



FEMA

U.S. Department of Homeland Security

Washington, D.C. 20472

October 31, 2023

MEMORANDUM FOR: Richard Revesz
Administrator,
Office of Information and Regulatory Affairs,
Office of Management and Budget

THROUGH: Eric Hysen
Chief Information Officer
U.S. Department of Homeland Security

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FROM: Alexandra Travis
Chief Administrative Officer
Mission Support
Federal Emergency Management Agency

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SUBJECT: **Emergency** Approval Request of Revised Office of Management and Budget (OMB) Collection 1660-0017, Public Assistance Program in Support of Non-congregate Sheltering Operations in Maui, Hawaii.

The Federal Emergency Management Agency (FEMA) seeks to utilize the **emergency process for approval** from the Office of Management and Budget (OMB) Collection to update information collection 1660-0017 Public Assistance (PA) Program in accordance with FEMA established policy on sheltering in the Public Assistance Program and Policy Guide (PAPPG), Version 4 and the Emergency Non-Congregate Sheltering Memo (issued June 28, 2022).

Background

State, local, tribal, and territorial (SLTT) governments can request sheltering support services after receiving an emergency or major disaster declaration authorizing PA emergency protective measures. FEMA provides PA funding to SLTT governments for costs related to emergency sheltering for disaster survivors. Typically, sheltering occurs in facilities with large open spaces, such as schools, churches, community centers, or other similar facilities. However, there are situations when the need arises to support survivors in non-congregate shelters, which are locations where each individual or household has living space that offers some level of privacy such as hotels, motels, or dormitories.

The authority for non-congregate sheltering is provided by Sections 403(a)(3)(B) and 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. No. 93-288 (1974), as amended, and as codified at 42 U.S.C. §§ 5170b(a)(3)(B) and 5192 (Stafford Act). Section 403(a)(3)(B) of the Stafford Act specifically authorizes “search and rescue, emergency medical care, emergency mass care, emergency shelter, and provision of food, water, medicine durable medical equipment, and other essential needs, including movement of supplies or persons.”

DR-4724-HI – Lahaina Wildfire

Following the devastating wildfires in Lahaina, Hawaii on the island of Maui, thousands of residents lost their homes and their way of life. The state is working with voluntary organizations to coordinate emergency shelter with Maui County for disaster survivors, an effort funded by FEMA. With the help of these organizations, Maui County and FEMA have assisted survivors now staying in hotels where they can develop plans to return to their homes or other more permanent residences.

Hawaii is experiencing a housing crisis which has become commonplace for many communities across this nation. The scarcity of available rental resources and a severe lack of affordable housing have created a critical issue for those affected by the Lahaina disaster. Many of these survivors have deep-rooted ties to Maui and are further burdened by the high housing costs in other areas of the county. Public housing resources are already stretched to their limits.

While the state establishes programs for implementation of other housing solutions, there is a significant need for continuation of sheltering efforts in order to protect and sustain life. Due to the extended period of time the sheltering is needed, the use of non-congregate sheltering is critical so that survivors have a reasonable amount of privacy and comfort while sheltering as they await other longer term housing solutions.

To ensure FEMA can track individuals and households transitioned into more permanent housing solutions and the successful reimbursement to the state for the cost of sheltering survivors, additional information needs to be collected to support non-congregate sheltering in Hawaii. The following questions should be included into PA’s information collection 1660-0017:

- Number of rooms
- Check in date
- Check out date
- Person ID
- Site ID for shelter

With the escalating demand for sheltering services and the recognition that sheltering periods are likely to extend in the face of mounting housing crises, FEMA should make this data collection change not only for Hawaii but as a standard practice for future disaster scenarios. This will better equip FEMA to meet the evolving needs of survivors and communities during these challenging times.

It is vital that FEMA implement the revision to PA’s information collection as soon as possible

in response to DR-4724-HI. In accordance with the Paperwork Reduction Act (PRA) and the Office of Management and Budget's (OMB) implementing regulations at 5 C.F.R. § 1320.13: (1) this information is necessary to the mission of the agency, (2) this information is necessary prior to the expiration of time periods established under PRA, (3) public harm is reasonably likely to result if normal clearance procedures are followed, and (4) an unanticipated event has occurred.

1. Information is Essential to the Mission of the Agency

Per FEMA policy, specific data points are provided to FEMA by state, local, tribal, and territorial governments, also referred to as Recipients and Applicants. For non-congregate sheltering activities, Recipients and Applicants collect information regarding the individuals and households sheltered. This ensures that sheltering individuals and households with a demonstrated need for continued emergency sheltering may be identified as eligible work. FEMA uses the criteria below to determine eligibility of non-congregate sheltering work and costs:

Each household must:

- Be in an area declared for Individual Assistance (IA);
- Be registered with IA for disaster assistance;
- Have not requested to withdraw its IA registration;
- Be able to document pre-disaster status as an owner or renter of the primary residence; and
- Have their primary residence determined not to be habitable.

When conducting non-congregate sheltering, Applicants use a reporting system to capture the following data elements for individuals and households to ensure the eligibility of the work and costs:

- FEMA IA Registration Number
- Head of household: First and last name with phone number (mobile or other)
- Number of individuals in the household
- Damaged dwelling: Street Address, City, State, Zip Code
- Post-incident residence habitability status

The additional data points will help Recipients and Applicants track individuals and households going in and out of sheltering and safeguarding no survivor slips through the cracks, ensuring FEMA's continued support.

2. Paperwork Reduction Act Timeframes

Given the number of individuals and households currently being sheltered, it would be impracticable and contrary to the public interest to delay implementing this information collection until after FEMA has completed the PRA process.

It is imperative that those impacted by the disaster have an opportunity to receive assistance from FEMA. To ensure individuals and families are supported during recovery efforts this information is vital so that FEMA can be sure that those in shelters are equitably transitioned into permanent solutions. Additionally, the Recipient and Applicant must be able to validate the number of survivors staying in non-congregate sheltering to ensure they have enough rooms and that they are not paying for rooms not in use.

3. Public Harm is Reasonably Likely to Result if Normal Clearance Procedures are Followed

Without approval of this collection, Hawaiians will lose sheltering assistance desperately needed by the survivors devastated by this event. FEMA registration data demonstrates survivors on Maui have a clear need for aid. FEMA is working with the voluntary agencies and Hawaii emergency management to relocate displaced residents to area hotels rather than congregate shelters. This temporary solution will help residents feel more secure while long-term accommodation plans are developed. Impacted individuals moved into hotels may continue to receive meals, casework support and other disaster relief services for eligible households in the months to come.

It is of utmost importance that those affected by this disaster have the opportunity to receive FEMA and the state's assistance. To ensure that individuals and families receive the necessary support during the recovery process, this additional data collection is critical. Additionally, it enables the Recipient and Applicant to accurately assess the number of survivors staying in non-congregate sheltering. This information is vital to guarantee that there are sufficient rooms available and that resources are not allocated to unused rooms, ensuring efficient and effective recovery efforts.

4. An Unanticipated Event has Occurred

On August 8, 2023, wind-fueled wildfires roared through Lahaina, indiscriminately taking the lives of more than 100 individuals. Thousands lost their homes. The housing shortage combined with the high cost of labor and materials exacerbated the need to shelter survivors in non-congregate sheltering.

FEMA's registration data highlights the clear and urgent need for assistance among survivors on Maui. In response, FEMA is collaborating closely with voluntary agencies and Hawaii's emergency management to facilitate the relocation of displaced residents to local hotels instead of congregate shelters. This temporary measure provides these residents with a higher level of security as long-term accommodation plans are being developed. Those individuals who move into these hotels may continue to receive essential services such as meals, casework support, and other disaster relief assistance, ensuring continued support for eligible households in the months ahead.

Conclusion

Following the normal clearance procedures for OMB approval will delay FEMA's ability to assist Americans and ensure they are equitably served. As explained in this memo, FEMA certifies that this request meets the requirements of 5 C.F.R. § 1320.13(a) and it is vital that this

revised collection be implemented immediately because: (1) this information is essential to the mission of the Agency, (2) this information is necessary prior to the timeframes established under the PRA, (3) public harm will result if normal clearance procedures are followed, and (4) unanticipated events have occurred.

Thank you for your consideration.