

FEMA Improvement, Reform, and Efficiency (FIRE) Act of 2022

Section-by-Section

This reflects the changes made in the ANS which incorporated FEMA TA and was agreed by both majority and minority committee staff.

SEC. 3. REPORT ON RELOCATION ASSISTANCE.

Mandates that the Administrator submit a report regarding the use of relocation assistance in response to wildfires. The bill is very prescriptive and specifies elements the study should consider including:

- A discussion of the possible benefits or disadvantages of providing relocation assistance that may reduce, but not eliminate, the risk of loss due to wildfires and how the Agency may optimize relocation assistance when entire States or geographic areas are considered subject to a fire risk.
- An analysis of the need for the Federal Government to produce wildfire maps that identify high-risk, moderate-risk, and low-risk wildfire zones.
- A discussion of the extent to which the decision process for relocation assistance appropriately considers the change in future risks for wildfires due to a changing climate.
- A discussion of whether any legislative, regulatory, or policy changes are necessary for the Agency to better implement relocation assistance to reduce risk from wildfires.

FEMA provides relocation assistance for public infrastructure that is constructed in a hazard zone. However, the current statute demands proof of repeat damage, which is only really applicable to flooding. *This issue was most recently brought up to us by the City of Santa Rosa, which has been denied several times for relocation assistance to rebuild its “firestation #5” that burned down in 2017 in a safer less fire prone location.*

SEC. 4. RED FLAG WARNINGS AND PREDISASTER ACTIONS.

Directs FEMA to initiate a process for the use of Red Flag Warnings to establish plans and actions that can be implemented prior to a wildfire event, including pre-impact disaster declarations and surge operations that can limit the impact, duration, or severity of the fire. When a hurricane is forecast, FEMA pre-deploys assets and pre-positions resources in the states and areas that will be potentially hit. This bill provides equity in response and ensures red flag warning conditions trigger the same response as forecasted hurricanes.

SEC. 5. ASSISTANCE FOR WILDFIRE DAMAGE.

Requires FEMA to brief HSGAC on the application for assistance and consistency of assistance provided by the Agency in response to wildfires and how FEMA responds to the unique damage that results from wildfires. This is to ensure that FEMA provides consistency when responding to wildfire-specific damage, such as repairing and mitigating contamination from melted infrastructure.

SEC. 6. GAO REPORT ON GAPS.

Directs GAO to study gaps in policy regarding response to wildfires and the speed by which disaster response, including grants, is initiated. This includes ways to improve the disaster assistance programs of agencies other than FEMA. This will include USDA which has a number of disaster assistance programs that are critical to California. *The mandate that they evaluate the speed of response and grant initiation is directly in response to feedback you received at the Santa Rosa Wildfire Roundtable*

SEC. 7. CRISIS COUNSELING CULTURAL COMPETENCY

Mandates anyone providing professional counseling services to survivors of major disasters, including those working for nonprofit partners and recovery organizations, is appropriately trained to address cultural competency, and respectful care practices, as well as how to address trauma from disasters in communities and individuals with socio economically disadvantaged backgrounds. *This was specifically to address the needs of tribal communities and ensure FEMA counseling is culturally competent.*

SEC. 8. CASE MANAGEMENT CULTURAL COMPETENCY.

Mandates anyone assisting in case management services to survivors of major disasters, including those working for nonprofit partners and recovery organizations, is appropriately trained to address cultural competency, and respectful care practices, as well as how to address trauma from disasters in communities and individuals with socio economically disadvantaged backgrounds. *This was specifically to address the needs of tribal communities and ensure FEMA assistance is accessible to underserved communities.*

SEC. 9. STUDY AND PLAN FOR DISASTER HOUSING ASSISTANCE.

Requires FEMA to study the effectiveness, make recommendations for legislative changes needed to address unmet needs regarding housing assistance. Specifically, we require them to evaluate shortcomings related to the lack of ownership documentation and low income residents who may have multiple families under one roof (which FEMA currently has trouble providing assistance too in post-disaster recovery efforts).

SEC. 10. REIMBURSEMENT.

Requires FEMA to brief HSGAC regarding the extent to which the Agency is using housing solutions proposed by a State or local government to reduce the time or cost required to implement housing solutions after a major disaster. *CalOES is adamant that during large scale destruction they are equipped to provide housing quicker than FEMA and wanted us to begin engaging with FEMA on establishing more flexibility regarding this type of partnership.*

SEC. 11. WILDFIRE INSURANCE STUDY BY THE NATIONAL ACADEMIES.

Directs FEMA and the National Academy of Sciences to conduct a study on potential solutions to address the availability and affordability of wildfire insurance. As catastrophic wildfires become more and more frequent, wildfire insurance has become more expensive and outright policy cancelations have become more frequent in California. In some areas that have been hardest hit, it is impossible for residents to even access insurance. *This issue has been widely discussed by California's State Insurance Commissioner Ricardo Lara.* This study would be the first step in pursuing some type of federal insurance backstop for wildfires similar to the National Flood Insurance Program.

Senator Scott opposed including an authorization for new funds to conduct this study. **Our office, Senator Scott's office, majority, and minority committee staff agreed to strike the authorization through a Scott amendment that will go en bloc with your ANS.** This fix will hopefully get Scott to support and still allows us to pursue new funds through the regular appropriations process.

SEC. 12. INCREASED CAP FOR EMERGENCY DECLARATIONS BASED ON REGIONAL COST OF LIVING.

Mandates the Administrator brief HSGAC regarding the benefits and drawbacks of establishing a maximum amount for assistance provided for an emergency that is based on the cost of living in the region in which the emergency occurs. With California's high cost of living this has been a long-term goal of CalOES. This would be the first step to digging into this issue.

SEC. 13. FACILITATING DISPOSAL OF TEMPORARY TRANSPORTABLE HOUSING UNITS TO SURVIVORS.

Require FEMA to prioritize survivors of disasters when selling portable housing units. The selling of units usually happens after an initial response and is used to

lessen overall FEMA response costs. The prioritization of survivors will help ensure survivors have a place to live and in some cases to stay on their existing lot during the rebuild process which can take years.

SEC. 14. DEADLINE ON CODE ENFORCEMENT AND MANAGEMENT COST ELIGIBILITY.

Extends the current 180 day deadline regarding code enforcement and management cost eligibility to 1 year. Eligible work in this section includes evaluating building codes and floodplain administration, including base and overtime wages for extra hires to facilitate the implementation and enforcement of adopted building codes. 180 days is too short for some hazards, specifically fires and earthquakes. According to CalOES, the first phase of recovery (debris removal) is typically only partially complete at the end of 180 days, and subsequent recovery efforts like code enforcement are unable to begin.

SEC. 15. PERMIT APPLICATIONS FOR TRIBAL UPGRADES TO EMERGENCY OPERATIONS CENTERS.

Ensures that tribal governments can also access assistance to upgrade their emergency operation centers. This provides tribal governments equal standing with state and local governments. Emergency operations centers are critical hubs during a disaster and allowing tribal governments to be eligible for federal funds to upgrade theirs will help to minimize inequalities in disaster response.