



COMMITTEE ON HOMELAND SECURITY

THE *Federal Emergency Management Advancement of Equity Act* or “*FEMA Equity Act*” (H.R. 5775 / S. 2961)

As Introduced by:

Representatives Bennie G. Thompson (D-MS), Delia C. Ramirez (D-IL), and Senator Elizabeth Warren (D-MA)

Endorsed by: The Institute for Diversity and Inclusion in Emergency Management, Historically Black Colleges and Universities (HBCU) Emergency Management Workforce Consortium, and the Bullard Center for Environmental & Climate Justice

Cosponsors: Eleanor Holmes Norton, Nydia M. Velázquez, Sheila Jackson Lee, Al Green, Brian Higgins, Yvette D. Clarke, Donald M. Payne, Jr., Tony Cárdenas, Eric Swalwell, Dina Titus, Bonnie Watson Coleman, Troy A. Carter, Sr., Robert Garcia, Jared Moskowitz, Shri Thanedar, and Dan Goldman

Low-income communities, rural areas, racial minorities, tribes, individuals with disabilities, seniors, and children are all more likely to experience the most devastating impacts of disasters.¹ Yet, all too often Federal disaster assistance does not reach communities in need. In fact, a 2020 FEMA National Advisory Committee (NAC) report found Federal disaster relief programs “provide an additional boost to wealthy homeowners and others with less need, while lower-income individuals and others sink further into poverty after disasters.”² The NAC went on to say that “[b]y perpetually assisting larger communities that already have considerable resources, the smaller, less resource-rich, less-affluent communities cannot access funding to appropriately prepare for a disaster, leading to inadequate response and recovery, and little opportunity for mitigation.”³

Disadvantaged communities face an uphill battle to navigate the complicated Federal assistance processes.^{4,5} In fact, internal FEMA data analysis reflects that low-income survivors are less likely

¹ Domingue, Simone J. and Christopher T. Emrich, *Social Vulnerability and Procedural Equity: Exploring the Distribution of Disaster Assistance Across Counties in the United States*, *American Review of Public Administration*, 49:8, (2019).; Kathleen J. Tierney, *The social roots of risk: Producing disasters, promoting resilience*, (Stanford, CA: Stanford Business Books, (2014), 141; Mary Babic, *Hurricane Katrina Showed That Even in the US, Disaster Hits the Most Vulnerable the Hardest*, Oxfam (August 28, 2015). <https://www.oxfamamerica.org/explore/stories/even-in-the-us-disaster-hits-the-most-vulnerable-the-hardest/>. FEMA, *FEMA Announces Initial Initiatives to Advance Equity*, Fema.gov (July 21, 2021), <https://www.fema.gov/press-release/20210721/fema-announces-initial-initiatives-advance-equity>

² National Advisory Council, *November 2020 National Advisory Council Report to the FEMA Administrator*, Fema.gov. (30 Nov. 2020), www.fema.gov/sites/default/files/documents/fema_nac-report_11-2020.pdf.

³ *Id.*

⁴ *Supra*, National Advisory Council.

⁵ Washington Post Staff, *FEMA’s Disasters, Washington Post*, <https://www.washingtonpost.com/nation/2022/03/28/fema-disasters-abandoned/> (March 28, 2022).

than more affluent people to receive crucial Federal emergency assistance.⁶ Specifically, FEMA’s analysis found that low-income homeowners that survived disasters were denied financial assistance twice as often as high-income homeowners because of “insufficient damage” and that FEMA approved housing assistance to higher-income renters at a rate that was 23% higher than low-income renters.⁷

The Biden Administration has prioritized addressing inequities in the Federal disaster management programs and FEMA identified “instilling equity as a foundation of emergency management” as the first goal of its Agency strategic plan.⁸ The Biden Administration adjusted documentation requirements for Federal disaster assistance to address longstanding challenges that heirs, often people of color, face when seeking assistance.⁹ Its commitment to addressing inequities in disaster management is further reflected by the establishment of both an equity advisor position and Equity Enterprise Steering Group within FEMA.¹⁰ To build upon these efforts and help deliver on FEMA’s strategic vision of instilling equity as a foundation of emergency management, Reps. Thompson and Ramirez and Senator Warren introduced the *FEMA Equity Act*, along with Reps., Troy A. Carter, Sr., Dina Titus, and Brian Higgins, the co-chairs of the Disaster Equity and Building Resilience Caucus. The legislation would:

- Improve FEMA’s data collection systems to better identify inequities within its programs, including barriers to access and disparate outcomes;
- Direct FEMA to design and integrate criteria into all of their programs to increase equity, prioritizing programs that provide long-and short-term support for local governments, individual housing assistance, and mitigation funding to address disasters;
- Authorize in law FEMA’s Equity Enterprise Steering Group and the Equity Advisor to counsel the FEMA Administrator to increase equity across FEMA programs and policies; and
- Direct the Government Accountability Office to examine the factors FEMA considers when evaluating requests for a major disaster or emergency declaration.

In the 117th Congress, a previous version of the FEMA Equity Act (H.R. 7668/S. 4159) was approved by the House of Representatives during consideration of the Fiscal Year 2023 National Defense Authorization Act (H.R. 7900).

⁶ Rebecca Hersher, *Why FEMA Aid Is Unavailable To Many Who Need It The Most*, NPR, <https://www.npr.org/2021/06/29/1004347023/why-fema-aid-is-unavailable-to-many-who-need-it-the-most> (June 29, 2021).

⁷ *Id.*

⁸ Deanne Criswell, *2022–2026 FEMA Strategic Plan Building the FEMA our Nation Needs and Deserves*, Federal Emergency Management Agency, (December 16, 2021).

⁹ FEMA, *Policy, Guidance and Fact Sheets*, Fema.gov (2021), <https://www.fema.gov/assistance/individual/policy-guidance-and-fact-sheets>

¹⁰ FEMA, *FEMA Announces Initial Initiatives To Advance Equity*, Fema.gov (2021), <https://www.fema.gov/press-release/20210721/fema-announces-initial-initiatives-advance-equity>