

# Disaster Preparedness and Recovery Funding: The Responsibility of FEMA or the States?



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KEY WORDS	ABSTRACT
Disaster Preparedness, Recovery Funding, Responsibility of FEMA, Responsibility of the States, Joint Effort.	The U.S. government has debated eliminating the Federal Emergency Management Agency (FEMA) and redirecting its funds to state immigration enforcement efforts, such as Immigration and Customs Enforcement (ICE), despite FEMA's ongoing support for states in building resilience and speeding up disaster recovery, technically and financially. This study examines how FEMA assists states through three disaster phases: before (mitigation), during (response), and after (recovery), using a qualitative approach that highlights intergenerational environmental justice and equity, including vulnerable groups, environmental protection, and climate change. The study's findings show FEMA's effectiveness in reducing losses and the need for recovery funding, which not only lowers current disaster risks but also helps create a safer and more sustainable environment for future generations. The findings demonstrate FEMA's ongoing efforts to enhance its policies, promoting equity and inclusivity, and ensuring that minority and low-income communities receive equal assistance in disaster recovery. The analysis also reveals that FEMA helps protect local ecosystems and preserve wildlife habitats through its buyout program, which converts disaster-prone land into open space. This research contributes to the ongoing debate about integrating climate change considerations into disaster mitigation plans, thereby helping to safeguard future generations from the increasingly severe effects of disasters. Recommendations include passing new laws, dividing duties and funding between FEMA and ICE, creating an alternative funding source for ICE, and improving oversight and transparency in the Department of Homeland Security (DHS). It is essential to maintain FEMA because disaster funding continues to be a joint effort between FEMA and the states.

## 1. INTRODUCTION

The U.S. government's plan to shut down FEMA and redirect its funding to ICE for state immigration enforcement has been challenged by a coalition of state attorneys general, considering FEMA's role as the main source of federal support for state disaster management.

Although previous research has extensively examined FEMA's role in helping states save significant costs during three disaster phases,

limited research has explored the link between FEMA funding and intergenerational environmental justice and equity, environmental protection, and how climate change is integrated into planning for future disaster risk adaptation. This research gap highlights the need for a thorough examination of how FEMA's role is viewed, not only in terms of significant state cost savings but also its equally important impact on the three areas mentioned above.

The novelty of this research is in asserting that



FEMA should not be eliminated but instead be strengthened through new legislation. Furthermore, it is essential to clearly define the responsibilities of FEMA and ICE so that FEMA funds are not diverted to ICE, as the benefits of FEMA's existence far outweigh the advantages of dismantling it. To ensure this is implemented, it is crucial to strengthen oversight mechanisms and increase transparency in the use of the DHS budget.

Research on FEMA's role in assisting states with disaster mitigation, response, and recovery efforts has recently become a significant topic of interest. Several studies have examined different aspects of this field:

1. Taghinezhad et al. (2023), Jackman et al. (2020), and Gyawali et al. (2022) examined the role of FEMA in providing substantial aid to states through various pre-disaster assistance programs aimed at disaster mitigation.
2. Waddell (2023) and Niemeier et al. (2024) examined FEMA's substantial funding to states in response to disasters.
3. Emrich et al. (2022) studied FEMA's aid to states for recovery or post-disaster efforts.

## 2. METHOD

This study employs a qualitative research design, specifically an analytical approach, to examine the role of FEMA in assisting states during the mitigation, response, and recovery phases of disasters. This type of research is especially suitable for examining the impact of FEMA assistance from the perspective of intergenerational environmental justice and equity, environmental protection, and climate change adaptation.

### Data Sources

This study uses secondary data from academic

literature and national laws.

### Data Collection Techniques

Data were gathered through a systematic review of scholarly articles, books, legal commentaries, and case studies published in recent decades, ensuring relevance to the issue of FEMA elimination.

### Data Analysis Methods

Data were analyzed using content analysis techniques, focusing on identifying recurring themes in FEMA's role in supporting states through different phases of disaster. This method enabled the synthesis of multiple perspectives and the creation of actionable recommendations for legally sound policy decisions that protect the environment while also defending the public interest of the state. This methodological framework ensured a thorough and critical examination of FEMA's role, offering theoretically grounded insights that could be practically applied to the challenges of disaster resilience and recovery.

## 3. RESULT AND DISCUSSION

This analysis demonstrates that FEMA has played a crucial role in supporting states, particularly by providing technical and financial assistance for disaster mitigation, response, and recovery. FEMA's efforts not only help states save significant costs in disaster response but also promote intergenerational environmental justice and equity, environmental protection, and climate change adaptation. Nevertheless, FEMA faces challenges, especially because its disaster recovery funding often overlooks social vulnerability, leading to minority and low-income communities getting less help even when they are severely impacted. In response, FEMA consistently works toward more equitable and inclusive policies.



These findings emphasize the importance of not eliminating FEMA, but instead strengthening its functions through new legislation and separating FEMA funding for disaster response from immigration enforcement (ICE). This separation ensures that funds allocated to FEMA cannot be diverted for immigration enforcement purposes. Thus, both functions work optimally without affecting each other.

Furthermore, funding for immigration enforcement can be sourced from alternative sources without reducing the funds allocated for disaster relief. This can be achieved by creating a specific budget for law enforcement or national security. To ensure proper implementation, it is crucial to strengthen the oversight and transparency mechanisms overseeing the budget under the Department of Homeland Security (DHS). Therefore, FEMA's vital role in disaster relief remains unchanged and is not affected by ICE's funding needs, as the benefits of FEMA's existence greatly surpass the advantages of eliminating it.

### **The Role of FEMA in Assisting States with Their Resilience and Recovery Efforts**

FEMA, since its founding in 1979, has served as the primary provider of federal, technical, and financial support for state and local emergency management. FEMA provides grants, training, and communication equipment to enhance disaster response and preparedness efforts at the state and local levels. Additionally, FEMA has established the Hazard Mitigation Assistance (HMA) program, which enables states to build capacity and reduce disaster risk before it occurs, including the Building Resilient Infrastructure and Communities program launched in 2020. FEMA has also played a key role in creating a nationwide inventory of structures to aid disaster preparedness and response, as well as in

identifying vulnerable areas and developing strategies to boost community resilience.

In addition to resilience support, FEMA also provides disaster recovery assistance. It provides direct support to individuals, households, and local governments after disasters, including housing assistance, repairs, and other needs through the Individuals and Households Program (IHP), which operated from 2010 to 2018. Moreover, it allocates funding and resources for community recovery planning, accelerates the dissemination of post-disaster information, and streamlines the assistance process for public agencies. In 2011, FEMA launched the National Disaster Recovery Framework (NDRF) to enhance long-term recovery coordination and effectiveness by prioritizing community recovery planning, reducing bureaucratic barriers, and incorporating equity considerations into recovery policies.

FEMA funding for states' disaster programs is divided into three phases: pre-disaster (mitigation), during a disaster (response), and post-disaster (recovery). This funding has enabled states to save significant amounts of money, primarily through mitigation investments that have been highly effective in minimizing losses and reducing the need for recovery funding, thereby preventing much larger financial losses at the state and local levels.

### **Pre-Disaster (Mitigation)**

- a. Hazard Mitigation Grant Program (HMGP): FEMA provides mitigation funds for projects such as home elevation before disasters occur. For example, after Hurricanes Katrina and Rita in 2005, Louisiana received federal funds through the Community Development Block Grant Disaster Recovery (CDBG-DR) and the Hazard Mitigation Grant Program

(HMGP) to assist homeowners in elevating their homes. Analysis shows that these home elevations reduce average yearly losses by 98% and have a benefit-cost ratio (BCR) of 1.5 to 1.7 over 30 to 70 years, resulting in significant long-term cost savings for states.

- b. Disaster Mitigation Act of 2000 (DMA 2000): Following its enactment in the early 2000s, FEMA provided mitigation grants to states with approved disaster mitigation plans. The Multi-Hazard Mitigation Council (2005) study found that for every \$1 invested in mitigation, there is a return of \$4 in savings on post-disaster costs at the local level.
- c. Hazard Mitigation Assistance (HMA): FEMA dedicates hundreds of millions of dollars annually through the HMA program to state disaster mitigation projects. This program helps states mitigate risk and potential losses before a disaster occurs.

Program & Year	Funding Type and Fund Amount (USD)	Impact/Cost Savings
HMGP (2005)	Mitigation/prevention	98% reduction in annual losses.
DMA 2000 (since 2000)	Mitigation grant	\$1 investment saves \$4 after a disaster.
PA Grant (2000-2019)	Public Assistance in Disasters  >\$125 billion	Recovery sped up; regional burden reduced.
IHP (2010-2018)	Individual/household aid  No specific amount disclosed	Direct aid for individual recovery and speed up community economic recovery.
Hazard Mitigation Assistance (Annual)	Disaster mitigation  Hundreds of millions per year	Pre-disaster risk and loss mitigation.

### During a Disaster (Response)

Public Assistance (PA) Grant Program: From 2000 to 2019, FEMA allocated over \$125 billion (adjusted for 2020 dollars) to state and local governments to rebuild damaged public infrastructure and support post-disaster recovery through the PA program. Recovery sped up, and financial strain on local governments eased thanks to this program.

### Post-Disaster (Recovery)

Individuals and Households Program (IHP): After a disaster, FEMA offers direct assistance to individuals and households, including repairs, replacements, and other disaster-related needs. This program ran from 2010 to 2018, and although no exact funding amount was disclosed, it was substantial and played a key role in the economic recovery of the affected communities.

### FEMA's Role in Safeguarding Future Generations from Environmental Disasters (Intergenerational Environmental Justice, Vulnerable Groups, and Equity), in Environmental Protection, and Climate Change Adaptation

FEMA develops disaster-resilient communities through mitigation programs, specifically Project Impact, which focuses on land-use planning, building rehabilitation, and cross-sector collaboration. Not only does this approach mitigate current disaster risks, but it also ensures that future generations inherit a safer and more sustainable environment, thereby fostering intergenerational environmental justice and equity. Although FEMA often overlooks social vulnerability when distributing its disaster recovery funds, leading to minority and low-income communities receiving less aid despite being severely affected, FEMA continues to improve its policies to become more equitable

and inclusive.

Additionally, FEMA helps safeguard local ecosystems and reduces the risk of future disasters by implementing buyout programs, such as purchasing land at risk of disasters and converting it into open space. These buyout programs help restore the land's natural functions, preserve wildlife habitats, and reduce environmental damage from development in disaster-prone areas.

Furthermore, FEMA advises local governments to incorporate climate change into their disaster mitigation plans to better adapt to its impacts. Thus, the actions taken are relevant for the present and adaptable to future risks from climate change, protecting future generations from the impacts of increasingly severe disasters.

### **History of FEMA**

FEMA was created in 1979 by an executive order from President Jimmy Carter. Various laws and regulations have governed its existence and function, including its incorporation into the Department of Homeland Security (DHS) structure in 2002 as part of the Homeland Security Act. The creation and functioning of FEMA are solely a domestic effort by the United States, grounded in national requirements and federal laws.

The primary goal of establishing FEMA is to assist state and local governments that face major challenges or are at significant risk of disasters. FEMA provides technical and financial assistance, including grants, training, and communication tools, to support disaster response and community recovery efforts.

### **The Controversy of the Elimination of FEMA**

The U.S. government has recently debated

eliminating FEMA and redirecting its funding to state immigration enforcement efforts, such as those led by ICE. This is likely because the structure of the Department of Homeland Security (DHS) allows the reprogramming or transfer of funds between agencies under its jurisdiction, and ICE's operational needs are deemed urgent.

Research indicates that this redirection of funds hampers FEMA's ability to deliver disaster aid fairly and effectively, particularly given the challenges posed by climate change and the increasing frequency of disasters. Therefore, a legislative solution is needed to ensure that immigration enforcement does not compromise FEMA's main mission of disaster management. In other words, funding for state immigration enforcement should not be considered more important than funding for disaster management, as prioritizing it can compromise justice and the safety of the broader community.

### **Threats Without FEMA**

If FEMA were eliminated, it would threaten state finances due to the high costs of disaster mitigation, response, and recovery, endanger fiscal stability, slow recovery efforts, increase the risk of bankruptcy for disaster-affected households, and weaken community resilience to future disasters.

### **Before the Disaster (Mitigation and Preparedness)**

Without FEMA support, states would need to cover the entire cost of disaster risk mitigation and preparedness efforts independently. FEMA has traditionally offered incentives and grants for risk reduction, such as home elevation and disaster-resistant infrastructure. This means that if FEMA were eliminated, states would likely significantly increase their total expenditures on disaster risk and loss reduction, given the



absence of federal subsidies.

### **During a Disaster (Emergency Response and Management)**

In the event of a disaster, FEMA plays a crucial role in providing public assistance funds to repair essential infrastructure and support emergency response efforts. If FEMA were eliminated, states and local governments would need to rely on their resources for disaster response, which could drain their budgets, disrupt public services, and threaten local fiscal stability. Florida's experience demonstrates that delays or failures in FEMA fund reimbursements have led to severe financial strain, drained reserves, and impeded critical local government operations.

### **After a Disaster (Recovery and Reconstruction)**

FEMA offers disaster recovery funds to individuals, households, and local governments. Without FEMA, states would be responsible for covering the full cost of recovery, including home repairs, infrastructure, and social assistance. This can create a substantial financial burden, particularly for regions that are already financially strained. The dependence on federal funds is extremely high, and without FEMA, recovery would be much slower and more expensive, possibly endangering long-term fiscal stability.

### **Post-Disaster Additional Impacts**

1. **Increased Bankruptcy Risk:** Without FEMA assistance, households affected by disasters, especially those without insurance, face a higher risk of bankruptcy and default, which can exacerbate economic inequality and hinder community recovery.
2. **Decreased Community Resilience:** Uncertainty and limited local funding will weaken communities' ability to recover and

build resilience against future disasters.

### **State Responsibilities for Funding Disaster Preparedness and Recovery**

While states are responsible for funding disaster preparedness and recovery, FEMA plays a crucial role in supporting and supplementing these efforts, especially given the limited local funding available.

Funding and implementation responsibilities for disaster programs are guided by regulations, such as the Disaster Relief Act of 1974 and FEMA grant programs (e.g., Emergency Management Performance Grant and Public Assistance), which specify that both states and FEMA have defined roles and responsibilities throughout the disaster cycle.

#### **Disaster Relief Act of 1974**

1. **Key Content:** This act requires states and local governments to prepare for and mitigate disasters as a condition for receiving federal aid. States must have disaster plans and contingencies in place and must implement mitigation measures to reduce future risks.
2. **Impact:** It defines the division of responsibilities between the federal government (FEMA) and the states, requiring states to prepare for and mitigate disasters, while FEMA aids once those requirements are met.

#### **Emergency Management Performance Grant (EMPG)**

1. **Key Content:** This grant program, managed by FEMA, provides funds to states and localities to develop response and recovery plans, establish emergency operations centers, and hire emergency management personnel.
2. **Impact:** To obtain these grants, states must submit proposals and provide matching



funds. This highlights the shared responsibility of funding and implementation between FEMA and the states.

### **FEMA Public Assistance Program**

1. Key Content: This program is governed by various federal regulations that require states and localities to implement specific policies, procedures, and administrative requirements before, during, and after a disaster to qualify for FEMA public assistance funds.
2. Impact: States are responsible for adhering to administrative and reporting requirements and overseeing the local distribution of funds.

### **General Principles of Regulation**

1. Shared Responsibility: Federal regulations emphasize that the funding and implementation of disaster preparedness, response, and recovery are a shared responsibility between the federal government and the states. States must prepare, mitigate, and manage funds, while FEMA offers financial and technical support once specific conditions are met.
2. Administrative Requirements: To receive federal funds, states must have approved preparedness and mitigation plans and comply with reporting and accountability requirements.

Thus, states are responsible for providing funding, planning, and on-the-ground execution, while FEMA supplies extra financial, technical, and coordination support. Without active state involvement, federal assistance might not be effective; on the other hand, without FEMA's support, states could struggle to fulfill their significant funding needs. In other words, this duty is a joint effort between FEMA and the states.

### **Future Directions**

Eliminating FEMA and redirecting its funds to immigration enforcement could significantly compromise state disaster preparedness and recovery efforts. The best legal approach is to strengthen FEMA's legal authority and ensure its funding is not diverted to other functions, such as immigration enforcement, as the benefits of FEMA's existence far outweigh the advantages of abolishing it.

### **Recommended Legal Solutions**

1. Strengthening FEMA Legislation  
A law is necessary to ensure FEMA funds are protected from being redirected to other agencies, such as ICE. This is crucial to prevent disaster relief efforts from being interrupted by other policy priorities, such as immigration enforcement, and to ensure that each agency uses funds strictly in accordance with its respective mandate and function.
2. Separation of Functions and Funding  
It is recommended that a clear separation be maintained between funding for disaster relief (FEMA) and immigration enforcement (ICE) within the legal and budgetary framework. Legislation could specify that funds allocated to FEMA cannot be redirected for immigration enforcement, allowing both functions to operate effectively without hindrance.
3. No Need to Establish a New Agency  
Establishing a new agency is not an efficient solution, as FEMA already has the necessary experience, structure, and systems in place. The emphasis should be on enhancing the regulation and legal protections for FEMA's mandate and funding.
4. Solutions for Funding Immigration Enforcement  
Funding for immigration enforcement should be allocated separately within the federal budget to ensure that disaster relief funds are not affected. Legislation could create a

dedicated funding source for ICE to prevent disrupting FEMA's essential functions. As an alternative source of funds, ICE can access other federal allocations unrelated to disaster relief, such as dedicated budgets for law enforcement or national security, without affecting funds allocated for disaster response.

To prevent FEMA funds from being diverted to ICE, it is crucial to strengthen oversight and transparency mechanisms related to the Department of Homeland Security (DHS) budget. In this way, FEMA's essential role in disaster response stays intact and unaffected by ICE's funding requirements.

#### 4. CONCLUSION

FEMA plays a vital role in promoting intergenerational justice and equity, protecting vulnerable communities and the environment, and maintaining economic stability by helping communities prepare for and recover from climate-related disasters. FEMA's funding structure and mechanisms for disaster preparedness and recovery must be improved to become more equitable, effective, and responsive to the needs of vulnerable communities, particularly those of marginalized groups.

Therefore, the best legal approach is to enhance and protect FEMA through new laws and regulations, rather than discontinuing it or creating a new agency. A clear separation of funding and mandates between FEMA and ICE is essential for effective disaster response while maintaining immigration enforcement. Finally, oversight and transparency are necessary to prevent FEMA funds from being redirected to ICE. This is because the benefits of FEMA's existence far outweigh any perceived advantages of removing it, and disaster funding remains a

collaborative effort between FEMA and the states.

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