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The Disaster Recovery Reform Act of 2018 (DRRA): Implementation Update Tables for Select Provisions

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SUMMARY

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The Disaster Recovery Reform Act of 2018 (DRRA): Implementation Update Tables for Select Provisions

Numerous natural disasters—including Hurricanes Harvey, Irma, and Maria in 2017 and the devastating wildfires in California during 2017 and 2018—served as catalysts for significant recent changes in federal emergency management policy. Most of these policy changes were included in the Disaster Recovery Reform Act of 2018 (DRRA; Division D of the FAA Reauthorization Act of 2018 (P.L. 115-254)). DRRA is the most comprehensive reform of the Federal Emergency Management Agency's (FEMA's) disaster assistance programs since the passage of the Sandy Recovery Improvement Act of 2013 (SRIA, Division B of P.L. 113-2) and the Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA, P.L. 109-295).

As with past disaster legislation, lessons learned revealed areas that could be improved through legislative and programmatic changes. DRRA was intended to improve disaster preparedness, response, recovery, and mitigation, including pre-disaster mitigation; clarify assistance program eligibility, processes, and limitations; and increase FEMA's transparency and accountability. To accomplish these objectives, DRRA amended many sections of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act, P.L. 93-288, as amended; 42 U.S.C. §§5121 et seq.), which is the foundational legislation for federal emergency authorities and disaster relief to local, state, territorial, and Indian tribal governments, certain private nonprofit organizations, and individuals and families, as well as emergency management policy. DRRA also included standalone authorities, and required rulemaking, reports to Congress, and other actions.

In DRRA's 46 sections, FEMA identified 56 discrete requirements for which it is responsible to implement. As of December 7, 2020, FEMA reported that it has implemented 46 of these. This report includes three tables of select DRRA provisions that FEMA says it has implemented or is in the process of implementing. **Table 1** provides information related to the DRRA provisions FEMA has already implemented; **Table 2** provides information related to the DRRA provisions that are in progress; and **Table 3** provides information related to DRRA provisions for which CRS was unable to verify the implementation status. Within each table, the DRRA provisions are organized by whether they relate to programmatic changes; reporting requirements; rulemaking and regulations; and guidance and other required actions. The tables include DRRA provisions prioritized by FEMA for implementation and other provisions that significantly changed federal assistance or authorities under the Stafford Act that have been of congressional interest since DRRA's enactment. Provisions of congressional interest include increasing support for mitigation efforts, including by replacing FEMA's Pre-Disaster Mitigation Grant Program with the Building Resilient Infrastructure and Communities (BRIC) Grant Program (DRRA Section 1234); requiring FEMA to issue rules, including to define "resilience," and to revise the procedures for evaluating requests for Public Assistance (PA) pursuant to a major disaster declaration (DRRA Section 1239); and establishing statutes of limitations for the recoupment of federal assistance provided to individuals and households, and to PA Applicants (DRRA Section 1216). The tables do not include DRRA provisions assigned to other federal entities or officers, such as the Department of Homeland Security Office of Inspector General (DHS OIG), for implementation.

A companion product, CRS Report R46776, *The Disaster Recovery Reform Act of 2018 (DRRA): Implementation Updates for Select Provisions*, provides a more detailed description and analysis of some of the provisions included in the tables below that are of sustained and significant interest to Congress. Further, detailed overviews of many DRRA sections, including descriptions of how various disaster assistance programs operated prior to DRRA's implementation and analysis of how DRRA's provisions modified these programs, as well as policy considerations, were previously examined in CRS Report R45819, *The Disaster Recovery Reform Act of 2018 (DRRA): A Summary of Selected Statutory Provisions*.

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Introduction

The Disaster Recovery Reform Act of 2018 (DRRA, Division D of P.L. 115-254) was enacted on October 5, 2018, and is the most comprehensive reform of the Federal Emergency Management Agency's (FEMA's) disaster assistance programs since the passage of the Sandy Recovery Improvement Act of 2013 (SRIA, Division B of P.L. 113-2) and the Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA, P.L. 109-295). DRRA's purpose is to improve pre-disaster planning and mitigation, response, and recovery, and increase FEMA's accountability.[1] To accomplish these objectives, DRRA amended many sections of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act, P.L. 93-288, as amended; 42 U.S.C. §§5121 et seq.). The Stafford Act is the foundational legislation for federal emergency authorities and disaster relief to local, state, territorial, and Indian tribal governments, certain private nonprofit organizations, and individuals and families, as well as emergency management policy. DRRA also provided new standalone authorities, and required rulemaking, reporting to Congress, and other actions by FEMA to support disaster preparedness, and increase FEMA transparency and accountability.

DRRA is comprised of 46 sections (DRRA Sections 1201-1246). Most DRRA sections assign FEMA responsibility for implementing various required actions. As of December 7, 2020, FEMA reported that it had implemented 46 of DRRA's 56 discrete provisions.[2] DRRA sections that are reportedly still in progress include provisions related to

- rulemaking (see DRRA Sections 1211(a); 1235(d); and 1239(b));
- reporting to Congress (see DRRA Sections 1204(c); 1211(a); 1239(a); and 1240); and
- updating policies and issuing guidance (see DRRA Section 1216(c); and 1228).

This report provides implementation status updates for select DRRA provisions that FEMA says it has implemented or is in the process of implementing. To that end, **Table 1** provides information related to the DRRA provisions FEMA has implemented; **Table 2** provides information related to the DRRA provisions that are in progress; and **Table 3** provides information related to DRRA provisions for which CRS was unable to verify the implementation status. Within each table, the DRRA provisions are organized by whether the listed provision relates to

- programmatic effects;
- reporting requirements;
- rulemaking and regulations; and

[1] U.S. Congress, House Committee on Transportation and Infrastructure, *Disaster Recovery Reform Act: Summarizing Division D of H.R. 302, As Amended*, 115th Cong, last accessed December 2018. This document is no longer available online, but congressional clients may request copies by contacting CRS.

[2] Federal Emergency Management Agency (FEMA), "FEMA Bulletin: Week of December 21, 2020," December 23, 2020, https://content.govdelivery.com/accounts/USDHSFEMA/bulletins/2b2c129/. See also the Disaster Recovery Reform Act of 2018 (DRRA; Division D of the FAA Reauthorization Act of 2018 (P.L. 115-254)); and FEMA, *Disaster Recovery Reform Act (DRRA) Annual Report*, October 2019, https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-annual-report_2019.pdf (hereinafter FEMA, *2019 DRRA Report*). FEMA's Administrator is identified as the officer charged with implementing many of DRRA's provisions. In some cases, other federal entities or officers, such as the Department of Homeland Security Office of Inspector General (DHS OIG), are assigned responsibility for implementation. With regard to DRRA's various provisions exceeding the number of DRRA sections, some DRRA sections include subsections that require one or more specific implementation actions.

- guidance and other required actions.

A companion product, CRS Report R46776, *The Disaster Recovery Reform Act of 2018 (DRRA): Implementation Updates for Select Provisions*, provides a more detailed description and analysis of some of the provisions in the tables below. Those provisions, which are marked in the tables by an asterisk (*), focus primarily on the DRRA provisions that FEMA is responsible for implementing related to mitigation, Public Assistance, and accountability and oversight. These provisions have been of significant and sustained congressional interest since DRRA's enactment. The companion report also offers policy considerations for Congress related to the enforcement of DRRA's implementation deadlines, and DRRA's implementation in light of the federal, state, local, Indian tribal, and territorial response to the Coronavirus Disease 2019 (COVID-19) pandemic.

Additional background information on many of DRRA's provisions can be found in CRS Report R45819, *The Disaster Recovery Reform Act of 2018 (DRRA): A Summary of Selected Statutory Provisions*, which includes an overview of the federal assistance programs as they existed prior to DRRA's enactment, and a discussion of how they were modified; the context or rationale for program modifications or changes to disaster assistance policies; and potential considerations and issues for Congress. While 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 also includes tables of deadlines associated with DRRA's reporting, rulemaking and regulations, and other implementation actions and requirements, the tables included in this report are more up to date and, as mentioned, are organized by implementation status rather than the type of implementation action required.

Report Limitations and Caveats

The following limitations and caveats apply to this report:

- This report provides implementation updates for select aspects of provisions enacted in DRRA. It does not include updates for every DRRA provision, nor does it include updates for every provision included in the tables within CRS Report R45819, *The Disaster Recovery Reform Act of 2018 (DRRA): A Summary of Selected Statutory Provisions*.
- The information included in this report is subject to change, including due to subsequent administrative or congressional actions.
- The implementation information included represents the best available information as of February 11, 2021 (or the date cited).

Tables of DRRA Implementation Updates

The following three tables provide implementation updates associated with DRRA's programmatic effects, reporting requirements, rulemaking and regulations, and guidance and other required actions. These tables focus on the implementation of select DRRA provisions, and are organized by each provision's implementation status (i.e., implemented, in progress, or unverified).

The information included in the tables is based on publicly available information and information reported by FEMA, including through correspondence between CRS staff and FEMA Office of External Affairs staff, FEMA's *Disaster Recovery Reform Act (DRRA) Annual Report*, 2019 (hereinafter FEMA, *2019 DRRA Report*), and FEMA's "Disaster Recovery Reform Act of 2018" website, available at https://www.fema.gov/disasters/disaster-recovery-reform-act-2018.

Features of the tables are as follows:

- Some DRRA sections include multiple implementation actions and requirements. As such, they may appear multiple times within a table or in multiple tables. This may occur if some provisions of a section have been implemented (e.g., an interim policy has been issued), and others remain in progress (e.g., the final rule has not been issued but is in the process of being drafted). Where relevant, the subsection may also be listed (for the example provided, see DRRA Section 1235(b) and 1235(d), respectively).
- Some DRRA sections do not specify the date by which the implementation action or requirement must be completed. For these sections, the due date and calendar deadline are listed as "N/A."
- The DRRA sections that include requirements for ongoing actions (e.g., monthly reporting requirements) list the deadline as "ongoing."
- In several cases, DRRA's implementation deadlines have passed.
- In several cases, DRRA's implementation deadlines have passed. Additional information regarding DRRA deadlines and actions that Congress may take to enforce the implementation deadlines are described in the "Enforcement of Implementation Deadlines" section of CRS Report R46776, *The Disaster Recovery Reform Act of 2018 (DRRA): Implementation Updates for Select Provisions*.
- Abbreviations used in the tables are defined in the associated table notes sections.

Implemented Provisions

Table 1 lists the DRRA provisions FEMA reported as being implemented in numerical order by DRRA section. It includes the relevant DRRA sections; the referenced Stafford Act sections, if applicable; and FEMA's actions to implement the provisions.

Table 1. Implemented DRRA Provisions

(* indicates the DRRA provision is further described in the companion report CRS Report R46776, *The Disaster Recovery Reform Act of 2018 (DRRA): Implementation Updates for Select Provisions*)

Implemented DRRA Provisions		
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**
	Programs	
*Section 1206(a). Eligibility for Code Implementation and Enforcement *(Section 402—General Federal Assistance)*	Authorized FEMA to provide assistance to state and local governments for building code and floodplain management ordinance administration and enforcement.	FEMA published its "Building Code and Floodplain Management Administration and Enforcement" policy on October 19, 2020.

FEMA, *Disaster Recovery Reform Act (DRRA) Annual Report*, October 2019, p. 9, https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-annual-report_2019.pdf (hereinafter FEMA, *2019 DRRA Report*); FEMA, "DRRA Provisions 1204-1209," last accessed December 4, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1204-1209. See FEMA, "Building Code and Floodplain Management Administration and Enforcement," FEMA Policy FP 204-079-01, October 15, 2020, https://www.fema.gov/sites/default/files/2020-10/fema_building-dode-floodplain-management-ddministration-enforcement-policy_drra-1206_signed_10-15-2020.pdf.

Implemented DRRA Provisions		
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**
*Section 1206(b). Eligibility for Code Implementation and Enforcement *(Section 406(a)(2)—Repair, Restoration, and Replacement of Damaged Facilities)*	Authorized FEMA to reimburse base and overtime wages for extra hires for building code enforcement for 180 days post disaster declaration.	FEMA published its "Building Code and Floodplain Management Administration and Enforcement" policy on October 19, 2020.
FEMA, *2019 DRRA Report*, p. 9; FEMA, "DRRA Provisions 1204-1209," last accessed December 4, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1204-1209. See FEMA, "Building Code and Floodplain Management Administration and Enforcement," FEMA Policy FP 204-079-01, October 15, 2020, https://www.fema.gov/sites/default/files/2020-10/fema_building-dode-floodplain-management-ddministration-enforcement-policy_drra-1206_signed_10-15-2020.pdf.		
*Section 1207(c) and (d). Program Improvements *(Section 428—Public Assistance Program Alternative Procedures)*	Prohibited the conditioning of federal assistance on the election by an eligible entity to participate under Section 428—Public Assistance Program Alternative Procedures; and required cost estimates certified by a professionally licensed engineer and accepted by FEMA to be presumed reasonable and eligible.	FEMA published the *Public Assistance Program and Policy Guide (PAPPG 2020)*, Version 4, effective June 1, 2010.
FEMA, *Public Assistance Program and Policy Guide (PAPPG 2020)*, version 4, effective June 1, 2020, https://www.fema.gov/sites/default/files/2020-06/fema_public-assistance-program-and-policy-guide_v4_6-1-2020.pdf. This new guidance reflected updates first published in FEMA, *2019 DRRA Report*, p. 16; and FEMA, "DRRA Provisions 1204-1209," last accessed November 9, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1204-1209. See FEMA, "Disaster Recovery Reform Act Public Assistance Program Amendments," fact sheet, July 2019, https://www.fema.gov/media-library-data/1565888669158-0ca15d4ade220a19e54313786ceb013d/DRRA_PA_Program_Amendments_FactSheet07_05_19-v3.pdf.		

Implemented DRRA Provisions		
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**
*Section 1215. Management Costs (*Section 324—Management Costs*)	Increased the total amount of management costs eligible for reimbursement for Public Assistance (PA) and Hazard Mitigation Grant Program (HMGP), and expanded the definition of management costs to include both direct and indirect administrative costs. PA grantees may be reimbursed up to 12% of the total award (up to 7% may be used by the grantee and 5% by the subgrantee). HMGP grantees may be reimbursed up to 15% of the total award (up to 10% for the grantee, and 5% for the subgrantee).	FEMA issued interim policies for PA and HMGP on November 14, 2018, and published a fact sheet for PA management costs in February 2019. FEMA reported that it also published a Standard Operating Procedure for PA in February 2019, and released a memorandum on reasonable PA management costs in April 2019.
FEMA, *2019 DRRA Report*, p. 3; FEMA, "DRRA Provisions 1210(A)-1219," last accessed December 4, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1210-1219. See FEMA, "Public Assistance Management Costs (Interim)," FEMA Recovery Policy FP 104-11-2, November 14, 2018, https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-1215-public-assistance-management-costs-interim-policy_11-15-2018.pdf; FEMA, "Public Assistance Management Costs Interim Policy," fact sheet, updated February 8, 2019, https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-1215-management-costs-public-assistance-fact-sheet.pdf; and FEMA, "Hazard Mitigation Grant Program Management Costs (Interim)," FEMA Policy # 104-11-1, November 14, 2018, https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-1215-hazard-mitigation-grant-program-management-costs-interim-policy.pdf.		
*Section 1216(a) and (b). Flexibility (*Section 408—Federal Assistance to Individuals and Households*)	Authorizes FEMA to waive debts owed by individuals and households who received assistance through the Individuals and Households Program (IHP) provided the assistance was (1) distributed in error by FEMA; (2) there was no fault on behalf of the debtor; and (3) collection would be "against equity and good conscience." It also establishes a three-year statute of limitations on recouping IHP assistance.	FEMA reported that it updated its recoupment process for Individual Assistance recipients on May 14, 2019, and it includes a waiver notice with information on how to apply for a waiver in all debt recoupment letters.
FEMA, *2019 DRRA Report*, p. 18; FEMA, "DRRA Provisions 1210(A)-1219," last accessed December 4, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1210-1219.		
*Section 1225. Audit of Contracts	Prohibits FEMA from reimbursing activities made pursuant to a contract that prohibits auditing or reviewing of the contract by the FEMA Administrator or Comptroller General.	FEMA updated its "Procurement Disaster Assistance Team (PDAT) Field Manual" in October 2019, which describes the mandatory requirements for FEMA PA Applicants using federal funding to finance the procurement of property and services, as well as its "Required Contract Provisions Template," and "PDAT Procurement Under Grants Presentation."
FEMA, *2019 DRRA Report*, p. 21; FEMA, "DRRA Provisions 1220-1229," last accessed December 4, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1220-1229. See FEMA, "Procurement Disaster Assistance Team (PDAT) Field Manual: Procurement Information for FEMA Public Assistance Award Recipients and Subrecipients," September 2019, https://www.fema.gov/sites/default/files/2020-07/fema_procurement-disaster-assistance-PDAT_field-manual.pdf.		

Implemented DRRA Provisions		
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**
*Section 1234. National Public Infrastructure Pre-Disaster Hazard Mitigation *(Section 203—Pre-Disaster Hazard Mitigation)*	Authorized the President to set aside funding for pre-disaster mitigation from the Disaster Relief Fund (DRF), with respect to each major disaster, an amount equal to 6% of the estimated aggregate amount of the grants to be made pursuant to Stafford Act Sections 403—Essential Assistance; 406—Repair, Restoration, and Replacement of Damaged Facilities; 407—Debris Removal; 408—Federal Assistance to Individuals and Households; 410—Unemployment Assistance; 416—Crisis Counseling Assistance and Training; and 428—Public Assistance Program Alternative Procedures.	FEMA developed a new pre-disaster mitigation program: Building Resilient Infrastructure and Communities (BRIC); published a draft BRIC policy for public comment in the *Federal Register*; and released the first Notice of Funding Opportunity for BRIC on August 4, 2020. The BRIC application period for FY2020 opened on September 30, 2020, and closed on January 29, 2021.
FEMA, *2019 DRRA Report*, p. 6; FEMA, "DRRA Provisions 1230-1239," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1230-1239. For more information on BRIC, see FEMA, "Building Resilient Infrastructure and Communities (BRIC)," https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities; and FEMA, "Hazard Mitigation Assistance: Building Resilient Infrastructure and Communities," 85 *Federal Register* 20291-20292, April 10, 2020.		
*Section 1235(b). Additional Mitigation Activities	Authorized the President to provide Public Assistance (PA) for eligible costs to repair, restore, reconstruct, or replace a public facility or private nonprofit facility in conformity with "the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purposes of protecting the health, safety, and general welfare of a facility's users against disasters."	FEMA released the second version of Interim Policy, "Consensus-Based Codes, Specifications and Standards for Public Assistance" in December 2019.
FEMA, "FEMA Recovery Interim Policy: Consensus-Based Codes, Specifications and Standards for Public Assistance," FP-104-009-11, Version 2.1, December 20, 2019, https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-1235b-public-assistance-codes-standards-interim-policy.pdf. See also, FEMA, "Consensus-Based Codes, Specifications and Standards for Public Assistance," frequently asked questions, February 2020, https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-1235b-public-assistance-codes-standards-faqs.pdf.		
*Section 1237. Certain Recoupment Prohibited	Requires FEMA to restore Public Assistance (PA) that was withdrawn or deobligated if a DHS OIG audit determines that the local government relied on the inaccurate information provided by a FEMA technical assistance contractor to determine that relevant contracts were eligible, reasonable, and reimbursable.	FEMA reported that it implemented this provision by issuing a memorandum to its Region VI office on February 15, 2019, and reported that relevant PA project worksheets have been reinstated.
FEMA, *2019 DRRA Report*, p. 23; FEMA, "DRRA Provisions 1230-1239," last accessed December 4, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1230-1239; emails from FEMA Office of External Affairs staff, March 17, 2021, and April 8, 2021. According to FEMA, "this provision applied to a single instance for a single applicant in a single event."		

DRRA Section *(Stafford Act Section)*	Requirement(s)	FEMA Implementation Action(s)
Implemented DRRA Provisions		
Reporting Requirements		
*Section 1210(a)(5). Duplication of Benefits *(Section 312(b)—Duplication of Benefits)*	Required FEMA to report on information to improve the comprehensive delivery of disaster assistance to individuals following a major disaster or emergency declaration under the Stafford Act, to include administrative actions taken/planned and legislative proposals.	FEMA developed the *Delivery of Post-Disaster Assistance to Individuals* report, which was submitted to Congress on June 22, 2020.
Email from FEMA Office of External Affairs staff, December 18, 2020. See also FEMA, *2019 DRRA Report*, p. 17.		
Section 1220(a). Unified Federal Environmental and Historic Preservation Review *(Section 429—Unified Federal Review)*	Required FEMA to report on the Unified Federal Environmental and Historic Preservation review process established pursuant to Stafford Act Section 429—Unified Federal Review, and report on an analysis of whether and how the unified process has expedited the interagency review process to ensure compliance related to disaster recovery projects; conduct a survey and analysis of categorical exclusions used by other federal agencies that may be applicable to any activity related to a major disaster or emergency; and provide recommendations on further actions, including legislative proposals, to expedite and streamline the review process.	FEMA's *Unified Federal Environmental and Historic Preservation Review: DRRA Section 1220 Report on UFR*, December 18, 2020, was submitted by the FEMA Executive Secretariat to Congress on December 21, 2020.
Email from FEMA Office of External Affairs staff January 8, 2021. See also FEMA, *2019 DRRA Report*, p. 19; FEMA, "DRRA Provisions 1220-1229," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1220-1229.		
Section 1223. Study to Streamline and Consolidate Information Collection	Required FEMA to conduct a study and develop a plan to modify, streamline, expedite, and simplify the collection of information from disaster assistance applicants and grantees; and to develop a plan for the regular collection and reporting of information on federal disaster assistance awarded.	The *Study to Streamline and Consolidate Information Collection* was submitted to Congress on March 10, 2020. FEMA maintains two primary mechanisms to track and report data on disaster assistance awards: OpenFEMA.gov and the Recovery Support Function Leadership Group (RSFLG).
Email from FEMA Office of External Affairs staff, January 5, 2021. See also FEMA, *2019 DRRA Report*, p. 19; FEMA, "DRRA Provisions 1220-1229," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1220-1229. OpenFEMA is a publicly available website for the collection and dissemination of information on federal disaster assistance awards. The Recovery Support Function Leadership Group (RSFLG) has tracked disaster funding and outcomes across the federal interagency partners for the largest disasters since 2017, including Hurricanes Harvey, Irma, Maria, Florence, and Michael, as well as the 2017 and 2018 California wildfires. The RSFLG provides publicly available data at http://recovery.fema.gov. The website tracks congressionally appropriated disaster funding and information on the allocation of funds and recovery spending.		

Implemented DRRA Provisions		
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**
Section 1226. Inspector General Audit of FEMA Contracts for Tarps and Plastic Sheeting	Required the DHS OIG to submit a report on the results of an audit to HSGAC and House T&I, including findings and recommendations, regarding the contracts awarded by FEMA for tarps and plastic sheeting for the Commonwealth of Puerto Rico and the U.S. Virgin Islands in response to Hurricanes Irma and Maria.	The DHS OIG submitted its audit report to Congress in June 2019.
FEMA, *2019 DRRA Report*, p. 21; FEMA, "DRRA Provisions 1220-1229," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1220-1229.		
Section 1230(b). Guidance and Recommendations	Required FEMA to provide a legislative proposal to HSGAC and House T&I on how to provide eligibility for disaster assistance with respect to common areas of condominiums and housing cooperatives.	FEMA reported that the *Individual Assistance for Common Areas of Housing Cooperatives and Condominium Associations* report was submitted to Congress on January 22, 2020.
Email from FEMA Office of External Affairs staff, January 5, 2021. See also FEMA, *2019 DRRA Report*, p. 22; FEMA, "DRRA Provisions 1230-1239," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1230-1239.		
Section 1242. FEMA Updates on National Preparedness Assessment	Required FEMA to report to HSGAC, House T&I, and House Homeland on FEMA's progress in completing action 6 with respect to the GAO report, *2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue* (February 28, 2012), which recommends FEMA "(1) complete a national preparedness assessment of capability gaps at each level based on tiered, capability-specific performance objectives to enable prioritization of grant funding; and (2) identify the potential costs for establishing and maintaining those capabilities at each level and determine what capabilities Federal agencies should provide."	FEMA reported that it is developing a National Risk and Capability Assessment, and that FEMA began regular biannual progress updates to Congress on May 16, 2019.
FEMA, *2019 DRRA Report*, p. 12; FEMA, "DRRA Provisions 1240-1246," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1240-1246.		

Implemented DRRA Provisions		
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**
Section 1243. FEMA Report on Duplication in Non-natural Disaster Preparedness Grant Programs	Required FEMA to report to HSGAC, House T&I, and House Homeland on the results of the efforts of FEMA to identify and prevent unnecessary duplication within and across the non-natural disaster preparedness grant programs as recommended in the GAO report, *2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue* (February 28, 2012), including with respect to the Urban Area Security Initiative (UASI), Port Security Grant Program, State Homeland Security Grant Program (SHSGP), and the Transit Security Grant Program.	FEMA's *Report on Duplication in Non-Natural Disaster Preparedness Grant Programs*, *February 25, 2020,* was submitted by the FEMA Executive Secretariat to Congress on February 25, 2020.

Email from FEMA Office of External Affairs staff, January 8, 2021. See also FEMA, *2019 DRRA Report*, p. 23; FEMA, "DRRA Provisions 1240-1246," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1240-1246.

Implemented DRRA Provisions		
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**
Rulemaking and Regulations		
*Section 1232. Local Impact	Required FEMA to adjust its regulations and policies to give greater consideration to severe local impact or recent multiple disasters in making recommendations to the President regarding a major disaster declaration.	FEMA updated its disaster declaration request and evaluation templates in May 2019. For requests by Indian tribal governments, FEMA uses the factors in the *Tribal Declarations Pilot Guidance*. FEMA also reported that the agency issued guidance to Regional Administrators seeking "appropriate and fulsome information regarding severe local impacts and the history of recent multiple disasters." Finally, FEMA published a notice of proposed rulemaking on December 14, 2020, that requested comment on "whether a revision of the 12-month time limit currently in place is necessary to give greater consideration to this factor as required by the DRRA" because "[t]he current text of 44 CFR 206.48(a)(5) provides broad discretion for the consideration of multiple disasters occurring in the 12-month period prior to the event. Consistent with that provision and with FEMA's May 1 guidance to Regional Administrators, directing them to include in their recommendations appropriate and fulsome information regarding severe local impacts and the history of recent multiple disasters, FEMA is giving greater consideration to these factors when making disaster declaration recommendations."

FEMA, *2019 DRRA Report*, p. 5; FEMA, "DRRA Provisions 1230-1239," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1230-1239; FEMA, "Request for a Presidential Disaster Declaration," https://www.fema.gov/disasters/request-for-presidential-disaster-declaration; FEMA, "Proposed Rule: Cost of Assistance Estimates in the Disaster Declaration Process for the Public Assistance Program," 85 *Federal Register* 80730, December 14, 2020; and email from FEMA Office of External Affairs staff, January 19, 2021.

DRRA Section (Stafford Act Section)	Requirement(s)	FEMA Implementation Action(s)
Implemented DRRA Provisions		
Guidance and Other Required Actions		
*Section 1204(a). Wildfire Prevention *(Section 420—Fire Management Assistance)*	Authorized the provision of Hazard Mitigation Grant Program (HMGP) assistance for Fire Management Assistance Grant (FMAG) declarations.	FEMA issued the "Hazard Mitigation Grant Program—Post Fire" policy guide in May 2019.
FEMA, *2019 DRRA Report*, p. 8. FEMA's Implementation Update for DRRA Section 1204 states the final policy was published on May 8, 2019 (FEMA, "DRRA Provisions 1204-1209," last accessed November 9, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1204-1209). See FEMA, "Hazard Mitigation Grant Program—Post Fire," Policy #207-088-2, April 29, 2019, https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-1204-policy.pdf.		
Section 1208. Prioritization of Facilities	Required FEMA to develop guidance and annual training on the prioritization of assistance to hospitals, nursing homes, and other long-term care facilities; preparedness for power outages; and how state, local, and tribal governments, first responders, utility companies, hospitals, nursing homes, and other long-term care facilities should develop a strategy to coordinate emergency response plans.	FEMA, in collaboration with the HHS Office of the Assistant Secretary for Preparedness and Response (ASPR), released *Healthcare Facilities and Power Outages Guidance for State, Local, Tribal, Territorial, and Private Sector Partners* in August 2019.
FEMA, *2019 DRRA Report*, p. 9; FEMA, "DRRA Provisions 1204-1209," last accessed November 9, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1204-1209. See FEMA and U.S. Department of Health and Human Services' (HHS) Office of the Assistant Secretary for Preparedness and Response (ASPR), *Healthcare Facilities and Power Outages Guidance for State, Local, Tribal, Territorial, and Private Sector Partners*, August 2019, https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-1208-healthcare-facilities-power-outages_guide.pdf.		
Section 1209(a) and (b). Guidance on Evacuation Routes	Required FEMA to develop guidance on the identification of evacuation routes; and on the design, construction, maintenance, and repair of evacuation routes.	FEMA, with the Federal Highway Administration, published *Planning Considerations: Evacuation and Shelter-in-Place Guidance for State, Local, Tribal, and Territorial Partners* on July 31, 2019.
FEMA, *2019 DRRA Report*, p. 9; FEMA, "DRRA Provisions 1204-1209," last accessed November 9, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1204-1209. See DHS, *Planning Considerations: Evacuation and Shelter-in-Place Guidance for State, Local, Tribal, and Territorial Partners*, July 2019, https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-1209-planning-considerations-evacuation-shelter-in-place_guide.pdf. In a hearing before House T&I, Dr. Daniel Kaniewski, FEMA Deputy Administrator for Resilience, noted a July 2019 target date for releasing evacuation route guidance (although DRRA did not include a deadline) (U.S. Congress, House Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, *Disaster Preparedness: DRRA Implementation and FEMA Readiness*, 116th Cong., 1st sess., May 22, 2019, https://transportation.house.gov/committee-activity/hearings/the-subcommittee-on-economic-development-public-buildings-and-emergency-management-hearing-on_—disaster-preparedness-drra-implementation-and-fema-readiness).		

Implemented DRRA Provisions		
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**
*Section 1224(a). Agency Accountability *(Section 430(a)—Agency Accountability, as amended)*	Required FEMA to publish to its website specific information on Public Assistance grant awards in excess of $1 million under Stafford Act Section 406—Repair, Restoration, and Replacement of Damaged Facilities. Information provided should include the FEMA Region; emergency or major disaster declaration number; state, county, and applicant name; if the applicant is a private nonprofit organization; the damage category code; the amount of the federal share obligated; and the award date.	FEMA posts required information on Public Assistance grants on OpenFEMA.
FEMA, *2019 DRRA Report*, p. 20; FEMA, "DRRA Provisions 1220-1229," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1220-1229. See FEMA, "OpenFEMA," https://www.fema.gov/about/reports-and-data/openfema.		
*Section 1224(b). Agency Accountability *(Section 430(b)—Agency Accountability, as amended)*	Required FEMA to publish to its website specific information on mission assignments or mission assignment task orders in excess of $1 million, and update any changes to the total cost estimate and the amount obligated. Information provided should include the name of the state/Indian tribe; the disaster declaration; the assigned agency; the assistance requested; a disaster description; the total cost estimate; the amount obligated; the cost share, if applicable; the authority directing the mission assignment or task order; and the date the mission assignment was requested, if applicable.	FEMA posts required information on Public Assistance grants on OpenFEMA.
FEMA, *2019 DRRA Report*, p. 20; FEMA, "DRRA Provisions 1220-1229," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1220-1229. See FEMA, "OpenFEMA," https://www.fema.gov/about/reports-and-data/openfema.		
*Section 1224(c). Agency Accountability *(Section 430(c)—Agency Accountability, as amended)*	Required FEMA to publish Disaster Relief Monthly Reports, including the methodology and data sources used, to FEMA's website.	FEMA publishes monthly Disaster Relief Fund (DRF) reports on its website, and updated its monthly DRF reports to include all required information in August 2019.
FEMA, *2019 DRRA Report*, p. 20; FEMA, "DRRA Provisions 1220-1229," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1220-1229. See FEMA, "Disaster Relief Fund: Monthly Reports," https://www.fema.gov/about/reports-and-data/disaster-relief-fund-monthly-reports.		

Implemented DRRA Provisions		
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**
Section 1230(a). Guidance and Recommendations	Required FEMA to provide guidance on actions a common interest community may take in order to be eligible to receive reimbursement from a grantee that receives funds from FEMA for certain activities performed after an event that results in a major disaster.	FEMA provides technical assistance to common interest communities on Public Assistance eligibility.
FEMA, *2019 DRRA Report*, p. 22; FEMA, "DRRA Provisions 1230-1239," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1230-1239. See FEMA, "Common Interest Community Eligibility (DRRA 1230a)," fact sheet, https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-1230a-fact-sheet.pdf.		
Section 1231. Guidance on Hazard Mitigation Assistance *(Section 404—Hazard Mitigation)*	Required FEMA to issue guidance on the acquisition of property for open space as a mitigation measure under Stafford Act Section 404—Hazard Mitigation.	FEMA published a fact sheet on September 19, 2019.
FEMA, *2019 DRRA Report*, p. 10; FEMA, "DRRA Provisions 1230-1239," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1230-1239. See FEMA, "Federal Insurance and Mitigation Administration: Disaster Recovery Reform Act Acquisition of Property for Open Space," July 17, 2019, https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-1231-acquisition-fact-sheet.pdf.		
Section 1236. Guidance and Training by FEMA on Coordination of Emergency Response Plans	Required FEMA to provide guidance and annual training for state, local, and tribal governments, first responders, and facilities that store hazardous materials on coordination of emergency response plans, including providing a list of equipment required in the event a hazardous substance is released into the environment; health risks; and best practices for mitigating further dangers to communities from hazardous substances.	FEMA released guidance on August 27, 2019.
FEMA, *2019 DRRA Report*, p. 11; FEMA, "DRRA Provisions 1230-1239," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1230-1239. See FEMA, *Hazardous Materials Incidents Guidance for State, Local, Tribal, Territorial, and Private Sector Partners*, August 2019, https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-1236-hazardous_materials_incidents_guide.pdf.		
Section 1241(a). Post Disaster Building Safety Assessment	Directed FEMA to coordinate with organizations representing design professionals to develop guidance for post-disaster assessment of buildings by licensed architects and engineers to ensure the design professionals properly analyze the structural integrity and livability of buildings and structures.	FEMA published the *Post-Disaster Building Safety Evaluation Guidance* in November 2019.
FEMA, *2019 DRRA Report*, p. 14; FEMA, "DRRA Provisions 1240-1246," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1240-1246. See FEMA and the National Earthquake Hazards Reduction Program (NEHRP), *Post-Disaster Building Safety Evaluation Guidance: Report on the Current State of Practice, Including Recommendations Related to Structural and Nonstructural Safety and Habitability*, FEMA P-2055, November 2019, https://www.fema.gov/sites/default/files/2020-07/fema_DRRA-1241-post-disaster-building-safety-evaluation_guide.pdf.		

Implemented DRRA Provisions		
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**
Section 1241(b). Post Disaster Building Safety Assessment	Directed FEMA to revise or issue guidance to the National Incident Management System (NIMS) Resource Management component to ensure the functions of post-disaster building safety assessment are accurately resource typed.	FEMA's National Integration Center released six Job Titles/Position Qualifications and Resource Typing Definitions (corresponding to the FEMA P-2055, Post-Disaster Building Safety Evaluation Guidance (November 2019)) on June 30, 2020.
FEMA defines resource typing as "defining and categorizing, by capability, the resources requested, deployed and used in incidents. Resource typing definitions establish a common language and defines a resource's (for equipment, teams, and units) minimum capabilities. NIMS [National Incident Management System] resource typing definitions serve as the common language for the mobilization of resources" (FEMA, "NIMS Components—Guidance and Tools," https://www.fema.gov/emergency-managers/nims/components). Email from FEMA Office of External Affairs staff, January 8, 2021. See also the FEMA Resource Typing Library Tool (RTLT), available at https://rtlt.preptoolkit.fema.gov/Public/Combined?s=&a=&q=post-disaster (last accessed January 27, 2021); FEMA, *2019 DRRA Report*, p. 14; and FEMA, "DRRA Provisions 1240-1246," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1240-1246.		
Section 1244. Study and Report	FEMA was required to contract with the National Academy of Medicine for a study on best practices in mortality counts as a result of a major disaster, including approaches to quantifying mortality and significant morbidity among populations affected by major disasters. It was required to include best practices and policy recommendations for equitable and timely attribution to facilitate access to available benefits; timely prospective tracing of population levels of mortality and significant morbidity and their causes; and a retrospective study of disaster-related mortality and significant morbidity to inform after-action analysis and improve preparedness efforts.	FEMA reported that it entered into the contract with the National Academy of Medicine in December 2018, and that the report was expected in 2020.
FEMA, *2019 DRRA Report*, p. 24; FEMA, "DRRA Provisions 1240-1246," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1240-1246.		

Source: Disaster Recovery Reform Act (DRRA), Division D of P.L. 115-254.

Notes: Committees of the Senate and House of Representatives are referred to herein as follows: the Committee on Homeland Security and Governmental Affairs of the Senate is referred to as "HSGAC"; the Committee on Transportation and Infrastructure of the House of Representatives is referred to as "House T&I"; and the Committee on Homeland Security of the House of Representatives is referred to as "House Homeland." Federal agencies/departments and representatives are referred to herein as follows: Department of Homeland Security Office of Inspector General is referred to as "DHS OIG."

In Progress

Table 2 lists the DRRA provisions that FEMA reported as in the process of being implemented, and is organized chronologically by the implementation deadline. It includes the relevant DRRA sections; the referenced Stafford Act sections, if applicable; FEMA's actions to implement the provisions; the due dates described in DRRA; and the implementation deadlines expressed as calendar dates.

Table 2. In Progress DRRA Provisions

(* indicates the DRRA provision is further described in the companion report CRS Report R46776, *The Disaster Recovery Reform Act of 2018 (DRRA): Implementation Updates for Select Provisions*)

In Progress DRRA Provisions				
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**	**Due Date**	**Deadline**
Programs				
*Section 1216(c). Flexibility *(Section 705—Disaster Grant Closeout Procedures)*	Establish a project-by-project statute of limitations on FEMA's ability to recoup Public Assistance funding	FEMA is updating its *Stafford Act Section 705, Disaster Grant Closeout Procedures Policy*. The draft policy public comment period ended December 10, 2020. FEMA is currently adjudicating the comments received during the public comment period.	NA	NA
Email from FEMA Office of External Affairs staff, January 5, 2021. See also FEMA, *2019 DRRA Report*, p. 18; FEMA, "DRRA Provisions 1210(A)-1219," last accessed December 4, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1210-1219.				
*Section 1221. Closeout Incentives (*Section 705—Disaster Grant Closeout Procedures*)	Develop incentives and penalties that encourage state, local, or Indian tribal governments to close out disaster expenditures and activities on a timely basis.	FEMA reported that it is considering possible incentives and penalties to encourage timely closeout.	NA	NA
FEMA, *2019 DRRA Report*, p. 19.				

DRRA Section (*Stafford Act Section*)	Requirement(s)	FEMA Implementation Action(s)	Due Date	Deadline
In Progress DRRA Provisions				
*Section 1233. Additional Hazard Mitigation Activities (*Section 404—Hazard Mitigation*)	Provide hazard mitigation assistance through the Hazard Mitigation Grant Program (HMGP) and the Building Resilient Infrastructure and Communities Program (BRIC) for activities that reduce earthquake risk and build early warning capability.	FEMA published a fact sheet on "Disaster Recovery Reform Act and Earthquake Early Warning Systems" on September 30, 2020. As of FY2021, FEMA will consider proposals to fund the purchase and installation infrastructure needed to build additional capability for the existing Earthquake Early Warning (EEW) Advanced National Seismic System (ANSS) ShakeAlert system under both HMGP and BRIC. FEMA reported that it is working with U.S. Geological Survey to develop new eligible projects.	NA	NA
FEMA, *2019 DRRA Report*, p. 10; FEMA, "DRRA Provisions 1230-1239," last accessed December 4, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1230-1239. See FEMA, "Disaster Recovery Reform Act and Earthquake Early Warning Systems," fact sheet, September 30, 2020, https://www.fema.gov/sites/default/files/2020-09/fema_drra-earthquake-early-warning-systems_fact-sheet_September-2020.pdf.				
Reporting Requirements				
*Section 1224(d). Agency Accountability (*Section 430(d)(2)—Agency Accountability*)	Report on contracts in excess of $1 million (to appropriate congressional committees).	FEMA reported that FEMA contract information is available on fema.gov and that FEMA is automating data collection to post information to its website. FEMA's *2019 DRRA Report* lists this provision as being in progress.	Not later than 10 days after the last day of the fiscal year.	Ongoing
FEMA, *2019 DRRA Report*, p. 20; FEMA, "DRRA Provisions 1220-1229," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1220-1229.				
*Section 1239(a). Cost of Assistance Estimates	Report to and brief HSGAC and House T&I on a review of the factors considered when evaluating a request for a major disaster declaration, specifically the estimated cost of the assistance.	FEMA reported that, as of January 19, 2021, FEMA has "drafted a congressional report, which is currently under internal-agency review.	Not later than 270 days after DRRA's enactment.	July 2, 2019
Email from FEMA Office of External Affairs staff, January 19, 2021.				

In Progress DRRA Provisions				
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**	**Due Date**	**Deadline**
*Section 1204(c). Wildfire Prevention	Report on a summary of any projects carried out, and any funding provided to those projects, under Stafford Act Section 420(d)—Fire Management Assistance—as amended.	FEMA reported that the DRRA 1204 Wildfire Prevention congressional report is drafted and moving through the concurrence review process within FEMA's Mitigation Directorate.	Not later than 1 year after DRRA's enactment, and annually thereafter.	Oct. 5, 2019; annually thereafter
Email from FEMA Office of External Affairs staff, January 5, 2021.				
Section 1211(a). State Administration of Assistance for Direct Temporary Housing and Permanent Housing Construction *(Section 408(f)—Federal Assistance to Individuals and Households)*	Report on a potential incentive structure for awards made under this section to encourage participation by eligible state or tribal governments, including potential adjustments to the cost-share requirement, and management costs.	FEMA is adjudicating inter-agency comments received on the *State-Administered Housing Incentives* congressional report and will then finalize the report.	Not later than 12 months after the date of enactment of this paragraph.	Oct. 5, 2019
Email from FEMA Office of External Affairs staff, January 5, 2021.				

In Progress DRRA Provisions				
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**	**Due Date**	**Deadline**
*Section 1224(e). Agency Accountability *(Section 430(e)(3)—Agency Accountability—as amended)*	Report to HSGAC and House T&I on any contract entered into by a Public Assistance recipient/subrecipient that has an estimated value in excess of $1 million and is funded through Stafford Act Sections 324—Management Costs, 403—Essential Assistance, 404—Hazard Mitigation, 406—Repair, Restoration, and Replacement of Damaged Facilities, 407—Debris Removal, 428—Public Assistance Program Alternative Procedures, or 502—Federal Emergency Assistance.	FEMA reported that it is revising its information collection processes and updating its grant systems to collect the required information.	Not later than 365 days after the date of enactment of this subsection.	Oct. 5, 2019
FEMA, *2019 DRRA Report*, p. 20; FEMA, "DRRA Provisions 1220-1229," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1220-1229.				
Section 1240. Report on Insurance Shortfalls	Report to Congress annually on the number of instances and the estimated amounts involved, by state, for cases in which self-insurance amounts have been insufficient to address flood damages.	According FEMA, the DRRA Section 1240 annual report was entered into interagency review in September 2020. As of February 4, 2021, the report remains in interagency review.	Not later than 2 years after the date of enactment of this section, and each year thereafter until 2023.	Oct. 5, 2020; annually thereafter until 2023
Email from FEMA Office of External Affairs staff, February 4, 2021; FEMA, *2019 DRRA Report*, p. 11; FEMA, "DRRA Provisions 1240-1246," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1240-1246.				

In Progress DRRA Provisions				
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**	**Due Date**	**Deadline**
		Rulemaking and Regulations		
*Section 1235(d). Additional Mitigation Activities *(Section 406(e)—Repair, Restoration, and Replacement of Damaged Facilities)*	Requires POTUS through FEMA to issue a rulemaking to define the terms "resilient" and "resiliency" for purposes of Stafford Act Section 406(e)—Repair, Restoration, and Replacement of Damaged Facilities. FEMA is required to issue interim guidance in advance of rulemaking that defines the terms "resilient" and "resiliency" for purposes of Stafford Act Section 406(e)—Repair, Restoration, and Replacement of Damaged Facilities. FEMA is also required to issue guidance on the final rulemaking.	In October 2019, FEMA reported that it will conduct a rulemaking to adopt the National Institute of Standards and Technology's (NIST's) definition of resilience. As of February 4, 2021, FEMA is in the drafting stage for this rulemaking.	Final guidance due no later than 90 days after the date on which the FEMA Administrator issues the final rulemaking. Rulemaking is required not later than 18 months after the date of enactment of this paragraph. Interim guidance due no later than 60 days following enactment.	Final guidance due July 4, 2020 Rulemaking due April 5, 2020 Interim guidance due Dec. 4, 2018

Email from FEMA Office of External Affairs staff, February 4, 2021; FEMA, "DRRA Provisions 1230-1239," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1230-1239.

In Progress DRRA Provisions				
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**	**Due Date**	**Deadline**
Section 1211(a). State Administration of Assistance for Direct Temporary Housing and Permanent Housing Construction *(Section 408(f)—Federal Assistance to Individuals and Households)*	Issue regulations to implement amendments to Stafford Act Section 408(f)—Federal Assistance to Individuals and Households—authorizing FEMA to provide grants to state, territory, or tribal governments to administer Direct Temporary Housing Assistance and Permanent Housing Construction. DRRA authorized FEMA to issue such grants under a pilot program for up to 2 years, and required the FEMA Administrator to issue final regulations not later than 2 years after the date of enactment.	FEMA announced the publication of the *State-Administered Direct Housing Grant Guide*, making "[s]tate, local, tribal and territorial governments ... eligible to receive grants in order to provide disaster housing missions to disaster survivors [for a limited period of time]" as part of a pilot program, on July 28, 2020. The pilot concluded on October 5, 2020. Under this authority, Louisiana received a grant award under a Cooperative Agreement to conduct joint direct housing recertifications with FEMA and verify resources on their state-supported rental portal. FEMA is currently assessing its regulatory priorities for 2021, one of which is to develop regulations under this authority.	Not later than 2 years after the date of enactment of this paragraph.	Oct. 5, 2020

Email from FEMA Office of External Affairs staff, January 5, 2021. See also FEMA, "FEMA Bulletin Week of July 27, 2020," https://content.govdelivery.com/accounts/USDHSFEMA/bulletins/297b876; FEMA, *2019 DRRA Report*, p. 13; FEMA, "DRRA Provisions 1210(A)-1219," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1210-1219; and FEMA, State-Administered Direct Housing Grant Guide, July 2020, https://www.fema.gov/sites/default/files/2020-07/fema_state-administered-direct-housing-grant-guide_DRRA1211_July2020.pdf. The State-Administered Direct Housing Grant Guide provided information for state, territory, and tribal governments administering or tribal governments to administer Direct Temporary Housing Assistance and/or Permanent Housing Construction under the pilot program.

DRRA Section (*Stafford Act Section*)	Requirement(s)	FEMA Implementation Action(s)	Due Date	Deadline
In Progress DRRA Provisions				
*Section 1239(b). Cost of Assistance Estimates	Issue a rulemaking to update the factors considered when evaluating a governor's request for a major disaster declaration, including how FEMA estimates the cost of major disaster assistance, and to consider other impacts on the capacity of a jurisdiction to respond to disasters in consultation with relevant state, regional, local, and tribal government stakeholders.	FEMA published a notice of proposed rulemaking to revise cost of assistance estimates on December 14, 2020, for states and territories. FEMA is to continue to use the *Tribal Declarations Pilot Guidance* to process requests by Indian tribal governments.	Initiate rulemaking not later than 2 years after DRRA's enactment.	Oct. 5, 2020
FEMA, *2019 DRRA Report*, p. 7; FEMA, "DRRA Provisions 1230-1239," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1230-1239. See FEMA, "Notice: Cost of Assistance Estimates in the Disaster Declaration Process for the Public Assistance Program," notice of proposed rulemaking, 85 Federal Register 80719, December 14, 2020, https://www.federalregister.gov/documents/2020/12/14/2020-27094/cost-of-assistance-estimates-in-the-disaster-declaration-process-for-the-public-assistance-program.				
Guidance and Other Required Actions				
Section 1228. Guidance on Inundated and Submerged Roads *(Section 430—Agency Accountability, as amended)*	Required FEMA, in coordination with the Federal Highway Administration, to issue guidance on repair, restoration, and replacement of inundated and submerged roads damaged or destroyed by a major disaster, and associated expenses incurred that are eligible for assistance under Stafford Act Section 406—Repair, Restoration, and Replacement of Damaged Facilities.	In September, 2020, FEMA released a draft of *Public Assistance Guidance on Inundated and Submerged Roads* for a 30-day comment period. Comments were accepted between September 14, 2020, and October 14, 2020. FEMA reports that "final agency review and clearance is to follow."	N/A	N/A

In Progress DRRA Provisions				
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**FEMA Implementation Action(s)**	**Due Date**	**Deadline**

FEMA, *2019 DRRA Report*, p. 21; FEMA, "DRRA Provisions 1220-1229," last accessed November 10, 2020, https://www.fema.gov/disasters/disaster-recovery-reform-act-2018/provisions-1220-1229; FEMA, "Public Assistance Guidance on Inundated and Submerged Roads," FEMA Policy FP 104-009-13, released September, 2020; and email from FEMA Office of Congressional and Legislative Affairs, January 19, 2021.

Source: Disaster Recovery Reform Act (DRRA), Division D of P.L. 115-254.

Notes: Committees of the Senate and House of Representatives are referred to herein as follows: the Committee on Homeland Security and Governmental Affairs of the Senate is referred to as "HSGAC"; the Committee on Transportation and Infrastructure of the House of Representatives is referred to as "House T&I"; and the Committee on Homeland Security of the House of Representatives is referred to as "House Homeland." N/A = not applicable; no deadline is specified in DRRA.

Unverified Status

Table 3 lists the DRRA provisions for which CRS was unable to verify the implementation status (e.g., information is not publicly available). It is organized chronologically by the implementation deadline, and includes the relevant DRRA sections; the referenced Stafford Act sections, if applicable; the due dates described in DRRA; and the implementation deadlines expressed as calendar dates.

Table 3. Unverified Status of DRRA Provision Implementation

(* indicates the DRRA provision is further described in the companion report CRS Report R46776, *The Disaster Recovery Reform Act of 2018 (DRRA): Implementation Updates for Select Provisions*)

Unverified Status of DRRA Provision Implementation			
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**Due Date**	**Deadline**
	Reporting Requirements		
Section 1245(c)(1). Review of Assistance for Damaged Underground Water Infrastructure	Report on the review of the Public Assistance grant program's assessment and eligibility process with respect to assistance provided for damaged underground water infrastructure as a result of a major disaster, including wildfires, to include the extent to which local technical memoranda identified damaged underground water infrastructure that should be eligible for Public Assistance.	Not later than 180 days after DRRA's enactment.	Apr. 3, 2019
In a hearing before House T&I, Dr. Daniel Kaniewski, FEMA Deputy Administrator for Resilience, noted a report target release date of October 2019 and stated that the briefing would be forthcoming as of the hearing date (U.S. Congress, House Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, *Disaster Preparedness: DRRA Implementation and FEMA Readiness*, 116th Cong., 1st sess., May 22, 2019, https://transportation.house.gov/committee-activity/hearings/the-subcommittee-on-economic-development-public-buildings-and-emergency-management-hearing-on_—disaster-preparedness-drra-implementation-and-fema-readiness). FEMA reported that the review and briefing required by DRRA Section 1245(b) was completed in July 2019 (FEMA, *2019 DRRA Report*, p. 24).			
*Section 1232(a). Local Impact	Report to HSGAC and House T&I on changes made to regulations and policies to give greater consideration to severe local impact or recent multiple disasters in making recommendations to the President regarding a major disaster declaration; and the number of declarations that have been declared based on the new criteria.	Not later than 1 year after the date of enactment of this section.	Oct. 5, 2019

Unverified Status of DRRA Provision Implementation			
DRRA Section *(Stafford Act Section)*	**Requirement(s)**	**Due Date**	**Deadline**
*Section 1235(d). Additional Mitigation Activities *(Section 406(e)—Repair, Restoration, and Replacement of Damaged Facilities)*	Report to Congress on the regulations and guidance issued related to defining the terms "resilient" and "resiliency" for purposes of Stafford Act Section 406(e)—Repair, Restoration, and Replacement of Damaged Facilities.	Not later than 2 years after the date of enactment of this paragraph.	Oct. 5, 2020
Rulemaking and Regulations			
Section 1245(c)(2). Review of Assistance for Damaged Underground Water Infrastructure	Initiate rulemaking, if appropriate, to address any recommendations contained in the report on the assessment and eligibility process under the Public Assistance grant program with respect to assistance provided for damaged underground water infrastructure as a result of a major disaster, including wildfires.	Not later than 180 days after the date on which the FEMA Administrator issues the report (due not later than Apr. 3, 2019).	Sept. 30, 2019

Source: Disaster Recovery Reform Act (DRRA), Division D of P.L. 115-254.

Notes: Committees of the Senate and House of Representatives are referred to herein as follows: the Committee on Homeland Security and Governmental Affairs of the Senate is referred to as "HSGAC"; the Committee on Transportation and Infrastructure of the House of Representatives is referred to as "House T&I"; and the Committee on Homeland Security of the House of Representatives is referred to as "House Homeland."

Concluding Observations

As of December 7, 2020, FEMA reported that it has implemented 46 of DRRA's 56 discrete provisions assigned to the agency. Some of these remaining provisions have been implemented in part, and others are in progress. Congress may continue overseeing the implementation of DRRA's provisions through hearings or other inquiries. Congress may also review the effectiveness and impacts of FEMA's DRRA-related regulations and policy guidance to ensure the post-DRRA changes to disaster assistance programs and policies fulfill congressional intent.

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