



COMMITTEE ON

TRANSPORTATION & INFRASTRUCTURE

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Discussion Draft - *Fixing Emergency Management for Americans (FEMA) Act of 2025*

Bipartisan Section-by-Section

Sec. 1. Short title; Table of Contents.

This section provides that the Act may be cited as the “Fixing Emergency Management for Americans (FEMA) Act of 2025”. This section also includes the table of contents for the bill.

Division A – Establishment of FEMA as Cabinet-Level Independent Agency

Title I – Establishment of Federal Emergency Management Agency

Sec. 11. Establishment of Independent Agency.

This section re-establishes the Federal Emergency Management Agency as an independent agency under the direct oversight of the President and outlines its mission and specific activities.

Sec. 12. Administrator; Deputy Administrator; Other Officials of the Agency.

This section directs that Federal Emergency Management Agency is headed by an Administrator appointed by the President and confirmed by the Senate. This section also makes clear the Administrator shall report directly to the President and meet certain qualifications. This section also directs the appointment of a Deputy Administrator, by and with the consent of the Senate. Further, this section directs the appointment of Assistant Administrators.

Sec. 13. Authority and Responsibilities.

This section sets out the authority and responsibilities of the Administrator.

Sec. 14. Office of the Inspector General.

This section establishes an Inspector General (IG) for the Federal Emergency Management Agency, appointed by the President and confirmed by the Senate.

Sec. 15. Transfer of Functions.

This section details functions transferred to the independent Federal Emergency Management Agency.

Sec. 16. Personnel and Other Transfers.

This section details the transfer of personnel and incidental functions.

Sec. 17. Saving Provisions.

This section details the continuing effect of legal documents, proceedings, and other actions.

Sec. 18. References.

This section directs that reference in law, Executive order, rule, regulation, and other official documents to the Federal Emergency Management Agency, the Administrator and to the Inspector General shall be considered to refer to and apply to the respective entity and persons in the independent agency.

Title II – Offices and Functions of Federal Emergency Management Agency

Sec. 21. National Emergency Management.

This section makes conforming changes to various sections of the *Homeland Security Act* (P.L. 107-296) and other laws to clarify the functions retained by the Administrator and the Federal Emergency Management Agency.

Title III – Related Matters

Sec. 31. Changes to Administrative Documents.

This section directs that certain administrative and policy documents are updated to reflect changes made by this Division.

Sec. 32. Recommended Legislation.

This section directs the Administrator of the Federal Emergency Management Agency to consult with Congress and recommend legislation containing additional technical and confirming amendments needed to reflect the changes made by this Division.

Division B – FEMA Reforms

Title I – Public Assistance Reforms

Sec. 101. Rebuilding Public Infrastructure.

This section amends the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (*Stafford Act*) to provide for the expedited repair, restoration, and replacement of disaster-damaged facilities. Grants would be provided on a per-project basis, without regard to prior condition, based on an estimated cost developed by an appropriately licensed professional. Funds would be authorized to repair, restore, reconstruct, or replace public or private nonprofit facilities damaged or destroyed by a major disaster, including incorporating mitigation measures. To

incentivize pre-disaster mitigation, the Federal cost share would be determined using a sliding scale of 65 to 85 percent. States that demonstrate efforts to invest in pre-disaster mitigation measures would be eligible for an increased Federal cost-share. For open disasters, states would have the option to either move to the new expedited process or continue their projects under existing sections 406 or 428 procedures of the *Stafford Act* until those sections sunset in 2032.

Sec. 102. Task Force to Address the Backlog of Open Declared Disasters.

This section creates a temporary task force and process for closing out existing disasters that are not moved to the new process.

Sec. 103. Disaster Declaration Damage Thresholds.

This section directs the Federal Emergency Management Agency Administrator, when making recommendations to the President regarding the declaration of a major disaster or emergency or the proposed non-Federal share of disaster assistance, to give greater weight and consideration to disasters impacting economically distressed (13 CFR 301.3(a)) or rural areas (7 U.S.C. 1991 (a)(13)).

Sec. 104. Federal Permitting Improvement.

This section aligns the Federal Emergency Management Agency's permitting processes with those of other federal grant programs. This section directs the Federal Emergency Management Agency to streamline its permitting requirements under section 316 of the *Stafford Act* and provide clarity to subgrantees. The reforms would modify the existing language in statute to ensure that waivers for environmental and historic preservation for projects on already disturbed lands include building up to current code and mitigation measures.

Sec. 105. Unified Federal Review.

This section strengthens existing law for more complex projects to be managed by the state and strengthens the Federal Emergency Management Agency's unified review process under section 429 of the *Stafford Act* to bring it into conformity with One Federal Decision.

Sec. 106. Alternative Procedures for Small Disasters.

This section provides alternate procedures for states to request lump sum payments for small disasters (defined as up to 125 percent of a state's per capita damage threshold).

Sec. 107. Common Sense Debris Removal.

This section clarifies removal of debris is in the public interest to support more expeditious recovery following a disaster.

Sec. 108. Disaster Management Costs Modernization.

This section authorizes the President to allow recipients of certain disaster relief assistance to use excess management cost funds across all open disasters.

Sec. 109. Streamlining and Consolidating Information Collection and Preliminary Damage Assessments.

This section requires the Federal Emergency Management Agency, the Small Business Administration (SBA), the Department of Housing and Urban Development (HUD), and the Disaster Working Group of the Council of Inspectors General on Integrity and Efficiency to study and develop a plan for streamlining the damage assessment process across agencies.

Sec. 110. Reasonable Incident Periods.

This section directs the Federal Emergency Management Agency to convene an advisory panel to review the process and procedures related to the determination of incident periods, provide a report, and implement.

Sec. 111. Fire Management Assistance Program Policy.

This section authorizes the Federal Emergency Management Agency to conduct assessments and emergency stabilization to protect public safety, including for fire management assistance grants.

Sec. 112. Indian Tribal Government Eligibility.

This section allows tribal governments to request fire management assistance directly to support expedited responses to fires on tribal lands.

Sec. 113. Strengthening Closeouts for Critical Services.

This section fixes the closeout procedures and timelines to clarify application to eligible private nonprofits responsible for critical services.

Sec. 114. Sheltering of Emergency Response Personnel.

This section amends section 403 of the *Stafford Act* to provide authority to reimburse states for costs to shelter emergency response personnel.

Sec. 115. Emergency Protective Measures to Fight Flooding Damage.

This section clarifies that owners or operators of stormwater pumping stations eligible for assistance to conduct emergency work shall be reimbursed based on applicable equipment rates.

Sec. 116. Fairness and Accountability in Appeals.

This section clarifies that the Federal Emergency Management Agency Administrator is responsible for attorneys' fees in appeals cases if a decision is issued in favor of the applicant.

Title II – Individual Assistance Reforms

Sec. 201. Information Sharing for Federal Agencies.

This section directs the Administrator of the Federal Emergency Management Agency to establish and maintain a web-based, interagency electronic information system called the

“unified disaster application system” to support the development of the universal application authorized in section 202. This section also amends the *Stafford Act* by adding section 707, which streamlines information sharing authorities to ensure proper functioning of the application.

Sec. 202. Universal Application for Individual Assistance.

This section directs the Administrator of the Federal Emergency Management Agency to develop a universal application for Federal disaster assistance for individuals in areas impacted by emergencies or major disasters.

Sec. 203. Clarifying Duplication of Benefits.

This section clarifies what constitutes a duplication of benefits when it comes to the provision of disaster assistance to individuals, clarifying that receiving a loan is not duplicative of assistance and allowing for the receipt of charitable donations to cover disaster losses without an impact to Individuals and Households Program (IHP) eligibility.

Sec. 204. Crisis Counseling and Addiction in Disasters.

This section clarifies that substance abuse is covered under existing crisis counseling assistance.

Sec. 205. Repair and Rebuilding.

This section amends section 408(c) of the *Stafford Act* to allow for permanent repairs for homes, if it is more cost-effective than a temporary housing solution. This section amends section 408(b)(1) of the *Stafford Act* by removing the requirement that households must be rendered uninhabitable by a major disaster to be eligible for hazard mitigation assistance. Additionally, section 408 is amended by making households that have been damaged by a major disaster eligible for hazard mitigation assistance.

Sec. 206. FEMA Emergency Home Repair Program.

This section authorizes a permanent repair program of owner-occupied homes that have been damaged by a disaster.

Sec. 207. Direct Assistance.

This section amends section 408(c)(2) of the *Stafford Act* by authorizing the President to provide direct assistance to individuals and households if applicants are unable to make use of financial assistance for repairs and when there is a lack of available resources for the repair of owner-occupied residences. Direct assistance may be used to repair owner-occupied residences damaged by a major disaster and/or rendered inaccessible for individuals with disabilities, and to carry out eligible hazard mitigation measures that reduce the likelihood of future damage.

Sec. 208. Accurate Information to Disaster Victims.

This section prohibits the Federal Emergency Management Agency from issuing denial letters prior to final determinations on available insurance.

Sec. 209. Improved Notices for FEMA Assistance.

This section requires the Federal Emergency Management Agency to provide more detailed information to applicants for individual assistance who are appealing a determination of eligibility for assistance.

Sec. 210. Common Sense Displacement Assistance for Disaster Victims.

This section directs that the amount of displacement assistance immediately following a disaster for victims can provide for expenses such as hotel rooms, gas, and food for disaster survivors.

Sec. 211. State-Managed Disaster Housing Authority.

This section gives the Administrator of the Federal Emergency Management Agency the authority to implement the State-Managed Housing Pilot Authority until the issuance of final regulations. This program, created by the *Disaster Recovery Reform Act of 2018*, sunset in 2020. This section revives the program, removes burdensome requirements for states administering housing programs by striking section 408(f)(3)(F) of the *Stafford Act*, and implements a 25 percent non-Federal cost share to create consistency with other programs across disaster preparedness, response, recovery, and mitigation.

Sec. 212. Improved Rental Assistance.

This section authorizes the Administrator to account for local post-disaster rent rates.

Sec. 213. Online Guides for Postdisaster Assistance.

This section authorizes the Federal Emergency Management Agency to provide support to states for the creation of online guides to provide more detailed information for disaster victims.

Sec. 214. Clarifying Sheltering Assistance Eligibility.

This section clarifies that absence of a fixed address for a disaster victim does not impact eligibility and directs the Federal Emergency Management Agency to provide alternative methods of determining eligibility.

Sec. 215. Access to Lifesaving Non-Congregate Sheltering.

This section clarifies for individual and households eligible for non-congregant sheltering that they are not required to provide a credit card or security deposit to access this sheltering assistance.

Sec. 216. Assistance for Total Loss.

This section directs that when a homeowner suffers a total loss from a disaster the Federal Emergency Management Agency is authorized to provide assistance to replace the home (reduced by insurance proceeds) if the cost of doing so is less than providing temporary housing units.

Title III – Mitigation Reforms

Sec. 301. Preapproved Project Mitigation Plans.

This section establishes a process for state mitigation project plans to be submitted and peer reviewed for approval to speed up funding and mitigation projects, by having a pre-approved list of projects.

Sec. 302. Resilient Buildings and Communities.

This section updates the definition for applicable building codes to include the latest two published editions with flexibility for states to account for specific hazards. This section would also implement a residential resilience pilot program.

Sec. 303. Utility Resiliency.

This section incentivizes faster power restoration after a disaster by clarifying eligibility to build in mitigation.

Sec. 304. Sense of Congress on Predisaster Mitigation.

This section expresses a sense of Congress that funding is provided for predisaster mitigation projects.

Title IV – Transparency and Accountability

Sec. 401. GAO Review on FEMA Transition.

This section directs the Government Accountability Office (GAO) to monitor and review the Federal Emergency Management Agency's transition to an independent agency.

Sec. 402. Transparency and Online Accountability.

This section improves transparency of disaster spending by requiring disaster assistance to be reported publicly by the Federal Emergency Management Agency, SBA, and HUD through a website developed and managed by Office of Management and Budget (OMB).

Sec. 403. Prohibition on Political Discrimination.

This section prohibits discrimination based on political affiliation in disaster assistance.

Sec. 404. Review of Burdensome Regulations and Policies.

This section directs a GAO review of the Federal Emergency Management Agency regulations and policies to determine their necessity, if they slow and increase costs for disaster assistance, whether they conflict with statute, or are obsolete.

Sec. 405. Report on Assistance to Individuals.

This section directs the Administrator of the Federal Emergency Management Agency to submit a report on the average amount of individual assistance received by households at various income levels.

Sec. 406. Individual Assistance Dashboard.

This section directs the Administrator to publish an online web tool that displays for each major disaster declaration the number of individual assistance applications received, the number of applications approved and denied, a ranked list of reasons for denials, the total dollar amount of assistance provided to property owners and renters, and the percentage of housing stock destroyed.

Sec. 407. GAO Report on Preliminary Damage Assessments.

This section directs the GAO to study the accuracy and fairness of the Federal Emergency Management Agency's practices when conducting preliminary damage assessments for the purposes of providing assistance under section 408 of the *Stafford Act*.

Sec. 408. Improved Rental Assistance.

This section directs the Federal Emergency Management Agency to review challenges renters face when seeking Federal disaster assistance and any disparities of assistance provided to homeowners and renters pursuant to section 408 of the *Stafford Act*. Further, the section requires the Federal Emergency Management Agency to develop a plan that addresses any identified challenges and disparities, including any recommendations for legislative action.

Sec. 409. GAO Assessment on Identity Theft and Disaster Fraud in Disaster Assistance Programs.

This section directs the GAO to assess issues of identity theft and fraud in disaster assistance.

Sec. 410. GAO Study on Insurance Utilization for Public Assistance-Eligible Facilities.

This section directs the GAO to study the effect of Public Assistance for public infrastructure on insurance utilization for eligible facilities.

Sec. 411. Study on Wildfire Management Plans.

This section directs the GAO to review the need for wildfire management plans and how or whether states with high risk of wildfires are producing and adhering to such plans.

Sec. 412. Effectiveness of Local, State, Territory, and Federal Alerting Systems.

This section directs GAO to review the effectiveness of alerting systems in disseminating timely and relevant information during weather-related emergencies to help communities develop better policies and procedures for emergency response and enhance public safety.

Sec. 413. GAO Review of Management Costs.

This section directs GAO to review the actual management costs provided to states and local governments pursuant to section 324 of the *Stafford Act*.

Sec. 414. Report on Coordination of Disaster Assistance to Individuals.

This section requires the Federal Emergency Management Agency to provide a report to Congress, in coordination with other relevant agencies, to improve the comprehensive delivery of disaster assistance to individuals.

Sec. 415. GAO Review of Cost Savings Associated with Repair and Rebuilding Reforms.

This section directs GAO to complete a study on the repair and rebuilding reforms included in the Act.