



June 8, 2026

Federal Emergency Management Agency Review Council
Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20032

Re: Docket No. DHS-2025-0712

To the Members of the FEMA Review Council:

On behalf of the American Public Power Association (APPA),¹ thank you for the opportunity to provide comments on the Federal Emergency Management Agency Review Council's (Council) Final Report (Report). APPA greatly appreciates the time, energy, and dedication it took to create this report, and we support President Trump's and the Council's goal of improving the federal, state, local, and tribal partnership in preparing for, responding to, and recovering from emergencies and disasters.

APPA wants to remain an active partner as this Administration and Congress chart the legislative and regulatory changes needed to achieve this goal. To help inform our engagement, we formed a working group of member utilities to discuss the Council's recommendations and develop our response. The comments in this letter are based on conversations with our members, who are among the first on the scene of any disaster affecting the energy grid.

We recognize that this report is part of a broader, ongoing conversation among policymakers on how to improve the Federal Emergency Management Agency's (FEMA) implementation of the Stafford Act. Significant progress has already been made through the development and advancement of H.R. 4669, the Fixing Emergency Management for Americans Act, which was drafted, refined, and passed out of the House Transportation & Infrastructure Committee. We strongly endorse that legislation and appreciate the time and effort of its drafters, as well as the time and effort the Council invested in developing its report and contributing to the broader policy discussion.

APPA's members are load-serving entities, with the primary goal of providing the communities they serve with safe and reliable electric service at the lowest reasonable cost. This is an essential service –

¹ APPA is the national trade organization representing the interests of the nation's 2,000 not-for-profit, community-owned electric utilities. Public power utilities are in every state except Hawaii. They collectively serve more than 55 million people in 49 states and five U.S. territories, and account for 15 percent of all sales of electric energy (kilowatt-hours) to end-use consumers.

critical to the health and well-being of our communities. After initial life-saving operations following a disaster, restoring reliable electric service is the necessary first step to recovery and often, in fact, is lifesaving in and of itself. That is why public power utilities are essential partners in disaster preparation, response, and recovery and why APPA stands ready to work with this Administration and Congress as they move toward consensus on FEMA reform.

The remainder of our comments will focus on key issues relevant to public power utilities raised by the Council in its recommendations. To briefly summarize, our utility panel expressed strong support for efforts to make federal disaster assistance faster, more predictable, and less administratively burdensome. At the same time, they expressed concern that several recommendations could create new uncertainty around disaster declarations, funding eligibility, and cost recovery. For public power utilities, that uncertainty is not just an administrative concern. It can affect pre-storm decision-making, mutual aid coordination, and the speed of restoration.

APPA's Overall View

APPA supports reforms that improve the speed and efficiency of disaster assistance. However, those reforms should also preserve predictability, reflect operational realities, and ensure fair access to funding across geographically diverse communities. Public power utilities are not-for-profit entities, and their costs are fully borne by their customers. When cost recovery becomes less certain, public power utilities may face greater difficulty making timely decisions before, during, and after a disaster. Any reform effort should therefore reduce uncertainty, not add to it.

Federal Disaster Declaration Process

The Council recommends changes to the disaster declaration process, including increasing the per capita indicator for a disaster declaration, imposing annual state minimum disaster expenditure thresholds before a disaster is declared, and potentially using a new parametric model as part of the damage assessment process. APPA agrees that greater clarity and consistency in the disaster declaration process would be helpful. However, APPA is concerned that collectively these changes would introduce substantial uncertainty as to how and when a federal disaster would be declared.

Public power utilities depend on timely and predictable declarations to position crews and equipment, coordinate mutual aid, and support restoration activities. If it is unclear whether a disaster will qualify for federal assistance, states and localities may hesitate to request outside support or take other early actions that are critical to an effective and efficient response effort. Likewise, other utilities may pause before

offering to provide mutual aid without a federal backstop to ensure their costs of rendering aid will be covered. This may particularly affect states with differing administrative approaches or capacities.

In addition, the application of annual minimum expenditures prior to reimbursement eligibility at a state level would be unfair to organizations who are impacted by events early in the year, while organizations later in the year would benefit from losses above the threshold.

APPA encourages the Council to clarify how its recommendations would affect emergency declarations, including pre-landfall emergency declarations, which are a critical component of disaster preparedness. These authorities enable advanced resource positioning, infrastructure protection, and coordinated response actions that can significantly reduce impacts and accelerate recovery. APPA would strongly oppose changes that weaken or raise the threshold for emergency declarations in ways that limit those actions. At a minimum, FEMA should preserve transparent, well-defined emergency declaration criteria and maintain pre-landfall declaration authorities.

Public Assistance Funding Determination

APPA supports efforts to accelerate the delivery of Public Assistance funding, especially approaches that provide early funding certainty and reduce reimbursement delays. For example, we strongly support the estimate-based approach for permanent work being developed as part of H.R. 4669. The Council is taking a different track, recommending a two-step process under which an event must first meet certain parametric criteria and then demonstrate that state and local response demands exceed available capacity before Public Assistance is provided.²

We appreciate the initiative in looking at how a parametric model could speed the delivery of public assistance (discussed further below), but the Final Report does not provide enough detail for stakeholders to fully assess how such a model would work in practice. Electric utility systems are complex, and disaster impacts frequently extend beyond visible damage. Substations, underground infrastructure, and system-wide operational disruptions may not be fully captured through standardized models. If FEMA pursues this type of approach, any methodology should be transparent, technically sound, and informed by utility expertise so that it reflects the full scope of infrastructure impacts. Likewise, if a parametric model is used by FEMA, it should be updated regularly based on impacts and lessons learned from disasters.

² “Final Report: The President’s Council to Assess the Federal Emergency Management Agency,” May 7, 2026, page 42.

In addition, APPA believes additional clarity is needed on how states or localities would demonstrate that their response and recovery needs exceed available resources and capacity.. Without that clarity, it is difficult to comment on how that proposed framework might affect the disaster declaration and funding process.

State Block Grant Approach

The Council recommends that Public Assistance funding be allocated to states as a block grant, leaving it to states, territories, and tribes to decide how to distribute those funds to subgrantees. APPA is concerned that this approach could result in a wide variation in how disaster assistance is administered across the country. For utilities and mutual aid networks that operate across multiple jurisdictions, this variability may increase administrative complexity, reduce predictability, and complicate coordination during disaster response and recovery. As noted above, this uncertainty would have serious implications for disaster operations and, as such, present life safety concerns.

APPA members have also expressed concern that, under a block grant approach, states may allocate disaster assistance funding in a way that is not proportionate to the actual costs incurred by impacted communities or applicants. It is unclear whether these allocation decisions would be transparent or consistently communicated to all affected parties.

To address this risk, APPA encourages FEMA and policymakers to preserve uniform program expectations and accountability requirements so that administrative changes do not simply shift burden from the federal government to states, localities, and utility applicants. These steps will help ensure that disaster assistance is delivered fairly and consistently.

Timing of Federal Disaster Assistance Awards

With public power utilities routinely having to wait years to receive public assistance funding, APPA keenly recognizes the value of accelerating the delivery of disaster assistance and improving access to early funding. The Council's recommendation to provide Public Assistance funding to states within 30 days of a declaration reflects an important goal. However, APPA is concerned that the proposed timeline, combined with an initial true-up within one year and potential claw back of funds, may not work well in large or complex disasters where damage assessments continue to evolve over time. For example, early estimates used to justify state distributions that do not fully capture system conditions may result in misalignment between funding and actual recovery needs.

While reconciliation processes can address differences over time, their effectiveness is critical to ensuring that public power utilities have sufficient resources throughout the recovery period—not only at the outset. A better approach would be to support rapid initial funding, while also allowing for iterative refinement of damage estimates as conditions evolve. This will ensure that recovery efforts are both timely and fully resourced.

The estimate-based approach for permanent work proposed under H.R. 4669 would similarly speed delivery, but without the risk of stranding communities involved in large-scale or complex events. H.R. 4669 would also require disbursement for emergency work within 120 days of a request's submission. Finally, the bill would make mandatory FEMA's current optional payment of interest on loans taken out to cover costs that will be recovered through public assistance. Collectively, we believe these provisions in H.R. 4669 represent a balanced approach of providing speed and clarity in the provision of public assistance while still providing impacted communities the time to fully prepare their requests.

Federal Cost Share

APPA has significant concerns regarding potential changes to the federal cost share, particularly where such changes may increase the financial burden on states and utilities. Public power utilities and the communities they serve often operate within constrained fiscal environments. Adjustments that reduce the federal share could affect the ability to fully restore infrastructure, delay recovery timelines, and create disparities in outcomes across jurisdictions with differing financial capacity. In some cases, a reduction in the federal cost share could lead to rate increases for customers and delays in both short- and long-term capital projects, which would impact overall infrastructure resilience.

Maintaining a stable and predictable federal contribution remains critical to supporting equitable recovery and ensuring that essential infrastructure can be restored without undue strain on local resources.

APPA recommends that FEMA maintain an appropriate federal cost share, considering state and local fiscal capacity and avoiding changes that could inhibit timely and complete infrastructure restoration.

Conclusion

APPA appreciates the FEMA Review Council's focus on improving efficiency, reducing administrative complexity, and accelerating the delivery of assistance. These objectives are important and broadly supported by public power utilities.

At the same time, several overarching considerations warrant careful attention. Variability in state capacity may affect consistency in implementation, while administrative responsibilities may simply shift

from one level of government to another, without necessarily reducing overall burden. In addition, funding approaches that prioritize speed must be structured to ensure they fully capture the scope of recovery needs.

Public power utilities play a central role in disaster response and recovery and bring critical technical expertise to these efforts. Their involvement is essential to ensuring that policy changes translate effectively into operational outcomes.

Maintaining strong federal guidance, standardizing program expectations, and ensuring that administrative reforms result in meaningful burden reduction will be key to the success of any revised disaster assistance framework. Formal and sustained engagement with utilities and other infrastructure providers will further support effective implementation.

APPA members are on the front lines of disaster response and recovery, and their operational experience can help ensure that the implementation of reforms is practical, equitable, and effective. APPA stands ready to continue working with the Trump administration, Congress, and the Council as they seek to improve how FEMA supports communities impacted by major disasters.

Sincerely,

/s/

Desmarie M. Waterhouse

Senior Vice President of Advocacy and Communications & General Counsel