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The FEMA Act of 2025: An Overview

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The FEMA Act of 2025: An Overview

The Federal Emergency Management Agency (FEMA), which leads federal emergency management and disaster relief efforts, has recently been subject to numerous calls for reform. For years, state and local governments, disaster survivors, scholars, and nonprofits have called upon Congress and FEMA to modify disaster response and recovery authorities and procedures in order to simplify, streamline, and improve the provision of federal disaster assistance and increase disaster resiliency, among other aims. On the fourth day of his second term, President Donald J. Trump separately called for the dissolution of FEMA in its current form and issued Executive Order 14180, establishing the FEMA Review Council to undertake a “full-scale review” of the agency. Secretary of Homeland Security Kristi Noem, who chairs the FEMA Review Council alongside Secretary of Defense Pete Hegseth, has generally echoed the President’s calls to eliminate the current iteration of the agency.

Separately, the 119th Congress has introduced a number of legislative FEMA reforms. One bill incorporating fundamental reforms to FEMA and federal disaster relief, H.R. 4669, the Fixing Emergency Management for Americans (FEMA) Act of 2025, was ordered reported by the House Committee on Transportation and Infrastructure on September 3, 2025, in a 57-3 vote. The FEMA Act of 2025 garnered support from a wide range of nonfederal stakeholders. This report briefly contextualizes the FEMA Act of 2025 and provides an overview of each title.

Division A of the FEMA Act of 2025 would remove FEMA from the Department of Homeland Security (where it has been located since 2003, when the Department opened its doors) and reestablish FEMA as a freestanding agency in the executive branch. Division A would also revise the Homeland Security Act of 2002 (P.L. 107-296, as amended) to reassign certain emergency management responsibilities from the Secretary of Homeland Security to the FEMA Administrator. It would also revise the qualifications and functions of the FEMA Administrator, Deputy Administrators, and Regional Administrators. Notable changes would include the transfer of FEMA’s existing functions, including those prescribed by the Robert T. Stafford Disaster Relief and Emergency Management Act (Stafford Act; P.L. 93-288, as amended), to the new, independent FEMA, and the reduction in the number of permitted presidentially-appointed Deputy Administrators from four to one. Further, the bill would revise the mission of FEMA and the responsibilities of the Administrator to eliminate “acts of terrorism” from the explicit purview of the agency. Division A would define the terms for FEMA’s transition out of the Department of Homeland Security and would authorize the Administrator to appoint and transfer personnel to align with FEMA’s revised mission and organization.

Titles I-III of Division B of the FEMA Act of 2025 would significantly reform FEMA’s three primary disaster grant programs: Public Assistance (PA), Individual Assistance (IA), and Hazard Mitigation Assistance (HMA).

PA provides assistance to nonfederal governments and nonprofits for emergency response and permanent rebuilding when authorized through a Stafford Act declaration. Title I of Division B would substantively revise the program, including by providing for expedited procedures to determine grant awards, allowing for the provision of lump-sum block grants in lieu of project-by-project awards for “smaller” disasters, and expanding the types of activities eligible for assistance.

IA provides assistance to individuals and households to address their housing and other critical needs, as well as support for crisis counseling, case management, legal services, and unemployment assistance when authorized through a Stafford Act declaration. Title II of Division B would make substantial changes to the IA program, including by expanding eligibility for certain forms of assistance, adding new forms of housing assistance, and decreasing bureaucratic hurdles to applying for and accessing federal disaster assistance resources.

HMA supports efforts to reduce future disaster-related risk. Title III of Division B would make significant changes to four Stafford Act hazard mitigation assistance programs, including by restructuring pre-disaster mitigation funding awarded under Stafford Act Section 203 as a formula-based grant.

Division B, Title IV of the FEMA Act of 2025 includes provisions primarily related to oversight and accountability of FEMA. Under these provisions, the U.S. Government Accountability Office (GAO) would conduct research on eleven

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different aspects of federal and nonfederal disaster response, recovery, mitigation, and insurance uptake. FEMA would be required to publish online dashboards providing grant request and award information supplemental to that which the agency currently publishes. Title IV would also require the President to provide a detailed justification of a denial or approval to governors requesting a major disaster declaration under the Stafford Act.

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Introduction and Context

The Federal Emergency Management Agency (FEMA), which leads federal emergency management and disaster relief efforts, has recently been subject to numerous calls for reform. Some Members of Congress, executive branch officials, the U.S. Government Accountability Office (GAO), and nonfederal stakeholders have raised concerns regarding the speed and complexity of FEMA relief programs, the scope of FEMA's mission, its overstressed workforce, and potential political bias in FEMA's delivery of federal relief, among other issues.¹ Many stakeholders have also praised FEMA's work, often while identifying the need for reorganization, policy changes, and/or enhanced authorities or appropriations.

Criticism of FEMA's role and performance in domestic emergency management and related proposals to reform the agency are not new. Congress has reformed FEMA and federal disaster relief law in the aftermath of extraordinary disasters that illuminate problems with federal response and recovery authorities and practices. For example, following the terrorist attacks of September 11, 2001, the Homeland Security Act of 2002 (Homeland Security Act; P.L. 107-296, as amended) embedded FEMA within the Department of Homeland Security (DHS), narrowed FEMA's mission, and transferred responsibility for many of FEMA's functions to the Secretary of DHS.² Subsequently, in the wake of criticism of the federal response to Hurricane Katrina, the Post-Katrina Emergency Management Reform Act (PKEMRA, P.L. 109-295) reversed many of these changes, establishing a more robust FEMA.³

Concerns about FEMA's role and purview persist. For example, the U.S. Government Accountability Office (GAO) has recommended reforms after repeatedly finding that FEMA may overestimate the need for federal disaster relief.⁴ However, FEMA faced pushback from many emergency managers and nonfederal governments when it proposed policies to effectively reduce

¹ See, for example, House Committee on Transportation and Infrastructure (hereinafter House Transportation and Infrastructure), Subcommittee on Economic Development, Public Buildings, and Emergency Management, *Reforming FEMA: Bringing Common Sense Back to Federal Emergency Management*, 119th Cong., 1st sess., March 25, 2025; U.S. Government Accountability Office, *Disaster Recovery: Actions Needed to Improve the Federal Approach*, GAO-23-104956, Nov. 15, 2022, <https://www.gao.gov/products/gao-23-104956>; and Carlos Martín et al., "Federal Disaster Management Is a Confusing Patchwork," Aug. 3, 2023, *Brookings Institution*, <https://www.brookings.edu/articles/federal-disaster-management-is-a-confusing-patchwork-reforming-fema-and-improving-interagency-coordination-can-fix-it/>.

² See Richard Sylves, *Disaster Policy and Politics: Emergency Management and Homeland Security*, 2nd ed., Los Angeles: Sage Press, 2015; and FEMA, *Disaster Operations Legal Reference*, v. 4, 2020, pp. xxvii-xxxii and 4-5 through 4-8.

³ *Ibid* and CRS Report RL33729, *Federal Emergency Management Policy Changes After Hurricane Katrina: A Summary of Statutory Provisions*, by Keith Bea (out of print; available to congressional clients from the author).

⁴ GAO, *Federal Disaster Assistance: Improved Criteria Needed to Assess a Jurisdiction's Capability to Respond and Recover on Its Own*, GAO-12-838, Sept. 12, 2012. See updates to this recommendation and its status as "priority open recommendations in GAO: Priority Open Recommendations: Department of Homeland Security, GAO-24-107251, August 19, 2024, pp. 13-14.

or eliminate its role in smaller, less expensive incidents,⁵ and eventually withdrew or suspended these proposals.⁶

Not all observers advocate downsizing FEMA’s emergency management role. Some have called to broaden FEMA’s core disaster relief authorities to ensure access for rural, small, and low-income communities.⁷ Separately, some scholars, insurance industry representatives, and nonprofits have raised concern that the current statutory emphasis on post-disaster relief administered by FEMA—rather than pre-disaster preparedness and mitigation—may disincentivize resiliency.⁸ Congress has significantly increased FEMA’s mitigation and preparedness authorities in recent years⁹—but many claim that more needs to be done.¹⁰

An **Appendix** to this product outlines significant enacted legislation reforming federal emergency management for further context.

FEMA and Stafford Act Reform: The 119th Congress

A number of bills introduced within the 119th Congress would fundamentally revise FEMA’s statutory authorities to deliver disaster relief and respond to concerns regarding how effectively

⁵ Ibid. In response to the recommendation, FEMA published a notice of proposed rulemaking creating a “disaster deductible” in Jan. 2016 that would limit Public Assistance (PA, post-disaster assistance for governments and nonprofits). FEMA, DHS, “Proposed Rule: Establishing a Deductible for FEMA’s Public Assistance Program,” 81 *Federal Register* 3082, Jan. 20, 2016; FEMA, DHS “Proposed Rule: Establishing a Deductible for FEMA’s Public Assistance Program,” 82 *Federal Register* 4064, Jan. 12, 2017. In Dec. 2020, FEMA proposed another rule increasing the per-capita indicators used as a primary factor to evaluate the need for PA. FEMA, DHS, “Proposed Rule: Cost of Assistance Estimates in the Disaster Declaration Process for the Public Assistance Program,” 85 *Federal Register* 80719, December 14, 2020.

⁶ In 2018, FEMA reported to GAO that it would not be promulgating the rule on the disaster deductible due to concerns that the proposal was overly complex. GAO, *Emergency Management: FEMA Has Made Progress, but Challenges and Future Risks Highlight Imperative for Further Improvements*, GAO-19-617T, June 25, 2019, p. 14, <https://www.gao.gov/assets/700/699957.pdf>. In Fall 2021, FEMA indicated that the next action on the proposed rule on revising the per-capita indicators was “undetermined,” and has not since taken further action. DHS/FEMA, “Cost of Assistance Estimates in the Disaster Declaration Process for the Public Assistance Program,” RIN 1660-AA99, Fall 2021.

⁷ See for example, “Rising Demand for FEMA’s BRIC Program Far Exceeds Available Funding,” Headwaters Economics, July 30, 2024, <https://headwaterseconomics.org/headwaters/rising-demand-for-femas-bric-program-far-exceeds-available-funding/>; National Low-Income Housing Coalition, “Federal Emergency Management Agency Housing Recovery Recommendations,” August 26, 2020.

⁸ See, for example, Sadie Frank, Eric Gesick, David G. Victor, *Inviting Danger: How Federal Disaster, Insurance, and Infrastructure Policies Are Magnifying the Harm of Climate Change*, Brookings Institution, Mar. 2021.

⁹ For example, the Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA, Title VI of P.L. 109-295), enacted October 4, 2006, strengthened FEMA’s coordination authorities, broadened FEMA’s operational organization with ten regional offices and new deployable forces, and authorizing FEMA to provide training and grants in line with a nationally coordinated preparedness system. For more information, see CRS Report RL33729, *Federal Emergency Management Policy Changes After Hurricane Katrina: A Summary of Statutory Provisions*, Mar. 7, 2007, coordinated by Keith Bea (out of prin; available to congressional clients from the author). The Disaster Recovery Reform Act of 2018 (DRRA, Division D of P.L. 115-254), enacted October 5, 2018 significantly enhanced FEMA’s authorities to provide mitigation assistance and to require federally funded projects be built to withstand future disasters. See CRS Report R45819, *The Disaster Recovery Reform Act of 2018 (DRRA): A Summary of Selected Statutory Provisions*, coordinated by Elizabeth M. Webster and Bruce R. Lindsay.

¹⁰ See, for example, proposals to enhance FEMA’s mitigation and preparedness authorities offered by FEMA’s National Advisory Council Reports from 2018 to 2024. FEMA recently removed reports from its public-facing website, but notes that “For access to past FEMA National Advisory Council recommendations, meeting notes, and agency responses, please contact FEMA-NAC@fema.dhs.gov.”

and swiftly the agency delivers relief.¹¹ Some would reorganize the agency and its workforce, while others would substantively modify FEMA’s authorities to provide disaster relief.

The only broad FEMA reform measure to be reported out of a congressional committee of jurisdiction in the 119th Congress is H.R. 4669, the Fixing Emergency Management for Americans (FEMA) Act of 2025, introduced by Chairman Sam Graves of the House Committee on Transportation and Infrastructure, on behalf of himself, Ranking Member Rick Larsen, Representative Daniel Webster, and Representative Greg Stanton.¹² The Committee on Transportation and Infrastructure exercises jurisdiction over FEMA’s disaster management authorities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act, P.L. 93-288, as amended).¹³ As of January 15, 2026, 46 Members of Congress from both major parties are co-sponsoring H.R. 4669.¹⁴ On September 3, 2025, the House Committee on Transportation and Infrastructure voted 57 to 3 to order the bill reported.¹⁵ Companion legislation has not currently been introduced in the Senate.¹⁶ Reports indicate that the Congressional Budget Office is developing a score for the bill.¹⁷

The FEMA Act of 2025, if enacted, would fundamentally reorganize FEMA and its key statutory authorities to deliver disaster relief—including by establishing FEMA as a freestanding executive

¹¹ Members of the 119th Congress have introduced hundreds of bills revising FEMA’s disaster-related authorities, based on CRS research using Congress.gov for terms including FEMA, “federal emergency management,” “Robert T. Stafford,” and variations of “disaster relief.” Many bills explicitly call for the continuity of existing operations or delivery programs, and/or provide means to hasten the delivery of assistance, for example H.R. 5658, the Disaster Relief Continuity Act of 2025. By contrast, several bills substantively modify FEMA’s core organization and/or authorities to provide disaster relief, including H.R. 316, the Natural Disaster Recovery Program Act of 2025; H.R. 2308/S. 1246, the FEMA Independence Act of 2025; H.R. 3252, the Disaster House Flexibility Act of 2025; H.R. 3251, the Disaster Response Flexibility Act of 2025; H.R. 3347, the Sovereign States Emergency Management Act; and S. 2247, the Disaster Assistance Improvement and Decentralization Act.

¹² Congress.gov, “H.R. 4669: Cosponsors,” <https://www.congress.gov/bill/119th-congress/house-bill/4669/cosponsors?s=2&r=1&q=%7B%22search%22%3A%22H.R.+4669%22%7D>. This report analyzes the version offered as an amendment in the nature of a substitute to the text introduced on July 23, 2025; this version will be referred to as the FEMA Act of 2025 / H.R. 4669, as reported, subsequently in this report. The substitute text was printed on August 29, 2025, and amended on Sept. 3, 2025; see text at <https://docs.house.gov/meetings/PW/PW00/20250903/118581/BILLS-1194669ih.pdf>, and the approved amendment submitted by Rep. Carson, available at <http://docs.house.gov/meetings/PW/PW00/20250903/118581/BILLS-119-4669-C001072-Amdt-039.pdf>, and the approved manager’s amendment submitted by Chairman Graves, available at <https://docs.house.gov/meetings/PW/PW00/20250903/118581/BILLS-119-4669-G000546-Amdt-1.pdf>.

¹³ The Subcommittee on Economic Development, Public Buildings, and Emergency Management conducts oversight on these authorities. House Transportation and Infrastructure, “Economic Development, Public Buildings and Emergency Management,” <https://transportation.house.gov/subcommittees/subcommittee/?ID=107419>.

¹⁴ Congress.gov, “H.R.4669—FEMA Act of 2025,” as of Jan. 15, 2026.

¹⁵ No comments were offered during markup from Members that voted against the bill’s advancement. See House Transportation and Infrastructure, “Markup of the Fiscal Year 2026 Views and Estimates of the Committee on Transportation and Infrastructure; ANS to H.R. 4669, the Fixing Emergency Management for Americans Act of 2025; and ANS to H.R. 5061, the Counter-UAS Authority Security, Safety, and Reauthorization Act,” Sept. 3, 2025, <https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=118581>; U.S. Congress, House Committee on Transportation and Infrastructure, 119th Cong., 2nd sess., document containing committee views and estimates and a tabulation of votes taken at Sept. 3, 2025 meeting, <https://docs.house.gov/meetings/PW/PW00/20250903/118581/HMKP-119-PW00-20250903-SD001.pdf>.

¹⁶ There are a number of separate FEMA and Stafford Act reform bills introduced in the Senate. A bipartisan group of Senators reported meeting with former FEMA Administrators and at least one State Director of Emergency Management to discuss reform legislation. Thomas Frank and Andres Picon, “Senators hold bipartisan secret meeting to reshape FEMA,” Jan. 15, 2026, <https://www.politico.com/live-updates/2026/01/15/congress/senators-hold-secret-meeting-to-reshape-fema-ee-00729493>.

¹⁷ Matt Shade, “FEMA Reform Talks Amid FY26 Funding Debate,” National Emergency Management Association (NEMA) Ready Nation: Policy, Jan. 16, 2026, distributed by email.

branch agency outside of DHS and substantively amending Stafford Act disaster relief. The legislation proposes some of the most sweeping legislative reforms to FEMA since the enactment of PKEMRA in 2006. PKEMRA strengthened FEMA’s disaster coordination authorities and rescinded the previous transfer of related functions to the Department of Homeland Security pursuant to its establishment in the Homeland Security Act of 2002; P.L. 107-296, as amended).¹⁸

The FEMA Act has garnered support from a wide range of industry and government stakeholders, including the National Emergency Management Association, the International Association of Emergency Managers, and the Big City Emergency Managers (which together represent numerous emergency managers across the country) and the National League of Cities and National Association of Counties (which represent many local governments).¹⁹ Other key stakeholder groups—for example, the National Governors Association—have been silent on the bill.²⁰ Some congressional supporters of the bill have expressed concerns regarding specific provisions, including reforms to environmental and historic preservation reviews for funded reconstruction projects.²¹

Separately, the Trump Administration has launched its own agency reform effort. On the fourth day of his second administration, President Trump published Executive Order (EO) 14180, establishing the FEMA Review Council to undertake a “full-scale review” of the agency, including its roles in coordinating federal emergency management, as well as issues of operational efficacy, staffing levels, and alleged political bias.²² Secretary of Homeland Security Kristi Noem co-chairs the FEMA Review Council with Secretary of Defense Pete Hegseth.²³ In the first public meeting of the Council in May 2025, Secretary Noem reiterated that President Trump called for the agency “as it exists today” to be eliminated, and to transfer more

¹⁸ For additional background, see CRS’s series on the Homeland Security Act, in particular CRS Report WPD00065, *The Homeland Security Act at 20: Evolution of Emergency Management*, by William L. Painter, and CRS Report R47446, *The Department of Homeland Security: A Primer*, by William L. Painter.

¹⁹ See House Transportation and Infrastructure, “FEMA Reform Bill Attracts Support from Emergency Management Stakeholders,” press release, Sept. 2, 2025, <https://transportation.house.gov/news/documentsingle.aspx?DocumentID=409031>; Big City Emergency Managers et al., Letter to Chairman Sam Graves and Ranking Member Rick Larsen, August 15, 2025, https://transportation.house.gov/uploadedfiles/coalition_letter_-_fema_act_8-15-25.pdf. More recent endorsements include the National Association of Mutual Insurance Companies (see Letter to Speaker Johnson and Minority Leader Jeffries, Nov. 13, 2025, https://namicstorage.blob.core.windows.net/namicorgassets/pdf/25memberadvisory/251113_namic_support_letter_fema_act.pdf?utm_source=MS&utm_medium=email&utm_campaign=stALL).

²⁰ The National Governors Association (NGA) describes itself as “the voice of the nation’s Governors and a leading forum for bipartisan policy solutions.” NGA, homepage, <https://www.nga.org/>. Most Stafford Act assistance is available only following the request of a governor; governors and their representatives hold critical roles in the delivery of assistance under the Stafford Act. See, for example Sec. 401(a) (42 U.S.C. §5170(a)), describing the governor’s role requesting federal assistance and activating state resources to respond, and Sec. 302(c) (42 U.S.C. §5143(c)), on the governor’s role designating a State coordinating officer.

²¹ See comments by Rep. Huffman and Rep. Westerman on Sec. 104 of the FEMA Act of 2025 raised during the House Committee of Transportation and Infrastructure’s markup hearing for H.R. 4669, 119th Congress, 1st sess., Sept. 3, 2025, <https://transportation.house.gov/calendar/eventsingle.aspx?EventID=409017>.

²² Executive Order 14180, “Council to Assess the Federal Emergency Management Agency,” 90 *Federal Register* 8743, Jan. 31, 2025.

²³ Department of Homeland Security (DHS), “Federal Emergency Management Agency Review Council Members,” <https://www.dhs.gov/fema-review-council-members>. The Secretary of Defense is using “Secretary of War” as a “secondary title” under Executive Order 14347, “Restoring the United States Department of War,” 90 *Federal Register* 43893, Sept. 5, 2025. For more information on the structure, meeting frequency, membership, and organization of the Council, see DHS, “Federal Emergency Management Agency Review Council,” <https://www.dhs.gov/sites/default/files/2025-02/FEMA%20Review%20Council%20Establishment%20Charter%2014FEB2025.pdf>.

responsibilities to state and tribal governments.²⁴ Other Members of the Council have suggested narrower reforms (e.g., accelerating assistance for long-term recovery and exploring utilization of new models of insurance).²⁵

According to the terms of EO 14180, the FEMA Review Council was to publish a report of its findings and recommendations in October 2025.²⁶ The Review Council was scheduled to hold a meeting to review and vote on the report's recommendations on December 11, 2025;²⁷ however, the meeting was indefinitely postponed.²⁸ As of the publication of this report, the Review Council has not released its report or recommendations.²⁹ On January 23, 2026, the President issued another Executive Order extending the FEMA Review Council until March 25, 2026;³⁰ absent such action, the Council would have terminated on January 31, 2026.³¹

News reports indicated that Chairman Graves and Ranking Member Larsen planned to advance the FEMA Act of 2025 irrespective of the recommendations of the FEMA Review Council.³²

Overview of FEMA Act of 2025

This report includes a brief summary of each of the Titles of the FEMA Act of 2025.

²⁴ DHS, Federal Emergency Management Agency (FEMA) Review Council Open Meeting Minutes, May 20, 2025, p. 2, https://www.dhs.gov/sites/default/files/2025-08/2025_0520_fema_review_council_meetingminutes.pdf.

²⁵ See for example, comments by other members of the Council in DHS, "Federal Emergency Management Agency (FEMA) Review Council," on Jul. 9th, 2025 and Aug. 28, 2025, https://www.dhs.gov/sites/default/files/2025-08/2025_0709_fema_review_council_meetingminutes.pdf and https://www.dhs.gov/sites/default/files/2025-11/2025_0828_fema_reviewcouncil_meetingminutes.pdf.

²⁶ Executive Order 14180, "Council to Assess the Federal Emergency Management Agency," 90 *Federal Register* 8743, Jan. 31, 2025, calls for the council to hold its first public meeting within 90 days of the date the order was issued (Jan. 24, 2025), and its report to be published "within 180 days of the date of the Council's first public meeting." The first meeting was held on May 20, 2025.

²⁷ DHS, "Federal Emergency Management Agency Review Council; Notice of Meeting," 90 *Federal Register* 54360, Nov. 26, 2025, requires the council to produce a report to the President within 180 days of its first meeting, which was held Nov. 20, 2025. For additional background, see Andy Winkler and Stan Gimont, "What to Expect from the FEMA Review Council's Final Report," *Bipartisan Policy Center*, Dec. 10, 2025, <https://bipartisanpolicy.org/article/what-to-expect-from-the-fema-review-councils-final-report/>.

²⁸ Patrick Ryan Powers, Designated Federal Officer, President's Council to Assess FEMA (E.O. 14180), "President's Council to Assess FEMA Meeting," email, Dec. 11, 2025.

²⁹ For discussion of the response from emergency managers and former FEMA officials, see Justin Doubleday, "Former FEMA Leaders Call for 'Clarity' Amid Delayed Council Report," *Federal News Network*, Dec. 16, 2025, <https://federalnewsnetwork.com/reorganization/2025/12/former-fema-leaders-call-for-clarity-amid-delayed-council-report/>, and Robyn Griggs Lawrence, "Local Governments Need to Step Up as FEMA's Future Remains Uncertain, Experts Say," *SmartCities Dive*, Dec. 16, 2025, <https://www.smartcitiesdive.com/news/fema-future-uncertain-carnegie-institute-panel/808027/>.

³⁰ Executive Order, "Continuance of the Federal Emergency Management Review Council," January 23, 2026, <https://www.whitehouse.gov/presidential-actions/2026/01/continuance-of-the-federal-emergency-management-agency-review-council/>.

³¹ Executive Order 14180, "Council to Assess the Federal Emergency Management Agency," 90 *Federal Register* 8743, Jan. 31, 2025.

³² Amelia Davidson, "Graves 'Not Concerned' over Differences with Trump on FEMA Overhaul," *Politico E&E Daily*, Dec. 12, 2025, <https://subscriber.politicopro.com/article/eenews/2025/12/12/graves-not-concerned-over-differences-with-trump-on-fema-overhaul-00687469>.

Division A—Establishment of FEMA As Cabinet-Level Independent Agency

Division A of the FEMA Act of 2025 would reorganize FEMA, redefine the agency’s mission, and revise the authorities of its senior leaders.

Title I—Establishment of Federal Emergency Management Agency

Title I would establish FEMA as a freestanding executive branch agency outside of DHS.³³ FEMA was an independent agency from its establishment through Executive Order in 1979 until it was incorporated into DHS in March 2003, per the requirements of the Homeland Security Act.³⁴

The title would also designate that FEMA be accorded the status of a “cabinet-level” agency.³⁵ This statutory designation of FEMA as a “cabinet-level” establishment might convey the sense that Congress intends for the FEMA Administrator to be on par with the formal members of the Cabinet—though the President ultimately determines membership in the Cabinet.³⁶ The head of FEMA was last accorded Cabinet rank during the Administration of President William J. Clinton;³⁷ President George W. Bush did not give FEMA a similar status, and it has not been a part of the Cabinet since.³⁸

Proponents of removing FEMA from DHS have argued that strained relationships between the FEMA Administrator and DHS Secretary, as well as the conflation of disaster response with national security, may undermine federal disaster response operations and funding; establishing FEMA as a Cabinet-level agency may enhance its ability to coordinate long-term recovery.³⁹ Advocates of retaining the current organization of FEMA within DHS argue that reorganization could demand significant resources without redressing the most pressing issues.⁴⁰ Chairman

³³ H.R. 4669, §11, as reported.

³⁴ See Sec. 503(a) of the Homeland Security Act (6 U.S.C. §313).

³⁵ H.R. 4669, §11, as reported.

³⁶ CRS explains “[t]his special status [i.e., membership in the Cabinet] is not recognized in law and is purely a presidential distinction that can be given and later withdrawn.” CRS Report RL30673, *The President’s Cabinet: Evolution, Alternatives, and Proposals for Change*, Sept. 12, 2000, p. 5, available at <https://www.congress.gov/116/meeting/house/110331/documents/HMKP-116-JU00-20191211-SD961.pdf>.

³⁷ President Clinton elevated FEMA to his Cabinet in 1996. For additional background, see U.S. Department of Homeland Security (DHS) Office of Inspector General (OIG), “FEMA: In or Out?” OIG-09-25, February 2009, pp. 6-7, https://www.oig.dhs.gov/sites/default/files/assets/Mgmt/OIG_09-25_Feb09.pdf (hereinafter DHS OIG, “FEMA: In or Out?”); Patrick Roberts, “FEMA After Katrina,” *Policy Review* 137 (June 2006); and CRS Report RL30673, *The President’s Cabinet: Evolution, Alternatives, and Proposals for Change*, Sept. 12, 2000.

³⁸ DHS OIG, “FEMA: In or Out?” Current statute specifies that the FEMA Administrator is the President’s principal advisor on emergency management and allows, at the discretion of the President, the Administrator to serve as a Cabinet member during specified emergencies (6 U.S.C. §§313(c)(4) and (5)).

³⁹ See for example comments from Deanne Criswell, who served as FEMA Administrator during the first Trump Administration, in “The Future of FEMA: Lessons from 2025 and What Comes Next,” panel discussion, *Carnegie Endowment for International Peace*, Dec. 15, 2025 (hereinafter Carnegie Endowment, “Future of FEMA”), <https://carnegieendowment.org/events/2025/12/the-future-of-fema-lessons-from-2025-and-what-comes-next?lang=en>; and Hunter Knapp, “Managing an Administrative Emergency: Establishing FEMA as an Independent Agency,” *Colorado Natural Resources, Energy & Environmental Law Review*, vol. 31, no. 1, Winter 2020, pp. 231-264.

⁴⁰ See for example comments from Peter Gaynor, who served as FEMA Administrator during the first Trump Administration, in Carnegie Endowment, “Future of FEMA.”

Graves and other Members supporting FEMA removal from DHS have explained that an independent FEMA enhances accountability and establishes clear lines of authority.⁴¹

Title I would separate FEMA’s mission and activities⁴² and the authorities of its Administrator⁴³ from the Department of Homeland Security.⁴⁴ The title would transfer to the freestanding agency the functions of FEMA as constituted on the date of enactment. More specifically, it would transfer to the FEMA Administrator of the new, independent FEMA the agency’s functions under the Robert T. Stafford Disaster Relief and Emergency Assistance Act and subsequent amendments, the National Flood Insurance Act of 1968 (42 U.S.C. §§4001 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. §§7701 et seq.), and the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. §§2201 et seq.), among others.⁴⁵ Title I would also change the scope of FEMA’s mission and activities. For example, it would remove explicit references to “acts of terrorism” from the description of FEMA’s mission, and would add requirements that FEMA develop and maintain research necessary to support the agency’s activities, among other changes.⁴⁶

Further, Title I would also require additional changes to FEMA’s internal oversight structures and workforce. It would establish an Office of the Inspector General (OIG) within FEMA⁴⁷—removing FEMA from the jurisdiction of DHS’s OIG, as is provided under current authorities.⁴⁸ To support FEMA’s reorganization and enhanced authorities, Title I would, among other provisions, authorize a transition period for the standup of FEMA as an independent agency,⁴⁹ liaison offices for coordination between DHS and FEMA,⁵⁰ personnel appointments, delegations of functions, transfers of unexpended appropriations, agency property, and current personnel⁵¹ and specified reorganization activities.⁵²

Title II—Offices and Functions of FEMA

Division A, Title II would amend the Homeland Security Act to repeal authorities describing the agency’s mission, leadership, and establishment within DHS⁵³ in order to conform with

⁴¹ Chairman Graves, “Reforming FEMA,” July 25, 2025, <https://graves.house.gov/media/e-newsletters/reforming-fema>; Ranking Member Larsen, “Larsen’s FEMA Reform Act of 2025 Approved by Transportation and Infrastructure Committee,” Sept. 4, 2025, <https://larsen.house.gov/news/documentsingle.aspx?DocumentID=4029>.

⁴² H.R. 4669 §11(a)-(c), as reported.

⁴³ H.R. 4669 §§12(a) and Sec. 13(a)-(b), as reported.

⁴⁴ For additional background on FEMA’s integration into DHS, see CRS Report WPD00065, *The Homeland Security Act at 20: Evolution of Emergency Management*, by William L. Painter.

⁴⁵ H.R. 4669 §15, as reported.

⁴⁶ FEMA’s mission is currently established in 6 U.S.C. §313. The FEMA Act of 2025 retains most language describing FEMA’s mission, but removes references to “acts of terrorism” from the list of incidents within FEMA’s mission, among other changes.

⁴⁷ H.R. 4669 §14, as reported.

⁴⁸ For more information, see CRS Report R45450, *Statutory Inspectors General in the Federal Government: A Primer*, by Ben Wilhelm; and GAO-21-316, *DHS Office of Inspector General: Actions Needed to Address Long-Standing Weaknesses*, GAO, June 2021, <https://www.gao.gov/assets/720/714718.pdf>.

⁴⁹ H.R. 4669 §§15(c) and 15(e), as reported.

⁵⁰ H.R. 4669 §15(g), as reported.

⁵¹ H.R. 4669 §16, as reported.

⁵² H.R. 4669 §17, as reported.

⁵³ H.R. 4669 §21(b), as reported, repealing Secs. 503, 504, and 506 of the Homeland Security Act (6 U.S.C. §§313-314 and 316). The FEMA Act of 2025 Secs. 11-13 reestablish the agency’s mission, responsibilities, activities, and leadership outside of DHS.

provisions in Title I (which establish FEMA as an independent agency). Title II would also transfer a number of additional functions from the Secretary of Homeland Security to the Administrator of FEMA. For example, during disasters, the FEMA Administrator would direct the Nuclear Incident Response Team⁵⁴—a role currently assigned to the Secretary.⁵⁵ The National Operations Center would be redefined as the principal operations center for FEMA,⁵⁶ rather than for DHS, as described under current law.⁵⁷ Title II would re-establish the National Advisory Council (NAC), a body of experts and stakeholders that is to advise the Administrator on all aspects of emergency management. The NAC was originally authorized in PKEMRA and disbanded by the second Trump Administration.⁵⁸

Title III—Related Matters

Division A, Title III would require the President, within 120 days of enactment, to amend several presidential directives related to domestic incident management to align with the changes outlined in Division A.⁵⁹ Title III would also require the FEMA Administrator to prepare legislative recommendations for Congress necessary to fully effect the changes in Division.⁶⁰

Division B—FEMA Reforms

Division B would reform three primary areas of disaster-related assistance administered by FEMA, amongst other provisions: Public Assistance (PA; response and recovery aid for disaster-affected communities); Individual Assistance (IA; response and recovery aid for disaster survivors); and Hazard Mitigation Assistance (HMA; assistance to reduce the risks associated with future disasters). Additionally, some provisions would revise procedures for Stafford Act declarations and mandate that FEMA, GAO, and other stakeholders enhance agency transparency and accountability by undertaking studies and publishing data on different aspects of Stafford Act assistance.

Title I—Public Assistance Reforms

FEMA’s PA program provides financial and direct relief (e.g., personnel or supplies) to states, tribes, territories, local governments, and eligible nonprofits (subrecipients) following a declaration of an emergency or major disaster under the Stafford Act. In general, PA accounts for the majority of funds obligated from the Disaster Relief Fund (DRF, which finances all Stafford Act assistance). Title I would substantively restructure the program to reform “overly bureaucratic” procedures, as co-sponsor Representative Daniel Webster explained during committee markup.⁶¹ Most notably, Title I would authorize “expedited” assistance for PA to cover the costs of rebuilding damaged nonprofit and public facilities under a new Section 409 of the

⁵⁴ H.R. 4669 §§13(a)(3)(B) and 21(i), as reported.

⁵⁵ Sec. 517 of the Homeland Security Act (6 U.S.C. §321f).

⁵⁶ H.R. 4669 §21(h), as reported.

⁵⁷ Sec. 515(b) of the Homeland Security Act (6 U.S.C. §321d).

⁵⁸ Sec. 508 of PKEMRA (6 U.S.C. §318). FEMA reported “In keeping with guidance from the Department of Homeland Security, the current council members have been dismissed.” FEMA, “National Advisory Council,” <https://www.fema.gov/about/offices/national-advisory-council>.

⁵⁹ H.R. 4669 §31, as reported.

⁶⁰ H.R. 4669 §32, as reported.

⁶¹ See Rep. Webster’s remarks during the House Committee of Transportation and Infrastructure’s markup hearing for H.R. 4669, 119th Congress, 1st sess., Sept. 3, 2025, <https://transportation.house.gov/calendar/eventsingle.aspx?EventID=409017>.

Stafford Act. In contrast to existing authorities, Section 409 would afford less discretion to FEMA during the PA grant review process and would establish deadlines for subrecipients to submit project estimates and for FEMA to review and approve awards.⁶² Section 409 would also require award estimates to incorporate the cost of mitigation and compliance with applicable building codes, without regard to the predisaster condition of the facility.⁶³

Other key provisions of the bill would broaden the types of emergency response and debris removal activities that may receive reimbursement through PA,⁶⁴ and would eliminate certain restrictions on assistance available for the costs of managing PA grants.⁶⁵ Title I would authorize a program that allows a governor or tribal chief executive the option to request a lump sum payment for certain disasters that would otherwise be eligible for PA (a variation of a “block grant”).⁶⁶

Title I also includes several provisions that would reform Stafford Act declarations (emergency and major disaster) broadly.⁶⁷ One such provision would create a task force to address a backlog of open Stafford Act declarations;⁶⁸ another would establish a panel to review procedures for determining “incident periods” (i.e., FEMA’s determination of the duration of a given incident).⁶⁹ Another provision would allow federally-recognized tribes to receive Fire Management Assistance Grants (FMAGs).⁷⁰

Title II—Individual Assistance Reforms

Under current law, FEMA may assist disaster survivors with their recovery when the IA program is authorized pursuant to a presidential declaration under the Stafford Act.⁷¹ One form of IA is the Individuals and Households Program (IHP), through which FEMA may provide disaster survivors with financial and direct assistance to address their disaster-caused housing and other needs.⁷²

⁶² H.R. 4669 §101(a), as reported.

⁶³ Under current law, FEMA PA is generally provided to restore a facility to its predisaster function, rather than redress damages related to deferred maintenance or incidents aside from the declared disaster. FEMA PA currently can provide assistance for mitigation measures on an eligible facility—but funds are limited to those considered “cost-effective.” For more information, see CRS Report R46749, *FEMA’s Public Assistance Program: A Primer and Considerations for Congress*, by Erica A. Lee.

⁶⁴ H.R. 4669 §§114,115,119, 206, 214, and 215, as reported (which broaden and/or modify essential assistance for emergency response) and 107 (which broadens assistance for debris removal).

⁶⁵ H.R. 4669 §108, as reported, which substantively reflects legislation previously introduced in the 119th Congress as H.R. 744 and S. 773 as the “Disaster Management Costs Modernization Act.”

⁶⁶ H.R. 4669 §106, as reported, which substantively reflects language previously introduced in the 118th Congress as H.R. 8728, “State-Managed Disaster Relief Act.”

⁶⁷ For background, see CRS Report R42702, *Stafford Act Declarations 1953-2016: Trends, Analyses, and Implications for Congress*, by Bruce R. Lindsay.

⁶⁸ H.R. 4669 §102, as reported.

⁶⁹ H.R. 4669 §110, as reported, which substantively reflects language introduced in the 119th Congress as H.R. 3661, “the Extreme Weather and Heat Response Modernization Act.”

⁷⁰ H.R. 4669 §111, as reported, which mirrors language introduced in the 119th Congress in H.R. 3957.

⁷¹ For information on FEMA’s Individual Assistance (IA) programs, see CRS Report R46014, *FEMA Individual Assistance Programs: An Overview*, by Elizabeth M. Webster.

⁷² The Individuals and Households Program (IHP), Stafford Act Sec. 408, is codified at 42 U.S.C. §5174. FEMA IHP Housing Assistance includes different forms of temporary housing assistance, as well as assistance for home repairs or replacement and permanent housing construction. IHP Other Needs Assistance (ONA) funds may be used for funeral, medical and dental, childcare, personal property, transportation, and other disaster-caused expenses, such as funding for essential items. See FEMA’s “Individuals and Households Program” webpage for further information, available at <https://www.fema.gov/assistance/individual/program>.

Other forms of IA allow FEMA to provide funding for crisis counseling, case management services, legal services, and unemployment and re-employment assistance.⁷³ Like the PA program, the IA program is funded through the DRF.⁷⁴

The FEMA Act of 2025 would make substantial changes to the IA program, and specifically the IHP, including by expanding eligibility for IHP assistance,⁷⁵ adding new forms of housing assistance (i.e., Direct Assistance for Repairs, Replacement Assistance for Total Loss, and state/territory/tribe-managed direct housing assistance),⁷⁶ and streamlining the process to apply for federal disaster assistance.⁷⁷ Many of the changes included in the FEMA Act were previously introduced by other bipartisan legislation, and were aligned with the recommendations of GAO and emergency management stakeholders.⁷⁸ One example is a provision to establish a unified application for disaster assistance.⁷⁹ The FEMA Act would enable disaster survivors to submit a single application for assistance; the current disaster recovery system requires disaster survivors to submit separate—often duplicative—applications when seeking federal assistance from FEMA, the U.S. Department of Housing and Urban Development, and the Small Business Administration.⁸⁰

This title includes other key reforms to the IA program including:

- extending the period of assistance from 18 months to 24 months;⁸¹
- expanding IHP assistance for cost-effective hazard mitigation measures and establishing a separate funding cap for financial assistance provided for hazard mitigation under the IHP;⁸²

⁷³ The Crisis Counseling Assistance and Training Program (CCP), Stafford Act Sec. 416, is codified at 42 U.S.C. §5183; Disaster Case Management (DCM), Stafford Act Sec. 426, is codified at 42 U.S.C. §5189d; Disaster Legal Services (DLS), Stafford Act Sec. 415, is codified at 42 U.S.C. §5182; and Disaster Unemployment Assistance, Stafford Act Sec. 410, is codified at 42 U.S.C. §5177.

⁷⁴ For additional information on the Disaster Relief Fund, see CRS Report R45484, *The Disaster Relief Fund: Overview and Issues*, by William L. Painter (see the section on “What federal government activities are funded under the DRF?”).

⁷⁵ For example, H.R. 4669 §205, as reported, would expand eligibility for IHP housing assistance.

⁷⁶ See H.R. 4669 as reported §207, (Direct Assistance for Repairs), §216 (Replacement Assistance for Total Loss); and §211 (State-managed Housing Authority), which would establish new forms of housing assistance.

⁷⁷ Sec. H.R. 4669 as reported §§201-202 would establish a universal disaster application system and a universal application for disaster assistance, streamlining the application process.

⁷⁸ H.R. 4669 as reported mirrors the text of previously introduced legislation. As examples, §§202 and 201 would establish a universal application and system, and these provisions mirror the text of previously introduced legislation, including Secs. 2 and 3, respectively, of H.R. 1245—Disaster Survivors Fairness Act of 2025, H.R. 1796—Disaster Survivors Fairness Act of 2023, and H.R. 8416—Disaster Survivors Fairness Act of 2022. Additionally, several Senate bills would establish a unified application and system, including S. 4599-Disaster Assistance Simplification Act, S. 1528—Disaster Assistance Simplification Act, and S. 861—Disaster Assistance Simplification Act. Additionally, GAO recommended establishing a universal application (GAO, *Disaster Recovery: Actions Needed to Improve the Federal Approach*, and GAO-23-104956, November 15, 2022, pp. 35-36, <https://www.gao.gov/assets/gao-23-104956.pdf>).

⁷⁹ H.R. 4669 §§201-202, as reported.

⁸⁰ H.R. 4669 §§201(f)(e) and 202(b), as reported. See also Rebecca Orbach and Owen Minot, “Simplifying Disaster Assistance for Survivors,” *Bipartisan Policy Center (BPC)*, February 29, 2024, <https://bipartisanpolicy.org/blog/simplifying-disaster-assistance-for-survivors/>.

⁸¹ H.R. 4669 §209(a), as reported. This would amend the IHP statute (Stafford Act Sec. 408).

⁸² H.R. 4669 §205(b), as reported. This would amend the IHP statute (Stafford Act Sec. 408).

- enabling disaster survivors to receive assistance from other sources (e.g., charitable donations) without it affecting their IHP eligibility;⁸³
- ensuring post-disaster rent increases are accounted for when providing rental assistance to disaster survivors;⁸⁴ and
- enabling individuals experiencing homelessness to receive temporary housing assistance under the IHP.⁸⁵

Title III – Mitigation Reforms

FEMA defines hazard mitigation as “any sustained action to reduce or eliminate long-term risk to people and property from natural hazards and their effects.” Four hazard mitigation assistance (HMA) grant programs authorized by the Stafford Act would be affected by Division B, Title III of the FEMA Act of 2025:

- the Pre-Disaster Mitigation Grant Program (PDM);⁸⁶
- the Building Resilient Infrastructure and Communities (BRIC);⁸⁷
- the Safeguarding Tomorrow Revolving Loan Fund Program (STRLF);⁸⁸ and
- the Hazard Mitigation Grant Program (HMGP).⁸⁹

The first three programs can provide pre-disaster mitigation funding for use in anticipation of an incident.⁹⁰ HMGP is only available through a major disaster declaration or FMAG, but must be used to reduce losses from future disasters.⁹¹ Title III of Division B would make significant changes to the four Stafford Act HMA programs:⁹²

- The act would establish a process for states, territories, and tribes (STTs) to submit mitigation project plans for pre-approval before a disaster occurs. Projects included in a pre-approved mitigation plan would be considered approved under any of the four Stafford Act HMA programs, and would not be subject to any additional approval requirements, procedures, or reviews.
- The act would also restructure pre-disaster mitigation funding awarded under Stafford Act Section 203 into a formula-based grant with specified percentages associated with particular criteria.⁹³ It would also make funding under pre-

⁸³ H.R. 4669 §203(c), as reported. This would amend the duplication of benefits statute (Stafford Act Sec. 312).

⁸⁴ H.R. 4669 §212, as reported. This would amend the IHP statute (Stafford Act Sec. 408).

⁸⁵ H.R. 4669 §214, as reported. This would amend the IHP statute (Stafford Act Sec. 408).

⁸⁶ Stafford Act Sec. 203, 42 U.S.C. §5133.

⁸⁷ Stafford Act Sec. 203, 42 U.S.C. §5133.

⁸⁸ Stafford Act Sec. 205, 42 U.S.C. §5135.

⁸⁹ Stafford Act Sec. 404, 42 U.S.C. §5170c.

⁹⁰ FEMA created the BRIC program in FY2020 to replace the PDM program as the main grant program for pre-disaster mitigation. PDM funding has continued to be awarded as congressionally directed spending (earmarks). Both programs fall under the Stafford Act section 203. This report uses the term “pre-disaster mitigation” to mean either PDM or BRIC awards, or both.

⁹¹ Public Assistance under Stafford Act Sec. 406 and Individual Assistance under Stafford Act Sec. 408 may also fund mitigation measures if such assistance is authorized by an emergency or disaster declaration.

⁹² The FEMA Act does not make any changes to the FMA grant program, which is authorized by the National Flood Insurance Act of 1968 (42 U.S.C. §4001 et seq.) rather than the Stafford Act.

⁹³ H.R. 4669 §302, as reported. Criteria include state population and median income, vulnerability of critical infrastructure to natural hazards, and amount of pre-approved mitigation plans in economically distressed communities.

approved mitigation plans available to private non-profit facilities, public-private partnerships, and projects executed through a combination of other federal mitigation programs, including HMGP.

- Additionally, the act would require FEMA to establish and carry out a residential retrofit and resilience pilot project to provide grants to individuals who demonstrate financial need.⁹⁴ Stafford Act Section 304 would make it possible to combine HMGP funds with other federal assistance and would replace the current reimbursement-based approach by allowing the President to provide the total federal share before eligible costs are incurred.
- Finally, the act would require FEMA to develop a consolidated grant application for pre-disaster and post-disaster funding for all four Stafford Act HMA programs.⁹⁵

Title IV—Transparency and Accountability

Division B, Title VI of the FEMA Act includes provisions primarily related to oversight and accountability of FEMA. Eleven provisions would require reviews and congressional briefings by GAO on different topics, including:

- the transition of FEMA required by Division A, Title I (i.e., its establishment as an independent agency outside of DHS),⁹⁶
- preliminary damage assessments FEMA uses to assess the need for Stafford Act assistance for survivors pursuant to a major disaster,⁹⁷
- insurance coverage of facilities eligible for Public Assistance,⁹⁸ and
- the use of and funding for wildfire management plans.⁹⁹

Title IV also would also require new reporting requirements from certain executive branch offices and officials. For example, Section 416 would require the President to provide a detailed justification of a denial or approval to governors who request a major disaster declaration, and Section 414 would require FEMA to provide a report to Congress on improvements to disaster recovery assistance for individuals.¹⁰⁰

Several other sections would require FEMA, sometimes in concert with other federal agencies, to establish publicly accessible databases with detailed information on FEMA-administered disaster relief. For example, Section 402 would require FEMA, the Director of the Office of Management and Budget, and the heads of certain other agencies delivering disaster assistance to establish a webpage under the Federal Funding Accountability and Transparency Act of 2006 to provide detailed project-level information on disaster assistance obligated and expended each quarter.¹⁰¹ Similarly, Sections 406 and 418 would require FEMA to publish an online dashboard on certain information related to IA and PA, respectively.

⁹⁴ H.R. 4669 §303, as reported.

⁹⁵ H.R. 4669 §307, as reported.

⁹⁶ H.R. 4669 §401, as reported.

⁹⁷ H.R. 4669 §407, as reported.

⁹⁸ H.R. 4669 §410, as reported.

⁹⁹ H.R. 4669 §411, as reported.

¹⁰⁰ H.R. 4669 §414, as reported.

¹⁰¹ H.R. 4669 §402, as reported.

Title IV would also require the Administrator, in concert with different federal and nonfederal partners, to conduct several studies aiming to inform the preparedness mitigation, response, and recovery operations of FEMA and nonfederal partners. For example, Section 417 would require FEMA to establish a working group of specific federal and nonfederal stakeholders to identify best practices for managing “fast-moving disasters..”

Appendix. Federal Emergency Management Reform

Since its enactment in 1988, the Stafford Act has undergone extensive changes, as has FEMA. Generally, these reforms have addressed concerns raised by the federal response to and recovery from significant disasters, including the terrorist attacks of September 11, 2001, and Hurricane Katrina, as aforementioned. The table provides a brief overview of the most considerable revisions to the Stafford Act, in order to contextualize the scale of the changes proposed in the FEMA Act of 2025.

Chronology—Stafford Act and Key Reforms

P.L. and Date of Enactment	Summary
The Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 (Stafford Act, P.L. 100-707, amending P.L. 93-288), enacted November 23, 1988.	P.L. 100-707 renamed the Disaster Relief Act of 1974 (P.L. 93-288) as the Robert T. Stafford Disaster Relief and Emergency Assistance Act. ¹⁰² It significantly revised the President's disaster relief authorities by enacting a wide range of reforms, many of which had previously been introduced separately. In particular, the Stafford Act narrowed the range of incidents that could qualify for a major disaster declaration, created the Hazard Mitigation Grant Program, and established the current statutory cost-share arrangement for assistance to nonfederal governments and nonprofits. ¹⁰³
Disaster Mitigation Act of 2000 (Disaster Mitigation Act, P.L. 106-390, as amended), enacted October 30, 2000.	The Disaster Mitigation Act of 2000 revised the Stafford Act to place greater emphasis on mitigating the losses and risks of future disasters. For example, the Disaster Mitigation Act authorized pre-disaster mitigation in the Stafford Act and created the Pre-Disaster Mitigation Grant Program. ¹⁰⁴
Homeland Security Act of 2002 (HSA, P.L. 107-296, as amended), enacted November 25, 2002.	Following the terrorist attacks of September 11, 2001, the enactment of the HSA established DHS and modified many federal emergency management authorities, including by transferring FEMA into DHS. ¹⁰⁵ The HSA required the DHS Secretary to ensure the effectiveness of emergency response to terrorist attacks, major disasters, and other emergencies; aid in the recovery from terrorist attacks and major disasters; and consolidate federal government emergency response plans into a single, coordinated national response plan. ¹⁰⁶ The HSA established a Directorate of Preparedness and Response within DHS, ¹⁰⁷ and also vested in the Secretary the authority to coordinate a range of federal resources in the event of a major disaster. ¹⁰⁸
Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA, Title VI of P.L. 109-295), enacted October 4, 2006.	Congress passed PKEMRA following widespread criticism of both federal and state preparedness for and response to the 2005 hurricanes, particularly Hurricane Katrina. ¹⁰⁹ PKEMRA required the President to develop a national preparedness system, significantly enhanced the coordination authorities assigned to FEMA in the event of a Stafford Act declaration, and codified

¹⁰² Congress.gov, "H.R. 2707—Major Disaster Relief and Emergency Assistance Amendments of 1987."

¹⁰³ Sec. 102(2) of the Stafford Act defines a major disaster. Sec. 404 of the Stafford Act established HMGP. For current authorities setting Public Assistance cost shares, see Secs. 403(b), 406(b), 407(d), and 503(a) of the Stafford Act.

¹⁰⁴ Sec. 102 of the Disaster Mitigation Act, as it added Stafford Act Sec. 203 (42 U.S.C. §5133).

¹⁰⁵ Sec. 503 of P.L. 107-296. For more information, see CRS Report R47446, *The Department of Homeland Security: A Primer*, by William L. Painter.

¹⁰⁶ Sec. 502 of P.L. 107-296.

¹⁰⁷ Sec. 501 of P.L. 107-296.

¹⁰⁸ Sec. 502 of P.L. 107-296.

¹⁰⁹ See, for example, U.S. Congress, House Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, *A Failure of Initiative*, Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina Report, 109th Cong., 2nd sess., February 15, 2006, H.Rept. 109-337.

certain aspects of federal-state coordination following a major disaster, including FEMA's role as the lead federal agency for disaster preparedness, mitigation, response, and recovery. Furthermore, PKEMRA reversed certain provisions in the HSA, which were perceived to have weakened FEMA's response authorities.¹¹⁰ For example, PKEMRA granted FEMA enhanced autonomy from DHS and the Secretary, by identifying the agency as a distinct entity within DHS and preventing the Secretary from reorganizing the agency. PKEMRA also required the FEMA Administrator to have experience and expertise in emergency management and homeland security.¹¹¹

Sandy Recovery Improvement Act of 2013, (SRIA, Division B of P.L. 113-2), enacted January 29, 2013.

In response to concerns raised following federal assistance for Hurricane Sandy, Congress passed the Sandy Recovery Improvement Act of 2013 (SRIA). SRIA significantly amended authorities related to Stafford Act declarations to ease and expedite the delivery of certain forms of assistance.¹¹² SRIA authorized the President to issue declarations of emergency and major disaster for federally-recognized tribes. SRIA also directed FEMA to review the factors it used to evaluate requests for assistance to individuals and households affected by a major disaster. SRIA authorized new "Alternative" procedures for Public Assistance intended to expedite and reduce the cost of that assistance; it also required "unified" environmental and historic preservation reviews of rebuilding projects when they were conducted by multiple federal agencies.

Disaster Recovery Reform Act of 2018 (DRRA, Division D of P.L. 115-254), enacted October 5, 2018.

Following the historic losses of the 2017 hurricanes and fires,¹¹³ Congress passed the Disaster Recovery Reform Act of 2018 (DRRA). DRRA comprehensively reformed the Stafford Act, particularly by enhancing assistance to mitigate the risk of future disasters.¹¹⁴ DRRA reforms broadened the scope of response and recovery assistance available to individuals and public and nonprofit entities following a disaster as well as mitigation assistance available through multiple grant programs. DRRA codified stricter building requirements for certain rebuilding and mitigation projects funded under the Stafford Act to promote resilience in the face of future disasters. DRRA also enhanced assistance for mitigation projects intended to reduce future losses, particularly by changing the funding mechanism for pre-disaster mitigation under Stafford Act Section 203.

¹¹⁰ For additional background, see Beverly Cigler, "Emergency Management Challenges for the Obama Presidency," *International Journal of Public Administration*, vol. 32, no. 9 (2009), <https://doi.org/10.1080/01900690903016225>.

¹¹¹ See Sec. 503(c)(2) of P.L. 109-295 (6 U.S.C. §313).

¹¹² For additional background, see CRS Report R42991, *Analysis of the Sandy Recovery Improvement Act of 2013*, by Jared T. Brown, Francis X. McCarthy, and Edward C. Liu.

¹¹³ For comparison to previous disasters, see Adam Smith, "2017 U.S. Billion-Dollar Weather and Climate Disasters: A Historic Year in Context," U.S. National Oceanic and Atmospheric Administration (NOAA), Jan. 8, 2018, <https://www.climate.gov/disasters-2017>.

¹¹⁴ For additional background, see CRS Report R45819, *The Disaster Recovery Reform Act of 2018 (DRRA): A Summary of Selected Statutory Provisions*, coordinated by Elizabeth M. Webster and Bruce R. Lindsay.

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