

# **Durbin, Duckworth Reintroduce Bill To Bring Fairness To FEMA Disaster Declaration Process**

December 12 2023 11:43 AM



WASHINGTON – Following a continuous stretch of severe weather events in Illinois, U.S. Senate Majority Whip Dick Durbin (D-IL) and U.S. Senator Tammy Duckworth (D-IL) today reintroduced the *Fairness in Federal Disaster Declarations Act*. The bill would reform the Federal Emergency Management Agency's (FEMA) disaster declaration process to make it more transparent and equitable to small and rural communities in larger states like Illinois. Due to FEMA's disaster declaration process,

states like Illinois face difficulties qualifying for federal aid to repair damage caused by natural disasters. Durbin first introduced the bill in 2012 after FEMA denied federal assistance to Harrisburg, Illinois, and Ridgway, Illinois, following a devastating outbreak of storms and tornadoes.

“Illinois often struggles to receive adequate aid from the federal government after severe weather strikes a community, causing serious damage. We must fix the broken metrics FEMA uses to determine disaster assistance and increase fairness in the process. Illinois taxpayers shouldn’t have to foot the entire bill when disasters strike,” said Durbin.

“As Americans, it’s our responsibility to support one another in times of need, especially when our communities are devastated by disasters and severe weather. Unfortunately, the current FEMA formula fails to provide many smaller, rural communities in Illinois with the resources they need to rebuild and recover,” said Duckworth. “Disasters don’t discriminate against communities based on their population size and what state they live in – and neither should FEMA. This legislation will make much-needed reforms so Illinoisans in every corner of the state can receive the resources and support they deserve after severe weather strikes.”

According to a report by the Congressional Research Service, FEMA takes into account several factors when determining the need for Public and Individual Assistance. However, there is currently no standard for weighing the importance of each factor it considers, which leads to a highly subjective and uncertain process that leaves states and communities in limbo for weeks as their application is considered.

The *Fairness in Federal Disaster Declarations Act* will provide more certainty and fairness to states and small communities impacted by disasters by giving FEMA a clearer, more substantive formula when evaluating disaster areas. This bill assigns a specific weight to each of the factors already used by FEMA, and adds other economic factors for the agency to consider when determining whether or not a disaster area should receive federal assistance.

The formula breakdown for Public Assistance specified in the legislation and a description of each factor currently used by FEMA is below:

1. **Estimated cost of the assistance (10 percent)** - Currently, this is a key component to FEMA's declaration process, calculated at \$1.77 times the state population. This legislation will make it less of a factor by weighing it significantly lower than localized impacts.
2. **Localized impacts (40 percent)** - The legislation would put greater weight on the damage assessment on a specific area, as opposed to statewide.

3. **Insurance coverage in force (10 percent)** - Currently, FEMA deducts the amount of insurance that should be held by a government and non-profits from the total eligible amount.
4. **Hazard mitigation (10 percent)** - If the cost of damage falls short of the cost of assistance threshold due to mitigation measures that lessened the disaster's impact, FEMA will take this into consideration by doing a cost-benefit analysis.
5. **Recent multiple disasters (10 percent)** - FEMA would take any disasters occurring within the previous 12 months into consideration and evaluate the funds that the state has committed and their impact on the state and its residents.
6. **Programs of other Federal assistance (10 percent)** - FEMA would take into consideration whether or not other agencies will be contributing.
7. **Other economic circumstances (10 percent)** - Currently these are factors not considered by FEMA. This legislation would require FEMA to consider the local assessable tax base and local sales tax, the median income in comparison to the state, the poverty rate in comparison to the state, and the unemployment rate of the state in comparison to the national rate.

The formula breakdown for Individual Assistance would be:

1. **Concentration of damages – 20 percent**
2. **Trauma – 20 percent**
3. **Special populations – 20 percent**
4. **Voluntary agency assistance – 10 percent**
5. **Insurance – 20 percent**
6. **Average amount of individual assistance by State – 5 percent**
7. **Economic considerations – 5 percent**