing. It will be an opportunity today to discuss the many challenges FEMA is facing due to a busy disaster season and then the strategies to overcome those challenges.

Climate change is making disasters more frequent, intense, and costly. NOAA announced a troubling new record this month, that in 2023, the U.S. has experienced a record number of disaster events with losses exceeding \$1 billion, 23 separate events with each of those events exceeding \$1 billion. Disaster season is far from over, so, this figure is bound to grow.

The intensity of this year's disaster season is rapidly depleting the Agency's Disaster Relief Fund. I am very concerned about the lack of funding available to fight these disasters and the impact on FEMA's authorized programs.

In the wake of Maui's wildfires and in anticipation of Hurricane Idalia, FEMA announced the implementation of Immediate Needs

Funding last month to save what little money FEMA has left. I understand that FEMA is only obligating funds for direct aid to disaster survivors and actions that immediately save life and property.

The result is all other recovery projects, such as rebuilding roads, bridges, and schools, are on hold indefinitely. And FEMA has had to put about 1,610 recovery and mitigation projects on hold, impacting nearly every State and every community in our country.

The current state of the Disaster Relief Fund is not FEMA's fault, however. It is Congress' responsibility to provide enough funding in the annual appropriations. So, it is imperative that Congress work together in a bipartisan manner to replenish the DRF as soon as possible so that FEMA can continue to fulfill its mission of helping people before, during, and after disasters.

However, addressing the record number of billion-dollar disasters requires more than just adding more money to the DRF. FEMA needs to adapt and implement a strategy of readiness for an evolving world so it can provide an adequate response each time a disaster is declared. Deputy Administrator Hooks briefed us earlier this year on current efforts outlined in FEMA's strategic plan to address that.

I appreciate the time that Regional Administrator Nunn in region 10 and his team took to run a disaster response tabletop exercise with my staff in Washington State. The exercise was very informative and facilitated several important connections. In fact, it is something I would encourage other Members to do in their regions with their FEMA regional directors to better understand Congress' role in responding to disasters.

But there is always more work to be done. With more than a 50-percent increase in storms and disasters in the last 10 years, FEMA must use science to incorporate climate change projections into all of its programs. In order to address modern natural disasters, we also need to expand mitigation and increase resilience. Overwhelming evidence shows that mitigation is a commonsense, cost-effective way to save lives and property. So, I support expanding funding and access for mitigation and resilience projects.

And we need to leverage all the resilience funding provided by the Bipartisan Infrastructure Law. This landmark legislation included a \$7 billion investment for pre-disaster mitigation programs, which made it possible for FEMA to support the largest Notice of Funding Opportunity in the Building Resilient Infrastructure and Communities program, the BRIC program, the largest NOFO in its history, last Congress, and funded the new STORM Revolving Loan Fund program.

I also hope new authorities provided by legislation such as Representative Davids' Community Disaster Resilience Zones Act will also help the Agency target funding to communities with the greatest need and highest risk of natural disasters.

We have to ensure all communities have equal opportunity to access these vital funds, and this can be achieved by providing additional technical assistance to underserved applicants and simplifying the benefit-cost analysis requirement.

More needs to be done to ensure our Nation's readiness by incorporating climate change projections into all FEMA's programs and making access to pre-disaster mitigation grants equitable.

Administrator, you have a difficult job. I want to thank you for the work that you do and that your team does and that they have done under your leadership. Your dedication and service to communities throughout the country is well-noted, and we need to do our job in supporting FEMA's efforts to ensure more equitable outcomes and building a more resilient Nation.

So, I look forward to discussing how we can work together to drive needed reforms and help FEMA achieve its goals. And thank you for being here. I look forward to your testimony.

And I yield back.

[Mr. Larsen of Washington's prepared statement follows:]

Prepared Statement of Hon. Rick Larsen, a Representative in Congress from the State of Washington, and Ranking Member, Committee on Transportation and Infrastructure

Thank you, Subcommittee Chairman Perry and Subcommittee Ranking Member Titus, for calling today's hearing on "The Current State of Disaster Readiness, Response and Recovery."

Today will be an opportunity to discuss the many challenges FEMA is facing due to a busy disaster season and strategies for overcoming these challenges.

Climate change is making disasters more frequent, intense and costly.

NOAA announced a troubling new record this month—in 2023, the U.S. has experienced a record number of disaster events with losses exceeding \$1 billion in the 23 separate events. Disaster season is far from over, so this figure is bound to grow.

The intensity of this year's disaster season is rapidly depleting the Agency's Disaster Relief Fund. I am very concerned about the lack of funding available to fight these disasters.

In the wake of the Maui wildfires and in anticipation of Hurricane Idalia, you announced the implementation of Immediate Needs Funding last month to save what little money FEMA has left.

I understand that FEMA is only obligating funds for direct aid to disaster survivors and actions that immediately save life and property.

The result is that all other recovery projects such as rebuilding vital roads, bridges and schools have been put on hold indefinitely. A total of 1,610 recovery and mitigation projects have been put on hold—impacting nearly every state and every community in our country.

I want to emphasize that the current state of the Disaster Relief Fund is not FEMA's fault. It is Congress' responsibility to provide enough funding in annual appropriations.

It is imperative that Congress work together in a bipartisan manner to replenish the Disaster Relief Fund as soon as possible, so you can continue to fulfill FEMA's mission of helping people before, during and after disasters.

However, addressing the record number of billion-dollar disasters requires more than just adding more money to the Disaster Relief Fund.

FEMA needs to adapt and implement a strategy of readiness for an evolving world so it can provide an adequate response each time a disaster is declared.

Deputy Administrator Hooks briefed us this Spring on current efforts outlined in FEMA's strategic plan to address that.

I appreciate the time Regional Administrator Nunn and his team took to run a disaster response tabletop exercise with my staff in Washington. The exercise was very informative and facilitated several important connections. In fact, it's something I would encourage other members to do with FEMA in their regions with their region directors to better understand Congress' role in responding to disasters.

But there is always more work to be done. With a more than 50 percent increase in storms and disasters in the last 10 years FEMA must use science to incorporate climate change projections into all its programs. So, communities like Maui are prepared for unprecedented disasters before they happen.

In order to address modern natural disasters, we also need to expand mitigation and increase resilience.

Overwhelming evidence has proven that mitigation is a commonsense, cost-effective way to save lives and property.

That is why I support expanding funding and access for mitigation and resilience projects.

We need to leverage all the resilience funding provided by the Bipartisan Infrastructure Law.

This landmark legislation included a \$7 billion investment for pre-disaster mitigation programs, which made it possible for FEMA to support the largest Notice of Funding Opportunity in the Building Resilient Infrastructure and Communities (BRIC) program's history last Congress and funded the new Storm Revolving Loan Fund program.

I also hope new authorities provided by legislation such as Representative Davids Community Disaster Resilience Zones Act will help the Agency target funding to communities with the greatest need and highest risk of natural disasters.

You must ensure that all communities have equal opportunity to access these vital funds. This can be achieved by providing additional technical assistance to underserved applicants and simplifying the benefit cost analysis requirement.

The Bipartisan Infrastructure Law made great progress in making our nation more resilient by providing nearly \$7 billion to help communities proactively prepare for disasters.

More needs to be done to ensure our nation's readiness by incorporating climate change projections into all of FEMA's programs and making access to pre-disaster mitigation grants equitable.

Administrator, you have a difficult job. I want to thank you for all the work that you do and your team does and that they have done under your leadership. Your dedication and service to communities throughout the country is well known and we need to do our job to support FEMA's efforts to ensure more equitable outcomes and building a more resilient nation.

I look forward to discussing how we can work together to drive needed reforms and help FEMA achieve its goals.

Thank you for being here, I look forward to hearing your testimony today.

Mr. PERRY. I thank the gentleman from Washington.

I would like to again welcome our witness and thank you for spending your time with us here today. I know you are busy, and we appreciate your presence.

Briefly, I would like to take a moment to explain our lighting system to you. There are three lights in front of you. Green means go, yellow means you are running out of time, and red means to conclude your remarks. It actually means you probably should have already concluded your remarks, but we will give you a little grace there.

I ask unanimous consent that the witness' full statement be included in the record.

Without objection, so ordered.

As your written testimony has been made part of the official record, the subcommittee asks that you limit your oral remarks to 5 minutes, ma'am.

With that, Administrator Criswell, you are recognized for 5 minutes for your testimony and statement.

**TESTIMONY OF HON. DEANNE CRISWELL, ADMINISTRATOR,
FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY**

Ms. CRISWELL. Thank you, Chairman Perry, Ranking Member Titus, and members of the subcommittee. Thank you for this opportunity to discuss the state of FEMA.

FEMA has a powerful mission statement spelled out in just seven words: Helping people before, during, and after disasters.

That mission statement, it is our North Star, and it reflects a deep and abiding commitment of our workforce to public service.

And I can say without hesitation that our mission at FEMA has become more challenging. We can no longer really speak of a disaster season. From atmospheric rivers in January to tornadoes and wildfires in December, we now face intensified natural disasters throughout the year, often in places not used to experiencing them.

In just the last several months alone, we have seen disasters ranging from record flooding in Vermont, to the deadliest wildfire in over a century on the island of Maui, to the first tropical cyclone to make landfall in California since 1938.

It is, therefore, vital that FEMA be able to tap into a properly funded Disaster Relief Fund. We strive to be vigilant stewards of the taxpayer dollar, and we are careful in our budget predictions. However, there are times when disasters outpace our appropriated funds, and we are in such a moment today.

The administration has requested a supplemental funding package that includes \$16 billion for the Disaster Relief Fund, and I urge congressional approval of this request and the administration's fiscal year 2024 budget request as soon as possible.

As a result of the dwindling DRF, on August 29, FEMA implemented Immediate Needs Funding for the first time since 2017. Under INF, we are prioritizing lifesaving and life-sustaining disaster response and delaying obligations for longer term work. As a result, we have needed to pause obligations to over 1,000 Public Assistance projects across the country worth over \$1.5 billion. And you all have my commitment that FEMA will move quickly to resume obligations paused under INF as soon as the DRF is replenished, but, again, Congress must act today without delay.

Of course, to be effective, FEMA requires not only funding, but a well-trained workforce ready to deploy at a moment's notice. And the vast majority of our 22,000-person workforce are reservists. And I thank this committee and Congress for passing the CREW Act last year, which extended to our reservists USERRA job protections. This law is already improving our recruitment and our retention efforts.

FEMA is also working to constantly improve the technology our programs use. After Hurricane Ian impacted Florida, we implemented a unique Rapid Debris Removal Task Force that used a combination of satellite, flyover, and on-the-ground data to identify areas where the debris was particularly concentrated, and cleared 19 million cubic yards of debris—enough to fill more than 5,800 Olympic-size swimming pools—within 6 weeks across the hardest hit areas. This was months faster than we have been able to do previously.

We are also using remote sensing technology in Maui to match homes listed in our Individual Assistance program with detailed map images. When a match is made, the survivor's case information is shared with our housing inspectors, who can then reach out to survivors without requiring them to be present at their destroyed homes. We will continue to leverage technologies such as this to achieve this kind of people-first results.

But FEMA is not only a response and recovery agency. We also work to mitigate the worst impacts of disasters before they occur.

An essential way to build resilience across our country is through adoption of hazard-resilient building codes, which have avoided at least \$32 billion in losses from natural disasters since 2000 alone.

And I recently met with survivors in Horseshoe Beach, a small community in Florida's Big Bend, which received the brunt of Hurricane Idalia's wind and storm surge recently, but where many buildings remained largely unscathed. I talked with one homeowner who owned several such properties, and he told me clearly: I built to code, and codes work. However, two out of three communities in the U.S. do not yet have up-to-date building codes, and we are implementing a national strategy to help incentivize their adoption.

Another way in which FEMA is working to increase the resiliency of our Nation is through our new Safeguarding Tomorrow Revolving Loan Fund program, which will give local governments another tool to finance projects to mitigate against natural disasters. And I want to thank you for the significant investment in the BRIC grant program, for which we have announced nearly \$4 billion for mitigation projects across the Nation.

Every day, I see the unwavering dedication of our FEMA workforce to help people before, during, and after disasters. And I ask you to ensure that our workforce has the resources it needs for that mission.

Thank you, and I look forward to your questions.

[Ms. Criswell's prepared statement follows:]

**Prepared Statement of Hon. Deanne Criswell, Administrator, Federal
Emergency Management Agency, U.S. Department of Homeland Security**

Chairman Perry, Ranking Member Titus, and Members of the Subcommittee, thank you for this opportunity to discuss the state of the Federal Emergency Management Agency (FEMA). We value this committee's legislative support and oversight of our agency, and I look forward to our conversation today.

FEMA has a powerful mission statement, spelled out in just seven words: helping people before, during, and after disasters. That mission statement is our North Star, and it reflects a deep and abiding commitment of the FEMA workforce to our nation, its people, and public service.

I can say, without hesitation, that our mission at FEMA has become more challenging and complex. We can no longer really speak of a disaster "season." On average, we are seeing a disaster declaration every three days. From atmospheric rivers in January to tornados and wildfires in December, we now face intensified natural disasters throughout the year, often in places not used to experiencing them. In just the last several months, we have seen disasters ranging from record flooding in Vermont, to the deadliest wildfire in over a century on the island of Maui, to the first tropical cyclone to make landfall in California since 1938, and the gulf coast of Florida impacted by three hurricanes over the last year. In recent days, we witnessed the explosive intensification of Hurricane Lee strengthen from a Category 1 to a Category 5 storm in less than 24 hours. FEMA continues to closely monitor all potential disaster activity.

It is vital that FEMA—and the American people—be able to tap into an adequately funded Disaster Relief Fund so that we can continue to respond as soon as disaster strikes, rebuild in their aftermath, and prepare for future disasters. We strive to be vigilant stewards of taxpayer dollars, and we are careful in our projections of how much funding will be required for the Disaster Relief Fund. However, there are times when the number and intensity of disasters outpaces appropriated funds, and we find ourselves in such a moment today. The Administration has requested a supplemental funding package that includes \$16 billion for the Disaster Relief Fund, and these funds are necessary to ensure that our disaster recovery work around the nation can proceed without further delay. I urge Congressional ap-

proval of both the Administration's FY 2024 budget and its supplemental requests as soon as possible.

As a result of the dwindling Disaster Relief Fund, on August 29, FEMA implemented Immediate Needs Funding (INF) for the first time since 2017, and only the eighth time since 2001. In implementing INF, we are prioritizing lifesaving and life-sustaining disaster response, and delaying obligations for longer term work. As a result, we have needed to pause obligations to over 1,000 Public Assistance projects across the country worth over \$1.5 billion. This includes delayed reimbursements for projects such as the repair of facilities damaged or destroyed by past disasters across America. Each week creates additional financial burdens on state, local, Tribal, and territorial (SLTT) governments and eligible nonprofits who are waiting on reimbursements from the federal government. These applicants represent communities across the country, including small, rural, and under resourced municipalities. You have my commitment that FEMA will move quickly to resume obligations paused under INF as soon as the Disaster Relief Fund is replenished.

Of course, to be effective, FEMA requires not only funding, but a well-trained workforce ready to deploy at a moment's notice. We have both national and regional personnel at the ready to support lifesaving and life-sustaining response operations, including four National and 13 Regional Incident Management Assistance Teams; 28 Urban Search and Rescue Teams; and 36 Emergency Communications Teams. But the vast majority of our 22,000-person workforce consists of reservists. And I would like to thank this Committee and Congress for taking a huge step in helping us recruit and retain reservists, by passing the Civilian Reservist Emergency Workforce (CREW) Act last fall, which extends to our reservists the job protections of the Uniformed Services Employment and Reemployment Rights Act. FEMA is currently surveying existing and onboarding reservists on their awareness, utilization, and perceived effectiveness of the CREW Act. However, from personal interactions with reservists, I can assure you that this legislation is unquestionably improving our recruitment, retention, and training efforts. Further, the CREW Act has allowed some cadres with more technical or specialized duties, such as Financial Management, to tap into pools of professionals who have not previously been available to us as they did not want to risk losing their primary employment.

Just as FEMA is working to improve the readiness of our workforce, we must also work to constantly improve our programs and the technology we use to accomplish our mission. For example, we are further investing in geospatial technology to help improve the efficiency of our operations. After Hurricane Ian impacted Florida, our geospatial analysis allowed us to expedite remote damage assessments for private homes and buildings, eliminating the need for an in-person inspection in many cases. Assessments were conducted using artificial intelligence, crowdsourcing, and high-resolution imagery from satellite, air, and ground, enabling us to distribute more than \$78 million in disaster assistance into the hands of more than 5,600 disaster survivors much more quickly than with traditional methods.

Another key element of helping communities recover from a disaster is getting roads open and neighborhoods cleaned up. To do this as quickly as possible following Hurricane Ian, we implemented a unique Rapid Debris Removal Task Force that used a combination of satellite, fly-over, and on-the-ground data to quickly identify areas where the debris was particularly concentrated and to clear 19 million cubic yards of debris—enough to fill more than 5,800 Olympic size swimming pools—within six weeks across the hardest hit areas. This was months faster than we have been able to do with past storms.

FEMA is also using remote sensing technology to provide a better inspection experience for survivors impacted by the Hawaii wildfires. In Maui, remote sensing technology is being utilized to match homes listed in Individual Assistance registrations with detailed map images. When a match is made, the survivor's case information is updated and shared with the FEMA Housing Inspector. This information helps inspectors to know which homes were destroyed, allowing them to meet survivors more quickly where they are. As an agency, we will continue to leverage technology to help improve our "people first" focus.

FEMA is not only a response and recovery agency. We also work to mitigate the worst impacts of disasters before they occur. Hazard mitigation saves lives, results in less complex disaster recoveries, and can help us to break the cycle of disaster damage, reconstruction, and repeated damage. Through close collaboration with other federal agencies, state, local, tribal, and territorial governments, community-based organizations, and the private sector, FEMA is positioning itself as a true *resilience* agency.

One of the most important ways to build resilience across our country and save lives is through adoption of hazard-resistant building codes. Communities that have adopted current building codes have avoided at least \$32 billion in losses from nat-

ural disasters since 2000 alone, which will translate into over \$130 billion in estimated savings by 2040. In the aftermath of Hurricane Idalia, I surveyed damage and met with survivors in Horseshoe Beach, a small community on the tip of a peninsula in Florida's Big Bend region. This area received the brunt of Idalia's wind and storm surge but many of the buildings survived the storm and remained livable. I spoke with one survivor who owned several properties that sustained minimal damage—when I asked him why he thought his homes were minimally damaged, he responded: “I built to code and codes work.” However, two out of three communities in the United States have not yet adopted up-to-date building codes, which means there are roughly 220 million people at higher risk from the growing impacts of natural disasters. In order to help close this gap, FEMA is implementing a national strategy to incentivize the adoption of disaster-resistant building codes.

Another way in which FEMA is working to increase the resiliency of our nation is by providing new types of financial support to our State, Local, Tribal, and Territorial (SLTT) partners for mitigation projects. I would like to thank this Committee and Congress for the strong bipartisan support for the Safeguarding Tomorrow through Ongoing Risk Mitigation (STORM) Act, which authorized FEMA to create the Safeguarding Tomorrow Revolving Loan Fund program. These revolving loan funds will give local governments another tool to finance projects to reduce their risks from natural hazards and disasters. In implementing these and other mitigation programs, we are working to eliminate the barriers that small, rural, and other communities with limited capacity may face when seeking mitigation funding. FEMA recently announced the first funding opportunity for the STORM program and selected seven states and the District of Columbia to fund their revolving loan programs through a capitalization grant. These revolving loan funds will support a wide range of local government mitigation needs, including flood control, retrofitting for wind mitigation, and funding for projects to protect infrastructure such as public housing, water treatment facilities, dams, levees, and coastal structures. These funds can also be used as the local cost share for other FEMA mitigation grants. Each of the eight recipients selected will use this funding based on their unique hazard mitigation needs and priorities.

I also want to thank this Committee and Congress for the significant investment in the Building Resilient Infrastructure and Communities (BRIC) grant program. To date, the Administration has announced nearly \$4 billion in available funding to states, local communities, Tribal Nations, and territories to undertake hazard mitigation projects. For the FY22 BRIC total grant cycle, 54 states and territories, as well as the District of Columbia, have been selected to receive funding, pending the outcome of the final review process. This also includes 34 tribes. An example project from the FY 2022 BRIC application period is in Jefferson Parish, Louisiana, where a project will help harden power infrastructure to protect residents, essential businesses, and emergency service providers from hurricane-force winds, as well as upgrade poles and wire to withstand 150-mph winds and lightning strikes. As a result, the project should decrease the risk of power outages to residents and critical facilities.

Having served as a firefighter and emergency manager at most levels of government, I understand—as you do—what disasters mean from the local stakeholder perspective. From my current position, I see the unwavering dedication of our FEMA workforce to supporting people across our nation before, during, and after disasters, facing what is, in many cases, the worst tragedy of people's lives. Our FEMA workforce demonstrates the very best of America, and I am committed to supporting them in every way possible. I ask you to ensure that the workforce has the resources it needs for its mission—to help protect the lives, homes, and well-being of the American people at times when they need our help the most.

Thank you for the opportunity to testify. I look forward to answering your questions.

Mr. PERRY. Thank you for your testimony.

We will now turn to questions for the Administrator. The Chair now recognizes himself for 5 minutes for questions.

Administrator Criswell, it probably is no surprise to you I don't sometimes agree with my colleagues on what the role of the Federal Government should be in disasters, but I do believe whatever the Federal Government's role is, it should be efficient and actually help people.

I recently learned of a situation in which a small business contractor has waited months, I actually think it is years now, to be reimbursed for emergency work. And I have heard of some contractors literally waiting years.

I used to be a business owner, and your receivables are important. It is how you plan on being able to pay your employees, grow your business, pay your taxes, pay your insurance, buy equipment, et cetera.

How do we expect private-sector partners to step up following disasters if they can't count on your administration?

I would imagine if you think you are working for the Federal Government, that would be a guaranteed paycheck as long as you do the work to standard and as required. But if you are going to wait months and years to the point now where this one particular company is laying off its staff because they can't be paid by you, how do you expect anybody to be willing to work for FEMA in a moment of crisis where you have to move quickly, you are in a hurry, everybody's in a hurry because people are suffering the effects of the disaster? What is your answer to that? How does that get solved?

Ms. CRISWELL. Chairman, I obviously don't have the specifics of the company that you are speaking of, but we work through our States and with our local entities to reimburse for the work that is being done as they rebuild after these storms.

Part of our process is to make sure that we are collecting all of the appropriate documentation for the work and making sure that it is done in alignment with—

Mr. PERRY [interrupting]. So, if it is done and all the paperwork is in, in this particular instance—and I don't want to mischaracterize anything, you or them, so, I am not going to name that company, but we can talk offline about it.

Everybody is doing this, right? They went in and did the work. They relocated their people. They did the work. The disaster is over. Everybody is happy with the work, but yet there are millions and millions of dollars unpaid now for years.

Ms. CRISWELL. Chairman, every situation, obviously, is specific and unique to that situation. I would be happy to get with you offline and better understand the specifics of what you are talking about. And I will be happy to break through any barriers that we have.

Mr. PERRY. But you understand that other contractors that are watching that circumstance are going to be reluctant to respond in a similar circumstance if they know that they are not going to be paid for years in the tune of millions of dollars. You understand that, right?

Ms. CRISWELL. Again, Chairman, I don't know the specifics of which one you are talking about. We reimburse billions of dollars—

Mr. PERRY [interrupting]. I know you do.

Ms. CRISWELL [continuing]. Every year to communities and States to do the recovery and rebuilding work. It is unfortunate that there is one specific example that you are talking about, but I am happy to work with you on resolving that.

Mr. PERRY. OK, ma'am. The devastation in Maui draws concerning parallels to the Camp Fire in California and the role of PG&E in that fire. In fact, the Wall Street Journal has reported that Hawaiian Electric is seeking legal advice from PG&E and itself in how to deal with the consequences of their actions.

The Maui fires, like the Camp Fire in California, appear to be the result of net-zero policy, diverting resources away from fire mitigation towards renewable energy. Now, that is not on you, that is their decision, but this does mean the victims of the wildfires are the victims of self-imposed, irresponsible, and now deadly climate policy-created disaster. It wasn't the consequences of CO2. It was the consequences of these policies that destroyed their property, killed their loved ones, and ended over 100 lives.

The net-zero madness started in 2015, when Hawaii became the first State in the Nation to mandate a transition—mandate—require a transition to so-called renewable energy by 2045. And they said they would reach the net-zero benchmark 5 years ahead of schedule, then retired two conventional powerplants and sought to replace them with 900 megawatts of renewable power.

The same year, after one of the worst wildfire seasons in Maui to date, Hawaiian Electric identified the significant risk of wildfire to their system and the need to implement mitigation efforts. They identified it. But then they prioritized renewable energy over fire mitigation. To date, little or no mitigation work has been completed. Instead, they spent millions on this transition to renewable energy.

This is a concerning trend of policy-induced wildfires, and it raises a lot of questions about the cost associated with rapidly transitioning under mandate, not under market, under mandate to unreliable technologies at significant cost to the ratepayer and, obviously, devastating consequences to homeowners.

Making matters worse—I will just go on a little bit here, and I will truncate my remarks on that, but let me ask you this. This has become the policy of not only Hawaii but many Western States where wildfires are prevalent. Should the American taxpayer, through FEMA—should the American taxpayer, through FEMA—be responsible for paying for recovery efforts if States are diverting money away from mitigation efforts to misguided net-zero policies that actively exacerbate fire conditions and endanger the citizens of those States? Should the taxpayer be required to pay for that?

Ms. CRISWELL. Chairman, we are seeing an increase in the number of wildfires across the U.S., and—

Mr. PERRY [interrupting]. I don't know that that is true. But regardless, what I am talking about is what is causing them. Policies are causing the wildfires. People are losing their lives and their property. Should the rest of America be paying for that when that can all be avoided? That is the question.

Ms. CRISWELL. FEMA's role should always be to go in and support the response and recovery of communities that are impacted by any type of severe weather event.

Mr. PERRY. Regardless of poor management decisions that are life-threatening?

Ms. CRISWELL. But we also have several programs that help communities invest in mitigation to reduce the impact. That is a focus that we need to continue to work on together.

Mr. PERRY. Are you doing anything to reduce the impact of these net-zero policies?

Ms. CRISWELL. To reduce the impact of severe weather events—

Mr. PERRY [interrupting]. No, net-zero policies. That is my question. Are you doing anything to mitigate them so these people's lives and homes can be saved? Are you doing anything in that arena?

Ms. CRISWELL. Our focus, Chairman, is to work with communities to reduce the impact of whatever the risk is that they are facing.

Mr. PERRY. OK. So, the answer would be no. I thank the gentlelady.

And I yield to the gentlelady from Nevada, Ms. Titus, for questions.

Ms. TITUS. Thank you.

I am still trying to figure out how using renewable energy causes fires, wildfires, but I guess there is an explanation for it. Trees explode. I don't know.

Anyway, we know that the balance is down to \$2.4 billion in the relief fund. That sounds like a lot, but as we have more disasters, they last longer, they do more damage, and they are more expensive; this money is going to be gone very quickly. And I have been very vocal about supporting supplemental funding to the DRF and saying that it should pass the House without any social policy poison pills attached to it.

One area that you don't hear as much about, but it certainly is a partner of yours, is the National Weather Service. Now, the National Weather Service I think is one of the strongest Federal partners we have for emergency managers. We rely on their services daily to predict what is going to happen, forecasts, warnings, and decision support.

Now, the Republicans have proposed slashing the National Weather Service by \$200 million this fiscal year. I wonder if you can comment on how that will undermine some of your efforts or if you think that is a good idea.

Ms. CRISWELL. Ranking Member Titus, the National Weather Service is such a great partner for us and all of the sister agencies that go with that. You have the National Water Center, the National Hurricane Center, all of those components underneath NOAA. They bring us critical data and information as well as modeling to help us anticipate what the threats are going to be to a community so we can put the right measures in place to help protect them, whether that is as we are watching a storm develop and allowing us to pre-position resources into areas so we can perform lifesaving actions, to predicting what the future might hold to help better invest our mitigation dollars.

Any reduction in the ability for us to get that valued information, data, and modeling would have a significant impact on the safety and security of our communities across the Nation.

Ms. TITUS. It would negatively affect your ability to spend the taxpayer dollars in the most efficient way to save property and to, more importantly, save lives. Is that right?

Ms. CRISWELL. I think it would cause us to have an increase in the amount of money that we are spending on responding and recovering, because we won't have the accurate data to better mitigate against the future risks that they are facing.

Ms. TITUS. Thank you.

I want to ask you also your opinion and to tell us a little bit about what you think will be the results if we can get the Disaster Survivor Fairness Act that I mentioned in my opening statement passed. This seems to be supported by both parties. It seems to make us more efficient. It seems to be a way to speed things up, to be more equitable. It passed out of this committee unanimously.

Would you talk a little bit about how you anticipate that might be a good idea?

Ms. CRISWELL. I am very excited and very appreciative of the support of this bipartisan legislation. I believe that the Disaster Survivor Fairness Act is going to make a tremendous difference in our ability to help communities.

And there are a wide number of things that are covered in that, but there are three that I really want to point out for the committee. First, it is going to give us the authority to do direct repair to homes. This is going to be quicker, more efficient, as well as more cost-effective than the traditional programs that we use of manufactured housing or temporary housing units.

Second, it is going to give us the ability to also provide direct housing grants to States. We have worked with some of our States through our noncongregate sheltering program over the last year to see how much quicker they can implement some of these programs by giving them the ability for us to give them direct grants. We believe that will also increase the efficiency and the ability for States to better take care of their residents.

And then finally, and I think really important, it is going to give us the ability to streamline information sharing across our Federal agencies. Many of our Federal partners use our data to help influence how they are going to implement their disaster programs. If we can streamline that level of information sharing, it will make those programs quicker to get online.

Ms. TITUS. Thank you.

Well, we need your help advocating for this, because I think—I agree with you, I think it would make a big difference and be helpful, and we would like to see it pass.

Something else quickly I would ask you about are the firefighter grants that are set to sunset next year, next September: merit-based matching grants for local fire departments. Can you address those? Is that your advocacy for renewing those programs?

Ms. CRISWELL. Yes. The reauthorization of our Assistance to Firefighters Grants program is of critical importance, because our firefighters are the backbone of our first responders that are out there. And this grant program allows us to continue to build capacity in our fire departments, both volunteer and paid departments, across the Nation. And the ability to have this program in place—

if we didn't have it, it would definitely jeopardize our first responders across the Nation. You have my support for—

Ms. TITUS [interrupting]. And that is not just to fight wildfires; they have many other functions, as well.

Ms. CRISWELL. I am sorry, ma'am?

Ms. TITUS. It is not just to fight wildfires in the West.

Ms. CRISWELL. No.

Ms. TITUS. They have many other functions, as well.

Ms. CRISWELL. Yes. This is for all of our firefighters: structural firefighters, municipal, as well as, again, our volunteer agencies, a critical program to keep that capability efficient to support the needs that we are facing.

Ms. TITUS. Thank you. I yield back, Mr. Chairman.

Mr. PERRY. I thank the gentlelady.

The Chair now recognizes Representative D'Esposito. I am sorry, we thought that Chairman Graves would be here, but he is not, so we are going to go to Representative D'Esposito. Five minutes, sir.

Mr. D'ESPOSITO. Thank you, Mr. Chair, and thank you to Administrator Criswell. I appreciate you appearing in front of the subcommittee that I chair under the Committee on Homeland Security, the Emergency Management and Technology Subcommittee. And at that time, we discussed the ever-changing mission. Although FEMA has a mission, that mission has changed over the years and, obviously, most recently, in the disastrous southern border that we are dealing with.

FEMA recently announced in June that New York City was set to receive \$100 million from the Shelter and Services Program to address the ever-growing migrant crisis. Since then, as I am sure you are well aware, the problem has only worsened. And recently, Mayor Adams just last month, and I quote, said: "This issue will destroy New York City." He claimed that agencies may have to slash up to 15 percent from their budgets.

Now, prior to you being the Administrator of FEMA, you served New York City proudly for 2 years, and I appreciate you leading the Department of Emergency Management. But 15 percent from the budgets of departments like sanitation, the FDNY, the NYPD, emergency management, buildings, and on and on and on.

Has anyone from New York City been in contact with FEMA requesting additional funds to address the migrant crisis after already receiving \$100 million?

Ms. CRISWELL. Representative, we have been in continuous communication with the city of New York. My regional administrator maintains close contact on a regular basis as to understanding what their needs are. And the Department recently sent a team down there to do a deep dive with the mayor and his staff on what the current situation is and the needs that they have to have a better understanding.

The funding that we have through the Shelter and Services Program is a finite amount of funding. And so, we do recognize that they came in with a much larger request than what we were able to appropriate to them—

Mr. D'ESPOSITO [interrupting]. And how much have they additionally asked for?

Ms. CRISWELL. I don't have that number right in front of me, but it was well above what we had the ability to give, given the amount of money we had available.

Mr. D'ESPOSITO. I think part of the problem is—and as someone—and I appreciate all of your time that you spent in emergency management. As someone who has also spent his adult life in the emergency management world, we always ask ourselves, are we better off today than we were the last time we dealt with this issue?

And I think it's clear that Mayor Adams had no plan for being a sanctuary city. And when asked by FEMA, what are your needs and what do you need from us, he doesn't have an answer because there is no plan.

So, obviously, it is concerning that New York City continues to face the significant challenges that it does. You never want to hear the mayor of one of the biggest cities in the world saying that we have an issue that we are facing that we can't control that is going to destroy our city.

How is FEMA evaluating the difference between New York City and other cities and the intended purposes of this new program?

Ms. CRISWELL. The Shelter and Services Program, again, was directed by Congress. And the first part of that funding went out through our legacy program, the Emergency Food and Shelter Program for humanitarian. As we moved into the Shelter and Services Program and the delivery of this as a new grant program, we evaluated the data as it relates to releases as well as destinations to make our determination.

In the first part of the program, we had a heavier weight on releases, and in the second part in the first delivery of the SSP program, we did have a higher focus on the destination cities.

As we move into the next fiscal year, if this program continues to be funded, we are going to look at making this a more competitive grant program using current data, since the first delivery was based on existing data. But we know that the dynamics of the situation are real and that the data changes on a daily basis, and we want to make sure we have a better understanding of impacts to communities as we go into the next fiscal year.

Mr. D'ESPOSITO. So, in making these decisions, you and your team have obviously gone through more data than anybody probably ever wants to look at.

Do you believe that there is an immigration crisis facing us under the, I would say, failed leadership of the President and Secretary Mayorkas? Are we dealing with an immigration issue throughout this country, specifically in New York City, which borders my congressional district?

Ms. CRISWELL. Representative, I am not an immigration agency, but what I can tell you is that my agency will continue to focus on supporting jurisdictions that are managing the care of immigrants through our Shelter and Services Program.

Mr. D'ESPOSITO. And I appreciate that. I only have a few seconds, so, I will ask it this way: Are there resources that should be utilized in other areas of FEMA focusing on its original mission that are now being taken away because of the issues that we are

facing because of the failed policies of Secretary Mayorkas and President Biden?

Ms. CRISWELL. The only resources that we are contributing to this mission right now are through the delivery of our Shelter and Services Program and providing reimbursements to jurisdictions for some of the costs that they are incurring.

Mr. D'ESPOSITO. Correct. And if we didn't have this issue in place, we would be utilizing that funding for other things in FEMA.

Mr. Chair, my time is expired. I yield back.

Mr. PERRY. The Chair thanks the gentleman.

The Chair now recognizes the gentleman and ranking member of the full committee, Mr. Larsen from Washington.

Mr. LARSEN OF WASHINGTON. Thank you. Thank you, Mr. Chair.

Administrator, could you just clarify that last answer? Is the Shelter and Services Program diverting dollars from otherwise or is this allocated, appropriated dollars into that program that is in there, you don't control?

Ms. CRISWELL. The Shelter and Services Program was an additional allocation to our budget specifically for that program and not diverted from other programs.

Mr. LARSEN OF WASHINGTON. So, you didn't divert money from other programs in FEMA?

Ms. CRISWELL. We did not.

Mr. LARSEN OF WASHINGTON. Thanks.

Speaking of which, other programs, back to the Disaster Relief Fund. I understand you are implementing cost-saving measures until Congress passes supplemental disaster funding.

There are quite a number of projects, you noted the number, I noted the number, that are being delayed in terms of funding, one of which is in Whatcom County in my district. And we can all talk about our district. But for Washington State, that one program, the Hazard Mitigation Grant Program, funding delay is a little over 10 percent of the total amount in Washington State.

So, can you elaborate a little bit on the urgent need for supplemental funding, but how delaying projects that are funded in different programs can't be funded because of the delay and the problem with the Disaster Relief Fund?

Ms. CRISWELL. With the current health of the Disaster Relief Fund, again, we have been watching this very closely throughout the year, and I made the determination to implement Immediate Needs Funding, because our focus and our priority needs to make sure that we always have the resources available to support life-safety, life-sustaining activities.

Through Immediate Needs Funding, that is what we are able to do. What we do is delay the obligations for some of this other work. It doesn't mean that the work necessarily stops. It just means that we cannot reimburse jurisdictions for the costs that they incur as a result of that until the DRF is replenished.

Mr. LARSEN OF WASHINGTON. Is that because the money is reimbursed out of the DRF?

Ms. CRISWELL. It is reimbursed out of the DRF.

Mr. LARSEN OF WASHINGTON. So, if it is funded through the Hazard Mitigation Grant Program, which is for Whatcom County, that's, how I believe, where those dollars are coming from. Those

dollars are spent down, or does the DRF fund the Hazard Mitigation Grant Program?

Ms. CRISWELL. Our Hazard Mitigation Grant Program as well as our Building Resilient Infrastructure and Communities program are both funded out of the Disaster Relief Fund.

Mr. LARSEN OF WASHINGTON. OK. OK.

Ms. CRISWELL. And I think one of the things that we will see in smaller jurisdictions that aren't getting reimbursed for their projects, they are not going to be able to continue some of the work because of cash flow issues. And so, they will need the reimbursement for these types of projects so they can continue the work. Even though we don't stop the work, it is really upon them to figure out how they can continue to manage the work being done until they can get reimbursed with the Disaster Relief Fund once it is replenished.

Mr. LARSEN OF WASHINGTON. Yes, and other jurisdictions have this challenge. And Whatcom County does not have \$8.6 million sitting around to continue that work. Even, noting one—it is not my district, but Thurston County Fire District 3 is waiting on \$859. They might be able to find it, but my guess, it's probably a rural fire district as well. So, there is quite a range of communities that are being challenged here.

On BRIC, you most recently announced—and thank you for getting these BIL dollars out the door. We authorized the STORM program and funded it. And you, 2 weeks ago, announced the first \$50 million for STORM. Is that right? Have I got the number right?

Ms. CRISWELL. Yes, correct. We issued the first \$50 million under the STORM Revolving Loan Fund, a new program and a new type of program for FEMA to jurisdictions. And, again, this was oversubscribed, but we are really excited about the ability that this program is going to do to help jurisdictions with their cost share portion of some of these very difficult hazard mitigation projects so they can continue to build resiliency in their communities.

Mr. LARSEN OF WASHINGTON. Yes. Can you talk a little bit just briefly about that, because I think that is important to understand all this discussion, the challenges you have on climate change, challenges you have with the DRF, the challenges you have ensuring we are doing mitigation and resilience, the three big themes that I heard from you today; how STORM and the new money that we put in BRIC is helping you achieve maybe at least the mitigation and resilience, and helping you turn the corner on what FEMA is all about.

Ms. CRISWELL. Yes. Ranking Member Larsen, we are absolutely seeing an increase in the intensity, the severity, the length of recovery, the complexity of the types of severe weather events that we are responding to. And we will continue to respond to these events, but we have got to build resilience in these communities to reduce the impact from these events.

And the way we do that is through our mitigation programs, whether that is our HMGP program, which is funded after a disaster where States and jurisdictions have funding after a disaster strikes, or our BRIC program, which can provide funding for pre-disaster, helping them identify what types of projects are going to help make them more resilient.

But we know that these projects can be very expensive, and they all come with a cost share. And many of our jurisdictions do not have the funding necessarily to come up with that cost share. And where the STORM program really makes a difference is it can help a jurisdiction through this revolving loan fund to be able to complete these projects and come up with their match or do other projects that maybe aren't going to be funded under one of the Federal programs.

It's a critical tool to help communities achieve the level of resilience that they are going to need to have as we face a future of climate-related events that is increasing the impacts that we are seeing to communities across the Nation.

Mr. LARSEN OF WASHINGTON. Thank you. Thank you.

And just quickly, Mr. Chair, if you will just indulge me, in 2022, Washington State had 662 fires, according to our State DNR. This year, to this date, Washington State has had 1,855 fires that our State department of natural resources has responded to. So, at least for one State, wildfires are increasing. I just wanted to make sure that got established, at least for my State.

With that, I yield back.

Mr. PERRY. The Chair thanks the gentleman.

And the Chair now recognizes the gentleman from Mississippi, Mr. Ezell, Representative Ezell.

Mr. EZELL. Thank you, Mr. Chair.

Administrator Criswell, thank you for joining us today. I really appreciate it.

Before I was sworn into office, I promised my voters I would focus on flood insurance and flood mapping issues that directly affect my district in south Mississippi.

To combat the effects of active flooding, several of these counties are actively engaging in resiliency projects. Accordingly, FEMA is planning to spend \$3 billion this year on resiliency projects, in addition to several other agencies across the Federal Government.

Specifically, Jackson County, which is my home county on the Mississippi gulf coast, is relying on many of these programs to plan and build projects and improve drainage, enhance our shorelines, and protect our citizens from storms and flooding.

Ideally, these investments will provide better protection for properties and help lower flood insurance rates. However, because FEMA refuses to disclose the full algorithms used in Risk Rating 2.0, the county leaders are unable to plan and target projects where they will have the greatest benefits to my constituents, including lowering their insurance cost.

My question to you this morning: Are resiliency investments taken into account in the Risk Rating 2.0 algorithm?

Ms. CRISWELL. Representative, the most important piece about Risk Rating 2.0 is that it now bases flood insurance premiums on each home's unique flood risk, which means that it does take into account mitigation measures that have been put in place either by the homeowner or the community, and that is then directly reflected in the rate that the homeowner sees.

Mr. EZELL. So, it does, correct. Thank you. I will be submitting QFRs to provide more certainty on this and, due to time, I am going to move on.

Congress, similarly, has explored policies to improve the National Flood Insurance Program, which is unaffordable and unattainable in several areas in my district. I would like to submit the attached letter for the record I wrote to you in July on the topic.

Mr. Chairman, in accordance with committee rules, I ask unanimous consent to submit the letter for the record.

Mr. PERRY. Without objection.
[The information follows:]

Letter of July 28, 2023, to Hon. Deanne Criswell, Administrator, Federal Emergency Management Agency, from Representatives Mike Ezell, Garrett Graves, and Troy A. Carter, Submitted for the Record by Hon. Mike Ezell

CONGRESS OF THE UNITED STATES,
WASHINGTON, DC 20515,
July 28, 2023.

The Honorable DEANNE CRISWELL,
Administrator,
Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472.

DEAR ADMINISTRATOR CRISWELL,

Our constituents and stakeholders constantly express concerns with the availability and affordability of flood insurance. Individual discussions and Congressional hearings have been held over several sessions to explore policies that would improve the National Flood Insurance Program and encourage the development of the private insurance market. As Congress works to address the concerns surrounding flood insurance premiums, we are gathering information that will help ultimately inform policy solutions.

Recently, our offices were made aware of an innovative approach to disaster risk management, which we believe merits further study. The City of New York partnered with the private sector on a Community Based Catastrophe Insurance (CBCI) transaction that brings financial resilience to low- and moderate-income households¹ in the face of extreme flooding events. This transaction was the first of its kind; it creates a mechanism for communities to better understand their exposure to flood risk, develops an incentive to reduce the risk, and provides an ability for these individuals to recover more quickly following a disaster.

To help provide disaster insurance to a community, a CBCI can be arranged by a local government, quasi-governmental body, or a community group. Additionally, the coverage is designed to ensure rapid payouts to enhance the financial resilience of the local government itself and/or its residents. It also allows for increased accessibility and affordability of private insurance in an area of low take-up rates or insufficient coverage—thus decreasing the burden on the federal government, specifically the Federal Emergency Management Agency (FEMA). By increasing awareness of their exposure to natural disasters and their associated costs, communities are also incentivized to invest in risk mitigation to bring down insurance costs over time. This type of program is flexible and can be created to cover a single hazard or a range of natural disasters for a given community, including flood, extreme heat, wildfire, earthquake, and other forms of natural or manmade catastrophic risk.

Given the abovementioned structure of CBCI coupled with the potential taxpayer savings associated with local risk management and financial resilience measures, we would like to explore the public policy framework so we can better understand these types of transactions. Therefore, we respectfully ask you to answer the following questions:

- Section 406(b)(3)(A) of the Stafford Act, as amended by the Budget Act of 2018, provides FEMA with the authority to increase the minimum Federal share for Public Assistance on a sliding scale from 75% to 85% if a state has invested in hazard mitigation, purchased insurance, or taken other risk reduction measures prior to the disaster. When will this provision be finally implemented? Can you explain how FEMA is incentivizing state and local governments to self-insure, particularly for critical infrastructure?

¹ Evans, Steve, “Swiss Re, Guy Carpenter & ICEYE deliver NYC parametric flood insurance,” www.artemis.bm, March 7, 2023. See full article here.

- Under its current structure, applicants for Building Resilient Infrastructure and Communities (BRIC) receive extra points for providing a higher percentage match, which rewards communities with more resources. Since the cost share does not have to be financial, how is FEMA helping rural communities innovatively explore alternate uses of the cost share? Does FEMA have the authority to allow BRIC funding to be used for insurance premiums to fund and pilot CBCI transactions that promote community-wide financial resilience?
- Does FEMA have the authority to provide credits under its Public Assistance program to communities that purchase insurance (e.g., for PA recipients, provide a credit for hazard mitigation investments in the amount of insurance premium the community had paid)? If yes, will you incorporate this into the Public Assistance program policies?
- Does FEMA have the authority to allow the proceeds of a parametric insurance policy specifically tailored to cover losses not eligible under the Public Assistance program towards the state's Public Assistance matching requirement? If yes, please incorporate this into the Public Assistance program policies.

Thank you for your attention to this matter. Your response will help achieve our goals of encouraging public-private partnerships and protecting our most vulnerable communities.

Sincerely,

MIKE EZELL,
Member of Congress.

GARRET GRAVES,
Member of Congress.

TROY A. CARTER, SR.
Member of Congress.

Mr. EZELL. The letter references Community-Based Catastrophe Insurance, an innovative approach that allows for customized coverage and empowers local decisionmaking rather than a one-size-fits-all approach, further reducing the burden on FEMA by promoting self-resiliency.

I believe this approach could bring financial resiliency to lower and moderate income households often facing extreme flooding events and even save the taxpayer some money.

Can I have your commitment to exploring this approach to help better understand our State/county needs and individuals' risk that they face in extreme flooding cases? And does FEMA have the authority to use BRIC funding to support similar approaches? Simple answers will be sufficient.

Ms. CRISWELL. Representative, you absolutely have my commitment to continue to work with you on helping homeowners, one, better understand their flood risk, as well as ways that we can help reduce their costs. We know that many of this is unaffordable, which is why FEMA has put forth to Congress an affordability framework to help everybody have the ability to obtain the necessary protection that they need to help protect their families. And so, you have my commitment to continue to work with you on that.

Mr. EZELL. Thank you very much.

Promoting resiliency is only half the equation. With the rising cost of disasters, even the most resilient communities may still lack the financial resources to adequately respond to a disaster, leaving leaders to take out large sums of credit to cover the immediate cost of recovery.

While FEMA does provide assistance in reimbursing these advances eventually, more must be done to expedite/ease the financial burdens on these disasters.

Can I get your commitment to looking at proposals such as the FEMA Loan Interest Payment Relief Act as potential solutions to mitigate additional burdens placed on my community?

Ms. CRISWELL. Yes. We have a number of programs that help communities with their cash flow issues, because we understand that that can be a challenge. And so, you have my commitment to continue to find ways that we can improve upon that so we can help these communities rebuild and rebuild in a way that is going to make them more resilient.

Mr. EZELL. Thank you very much.

Mr. Chairman, I yield back.

Mr. PERRY. The Chair thanks the gentleman.

The Chair now recognizes Representative Holmes Norton.

Ms. NORTON. Thank you, Mr. Chairman.

Administrator Criswell, it looks like we've got a big double problem. We have got a worsening climate crisis, and we have got insufficient funds in the Disaster Relief Fund.

In my district, the District of Columbia, 13 Public Assistance projects totaling \$7 million have been put on pause, as well as a \$190,000 hazard mitigation project also on pause.

It is critical that we replenish the Disaster Relief Fund as soon as possible. Could you speak to the impact on communities and disaster survivors if Congress does not pass supplemental funding for the Disaster Relief Fund?

Ms. CRISWELL. Representative Norton, right now, we are closely watching the draw on the Disaster Relief Fund and want to ensure that we always have enough funding to support those life-safety, life-sustaining activities that need to happen, which means many of the projects like you described, our obligation and our ability to reimburse those jurisdictions is on hold.

The largest impact on that is their ability to continue with new projects until they can get reimbursed for the work that they have already done, and that will delay these communities in their ability to continue to recover.

Absent a supplemental, this just means that we are going to be that much further behind with what is appropriated or what is recommended in the President's budget for fiscal year 2024, and will further delay our ability to continue these long-term recovery projects in the months ahead.

Ms. NORTON. In your testimony, you emphasize the need for up-to-date disaster-resistant building codes. This issue concerns the residents of my district, the District of Columbia, which hosts a large number of historic buildings.

In what ways can FEMA aid in pre-disaster mitigation and resiliency of historic buildings?

Ms. CRISWELL. One of the programs that I am very excited and proud of is our Direct Technical Assistance program that we are doing under our BRIC mitigation program, Building Resilient Infrastructure and Communities, where we are going into communities and helping them envision what types of mitigation projects that they can do and helping them think through what maybe they hadn't thought of before.

And we have had great success in supporting a number of communities across the Nation to help them design and develop mitigation projects that are going to help protect their communities, especially communities that have such historic nature.

And we would be happy to work with you in better understanding some of the communities that you feel might need this type of technical assistance and then work with you to try to offer that.

Ms. NORTON. I would appreciate that, because that is a special problem here in the Nation's Capital.

Finally, we in the District of Columbia have seen extreme heat. Earlier this month, temperatures soared to at least 97 degrees for 5 straight days, breaking all historic records.

How does FEMA help State and local governments respond to extreme heat?

Ms. CRISWELL. One of the best things that FEMA does to help communities battle the impacts of extreme heat is through preparedness as well as mitigation. On preparedness, what we have done this year is we launched our #SummerReady campaign to help individuals and communities understand the things that they can do to help protect their families that are experiencing extreme heat.

But we also know that we have to help communities build resilient infrastructure to help support that, whether that is making sure that they have generators for cooling centers or white roofs to help reduce the heat inside buildings or adding green areas. Our mitigation programs can also be used to help mitigate the impacts of extreme heat for the future events that we are going to see.

Ms. NORTON. Thank you very much.

And thank you, Mr. Chairman. I yield back.

Mr. PERRY. The Chair thanks the gentlelady.

The Chair now recognizes Jennifer González-Colón from Puerto Rico.

Mrs. GONZÁLEZ-COLÓN. Thank you, Mr. Chairman, and thank you for bringing us together for this hearing.

And thanks to the Administrator for actually being here to answer many questions.

In my case, tomorrow is going to be the sixth anniversary of Hurricane Irma and Maria in Puerto Rico. And we are still in the process of approving and performing recovery work for municipalities, not-for-profits, faith institutions, individuals, and many others.

The recovery of the electric power grid of the island is still mostly in the planning stages, which is one of the agencies that I am most concerned with. And there has been historic funding, but there is a very real fear that between delays and cost increase, that there will be a missed opportunity, and I am worried that what was promised will not get done.

To that end, I know that the FEMA recovery page indicates that between all the various disasters in the past few years on the island, FEMA Public Assistance has allocated and obligated \$45 billion for Puerto Rico, almost all out of the Disaster Relief Fund, of which \$19 billion has been outlaid, that is, transferred from FEMA accounts to the accounts of the entities that are going to be responsible for the work.

And on the other hand, FEMA announced \$31 billion for Public Assistance projects. In COR3, the obligation is near \$1.9 billion. But because most of the municipalities or counties on the island are not-for-profits, do not have cash on hand or credit to start work

before reimbursement, the local institution, COR3, established a working capital advance system providing \$1.2 billion for agencies, municipalities, and not-for-profits.

However, yesterday, local press in Puerto Rico reported that COR3 announced that as many as two-thirds of those entities will have to return those advances due to not being able to have evidence of the use after a year, and that FEMA is aware and will get a report on this this week.

So, to that end, I am representing the island, so, I would love to have a copy of that report that you promised, or at least it has been said that FEMA promised to have a report on that relation of the funds between FEMA and COR3. As well, the Committee on Oversight should have that report.

My question, Administrator, does your agency have your own record on how much has been actually disbursed to Puerto Rico?

Ms. CRISWELL. Representative González-Colón, we are extremely committed into helping Puerto Rico recover. And since I have taken this position, I have met many times with Governor Pierluisi, and my team is still embedded in Puerto Rico—

Mrs. GONZÁLEZ-COLÓN [interrupting]. Do you have the amount that is being disbursed?

Ms. CRISWELL. And we absolutely have the amount. And since I have taken this position, we have funded over 10,600 projects that total \$30 billion. This is 2,800 projects that have begun construction across Puerto Rico and 1,800 that have been completed. Prior to me coming into this position, there were only 81 projects that had been completed—

Mrs. GONZÁLEZ-COLÓN [interrupting]. I know. I have been here all these years.

Ms. CRISWELL [continuing]. So, we have had a tremendous increase in the progress that we are seeing across Puerto Rico.

Mrs. GONZÁLEZ-COLÓN. Administrator, what I would love—because there is a lot of data and numbers and projects and entities that have been receiving the funds. If you can provide the committee information about where we are with the latest update of those funds for—not just the municipalities, COR3, and the electrical grid on the island, which is one of the major issues. And how many projects are right now still pending for approval or disbursement from FEMA? Because we have got the same issue with the local agencies, which is a completely different process.

Another issue that for me is important is, with the difference with the section 428 and 406, the cost of inflation for many of those projects has come up, and prices that were announced for funding in 2018 now may be bigger.

As an example, the hospital in Vieques was originally \$59 million, and now it is \$85 million. So, we have got many projects like that that may not have the full amount of resources to finish. And that will happen with the electrical grid on the island.

And I know my time is going to expire, but I would like the committee to have the precise data regarding the planning stages of the electrical grid on the island, how much has been disbursed, when do you expect that we actually have some construction or delivery of the upgrades of the local plants on the island, which is one

of the biggest issues and the biggest reasons the Congress did approve more than \$11 billion that is not being used.

And that is not your fault. But the people of Puerto Rico have been waiting for 6 years. And now the local agencies are telling you not to use power for a week because we don't have enough power to cover the whole island when the funds are being assigned.

So, having said that, I will provide the committee as well with a list of questions regarding this, and I will hope that the FEMA Administrator can provide that to the committee, and, as well, to our office.

With that, thank you, Administrator.

Ms. CRISWELL. We would be happy to provide you answers for the record.

Mrs. GONZÁLEZ-COLÓN. I yield back.

Mr. PERRY. The Chair thanks the gentlewoman.

And the Chair now recognizes the gentleman from California, Mr. Huffman.

Mr. HUFFMAN. I thank the chair.

Administrator Criswell, I want to spend my time asking you about something that is really at the core of FEMA's work, and that is the question of who gets FEMA disaster relief and who doesn't.

And let me first say that I am a big believer in the mission of your agency. I think it is one of the great things that our Federal Government does to make sure that that FEMA disaster relief is there for devastated communities, no matter where they are, no matter what their politics are. And I want to commend you and your colleagues for the dedication that you bring to this critical work.

I represent the North Bay and the North Coast of California, so, I have seen firsthand what a difference that disaster relief can make for devastated communities. But I have also seen what happens when there is a devastating natural disaster that doesn't quite trigger FEMA disaster relief, and I have seen how inequitable that can be.

My district includes a lot of rural, less-affluent communities as well, and we have an equity problem when it comes to this mechanism. We leave a lot of rural, less-affluent communities behind. And with the climate crisis bringing us more and bigger disasters, we really need to tackle this equity problem now to get ahead of it.

So, I told you a little about my district. We have got earthquakes. We have got tsunamis. We have got wildfires. It is sort of the poster child for this problem because FEMA's arbitrary and inflexible financial damage threshold can leave devastated communities behind.

I will give you an example. In 2017, the Helena Fire burned 72 homes in Junction City, Trinity County, one of the smallest, poorest, rural counties in California. That took out 15 percent of the county's housing stock: 15 percent of a county that has modest homes, so, the property values were not high enough to reach the threshold. And, of course, the county government lacks resources. This is a struggling community. And so, they didn't get that FEMA disaster relief.

In December 2022, a 6.4 magnitude earthquake struck the small town of Rio Dell in Humboldt County. It took out about 25 percent of the city's housing stock, an estimated \$26 million in overall damage, a total of \$35 million in damage to the county. But, again, this is a rural struggling county. It didn't meet the threshold.

If you took the same disaster and it happened in an affluent place—Pebble Beach, any number of other places—and maybe took out a small fraction of the homes, you would have no problem triggering Federal disaster relief. But these communities were left without that support.

The flip side of that, in 2011, there was a massive earthquake in Japan that triggered a tsunami that just wrecked the Crescent City Harbor in Del Norte County in my district. The damage was about \$50 million. Again, just short of the threshold to get disaster relief.

But we got lucky because that same tsunami also hit a harbor in Santa Cruz farther south in the State where some very fancy yachts were parked. And because those yachts enabled the damage tally to go a little higher, Crescent City did qualify for Federal disaster relief. But imagine if some of those fancy boats had not been parked in the harbor at that time. We would have been left with nothing.

So, Administrator Criswell, it seems to me that this is fundamentally unfair. And, again, with more disasters coming, we really need to provide more flexible, equitable ways for devastated communities to qualify for Federal disaster relief from FEMA.

And my staff will be presenting you with a letter today. I am asking you to work with us on this important issue. I believe you have existing authority that would let you do a rulemaking to provide that flexibility and equity. But if you need new authority, additional authority, I hope you will please let us know, and we will get to work to make it happen.

Let me just leave it there and ask for your response, and I am really hoping to hear a commitment to work with me on this critical issue.

Ms. CRISWELL. Representative, you make some very good points. And it really does show why one of my priorities has been equitably delivering our programs.

When it comes to declaring a disaster, we have a number of factors that we take into consideration: Whether the State has the capacity to support it and not just the local jurisdictions, but also the amount of insurance and the amount of damage. I mean, it can be very complex.

And that is why we are continuing to work on ways that we can improve the way we are delivering our programs but also better understand the barriers that communities, just as you mentioned, are experiencing to being able to get the assistance that they need in order to properly recover from these disasters.

And so, you have my commitment to continue to find ways that we can improve the way we are delivering our programs and ensuring that everybody who is eligible for our programs has access to that assistance.

Mr. HUFFMAN. All right. Thank you.
I yield back.

Mr. PERRY. The Chair thanks the gentleman.

The Chair now recognizes the vice chair of the subcommittee, the gentlelady from Oregon, Representative Chavez-DeRemer.

Mrs. CHAVEZ-DEREMER. Thank you, Chairman.

It is nice to meet you. I know we have not officially met, but as a new Member of Congress, I am grateful that you are here today to answer the questions that we have.

So, Administrator Criswell, given your background at FEMA and in Colorado as a firefighter and a fire chief, I am sure you have a unique and deep appreciation for the devastation caused by wildfires. One of my highest priorities is to find solutions to help Oregonians address the challenges of wildfires.

On the House Committee on Agriculture, one of my top farm bill priorities is to properly equip our firefighters to get these wildfires under control and prevent them from getting out of hand in the first place. So far, I am championing nine legislative items in the Congress to tackle these important issues, and this is an issue that I will continue to focus on.

In 2020, the State of Oregon experienced its most devastating wildfire season on record, the Labor Day Fires, which actually began in August and lasted until November. According to the Oregon Department of Emergency Management, the wildfires burned over 1 million acres, about the area of Rhode Island. It affected 20 counties, destroyed or damaged over 5,000 structures, and resulted in over \$600 million in damage across the State.

The city of Detroit in Marion County was especially devastated by the fires, and my office continues to work with the city to help that community and region recover. In fact, this location was a required stop for my new staff. I had DC go to Oregon to understand what was most important to me and to visit as we set up our new offices.

One specific area of frustration brought to my attention concerns Detroit's application to obtain unobligated funds for a water treatment plant. This process continued and has continued for 3 years after the fires.

Detroit dutifully completed their paperwork and met FEMA's engineering requirements. However, high turnover at FEMA has forced the city to reexplain the application and rejustify each aspect of the project multiple times. The application is for \$5.7 million.

Completing the Federal paperwork and meeting standards is hard enough, but how is it fair to require a small community to essentially recomplete it over and over again for 3 years?

So, my question to you is, can you offer any assurances today that FEMA will give the pending application full and fair consideration?

Ms. CRISWELL. Absolutely. Representative, I will follow up on this personally and ensure that this application is reviewed and that we are giving it full and fair consideration based on the application that is submitted.

Mrs. CHAVEZ-DEREMER. I am happy to follow up. I am happy to meet with you offline. One of the things I like to do is open my office to get the work done. We have to move the ball down the field.

And oftentimes, after testimonies like this, it doesn't happen. So, I am committed to get this application moved forward.

Regarding the high turnover, what steps can FEMA take to help ensure the Agency is able to retain basic institutional knowledge when someone leaves? And then how can we reduce the burden on the applicant to bring someone new up to speed on an application such as this?

Ms. CRISWELL. The retention and the recruitment of our workforce is so critical. The majority of the personnel that we have, again, are our reservists. And they are the backbone of what we do, which is why we are very grateful to Congress for the passing of the CREW Act, which gives them USERRA protections. And we have now a broader pool of people that I feel we can recruit from.

And I have talked to reservists firsthand out in the field about how they are already benefiting from this piece of legislation, which is increasing the number of reservists that we can potentially account on.

We are also offering new incentives. We are offering recruitment bonuses as well as administrative time off for our reservists after they demobilize. These little steps, I think, are also increasing the desire of our workforce to be able to bring in new people, but also helping them understand that we are there for them and that we recognize the value that they bring, and it makes them excited about their continued work in supporting survivors before, during, and after disasters.

Mrs. CHAVEZ-DEREMER. Mr. Chairman, I see my time is going to expire, so, I will yield back.

Mr. PERRY. The Chair thanks the gentlelady.

The Chair now recognizes the gentleman from California, Representative Garamendi.

Mr. GARAMENDI. Thank you, Mr. Chairman.

You have got a tough job, Ms. Criswell. You really, really do. All around this Nation, there is some sort of a disaster going on almost all the time. And thank you. Thank you for your efforts. Thank you for the work that you and your team do. Obviously, all of us believe it to be extremely important, the recovery piece of it.

Now, there is always a problem. And some of these problems are—in the scope of the issues you face, would seem to be mundane.

We had a COVID crisis a couple of years ago. There were shutdowns. There were individual—counties housed homeless people in separation so that they might not get sick or infect the community. One of those counties I happen to represent is awaiting reimbursement for their program.

Region 9 made a decision that they wouldn't be paid. That decision appears to be contrary to your national guidance. We would like for you to look into it. We will get you the specific information, and if you would take a look at it.

It has to do with not a great amount of money in the scope of what you are facing, but nonetheless important to Contra Costa County. So, if you would take a look at that. Try to align your guidance with the region 9 determination to not reimburse.

Now, having said that, I will just let that hang out there. We will get you the specific information, and if you will follow up, we would appreciate it. But in the scope of the issues you have, good luck.

We will never be able to deal with disasters unless we continue to press for mitigation. And the mitigation is one of your tasks. And there are a couple of mitigation programs that are of concern here, specifically, the mitigation having to do with water infrastructure.

One of your programs does not seem to provide for firefighting water infrastructure. It may be a hydrant. It may be a tank. Could you please take a look at that? And if we are going to mitigate, for example, the Camp Fire or Lahaina, how do we do it without water and the water infrastructure?

You have a program that can deal with that, and we need to make sure that that would be included. Again, we will get you specific concerns that we have in California about that.

The final point is your revolving loan fund program. If it works, it would provide the State with money that they can then pass on to counties, cities, and others to get ahead of the problem by using that money to develop mitigation programs.

However, you have awarded that to seven States—about \$50 million to seven States and the District of Columbia. You have about \$100 million available. So, how about the other \$50 million? Maybe you have as much as \$200 million. It is not exactly clear how much money is in this revolving loan fund program.

Can you push the money out, or is that money now being allocated for the disaster recovery? Please take a look at that. Obviously, California and other States who have spoken here today—their Representatives have—what is the status? Can you push the rest of that money out, or is that going to depend upon the additional money that we must provide to FEMA?

I don't know that you are up on this issue now. If you are, I would love to hear your comments. If you are not, I am sure you will get back to us.

Ms. CRISWELL. Representative, the STORM Revolving Loan Fund is such an incredible tool to help our communities build resilience in areas where perhaps they don't have the funding to front some of the costs or even to cover the cost-shares for some projects. So, we are very excited about this program.

When we first got the authorization and the funding for this program, we wanted to make sure that we could get a portion of that funding out as quickly as possible. And so, that is why we did a partial Notice of Funding Opportunity for the initial \$50 million that you mentioned.

This program also requires—it is a first-of-its-kind program. And it also requires that our State and our local partners build capacity to be able to administer such a program. And so, while we did an initial Notice of Funding Opportunity, we have also been working with our State and local partners to help them establish programs so they can administer this.

And as we continue to go forward with this program, we will be issuing our Notice of Funding Opportunities for the full amount of this program going forward while we continue to work with building their capacity.

Mr. GARAMENDI. I am out of time, but my final comment is, I very, very much appreciate the task that you are doing and the extraordinary importance of it. So, know that at least some of us want to really support you. Thank you.

Ms. CRISWELL. Thank you.

Mrs. CHAVEZ-DEREMER [presiding]. Thank you.

And with that, I will recognize the gentleman from California, Mr. LaMalfa, for 5 minutes.

Mr. LAMALFA. Thank you, Madam Chair, and for the committee members for allowing me to sit in today. I appreciate it. A very important topic.

And so, Ms. Criswell, thank you for your efforts with FEMA and the difficult times.

Pivoting off of what Mr. Huffman said a while ago with tsunami and earthquake and wildfire and flood, I think we can add pretty much all of that in the area I represent adjacently. And who knows? Maybe volcanic eruptions someday with the possibilities.

But I wanted to—in terms mostly of wildfires, my area has been devastated several times. Mr. Garamendi mentioned the Camp Fire right in my backyard, Paradise, California, only to be eclipsed by Lahaina in the loss of life. Incredible. And the Dixie Fire in 2021, 1 million acres. Lost the town of Greenville and Canyon Dam.

So, the Lord has blessed us with much rainfall and snowpack this year, so, we are not feeling so much of the size and scope of a wildfire that we have been kind of used to lately.

But I wanted to speak with you about some of the practical matters again. It is hard to get things out the door quickly enough, and we understand that. There was some really great work done by FEMA working with Cal OES and the local governments on those other fires. Kind of having to build from the ground up on wildfires since it hadn't been quite the big area that FEMA had to do in the past.

But we are still having trouble on timing of things like that and getting—whether it has been the housing, the trailers and things. I want to touch on what is called the North Complex Fire centered in Butte County, California, the town of Berry Creek. And you might well be familiar with this.

The Lake Madrone area of that in the North Complex Fire was very impacted, including their water delivery system for the community. And they have nothing there. So, the water system was wiped out.

So, the district, their water district submitted several Public Assistance claims, but it took years for the submission, then a denial, then an appeal, a denial again to take place for that assistance. And during that time, what was there of the water district—the infrastructure—was allowed to deteriorate even more. Part of it may well have been salvageable, but we couldn't get the teams out there. We couldn't get the coordination amongst everybody to look at the district and see what it really was going to be and what level.

So, FEMA didn't meet their required deadlines to respond on that. So, a lot of time and effort and maybe valuable infrastructure was lost.

So, especially a really small town like that—like kind of what Mr. Huffman was talking about—are extremely impacted because they have limited staff, a limited ability to apply for this or ask for grants and things like that.

So, what I would ask you is that—if you could take, at your level, another look at Lake Madrone of the North Complex Fire in northern California and see if you really believe they got a fair shake on that. Because they absolutely need the assistance, and so much time went by before the—they are just on the short end of it now.

And then overall, I would like to see if we can commit the coordination with the State folks more—like Cal OES in our case—so our applicants can know what the resources can be more quickly and respond to that so there is less local suffering, basically.

So, would your office be able to work with mine and with HUD as well as California's entities to find a way to compact these timelines and not have these unnecessary delays?

Ms. CRISWELL. Absolutely. On the first point, we will certainly take a look at the case that you mentioned. I obviously don't have the specifics on that here, but I am happy to take a look at that.

And we have worked over the last 2 years to really figure out ways that we can be better engaged with our customers and have more, again, of a people-first approach, customer-centric approach to the way that we are delivering our programs. And sometimes it just takes that one-on-one communication.

And so, you do have my commitment to make sure that we are doing everything we can to work with the communities within your district but across California and the rest of the country to better understand that.

Mr. LAMALFA. I appreciate it. On the Madrone one, it took strong effort by my staff to finally say, everybody come to one meeting and meet on this. And it did happen, but it was quite a long time after the fire and the deterioration.

One last one is that we need to look at things that happen post-wildfire that aren't necessarily the fire directly but have a direct—mudslides. Let me talk about that. OK.

Mudslide issues, we can tie directly back to the cause, being the wildfire. So, we need to have aftereffects taken into account, too. So, do you think we can look at that process so that mudslides directly related to a fire could be part of that conversation?

Ms. CRISWELL. It is definitely one of the concerns that we always have after a wildfire. And we do have post-wildfire hazard mitigation assessment teams that will go into communities and better understand what the cascading impacts might be and what types of mitigation projects we need to put in place now to help protect those communities.

So, you have my commitment to continue working on that, and we are happy to provide your staff a briefing on what that work does.

Mr. LAMALFA. Thanks very much. And then I will just mention in 5 seconds, a pre-positioning of resources for wildfires would be a key component as well going forward.

So, Madam Chair, thank you for the time. I yield back.

Mrs. CHAVEZ-DEREMER. Thank you, Mr. LaMalfa.

The Chair will recognize Mr. Carter from Louisiana for 5 minutes.

Mr. CARTER OF LOUISIANA. Thank you, Madam Chair.

And thank you, Administrator Criswell, for being here with us today.

There are at least five major Army Corps of Engineers projects being held up in my district currently due to a funding gap. With INF having been implemented and the DRF—Disaster Relief Fund—running low, what happens if this fund is not replenished by Congress?

Ms. CRISWELL. Congressman, the projects that you currently mention, the obligations are on hold because they are not life-saving, life-sustaining projects, and we want to continue to reserve what is left of the DRF to support those efforts for things like we saw in Hurricane Idalia or in the Maui wildfires.

As soon as the DRF is replenished, you have my commitment to begin reimbursing these projects on a first-in, first-out basis. And we will work around the clock, 7 days a week, to expedite those payments, but we cannot do so until the DRF is replenished.

Mr. CARTER OF LOUISIANA. We know that the timeframe that we previously have known as hurricane season is dramatically extending year over year. If a \$2.4 billion storm were to hit right now and empty the DRF, what would happen if a subsequent disaster struck with the Disaster Relief Fund sitting on zero?

Ms. CRISWELL. We are monitoring our Disaster Relief Fund very closely, which is why we implemented the Immediate Needs Funding.

If we have another catastrophic event that happens at the same time, we will continue to prioritize those most critical lifesaving activities to ensure that we have the resources that can go into communities and save lives and continue to delay the obligations for the recovery projects and then perhaps, if needed, for some of those life-sustaining projects that are happening so we can focus our efforts on life safety.

Mr. CARTER OF LOUISIANA. We know that these storms come harder, come faster, stay longer, and leave more devastation in their path. We also know that there is a looming chance that the Government can shut down or even have a continuing resolution.

In the case of such a drastic act of shutting down the Government or having a continuing resolution that freezes funding, what does that do to your agency and all of the ongoing natural disasters that you are currently facing?

Ms. CRISWELL. Should a lapse in appropriations occur, then anything that would remain in our Disaster Relief Fund carryover balance would be moved forward. But given our current state, it would be insufficient to cover all of our ongoing lifesaving operations, and we would, again, have to continue to reduce the scope of what it is that we are supporting in our operations.

We would be legally able to incur obligations for activities necessary for lifesaving and protection of human life, but, again, we would have to further reduce those types of lifesaving operations that we are working on based on the amount of funding that we have available.

Mr. CARTER OF LOUISIANA. Isn't it true that such an action of shutting down the Government or having a continuing resolution that drastically impedes your ability to provide resources, impacts Democrats, Republicans, Independents, and the like throughout our country?

Ms. CRISWELL. A lapse in appropriation for FEMA's Disaster Relief Fund has an impact on everybody across this Nation from, again, our ability to do lifesaving actions in a number of places as well as ongoing recovery projects regardless of where they are at.

Mr. CARTER OF LOUISIANA. As a result of climate change, deadly heat waves have gripped our Nation from coast to coast. What step is the Agency taking to mitigate heat hazards in our community?

In my State alone, wildfires that we have are unprecedented in Louisiana. Bayou Sauvage burning out of control. Share with us what measures you are taking.

We see this happening more and more in places it has never happened before. People that have never suffered these calamities are now dealing with them. Share with us what actions your agency is taking to address them.

Ms. CRISWELL. Yes. I think, Representative Carter, what you have described is this convergence of multiple climate-related hazards that are coming together on communities in ways that we haven't seen before, where decades of drought combined with extreme heat are creating unprecedented wildfires in areas or heat domes in areas that are lasting longer than they ever have.

Our mitigation programs definitely can help support communities to better understand the types of threats and risk that they not just face today, but the risks that they are going to face in the future, and how we can use our mitigation funds to help mitigate and reduce the impact of these risks, whether it is creating green space and white roofs to reduce the impact of heat, or hazard mitigation to help reduce the spread of wildfires in communities that have that type of threat.

Our mitigation programs are so critical to helping communities across this country better understand what their risk is and how we can help reduce the impact so they don't have these long, complex recoveries, but most of all, that we can save lives.

Mr. CARTER OF LOUISIANA. Thank you very much.

My time is up. And, Madam Chair, I am just going to end with this statement because I will never pass up an opportunity when in your presence to talk about Risk Rating 2.0 and the devastation that it has, particularly on Louisiana, but in multiple other States. And I will continue to encourage that we put our heads together.

Thank you for the time that you have spent in discussing back and forth this issue that is far yet resolved. But I thank you for the efforts, and I implore you to continue working with us in a bipartisan way to address the issue of Risk Rating 2.0 that is devastating, particularly for Louisiana.

Thank you, ma'am. I yield back.

Mrs. CHAVEZ-DEREMER. Thank you, Mr. Carter.

The Chair looks forward to yielding to Mr. Graves from Louisiana for 5 minutes.

Mr. GRAVES OF LOUISIANA. Thank you, Madam Chair.

And I want to thank my friend from Louisiana for bringing up some local issues, and I want to pick up where he left off.

Administrator, we had a chance to cover some ground in Louisiana in the past and talk through a number of issues. And in this case, I want to talk about where Mr. Carter left off, and that is Risk Rating 2.0.

You are part of the Federal Government. When it is comprised of our hundreds of millions of citizens, we, I think, thrive on transparency and accountability.

The fact that FEMA has continued to hide behind this proprietary model and the methodology for determining rates for Risk Rating 2.0, Mr. Carter and I are incapable of explaining to the people that we represent why their rates have gone from \$560 a year under preferred risk to \$8,000 or \$9,000 a year. It is not OK that we can't explain it. It is not OK that FEMA tries to hide behind this proprietary model.

And I just want to ask you, would you make transparent the methodology and allow us to explain to our constituents why their rates are skyrocketing, explain to our constituents how levee protection and other features are actually benefiting them, and that, in many cases, property taxes, sales taxes, and appropriations Congressman Carter and I and others have been able to secure are actually making them safer?

Ms. CRISWELL. Congressman, Risk Rating 2.0—I believe one of the most important factors about Risk Rating 2.0 is that it bases our flood insurance rates on a home's unique risk. And while we have seen a significant amount of policies across the Nation that have had decreases, we also know that, now that we understand a home's unique risk, many of the policies—many of which are in Louisiana—their rates have gone up.

We have provided several reasons—

Mr. GRAVES OF LOUISIANA [interrupting]. That is not answering the question on transparency. The question is transparency. I can't explain to a constituent why their rates have doubled, tripled, quadrupled, or what have you. I can't explain to a constituent how the levee that is right behind their house actually provides them a level of protection if FEMA is refusing to be transparent.

You are part of the Federal Government. This lack of transparency, it is not OK. And the fact that you have some places where rates are skyrocketing, when these people are, according to your maps, outside the flood zone—like, it doesn't make sense.

And something—if we are just going to talk common sense for just a minute. Homes are static structures in many cases. They are a concrete slab of grade. I understand we've come in and elevated them under ICC and other programs.

But in reality, the people complied with the rules at the time they built their home. In some cases, these homes have been here for hundreds of years. And all of a sudden, we are going to come in and change conditions on them? And we are going to refuse to provide any degree of transparency?

I would like a commitment from you that you are going to be transparent and provide the methodology to the American public, let people look at it, understand it, and perhaps perfect it.

Ms. CRISWELL. Congressman Graves, we continue to provide briefings to your staff and others on how we have developed—

Mr. GRAVES OF LOUISIANA [interrupting]. I will take that as a no.

And as we are talking about lack of transparency, I want to talk about something else.

There was a meeting that was held at the White House on May 11 of this year with the National Security Council, FEMA, and others talking about NSC stepping in and taking over, effectively, coordination of disasters or emergencies. That is what Congress charged you to do.

Can you shed any light on what this is that the White House is coming in and taking this over? Can you share documents with the committee and help us understand this better, since we are the ones who actually write the laws?

Ms. CRISWELL. Thank you for that question.

Recovery is and will remain one of the core functions that FEMA does, and we are always looking for ways that we can improve on how we deliver not just our programs, but help coordinate the Federal family for long-term recovery.

Maui is a great example of how we have set up a long-term recovery operation in the county with the State using the leadership of our State and local leadership to help drive the requirements.

There is always room to improve. And one of the things that we are working as a result of Hawaii with the NSC on is bringing together our Cabinet Secretaries to help ensure that they have visibility of all of the things that their programs and their agencies are doing on the ground.

That is the commitment that I have to continue to support communities like Maui with these long-term recovery operations: Making sure that FEMA sustains their role of being that agency that has the ability to coordinate across all Federal agencies.

Mr. GRAVES OF LOUISIANA. So, Administrator, look. You have got a tough job. You do. And I appreciate your willingness to do it. Every time you step in, it is because there is a disaster. That is not an enviable position.

But I want to be clear that the Congress has charged you with that responsibility. And if there is some proposed change there, this committee deserves transparency to make sure that we believe it is consistent with the law and congressional intent. And I just want to ask your commitment to provide us transparency on this as well.

Is that a commitment that you are willing to provide?

Ms. CRISWELL. Yes, sir.

Mr. GRAVES OF LOUISIANA. Thank you.

Last thing, and I know, I will be quick here.

Duplication of benefits drives me crazy because I watch our Federal Government be incredibly inefficient. We have resiliency programs or mitigation programs in FEMA, in Corps of Engineers, at HUD, in Interior, at Department of Agriculture, in NOAA, and many, many others.

We explicitly wrote a change in the law in DRRRA in 2018 that said that duplication of benefits with Corps of Engineer programs and HMGP does not exist, meaning you can pay for it through HMGP. Yet, I have watched where FEMA has refused and said

that you could not provide HMGP funds to a Corps project that was in the 7001 report, that I will make note does not mean it is funded.

Yet, you have had the situations where Washington, DC, has gotten funds for, quote, “tree equity.” I don’t know what the hell that is. Gotten money for tree equity. Meanwhile, Portland has gotten funds through similar programs.

So, why is it that, if the Forest Service is going to fund urban tree planting, how come FEMA will fund it as well through BRIC? Why isn’t that a duplication of benefits?

Ms. CRISWELL. I don’t have the specifics of why we do or not—

Mr. GRAVES OF LOUISIANA [interrupting]. Could you please get us an answer on that.

Ms. CRISWELL [continuing]. But I would be happy to follow up with you on that.

Mr. GRAVES OF LOUISIANA. Thank you. I appreciate it.

I am sorry for going over. Thank you, Madam Chair.

Mrs. CHAVEZ-DEREMER. Thank you, Mr. Graves.

The Chair will recognize Mr. Stanton from Arizona for 5 minutes.

Mr. STANTON. Thank you very much, Madam Chair, for allowing me to participate in this subcommittee discussion, an issue of great importance and urgency to my home State of Arizona.

Administrator Criswell, communities along the southern border are on the front lines of an ongoing humanitarian crisis. Right now, Federal migrant holding facilities are well over capacity. Last week, DHS began—unnoticed—release of migrants on the streets of small, rural Arizona communities like Bisbee, Nogales, and Douglas, Arizona.

And instead of providing the necessary resources to support these border communities in housing, feeding, and transporting vulnerable migrants, the Federal Government has shifted Federal assistance away from Arizona to other States and made it much harder for local governments to get reimbursed for costs incurred.

Now, I am a former mayor, and I know how tight municipal budgets are. But frankly, it is insulting that the Federal Government is forcing them into such a precarious financial position.

Administrator, I am particularly concerned about FEMA’s complete lack of transparency in how the Shelter and Services Program funds are allocated and why such a disproportionately small amount of the overall funding has come to Arizona’s overwhelmed border communities.

In its June guidance, FEMA stated simply that eligible applicant allocations were, quote, “based on release and destination data received from CBP and Emergency Food and Shelter Program humanitarian requests made in fiscal year 2023,” unquote. No other information was provided for how these funds would be allocated.

The southern Arizona coalition, which includes Pima and Santa Cruz Counties, the city of Tucson, and Catholic Community Services, has a combined monthly cost and have averaged more than \$2 million a month this summer, and their costs are steadily rising, as DHS releases more than 1,000 migrants on average every day. But they were eligible to apply for just \$10.9 million in assistance

through the Shelter and Services Program, while New York, 2,000 miles away, received 10 times that.

I have been told the funds southern Arizona has received will only last about 5 months. That's due in part to deep cuts these local governments and nonprofits were forced to make in other areas. It is simply not right.

Administrator Criswell, why is there such an enormous disparity between the resources allocated to border communities compared to interior communities under this program? Shouldn't the needs of Arizona's border communities and those in other border States be weighed more heavily when allocating these critical funds?

Ms. CRISWELL. Representative Stanton, we know that there is great need out there for these funds. And through our legacy program, the Emergency Food and Shelter Program-Humanitarian, with the direction of Congress to establish our new Shelter and Services Program, we used our legacy program to administer the first portion of that funding, which highly favored our border cities.

As we implemented the Shelter and Services Program, we did begin to take into greater account release data but also destination data, as we understand that communities across the country are incurring costs as they are providing shelter and services for the migrants.

As we move into the next fiscal year, and if the program continues to be funded, we will be basing this more on a competitive program to take into account the existing data and impacts that communities are experiencing as we make decisions for future funding allocations.

Mr. STANTON. So, are you committing today that FEMA will make this, moving forward, a competitive grant program like the Emergency Food and Shelter Program to disburse funds?

Ms. CRISWELL. The Emergency Food and Shelter Program was not a competitive grant program as compared to our traditional grant programs. The Shelter and Services Program will be more of a competitive program similar to our other grant programs.

Mr. STANTON. I am happy to hear that there will be additional rounds of funding. When that funding occurs, how will you address the significant shortfall by Arizona's border communities in responding to the increased number of asylum seekers being released by DHS?

Ms. CRISWELL. This program—even through our legacy program, but as well as the Shelter and Services Program—continues to be oversubscribed, and I anticipate it will continue to be oversubscribed. We will use data collected from CBP to help make those decisions. But, again, we know that many communities will not get enough funding for the cost that they are incurring.

Mr. STANTON. SSP funding is far more restrictive in covering costs incurred by local governments and NGOs. Why are SSP funds so much more restrictive than the funding received previously under the Emergency Food and Shelter Program? What was the rationale for capping hotel costs now when it previously wasn't capped?

Ms. CRISWELL. I would have to go back with my team on some of the specifics on how we made those decisions and those requirements within our program.

But, again, this program is a new program for FEMA. This was the first iteration of the Shelter and Services Program. We always continue to improve based on the lessons learned on the initial allocation of those funds. I am happy to continue to work with you and your staff on ways we can continue to improve.

Mr. STANTON. Madam Chair, one final quick question, if I might, dealing with extreme heat, another important issue to Arizona.

Are extreme heat declarations eligible for a Stafford Act disaster declaration, or does the Stafford Act need to be amended to include extreme heat conditions?

Ms. CRISWELL. The Stafford Act does not need to be amended to include extreme heat. We base our decisions on a number of factors. Mostly on, does it exceed the capacity of the State and local jurisdictions?

If the response to an extreme heat incident exceeds the capacity of a State and local jurisdiction, they are very open to submit a disaster declaration request, and we will consider that based on whether or not it exceeds their capacity.

Mr. STANTON. Thank you.

I yield back.

Mrs. CHAVEZ-DEREMER. Thank you, Mr. Stanton.

The Chair will recognize Mr. Rouzer from North Carolina for 5 minutes.

Mr. ROUZER. I thank the madam chair.

And, Madam Administrator, thank you so much for being here.

As my friend and colleague Garrett Grigsby—Garret Graves. Pardon me. I know a Grigsby somewhere else.

As my colleague Mr. Graves mentioned, there is no question you have a tough job. I will reiterate what he underscored in that the duplication of benefits really is a big issue for a lot of us. And we would love to see the administration stick with the intent of Congress on that because that certainly is a big, big issue for many of our disaster survivors.

Speaking of disasters, we have a lot of hurricanes come through, obviously. My district is southeastern North Carolina. In 2016, we had Hurricane Matthew. We had a lot of flooding with that. In 2018, we had Hurricane Florence, a tremendous amount of flooding with that.

And it was quite common for residents who live in condominiums, homeowners associations, housing cooperatives, that when those natural disasters hit, they can get no assistance from FEMA. And I am just curious if you foresee that that will continue to be the case, or if there has been any internal discussion about modifying the rules and regulations to where they would be eligible moving forward.

Ms. CRISWELL. So, Congressman, people who own their homes, whether that be an individual home, whether that be a condo, whether they are a renter in one of those homes—they are all eligible for our programs.

Our decisions are based on a number of factors. One is most certainly the amount of insurance they have and what insurance covers, and then whether they have actual damages to their homes and what we can repair for those homes. But we also provide

things like rental assistance, which people are eligible for regardless of whether they are a homeowner or a renter.

If there is something specific that you have an example of, I would be happy to work with your staff to look at it and better understand what that circumstance was. But there is no factor that does not allow somebody who owns a condo to be eligible for our programs.

Mr. ROUZER. Well, historically, FEMA has been very resistant to helping those that are technically classified as a homeowners association, and many people live in neighborhoods, big and small, that have a homeowners association, and therefore, they can't get debris picked up. There are always municipalities that get reimbursed through Public Assistance for picking up debris, et cetera. Well, they won't pick up debris in a homeowners association for that reason.

I have some legislation that will help clarify this and make everybody's life a little easier. It is H.R. 3777, the Disaster Assistance Fairness Act. But I am not so sure that what is included in the legislation couldn't be addressed with a simple rulemaking because it very much fits within the intent and scope of FEMA's work during disaster recovery.

And so, I would love to visit with you more about that offline, and I appreciate your attention to it.

Ms. CRISWELL. Yes. Thank you for that further explanation. And we would be happy to provide direct technical assistance—drafting technical assistance on what you are working on.

Mr. ROUZER. Thank you very much.

I yield back, Madam Chair.

Mrs. CHAVEZ-DEREMER. Thank you, Mr. Rouzer.

With that, the Chair recognizes Mr. Ryan from New York for 5 minutes.

Mr. RYAN. Thank you, Madam Chair. Thank you for allowing me to join.

Thank you, Administrator, not only for your service to our Nation now but also for your service to New York in your previous roles.

As I believe you're aware and certainly your team is aware, several communities in my district in the Hudson Valley of New York—Cornwall, Highland Falls, Fort Montgomery, and West Point—were absolutely devastated in early July with unprecedented—over 8 inches of rain in just a few hours, absolutely overwhelming all of the systems, processes, and resources that the community had ever had to deal with or prepare for.

Tragically, we did lose one young woman to that flood. We have had hundreds displaced since the flood. My team and I have personally spoken with hundreds of affected residents. As is always the case—and you know this well—each of their stories is just heartbreaking.

One that I cannot stop thinking about, a veteran in my community—100 percent disability rating from the VA who suffered TBI and other serious injuries—is still fighting and struggling to get any help to rebuild his home that was completely condemned. And despite all the work by you and your team, despite the declaration of a Federal disaster and some of the Public Assistance, folks like

him and hundreds of others are still without any help and any relief.

Almost none of them had flood insurance because of the topography of where they live. It was absolutely almost impossible that they could have experienced something like this, but tragically, they did.

So, I want to commend you and thank the President and the administration for pushing to declare the disaster declaration, for working with a good team on the ground to start to get the Public Assistance flowing. But the number one question that I hear still in our office is, why have we not received an Individual Assistance declaration?

Both the breadth but really the depth of the damage for several hundred families is just devastating, and the gentleman's story that I shared is just one. We have got kids living in condemned homes because they just have no other option. Seniors without homes.

So, I have invited you to come. I know you are very busy. But I would ask you or one of your senior leaders to commit to come and look those folks in the eye with me, help explain what is going on, and brainstorm what we can do to help them. Can we count on you to do that, Administrator?

Ms. CRISWELL. Yes, absolutely. I obviously don't have the specifics on why we haven't yet. I am happy to look into that personally. But you have my commitment if I can't make it, one of my senior leaders can join you to better understand the impacts to this community.

Mr. RYAN. I appreciate it.

And building on questions from several of my colleagues, specifically Mr. Huffman, can you explain why, in the midst of a disaster like this, it is so darn hard and complicated and opaque—which seems to be a theme that we have heard throughout the questioning—that we can't just answer residents who are devastated why they are not getting Individual Assistance?

And what we can do to change that, what my team and I, what all the local officials and our Governor and our county leadership and local leadership who have all been working as a team. Can you help explain that?

Ms. CRISWELL. Yes. There are a number of factors that we look at when we are making a determination on whether to recommend a declaration for both Public Assistance and Individual Assistance. And, again, a good portion of that falls on what the capacity of not just the local jurisdiction is, but what the State should be able to do to also support.

And we understand when there are communities—small, rural communities in States like New York that have large urban centers, that it creates a greater capacity that the State should be able to come in and also provide a level of assistance.

And so, all of those are factors that are taken into consideration. Not just the impact to the one community, but how much the State should also be able to support.

Mr. RYAN. And I appreciate your commitment to personally look into this. I can tell you on the ground, while the State has contributed significantly, it is nowhere near meeting the need, specifically

for folks, frankly, that don't qualify for some of the income thresholds, but had no flood insurance and are far beyond their means to repair devastating damage.

So, we have to, as Americans, be able to figure out how to navigate this. And myself and my team will be available anytime, anywhere to you and your team. So, thank you to your folks that have been on the ground in helping, and we will certainly be persistent in following up with you on your kind commitment today. So, thank you.

I yield back, Madam Chair.

Or Mr. Chair. I apologize.

Mr. PERRY [presiding]. The Chair thanks the gentleman.


The Chair is now in agreement with the ranking member that we are going to go for a second round. And so, the Chair will recognize himself for the beginning of that second round of questions.

Administrator Criswell, I think you highlighted the CREW Act in your testimony now and verbally numerous times regarding how it helped in staffing shortages. Yet, in your letter and your responses to letters from Chairman Graves, FEMA resources and personnel have been diverted to help deal with the border crisis.

I ask unanimous consent to have these emails admitted to the record.

And without objection, so ordered.

[The information follows:]



Emails Submitted for the Record by Hon. Scott Perry

From: [Mayorkas, Alejandro](#)
To: [Criswell, Deanne](#); [CANEGALLO, KRISTIE](#)
Cc: [REZMOVIC, JEFFREY](#); [Coen Jr, Michael](#)
Subject: RE: Border support follow up
Date: Thursday, March 17, 2022 3:42:42 PM

Thank you very much, Deanne. Adding Kristie here. I look forward to circling back with you, and I greatly appreciate your support.

Ali

Alejandro N. Mayorkas
Secretary

From: Criswell, Deanne <[REDACTED]@fema.dhs.gov>
Sent: Thursday, March 17, 2022 3:31 PM
To: Mayorkas, Alejandro <[REDACTED]@hq.dhs.gov>
Cc: REZMOVIC, JEFFREY <[REDACTED]@hq.dhs.gov>; Coen Jr, Michael <[REDACTED]@fema.dhs.gov>
Subject: Border support follow up

Secretary –

As a follow up to our discussion yesterday, MaryAnn and I have discussed the current state of the coordination based on her observation over that last few days. [REDACTED]

[REDACTED]

I have talked with Jeff about some of the details that he will follow up with you on and I will continue to work with him on getting this in place.

As we also discussed, I am concerned about committing MaryAnn for longer than 30 days, but she agreed to that time frame. I would appreciate your support in trying to limit her time to that commitment.

Let me know if you have any questions.

Deanne

From: [Criswell, Deanne](#)
To: [Mayorkas, Alejandro](#)
Cc: [Coen Jr, Michael](#); [CANEGALLO, KRISTIE](#); [REZMOVIC, JEFFREY](#)
Subject: Re: Follow Up
Date: Friday, March 18, 2022 7:25:49 AM

Thank you Secretary. We will make sure the border coordination is a success.

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From: Mayorkas, Alejandro <[REDACTED]@hq.dhs.gov>
Sent: Friday, March 18, 2022 7:15 AM
To: Criswell, Deanne <[REDACTED]@fema.dhs.gov>
Cc: Coen Jr, Michael <[REDACTED]@fema.dhs.gov>; CANEGALLO, KRISTIE <[REDACTED]@hq.dhs.gov>; REZMOVIC, JEFFREY <[REDACTED]@hq.dhs.gov>
Subject: Follow Up

Deanne,

Good morning. I am sorry I did not circle back with you yesterday evening.

Thank you very much for supporting Mary Ann's dedication to the border coordination effort, with IMAT support, for a thirty-day period. Her leadership at this critical stage will be instrumental. We will all work together to identify the right person to take charge after Mary Ann's thirty-day period ends.

Thanks again.
Ali

Alejandro N. Mayorkas
Secretary

From: [Criswell, Deanne](#)
To: [Mayorkas, Alejandro](#)
Subject: Re: MaryAnn Tierney
Date: Thursday, November 17, 2022 4:19:36 PM

Absolutely. Thank you.

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From: Mayorkas, Alejandro <[REDACTED]@hq.dhs.gov>
Sent: Thursday, November 17, 2022 4:17:45 PM
To: Criswell, Deanne <[REDACTED]@fema.dhs.gov>
Subject: RE: MaryAnn Tierney

Deanne,
Of course. Can I call you tomorrow?
Thanks. Ali

Alejandro N. Mayorkas
Secretary

From: Criswell, Deanne <[REDACTED]@fema.dhs.gov>
Sent: Thursday, November 17, 2022 3:35 PM
To: Mayorkas, Alejandro <[REDACTED]@hq.dhs.gov>
Subject: MaryAnn Tierney

Good afternoon Secretary,

I understand you have requested support from MaryAnn for border operations. I have some items I would like an opportunity to discuss before she gets fully engaged. The earliest our schedulers could find is next Tuesday, but I would like to discuss sooner if you have time. I know you've had an incredibly busy week, but if you wouldn't mind giving me a call tonight, tomorrow or over the weekend, at your convenience, I would appreciate it.

Deanne

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From: [Criswell, Deanne](#)
To: [Mayorkas, Alejandro](#)
Subject: Re: Quick connect
Date: Wednesday, March 16, 2022 1:44:12 PM

Absolutely. I have a meeting with the Mayor of San Juan from 3-4 - but I don't expect it to go the full hour.

Thank you.

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From: Mayorkas, Alejandro <[REDACTED]@hq.dhs.gov>
Sent: Wednesday, March 16, 2022 1:42:07 PM
To: Criswell, Deanne <[REDACTED]@fema.dhs.gov>
Subject: RE: Quick connect

Deanne,
May I call you sometime between 2:30 and 4:30?
Thank you. Ali

Alejandro N. Mayorkas
Secretary

From: Criswell, Deanne <[REDACTED]@fema.dhs.gov>
Sent: Wednesday, March 16, 2022 1:31 PM
To: Mayorkas, Alejandro <[REDACTED]@hq.dhs.gov>
Subject: Quick connect

Secretary -

I understand there is some concern over [REDACTED]. If you have a moment today - I'd like to connect regarding your concerns.

Deanne

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From: [Mayorkas, Alejandro](#)
To: [Criswell, Deanne](#); [MURRAY JAMES M](#); [Schultz, Karl L ADM USCG BASE NCR \(USA\)](#); [MAGNUS, CHRIS](#); [MILLER, TROY A](#); [EASTERLY, JEN](#); [REDACTED]@ice.dhs.gov; [Jaddou, Ur M](#); [Pekoske, David](#); [SILVERS, ROBERT REZMOVIC, JEFFREY](#)
Cc: [REZMOVIC, JEFFREY](#)
Subject: Homeland Security Events paper
Date: Wednesday, January 5, 2022 9:04:44 AM
Attachments: [REDACTED]

Colleagues,

Good morning. Attached is a thought piece I received regarding [REDACTED]. This is one subject that I will raise briefly in our 10:15 a.m. virtual meeting today. Not for decision yet, of course.

Thank you very much.

Ali

Alejandro N. Mayorkas
Secretary

From: [Criswell, Deanne](#)
To: [Mayorkas, Alejandro](#)
Subject: Re: Tomorrow's Leadership Meeting
Date: Monday, August 2, 2021 4:53:54 PM

Absolutely. And thank you.

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From: Mayorkas, Alejandro <[REDACTED]@hq.dhs.gov>
Sent: Monday, August 2, 2021 4:51:10 PM
To: Criswell, Deanne <[REDACTED]@fema.dhs.gov>
Subject: RE: Tomorrow's Leadership Meeting

Thanks so much, Deanne. I think if you could speak of the work that FEMA is doing in response to the Fires, that would be most instructive; your operational excellence is an inspiring model.
Thank you. Ali

Alejandro N. Mayorkas
Secretary

From: Criswell, Deanne <[REDACTED]@fema.dhs.gov>
Sent: Monday, August 2, 2021 4:50 PM
To: Mayorkas, Alejandro <[REDACTED]@hq.dhs.gov>
Subject: Re: Tomorrow's Leadership Meeting

Secretary -

I will be at the meeting tomorrow and happy to share an update on the current state of the wildfires.

As for the SWB - my team is engaged and keeps me informed on the activities and ongoing struggles.

Deanne

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From: Mayorkas, Alejandro <[REDACTED]@hq.dhs.gov>
Sent: Monday, August 2, 2021 4:46 PM
To: Criswell, Deanne
Subject: Tomorrow's Leadership Meeting

Deanne,
Good afternoon. Thank you for being available for the currently ongoing call regarding the SW border.

Will you be attending tomorrow's leadership meeting? If so, can you spend a few minutes sharing with everyone, for everyone's visibility, the current situation with respect to wildfires? I think it would be important for everyone to understand the current situation and its implications. If you are not going to be at tomorrow's meeting, no problem of course.

Thank you very much. Ali

Alejandro N. Mayorkas
Secretary
U.S. Department of Homeland Security

From: DHS-EEP
To: SecretaryScheduler; BAILEY, MARIA; DEITEL, JEFFREY; DHS Secretary Mayorkas; FALLON, KATHLEEN; FO\Scheduling; FOX, ALEXANDRA; CANEGALLO, KRISTIE; MCMILLAN, ALEXA; REZMOVIC, JEFFREY; SHAH, SARASWATI; ULLOA, ISABELLA; Wilcox, Cassie; WU, MIKE; ESEC-BBIC; DeputyScheduler; Murray, Royce; Baker, Jeremy; KRISHNASWAMI, CHARANYA; SILVERS, ROBERT; NUNEZ-NETO, BLAS; HOY, SFRENA; Tomney, Christopher; MEYER, JONATHAN; DASKAL, JENNIFER; ESPINOSA, MARSHA; LUGO, ALICE; MILLONA, EVA; ABDELALL, BRENDA; Rasicot, Gary; GANDHI, PRITESH; Alles, Randolph; HYSEN, ERIC; Mina, Peter; DUPREE, LYNN; Smislova, Melissa; Gersten, David; Salvano-Dunn, Dana; COVEN, PHYLLIS; Amparo, Alex; BARKER, TONY L; KATNE, NATHANIEL C; MILLER, TROY A; ORTIZ, RAUL L; Johnson, Tae D; Lechleitner, Patrick J; Houser, Jason P; Jaddou, Ur M; Higgins, Jennifer B; Pekoske, David; Criswell, Deanne; Easterly, Jen (She/Her); Schultz, Karl L ADM USCG BASE NCR (USA); HUFFMAN, BENJAMINE C; Hoffman, Erin; Themak, Christopher (CTR); O'Shea, Matthew; [REDACTED]@usss.gov; HIDALGO, ANGELINA; Brundage, William; Eastman, Alexander; Fagan, Linda L ADM USCG COMDT (USA); Lenore, LaShawn; BAKER, JEREMY; Holzer, James; DRAGANAC, JOSEPH; FLORES, PETE ROMERO; Paradise, Michael J CAPT USCG COMDT (USA); SEIDMAN, RICKI; Bartholomew, Heather
Subject: SLE 22-3 DHS SBCC Break Glass TTX Final Summary of Conclusions
Date: Wednesday, May 18, 2022 4:22:59 PM
Attachments: [SLE 22-3 DHS SBCC Break Glass TTX_FINAL_SOC.pdf](#)

Partners,

Thank you for your participation and your team's efforts to plan the successful Secretary's Leadership Exercise (SLE) 22-3: DHS Southwest Border Coordination Center "Break Glass" Tabletop Exercise held this past Saturday, May 14, 2022. This exercise examined and identified recommendations for improving the Department's response to an anticipated surge of migrants with the pending termination of the Centers for Disease Control and Prevention's (CDC) Title 42 Public Health Order on May 23, 2022.

The exercise was chaired by Department of Homeland Security Secretary Alejandro Mayorkas, who was joined by Deputy Secretary John Tien and Component and Office senior leaders from across the Department to discuss this critical mission area. In its role as lead for the DHS Exercise and Evaluation Program, FEMA's National Exercise Division (NED) planned and conducted SLE 22-3 in coordination with the Department, DHS SBCC, U.S. Customs and Border Protection (CBP) and other DHS Component and Office representatives.

Attached is the final Summary of Conclusions, with included Recommendations with associated leads and timelines.

Please let myself or our team know if you have any questions – and looking forward to continued partnerships with each of you.

Thank you,

Erin Hoffman
 Director, Office of National Exercises and Technological Hazards

[REDACTED]
[fema.dhs.gov](mailto:[REDACTED]@fema.dhs.gov)
 Federal Emergency Management Agency
[fema.gov](https://www.fema.gov)

From: [AKI, SIDNEY K](#)
To: [Tien, John](#); [REZMOVIC, JEFFREY](#); [SEIDMAN, RICKI](#); [CALLAHAN, MARY ELLEN](#); [MILLER, TROY A](#); [HUFFMAN, BENJAMINE C](#); [Jaddou, Ur M](#); [Higgins, Jennifer B](#); [Johnson, Tae D](#); [Lechleitner, Patrick J](#); [ORTIZ, RAUL L](#); [KATNE, NATHANIEL C](#); [Fleischaker, Deborah](#); [WAINSTEIN, KENNETH](#); [SILVERS, ROBERT](#); [NUNEZ-NETO, BLAS](#); [MEYER, JONATHAN](#); [DASKAL, JENNIFER](#); [Tierney, MaryAnn](#); [ESPINOSA, MARSHA](#); [Murray, Royce](#); [YOUNG, NOEL](#); [Escobar Carrillo, Felicia](#); [GANDHI, PRITESH](#); [Price, Corey A](#); [Criswell, Deanne](#); [Turi, Keith](#); [Nelms, Jordan](#); [MCGOFFIN, SEAN L](#); [FLORES, PETE ROMERO](#); [BEMILLER, DAVID S](#); [Nelms, Jordan](#); [Fagan, Linda L](#) [ADM USCG COMDT \(USA\)](#); [McPherson, Brendan C](#) [RADM USCG D7 \(USA\)](#); [Koch, Shawn S \("MAX"\)](#) [CTV DHS \(USA\)](#); [SLOSAR, WALTER N](#); [Penny, Raeford C](#) [LT USCG D7 \(USA\)](#); [REDACTED]
Cc: [CANEGALLO, KRISTIE](#); [SCHMITT, ALEXANDRA](#); [AHMADI, SHAEDA](#); [FOX, ALEXANDRA](#)
Subject: SWB Update Agenda
Date: Thursday, January 5, 2023 9:55:40 PM

~~Attorney-client privileged and deliberative~~

Good evening,

Please see the agenda for tomorrow's meeting at 1pm. We will convene with S1 to provide an operational readiness update. Thx.

- SWB ops update – SBCC/CBP
 - El Paso update
- Maritime migration update – USCG
- Readiness approach – SBCC with CBP, ICE, USCIS
 - T42 (land) expulsion plan
 - ER efficiency process
- Rollout follow up – OPA

Sidney K. Aki
Southwest Border Coordination Center (SBCC)
Mobile: [REDACTED]
[REDACTED]@cbp.dhs.gov

From: [AKI, SIDNEY K](#)
To: [Tien, John](#); [REZMOVIC, JEFFREY](#); [SEIDMAN, RICKI](#); [CALLAHAN, MARY ELLEN](#); [MILLER, TROY A](#); [HUFFMAN, BENJAMINE C](#); [Jaddou, Ur M](#); [Higgins, Jennifer B](#); [Johnson, Tae D](#); [Lechleitner, Patrick J](#); [ORTIZ, RAUL L](#); [KAINE, NATHANIEL C](#); [Fleischaker, Deborah](#); [WAINSTEIN, KENNETH](#); [SILVERS, ROBERT](#); [NUNEZ-NETO, BLAS](#); [MEYER, JONATHAN](#); [DASKAL, JENNIFER](#); [Tierney, MaryAnn](#); [ESPINOSA, MARSHA](#); [Murray, Royce](#); [YOUNG, NOEL](#); [Escobar Carrillo, Felicia](#); [GANDHI, PRITESH](#); [Price, Corey A](#); [Criswell, Deanne](#); [Turi, Keith](#); [Nelms, Jordan](#); [MCGOFFIN, SEAN L](#); [BEMILLER, DAVID S](#); [Nelms, Jordan](#)
Cc: [CANEGALLO, KRISTIE](#); [SCHMITT, ALEXANDRA](#); [AHMADI, SHAEDA](#); [FOX, ALEXANDRA](#); [ZIEH, JOY](#)
Subject: SWB Update Agenda
Date: Wednesday, December 28, 2022 3:35:58 PM

~~Attorney-client privileged and deliberative~~

Good afternoon,

Please see the agenda for tomorrow's meeting at 10am. We will convene with S1 to provide an operational readiness update. Thx.

- SWB ops update/intel and projections – SBCC/CBP/I&A
- Policy and legal updates – PLCY/OCG
- Readiness approach post SCOTUS – SBCC with CBP, ICE, USCIS
 - Shelter Activity (Mexico)
 - Resources path forward
 - CBP One App Utilization
- Rollout update – OPA

Sidney K. Aki
Southwest Border Coordination Center (SBCC)
Mobile: [REDACTED]
[REDACTED]@cbp.dhs.gov

From: [AKI, SIDNEY K](#)
To: [Tien, John](#); [REZMOVIC, JEFFREY](#); [SEIDMAN, RICKI](#); [CALLAHAN, MARY ELLEN](#); [MILLER, TROY A](#); [HUFFMAN, BENJAMINE C](#); [Jaddou, Ur M](#); [Higgins, Jennifer B](#); [Johnson, Tae D](#); [Lechleitner, Patrick J](#); [ORTIZ, RAUL L](#); [KAINÉ, NATHANIEL C](#); [Fleischaker, Deborah](#); [WAINSTEIN, KENNETH](#); [SILVERS, ROBERT](#); [NUNEZ-NETO, BLAS](#); [MEYER, JONATHAN](#); [DASKAL, JENNIFER](#); [AKI, SIDNEY K](#); [Tierney, MaryAnn](#); [ESPINOSA, MARSHA](#); [Murray, Royce](#); [YOUNG, NOEL](#); [Escobar Carrillo, Felicia](#); [GANDHI, PRITESH](#); [Price, Corey A](#); [Criswell, Deanne](#); [Turi, Keith](#); [Nelms, Jordan](#); [MCGOFFIN, SEAN L](#); [BEMILLER, DAVID S](#); [Nelms, Jordan](#)
Cc: [CANEGALLO, KRISTIE](#); [SCHMITT, ALEXANDRA](#); [AHMADI, SHAEDA](#); [FOX, ALEXANDRA](#)
Subject: SWB Update Agenda
Date: Wednesday, December 21, 2022 3:43:53 PM

~~Attorney-client privileged and deliberative~~

Good afternoon,

Please see the agenda for tomorrow's meeting at 10am. We will convene with S1 to provide an operational readiness update. Thx.

- SWB ops update/intel and projections – SBCC/CBP/I&A
- Policy and legal updates – PLCY/OCG
- Readiness updates – SBCC with CBP, ICE, USCIS, FEMA
 - ER efficiency process
 - Provisional releases coordination
 - EFSP planning
- Rollout – OPA

Sidney K. Aki
Southwest Border Coordination Center (SBCC)
Mobile: [REDACTED]
[REDACTED]@cbp.dhs.gov

From: [Criswell, Deanne](#)
To: [Mayorkas, Alejandro](#); [ABDELALL, BRENDA](#); [Hooks, Erik](#); [YOUNG, NOEL](#)
Cc: [CANEGALLO, KRISTIE](#); [SEIDMAN, RICKI](#); [REZMOVIC, JEFFREY](#); [FALLON, KATHLEEN](#); [ENRIQUEZ, MIRIAM](#)
Subject: Re: EFSP San Antonio Funding Request: February – July 2023
Date: Wednesday, December 21, 2022 6:18:29 PM

Secretary -

The board is meeting tomorrow to discuss any immediate needs. We can take this into consideration.

I appreciate the recommendation for further discussion as this program is over subscribed as you stated.

Deanne

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From: Mayorkas, Alejandro <[REDACTED]@hq.dhs.gov>
Sent: Wednesday, December 21, 2022 5:12 PM
To: ABDELALL, BRENDA <[REDACTED]@hq.dhs.gov>; Criswell, Deanne <[REDACTED]@fema.dhs.gov>; Hooks, Erik <[REDACTED]@fema.dhs.gov>; YOUNG, NOEL <[REDACTED]@hq.dhs.gov>
Cc: CANEGALLO, KRISTIE <[REDACTED]@hq.dhs.gov>; SEIDMAN, RICKI <[REDACTED]@hq.dhs.gov>; REZMOVIC, JEFFREY <[REDACTED]@hq.dhs.gov>; FALLON, KATHLEEN <[REDACTED]@hq.dhs.gov>; ENRIQUEZ, MIRIAM <[REDACTED]@hq.dhs.gov>
Subject: Re: EFSP San Antonio Funding Request: February – July 2023

Thank you very much, Brenda. As the EFSP moves to FEMA, we should meet and discuss how best to address advance funding vs. reimbursement, a particularly challenging issue given that the needs exceed the funding.

Thank you again.
Ali

Alejandro N. Mayorkas
Secretary

From: ABDELALL, BRENDA <[REDACTED]@hq.dhs.gov>
Sent: Wednesday, December 21, 2022 6:07:04 PM
To: Mayorkas, Alejandro <[REDACTED]@hq.dhs.gov>; Criswell, Deanne <[REDACTED]@fema.dhs.gov>; Hooks, Erik <[REDACTED]@fema.dhs.gov>; YOUNG, NOEL <[REDACTED]@hq.dhs.gov>
Cc: CANEGALLO, KRISTIE <[REDACTED]@hq.dhs.gov>; SEIDMAN, RICKI <[REDACTED]@hq.dhs.gov>; REZMOVIC, JEFFREY <[REDACTED]@hq.dhs.gov>; FALLON, KATHLEEN <[REDACTED]@hq.dhs.gov>; ENRIQUEZ, MIRIAM <[REDACTED]@hq.dhs.gov>
Subject: Re: EFSP San Antonio Funding Request: February – July 2023

Thank you, Sir. I know our IGA team and Jeff were in touch with the Mayor's office last week. We will continue to stay in close touch. Thank you for sharing.

Brenda F. Abdelall
OPE/DHS
[REDACTED]

From: Mayorkas, Alejandro <[REDACTED]@hq.dhs.gov>
Sent: Wednesday, December 21, 2022 5:46 PM
To: Criswell, Deanne <[REDACTED]@fema.dhs.gov>; Hooks, Erik <[REDACTED]@fema.dhs.gov>; YOUNG, NOEL <[REDACTED]@hq.dhs.gov>; ABDELALL, BRENDA <[REDACTED]@hq.dhs.gov>
Cc: CANEGALLO, KRISTIE <[REDACTED]@hq.dhs.gov>; SEIDMAN, RICKI <[REDACTED]@hq.dhs.gov>; REZMOVIC, JEFFREY <[REDACTED]@hq.dhs.gov>; FALLON, KATHLEEN <[REDACTED]@hq.dhs.gov>
Subject: FW: EFSP San Antonio Funding Request: February – July 2023

Good afternoon. Please see San Antonio Mayor Ron Nirenberg's request below.

Thank you very much.

Ali

Alejandro N. Mayorkas
Secretary

From: Ron Nirenberg (Mayor) [REDACTED]@sanantonio.gov>
Sent: Wednesday, December 21, 2022 5:28 PM
To: Mayorkas, Alejandro <[REDACTED]@hq.dhs.gov>
Cc: Erik Walsh (CMO) <[REDACTED]@sanantonio.gov>
Subject: EFSP San Antonio Funding Request: February – July 2023

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

Secretary Mayorkas,

Thank you for connecting with me on Sunday. As discussed, San Antonio is requesting a six-month advanced funding commitment to continue assisting asylum seekers transiting through San Antonio en route to host city destinations across the country.

Since January 2021, the City of San Antonio and our nonprofit partners have served more than 330,000 migrants arriving from Del Rio, Eagle Pass, Laredo, and Immigrations and Customs Enforcement detention facilities to utilize onward travel resources available through the San Antonio International Airport and Greyhound Bus Station. Our core services have included: emergency shelter, food, transportation, travel assistance, and case management to assist asylum seekers as they navigate the immigration process.

Since we opened the Migrant Resource Center, in partnership with Catholic Charities of San Antonio, to manage the increasing numbers of arrivals safely and compassionately, we have served nearly 92,000 individuals from July 7 to December 13, 2022. The City of San Antonio's estimated operational cost for this time period is projected to be \$9,033,354. Arrivals in December are currently on pace to exceed November.

Meeting this ongoing need is highly dependent on the continued support and funding through the Emergency Food and Shelter Program (EFSP). I would like to personally thank you for the funding committed by the EFSP National Board for January 2023 of \$1,027,208 for the City of San Antonio and \$3,910,128 for Catholic Charities of San Antonio, respectively. It is my understanding that the board is meeting the week of January 2, 2023 to consider additional advance funding commitments. **I am requesting your assistance in securing a 6-month funding commitment (February – July) for the City of San Antonio's and Catholic Charities of San Antonio's migrant assistance operations.** The City of San Antonio is projecting approximately \$9 million and Catholic Charities of San Antonio is projecting \$28.7 million in costs, respectively, for the period of February – July 2023. Without the certainty of this advanced funding, San Antonio community partners will not be able to adequately plan and maintain our local Migrant Resource Center operations.

Thank you again for your partnership in addressing the local and national challenges of migration in as humane and organized a manner as possible. Please let me know if I can provide any additional information, or if I can be of any assistance to you.

Best,
Ron

Ron Nirenberg
Mayor San Antonio, Texas

cc: Erik Walsh, City Manager

From: [AKI, SIDNEY K](#)
To: [RYAN, CARA](#); [Fauquet, Stephanie](#); [Blackwell, Juliana](#)
Cc: [CANEGALLO, KRISTIE](#); [CALLAHAN, MARY ELLEN](#); [REZMOVIC, JEFFREY](#); [YOUNG, NOEL](#); [MILLER, TROY A](#); [Johnson, Tae D](#); [Criswell, Deanne](#); [Jaddou, Ur M](#); [MEYER, JONATHAN](#); [SILVERS, ROBERT](#); [O'CONNOR, KIMBERLY](#); [REDACTED]; [ESEC Internal Liaison](#)
Subject: SWB Mass Irregular Migration Contingency Plan
Date: Tuesday, December 20, 2022 5:37:35 PM
Attachments: [SBCC Memo to S2 - 12.20.22.pdf](#)

Good afternoon,

Please see the attached memorandum being routed from the SBCC to S2 to provide operational updates on our efforts to coordinate, prepare and respond to the surge of irregular migration along the SWB. Thx.

Sidney K. Aki
Southwest Border Coordination Center (SBCC)

Mobile: [REDACTED]
[REDACTED]@cbp.dhs.gov

From: YOUNG, NOEL
To: SecretaryScheduler; AHMADI, SHAEDA; BROOKS, REBECCA; CANEGALLO, KRISTIE; DHS Secretary Mayorkas; FALLON, KATHLEEN; FOX, ALEXANDRA; Nelms, Jordan; Johnson, Tae D; Criswell, Deanne; BRAUN, JACOB; MCMILLAN, ALEXA; NGUYEN, JASON; REZMOVIC, JEFFREY; Wilcox, Cassie; ESEC-BBIC; DeputyScheduler; SEIDMAN, RICKI; CALLAHAN, MARY ELLEN; SILVERS, ROBERT; Silvers.Scheduler; HOY, SERENA; NUNEZ-NETO, BLAS; Houser, Jason P; BARKER, TONY L; AKI, SIDNEY K; MILLER, TROY A; CBP DEPUTY COMMISSIONER SCHEDULER; KAINE, NATHANIEL C; DASKAL, JENNIFER; Murray, Royce; HYSEN, ERIC; GONZALEZ, SIGRID; Tierney, MaryAnn; FEMA Administrator; ICE.Scheduler
Subject: RE: 11:00 Prep for Principals Meeting on Migration *updated attendees*
Date: Thursday, September 15, 2022 11:00:14 AM
Attachments: [09_15_2022 - Migration PC Participants.docx](#)
[Attachment A - SWB Resource Needs.xlsx](#)
[09_14_2022 - Deployed and Reserve Resources.docx](#)
[09_14_2022 - DOS Support.docx](#)
[09_14_2022 - Interagency Resource Request.docx](#)
[09_15_2022 - El Paso - Informal SitRep \(AM\).docx](#)

Materials for this morning's PC prep

Noël L. Young
 Counselor to the Secretary for Special Projects
 U.S. Department of Homeland Security
 [REDACTED]

-----Original Appointment-----

From: SecretaryScheduler <secretaryscheduler@hq.dhs.gov>
Sent: Wednesday, September 14, 2022 3:03 PM
To: SecretaryScheduler; AHMADI, SHAEDA; BROOKS, REBECCA; CANEGALLO, KRISTIE; DHS Secretary Mayorkas; FALLON, KATHLEEN; FOX, ALEXANDRA; Nelms, Jordan; Johnson, Tae D; Criswell, Deanne; BRAUN, JACOB; MCMILLAN, ALEXA; NGUYEN, JASON; REZMOVIC, JEFFREY; Wilcox, Cassie; ESEC-BBIC; DeputyScheduler; SEIDMAN, RICKI; CALLAHAN, MARY ELLEN; SILVERS, ROBERT; Silvers.Scheduler; HOY, SERENA; NUNEZ-NETO, BLAS; Houser, Jason P; BARKER, TONY L; AKI, SIDNEY K; MILLER, TROY A; CBP DEPUTY COMMISSIONER SCHEDULER; KAINE, NATHANIEL C; DASKAL, JENNIFER; Murray, Royce; HYSEN, ERIC; YOUNG, NOEL; GONZALEZ, SIGRID; Tierney, MaryAnn; FEMA Administrator; ICE.Scheduler
Subject: 11:00 Prep for Principals Meeting on Migration *updated attendees*
When: Thursday, September 15, 2022 11:00 AM-11:30 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

No PLEASE DO NOT FORWARD OR COPY THIS INVITATION. *If you are not the invitee, you are NOT authorized to forward or duplicate these contents.*

If there are any questions about scheduling, please contact [REDACTED]@hq.dhs.gov and [REDACTED]@hq.dhs.gov. If there are any questions about the substance of the meeting or briefing materials, please contact the meeting lead listed below.

Platform:
 Microsoft Teams – Information Below

Attendees:
 Secretary Mayorkas
 Deputy Secretary Tien

Kristie Canegallo
Jeff Rezmovic – Lead
Ricki Seidman
Mary Ellen Callahan
Rob Silvers
Serena Hoy
Blas Nunez-Neto
Tac Johnson
Jason Houser
Tony Barker
Sidney Aki
Troy Miller
Nat Kaine
Jen Daskal
Royce Murray
Eric Hysen
Noel Young
Sigi Gonzalez
Jake Braun
Deanne Criswell
Jordan Nelms
MaryAnn Tierney

Topic:
Prep for Principals Meeting on Migration (to land on 9/16)

Agenda Required:
Yes

Briefing Materials:
Yes

Microsoft Teams meeting

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Meeting ID: [REDACTED]
Passcode: [REDACTED]
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[REDACTED] United States, Washington DC
Phone Conference ID: [REDACTED]
[Find a local number](#) | [Reset PIN](#)

Mr. PERRY. On March 17th, an email of yours provided to the committee in response to these oversight letters show that you emailed Secretary Mayorkas that both you and FEMA's region 3 administrator had discussed the current state of coordination based on her observations.

Everything you said is kind of unclear because it is heavily redacted, as you can see here. But what I can see is that you expressed concerns committing her to no longer than 30 days.

And then on the following day, on March 18th, you received an email from the Secretary thanking you for supporting FEMA region 3 administrator's dedication to the border coordination with IMAT support for a 30-day period.

Now, the IMAT teams are specialties, as I understand it, that deal with disasters. Does that mean you and the Secretary agree there is a disaster on the border? I mean, you sent one of these—go ahead, ma'am.

Ms. CRISWELL. Our Incident Management Assistance Teams are unique teams that are trained to deal with complex problems, and the skill set that they bring, specifically the team that our region 3 administrator leads, is a team made up of collateral leaders across our agency designed to support a variety of different incidents to help bring that level of collaboration, coordination, and communication, the skill set that our emergency managers bring to all of the problems that we solve.

Mr. PERRY. OK. So, it is not about disasters?

Ms. CRISWELL. So, this was specifically about creating an organizational structure to help support our partners across the Department establish a sound, unified coordination group.

Mr. PERRY. So, I guess by transposition, then, if it is not a disaster, and it is to create this team, then we are saying that apparently Secretary Mayorkas and the Department of Homeland Security doesn't have what it needs. It is not equipped to handle what is happening on the southern border because they are calling on you.

You're resource-challenged by your admission. You even were concerned, per your email. Then in November, you emailed the Secretary indicating that he had requested support again from your region 3 administrator on the border.

And I would remind you that region 3 covers Pennsylvania and the district I am proud to represent, and I am concerned about those folks in the district that are paying the taxes for FEMA to support them and to remind everybody that region 3, the district we are talking about, had 11 major disaster declarations, not including COVID, during that period. I am concerned as you are.

How many personnel—how many people did FEMA send to the border, and what was the duration? Since I can't find out from these emails.

Ms. CRISWELL. The specific instance that you are talking about with our region 3 regional administrator, again, is part of an IMAT team that is made up of collateral personnel from across our agency, many from headquarters. Our region 3—

Mr. PERRY [interrupting]. OK. That is great. How many for how long?

Ms. CRISWELL. They have a handful of people. I don't know exactly how many from that team, but that team is only 12 people, and they—

Mr. PERRY [interrupting]. So, it wouldn't be more than 12?

Ms. CRISWELL. It would not be more than 12. And—

Mr. PERRY [interrupting]. OK. And you don't know how long or how many instances at this point?

Ms. CRISWELL. That team was sent to here in DC to work with our partners across the Department to help them establish what is now the Southwest Border Coordination Center. And they help them—

Mr. PERRY [interrupting]. OK. But while they were here in DC or at the southwest border, they weren't focused on region 3, which is Pennsylvania, which is what they were hired to do. It is what they are—that is their daily responsibility, right?

And while we are having disasters in that region, they are focused on Washington, DC, and the border in particular. I mean, that is what I see here. I mean, can you—

Ms. CRISWELL [interrupting]. And the only person on that team from region 3 is the one person who is the lead. This is a team that is made up—

Mr. PERRY [interrupting]. But that is also the person in region 3 that is the lead for region 3, right?

Ms. CRISWELL. But this team is made up of collateral personnel to come help support a variety of incidents—

Mr. PERRY [interrupting]. I get it. But my point is, is that this person is not focused on the region that is having disasters because they are focused on the border. And while we might disagree or agree why the border disaster is happening, I would contend that it is happening because of the policies of this administration.

So, the people in Pennsylvania that are paying for their region administrator don't get their region administrator, because the administration determines that that person is going to be on the southwest border or in Washington, DC, dealing with the southwest border problem caused by this administration.

Let me ask you this one final question: Who is paying for that? Who is paying for that?

Ms. CRISWELL. For the region 3—

Mr. PERRY [interrupting]. For the IMAT team, for the region 3 coordinator, for the person that is supposed to be in Pennsylvania that is in Washington, DC, dealing with the southwest border, who is paying for that?

Ms. CRISWELL. These are part of our appropriated funds.

Mr. PERRY. FEMA is paying for that. So, FEMA is paying for the border, right?

So, when you pay your taxes and we say, oh, well, that is all going to the Department of Homeland Security, this portion to secure the border, that's not true.

The Department of Homeland Security is now requiring FEMA to take some of their disaster relief people and send them somewhere to deal with the border. That's how we are also dealing with it.

So, it is costing doubly. Not only is Homeland Security—and by the way, I don't know if people realize this, but you are not sup-

posed to be duplicating services that are provided by another agency, whether it is Interior, whether it is Forestry. You are doing that with planting trees as well, by the way. That's another story.

But on this occasion, you are duplicating services that are supposed to be handled by the Department of Homeland Security with FEMA dollars, and yet FEMA is demanding and asking, and maybe rightly so in many cases, for a supplemental for disaster assistance funding at the same time they are spending America's tax-paying dollars that are supposed to go to disaster relief on the southwest border in a disaster created by policy by this administration.

With that, I yield.

And I recognize the gentlelady from Nevada, Ms. Titus.

Ms. TITUS. Thank you. Let's go back and talk about the Inflation Reduction Act. It has been called the greatest investment in environmental policy in a lifetime.

One of the things that it did was authorize FEMA's Public Assistance and hazard mitigation programs to provide reimbursements for use of low-carbon materials and incorporate future climate projections into their emergency management plans.

You use net-zero energy as well. Would you talk about how that has been helpful, how you are leveraging that, how it fits into your overall recovery, replacement, and rebuilding schemes?

Ms. CRISWELL. We are grateful for that added ability to reimburse jurisdictions that use this type of construction methodology to, one, increase their resilience as we are rebuilding, but also reduce the impact on our environment.

And so, this is a new program. These are the types of projects that take years to build. I am very excited to see how our jurisdictions across the country are now going to be able to build back in a way that not only makes them more resilient but makes them better for the environment as we go forward.

Ms. TITUS. Wouldn't this kind of epitomize Build Back Better, so we don't build back just the way it was before the disaster, so that if that incident occurs again we are faced with the whole same problem one more time?

Ms. CRISWELL. Absolutely. Our goal is to build back better so communities do not have to repeat the complex recoveries that they are facing today.

Ms. TITUS. So, in the long run, this would be a more efficient use of taxpayer dollars and it would probably be cheaper as you amortize it out over future disasters.

Ms. CRISWELL. Every dollar that we invest in mitigation saves \$6 in recovery.

Ms. TITUS. And is that across all kinds of disasters, whether it is fire or hurricane or whatever? It is just in general?

Ms. CRISWELL. The current studies show that \$1 invested in mitigation saves \$6 in recovery. I am sure it varies slightly from type of event to type of event, but the recent study that came out shows how much mitigation does save our taxpayers in the end from recovery.

Ms. TITUS. So, this would be a good thing, to save taxpayer dollars while also trying to save the planet.

Ms. CRISWELL. Absolutely.

Ms. TITUS. Thank you. I yield back.

Mr. PERRY. The Chair thanks the gentlelady.

The Chair now recognizes the gentleman from California, Mr. LaMalfa.

Mr. LAMALFA. Thank you, Mr. Chairman. Again, thanks for allowing me to sit in here and go for a second round of questions today. I appreciate it.

So, Ms. Criswell, again, thank you for your appearance and for the coordination we have been able to have with FEMA in northern California after the many disasters.

So, in recovering from wildfires in my own district, we have had a lot of great strides, but some bureaucratic challenges, not necessarily in your Department, have delayed progress and really true recovery so that victims can get back to normal.

So, just removing hazardous trees or to build housing, fix a road, the local jurisdiction must do a NEPA. Every project within the recovery process has a separate NEPA requirement, which can take a year to produce and oftentimes are things that are very basic. You wouldn't need a full-blown NEPA for changing a culvert or repairing especially already existing infrastructure.

So, not much has changed on the process of how NEPAs are done. So, my constituents continue to say this is such a pain for them, and it really does take more time and sometimes opportunities as grant dollars run out and permits, other types of permits may expire, or more conditions keep getting added on.

So, it would be, I believe, and many folks have weighed in with me, that couldn't we have one big regional NEPA after, in this case, a wildfire for the whole burn scar and have that applicable for all recovery and mitigation projects tied to a disaster that was declared by the President.

Wouldn't that seem like a commonsense way of doing it, just having an area-wide, in this case, burn scar-wide NEPA and do it as a catchall, instead of so much duplication, like this zone, that zone, this project. Is that something we can strive for, do you believe?

Ms. CRISWELL. There are a number of policies out there when we are doing our environmental and historic reviews, and NEPA is certainly one of those that are out there. There are tools in our toolbox that can do programmatic reviews, but, again, each instance is very different.

We would have to work with each jurisdiction to better understand how we can apply broader application of our tools, which we have done in some areas. But we can't do it in every area, because they are all so specific.

And so, I can't give you a general answer, but happy to continue to work with you on ways that we can streamline this process, because we also recognize it is one of those pieces of this recovery and rebuilding effort that has some of the longer timelines associated with it.

Mr. LAMALFA. Thank you. Indeed, in the Paradise area, the Camp Fire, we are going to be 5 years in in November, and we are still chasing permits to remove hazardous trees. These are dead trees that are not going to be part of the landscape or a positive part, maybe a handful for woodpeckers, but not to the extent there are acres and acres.

And this still keeps just a dark cloud over recovery, over building and, indeed, getting insurance again for the area. Insurance companies are pulling out of California and pulling out of areas like this, even though what you would really look at—the risk—has changed completely after that, such a devastating fire, such a complete fire. Once these trees are removed, it will be a much more insurable area for folks, and you have folks—one lady, one anecdote, and I will stop.

But a lady and her, I think, two kids were in their home and during a wind event trees were falling over, dead trees. And you could hear them cracking that hadn't fallen yet.

She finally decided she was going to have to get her family out of her home, because she was within reach of some of the trees, and go take a hotel down the hill in the town of Chico rather than stay in her home, because we keep hanging on, hanging on with the inability to quickly and efficiently remove the hazardous trees that still exist there.

So, we don't need to NEPA to death every little project. Indeed, a coordination of projects into one. The darn NEPA doesn't teach you that much anyway. I don't know if they even read the thing. At the end of the day, is it going to affect a yellow-toed salamander or what have you?

The work is going to get done. It needs to get done. It is just a lot more pain. So, if you can—we need help on that Lake Madrone thing that I mentioned a while ago.

And if in your conversations with the regulators on this, please emphasize that a broader approach, a burn scar approach, would be very helpful for everybody, I am sure for your Department and for the people that are actually victims.

So, thank you for that.

And I will yield back, Mr. Chairman.

Mr. PERRY. The Chair thanks the gentleman. The gentleman yields back.

Are there any further questions from any members of the subcommittee who have not been recognized?

Seeing none, that concludes our hearing for today. I would like to thank the witness for her testimony and for being here today. It was tough questions, tough job. We appreciate you, and we thank you for coming and taking the heat.

This hearing is adjourned.

[Whereupon, at 12:13 p.m., the subcommittee was adjourned.]

APPENDIX

QUESTIONS FROM HON. LORI CHAVEZ-DE REMER TO HON. DEANNE CRISWELL, ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY

Question 1. Does the current grant guidance allow funding to be used for technologies such as AI/ML and other prediction and early detection capabilities? Technology and integrated services will allow for earlier detection, improved situational awareness and better decision-making, mitigating impacts of these fires on small and often impoverished communities.

Question 2. If the current FEMA grant guidance does not allow for these types of technologies and technology services, I would like to request FEMA issue the appropriate grant guidance to the states to maximize the accessibility of grants for wildfire technology and related services.

ANSWER to 1 & 2. In general, warning systems may be eligible for HMA grants if they meet the general program eligibility requirements, including feasibility and cost-effectiveness. When seeking assistance for these projects, it is important that applicants describe how the system will be used to reduce potential injury and damage from a natural disaster (i.e., what actions will be associated with the warning) and that the technology used, such as artificial intelligence or machine learning, is accepted and proven to be effective when incorporated into early warning systems.

QUESTIONS FROM HON. DINA TITUS TO HON. DEANNE CRISWELL, ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY

Question 1. We need to ensure that FEMA exercises the full breadth and extent of its authorities provided by Congress to provide resources to state, local and tribal governments to build capacity and increase resilience against wildfires, including through mitigation efforts. One such area that shows promise for wildfire mitigation is through the use of advanced technology and technology services, such as artificial intelligence (AI) and machine learning (ML) in order to predict future behaviors of fires.

Question 1.a. Does the current grant guidance for the Building Resilient Infrastructure and Communities (BRIC) program allow funding to be used for technologies such as artificial intelligence (AI) and machine learning (ML) and other prediction and early detection capabilities?

Question 1.b. If it does not, does FEMA plan to issue guidance in the future addressing these uses for the BRIC program?

ANSWER to 1.a. & 1.b. In general, warning systems may be eligible for HMA grants if they meet the general program eligibility requirements, including feasibility and cost-effectiveness. When seeking assistance for these projects, it is important that applicants describe how the system will be used to reduce potential injury and damage from a natural disaster (i.e., what actions will be associated with the warning) and that the technology used, such as artificial intelligence or machine learning, is accepted and proven to be effective when incorporated into early warning systems.

QUESTIONS FROM HON. RICK LARSEN TO HON. DEANNE CRISWELL,
ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY,
U.S. DEPARTMENT OF HOMELAND SECURITY

Question 1. Point Roberts, WA, is located in an exclave; the town is completely surrounded by the territory of Canada. Point Roberts is also located in a disaster-prone area, which is at high risk for hazards such as wildfires and tsunamis.

Question 1.a. How does FEMA support disaster preparedness and response in exclaves?

ANSWER. The Federal Emergency Management Agency (FEMA) and our network of regions, distribution centers, and personnel respond to emergencies and disasters from Guam to the U.S. Virgin Islands. As such, we have expertise in responding to geographically isolated communities, like Point Roberts, WA, and the State of Alaska.

Just like other communities, FEMA works closely with the State of Washington to provide trainings and exercises, disaster preparedness support, grants management, and technical assistance.

Additionally, through the Western-Regional Emergency Management Advisory Committee there is a mechanism for rapid resource sharing between the United States and Canada.

Working through the National Response Coordination Center, FEMA can and will deploy resources to communities like Point Roberts, WA through Canada by closely coordinating with U.S. and Canadian border officials.

Question 1.b. Has the Agency ever awarded a grant to an exclave or extended a disaster declaration to cover exclave territory?

ANSWER. Yes, FEMA has awarded disaster and non-disaster grants to exclaves. There are currently five open disasters in Alaska. In addition, Point Roberts, WA was included in a 2022 disaster declaration (DR-4418) for severe winter weather.

Question 2. Investments in mitigation save lives, property and taxpayer dollars. Therefore, pre-disaster mitigation programs such as BRIC are critical to building nationwide resilience. This year, 23 states will be first time recipients of BRIC grants.

Question 2.a. How did FEMA ensure a geographically diverse disbursement of awards this funding cycle?

Question 2.b. How can Congress work with FEMA to ensure that pre-disaster mitigation investments are similarly dispersed for future funding cycles?

ANSWER to 2.a. & 2.b. FEMA benefitted from a multi-pronged approach, dedicating funding to each state/territory and setting aside funding for Tribes, providing technical assistance, and conducting extensive outreach that helped achieve a geographically diverse disbursement of awards during the Fiscal Year (FY) 2022 Building Resilient Infrastructure and Communities (BRIC) funding cycle, which resulted in BRIC selections across 55 states and territories.

The BRIC program's State/Territory allocation helped to ensure that all states and territories have the opportunity to apply for and receive BRIC funding. This allocation, combined with the separate set aside specifically for tribes, contributes to geographically disbursed awards. During the FY 2022 BRIC funding cycle, FEMA allocated \$2 million to each state/territory and set aside \$50 million for tribal applicants. This is in addition to the more than \$2.1 billion in funding made available under the national competition.

FEMA has also made BRIC Direct Technical Assistance (BRIC DTA) available to communities and Tribal nations throughout the country, providing holistic hazard mitigation planning and project support at the earliest stages. BRIC DTA is currently supporting 74 communities and Tribes across the country, offering support for up to 36 months. Nine Tribes/communities selected for BRIC DTA in FY 2020 and FY 2021 had supplications applications identified for further review in the FY 2022 BRIC program and we anticipate more in coming years.

Furthermore, FEMA embarked on an extensive outreach campaign to ensure states, Tribes, territories, and communities were aware of the BRIC program and understood how to apply for grants. In addition to traditional outreach through news releases and coordinated actions throughout the ten FEMA Regions, FEMA delivered a series of nine national webinars to help ensure widespread accessibility, reviewing eligible activities, discussing the application process, and providing general technical assistance to support quality subapplications. This included targeted outreach to Tribes, dedicating one of the webinars for Tribal communities.

On August 28, 2023, FEMA announced the final project selections for the FY 2022 BRIC grant cycle. FEMA selected competitive projects for further review from 38

states and territories. Of those, 23 states will be first-time recipients for competitive BRIC selections upon completing their pre-award reviews. This is an increase from 19 states in FY 2021 and 10 states in FY 2020. The increase in tribal nation requests continued to rise as well. In total, 34 Tribes were selected in the Tribal Set-Aside for approximately \$54 million in funding in FY 2022.

The FY 2022 BRIC application cycle benefitted from the availability of funds following the COVID-19 disaster declarations, and as a result of the additional funding through the Infrastructure Investment and Jobs Act, FEMA is able to select more projects across a more diverse geographic scope.

FEMA was intentional in the FY 2022 Notice of Funding Opportunity to ensure the BRIC funding was available to all states. First, FEMA directly allocated funding across all 50 states and territories, and set-aside funding specific for Tribal Nations. Second, FEMA conducted extensive outreach and trainings to make sure applicants were aware of the BRIC opportunities. Third, FEMA expanded the direct technical assistance program to help develop applications for disadvantaged communities. Fourth, when making final selections the FEMA Administrator ensured geographic diversity in the awards. And finally, the availability of additional BRIC funds in FY 2022 permitted FEMA to make more awards, which contributed to geographic diversity.

Question 3. Delays in receiving reimbursement through the Public Assistance (PA) program have caused many counties to take out large loans to cover immediate recovery costs.

Question 3.a. What is FEMA doing to expedite PA reimbursements?

ANSWER. FEMA has seen a large increase in the amount of Public Assistance requested in recent years, due in part to an increase in major disasters and emergencies, a number of severe events with catastrophic damage, and the COVID-19 pandemic. In the five-year period between calendar years 2010 and 2014, FEMA provided an average of \$4 billion in Public Assistance each year. In the last five calendar years (2018 to 2022), FEMA has averaged nearly \$24 billion in Public Assistance each year—more than a five-fold increase.

FEMA conducted an independent assessment of the Public Assistance (PA) program in 2022. The assessment found that most of the delays in timeliness occur during the Damage Intake and Analysis phase when a FEMA Program Delivery Manager in the field works with the applicant to prepare their project application for submission. Specifically, as it relates to timeliness, FEMA has already made several changes to reduce the burdens during this phase, including:

- Simplified documentation requirements for unobligated projects under the Public Assistance Program and Policy Guide (PAPPG)—version 4.
- Waived the PAPPG requirement for unobligated projects on open incidents, that completed small projects must be prepared based on actual costs.
- Adjusted the 90-day post-obligation deadline for projects with work completed prior to obligation to begin on the date of obligation.
- Announced the release of the PA Sampling Procedure which reduces the level of documentation that applicants are required to submit for large projects for FEMA to validate PA claims.
- Providing applicants flexibility in how they claim costs for the work associated with power restoration projects.
- No longer performing a separate reasonable cost analysis of work performed through the Emergency Management Assistance Compact (EMAC), as long as the project followed established EMAC rules.

Once FEMA obligates funding, the funds are released to the recipient (typically the state emergency management agency), which can disburse funding to the applicant consistent with the recipient's procedures for disbursement of federal grant funds.

FEMA understands that some states may delay release of obligated funds, either as a standard practice or to avoid the potential for repayment later, to ensure that all requirements of the grant are met and to avoid any potential audit findings. However, disbursement and reimbursement processes are set by the recipient, and are dictated by the Recipient-Subrecipient Agreement and are typically initiated by the subrecipient's request for reimbursement.

Question 3.b. What role will the VAYGo process play in the PA program moving forward? Will all PA grants be subject to VAYGo?

ANSWER. Validate as You Go (VAYGo) is, and will continue to be, FEMA's PA grants payment internal control review process, which ensures FEMA's compliance with statutory improper payment review and reporting requirements. VAYGo payment integrity testing results allow recipients to remediate questioned costs and

take appropriate actions to strengthen internal controls in grant lifecycle processes. This will prevent or reduce the likelihood of future improper payments.

Testing is based on drawdowns. Any drawdown made by a Recipient for a disaster declared on or after October 1, 2019, is subject to VAYGo testing.

Question 4. Subcommittee staff have heard that some mitigation grant obligations may have been delayed due to Requests for Information (RFI) that are sent to the applicant from the relevant FEMA region office.

Question 4.a. Does FEMA track the number of RFIs sent from the regional offices to applicants?

Question 4.b. If yes, what is the average number of RFIs sent to the applicant per BRIC and Hazard Mitigation grant project, respectively?

ANSWER to 4.a. & 4.b. FEMA issues Requests for Information (RFIs) because the applicant has not fully explained, justified, or documented their request. RFIs help to ensure compliance with policy, statutory, and regulatory requirements, allowing FEMA to make awards and help FEMA and grantees avoid situations where funding needs to be deobligated or returned to FEMA because of a lack of compliance.

FEMA Grants Outcomes (FEMA GO) creates records of RFIs sent by the Regional offices. The National Emergency Management Information System (NEMIS), the grants management system currently used by Hazard Mitigation Grant Program (HMGP), does not track the number of RFIs sent by the Regional offices. However, the Regional offices retain copies of RFIs either via paper or digital means.

BRIC/Flood Mitigation Assistance program years 2020 and 2021 saw an average 1.7 and 1.9 RFIs, respectively, per subapplication. For subapplications that had at least one RFI, the average rises to 2.7 and 2.6, respectively.

Since NEMIS does not track RFIs, this number cannot be queried for HMGP.

Question 4.c. Are all RFIs submitted using FEMA Go? If not, what alternative methods are used to submit RFIs?

ANSWER. RFIs for grant programs currently using FEMA GO are intended to go through the system. The Hazard Mitigation Assistance (HMA) Program is aware that some Regions are sending RFIs using systems other than FEMA GO (such as SharePoint and other file sharing systems) but should be uploading them as attachments to FEMA GO. For HMGP, the most common delivery method is email. When HMGP is onboarded into FEMA GO, RFIs will likely also be tracked and processed in the system.

For reference, part 6.G of the 2023 Hazard Mitigation Assistance Program and Policy Guide (HMAPPG) provides guidance about the process for requesting additional information. See pages 144–147 of the HMAPPG.

Question 5. Congress amended section 406 of the Stafford Act to incentivize pre-disaster investment measures that increase readiness and resilience to major disasters. The law requires FEMA to increase the federal cost share for Public Assistance reimbursements for state and tribal governments that have proactively embraced such measures.

When will FEMA publish regulations and guidance regarding this mandatory authority?

ANSWER. FEMA intends to publish a policy that will implement this provision in calendar year 2024.

Question 6. Please provide all written documentation and guidance that FEMA uses to determine incident periods for disaster declarations.

Question 6.a. In the absence of written guidance, please explain what procedures are used to determine incident periods for declared events.

Question 6.b. Which positions/personnel are involved in the process used to determine incident periods?

Question 6.c. What criteria does FEMA use to determine if an incident period should be reopened?

Question 6.d. What criteria are used to determine whether it is appropriate to group similar events that occur simultaneously or in immediate succession into a single incident period?

ANSWER to 6, 6.a.–6.d. The incident period is the time interval during which the disaster-causing incident occurs. FEMA will not approve federal assistance under the Stafford Act unless the damage or hardship to be alleviated resulted from the disaster-causing incident which took place during the incident period (or was in anticipation of that incident).

The disaster declaration and the FEMA-State Agreement (FSA) establish the incident period based on official information the appropriate federal agency provides, such as the National Weather Service (NWS) for a weather-related event or the United States Geological Survey (USGS) for an earthquake.

Generally, a major disaster declaration for a storm event is limited to a single storm or a series of storms that are deemed to be part of the same storm system that impacts the same geographical areas, such that the impacts from the separate storms are indistinguishable and are separated by three days or less. The NWS has previously clarified to FEMA that a discrete weather system affects the same geographic area for a period of no more than two or three days, whereas broader meteorological phenomena (e.g., weather patterns, troughs, and pressures) result in multiple storm systems over a longer period of time, ranging from days to weeks. Successive storm systems separated by more than 72 hours are considered separate storm systems. FEMA evaluates these systems separately to determine whether they independently meet the statutory and regulatory requirements for a declaration. Furthermore, the damage and impact from each distinct and separate storm system must be of the severity and magnitude that would warrant a separate declaration.

When the effects of the incident are ongoing, the initial declaration and the FSA may state that the incident period is “continuing.” If so, the Federal Coordinating Officer is responsible for monitoring and evaluating incidents to determine when to recommend closing the incident period. FEMA will consult with the state, Tribe, or territory and establish the closing date in an amendment to the FSA and the declaration and publish the amended date in the Federal Register.

A request to reopen the incident period for the declared incident should include information demonstrating that the incident had significant impacts outside of the declared incident period (e.g., damaged critical infrastructure and other secondary effects) and:

- Evidence that the additional incident occurred or will occur within 72 hours after the end of the declared incident period.
- The same geographic areas are impacted again.
- The damage was, or is likely to be, significant and difficult to distinguish from that of the declared incident.

When reviewing a request to reopen an incident period, FEMA, in consultation with the NWS (or other federal agency, as appropriate), bases the determination on whether the new incident is connected to the original declaration (i.e., one that is part of the same storm system).

QUESTIONS FROM HON. JENNIFFER GONZÁLEZ-COLÓN TO HON. DEANNE CRISWELL, ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY

Question 1. The FEMA Recovery page indicates that between all the various disasters of the past few years, FEMA Public Assistance has allocated and obligated \$45.665 Billion for Puerto Rico, almost all out of the Disaster Relief Funds, of which \$19.272 Billion has been outlaid, that is transferred from FEMA accounts to the accounts of the entities responsible for the work.

Of that, a recent FEMA release announced that over \$31 billion are for 10,800 Public Assistance projects, and within that, close to \$4 billion earmarked for over 6,400 projects that are supporting the recovery of the municipalities of Puerto Rico, including for this year 2023 over \$296.8 million for 434 projects.

The local agency in charge of getting those funds to the municipalities, the Central Office of Recovery, Rebuilding and Resiliency (COR3), indicates they have managed 4,150 projects whose obligations near \$1.9 billion.

Because most municipalities and nonprofits do not have cash on hand or credit to start work before reimbursement, COR3 established a Working Capital Advance system, providing \$1.264 billion to 30 state agencies, 58 municipalities and 44 nonprofits.

However, yesterday, the press reports that COR3 announces that as many as two thirds of those entities would have to return those advances due to not being able to evidence use after a year. And that FEMA is aware and will get a report on the specifics this week. I expect that as soon as that information is available, as the Representative from Puerto Rico on the committee with oversight, I will be copied on it directly or through the Subcommittee.

Questions:

[Editor’s note: Questions 1.a., 1.b.i., 1.b.ii., 1.b.iii., and 1.c. are listed out of order below. They appear in the order in which the witness responded to them.]

Question 1.a. Does FEMA have its own record of how much has been actually disbursed, as in *paid for work done* (as opposed to just transferred to the entity in charge)?

Question 1.c. Should we create an instrument or protocol at the federal level to enable FEMA to handle the cases of communities who simply have NOTHING with which to cover a funding match or do work pending a future reimbursement? Or to support them in case inflationary pressures cause their share to grow beyond their capacity to pay?

ANSWER to 1.a. & 1.c. COR3 has developed the Working Capital Advance (WCA) Program so that all government agencies and nonprofits that have projects obligated through FEMA's PA Program—and meet the established requirements—may apply for a 50 percent advance through this pilot program run by COR3. WCA allows nonprofits and government agencies to identify priority projects that have not started due to lack of money and apply for the WCA to continue advancing the work.

COR3 has already developed this instrument to cover a funding advance: this entity manages and executes the program to allow advance payments that are moving forward the execution of thousands of reconstruction projects.

Question 1.b. If so, I would ask that you provide us what is the status as of this date of:

Question 1.b.i. How many municipal projects have been finally completed and delivered?

ANSWER to 1.b. & 1.b.i. This information is managed by COR3 and is available through their Puerto Rico Disaster Recovery Transparency Portal—COR3. COR3 submits a Quarterly Progress Report (QPR) in which this information is included. Based on the latest QPR, they report a total of 1,410 municipal projects completed.

Question 1.b.ii. How many municipal projects are underway?

ANSWER. As per COR3's latest QPR, a total of 11,438 municipal projects are in progress through their different execution stages. The breakdown of these execution stages is as follows: 7,284 in the Planning stage; 1,424 in Design; 10 in Permitting; and 2,720 Under Construction.

Question 1.b.iii. How many projects are right now still pending for approval, or approved and pending for disbursement of payment?

ANSWER. A total of 524 projects are in FEMA's Phase 2 of project formulation and, of these, 413 (79 percent) are pending for the applicant to submit the required Scope of Work (SOW) to determine eligibility. 10,841 projects are already obligated under FEMA's PA Program. In regard to those that are pending for disbursement of payment, this is a process managed and reported by COR3.

Question 2. In late 2020 and early 2021 there was the announcement of the FEMA Accelerated Awards Strategy (FAASt) Obligations for major permanent infrastructure recovery:

- \$9.5 billion for the electric system
- \$3.7 billion for the water system
- \$2 billion for the schools
- \$554 million for public housing

Question 2.a. Starting especially with the obligation for the Electric Utility rebuilding, can you provide us a breakdown of what is the progress of the Action Plan for the projects under these obligations, including as in the case of municipalities:

Question 2.a.i. What has been approved to proceed.

Question 2.a.ii. What has been submitted and is under evaluation.

Question 2.a.iii. What has been started, and of that what has been completed.

ANSWER to 2.a.i.–2.a.iii. As of September 19, 2023, a total of 139 FEMA Accelerated Awards Strategy (FAASt) subprojects have been approved for the energy grid. These include 101 for Distribution, six for Transmission, 14 for Substations, two for Telecommunications/IT, 14 for Generation, one for Architecture and Engineering (A&E); and another for the advanced purchase of materials.

The \$600 million federal allocation for the advanced purchase of materials and equipment will allow resources to be available once the reconstruction work begins. This purchase in advance will be carried out for materials and equipment that are currently in short supply, that usually have a long-lead time or that could be impacted by future events.

According to the applicant, 112 projects have been completed.

FEMA continues working closely with the applicant to scope and review their remaining projects, including providing significant technical assistance in leveraging Hazard Mitigation opportunities and complying with Environmental and Historic Preservation requirements.

Question 2.b. If there is a regular progress report for each of these Action Plans that FEMA can provide us as a regular update to the Subcommittee, we would request that.

ANSWER. COR3 submits a QPR regarding the recovery progress. The last updated report submitted reflects the reconstruction progress of the quarter from April 1st until June 30th, 2023.

Question 2.c. How is FEMA addressing inflationary pressures on these programs?

ANSWER. FEMA has been carefully monitoring inflation data. While FEMA already includes an inflation adjustment factor in all fixed cost offers, we are working closely with Puerto Rico's COR3 to compare recent actual costs of project implementation to the awarded fixed cost estimates.

In addition to working with COR3, FEMA has also been engaging with the Government Accountability Office (GAO) which is performing an independent assessment of the emerging risks due to increased costs as part of GAO engagement 105557.

FEMA is committed to continuing to monitor the available funding to ensure continued support of the recovery from Hurricane María in Puerto Rico.

Question 3. The FEMA funding programs right now are also facing issues regarding the rising costs of works under Public Assistance. There are projects that are under the Section 406 which are paid as the costs are incurred, but there are also projects under Section 428 which were based on a fixed cost estimate that included an inflation provision based on what was the inflation rate THEN, 2018–2020. That however has fallen short.

For example, the Vieques Health Center had its funding approved in 2020 when the estimated cost was \$59 million yet a contract for construction was not signed until February of this year and by now the cost is expected to be \$85 million, which is \$26 million more. Recently the mayors of several Puerto Rico Municipalities have visited FEMA and the Congress seeking guidance on this, bringing up instances where bids have to be declared vacant because NO contractor could bid low enough to be covered under the approved allocation, or the design stage alone would consume the entirety of the allocation.

Question 3.a. To what extent was this a result of initial estimates being done without looking in depth at the full extent of the recovery work that would be needed?

Question 3.b. When either an unusual spike in inflation, or observation of the real requirements on-site, renders the original estimates and adjustment margins moot, is there any mechanism to address this? Should Congress create one?

ANSWER to 3.a. & 3.b. While FEMA already includes an inflation adjustment factor in all fixed cost offers, we are working closely with Puerto Rico's COR3 to compare recent actual costs of project implementation to the awarded fixed cost estimates.

In addition to working with COR3, FEMA has also been engaging with the GAO who is performing an independent assessment of the emerging risks due to increased costs as part of GAO engagement 105557.

FEMA includes cost estimating factors (CEF) in every fixed cost estimate for PA Section 428 projects. The CEF includes an estimate of base construction costs as well as factors to account for additional costs, such as construction cost contingencies, change orders, and importantly, inflation over the length of the project. This cost escalation factor uses a two-year average of either the Building Cost Index or the Construction Cost Index, with a larger inflation adjustment made for projects with longer expected timelines.

In Puerto Rico specifically, in addition to this cost escalation factor, FEMA commissioned the HSOAC to analyze the impact of anticipated changes to labor, materials, and equipment costs associated with the scale of recovery necessary in Puerto Rico and the U.S. Virgin Islands from Hurricane Maria. It developed the Future Price Forecast (FPF), which provides an additional adjustment to labor, material, and equipment costs in the CEF to account for the additional demand for construction from recovery efforts providing an additional adjustment for inflation, in addition to FEMA's normal adjustment. This analysis is updated quarterly and the June 1, 2023, update indicates that there had been little change in Puerto Rico and U.S. Virgin Islands in terms of key economic and construction sector indicators. Construction prices in Puerto Rico and the U.S. Virgin Islands have not increased as much as in the rest of the country.

In the case of the Vieques Health Center, FEMA has carefully reviewed the bids on the contract and the possible effects of inflation. In this case, the applicant has deviated from FEMA's original SOW requesting an improved project, in which an applicant is expanding the SOW beyond the FEMA approved SOW at their own cost. Prior to Hurricane Maria, Vieques Health Center was approximately 33,000 sq ft. FEMA's original approval for a replacement of the facility included a number of upgrades to bring the facility to the latest building codes and industry standards, in-

creasing the size of the replacement facility to 38,613 sq ft, in addition to adjustments for inflation and the FPF factors. After approval of the project, the applicant then elected to go out to bid for a new Vieques Health Center of 59,210 sq ft which was an increase of 65 percent over the original FEMA approved SOW, and 79 percent over the pre-disaster size of the facility. The final bidded costs for this project are proportional to the increased scope of the improved project, however, due to the increased scope, FEMA could not determine the exact effect (if any) that inflation would have had on the original version of the project. In the case of the Vieques Health Center, FEMA has carefully reviewed the bids on the contract and the possible effects of inflation. Nonetheless, in this case the applicant has deviated from FEMA's original SOW requesting an improved project, in which an applicant is expanding the SOW beyond the FEMA approved SOW at their own cost. The improved facility will almost double in size. Due to the increased scope, FEMA could not determine the exact effect (if any) that inflation would have had on the original version of the project.

Question 4. The point of Section 428 Alternate Procedure was that the tradeoff was that there would be a fixed cost estimate, but that would mean that in turn approval would be quicker and action could be started more quickly as well. Yet the mayors of the different municipalities have complained to us that this did not happen, and that is the reason they now face the aforementioned inflationary impact. That it would have been one thing if something applied for in 2018 could have been approved in 2019 started in 2020, vs. only getting started in 2023.

As you probably are aware, this caused many to claim that aid to Puerto Rico was being deliberately slow-walked by the different agencies.

Question 4.a. What was the main cause for the perceived slowness in moving aid forward and getting start approvals for the first 4 years post-Maria?

ANSWER. As of September 14, 2023, FEMA has obligated nearly 10,800 Project Worksheets for a total of over \$31 billion, which is a historic amount of PA for one (non-COVID-19) disaster. The magnitude of federal funds and the number of projects are historic and will help the island recover from Hurricane Maria. Additional information on the progress of recovery can be found on COR3s Recovery Transparency Portal. Link: Puerto Rico Disaster Recovery Transparency Portal—COR3 (pr.gov) [<https://recovery.pr.gov/en>].

Emergency Work and Permanent Work from Calendar years 2017–2022:

During the initial two years after Hurricane Maria, FEMA, COR3, and the applicants directed their efforts towards performing emergency work and obligating emergency work projects. In 2017 and 2018, a total of 1,173 projects were obligated, of which 86 percent were emergency work projects (Categories A and B). During 2019, a total of 962 projects were obligated, with 56 percent categorized as emergency work projects. These categories of projects were prioritized over permanent work projects to safeguard lives, protect public health and safety, and mitigate any immediate threats of additional damage. Given the magnitude of the disaster's impact on the island, the prioritization of emergency work projects was crucial to sustaining critical lifelines.

After ensuring the stability of these lifelines, FEMA, COR3, and the applicants were able to redirect their efforts towards permanent work projects, thereby contributing to the island's long-term recovery. Starting in 2020, applicants and COR3 have actively shifted their focus to permanent work projects, making notable strides in this regard. In 2020 and 2021, FEMA obligated over 8,400 projects, of which 92 percent were permanent work projects. In 2022, FEMA obligated 2,371 projects, of which 94 percent were permanent work projects.

Another factor which may have contributed to the time it has taken to move aid forward is the fact that Applicants had incurred damage across multiple facilities and projects, potentially limiting their capacity to manage all projects simultaneously. Other factors include COVID-19 impacts, applicants competing for the same contractors, limited construction workforce, competing priorities for other disasters, limited capacity requirements, and complex environmental reviews.

FEMA is continuously evaluating our programs and operations and look to improve our processes and procedures. We continue to look at these issues and improve upon them.

Question 4.b. Were there any situations that raised red flags and led to requiring tighter oversight of the obligations and disbursements?

ANSWER. Due to concerns post hurricanes Irma and María about the Government of Puerto Rico's diminished capability and the need to be prudent about the federal investment, FEMA restricted the drawdowns for obligations associated with the Irma and Maria declared disasters in Puerto Rico and implemented a manual draw-

down process. This required FEMA to review the documents that the Government of Puerto Rico provided in support of a request for reimbursement.

Nevertheless, in 2019, FEMA eliminated the manual drawdown process in favor of the Government of Puerto Rico and all the responsibility was passed down to the recipient—in this case COR3—granted given that COR3the entity met a completeness and compliance review before carrying out disbursements.

These restrictions were eliminated in by 2021 and from then on COR3 has been completely in charge of validating completeness and compliance, as the entity that disburses funds to sub-applicants. Parallel with this action, nationwide FEMA implemented the VAYGo strategy, a process that randomly assesses completeness and compliance requirements of drawdowns and disbursements based on FEMA regulations. The most recent results from a FEMA VAYGo assessment are that COR3 is on target with completeness and compliance reviews requirements.

Question 4.c. What is the Agency doing to prevent this from happening again?

ANSWER. Recovery is progressing at a steady pace as FEMA continues to work closely with COR3 to obligate all recovery projects this year and ensure the island has the necessary tools for its long-term recovery.

The agency is providing a historic level of support to Puerto Rico, both financially and in the form of technical guidance. Through continuous interaction and communication with COR3 and subrecipients, FEMA can further clarify documentation requirements and conditions to help avoid delays and ensure project formulation processes can move forward.

Likewise, FEMA has provided a detailed procurement compliance review to COR3 as part of its technical compliance assistance. The intent behind this type of review is to ensure that projects meet not only Federal contracting requirements, but state and local ones as well.

FEMA continues to provide technical guidance and support to COR3 and subrecipients to ensure projects move forward with a shared vision to restore critical services systems and build capacity in Puerto Rico in a manner that is both fiscally sound and resilient against the impacts of future disasters.

Question 4.d. In the early stages there was a serious problem of staff turnover resulting in loss of knowledge and experience while projects were still in the pipeline. How has the Agency addressed this?

ANSWER. FEMA established a permanent operation to manage Hurricane María recovery operations (DR-4339) through the Puerto Rico Joint Recovery Office (PR JRO). The PR JRO has under the same structure a capable and well-prepared workforce, which includes subject matter experts that manage this type of operation. Ninety percent of this workforce is local staff that have been in the operation since 2017 and who were initially hired for 120 days (Local Hire employee type). These employees were later hired under another employment category (Cadre of On-Call Response/Recovery Employees) within FEMA.

Question 5. Related to the recovery for the Electric Utility system—A year ago it was discussed that there would be a short term need for FEMA to cover 700MW of temporary power generation for stability of the system, but later it was decided that what was needed by this hurricane season was 350MW, then this summer as power interruptions continued it turns out that it really did need 700MW after all.

Question 5.a. What happened there? A miscommunication? A change of estimates from PREPA or from DOE?

Question 5.b. Do these changes require additional administrative processes and slow down the process further?

Question 5.c. As the Agency may be keeping track of the installation of the supplementary power, could you advise us how much is online now and by when it is expected to be all online?

ANSWER to 5.a.-5.c. As a result of the impacts of Hurricane Fiona, the Governor of Puerto Rico requested the Federal government's support to stabilize the power system. The Puerto Rico Power System Stabilization Task Force (PR PSSTF) was established in October 2022. The Federal Government anticipated the need to place up to 700 MW of temporary power on the system depending on the US Army Corps of Engineers (USACE) repair schedule and the number of units they may take down at any given time for repair. When Puerto Rico indicated they were completing emergency repairs to the grid without federal support, FEMA mission-assigned the USACE to oversee the installation of temporary power generation units at the Palo Seco and San Juan power plants, to augment system capacity by providing 350 MW of supplemental capacity to stabilize the power system during the 2023 hurricane season. The initial intent was that FEMA would provide this assistance for six months, beginning in July 2023. The buildout of the supplemental generation at the

San Juan facility took longer than expected, thus FEMA extended the Direct Federal Assistance mission to March 15, 2024, to ensure six months of temporary generation is provided.

The PR PSSTF determined the optimal number of megawatts at peak load at 3,650 MW, with adequate generation capability redundancy and no single point of failure. Based on projected repairs and progress made by the Government of Puerto Rico on several Hurricane Fiona damage-related emergency repairs at Aguirre Power generation plant, the original temporary power estimates of 700 MW were adjusted to 350 MW.

Through Direct Federal Assistance, there are fully operational temporary generation units in the Palo Seco and San Juan power plants, providing 350 MW baseload capacity on liquefied natural gas with demineralized water system.

- At Palo Seco, six temporary generators are providing up to 150 MW and became operational on July 1, 2023.
- At San Juan, nine temporary generators are providing up to 200MW and became operational on September 26, 2023.

While recent unprecedented heat in Puerto Rico prompted a request from Governor Pedro Pierluisi for an additional 350MW, FEMA was unable to fulfill this additional request because the extreme heat is not a direct result of Hurricane Fiona.

Question 6. The Assistant Administrator after last May's hearing assured us that the FEMA funds under the FAAS program were NOT at risk of clawbacks. That was good to know. But there is still much worry among the entities receiving other assistance programs.

In all the other FEMA funding structure, allocated or obligated for Puerto Rico recovery, is there *any* FEMA funding that is in any way vulnerable to "use-it-or-lose-it" deadlines, or to claw-backs from Washington if it is seen as remaining unused?

ANSWER. FEMA is not aware of any Disaster Relief Funding for Puerto Rico recovery that is vulnerable to claw-backs or "use-it-or-lose-it" deadlines.

Question 7. The pace of recovery has been a reiterated concern through the past years, including delays both in construction and in payments for work already done as well as in approvals or revisions.

Question 7.a. Are you satisfied with the pace of use of funds and execution of work? What level of oversight does FEMA have on how and when the work is done, and the funds are used?

ANSWER. As of September 14, 2023, FEMA has obligated nearly 10,800 Project Worksheets for a total of over \$31 billion, which is a historic amount of PA for one disaster. The magnitude of federal funds and the number of projects are historic and will help the island recover from Hurricane Maria. Additional information on the progress of recovery can be found on COR3s Recovery Transparency Portal. Link: Puerto Rico Disaster Recovery Transparency Portal—COR3 (pr.gov) [<https://recovery.pr.gov/en>].

COR3 and Applicants work together with FEMA not just during the review and approval of projects, but also when reviewing the period of performance (POP) of projects. FEMA has been reviewing Time Extensions for each Applicant on each project's POP. FEMA has been flexible in approving these Time Extension POPs due to considerations such as the impact of COVID-19; applicants competing for the same contractors; limited construction workforce; competing priorities for other disasters; limited capacity requirements; and complex environmental reviews. The Applicants must provide to FEMA and COR3 the reason for the delays, the status of the work, project timelines with a project completion date, and documentation substantiating delays beyond its control.

Question 7.b. Is there a way to make it possible to get funding directly to municipalities more quickly?

ANSWER. The processes and procedures for the administration of PA grants is governed by 44 § CFR part 206, subpart G. These regulations dictate that FEMA obligate money to the Recipient, which is a State, Territorial, or Tribal Government that receives and manages the federal award under the disaster declaration. The Recipient then disburses funding to eligible subrecipients. The subrecipients are Applicants who have received a subaward from the Recipient and are then bound by the conditions of the award and subaward. The Executive Director of COR3 (Recipient) serves as the Governor's Authorized Representative for purposes of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988.

Question 7.c. I know this was decided by your predecessors at the time, but do you know, or can you find out, with certainty: WAS it FEMA who required that there HAD to be a centralized “filter” through COR3 for the funding?

ANSWER. FEMA requires the Government of Puerto Rico act as a recipient. To manage the federal funding and ensure not only adequate project execution, as well as transparency, accountability and compliance with applicable laws and regulations, the Government of Puerto Rico created the COR3 back in 2018, which in turn acts as Recipient of FEMA PA and HMGP funds. The COR3 Executive Director also serves as the Governor’s Authorized Representative for purposes of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 (Stafford Act). Accordingly, COR3 has a prominent role in the recovery process, along with FEMA and each subrecipient, including municipalities, certain private non-profit entities, state agencies, and public corporations and instrumentalities, such as the Puerto Rico Electric Power Authority. After the occurrence of a major disaster and subsequent Presidential declaration, FEMA awards PA and/or HMGP funds to COR3 as Recipient, while COR3 enters into subaward agreements with subrecipients and serves as pass-through entity to provide funding to carry out part of the PA or HMGP activities. As Recipient, COR3 is responsible for providing technical assistance and ensuring that subrecipient activities are carried out in full compliance with FEMA and other federal, state, and local requirements. On the other hand, subrecipients are responsible for actual procurement and project execution pursuant to applicable federal, state, and local regulations, which in most cases mandate a full and open competitive process.

Question 7.d. Is the Agency satisfied with the performance of your Puerto Rico local-level partners like COR3 in getting project funds “out the door” and work happening?

ANSWER. As of September 14, 2023, FEMA has obligated nearly 10,800 Project Worksheets for a total of over \$31 billion, which is a historic amount of PA for one disaster. The magnitude of federal funds and the number of projects are historic and will help the island recover from Hurricane Maria. Additional information on the progress of recovery can be found on COR3’s Recovery Transparency Portal. Link: Puerto Rico Disaster Recovery Transparency Portal—COR3 (pr.gov) [<https://recovery.pr.gov/en>]. Additionally, COR3 has developed the Working Capital Advance (WCA) Program in which all government agencies and nonprofits that have projects obligated through FEMA’s PA Program (and meet the established requirements) may apply for a 50 percent advance through this pilot program run by COR3. This WCA program allows nonprofits and government agencies to identify priority projects that have not started due to lack of money and apply for the WCA to continue advancing the work. This advance payment can allow the execution of thousands of reconstruction projects to begin the permanent repairs required.

Question 8. In the Bipartisan Budget Act of 2018 it was provided explicitly that funding for critical services recovery would be done up to current standards and without regard to prior existing condition. Still, it is repeatedly reported to us that there still arise situations of staff questioning whether certain work or acquisitions respond exclusively to damage from the specific disaster under the declaration, or the proverbial “but is this the same doorknob” question about replacements or repairs. This is even more aggravating when you may have had multiple disasters hitting repeatedly. The Governor of Puerto Rico has asked for a formal administrative consolidation of the different declarations so if certain infrastructure needs repairing, it is repaired up to standards, period, regardless how much of the damage came from each incident.

Question 8.a. Would the Agency be able to do this administratively or do you require Congressional Authorization? If so, how?

ANSWER. FEMA interprets and uses the authority provided by section 20601 of the Bipartisan Budget Act of 2018 (BBA) as broadly as possible to support the recovery in the U.S. Virgin Islands and Puerto Rico. FEMA first put out FEMA Recovery Policy, Implementing Section 20601 of the 2018 BBA Through the PA Program, in September 2018, then, after Congress further amended the provision in 2019, FEMA updated and released version 2 of the policy in September 2019. Version 2 further expanded on the flexibilities provided in section 20601 and explicitly stated that FEMA would maximize the supplemental assistance made available through this special authority to improve recovery outcomes for Puerto Rico and the U.S. Virgin Islands.

Section 20601 of the BBA authorizes FEMA to “provide assistance, pursuant to Section 428 of the Stafford Act . . . for critical services as defined in Section 406.” This authority allows FEMA to provide assistance to restore disaster-damaged facilities or systems that provide the specifically identified critical services to an industry

standard without regard to pre-disaster condition; and to restore components not damaged by the disaster when necessary to fully effectuate restoration of the disaster-damaged components to restore the function of the facility or system to industry standards. BBA authorities expand but do not replace the PA permanent work eligibility criteria.

Question 8.b. How effectively is the provision that critical service repair must be up to code and regardless of prior condition, conveyed to the different levels of staff? Should more be done?

ANSWER. The BBA directs FEMA to provide recovery assistance for critical service facilities to replace or restore the function of a facility to approved industry standards. Further, BBA Policy directs FEMA to apply industry standards to the eligible SOW, based on the pre-disaster design capacity of the facility or system. This direction is consistent with standard PA policy for permanent work, defined as the work required to restore a facility to its pre-disaster design (size and capacity) and function, in accordance with applicable codes and standards.

Question 9. COR3 has indicated that as many as two thirds of municipal/state/NGO entities that received Working Capital Advances may have to return these funds for not being able to evidence compliance, and that they would notify this week to FEMA what are those entities. I am requesting that my office know that information as soon as you get it from COR3.

ANSWER. FEMA has not received this information from COR3.

Question 10. Remembering this 6th anniversary of María, and for the purposes of this question granting that we were to be able to fund the Disaster Relief Fund and the regular appropriations: how confident are you that FEMA has become prepared for a situation of multiple major disasters in close succession or simultaneously?

ANSWER. While the nation continues to see an increase in the severity and complexity of major disasters, FEMA remains postured to meet the immediate needs of survivors. Between May and August 2023, FEMA responded to Typhoon Mawar in the Pacific, Hawaii wildfires, and Hurricane Idalia across multiple states and territories. As of October 2023, FEMA is providing support to 78 major disasters and six emergency declarations. FEMA will continue to effectively manage resources to deliver lifesaving, life-sustaining response and recovery programs to impacted states, locals, Tribes, and territories, including implementing augmentation strategies to boost call center capacity to support increasing survivor registrations and delivery of recovery resources.

Question 11. One thing that keeps happening and I've seen it with Irma, María, the 2020 earthquakes, and Fiona, has been a disconnect between the needs of constituents and what the Agencies can actually do by law. For example, unlike what people expect, assistance for Home Repair is NOT for completely rebuilding like new. Right now the maximum is \$41,000 IF everything is approved, and structural damages can easily be far above that with the high rise in construction prices in the last few years. This is especially a problem in an underinsured jurisdiction like Puerto Rico or like places in Florida or other states where coverage has become unaffordable or simply the carriers have left the market.

Is there a plan to manage this between the federal agencies to better coordinate that recovery coverages for which the same person could be eligible?

ANSWER. FEMA assistance is designed to jumpstart a disaster survivor's recovery. The IHP is limited by law and is intended to help with a survivor's immediate needs after a disaster, such as providing temporary housing or making initial repairs to their home. IHP is unlikely to cover all of a disaster survivor's losses and is not, nor is it intended to be an adequate substitute for insurance.

FEMA maintains several processes enabled to ensure better coordination between applicable Federal Agencies and Partners aiding in a survivor's recovery. When a disaster survivor applies for assistance or calls the FEMA Helpline, FEMA provides them with information about other agencies and organizations that may also be able to help them, such as the Small Business Administration (SBA) and the U.S. Department of Housing and Urban Development (HUD). FEMA provides this information both verbally and in writing.

Survivor's disaster-caused needs are often complex and highly varied, as well as applicable to the unique circumstances of that survivor household, which necessitates FEMA's coordination across a host of Federal Agencies applicable to specific disaster needs. For instance, the SBA makes significant funds available to disaster survivors in the form of low interest loans. HUD provides a variety of resources to eligible individuals and coordinates various federally supported housing programs with FEMA following a disaster; also, Congress may also appropriate funds to HUD

to provide additional assistance to disaster survivors through the Community Development Block Grant–Disaster Recovery (CDBG–DR) program. In Puerto Rico, CDBG–DR funds are managed by the Puerto Rico Department of Housing and distributed to disaster survivors with unmet needs, such as needing additional funds to repair their home. The Social Security Administration can expedite delivery of checks delayed by a disaster and offers assistance in applying for disability and survivor benefits. The U.S. Department of Agriculture makes emergency loans to farmers and ranchers. The Internal Revenue Service maintains special tax law provisions that may help taxpayers and businesses recover. The U.S. Department of Health and Human Services offers programs like its Temporary Assistance for Needy Families or its Low-Income Home Energy Assistance Program which are highly applicable to specific populations in disasters. The U.S. Department of Labor works with states on disaster unemployment as well as provides services through things like the American Job Center Network helping businesses find qualified workers. FEMA works closely with all of these agencies to share information, make referrals, and prevent duplication of benefits between programs.

As the services landscape is vast, to reduce the burden on survivors, as the services landscape is vast, FEMA is prioritizing an effort which intends to create a cross-agency customer experience initiative with SBA by improving cross-agency data sharing.

FEMA is also making significant reforms to the assistance provided to individuals and households that will establish new benefits that provide flexible funding directly to survivors when they need it most, cut red tape, expand eligibility to reach more people and help them recover faster, and simplify the application process to meet survivors' individual needs and meet people where they are. These changes will become effective for disasters declared on or after March 22, 2024.

**QUESTIONS FROM HON. MIKE EZELL TO HON. DEANNE CRISWELL,
ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY,
U.S. DEPARTMENT OF HOMELAND SECURITY**

Resiliency/Risk Rating 2.0

Question 1. You stated in your testimony that resiliency investments are taken into account in the Risk Rating 2.0 (RR2.0) formula to determine the risk of individual properties and the corresponding flood insurance premium. Please describe in detail how resiliency projects impact specific factors in the RR2.0 algorithm, how those factors are weighted, and what characteristics (for instance, proximity to said resiliency project) are considered in the development of the insurance premium and how those characteristics impact that premium.

ANSWER. Resilience investments are incorporated into Risk Rating 2.0 premiums through underlying datasets. Risk Rating 2.0 relies on the USGS National Hydrography Dataset for delineation and classification of individual hydrographic features such as lakes and rivers. Stormwater management features, such as ditches, detention ponds, and weirs may be reflected in both the elevation data from the USGS and the third-party catastrophe models. To the extent that these features are present in the elevation data and the flood models, they would implicitly be incorporated into rates for a local area. In addition, FEMA's Risk Mapping, Assessment, and Planning Program regulatory and non-regulatory products are used in the development of insurance rates. As regulatory mapping products are updated to reflect new and ongoing local mitigation projects, these data will continue to inform the rates as rates are updated over time. Lastly, communities engaging in mitigation projects are also eligible for Community Rating System discounts that apply to all National Flood Insurance Program (NFIP) policies in the community. Community Rating System discounts can range from 5 percent to 45 percent off of insurance premiums.

In addition, FEMA's Risk Mapping, Assessment, and Planning Program regulatory and non-regulatory products are used in the development of rates. As regulatory mapping products are updated to reflect new and ongoing local mitigation projects, these data will continue to inform the rates as rates are updated (although usually marginally to reflect the changes in the overall nature of risk, which are currently magnified by the 'in or out' nature of the regulatory maps).

Question 2. Transparency is critical for homeowners to understand their full risk rate under the new RR2.0 regime. Will FEMA require WYO companies to disclose the full risk rate on the invoice for renewal and explain the new full risk rate on the declarations page?

ANSWER. FEMA provides full risk premium information for all quotes to NFIP insurers, whether for new business or renewals. This information is available to any policyholder at any time by contacting their agent or insurer. FEMA recently updated requirements for the renewal invoice to provide more information in routine renewal correspondence about the Annual Cap Premium Discount on the renewal invoice. In addition, FEMA requires NFIP insurers to provide updated clear and concise information about the policy renewal. Policyholders are instructed to contact their insurance agent or insurer if they have questions about their policy or would like to make changes to their policy. The NFIP declaration page, which is a document provided to all new and renewing policyholders, currently provides property information, key rating elements, and itemized full risk premium information, similar to declarations pages commonly used by the insurance industry. FEMA continues to explore what additional support can be provided to NFIP insurers and insurance agents to communicate flood risk.

Question 3. How do incremental elevation increases impact homeowners' premiums under the RR2.0 algorithm? Please describe in detail how elevation impacts specific factors in the RR2.0 algorithm and how those factors are weighted in the development of the premium.

ANSWER. Risk Rating 2.0 uses a multi-model approach to support the development of the new rates, with data from multiple sources including NFIP flood mapping data; NFIP policy and claims data; USGS 3D Elevation Program data; National Oceanic and Atmospheric Administration's Sea, Lake, and Overland Surges from Hurricanes storm surge data; and U.S. Army Corps of Engineers data sets, particularly for areas behind levees.

Under Risk Rating 2.0, FEMA has expanded the policy discounts available when policyholders take steps to mitigate against potential flood damage to their property. Mitigation efforts, such as elevating a building on piles or installing proper flood openings in a crawlspace, will help to reduce flood damage and potentially the cost of flood insurance. Risk Rating 2.0 provides mitigation credits for elevation up to 25 feet for up to an 88.9 percent discount off the premium. Because we now have a more property-specific measurement of both the property and mitigation project, there are instances where the legacy rating system provided a greater discount and there are instances where Risk Rating 2.0 provides a greater discount. A complete list of discounts can be found in the Discount Explanation Guide Discount Explanation Guide (fema.gov) [https://www.fema.gov/sites/default/files/documents/fema_discount-Explanation-Guide.pdf] at fema.gov.

For detailed information on how mitigation credits are applied in Risk Rating 2.0, please see the Risk Rating 2.0 Data and Methodology Report and the Appendix D Rating Factors, which are linked at the bottom of the Risk Rating 2.0 webpage on FEMA.gov (link: NFIP's Pricing Approach: FEMA.gov) [<https://www.fema.gov/flood-insurance/risk-rating>]. In the Appendix D Rating Factors file, the tabs for Foundation Type, First Floor Height, and Machinery and Equipment (ME) Above First Floor contain the specific rating factors used for each category or value for each of these three variables.

Natural Disaster Alert

Question 4. In the realm of digital billboards, what is the significance of expeditiously disseminating messages to the general populace, particularly in the context of promptly alerting citizens to impending natural disaster hazards?

Question 5. How do public-private partnerships help FEMA with disaster service?

ANSWER to 4 & 5. Public-private partnerships (PPPs) enhance all aspects of emergency management including preparedness, protection, response, recovery, and mitigation. They do so by engaging in information sharing, emergency planning, emergency communications, and resource sharing. In July 2021, FEMA coordinated with our federal and civil society partners to release the Building Private Partnerships guide to provide our stakeholders with examples, case studies, and best practices to bolster FEMA's PPPs. PPPs support whole of community efforts in preparation, response, and recovery phases of disaster.

In July 2022, FEMA and AARP collaborated to design, produce, and distribute two products designed to support preparedness for older adults. The FEMA "Guide to Expanding Mitigation: Making the Connection to Older Adults" highlights how natural hazards uniquely affect older adults and provides recommendation for how emergency managers, planners, local officials, and community members can include older adults in community efforts to lower their risks. The complementary "AARP Disaster Resilience Tool Kit" features strategies to help local, state, and community leaders and advocates reduce the risk and impacts of disasters on older adults.

This PPP between FEMA and AARP was further built in July 2023 through a Community Engagement on Older Adults meeting that brought together AARP,

FEMA, the Rosalynn Carter Institute for Caregivers, the State of Pennsylvania, and other public and private organizations that work with or include older adults to review and contribute to efforts in FEMA's Ready Campaign material designed for older adults. These organizations not only contributed to the development of the program, but also helped to distribute to their membership and others.

In addition, FEMA's National Business Emergency Operations Center (NBEOC) coordinates and enhances information-sharing among government partners and business, industry, and infrastructure organizations—before, during, and after disasters. The NBEOC facilitates public and private sector information-sharing to get resources where they are needed most during disasters. Additionally, the NBEOC leverages data and information-sharing to help influence business continuity decisions. The NBEOC works to engage critical business, industry, and infrastructure organizations to support disaster response and recovery operations. By understanding business and industry operating status throughout the disaster lifecycle, the NBEOC is able to support economic and supply chain resilience. The NBEOC provides near real-time disaster information to help businesses recover quickly after a disaster while providing a forum to share information and coordinate on disaster response and recovery operations. For example, routinely during disaster response operations, issues are highlighted by the private sector during daily NBEOC calls where the FEMA NBEOC staff then engages with appropriate Departments, Agencies or State partners to remove barriers or provide critical information that can help speed the restoration of supply chain flows or help businesses regain operations sooner.

PPPs support FEMA's efforts to ensure outreach to all individuals to build preparedness and resiliency across the nation.

Question 6. How is FEMA exploring and adopting the use of new satellite technologies to improve response and recovery mandates, and evolve the survivor experience across the NFIP?

ANSWER. FEMA routinely uses Geospatial Information System tools to identify disaster impacts and relay information in an easy-to-understand format that is essential to lifesaving and life-sustaining operations. FEMA uses satellite technologies to obtain imagery to complete Geospatial Damage Assessments (GDAs) to support these operations and provide situational awareness and data to decision-makers across the entire emergency management lifecycle. GDAs involve reviewing and assessing pre- and post-incident imagery to inform response organizations of total incident impacts, including extent, severity, and types of structures impacted.

In addition, FEMA is using remote sensing technology to match homes listed in Individuals and Household Programs (IHP) registrations with detailed map images. When a match is made for a destroyed home, the registration is updated and the assigned FEMA Housing Inspector is notified. This allows FEMA Housing Inspectors to meet survivors where they are, without them having to undergo the trauma of visiting their destroyed home.

FEMA partners with other organizations regarding exploration and use of imagery sensors and artificial intelligence-aided analysis of satellite and airborne imagery. The development and use of these technologies continues to enhance agency capabilities to effectively respond to disasters and delivering recovery resources quickly to survivors following disasters. For example, FEMA is also using remote sensing technology to support damage assessments to help expedite the declaration process and supplement traditional on-site preliminary damage assessments in some situations. FEMA uses a range of remote sensing data including flyover imagery, flood gauge data, satellite captured data, and modeling to collect information about damage to homes and infrastructure. Often there are other infrastructure and real property data sets that can be compared to captured data to help quantify the impact and inform flood event impact projects, such as potential policies impacted and expected number and dollar value of flood insurance claims.

Duplication of Benefits Methodology

Question 7. I understand due to initial variances in approaches from across regional offices, FEMA adopted a nationwide standard on how it reviews duplication of benefit methodologies based on input from healthcare providers across the country. Due to delays from this new system, hospitals in my district have been waiting for their reimbursement for two years now. Can you tell me the agency's plan on how they will expedite these reimbursements and when the hospitals in my district can expect them?

Question 8. In October 2022, FEMA published the first substantive guidance on duplication of benefit (DOB) analysis for COVID-19 claims. That guidance instituted a review process by the RAND Corporation. Since such implementation, we understand that it has been estimated that at the current rate of review, RAND will

not be able to complete all reviews for another 7 years. What steps has FEMA taken to ensure RAND DOB reviews are efficient?

COVID Project Updates:

Question 9. Can you provide the status of the FEMA reimbursement for COVID-19 related projects under the following pending projects in my district below?

Project #	Project Name	Amount Owed	Notes	Hospital
335121 ...	Capital Equipment	\$719,817.00	Pending project amendment for RAND duplication of benefits reduction.	MHG.
672144 ...	Vaccine Administration	\$47,749.08	FEMA Final Review	MHG.
674040 ...	COVID Testing II	\$3,684,137.32	FEMA Final Review	MHG.
670587 ...	MHG Budgeted Employee Labor 2 (Fiscal Year 2021)	\$1,335,551.00	FEMA Final Review	MHG.
673928 ...	MHG UnBudgeted Employee Labor COVID Testing (Fiscal Year 2021)	\$42,024.24	FEMA Final Review	MHG.
673927 ...	MHG Budgeted Employee Labor COVID Testing (Fiscal Year 2021)	\$114,092.73	FEMA Final Review	MHG.
673107 ...	COVID Kits II	\$18,319.82	FEMA Final Review	MHG.
667456 ...	MHG UnBudgeted Employee Labor (Fiscal year 2020)	\$380,160.75	FEMA Final Review	MHG.
681886 ...	MHG Budgeted Employee Labor 3 (Fiscal Year 2022).	\$99,277.83	RAND Reviewed, \$97,404 DOB w/ Patient care revenue. FEMA Final Review.	MHG.
681888 ...	MHG UnBudgeted Employee Labor 3 (Fiscal Year 2022).	\$23,439.24	RAND Reviewed, \$28,042 DOB w/ Patient care revenue. FEMA Final Review.	MHG.
697985 ...	Safe Reopening and Operations	\$200,788.84	FEMA Final Review	MHG.
164260 ...	Contract Staffing	\$5,673,674.27	FEMA Final Review	SRHS.
691044 ...	PPE	\$220,660.92	FEMA Final Review	SRHS.
696898 ...	2nd contract staffing	\$9,022,469.55	FEMA Final Review	SRHS.
725124 ...	3rd contract staffing	\$5,932,368.87	FEMA Final Review	SRHS.
721093	\$1,700,000.00	FEMA Final Review	Forrest General.
164260	\$5,673,674.27	FEMA Final Review

ANSWER to 7, 8, & 9. FEMA has obligated more than \$72.9 billion in PA funding for the COVID-19 pandemic, more than any other event in the agency's history. This unprecedented amount of funding is the result of an equally historic number of applications, which did affect processing times, particularly earlier in the pandemic.

FEMA is using a risk-based approach to review PA projects for potential duplication with patient care revenue. These reviews are conducted only when an applicant is both charging patients, or their insurance, for services, and requesting reimbursement from FEMA for the costs of providing all or part of those same services, providing a high risk of duplication.

In the development of the standard review process, FEMA specifically focused on reducing the administrative burden on applicants and engaged with the American Hospital Association and hospitals from across the country to develop a review methodology that uses available information from the Healthcare Cost Reporting Information System and Electronic Municipal Market Access System.

Some applicants are still electing to submit an alternate methodology for review, which takes substantially longer, instead of undergoing a standard review. For projects less than \$25 million, FEMA works with the Homeland Security Operational Analysis Center (HSOAC), operated by the RAND Corporation, to conduct a Standard Review using already available public data without any further information from the applicant, substantially reducing processing times.

We have sustainably increased capacity for medical billing reviews, including a doubling of capacity for patient care duplication of benefits review in May 2023. FEMA is continuing to work to increase that capacity, including pre-identifying applicants and projects that are unlikely to have duplication of benefits, and expanding staffing to complete reviews.

In October 2023, FEMA worked with RAND to review the available public data for all health care applicants and pre-calculate likely duplication ceilings to reduce standard review processing times across the board. Using the pre-calculated ceilings, FEMA was then able to identify 140 applicants in bulk who are unlikely to approach their duplication ceilings and cleared them with an abbreviated review.

FEMA reviewed hospital applicants in Mississippi's 4th congressional district, and found projects for Forrest General Hospital, Singing River Hospital, and Memorial

Hospital Gulfport. As of October 20, 2023, together, the three hospitals have requested 16 projects; 10 of those have already been awarded for over \$5.1 million; three are in the final stages of award with an anticipated additional award of \$3.4 million; and the remaining three, which are all for the Singing River Hospital, are currently undergoing a review for duplication of costs billed to patients for the same services. Singing River Hospital's initial submission of an Alternate Applicant's Methodology (rather than the using the standard methodology) for resolving duplications was found not reasonable. They have since updated their methodology and the revised methodology is now under review.

QUESTIONS FROM HON. JOHN GARAMENDI TO HON. DEANNE CRISWELL, ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY

Question 1. Administrator Criswell, as you well know one of the most devastating wildfires in US history hit Lahaina in August. I have witnessed similar devastation to communities in California and other western states due to catastrophic wildfire. We also have a recent example where targeted wildfire mitigation measures, identified by water agencies, fire districts, and the environmental community, successfully protected an at-risk community.

I want to make sure that FEMA is providing communities at-risk from wildfires with every tool possible to avoid or mitigate the loss of life, property, and environmental impacts from wildfire and other natural disasters. Are water infrastructure projects specifically for fire suppression to protect at-risk communities eligible for hazard mitigation assistance?

ANSWER. How to create a Community Wildfire Protection Plan (fema.gov) [<https://www.usfa.fema.gov/blog/cb-062420.html>]

The US Fire Administration (USFA) has taken a number of steps to help address the growing wildfire threat to communities and the guidance provided in the recommendations from the President's Council of Advisors on Science and Technology (PCAST) Wildland Firefighters report: PCAST Releases Report on Modernizing Wildland Firefighting through Science and Technology: PCAST: The White House [<https://www.whitehouse.gov/pcast/briefing-room/2023/02/22/pcast-releases-report-on-modernizing-wildland-firefighting-through-science-and-technology/>]. The U.S. Fire Administration (USFA) has launched a modernization effort and is working with U.S. Department of Homeland Security's Science and Technology Directorate to develop a new, interoperable fire information and analytics platform, the National Emergency Response Information System. This will empower the fire and emergency services community by equipping them with an empirical basis for decision-making. It will provide the community with reliable predictive analytics to support enhanced preparedness and response to all-hazard incidents, wildland urban interface (WUI) events, community risk reduction efforts, climate change threats and associated resilience and mitigation efforts, and future pandemic emergency response resource preparedness.

The USFA National Fire Academy (NFA) provides training for first responders and emergency managers to help them prepare more effectively to respond to WUI fires. The NFA training and education curriculum provides first responders with the ability to create and sustain fire-adapted communities including land-use planning, code adoption, and evacuation planning. The training addresses multiple landscapes from wildland to the urban interface, and suburban communities recognizing the growing influence of climate change on wildfire in the context of each landscape. NFA courses note that there are preparedness and risk mitigation tools that can be applied specifically to each landscape. Courses are also offered for structural firefighters on wildland fire behavior, foundational wildland firefighting skills, and command and control. USFA works closely with federal interagency partners in the National Interagency Fire Center and National Wildfire Coordinating Group to support joint response operations and coordinated training and education needs.

The NFA is expanding internal and external partnerships to increase state and local fire service training capacity on WUI and urban conflagration events. The NFA is coordinating with the Society of Fire Protection Engineers to develop this two-day training course for state, local, Tribal, and territorial organizations, based on their WUI Handbook for Property Fire Risk Assessment & Mitigation. Examples of other partnerships include the U.S. Forest Service, CALFIRE, and the International Association of Fire Fighters. These partnerships are being leveraged to provide more WUI related training directly to our stakeholders.

The USFA provides a complete suite of research, tools, and resources for fire service and emergency management partners on WUI topics including community risk

management at USFA WUI. Resources include communications tools for public messaging, an augmented reality app for wildfire home safety, resources for state, local, Tribal, and territorial partners to use for community outreach and engagement, and risk management efforts to support wildfire preparedness, investigation, and recovery planning. For example, the USFA developed a template on creating a Community Wildfire Protection Plan and the USFA produced the “WUI: A Look at Issues and Resolutions” paper in 2022. <https://www.usfa.fema.gov/downloads/pdf/publications/wui-issues-resolutions-report.pdf>.

Historically, FEMA has determined improving fire suppression capabilities is not an eligible hazard mitigation activity because it does not directly address the occurrence or severity of wildfires, but rather only improves response capabilities. Specifically, hazard mitigation is defined as any sustained action taken to reduce or eliminate long-term risk to people and property from natural hazards and their effects. This definition distinguishes actions that have a long-term impact from those that are more closely associated with immediate preparedness, response, and recovery activities.

Generally, water infrastructure projects may be eligible for hazard mitigation assistance if they meet general program eligibility requirements including technical feasibility, cost-effectiveness and environmental and historic preservation. FEMA’s mitigation programs “water infrastructure projects” generally refers to the focus of flood risk reduction. However, water infrastructure projects for wildfire may include fire suppression systems (such as an external sprinkler system) to help extinguish flames and prevent the spread of fire to nearby buildings or combustible vegetation. This policy change was updated with the publication of the Hazard Mitigation Program and Policy Guide, published in 2023. The Guide also noted that development or enhancement of fire suppression capability through the purchase of equipment or resources (e.g., water supply or sources, dry hydrants, cisterns not related to water hydration systems, dip pond) remain ineligible project types.

It should also be noted that flood risk reduction water infrastructure projects, such as retention ponds, may hold secondary or co-benefits to a community that has a risk of wildfire. When seeking assistance for these projects, it is important that applicants describe how the infrastructure project will increase the level of protection and reduce potential injury or damage to people and property.

Question 2. Administrator Criswell, earlier this year, Representatives DeSaulnier, Harder, and I wrote to you and the FEMA Region 9 Administrator regarding Region 9’s decision to not reimburse local governments for noncongregate shelter (NCS) they provided to unhoused people during the pandemic. In responding to our letter, FEMA’s Region 9 Administrator asserted that reimbursement would only be approved if NCS was provided for individuals who fell into one of three categories:

- (1) Individuals who test positive for COVID-19 that do not require hospitalization, but need isolation or quarantine (including those exiting from hospitals);
- (2) Individuals who have been exposed to COVID-19 (as documented by a state or local public health official, or medical health professional) that do not require hospitalization, but need isolation or quarantine; and
- (3) Individuals who are asymptomatic, but are at “high-risk,” such as people over 65 or who have certain underlying health conditions (respiratory, compromised immunities, chronic disease), and who require emergency NCS as a social distancing measure.

The issue in question relates to this third category of individuals and hinges on the understanding and requirements of the term “asymptomatic.” Namely, FEMA’s Region 9 Administrator wrote in his response letter that “... some applicants have sought reimbursement for sheltering members of their community whose living situation made them unable to adhere to social distancing guidance but lacking documentation verifying whether the individuals were asymptomatic.”

The language of FEMA’s initial guidance for the third category of individuals makes no direct mention of testing or documentation requirements. At best the term “asymptomatic” implies a positive test but could also be honestly interpreted as an individual who simply showed no symptoms. If a positive test was required for NCS to be reimbursed, then the third category of eligible individuals would be functionally redundant with the first category. Separately grouping individuals who tested positive for COVID but “do not require hospitalization” and those “who are asymptomatic” is centered around a distinction without a meaningful difference. Moreover, testing and documentation requirements would have been unnecessarily burdensome when testing resources were scarce during the early phases of the pandemic. Lastly, the use of the term “high-risk” emphasized a broad understanding of who was eligible to be provided NCS to promote social distancing and slow the spread of the virus. Under that interpretation, counties proactively provided NCS to

unhoused people under the expectation and understanding that they were complying with FEMA's guidelines and would be reimbursed for their expenses.

Administrator Criswell, where is FEMA headquarters in the process of reviewing and deciding on Region 9's policy? At a minimum it seems that there was a serious breakdown in communication on the part of FEMA Region 9 that now imperils these counties with a heavy financial burden. Will you ensure that local governments in Region 9 are not saddled with a bill they expected to be reimbursed for, given FEMA's initial guidance and the scarcity of reliable testing during the first phase of the pandemic?

ANSWER. In a letter to the California Office of Emergency Services dated October 16, 2023, FEMA Region 9 clarified how it would review eligibility for Non-Congregate Sheltering (NCS) projects. Specifically, the letter explained that it recognized the scarcity of testing and vaccine availability prior to the California Governor's rescission of the statewide stay-at-home order on June 11, 2021. As a result, FEMA stated it will not limit the eligibility of length of stays in emergency NCS prior to June 11, 2021.

In the letter, FEMA also recognized the effective action the State of California took to reduce the spread and mitigate the impacts of COVID-19 by June 11, 2021. Consequently, between June 11, 2021–May 11, 2023, eligible costs for emergency NCS may be incurred for up to 20 days, in accordance with the lengthiest Centers for Disease Control and Prevention recommendation for isolation and quarantine.

FEMA also reiterated in its letter that reimbursement of costs for eligible emergency NCS remains subject to the same requirements set forth in correspondence dating back to March 2020, and the Agency's NCS Transition Plan to other Federal Funding letter, dated October 18, 2021, and provided to all state, local, tribal and territorial governments. Sheltering specific populations in emergency NCS should be determined by a public health official's direction or in accordance with the direction or guidance of health officials by the appropriate state or local entities.

Reimbursement of costs for emergency NCS does not include assistance for individuals experiencing homelessness unless they qualify under one of the three eligible population categories. A copy of the October 16, 2023, letter is attached for your reference.

ATTACHMENT

U.S. DEPARTMENT OF HOMELAND SECURITY,
FEMA REGION 9,
1111 BROADWAY, SUITE 1200,
OAKLAND, CA 94607-4052,
October 16, 2023.

Ms. NANCY WARD,
Director,
Governor's Authorized Representative, California Office of Emergency Services, 3650
Schriever Avenue, Mather, California 95655.

RE: Emergency Non-Congregate Sheltering—FEMA-4482-DR-CA (COVID-19)

DEAR DIRECTOR WARD:

This letter provides clarification to questions received from the California Governor's Office of Emergency Services (Cal OES) regarding the eligibility of emergency Non-Congregate Sheltering (NCS) during the COVID-19 Pandemic, specifically the eligibility of "high-risk" individuals requiring social distancing and FEMA's methodology for evaluating the length of stay for eligible populations in emergency NCS.

Under the COVID-19 major declaration, FEMA will consider emergency NCS for health and medical-related needs, such as isolation and quarantine resulting from the public health emergency. FEMA will reimburse emergency NCS costs incurred for:

1. Individuals who test positive for COVID-19 that do not require hospitalization, but need isolation (including those exiting from hospitals);
2. Individuals who have been exposed to COVID-19 (as documented by a state or local public health official, or medical health professional), that do not require hospitalization; and
3. Individuals who are "high-risk," such as people over 65 or who have certain underlying health conditions (respiratory, compromised immunities, chronic disease), and who require emergency NCS as a social distancing measure.

For the third category of eligible individuals, FEMA interprets the term high-risk based on the list of medical conditions identified in the Centers for Disease Control and Prevention's (CDC's) guidance.¹ An individual confirmed to be at high-risk based on the CDC list of medical conditions may be eligible for emergency NCS if needed as a social distancing measure. Providing confirmation of a positive COVID test is not a requirement for the third category; however, eligible applicants will need to demonstrate that the individuals sheltered are high-risk.

Regarding the length of stay for eligible populations in emergency NCS, FEMA recognizes the unprecedented scale and scope of the COVID-19 response. Widespread community transmission overwhelmed healthcare systems across the nation, and in the absence of available testing supplies, sheltering was a key strategy for limiting the loss of life and protecting public safety. Vaccines were not readily available to all members of the public until the Governor rescinded the Statewide Stay at Home Order on June 11, 2021.² Recognizing the scarcity of testing and vaccine availability prior to rescission of the Governor's State at Home Order, FEMA will not limit the eligibility of length of stays in emergency NCS prior to June 11, 2021.

FEMA also recognizes new COVID-19 variants resulted in spikes of COVID-19 community transmission following the Governor's rescission of the Statewide Stay at Home Order. Some local public health orders required sheltering for a longer period following June 11, 2021, to protect individuals from exposure to COVID-19.

Between March 2020 and June 2021, California took effective action to reduce the spread and mitigate the impacts of COVID-19, successfully curbing the spread of the virus and dramatically lowering disease prevalence and death. As of June 11, 2021, over 70 percent of Californians 18 and older received at least one vaccine dose, raising the overall level of immunity in the state.³ Because of the significant efforts made by the State of California to reduce transmission of COVID-19, after June 11, 2021, FEMA Region 9 has aligned its implementation of emergency NCS with federal public health authorities and their official recommendations regarding isolation and quarantine periods.

Consequently, between June 11, 2021–May 11, 2023, eligible costs for emergency NCS may be incurred for a period up to 20 days in accordance with the CDC's recommended isolation and quarantine period, which is the lengthiest period the CDC recommended for isolation and quarantine.⁴ Based on Cal OES' extension requests in 2020, the average length of emergency NCS was 11 days for first responders and 37 days for high-risk individuals. Additionally, Cal OES submitted monthly emergency NCS data reports between December 2020–May 2023 that showed an average of 14 days for emergency NCS stays.

Except where specifically stated otherwise in this letter, the reimbursement of costs for eligible emergency NCS remains subject to the same requirements set forth in the *California NCS Approval Letters*⁵ and the *NCS Transition Plan to other Federal Funding* letter, dated October 18, 2021. Sheltering specific populations in emergency NCS should be determined by a public health official's direction or in accordance with the direction or guidance of health officials by the appropriate state or local entities. As mentioned in the October 18, 2021 letter, reimbursement of costs for emergency NCS does not include assistance for individuals experiencing homelessness unless they qualify under one of the three eligible population categories. Finally, contracts for emergency NCS must comply with federal procurement requirements at 2 CFR Part 200, including reasonable costs and incorporation of a termination for convenience clause. I have attached an emergency NCS project eligibility review list that my staff will use to review emergency NCS project submissions from applicants.

Thank you for emphasizing to local providers the importance of maintaining effective tracking mechanisms to provide sufficient data and documentation to establish the eligibility of emergency NCS costs (including wrap-around services directly necessary for the safe and secure operations of emergency NCS facilities) for which they intend to request Public Assistance funding. As with any activity, lack of sufficient

¹ <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html#MedicalConditionsAdults>

² Governor's Executive Order, No. N-07-021, rescinding Executive Order, No. N-60-20 (Statewide Stay-at-Home Order).

³ <https://www.gov.ca.gov/2021/06/11/governor-newsom-announces-new-rewards-for-vaccinated-californians-as-second-round-of-vax-for-the-win-50k-winners-is-drawn/>

⁴ <https://www.cdc.gov/coronavirus/2019-ncov/hcp/duration-isolation.html>

⁵ Initial letter approving PA funding for eligible NCS costs incurred by the State of California dated March 27, 2020, initial letter approving PA funding for eligible costs incurred by local NCS providers dated April 2, 2020, and most recent letters approving NCS extensions dated July 1, 2020, July 30, 2020, August 29, 2020, October 1, 2020, October 30, 2020, and November 30, 2020

supporting documentation may result in FEMA determining that some or all of the costs claimed are ineligible.

Thank you for your continued partnership as we address questions related to COVID-19 eligible activities during an unprecedented time. If you have additional questions regarding this matter, please do not hesitate to contact me.

Sincerely,

ROBERT J. FENTON,
Regional Administrator, FEMA Region 9

Attachment 1: Emergency NCS Project Eligibility Review List

Attachment 1: Emergency NCS Project Review List

Legal responsibility	To be eligible, work must be the legal responsibility of an eligible applicant. Measures to protect life, public health, and safety are generally the responsibility of state, local, tribal, and territorial governments.
Directed and Documented by Public Health Official.	NCS must be at the direction of and documented through an official order signed by a state, local, tribal, or territorial public health official.
Intake process at each NCS site (data collection of questionnaires and/or surveys).	Individuals should be pre-screened or referred to by an authorized local public health representative. Applicants should follow the detailed protocols issued by the Department of Public Health and site administrators to ensure that only individuals who meet FEMA eligible criteria are sheltered. Data collected should include: <ul style="list-style-type: none"> • Documentation showing a recent positive test, • Self-certification form or, • Medical referrals
Duration of the Sheltering Activities.	Number of individuals sheltered Operational period
Wraparound services	Costs associated with the provision of support services, such as case management, mental health counseling and similar services are not eligible for reimbursement.
Cost reasonableness	Costs claimed by State, Local, Tribal and Territorial governments must be reasonable pursuant to federal regulations and federal cost principles. A cost is considered reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.
Unoccupied rooms	Generally, unoccupied rooms are ineligible. Exceptions might be made for reasonable pre-positioning of resources or other circumstances made on a case-by-case basis.
Termination for Convenience Clauses.	Applicants must follow FEMA's Procurement Under Grants Conducted Under Exigent or Emergency Circumstances [https://www.fema.gov/grants/procurement/resource-library] guidance and include a termination for convenience clause in their contracts.

QUESTIONS FROM HON. GREG STANTON TO HON. DEANNE CRISWELL,
ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY,
U.S. DEPARTMENT OF HOMELAND SECURITY

Question 1. Since 2011, the City of Maricopa, Arizona, and various stakeholders have been working to develop a regional flood control solution to the damaging flooding from the Lower Santa Cruz River that flows north from Mexico and southern Arizona. Maricopa has suffered devastating floods—in 1983 and 1993—that inundated the city and the 1983 flood left over a foot of mud in Maricopa High School.

In December 2021, the city submitted a Conditional Letter of Map Revision (CLOMR) for its flood channelizing project. At the time, FEMA estimated the CLOMR would be completed within 12 months. I, along with the other members of the Arizona congressional delegation, realizing the importance of housing and economic development in the city in one of the fastest growing cities in the United States, sent a letter to FEMA asking for expedited approval of the CLOMR. Not only did FEMA not expedite approval of the CLOMR, but it is now nearly two years after its original submittal, nearly double the time FEMA initially estimated it would take. I am extraordinarily frustrated by the significant delay and so is the city. Can you provide a reasonable estimate of when you expect the CLOMR (Case number 22-09-0685R—North Santa Cruz Wash Regional Flood Control Project) to be completed?

ANSWER. We have scheduled a call for December 13, 2023, with the applicant and community to discuss our review comments/concerns for their second and third responses.

This Conditional Letter of Map Revision (CLOMR) request is currently suspended (suspended as of April 10, 2023) while we work with the applicant to resolve the two remaining comments. Once these comments have been resolved, the CLOMR will be reopened under a new case number. Once the CLOMR is reopened, FEMA will either provide a final determination or additional data letter to the requester within 90 days.

This CLOMR request was processed following our standard process, protocols, and procedures for processing. FEMA will continue supporting the applicant and community with their CLOMR request while doing everything possible to minimize the future 90-day regulatory review time once the CLOMR is reopened.

For additional information, general processing timeframes are discussed in Section 3, MT-2 Request Processing Overview, of the FEMA MT-2 Guidance document https://www.fema.gov/sites/default/files/documents/fema_MT-2-requests-guidance_112021.pdf

Question 2. A second CLOMR (Case Number 21-09-1338R—North Santa Cruz Wash Eagle Shadows) has been submitted by a major residential housing developer in the city for one of its projects. Can you provide a status update of this project's CLOMR and a timeline for completion?

ANSWER. This CLOMR request was originally submitted on May 25, 2021, and did not include a hydraulic analysis representing post-project conditions. FEMA sent an additional data letter to the requester on June 15, 2021. This letter included a request for a hydraulic analysis representing post-project conditions.

Following the June 15th letter, FEMA has corresponded with the requester and communities numerous times regarding how the hydraulic analysis representing the post-project conditions should be completed. The last and most recent correspondence was on August 25, 2023, when FEMA provided additional guidance to the requester on how to analyze embankments within their modeling area.

This CLOMR request is currently suspended as of September 13, 2021, while the hydraulic analysis is being completed. Once the hydraulic analysis is complete and submitted by the requester, the CLOMR will be reopened under a new case number. Once the CLOMR is reopened, FEMA will either provide a final determination or additional data letter to the requester within 90 days.

Question 3. Why, in general, are CLOMRs and LOMRs taking, in some cases, more than double their original time estimates to complete? What can FEMA do to expedite completion of these cases?

ANSWER. Processing times for CLOMRs and Letters of Map Revision (LOMRs) can vary greatly from case to case. This depends on factors such as the size of the revision area, complexity of the modeling, the availability of data, and the flood hazard mapping experience of the requester.

For large and/or complex CLOMRs and LOMRs, such as CLOMR Case Nos. 22-09-0685R and 21-09-1338R, we encourage communities to contact FEMA for pre-submittal coordination to ensure that requesters are following and interpreting

FEMA standards and guidance. FEMA looks forward to working with the communities and requester to answer any further questions or conduct any additional conference calls.

Question 4. Can you provide a list of all outstanding CLOMRs and LOMRs in the state of Arizona and an estimated timeline for completion?

ANSWER. [Editor's note: A list describing the status for all ongoing CLOMRs/LOMRs in the state of Arizona was provided to Representative Stanton and is retained in committee files.]

○