



FEMA

1) Executive Summary

Federal Emergency Management Agency (FEMA)
February 23, 2022

FEMA serves the American public by helping people before, during, and after disasters, through its core values of respect, integrity, compassion, and fairness in its interactions with disaster survivors, colleagues, recipients, and partners.

FEMA can enhance equity by executing a methodical, multilayered, and systematic approach to analyzing intended and actual accessibility to and impacts for underserved and marginalized communities. Starting from the highest level of leadership, FEMA is integrating equity into its strategic plan, goals and priorities, programs and activities, and foundational documents and processes. These actions will help to achieve the following impacts:

- Underserved communities can access and leverage FEMA resources in ways that meet their needs.
- Underserved communities are routinely consulted in FEMA decisions about policy and program implementation.
- FEMA and our partners have the training and tools required to advance equity in their programs.
- FEMA directs resources to eliminating disparities in outcomes.
- FEMA programs routinely evaluate and address disparities in outcomes.

FEMA conducted an initial equity analysis of multiple programs across the agency, each of which has different capacity to conduct a thorough equity assessment and implement actions to address identified barriers. The following pages summarize the barriers discovered so far for each program and potential actions that could be taken to address them.

2) Summary of Early Accomplishments

In April 2021, FEMA established an Equity Enterprise Steering Group (ESG) with two objectives:

- (1) Create a FEMA-wide definition of equity and framework for implementing equity into agency programs, in line with FEMA's core values: compassion, fairness, integrity, and respect; and
- (2) Review and recommend revisions to FEMA-wide policies, procedures, plans and guidance, in collaboration with FEMA's Enterprise Governance Boards, as appropriate, to ensure the integration of equity considerations to drive equitable outcomes.

The Equity ESG has announced FEMA's definition of equity: Equity is "the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities of color, persons who belong to communities that may face discrimination based on sex, sexual orientation, and gender identity (including members of the LGBTQ+ community); persons with disabilities, persons who may face discrimination based on their religion, national origin and persons with Limited English Proficiency, and persons who live in rural areas that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life." The Equity ESG also created an equity principle: *Ensuring all people are helped before, during and after disasters*, based on their specific needs. The Equity ESG is now working on its second objective of policy review, to include a data analytics subgroup, and a strategic plan subgroup.

FEMA's Office of Equal Rights (OER) and Privacy Office are also developing a System of Records Notice (SORN) that will allow the agency to collect demographic data of applicants for FEMA assistance, recipients, and subrecipients who apply for financial assistance and grants, and organizations that do business with FEMA, grants. The SORN will allow FEMA to collect and analyze demographic data based on the protected characteristics of the Stafford Act (race, color, religion, national origin, sex, age, disability, English proficiency, and economic status). The enhanced data collection will allow FEMA to accurately identify and increase targeted resources to the underserved and marginalized communities that policies and funding are intended to benefit. The Stafford Act and other civil rights authorities applicable to FEMA give FEMA the ability to advance civil rights, equity, and data collection efforts to ensure equal access to and equitable impacts of FEMA and recipient programs and activities and better serve underserved and marginalized communities. The ability to collect demographic data of populations served by FEMA is imperative to achieving the intent and spirit of civil rights laws.

To accomplish this FEMA is actively building a robust external civil rights program by recruiting and hiring experienced civil rights subject matter experts in the OER and developing programs to enforce and ensure compliance with civil rights laws and authorities. The OER ensures that FEMA programs are conducted, and FEMA funding is administered in a non-discriminatory manner. Also, OER processes complaints under the authorities of the Stafford Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and other applicable civil rights laws. The OER is currently reviewing and revising the FEMA

Language Access Plan, collaborating with the Office of External Affairs (OEA) on developing an agency-wide Community Engagement Plan, to include enhancement of and best practices for stakeholder outreach. The OER also provides technical assistance to FEMA program offices to help ensure that recipients of FEMA funding comply with civil rights and are working towards achieving equity among targeted populations. Additionally, FEMA is building the institutional and staff capacity to integrate equity into policy and program delivery activities by enhancing awareness, understanding and appreciation of the principles of civil rights compliance. Further, FEMA will develop and implement an annual equity and civil rights assessment agenda, building on the steps taken in developing the Equity Action Plan.

On April 22, 2021, FEMA issued a Request for Information (RFI) to seek input from the public on FEMA programs, regulations, collections of information, and policies for the agency to consider modifying, streamlining, expanding, or repealing considering the recent Executive actions. The RFI is intended to help FEMA ensure that its programs, regulations, and policies contain necessary, properly tailored, and up-to-date requirements that effectively achieve FEMA's mission in a manner that furthers the goals of advancing equity for all and bolstering resilience from the impacts of climate change. The RFI closed on July 21, 2021, and FEMA continues reviewing and responding to the 345 comments received. FEMA also continues robust engagement with its National Advisory Council to request and receive feedback from the emergency management community at large.

FEMA also regularly engages with the National Voluntary Organizations Active in Disaster (National VOAD). In addition, FEMA conducted its second Civil Rights Summit on November 17, 2021, to inform and engage with members of the public regarding how FEMA can identify actual and perceived biases impacting equal access to and equitable distribution of FEMA's programs and services. The Civil Rights Summit also assisted FEMA in learning how to better meet the needs of underserved and marginalized communities before, during, and after disasters. Finally, as part of both normal operations and the equity assessments, FEMA programs are reviewing a number of activities to enhance external engagement, including community surveys, focus groups, mailers, and door-to-door canvassing.

On January 13, 2022, in alignment with its 2022-2026 Strategic Plan, FEMA introduced "Equity Day." Equity Day brought the entire FEMA workforce together to understand what equity means for the Agency and how FEMA will advance equity through the 2022- 2026 FEMA Strategic Plan. Leaders from across FEMA engaged in discussions around the Agency's ongoing and upcoming efforts to integrate equity into the workforce, practices, and communication. The workforce heard directly from FEMA leadership about their commitment to achieving the objectives outlined in the Strategic Plan to cultivate a more diverse FEMA workforce, remove barriers to FEMA programs, and achieve equitable outcomes for all those served by the agency.

3) Equity action plan

Action 1: Procurement: Continuing to Ensure Inclusiveness

Barriers to Equitable Outcome(s)

- The Office of the Chief Component Procurement Officer (OCCPO) is bound by the

rules and regulations codified within the federal acquisition statutes and regulations, as well as agency supplementals. As such, the outreach conducted by FEMA is done in accordance with those statutes and regulations, as well as based on the experience of FEMA staff, and consistent with the Small Business Act, which expresses very clearly the concerns eligible for participation in set asides procured by the government for socially disadvantaged small businesses which are generally members of underserved communities. As the Federal Acquisition Regulation (FAR) is the governing statute for federal procurement, any reforms to procurement policy would need to be approved through the Office of Federal Procurement Policy (OFPP), OCCPO is unable to make any changes to any of the Small Business programs as currently structured.

Actions and Intended Impact on Barriers

- OCCPO has processes in place intended to improve outcomes for the public that are conducted in compliance with the FAR, which provides the procurement framework for executive agencies. The Small Business Program directs OCCPO to set aside certain procurements for participation by small business concerns, including women-owned and minority businesses (WOSB), in accordance with provisions of the Small Business Act.
- OCCPO ensures the awarding of contracts to small businesses to the maximum extent possible, while also:
 - Promoting the participation of all small businesses in FEMA contracts;
 - Developing information to ensure small businesses compete for and receive a fair share of the Department's expenditures; and
 - Participating and hosting Vendor Outreach Sessions (VOS) to educate vendors on how to effectively market their products and services to FEMA.
- OCCPO's Small Business Specialist works closely with the operating divisions to ensure small businesses and other businesses represented in the Small Business Program and provided maximum opportunities to compete for federal contracting dollars.
- OCCPO's Industry Liaison Program (ILP) works diligently with its internal and external stakeholders to ensure we provide procurement opportunities for members of underserved communities to access procurement opportunities to the maximum extent practical by providing outreach, training, and other resources on how to do business with the federal government, before, during and after disasters.
- Contracting Officers, upon arrival at Joint Field Offices (JFOs), will coordinate with the local Small Business Administration office to obtain vendor information on 8(a) firms, as well as other businesses eligible for direct award to increase minority business outreach and maximize small business goals.
- For procurement requirements that are complex and appropriately designated for a large business, OCCPO works with the program office to break down the complexity to allow small business awards whenever possible.
- Regarding outreach, while OCCPO conducts numerous outreach and awareness events in regions, states, cities specific to socio-economic categories, there are opportunities to increase public engagement, such as:
 - Publish upcoming OCCPO outreach events and activities on SAM.gov website;

- Review and track progress against the items in the Industry Engagement Plan;
- Collaborate with DHS and other components to share best practices and lessons learned to maximize the value in outreach events and information share;
- Engage more organizations which focus solely on minority and underserved communities such as Minority Business Development Agency (MBDA); and
- Collect participating registrants Small Disadvantaged Business (SDB) and economic identifiers up front for events that we facilitate.
- OCCPO will continue to build on the outreach growth last year by host a minimum of 12 industry and community engagement events during the calendar year, including webinars in all 10 FEMA regions prior to the start of hurricane season which begins on June 1. These outreach programs include Procurement Technical Assistance Centers (PTACs) and Minority Business Development Councils nationwide to maximize outreach.
- OCCPO is planning a series of FEMA talks, short informative videos for the vendor community designed to maximize outreach and increase access to FEMA programs, to be released during Fiscal Year (FY) 2022.
- OCCPO ILP has a goal that requires the program to reach out to the minority business councils in every region and territory under FEMA’s purview to host how to do business with FEMA events for those underserved communities prior to the start of the hurricane season.
- OCCPO ILP reaches out to minority business councils located in the potential hurricane impact zone and provide contracting information prior to hurricanes making landfall such as: the most highly used services and supplies during disaster response and recovery; a list of the FEMA Advance Contracts which are executed immediately before or after a disaster to help stabilize the impact zone allowing small businesses to contact those companies and establish teaming arrangements or subcontracting agreements; and, opportunities for those small businesses representing the underserved communities to request a direct sit down with FEMA OCCPO.

Tracking Progress

- OCCPO’s data on contract awards, including small business awards and local business awards, are readily available through OCCPOs contract reporting system, as well as the Federal Procurement Data System, the reporting system Congress uses to track awards.
- DHS provides monthly reporting progress on meeting small business goals.
- OCCPO tracks the number of outreach events by category and the total number of participants for:
 - large scale events like the regional industry days which include Minority Businesses;
 - targeted events include outreach pre and post hurricane landfall to engage minority and small businesses in the impacted area; and
 - industry outreach as part of market research.

- Mission Support has established a Business Excellence dashboard that tracks the Procurement Acquisition Lead Time and Industry Engagements.

Accountability

- OCCPO’s Head of the Contracting Activity (HCA) and Deputy HCA meet regularly with the Chairman of the House of Representatives Committee on Homeland Security. The Chairman consistently asks for updates on OCCPO’s minority engagement.
- The HCA has established goals for ILP to have a minimum of 12 industry engagements annually.
- FAR requires market research efforts to reflect consideration for the required sources of supply, such as people who are blind or severely disabled and underserved programs.
- OCCPO’s contract documentation ensures that all contractors are registered, certified, and responsible to do business with the government.
- The OCCPO strives to meet its Historically Underutilized Business Zones (HUBZone) goal, one of the goals required for the agency to meet its overall small business goals, and one that challenges the agency regularly. The HUBZone goal is designed to help small businesses in urban and rural communities gain preferential access to federal procurement opportunities. Awards to HUBZone increase employment opportunities, investment, and economic development in affected areas.
- The OCCPO Small Business Specialist participates in Integrated Procurement Team (IPT) kick-off meetings and advocates for the use of small businesses.
- The OCCPO Small Business Specialist reviews and approves all Acquisition Planning forecast System (APFS) submissions ensuring market research includes capabilities for small businesses.
- The DHS Chief Procurement Officer has an established review process, the Procurement Strategy Roadmap, which requires an assessment of the acquisition approach that provides rationale regarding the determination made to not set aside requirements at \$10 million dollars and above.
- Mission Support has established a Business Excellence dashboard that tracks the Procurement Acquisition Lead Time, small business goals accomplishment, and Industry Engagements. Performance metrics have been established and are incorporated in the HCA and DHCA’s performance plans.

Action 2: Equity as a Foundation for Public Assistance

Barriers to Equitable Outcome(s)

As stated in the January 21, 2021, Executive Order 13995, COVID-19 has had a disproportionate impact on communities of color and other underserved populations, including members of the LGBTQ+ community, persons with disabilities and Limited English Proficiency, and those living at the margins of our economy. Due to underlying health conditions and inadequate access to testing and treatment, these communities suffer from higher rates of COVID-19 cases, hospitalizations, and death. Thus, impacts of COVID-19 on historically underserved and

marginalized communities have been particularly devastating. To combat this inequity, FEMA's Public Assistance (PA) Program recognizes the important role it plays in coordinating pandemic response and recovery that prioritizes the needs of high risk, under-resourced communities. As such, FEMA's PA Program chose to assess equity in this area and specifically assess request whether the additional requirements laid out in FEMA Policy #104-21-0004 Coronavirus (COVID-19) Pandemic: Medical Care Eligible for Public Assistance (Interim, Version 2, March 2021) led to more equitable use of assistance, should be expanded and in the future required of other, non-vaccination, program activities.

New policies, regulations, guidance documents, communications materials, and an improved website are necessary to advance equity and improve the accessibility of PA programs. As FEMA continues to strive to advance equity, the PA Program will provide guidance for Recipients and Subrecipients to identify and support traditionally underserved or marginalized communities.

Actions and Intended Impact on Barriers

- FEMA has worked to magnify the impact of its existing review and technical assistance capacity through the creation and distribution of webinars, job aids, and other guidance documents for Recipients and Subrecipients to ensure response and recovery efforts are conducted in an equitable manner. Additional capacity will enable FEMA to provide more meaningful feedback and more actionable technical assistance to all Applicants to better ensure their disaster recovery funding reaches historically underserved communities.
- Moving forward, FEMA will work to clarify the Recipient's legal responsibility and to structure a more comprehensive reporting process so that Recipients and Subrecipients clearly understand their obligations to develop and report on their strategies for equitable response and recovery.
- FEMA is redeveloping the way it collects, documents, and processes information from applicants to be less burdensome, more effective, and to enhance equitable distribution of PA. FEMA is restructuring and updating the guidance for how the Agency assigns PA Program Delivery Managers to ensure better technical assistance for historically underserved and vulnerable Applicants.
- FEMA is assessing other areas of the PA program that could be contributing to inequitable outcomes. In 2022, equity efforts will include consideration of outcome indicators.
- FEMA is reviewing the outcomes of reports and the timeliness of reviews to determine whether additional reporting requirements will be added beyond vaccination work, and whether additional FEMA resources are needed to complete reviews.
- The vaccine mission is one of the most important life-saving efforts in our nation right now. FEMA has prioritized these actions to have the most immediate, effective, and enduring impact on improving equitable provisions of vaccines to Americans. FEMA Applicants are now prioritizing resources to ensure an equitable pandemic response and are demonstrating how equity was considered as a part of the vaccine administration strategy. The reporting requirements for Applicants on equitable vaccine administration are an opportunity to consider

equity in other response and recovery activities.

Tracking Progress

FEMA will measure the impact of the actions taken to reduce these barriers by considering the timeframe necessary for review of reports and an increase the percentage of reports that are reviewed and returned as “acceptable” outcomes. The FEMA Policy 104-21-0004, Coronavirus (COVID-19) Pandemic: Medical Care Eligible for Public Assistance (Interim, Version 2, March 2021) is only applicable to activities related to COVID-19 response and recovery. Therefore, Recipient and Subrecipient reporting on equitable vaccination efforts will end with the conclusion of the vaccination mission. However, the actions FEMA is considering, such as increased capacity, additional reporting clarifications, redeveloped information collection processes, updated technical assistance processes, and increasing the scope of reporting beyond vaccination requirements, will help FEMA to further reduce barriers to equitable access. Long-term success in this effort will mean that equity is considered as part of the entire PA lifecycle, including the provision of technical assistance at the outset of disaster recovery, the enhancement of data-gathering processes and responses, the prioritization of resources to build back better, and the ongoing monitoring and evaluation of response and recovery work.

Accountability

FEMA’s PA Program is communicating frequently with stakeholders and will continue to do so through updated guidance, additional webinars, targeted feedback, and ad hoc sessions, as necessary. FEMA is also updating the forms, processes, and online Grants Portal system that the Agency uses to support Applicants to include considerations for traditionally underserved or marginalized communities. FEMA PA is embedding equitable response and recovery principles into its strategic plan. FEMA recognizes the importance of building on this work and expanding the consideration of equity into other parts of PA program implementation. To that end, the consideration of equity was incorporated into FEMA’s PA Division’s 2022 senior executive and leadership performance plans. Specific provisions include developing and implementing policy, doctrine, information sharing, and risk management mechanisms and controls to facilitate equitable outcomes for disaster survivors. As of January 12, 2022, FEMA is supporting over nine hundred Applicant with COVID-19 vaccination projects. FEMA has obligated over \$6.5 Billion for projects that include vaccination activities in fifty-four states, tribes, and territories (also known as Recipients or Subrecipients). In addition to distributing job aids and other guidance documents, FEMA PA has required Recipients and Subrecipients to document that pandemic response and recovery efforts are conducted in an equitable manner and report on the consideration of equity in vaccine administration to FEMA every 30 days. FEMA established an email inbox for questions related to the equitable response and recovery reporting process and has conducted multiple webinars in English and Spanish to inform Recipients and Subrecipients of the requirements and key reporting guidance for equitable COVID-19 response and recovery.

Action 3: People First: Achieving Equitable Outcomes for Disaster Survivors

Barriers Equitable Outcome(s)

IA knows that disasters have a disproportionate impact on lower income persons, families, and communities that are historically under-resourced, underserved, and underrepresented. IA also

acknowledges that these underserved and marginalized communities are disproportionately people and communities of color. Due to IA's commitment to excellence in public service and dedication to creating equitable long-term disaster recovery outcomes, IA must build more equitable outcomes, reduce administrative burdens, increase eligibility for underserved and vulnerable applicants, increase access, and improve external messaging.

Actions and Intended Impact of Barriers

Improving External Messaging

- FEMA has various methods of communicating with individuals who apply for disaster assistance and needs to ensure assistance is being communicated in a manner that resonates with the population we are serving. Therefore, the Individual Assistance (IA) Program will coordinate closely with the Office of External Affairs (OEA) to improve and target messaging across all aspects of Individual and Household Program (IHP) program delivery to ensure applicants have the information necessary in the method that is most helpful to them to assist them with navigating the disaster assistance process.
- FEMA's IA Program is performing a comprehensive review of the correspondence provided to individuals who apply for disaster assistance. This review is focused on ensuring the correspondence is easy to read, decipher decisions made, and navigate next steps.
- Work through Recovery Support Function Leadership Group (RSFLG) and the White House on recovery and equity to encourage action from other federal agencies.
- The IA Program will ensure that individuals, including vulnerable populations, are not experiencing administrative burden such as receiving unnecessary ineligible letters premature to final eligibility decision.
- Address any language barriers that could present administrative burden to individuals with Limited English Proficiency.

Expand methods of ownership and occupancy verification for homeowners and renters to increase the potential eligibility for assistance from FEMA to include:

- Re-evaluating automated third-party data matching verification for identity, occupancy, and ownership verification decisions.
- Utilizing past disaster data from FEMA's system of record within the past two years to verify occupancy and past disaster data from any previous disaster to verify ownership.
- Issuing inspections for all IHP referrals and authorizing on-site FEMA inspectors to view and approve occupancy and ownership verification documentation.
- Expanding forms of documentation to prove ownership and occupancy.
- Allow self-certification of occupancy and ownership for Mobile Homes / Travel Trailers as a last resort.
- Allow self-certification of ownership for heirship properties as a last resort.
- Expanding the timeframe requirements for documents to be dated prior to the incident start date for occupancy and ownership verification. Most occupancy and ownership verification documents can now be "dated within one year prior to the disaster or within the 18-month period of assistance."
- Performing initiative-taking casework and outreach to applicants who continue to fail ownership and occupancy.

Expand financial assistance funding for applicants to include:

- Providing a limited amount of financial assistance under Other Needs Assistance (ONA) for renters and homeowners with disaster-caused real property damage that did not render the home uninhabitable.
- Increasing the ONA-Small Business Administration (SBA) Failed Income Test (FIT) threshold to allow more lower income applicants to receive ONA grants without first requiring SBA loan denial.
- Aiding survivors who incurred a disaster-related disability and now require special components (such as ramps or grab bars) to make their home safe and functional for them, regardless of whether those components were in the survivor's home before the disaster.
- Providing financial assistance to clean or repair real-property components impacted by disaster-caused mold growth.
- Explore additional services offered by Disaster Legal Services to improve alignment with survivor needs.

Enhancing Access

- Prioritize outreach and case processing for historically underserved and vulnerable populations to include Limited English Proficiency and access and functional needs to improve eligibility and verification outcomes.
- Focus deploying Disaster Survivor Assistance teams and opening Disaster Recovery Centers in underserved areas to help applicants register for assistance and provide necessary documentation to FEMA for eligibility.
- Outline a strategy for the OER Cadre and Interagency Recovery Coordination to assist with outreach to vulnerable populations and communities during disaster operations.

Tracking Progress

FEMA's IA Program has established reporting mechanisms to track completion and full implementation of actions. The IA Program also intends to continue to work with the Recovery Reporting and Analytics Division to apply data-informed strategies to ensure objective assessment of equity outcomes based on these actions. These actions will be measured for each disaster to inform whether additional applicants were made eligible by FEMA's proactive outreach and approach and expanded documentation for occupancy and ownership and whether additional assistance is provided based on the increased housing and other needs assistance available. This analysis will also inform any additional actions necessary to create equitable long-term disaster recovery outcomes focused on reducing administrative burdens and increasing eligibility for underserved, vulnerable applicants, increase access to FEMA programs, and improve external messaging. Identified metrics include:

- Percentage occupancy verification through new documentation process.
- Percentage ownership verification through new documentation process.
- Additional applicants and dollars assisted through clean and sanitize assistance.
- Additional applicants and dollars assisted through mold remediation assistance.
- Percentage ownership verified through inspector in-person visits.
- Percentage occupancy verified through inspector in-person visits.

Accountability

FEMA’s Individual Assistance Program is communicating updates via FEMA.gov topogram guidance and policy as implemented and will continue to do so with any additional updates that occur. FEMA Individual Assistance also received additional feedback through the RFI and is incorporating updates based on this feedback into upcoming policy updates for the Individual Assistance Program and Policy Guide set to be released in 2023. In alignment with Executive Order 13985, “Advancing Racial Equity and Support for Underserved Communities through the Federal Government,” FEMA published a RFI to seek input from the public on FEMA programs, regulations, and policies. Through this process, IA responded to 77 unique comments submitted via the Agency’s RFI related to equity and the IHP and already included some of the input from the comments via the FEMA Policy 104-009-03, Individual Assistance Program and Policy Guide (IAPPG) (Version 1.1, May 2021) and intends to include future updates to policy and regulations based on the comments received.

As part of the correspondence review, FEMA will be facilitating focus groups with FEMA disaster assistance applicants to gather feedback and recommendations to inform additional changes necessary as part of this effort.

The IA Division Director is accountable for ensuring these actions are completed and outcomes related to equity will be included in annual performance management planning. Recovery Directorate leadership will provide oversight for these actions and will spur integration and collaboration across Recovery for full implementation of these actions.

Action 4: Building Resilience

FEMA Nonprofit Security Grant Program

Barriers to Equitable Outcome(s)

The Nonprofit Security Grant Program (NSGP) provides for physical security enhancements and other security-related activities for non-profit organizations that are at elevated risk of a terrorist attack based on their ideology, beliefs, and/or mission. NSGP also seeks to integrate the preparedness activities of nonprofit organizations with broader state and local preparedness efforts. FEMA is reviewing NSGP’s current structure to identify and reduce or remove barriers to participation from organizations in or serving underserved communities and to promote equitable processes and outcomes to program participants.

Actions and Intended Impact on Barriers

- FEMA will identify opportunities to diversify the populations of applicants. As a result, the program will more effectively address the security needs of underserved and marginalized communities.
- FEMA will address barriers to NSGP program participation, including application, eligibility, and qualification requirements, where allowed by statute, and will review intended versus actual outputs and outcomes.
- FEMA will conduct a thorough review of the evaluation criteria used at both the state and federal levels to identify criteria that could be added or deleted to achieve more equitable outcomes during the application review process.
- In addition, FEMA will conduct a comparative analysis of intended versus actual

NSGP outcomes to better understand where grant outcomes meet or fail to meet program objectives.

- FEMA will meet with current NSGP grant recipients and subrecipients, as well as relevant community, civil rights, and faith-based organizations, to solicit comments regarding the application and award processes, discuss barriers to participation, and identify additional concerns and recommendations to enhance NSGP.
- FEMA will review other FEMA-managed grant programs for best practices on advancing equity goals. This review will include an assessment of evaluation criteria and data that may assist the agency in identifying underserved and marginalized communities.
- FEMA will review the processes used by various State Administrative Agencies (SAAs) to communicate NSGP program availability and requirements to the nonprofit community, the application review processes conducted at the state level, and any resultant barriers to participation.

Tracking Progress

To better identify barriers to NSGP participation, FEMA will conduct a Geographic Information System (GIS) analysis to identify where project requests initiate, and which localities are not represented. Further, an analysis of relevant Census tract data will be conducted. NSGP will also conduct an evaluation of why NSGP project requests, investment justifications, and applications have not been forwarded to FEMA by an SAA or whether technological or other barriers prevent or discourage organizations from participating. This GIS evaluation could reveal whether specific communities or geographic locations are under-represented in the NSGP program. This evaluation also will inform deliberate outreach efforts targeting underserved or marginalized communities to encourage and facilitate program participation.

Accountability

While FEMA has identified actionable steps to reduce barriers to NSGP for underserved communities, a detailed plan will be created to ensure staff can conduct all equity maximizing actions. FEMA announced the Fiscal Year (FY) 2021 NSGP awards in July 2021 and has issued those awards to the SAAs, who will pass the funding through to the non-profit organizations approved by the Secretary of Homeland Security. As part of the FY2022 process and moving forward, FEMA is working with the DHS Office of the Secretary and the Office for Civil Rights and Civil Liberties (CRCL) to consider how to increase the amount of funding provided to underserved communities, identify and remove barriers to participation, and improve the program's accessibility to all communities. These efforts are informing changes to the program that will be reflected in future Notices of Funding Opportunities (NOFOs). Jointly, FEMA and CRCL conducted a review of applications submitted from underserved communities to determine their funding potential.

FEMA Hazard Mitigation Assistance (HMA) Program

Barriers to Equitable Outcome(s)

FEMA HMA Programs provide funding before, during, and after disasters and fund risk Reduction projects to state, local, tribal, and territorial (SLTT) governments, which provide a tremendous opportunity to address mitigation and resilience needs. By law, some HMA

programs, such as the Hazard Mitigation Grant Program (HMGP), allow the state/tribe/territory the discretion to determine how they will fund mitigation projects aligned with priorities identified by FEMA- approved Hazard Mitigation Plans. Other HMA grant programs, Building Resilient Infrastructure and Communities (BRIC) and Flood Mitigation Assistance (FMA), are competitive, and FEMA establishes criteria for the selection and funding of mitigation projects. Federal law requires a non-federal cost share that the President has no authority to waive, which is typically 25%. This requirement can be a barrier to underserved and under-resourced communities applying for hazard mitigation grants.

With the increasing severity and frequency of disasters and their disproportionate impact on underserved communities, it is essential to identify mitigation opportunities to help build SLTT capability and capacity to address the impacts of climate change. Specifically, many unreserved communities are unable to undertake mitigation planning – a requirement for HMA grant funding and project development/management to make mitigation investments due to lack of capability.

FEMA understands the barrier to undertake mitigation planning to be two-fold: 1) underserved communities may lack sufficient capacity to complete a Hazard Mitigation Plan, as evidenced by feedback received from FEMA's Request for Information on Climate and Equity and 2) FEMA's planning policies for state, local and tribal hazard mitigation plans, which outline the criteria for FEMA approval, have never required that equity be considered.

National Oceanic and Atmospheric Administration's (NOAA) recently published report continues to reiterate that there is an increase in large- scale disasters resulting in over one billion dollars of damage. These damages largely take place in underserved communities. FEMA recognizes the value in addressing any barriers to supporting underserved communities in resilient rebuilding.

Intended Impact on Barriers

The Administration's Justice40 Initiative is an opportunity to help address these challenges. The Justice40 Initiative sets a goal that 40 percent of the overall benefits of investments flow to underserved communities. HMA's BRIC and FMA programs are participating as pilot program as part of the Justice40 Initiative.

FEMA views this EO equity assessment, together with the Administration's Justice40 Initiative, as a major opportunity to deliberately and comprehensively assess our programs and advance our efforts to direct program benefits to underserved communities. The Justice40 Initiative sets a goal that 40 percent of the overall benefits of investments flow to underserved communities. HMA's BRIC and FMA programs are participating as pilot programs as part of the Justice40 Initiative. As pilot programs, the programs developed a robust and intentional outreach plan to try and reach more disadvantaged communities to increase access to our programs as well as an implementation plan for how to increase program benefits to these communities. Identifying where our funding is going through comprehensive data analysis (e.g., who is benefitting) starting with our Justice40 programs, and prioritizing outreach and technical assistance to underserved communities are two of HMA's biggest priorities for this coming year. FEMA is committed to data transparency and will continue to make data on funding available through OpenFEMA on www.fema.gov. In addition to equitably funding mitigation projects, HMA is

working to increase SLTT capability and capacity through the following actions.

Data:

- Measure equitable outcomes, in alignment with Justice40.
- Coordinate with other federal agencies such as the EPA and HUD, as well as across FEMA programs (e.g., Public Assistance, Hazard Mitigation Planning) to use data to identify mitigation activities that have broader and more far-reaching impacts.

Program Design:

- Collaborate with FEMA’s Hazard Mitigation Planning Program to ensure plans focus on advancing equity and incorporate climate change considerations to better align plans with mitigation project scoping in the future.
- Conduct best practice research and gather feedback from stakeholders to improve the equitable outcomes of HMA programs.
- Use an equity lens to amend evaluation criteria for Building Resilient Infrastructure and Communities (BRIC) and Flood Mitigation Assistance (FMA) in future Notices of Funding Opportunities (NOFOs).
- Implement a pilot for the Hazard Mitigation Grant Program, during implementation of funding recently authorized for COVID-19 declarations, to test how partnerships with private nonprofits, non-governmental organizations (NGO) and philanthropic organizations can provide the non-federal match and ease the financial burden on underserved communities.
- Advance the FMA initiative, including funding received under the Bipartisan Infrastructure Law, that will provide a 90 percent cost share for certain properties.

Outreach and Engagement:

- Develop more accessible and targeted outreach methods to reach underserved communities that may not have access to digital resources so that communities can more accurately develop and submit projects to reduce risk.
- Conduct outreach and engagement with underserved communities and leverage partnerships with organizations to understand specific needs and concerns and increase access to and awareness of mitigation planning and grant opportunities.
- Connect funders and practitioners to leverage program opportunities like the BRIC non-financial Direct Technical Assistance (DTA) to improve the overall capability of communities that need the assistance.
- Host the 2022 Hazard Mitigation Partners Virtual Workshop with the theme of *Building Whole Community Resilience: Partnerships, Capability, and Capacity*, providing a platform to engage with a large number of our mitigation partners on topics such as future conditions and climate change adaptation, nature-based solutions, equity in hazard mitigation planning and projects, building codes and standards, and capacity and capability building.

Tracking Progress

- Multi-pronged assessment approach - 1) use data analysis to set program metrics

and determine baseline; 2) explore contextual and procedural inequities impacting application through research; 3) evaluate existing approaches, such as DTA; and 4) conduct external engagements to better understand the needs of underserved communities.

- Identify and prioritize hazard mitigation projects in underserved communities and increase investment to these communities who are more vulnerable to disasters.
- Identify equity indicators that could be tracked over time and use the identified indicators to provide a current baseline to describe the equity landscape. The methods used to do this will include interviewing data informants; researching peer jurisdictions and practitioners; gathering and analyzing data; and vetting the determinant indicators and data within their HMA programs.

Accountability

FEMA will modify its program to reach a broader cross-section of communities. Prior stakeholder engagement and the examination of the BRIC DTA efforts will guide further exploration of the challenges communities face when applying for, administering, and implementing HMA's programs. FEMA will continue to seek input from both internal and external stakeholders to evaluate the outcomes of the actions outlined in the Equity Action Plan. Through iterative feedback gathering, FEMA will pursue course corrections and program improvements to ensure the equitable distribution of HMA funds.

FEMA will strive toward its target for equitable outcomes:

- Access equity – increase the number of successful applicants benefitting underserved communities; streamline program requirements that meet more communities where they are in terms of capability and capacity; additional outreach and engagement efforts to reach underserved communities; assistance centered on stakeholder needs (e.g., grants management capacity; multi-modal/multi-medium materials). FEMA is considering opportunities to promote or provide full-life cycle resources that could help a community from activity development through activity implementation.
- Distributional equity – as part of the Justice40 initiative, the BRIC and FMA programs will work toward a goal of 40% of the benefits being directed to disadvantaged communities (as defined in the Justice40 Interim Guidance); through HMA technical assistance or financial assistance, improved community capacity to develop and implement successful mitigation activities.
- Partnerships – improved coordination across agencies and more robust partnerships with non-emergency management organizations that support underserved communities to drive equitable outcomes.

FEMA National Flood Insurance Program (NFIP)

Barriers to Equitable Outcome(s)

Several million low incomes households live in high flood risk special flood hazard areas (SFHA). Through previous research, the NFIP has determined that roughly 26% of current policyholders in the SFHA meet HUD low-income definitions and 51% of non-policyholders in the SFHA meet HUD low-income definitions. Outside the SFHA, roughly 21% of current policyholders meet HUD low-income definitions, and 41% of non-policyholders meet HUD low-income definitions.

Flood insurance is statutorily required to be rated based on risk—its price is not based on a policyholder’s ability to pay. This leaves an insurance gap for some households: those who cannot afford flood insurance and are at risk of flooding. These households will not have the resources available to them after a flood to rebuild and replace damaged property and possessions. The NFIP can close the insurance gap and increase financial resilience for flood-prone, low-income households by developing a flood insurance affordability program.

Actions and Intended Impact on Barriers

- The NFIP spent five years in evidence-based policymaking to develop its proposed affordability program. The NFIP engaged the broader policy community, including academia and other government agencies, to develop an affordability framework. The NFIP has reviewed the affordability framework, academic research, and previous legislative attempts to solve the challenge of flood insurance affordability.
- If the NFIP’s legislative proposal is passed, the NFIP will conduct a marketing and outreach effort to reach underserved populations.
- The NFIP will also analyze publicly available datasets to develop additional statistically validated data points related to the NFIP’s current policy base and potential policyholders.
- The NFIP will increase stakeholder engagement to strengthen the NFIP external advocacy by reaching out to private sector insurance companies and other relevant organizations.
- The NFIP will address flood insurance affordability challenges by:
 - Leveraging planned work by the Office of the Flood Insurance Advocate in underserved communities.
 - Providing legislative language to the Office of Management and Budget (OMB) and technical drafting assistance to congressional offices pertaining to building a flood insurance affordability program.
 - Continuing to publicly promote the challenge of flood insurance affordability.
 - Working with the Individual Assistance program to identify previous disaster assistance recipients who may qualify for affordability assistance.

Tracking Progress

While the NFIP does not currently collect any demographic data related to flood insurance policyholders, the NFIP will begin collection of needed data. In the past, the NFIP coordinated with the Census Bureau to produce the Flood Insurance Affordability Framework, where the NFIP matched Census micro data with flood insurance policy data to develop analyses and aggregate statistics. If the NFIP’s flood insurance affordability legislative proposal is enacted into law, the NFIP will collect income information from policyholders and potential policyholders to implement the program. Success will be measured as the insurance gap is decreased. In the long term, the NFIP will use outcome-based metrics to demonstrate progress include decisions made that address cumulative impacts on quantifiable flood resiliency and underserved communities.

Accountability

Because flood insurance is statutorily required to be rated based on risk, the NFIP can do little to meaningfully close the insurance gap and increase financial resilience for low-income flood disaster survivors without a flood insurance affordability program. In the meantime, the NFIP can conduct marketing and outreach to inform underserved populations about their flood risk, but low-income households will still face a barrier to entry in the program because they cannot afford the flood insurance.