JURISDICTION AND ACTIVITIES
SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT
116TH CONGRESS
February 2019

I. INTRODUCTION

The Subcommittee on Economic Development, Public Buildings, and Emergency Management is responsible for the authorization and oversight of federal real estate programs, including construction, repair, alteration, maintenance, and enhancement of such real property; the authorization and oversight of programs promoting economic development in communities suffering economic distress; the authorization and oversight of programs addressing the federal management of emergencies and disasters; and a variety of measures affecting homeland security, including the all-hazards nature of the federal response to disasters and the Federal Protective Service.

The asset management activities of the Subcommittee's jurisdiction include: improved grounds of the United States, generally, and measures relating to the Public Buildings Service (PBS) of the General Services Administration (GSA)— the civilian landlord of the federal government— including the planning, site and design, construction, acquisition, and renovation of public buildings, courthouses, and border facilities, and the leasing of space for federal employees; the buildings, physical plant, and infrastructure of the Capitol Complex and use of the Capitol Grounds; the facilities of the White House complex; the facilities of the Smithsonian Institution, including all new and proposed facilities; facilities of the John F. Kennedy Center for the Performing Arts; Union Station Redevelopment Corporation; Judiciary Centers; measures relating to the location, use, accessibility, energy conservation, security, health and safety, and transfer or exchange of federal buildings; and the naming of federal buildings and courthouses.

The economic development activities of the Subcommittee include jurisdiction over the Economic Development Administration (EDA) of the Department of Commerce, the Appalachian Regional Commission (ARC), the Denali Commission, the Delta Regional Authority (DRA), the Northern Great Plains Regional Authority, the Southeast Crescent Regional Commission, the Southwest Border Regional Commission, and the Northern Border Regional Commission.

The Subcommittee's jurisdiction of federal management of emergencies and natural disasters includes the Federal Emergency Management Agency (FEMA) oversight and activities relating to disaster mitigation, preparedness, response, and recovery, as well as programs relating to first responders.

II. GENERAL SERVICES ADMINISTRATION

The GSA is the central management agency of the federal government. It was created in 1949, after the Hoover Commission recommended a central management entity for federal personal and real property activities, and telecommunications and automatic data processing equipment.

The GSA owns or leases over 9,600 assets, maintains an inventory of nearly 377 million square feet of workspace, and preserves approximately 480 historic properties. The GSA owns over 1,500 federal buildings with a total of 190 million square feet of space, and leases 187 million square feet of space in over 8,100 leased properties.

The GSA also provides federal space for child care and telecommuting. The Subcommittee has jurisdiction over all of the GSA's real property activity through the *Property Act of 1949*, the *Public*

Buildings Act of 1959, and the *Cooperative Use Act of 1976*. These three acts were re-codified as title 40 of the United States Code, with these popular names no longer used in legislation.

A. PUBLIC BUILDINGS SERVICE (PBS)

The GSA's PBS is responsible for the construction, repair, maintenance, alteration, and operation of U.S. courthouses and federal public buildings. Additionally, PBS leases privately owned space for federal use. The total owned and leased inventory houses approximately 1.1 million federal workers nationwide. The inventory ranges from 2,500-square-foot border crossing stations along the northern border, to million-square-foot courthouses located in major metropolitan areas. PBS, with a work force of approximately 6,000 employees, owns, operates, maintains, and repairs existing federal buildings and plans for the construction of new federal buildings, including courthouses. The annual budget for PBS is approximately $9 billion, which is mostly derived from the Federal Buildings Fund (FBF). The FBF is an intra-governmental fund which agencies pay into through rent paid to the GSA for the space they occupy. Any excess funds generated by the rental system are used for building repairs and new construction.

Section 3307 of title 40, United States Code, states that no appropriation shall be made for the construction, repair, alteration, or leasing of space unless the Committee on Transportation and Infrastructure of the House and the Committee on Environment and Public Works of the Senate pass resolutions authorizing such appropriation. Title 40 also requires the Administrator of the GSA to submit to the Committees a prospectus requesting authority for any project in excess of $3.095 million (an amount that is adjusted annually for inflation).

The basis for Committee action is a prospectus, which is submitted by the GSA, with the approval of the Office of Management and Budget, to the Committee, detailing the particular project, its cost and benefits, a housing plan for federal occupancy, and other pertinent information. The Subcommittee generates Committee resolutions authorizing new construction or repair and alteration projects. In general, prior to the Appropriations Committee action on the Financial Services and General Government Appropriations bill, the Committee approves these resolutions and transmits them to the Appropriations Committee as a method of notifying the appropriators of the Committee's action. Lease resolutions need not be approved prior to the commencement of Appropriations Committee action since appropriations for leasing are in a lump sum.

Additionally, the Committee may initiate building projects by passing a resolution in accordance with section 3316(b) of title 40, United States Code. This type of resolution passed by the Committee allows Congress to direct the Administrator of the GSA to conduct a study of federal space needs in a community and report back to the Committee in a timely manner. These reports can also be the basis of passage of resolutions authorizing the appropriation of funds for the construction, acquisition, renovation, alteration, or leasing of space for federal use.

B. ACTIVITIES IN THE 115TH CONGRESS

Hearings on Real Property Management:

The Subcommittee held a hearing and a roundtable specifically related to federal real property management, including lease management, reducing the federal space footprint, and public private partnerships in the 115th Congress and engaged in various oversight activities to identify issues affecting the efficient management of federal assets and the costs associated with inefficiency. The management of federal real property has been on the U.S. Government Accountability Office's (GAO) "High Risk" list since 2003. In addition, the Committee and Subcommittee considered two GAO reviews of the GSA's management of federal real property assets: Report No. GAO-18-603R, titled "Federal Real Property: GSA Outleasing and Restrictions on Participation of Elected Officials," and Report No. GAO-17-195, titled "GSA Should Inform Tenant Agencies When Leasing High-Security Space from Foreign Owners."

- Hearing titled, "Implementing the Federal Assets Sale and Transfer Act (FASTA): Maximizing Taxpayer Returns and Reducing Waste in Real Estate" (July 12, 2017).
- Roundtable titled, "Saving Taxpayer Dollars and the Federal Real Property Database" (April 11, 2018).

Hearings on Leasing:

The Committee continued its work to reduce the federal space footprint when authorizing leases; however, the Subcommittee identified that there is significantly more opportunity to reduce space and costs to the taxpayer. Over one-half of the GSA's office space inventory consists of privately leased buildings, and half of those leases expire over the next five years. This large turnover of GSA leases is taking place at a time when vacancy rates for commercial office space remain high, and market rents low, in most markets where the GSA has large lease holdings. The Subcommittee urged the GSA to take advantage of the current real estate market by securing long-term lease deals that lock-in low rates and reduce the amount of office space as new leases are entered into.

The Subcommittee also continued its work related to the evaluation of the use of discounted purpose options. On June 21, 2016, GAO issued report GAO-16-536R, titled, "Federal Real Property: Leases with Purchase Options are Infrequently Used but May Provide Benefits." The report set a foundation for the Committee's work in the 115th Congress to press for the inclusion of discounted purchase options in GSA lease agreements and the crafting of legislation that would address related scoring issues. While such legislation was not enacted, the Committee continued to work towards the GSA's use of such purchase options for long term space needs to address the issue of over-reliance on leased space.

The Subcommittee conducted oversight on the implementation of the Federal Assets Sale and Transfer Act of 2016 (FASTA) (P.L. 114-287) and, during the 115th Congress, the GSA publicly released the Federal Real Property Database as required by FASTA. The Federal Real Property Database is the first publicly available, comprehensive, and government-wide database on federal real property assets. The database was initially developed pursuant to Executive Order but had limited access even within the Executive Branch. The GAO also criticized the reliability of the data it contained as noted in 2012 GAO testimony before the Committee in GAO-12-958T, titled, "Federal Real Property: Improved Data and a National Strategy Needed to Better Manage Excess and Underutilized Property." FASTA codified the database in statute, established what data must be included and required that database be made publicly available.

In addition, in the wake of questions related to the use of Department of Veterans Affairs' (VA) independent leasing authority, the VA requested the Committee review and authorize VA leases pursuant to the GSA's leasing authority in title 40 of the United States Code. The Subcommittee continued to review the VA's leasing for outpatient health care clinics to ensure the leasing process both met the needs for veterans, but also were managed and executed appropriately. In support of this, the Committee and Subcommittee requested that GAO review the VA's management of leased real property assets. On July 28, 2016 GAO, released report GAO-16-619, titled "VA Real Property: Leasing Can Provide Flexibility to Meet Needs but VA Should Demonstrate the Benefits."

The Subcommittee continued its ongoing investigation and oversight of the Federal courthouse program, building upon work conducted by the Subcommittee in prior Congresses. In 2010, at the request of the Subcommittee, the GAO issued a report detailing its review of the 33 courthouses built since 2000 (*See* 'Federal Courthouse Construction: Better Planning, Oversight, and Courtroom Sharing Needed to Address Future Costs", GAO-10-417, June 21, 2010). The GAO found that there was 3.56 million square feet of extra space built in the 33 courthouses, costing taxpayers $835 million plus $51 million annually in administrative and maintenance costs.

Hearings on Federal Protective Service:

Congress originally established the responsibility and authority to protect federal buildings using uniformed guards in the *Federal Works Agency in 1948*. Those responsibilities and authorities were subsequently transferred to GSA; and, in 1971, the GSA Administrator formally established the Federal Protective Service (FPS). Following the 9/11 terrorist attacks, Congress transferred the FPS from the GSA to the newly created Department of Homeland Security (DHS), where it was initially housed as part of Immigration and Customs Enforcement (ICE). FPS was subsequently moved to the National Protection and Programs Directorate. FPS is charged with providing protection and security for over 9,100 GSA leased and owned facilities. The FPS operates on fees paid by the customer agencies (the GSA and tenant agencies) utilizing FPS services.

In the 115th Congress, the Subcommittee continued oversight of FPS, focusing on building security and personnel reforms that began in the 113th Congress.

Legislation:

Committee members introduced several bills related to Public Buildings in the 115th Congress, including:

- H.R. 1174, a bill to require certain public buildings that have a public restroom to provide a lactation room, other than a bathroom, that is available for use by members of the public to express milk. The lactation room must be a hygienic place that is shielded from public view and free from intrusion and must contain a chair, a working surface, and an electrical outlet.

- H.R. 6194, a bill to reform the General Services Administration's management of federal real estate assets and provide the agency with the additional tools to negotiate the best lease deals possible on behalf of the taxpayers. The bill would enable GSA to better facilitate consolidations, reduce space, and take advantage of the current buyer's market, which has the potential to save billions of dollars. The bill also strengthens oversight of federal construction projects, and ensures that such projects remain on or under budget. The legislation also improves public building security by establishing more accountability and oversight of the FPS and its legal authorities.

III. ECONOMIC DEVELOPMENT

The Subcommittee has jurisdiction over the EDA, the ARC, the Denali Commission, the DRA, the Northern Great Plains Regional Authority, the Southeast Crescent Regional Commission, the Southwest Border Regional Commission, and the Northern Border Regional Commission. These entities provide federal assistance to economically distressed areas for the creation of long-term employment opportunities and economic growth.

A. ECONOMIC DEVELOPMENT ADMINISTRATION

The EDA was created by the *Public Works and Economic Development Act of 1965* (P.L. 89-136) and is administered through the Department of Commerce. Congress last reauthorized the EDA in the 108th Congress through the *Economic Development Administration Reauthorization Act of 2004* (P.L. 108-373). The EDA's authorization expired in fiscal year 2008 and Congress has not authorized the agency since.

Historically, the EDA's primary operation was as a public works grant program designed to aid economically distressed communities by developing infrastructure with the intent of attracting new industry and thus creating long-term, private sector jobs. The types of projects funded through the program include the construction of water and sewer facilities, access roads, port improvements, and business incubator buildings to attract private investment and jobs to distressed areas. Generally, the grants are subject to a 50 percent cost-sharing requirement so that funds are leveraged with state, local, or private sources. Over the years, the EDA's programs have resulted in generating jobs with minimal federal investment. For example, studies of the EDA's programs have revealed that its programs, on average, create jobs at a cost of $4,000 per job. In addition, studies have also shown that $1 invested by the EDA attracts $15 in private or other public funding.

Additionally, the EDA is authorized to receive increased levels of resources to aid communities adjusting to economic dislocations, including disasters, defense cutbacks, and base closures. The EDA is the primary federal program addressing this hardship. The EDA also provides grants for planning and administrative expenses for projects, as well as grants for training, research, and technical assistance. The EDA may also encourage hazard mitigation in projects that it funds. Given the flexibility of the EDA's authority, other agencies may partner with or enter into agreements with the EDA to reduce regulatory funding limitations and ensure other federal resources are appropriately targeted to projects that will realize the greatest job creation.

B. APPALACHIAN REGIONAL COMMISSION (ARC)

The *Appalachian Regional Development Act of 1965* (P.L. 89-4) created the ARC. The primary function of the ARC is to provide economic development assistance to a 13-state region. The region includes all of West Virginia and parts of Alabama, Georgia, Kentucky, Maryland, Mississippi, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, and Virginia. The *Transportation Equity Act for the 21st Century* (P.L. 105-178) shifted the ARC highway program's funding from the general fund to the Highway Trust Fund and significantly increased funding for the Appalachian Development Highway System.

The ARC is a federal-state governmental agency consisting of the governors of the 13 Appalachian states and a federal co-chairman. Project proposals must originate in, and be approved by, a state. The Commission allocates the level of funding to each state.

The ARC is a model program for federal-state partnerships. The commission structure provides that both the federal co-chairman and the state co-chairman must agree on policy and funding issues. This 50-50 power sharing arrangement forces the federal government and the states to come to agreement on issues. Additionally, the regional nature of the program motivates states to plan and adopt regional economic solutions to common problems.

C. DENALI COMMISSION

The *Denali Commission Act of 1998* (P.L. 105-277) created the Denali Commission. The Denali Commission provides critical utilities, infrastructure, and economic support throughout Alaska. Congress charged the Commission with lowering the cost of and raising the standard of living in Alaska by delivering federal resources in the most cost-effective manner possible.

The Commission is co-chaired by a federal and a state member (the governor of Alaska) and includes a panel of five commissioners. In making funding decisions, commissioners must determine that funding would be consistent with the Commission's annual work plan, which includes funding criteria developed with public participation. The Commission also considers other factors in making funding determinations, including a review of community-based comprehensive plans. Projects that are comprehensive, community-based, regionally supported, and sustainable are given priority. The Commission is also tasked with providing assistance on water and sewer wastewater programs and, in consultation with the Coast Guard, developing a plan to repair or replace bulk fuel storage tanks.

D. DELTA REGIONAL AUTHORITY

Created by the *Delta Regional Authority Act of 2000* (P.L. 106-554), the primary function of the DRA is to provide economic development assistance to an eight-state region of the Mississippi River region. This region includes counties in Alabama, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee. The DRA was reauthorized in the *Agriculture Improvement Act of 2018* (P.L. 115-334) through 2023.

Similar to the ARC, the DRA is a federal-state governmental agency consisting of the governor (or his designee) of each DRA state and a federal co-chairman. Congress created the DRA to improve the economic growth and prosperity of the Mississippi River region. The DRA's mission is to help create jobs, attract industrial development, and grow local economies by improving infrastructure, training the workforce, and building local leadership. These goals are to be accomplished through improving transportation and basic infrastructure in the region, establishing a framework for crafting regional strategies for economic development, and improving job training and education. Funding for all proposed development plans and projects is subject to certification by the state member and subsequent DRA approval.

E. NORTHERN GREAT PLAINS REGIONAL AUTHORITY

Created in the *Farm Security and Rural Investment Act of 2002* (P.L. 107-171), the Northern Great Plains Regional Authority is modeled closely on the management and operational structure of the Appalachian Regional Commission. The Northern Great Plains Regional Authority is governed by a commission consisting of one member appointed by the President, the governors of the states comprising the region, and a representative of an Indian tribe in the region appointed by the President. It is designed to provide grants to assist in acquiring or developing land, constructing public infrastructure, carrying out economic development activities, and conducting research related to those activities previously mentioned. The Authority's authorization terminated on October 1, 2018, and has not been extended.

F. SOUTHEAST CRESCENT REGIONAL COMMISSION

Created in the *Food, Conservation and Energy Act of 2008* (P.L. 110-234), the Southeast Crescent Regional Commission was established with a similar governance structure as the other regional authorities. The Commission is a federal-state governmental agency consisting of a federal co-chairperson and the governor of each participating state in the Commission. The region consists of all counties of the states of Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Florida not already served by the Appalachian Regional Commission or the Delta Regional Authority. The Commission is designed to make grants to develop infrastructure, assist in worker training, to improve basic health care, promote resource conservation and the development of renewable and alternative energy sources.

G. NORTHERN BORDER REGIONAL COMMISSION

Created in the *Food, Conservation and Energy Act of 2008* (P.L. 110-234), the Northern Border Regional Commission was established with a similar governance structure as the other regional authorities. The Commission is a federal-state governmental agency consisting of a federal co-chairperson and the governor of each participating state in the Commission. The region consists of counties in the states of Maine, New Hampshire, New York, and Vermont. The Commission is designed to make grants to develop infrastructure, assist in worker training, improve basic health care, and promote resource conservation and the development of renewable and alternative energy sources.

H. SOUTHWEST BORDER REGIONAL COMMISSION

Created in the *Food, Conservation and Energy Act of 2008* (P.L. 110-234), the Southwest Border Regional Commission was established with a similar governance structure as the other regional authorities. The Commission is a federal-state governmental agency consisting of a federal co-chairperson and the governor of each participating state in the Commission. The region consists of counties in the states of Arizona, California, New Mexico, and Texas. The Commission is designed to make grants to develop infrastructure, assist in worker training, improve basic health care, and promote resource conservation and the development of renewable and alternative energy sources.

I. ACTIVITIES IN THE 115TH CONGRESS

The Subcommittee considered legislation and held hearings on issues within the Committee's jurisdiction.

Hearings:

The Subcommittee held two hearings and one roundtable related to economic development, including the role of economic development in relation to disasters and the impact opioids have on economic development.

- Hearing titled, "Building a 21st Century Infrastructure for America: Mitigating Damage and Recovering Quickly from Disasters" (April 27, 2017).
- Hearing titled, "The Opioid Epidemic in Appalachia: Addressing Hurdles to Economic Development in the Region" (December 12, 2017).
- Field roundtable titled, "Treating Barriers to Prosperity: Addressing the Impact of Opioids on Economic Development in Appalachia" (July 31, 2018).

Legislation:

Committee members introduced a number of bills related to economic development in the 115th Congress, including:

- H.R. 3288, a bill to amend title 40, United States Code, to promote regional economic and infrastructure development, and for other purposes.
- H.R. 3454, a bill to amend title 40, United States Code, to reauthorize regional economic and infrastructure development programs, and for other purposes.
- H.R. 5294, a bill to amend title 40, United States Code, to address the impact of drug abuse on economic development in Appalachia, and for other purposes.
- H.R. 5325, a bill to amend title 40, United States Code, to reauthorize regional economic and infrastructure development programs.

Reauthorization of the Northern Border Regional Commission and amendments contained in H.R. 3288 were enacted into law as part of the Agriculture Improvement Act of 2018 (P.L. 115-334). The provisions included in H.R. 5294 were enacted as part of the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (P.L. 115-271).

IV. FEMA: FEDERAL MANAGEMENT OF EMERGENCIES AND NATURAL DISASTERS

The federal management of emergencies and natural disasters, including disaster mitigation, preparedness, response, and recovery, as well as the general preparedness of first responders, are within the jurisdiction of the Subcommittee. This jurisdiction includes, but is not limited to, the implementation of the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Stafford Act) (P.L. 100-707), provisions of Title V of the *Homeland Security Act of 2002 (P.L. 107-296),* the *Post-Katrina Emergency Management Reform Act of 2006* (PKEMRA) (P.L. 109-295), the *Sandy Recovery Improvement Act of 2013* (SRIA) (P.L. 113-2), and the *Disaster Recovery Reform Act* (DRRA) (P.L. 115-254). The Stafford Act provides authority for federal disaster relief and emergency assistance programs. These two programs are described in greater detail below.

PKEMRA was enacted post-Hurricane Katrina to address issues related to the response to that disaster. SRIA was enacted in the wake of Hurricane Sandy to improve and streamline disaster recovery efforts in response to the challenges presented as a result of that disaster and the need to expedite recovery. DRRA was enacted post-Hurricanes Harvey, Irma, and Maria in response to the challenges presented as a result of those disasters.

All authorities of the FEMA, including those not contained within the Stafford Act, were transferred to the DHS in the *Homeland Security Act of 2002* (P.L. 107-296). After its inclusion in the DHS, the FEMA's functions were dispersed within the Department, but generally fell under the Emergency Preparedness and Response Directorate. After the poor response following Hurricanes Katrina and Rita, the Committee investigated the federal response. In addition, other investigations also occurred, including those conducted by the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, which issued a report titled "Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina" in February of 2006. As a result of those investigations and efforts by the Committee, Congress enacted PKEMRA, which among other things put the FEMA back together as a distinct entity within the DHS, provided specific authorization for the FEMA, and made the FEMA Administrator the principal advisor to the President on emergency management. The Subcommittee continues to pursue aggressive oversight of the FEMA to ensure effectiveness and authority is not diminished within the DHS.

A. DISASTER RELIEF PROGRAM

The Disaster Relief Program of the federal government is within the jurisdiction of the Committee and is administered by the FEMA, which also administers several other programs (e.g., flood insurance) which are not within the Committee's primary jurisdiction. The current Disaster Relief Program was established by the *Disaster Relief Act of 1974* (P.L. 93-288), amended in 1988 by the Stafford Act (P.L. 100-707), and further amended by the *Disaster Mitigation Act of 2000* (P.L. 106-390), as well as PKEMRA, SRIA, and DRRA.

The Disaster Relief Program is activated by a request from the governor of the impacted state, or the chief executive officer of an Indian tribal government, to the President. The request is based upon a finding of the governor or Indian tribal government that the disaster is of such severity and magnitude that effective response is beyond the capabilities of the state and affected local governments, or the Indian tribal government, and that federal assistance is necessary. The governor or chief executive officer must take appropriate response actions and certify that state and local government or Indian tribal government obligations and expenditures will comply with all applicable cost-sharing requirements. The President may then declare a major disaster, name a federal coordinating officer (which must fall within FEMA and may not be appointed by the Secretary of DHS), and specify the type of assistance that will be available. Federal disaster assistance is designed to supplement disaster assistance available through state, Indian tribal governments, and local governments; it is not intended to supplant it.

Basic disaster assistance falls into three categories: individual, public, and hazard mitigation assistance. These programs are largely state-administered programs where the FEMA provides not less than 75 percent of the cost of these programs.

1. Individual Assistance

In October 2002, the FEMA implemented changes made by the *Disaster Mitigation Act of 2000* (P.L. 106-390) to the individual assistance available under the Stafford Act. The program is now referred to as the Individual and Households Program. The new program merged elements of both the Disaster Housing Program and the Individual and Family Grant Program. These changes did not affect the Disaster Unemployment Assistance Program, Crisis Counseling Program, or Disaster Legal Services Program.

Under the program, the maximum amount of assistance is limited to $33,000 per household (adjusted annually by the Consumer Price Index), available for a period not to exceed 18 months after the declaration. This amount includes assistance provided for housing assistance, but does not include financial assistance for rent alternate housing accommodations, for other needs assistance, or for necessary expenses for individuals with disabilities. To be eligible for this assistance, the request must be for a necessary expense and be a serious need, the individual must be uninsured or underinsured, and the expense must be disaster related.

a. Housing Assistance

There are four types of housing assistance available. These include temporary housing assistance (for use while repairs are made to a primary home rendered uninhabitable by a disaster), repair assistance, replacement assistance, and permanent housing construction (limited to remote areas and insular territories).

b. Other Needs Assistance

There are six types of assistance available under this program: medical, dental, funeral expenses, personal property, transportation, and other expenses (e.g., moving, storage, and group flood insurance).

The DRRA authorized a separate statutory cap of $33,000 for Other Needs Assistance. Once an individual has reached this statutory cap, they may seek additional assistance from sources also run or coordinated by the FEMA. These include:

- Small Business Administration loans to repair or replace homes, personal property, or businesses not covered by insurance;
- Emergency loans from the Farm Service Agency of the U.S. Department of Agriculture;
- Crisis counseling; and
- Disaster unemployment assistance for up to 26 weeks.

2. Public Assistance

Assistance is available to state and local governments and certain private nonprofit organizations, which provide essential services of a governmental nature to the general public on a cost-share basis (typically, though not exclusively on a 75 percent federal, 25 percent non-federal cost-sharing ratio). Types of assistance include

- Utilizing, lending, or donating federal resources;
- Funding and technical assistance for repair or replacement of public properties damaged or destroyed;
- Emergency or protective measures to save lives or protect property;
- Debris removal and clearance of roads;
- Emergency communications;
- Repair, reconstruction, or replacement of non-federal aid for streets, roads or highways, airports, and transit facilities; and
- Emergency public transportation such as alternate access routes, temporary bridges, and emergency mass transit.

Pursuant to the Stafford Act, the federal cost-share may be increased. In addition, changes enacted as part of SRIA and DRRA provide additional flexibilities to the cost-share and incentivize cost-saving activities, including mitigation. Other agencies also provide disaster assistance such as the EDA, the Department of Housing and Urban Development, and the Small Business Administration. Other programs include a Department of Education program to provide grants to restore public schools; a Department of Transportation program to provide financial and technical assistance for repair or reconstruction of highways on the federal-aid system; and, community disaster loans to communities that may suffer a substantial loss of tax and other revenues and can demonstrate a need for financial assistance in order to perform their governmental functions. In the 115th Congress, the Committee conducted oversight reviewing overall disaster costs and losses across agencies and examining ways to streamline, reduce costs, and speed up the recovery process.

3. Hazard Mitigation

Section 404 of the Stafford Act authorizes grants (on a 75 percent federal, 25 percent non-federal cost-sharing ratio) for governments and qualifying nonprofit organizations for use in disaster mitigation. A state that receives a Presidential Disaster Declaration is eligible for a percentage of the total amount spent on disaster relief for that disaster declaration as hazard mitigation assistance, administered under the Hazard Mitigation Grant Program.

The *Disaster Mitigation Act of 2000* (P.L. 106-390) included a Pre-Disaster Mitigation (PDM) program. In 2018, DRRA established a stable funding stream for the PDM program by authorizing the FEMA to deposit an amount equal to 6 percent of the total amount spent on disaster relief for each declaration into the PDM Fund. The FEMA will then either allocate those funds via a formula or award funds through competitive grants to states, and Indian tribal governments located within those states, that have received a Presidential Disaster Declaration within the last seven years. The rationale for this is that mitigation has been proven to save money and lives. Studies have shown that for every $1 invested in mitigation efforts, taxpayers save $3 to $8 in post-disaster costs.

B. EMERGENCY ASSISTANCE PROGRAM

The Emergency Assistance Program provides for emergency assistance in instances where a major disaster declaration may not yet be necessary.

Emergency assistance is available when the President determines federal assistance is necessary to supplement state and local efforts and capabilities, to save lives, to protect property, public health, and safety, or to lessen or avert the threat of a catastrophe in any part of the United States. Emergency assistance is provided at not less than a 75 percent federal share. Such assistance is not limited to traditional natural disaster situations; the authority, however, is limited to a $5 million expenditure for a single emergency. This limit can be exceeded by the President if the immediate situation requires it, but the President must report to Congress on having done so.

Generally, the governor of the affected state must request a declaration by the President that an emergency exists. The governor must find that the situation is of such severity and magnitude that an effective response is beyond the capabilities of the state and affected local governments and that federal assistance is necessary. A governor must take appropriate action and direct execution of the state's emergency plan. The President, however, may declare an emergency without a request by a governor in certain very limited situations.

The types of assistance available include: utilizing, lending or donating federal resources; coordinating all assistance; providing technical and advisory assistance; debris removal; temporary housing up to 18 months; assisting in distributing medicine, food, and other consumables; and whenever this assistance is inadequate, providing assistance with respect to efforts to save lives, protect property, public health, and safety, and lessen or avert the threat of a catastrophe.

C. HOMELAND SECURITY

The FEMA's role in homeland security stems from its role as the lead federal entity for response and recovery in the wake of natural and man-made disasters, including terrorist attacks. In addition to being the lead agency responsible for coordinating the response of 27 federal agencies and departments as well as the American Red Cross, the FEMA has historically been responsible for general preparedness for disasters. This includes the preparedness of first responders, particularly firefighters through its management of the U.S. Fire Administration (jurisdiction over which the Committee shares with the Committee on Science, Space, and Technology) and the National Urban Search and Rescue Program.

D. ACTIVITIES IN THE 115TH CONGRESS

The Subcommittee was involved in emergency management issues, including legislation and the holding of hearings on issues within the Committee's jurisdiction.

Hearings:

The Subcommittee engaged in oversight of the FEMA's programs, including continued oversight of the costs of disasters and the need to mitigate against future disasters. The Subcommittee held five hearings related to the FEMA and emergency management in the 115th Congress. Those hearings included a review of the FEMA's response efforts to the 2017 wildfires and hurricanes.

- Hearing titled, "Building a 21st Century Infrastructure for America: The National Preparedness System" (March 16, 2017).
- Hearing titled, "Building a 21st Century Infrastructure for America: Mitigating Damage and Recovering Quickly from Disasters" (April 27, 2017).
- Hearing titled "Emergency Response and Recovery: Central Takeaways from the Unprecedented 2017 Hurricane Season" (November 2, 2017).
- Hearing titled "Impacts of the 2017 Wildfires in the United States" (March 20, 2018).
- Hearing titled "Are We Ready? Recovering from 2017 Disasters and Preparing for the 2018 Hurricane Season" (July 18, 2018).

Legislation:

Committee members introduced a number of bills related to the FEMA and Emergency Management in the 115th Congress, including:

- H.R. 654, a bill to direct the Administrator of the Federal Emergency Management Agency to carry out a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone, and for other purposes.
- H.R. 2548, a bill to reauthorize the programs and activities of the Federal Emergency Management Agency.
- H.R. 4455, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve mitigation assistance, and for other purposes.
- H.R. 4460, a bill to improve the provision of disaster and mitigation assistance to eligible individuals and households and to eligible State, local, Tribal, and territorial governments and certain private nonprofit organizations, and for other purposes.
- H.R. 5827, a bill to extend the authorization for the National Dam Safety Program, and for other purposes.

- H.R. 6131, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act with respect to entities that receive Federal funds to assist animals impacted by disasters, and for other purposes.

The DRRA was enacted into law as part of the FAA Reauthorization Act of 2018 (P.L. 115-254). The legislation incorporated many of the reforms contained in H.R. 4460 as well as other pieces of legislation introduced by Committee members. Provisions contained in H.R. 4455 were enacted as part of the Bipartisan Budget Act of 2018 (P.L. 115-123).