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“Ensuring Equity in FEMA’s Disaster Preparedness, Response, and Recovery”
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Chairman Thompson, Vice Chairman Torres, Ranking Member Katko, and members of the House Committee on Homeland Security, thank you for the opportunity to testify today concerning ‘Equity in Disaster Preparedness, Response, and Recovery.’ My name is Chauncia Willis, Co-Founder and Chief Executive Officer (CEO) of the Institute for Diversity and Inclusion in Emergency Management (I-DIEM). I-DIEM has been a leader in disaster equity championing diversity, equity, and inclusion initiatives across the emergency management enterprise which has been recognized nationally and globally including National Public Radio, the New York Times, and two congressional testimonies before the 116th Congress on “Pandemic Response: Confronting the Unequal Impacts of COVID-19” and “Experiences of Vulnerable Populations During Disasters.” With this testimony, I continue a conversation that is built on previous testimonies and the historic inequities that continue to negatively impact vulnerable, underserved, and marginalized communities in present contexts.

FEMA defines equity as “the consistent and systematic fair, just and impartial treatment of all individuals.¹” However, this definition outlines a concept of equity without a defined understanding of how to achieve equity within context. I-DIEM recognizes equity as the “efforts that guarantee fair treatment, advancement, equal opportunity, and access for all individuals while striving to identify and eliminate barriers that have prevented full participation and beneficence of specific groups.” This defined approach looks beyond broadly stating what equity is and outlines intentional strategies and outcomes that promote equitable advancement. By our definition, ensuring equity seeks parity in treatment, parity in access, and a community-based understanding of barriers that combat inequitable systems.

These systems are a result of policy, programs and practices that have been designed to marginalize individuals, families, and communities. For example, the declaration process under the Stafford Act limits the assistance to individuals, families, and communities in need with major disaster

¹ [FEMA Defines Equity in its Mission of Making Programs More Accessible | FEMA.gov](https://www.fema.gov/equity)



declarations lying in the hands of partisan politics and state administered funding support. Following Hurricane Ida in August, counties in Mississippi are just now receiving federal disaster assistance², in October, based on the declaration process due to politics and the policy structure of federal assistance under the Stafford Act³. Counties such as Wilkinson, Pike, and Amite, which are comprised of 70.6%, 54.1% and 40% of Black/African American residents, respectively, are among those that have suffered significantly due to the declaration process. While advancements toward equity have been a priority of the Biden administration, this spotlights how previous policies can combat equitable priorities.

Environmental justice, redlining, and housing congruently highlight inequitable impacts of policy, practice, and programs. Research has shown that racial- and income-based divisions in zoning and city infrastructure contribute to negative outcomes⁴⁵. Communities of color are more likely to live near landfills and industrial plants that pollute water and air and erode quality of life⁶. More than nine (9) million people living near hazard waste sites are people of color, and Black Americans are three times more likely to die from exposure to air pollutants than White counterparts. This same subjugation to risk applies in emergency management.

In Houston, residential patterns in Texas based on infrastructures that are often associated with race and class lines due to discriminatory housing policies confined low-income people and people of color to fewer desirable areas that are at increased risk of flooding, which was evident in Hurricane Harvey. Federal assistance caused greater harm than help, as 45% of households with annual incomes less than \$15,000 were denied FEMA individual assistance after Hurricane Harvey while 14% of household with annual incomes more than \$45,000 were denied⁷. Among low-income residents who were able to navigate the complex administrative and bureaucratic application processes, the average payout from FEMA was \$4,300 which was far less than minimal repairs⁸. In Hurricane Laura, Blacks and Hispanics were only approved for federal assistance at rates of 13% and 28% respectively, compared to Whites (45%) and low-income survivors were about twice as likely to be denied assistance deeming their damages as “insurance” or faulting homeowners from assistance due to the inability to maintain flood insurance based on their forced flood risks⁹.

Although recently updated by FEMA¹⁰, issues such as heirs’ property contributed to the denial of assistance previously while ongoing concerns will likely arise based on retroactive pay with the implementation of the new policy. Moreover, loss of property, one of the single most effective pathways to wealth¹¹, creates generational financial instability and eliminates the history of

² [President Joseph R. Biden, Jr. Approves Major Disaster Declaration for Mississippi | FEMA.gov](#)

³ [Stafford Act pdf.pdf \(doi.gov\)](#)

⁴ [Residential segregation rewards whites while punishing people of color | The Kinder Institute for Urban Research \(rice.edu\)](#)

⁵ [Hurricane Harvey hit low-income communities hardest – ThinkProgress](#)

⁶ [Environmental racism: Black Americans are three times more likely to die from pollution — Quartz \(qz.com\)](#)

⁷ [Recent disasters reveal racial discrimination in FEMA aid process | Facing South](#)

⁸ [‘People just give up’: Low-income hurricane victims slam federal relief programs - POLITICO](#)

⁹ [FEMA Assistance Is Unfair To Poorer Disaster Survivors : NPR](#)

¹⁰ [Verifying Home Ownership or Occupancy | FEMA.gov](#)

¹¹ [Homeownership as a Key Driver of Wealth | HuffPost null](#)



communities forced to relocate. Consequently, we see the loss of social and cultural identity among low-income and communities of color as the demographics of predominantly Black cities shift to predominantly white populations following disaster recovery which is evident in New Orleans following Hurricane Katrina.

In our most recent work deploying Equity Response Teams to New Orleans and Southeast Louisiana, we engaged with tribal nations to identify and understand inequities within disaster response and recovery following Hurricane Ida. Ongoing issues such as denial of mitigation assistance funding, lack of access to resources and support for tribes that are not federally-recognized, difficulty acquiring state funding, and the process for federal recognition of tribes requiring documented historical proof for decades that may be lost due to ongoing disasters contribute to oppressive systems that amplify risk for marginalized groups without the structure to properly mitigate or overcome major disasters. As disasters are increasing in severity, intensity, and frequency, this will create ongoing problems that continue to contribute to an increase in disaster-related costs if not addressed through equity.

Ensuring equity requires addressing the root causes of vulnerability. We must understand both social determinants of health¹² and disaster while understanding our role in contributing to factors that create disparities. Ensuring equity requires that emergency managers are trained in cultural competence and that we bridge the gap between the community and federal government, especially considering the community holds the federal government responsible for recovery. Ensuring equity requires improving access and understanding the process that is required to achieve equal status among vulnerable, underserved, and marginalized communities. Most importantly, ensuring equity requires us to hold ourselves accountable for the policies, practices, and programs that we design, develop, and implement to guide our work. Despite the tenured implementation of policies, such as the Stafford Act, most policies were created with inequity and without equitable review and assessment, and so they fail to meet the needs of the everchanging demographics of American society. Ensuring equity should start with the policies that have created inequity as these policies guide our approaches. In alignment with my final statement, I would like to offer policy recommendations for the Stafford Act which are geared towards ensuring a more equitable future for current and future generations [See Addendum].

¹² [Social Determinants of Health | CDC](#)



ADDENDUM: STAFFORD ACT RECOMMENDATIONS

Concern 1:

Section 203 (a): Modify the definition of a small, impoverished community. The limited definition does not take information into account that impacts rural communities such as population growth, economic indicators, financial conditions, employer departures, wage stagnation, climate impacts based on community type, legal status of the community, resident demographics, housing/rental vacancies.

Recommendation 1:

We recommend that the population limit be raised from 3,000 to 25,000 or 50,000. Additionally, we would recommend that more demographic data be added to this definition to clearly define what community indicators demonstrate economic distress prior to, during and after disasters. Additionally, we recommend removing the language that a Governor must select the local government to qualify as impoverished. This requirement leads many impoverished communities at the mercy of a state governor whereby partisan politics may be a factor in decision making versus collecting data to assess the critical needs of the community. This creates further inequities for many rural, and minority communities.

Concern 2:

Sec 322. Mitigation Planning (42 U.S.C. 5165) contributes to the inequities levied against many communities that bear the brunt of the climate change crises. The requirement to have a mitigation plan to receive any assistance for hazard mitigation does not equitably provide any relief for unincorporated jurisdictions/communities, non-federally recognized tribal communities, and many rural communities. These communities may have fiscal constraints prohibiting them from creating the plans, or they have been denied access from counties, parishes, and state governments from submitting plans due to non-incorporation status as a recognized government entity.

Recommendation 2:

It is recommended that FEMA set up a program to deploy the Community Planning and Capacity Building cadres, national partners, and university partners supported by technical staff (i.e. engineers), to assist small and communities of color with the development of these plans so that they may have an equal opportunity to seek disaster funding. Additionally, one alternative is to allow for these same communities to bypass local and state government barriers by creating an expedited process that allows for the submission of individual community hazard plans to be reviewed directly by FEMA for approval of federal funding. The program can be set up as a pilot, technical assistance and capacity building can be provided to small communities, and FEMA can establish population size definitions and allow for the inclusion of written justifications to be provided demonstrating hardship, denial of access to prior local and state programs, or other documentation submissions that will help a community justify the need to participate in the pilot program to improve their communities.

Concern 3:



Sec. 326. Designation of Small State and Rural Advocate (42 U.S.C. 5165d) FEMA can designate a Small State and Rural Advocate during disasters, but this advocacy position is not consistently deployed across all disasters.

Recommendation 3:

Set clear perimeters behind when Small State and Rural Advocates and Tribal Liaisons should be deployed and make more of a concerted effort to higher more liaisons with work and cultural experience working with these types of communities. The liaisons should reach out

Concern 4:

Sec 406. Repair Restoration and Replacement.

Private nonprofits that have sustained damages to critical facilities serving the underserved may be excluded from submitting applications to local, county and state governments implicitly and explicitly. One strategy to exclude non-governmental applicants is to ensure that projects, buildings, and equipment maintained by those agencies are excluded from mitigation project lists that are drafted for local mitigation strategy plans or mentioning them in state hazard mitigation plans. As a result, the entities cannot submit applications for recovery grant funding and/or public assistance in many communities.

Recommendation 4:

In as much, as state decentralization of the disaster process is needed, it causes greater harm to communities of color as they have no mechanism to work with the “system” that has been designed to access funding to combat the current climate crises. Separate direct federal application systems must be set up for small, impoverished communities, rural, and communities of color to have a chance at equity related to rebuilding their communities. This effort would be similar to what has been set up for Federally Recognized Tribal governments.

Concern 5:

Sec 415 Legal Services, Sec 416 Crises Counseling Assistance and Training, Sec 419 Public Transportation, Sec 425 Transportation Assistance to Individuals and Households, Sec 426 Case Management Services. In these sections “The President” can authorize these services and financial assistance to states, local governments and private organizations to assist communities. However, there are disparities between addressing the unmet needs in rural, minority, and distressed communities.

Recommendation 5:

We recommend that this language be changed to allow for maximum availability of resources upon written, congressional, or expressed communications directly from these communities to personnel within FEMA or the White House. For example, tribal communities have written joint letters to FEMA, Congress, and the President’s Office seeking direct assistance during times of disaster (i.e. COVID pandemic). These communities do this because their needs are not being addressed at the local, state, or FEMA regional offices. This should be rectified, and access to liaisons in Washington should be assigned to allocate resources directly to the hardest hit areas.



Concern 6:

Many indigenous, communities of color, and rural communities are located in coastal locations, or in repetitive distressed areas of impact from climatic and public health disasters. As such, due to economic conditions many homeowners are underinsured, or uninsured as it relates to flood insurance and homeowner's insurance.

“If you have a federally backed mortgage and live in an area identified as a Special Flood Hazard Area (SFHA) within a participating NFIP community, you are required to have flood insurance, according to the Flood Disaster Protection Act of 1973.

Additionally, if you live in a high-risk flood area and have received federal disaster assistance, such as grants from FEMA or funds from the Disaster Loan Plan of the U.S. Small Business Administration, you are required to maintain flood insurance in order to be considered for any future federal disaster aid.” ~Jason Metz, Forbes

Many families cannot afford to rebuild, nor afford to relocate because FEMA's programs for Severe Repetitive Loss (SRL) and Repetitive Loss (RL) grants require buyouts from homeowners who are insured through private sources or the National Flood Insurance Program. The Flood Insurance Reform disproportionately impacts homeowners, or multiple property/inherited homeowners in a way that prevents access to these grant programs. Thus, resulting in homes that cannot be repaired, homeowners that cannot be relocated, and contributing to blight in areas that have repetitive flooding.

Recommendation 6:

On August 3, 2021, FEMA announced a new policy to allow inherited homeowners to self-certify homeownership for FEMA's Individual Assistance (IA) program, which will impact Hurricane Ida applicants in Louisiana. A policy analysis must be conducted to determine how to support the numerous homeowners and government/nonprofit entities in SRL and RL areas so that they have access to disaster funding in the same way that wealthier homeowners have access to federal funding.

Concern 7:

Listed below is the current language used as part of the Stafford Act for the use of local businesses. In many GAO audits, and per policy directives issued by FEMA, local communities are prohibited from implementing goals or set-asides on contracts thus limiting the capacity of established local small business programs; which are designed to help decrease disparities in equity, be more inclusive, and build the capacity of small businesses. The Stafford Act along with conflicting OMB Uniform Grant Guidance and other policies eliminates the opportunity for small businesses to provide services during a disaster.

“§5150. Use of local firms and individuals

(a) Contracts or agreements with private entities



(1) In general

In the expenditure of Federal funds for debris clearance, distribution of supplies, reconstruction, and other major disaster or emergency assistance activities which may be carried out by contract or agreement with private organizations, firms, or individuals, preference shall be given, to the extent feasible and practicable, to those organizations, firms, and individuals residing or doing business primarily in the area affected by such major disaster or emergency.

(2) Construction

This subsection shall not be considered to restrict the use of Department of Defense resources under this chapter in the provision of assistance in a major disaster.

(3) Specific geographic area

In carrying out this section, a contract or agreement may be set aside for award based on a specific geographic area.”

The federal government by definition typically defines small businesses as organizations with up to 500 employees, which is not a small firm. However small business defined locally may be a business with 10 to 50 employees, which is best defined as a “Micro-Business”.

Local government procurement programs are not allowed to provide those smaller individual businesses with the opportunity to scale their business through the procurement process because local small business programs, as defined by the Stafford Act and OMB Uniform Grant Guidance policies, as “geographical preference”, thus taking away the opportunity for maximum support in the event of a natural disaster.

Recommendation 7:

Changes to the Stafford Act, OMB Uniform Grant Guidance, and FEMA policy directives allowing “local small (or micro) businesses to be selected in the bidding process as, participation and or set-asides (smaller parts of the contract) ensures local participation as well as efficient and effective responses to the disasters. Additionally, it will ensure that the local economy is strengthened, firms who are familiar with the disaster area may be selected, and it decreases disparities by size or ethnic background in the disaster contracting process.

Additional Recommendations

Recommendation 8:

Stafford Action Section Discussing Equity: https://www.fema.gov/sites/default/files/2020-03/stafford-act_2019.pdf

Sec. 308. Nondiscrimination in Disaster Assistance (42 U.S.C. 5151)

(a) Regulations For Equitable and Impartial Relief Operations - The President shall issue, and may alter and amend, such regulations as may be necessary for the guidance of personnel carrying out Federal assistance functions at the site of a major disaster or emergency. Such regulations shall include provisions for ensuring that the distribution of supplies, the processing of applications, and



other relief and assistance activities shall be accomplished in an equitable and impartial manner, without discrimination on the grounds of race, color, religion, nationality, sex, age, disability, English proficiency, or economic status.

(b) Compliance with Regulations As Prerequisite to Participation by Other Bodies in Relief Operations- As a condition of participation in the distribution of assistance or supplies under this Act or of receiving assistance under this Act, governmental bodies and other organizations shall be required to comply with regulations relating to nondiscrimination promulgated by the President, and such other regulations applicable to activities within an area affected by a major disaster or emergency as he deems necessary for the effective coordination of relief efforts.

Recommendation 9:

Change cost-benefit analysis for mitigation projects.

Analysis should value low-income community members and renters. The current BCA is inherently inequitable and biased toward homeowners

Recommendation 10:

Eliminate the 75/25% cost-share requirement.

Recommendation 11:

Provide “place-based” additional funding and support for limited resource communities whose vulnerability is heightened due to past government discriminatory practices.

Recommendation 12:

Redefine and enhance technical assistance to support marginalized communities and limited-resource local governments.

Recommendation 13:

Change/update FEMA’s definition of “disadvantaged communities” to include more local governments with limited resources.

Recommendation 14:

Expedite process for allocating funds to marginalized and limited-resource communities, including hazard mitigation grants.