



FEMA

Fact Sheet

Tribal Consultation on the Disaster Recovery Reform Act of 2018

On October 5, 2018, the President signed the Disaster Recovery Reform Act (DRRA) into law. DRRA reforms acknowledge the expectation of a shared, whole community responsibility for disaster response and recovery, while readying the nation for catastrophic disasters. To fully implement the DRRA, FEMA must issue numerous policy or regulation changes to existing emergency management statutes. Tribes may provide input on any of the DRRA provisions, but FEMA will be conducting outreach and consultation on the following specific provisions:

- **Section 1211 State Administered Housing:** Authorizes FEMA to provide grants, following a Major Disaster Declaration for Individual Assistance, to certain governments to directly administer temporary housing and permanent housing construction programs and allows governments that implement cost-effective housing solutions to be reimbursed under certain conditions.
- **Section 1221 Closeout Incentives:** Authorizes FEMA to develop incentives and penalties for applicants to ensure timely closeout of disaster grant programs.
- **Section 1233 Mitigation Grants for Earthquakes Areas:** Authorizes FEMA to provide grants through the Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program to help reduce the risk of future damage in areas affected by earthquake hazards.
- **Section 1234 National Public Infrastructure Pre-Disaster Hazard Mitigation:** Establishes a more consistent form of pre-disaster mitigation grant funding, in the form of a six (6) percent set aside of estimated disaster grant expenses from the previous year to be funded through the Disaster Relief Fund. This program, under development, is named Building Resilient Infrastructure and Communities (BRIC).
- **Section 1239/1232 Declaration Factors (Cost of Assistance):** Directs FEMA to give greater consideration to local impacts and multiple recent disasters when evaluating a state/territorial request for a Major Disaster Declaration for Public Assistance; directs FEMA to reconsider all factors used in evaluating such requests, including the estimated cost of assistance. This provision requires rulemaking and FEMA will seek input from tribes during the notice and comment period as part of engaging in meaningful consultation with relevant representatives of State, regional, local and tribal governments. FEMA will seek tribal input on this provision for any potential impacts to tribal governments based on their role as subrecipient or recipient under a state declaration. FEMA will continue to utilize its [Tribal Declarations Pilot Guidance](#) to process direct tribal requests. This rule will not change that process.

FEMA may consider additional DRRA provisions for proactive tribal consultation as additional milestones are developed and scheduled through 2019 and beyond. For more information contact FEMA's National Tribal Affairs Advisor Denise "Bambi" Kraus at Bambi.kraus@fema.dhs.gov or a [FEMA Regional Tribal Liaison](#)