



SUMMARY

In the period since the Annual Forum in October, the primary focus in Washington has been the Fiscal Year 2026 (FY26) budget process. The federal government has been funded by a series of Continuing Resolutions—interrupted by a record-breaking 43-day government shutdown—the most recent of which expired on February 13. Congress was ultimately able to pass nearly all FY26 appropriations bills, with the exception of the Department of Homeland Security (DHS) bill, causing the Department to enter a shutdown on February 14. As of the time of this update in late February, Congress is still negotiating a deal to reopen and fund DHS, but a solution does not appear imminent.

While the 119th Congress struggles to pass some priorities, there has been movement on several emergency management bills. The most wide-reaching of the bills was the *Fixing Emergency Management for Americans (FEMA) Act* ([H.R. 4669](#)), which seeks to streamline the federal government’s disaster response and recovery programs while also making FEMA a cabinet-level agency. The *FEMA Act* was introduced in the summer and awareness and support for the bill has grown in recent months, with many stakeholders viewing it as the most promising vehicle for delivering FEMA reforms in this Congress. The biggest challenge for the bill will be a race against time before the mid-term elections and conclusion of the 119th Congress. Dozens of other emergency management bills have been introduced in Congress over the past six months, and NEMA has conducted formal reviews and provided feedback to Congressional offices for many of those bills.

One factor holding back significant progress on the *FEMA Act* is the lingering delay in the release of the FEMA Review Council Report. NEMA served as a resource to the Council, informing their discussions and helping to coordinate information collection. After several public meetings and months of work, the Council’s mandate was set to expire without the final report being officially released, before it was extended via Executive Order in late January. As of this update, the Council has plans to reconvene, though the path forward for releasing the report and implementing the recommendations through legislation or other means remains unclear.

Our priorities for the 119th Congress continue to be reversing funding cuts to key grant programs, increasing funding for Emergency Management Assistance Compact (EMAC) and training and exercise programs, and passing a variety of critical emergency management legislation, among other priorities. Additionally, we will continue to emphasize the need to ensure that the Disaster Relief Fund (DRF) is adequately funded in a timely manner to avoid yet another implementation of Immediate Needs Funding.

CONGRESSIONAL AND FEDERAL AGENCY ENGAGEMENT

In the last six months, NEMA pursued numerous engagements with Members of Congress and their staff as well as federal agency leadership to address timely emergency management issues and advance key priorities.

- In August, NEMA joined with IAEM, BCEM, and BuildStrong America in sending a letter to the leadership of the House Transportation and Infrastructure Committee commending their introduction of the *FEMA Act* (H.R. 4669), and for their diligence in seeking stakeholder feedback and support.

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- In December, NEMA joined with IAEM and BCEM in sending a letter to the leadership of the House and Senate Appropriations Committees highlighting priorities for emergency management in their respective bills making appropriations for DHS.
 - In January, NEMA participated in a Member-led meeting of Senators on the Senate Homeland Security and Governmental Affairs Committee regarding FEMA reform. Patrick Sheehan (TN) represented NEMA.
 - In February, NEMA participated in Congressional briefing sponsored by the Congressional Disaster Preparedness and Recovery Caucus on the importance of public radio in emergency response.
 - In February, NEMA participated in a Congressional staff briefing on the economics of resilience sponsored by the Chamber of Commerce.
 - In March, NEMA coordinated a discussion between state directors and the Government Accountability Office (GAO) to share state perspectives on the FEMA Public Assistance and Hazard Mitigation Grant Programs and Army Corps disaster preparedness and response efforts.
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FISCAL YEAR 2026 BUDGET

On January 20, the House and Senate Appropriations Committees released language for their conference agreement for DHS (in a multi-department “minibus”) in FY26 just days before the existing Continuing Resolution was set to expire. FEMA funding in this conference bill was largely positive for the states. While Congress did not provide a full return to pre-2024 grant funding levels, the agreement was a significant increase from the current levels. Additionally, programs like EMAC got a funding boost, and there was strong language in the bill aimed at holding the administration accountable to issues such as restarting the Building Resilient Infrastructure and Communities (BRIC) program, sticking to grant distribution deadlines, codifying the 3-year period of performance, and more.

While there was early optimism about the conference agreement, the deal fell apart following increased scrutiny of Immigration and Customs Enforcement (ICE)/DHS, leading to a brief partial government shutdown. Ultimately, Senate Democrats and the White House reached an agreement to pull out the full-year DHS funding from the six-bill funding package, replacing it instead with a 2-week stopgap Continuing Resolution to provide more time to negotiate DHS funding. The other bills in the initial minibus were signed into law, leaving DHS as the only outstanding appropriations bill for FY26.

After two weeks of negotiations that were largely unproductive, Congress was unable to secure a deal leading to a DHS shutdown beginning on February 13. As of the time of this update in late February, Congress is still working to come to an agreement that will reopen and fund DHS, but many expect a protracted shutdown of the Department. If the negotiations drag on too long, it may result in Congress pursuing a full-year Continuing Resolution for DHS. That would maintain the status quo at DHS for the rest of the fiscal year with no DHS/ICE policy changes or the new funding levels worked out in the original FY26 appropriations bill confederated by the House and Senate.

BILLS, HEARINGS & MARK-UPS

FIXING EMERGENCY MANAGEMENT FOR AMERICANS (FEMA) ACT AWAITS ACTION IN THE FULL HOUSE AND SENATE COMMITTEE

In September, the House Transportation and Infrastructure (T&I) Committee held a markup of the [*Fixing Emergency Management for Americans \(FEMA\) Act of 2025*](#) (H.R. 4669). The *FEMA Act* seeks to streamline the federal government’s disaster response and recovery programs while also making FEMA a cabinet-level agency. The bill also aims to reward effective state and local preparedness; protect taxpayers; cut red tape; and ensure that relief efforts are fast, fair, and free from political bias. The bipartisan bill was favorably reported by the Committee by a vote of 57-3. The *FEMA Act* now awaits action in the full House, where the timing of a potential vote is still unknown. The bill has not yet been introduced in the Senate, however NEMA continues engaging the Senate on possible options for action in that chamber.

DISASTER MANAGEMENT COSTS MODERNIZATION ACT AND DISASTER ASSISTANCE SIMPLIFICATION ACT AWAITING CONGRESSIONAL ACTION

Last year, Rep. Neguse (D-CO) reintroduced the [Disaster Management Costs Modernization Act](#) (H.R.744), which NEMA continues to strongly support. He was joined by multiple bipartisan co-sponsors, including Rep. Ezell (R-MS), Rep. Harder (D-CA), Rep. Stanton (D-AZ), Rep. Stansbury (D-NM), Rep. Bonamici (D-OR), Rep. Jayapal (D-WA), Rep. Titus (D-NV), and Rep. Raskin (D-MD). Just days later, the House T&I Committee voted to favorably report the *Disaster Management Costs Modernization Act*. Very shortly thereafter, Sen. Hassan (D-NH) and Sen. Lankford (R-OK) reintroduced the bill in the Senate as [S.773](#).

NEMA is hopeful that the bipartisan bill will continue to make progress in the 119th Congress and ultimately be signed into law. It has not yet been taken up by the full House and the Senate Committee on Homeland Security and Governmental Affairs has not yet marked up the bill. Language is also included in the *FEMA Act*.

In July, the Senate Homeland Security and Governmental Affairs Committee approved the [Disaster Assistance Simplification Act](#) (S.861) by a vote of 13-0. The bipartisan bill, introduced by Senator Peters (D-MI) along with co-sponsors Sen. Paul (R-KY), Sen. Tillis (R-NC), and Sen. Lankford (R-OK), requires FEMA to consolidate federal grant applications for disaster relief for disaster survivors into one centralized and universal application, relieving survivors from the burden of multiple long and strenuous application processes. In November, the *Disaster Assistance Simplification Act* was passed by the Senate without amendment by Unanimous Consent. NEMA has strongly supported this bill and encourages the House to take action.

CONGRESS CONSIDERS FIRSTNET REAUTHORIZATION

In recent weeks, Congress has turned its attention to reauthorizing the First Responder Network Authority (FirstNet), which is currently scheduled to sunset in February 2027. The public safety community has long been advocating for reauthorization and the Congressional process started with the [Senate](#) and [House](#) holding hearing on the issue, focusing on a [discussion draft](#) of the reauthorization legislation. To continue supporting, NEMA joined forces with the Preserve FirstNet Coalition, which brings together multiple associations supporting the effort.

FirstNet was established in 2012 as an independent authority within the National Telecommunications and Information Administration (NTIA) to oversee a dedicated nationwide broadband network for public safety. AT&T was awarded the contract in 2017 to build and operate the network as a public-private partnership, and more than 29,500 public safety agencies now subscribe. The original statute included a 15-year sunset, and while some stakeholders have argued for permanent authorization, the current House discussion draft extends the authority through September 2037.

The draft legislation would expand NTIA's oversight role, requiring approval for key FirstNet actions, appointing an associate administrator to manage operations, and mandating annual reports to Congress on cybersecurity and adoption. These provisions respond in part to a 2024 Commerce Department inspector general report that identified weaknesses in FirstNet's oversight of AT&T's performance. While many in Congress frame reauthorization as an opportunity to improve transparency and effectiveness, the proposed changes have drawn mixed reactions, including concerns from former FirstNet leaders.

HOUSE VOTES TO REAUTHORIZE THE STATE AND LOCAL CYBERSECURITY GRANT PROGRAM

In November, the House passed bipartisan legislation to reauthorize and strengthen the State and Local Cybersecurity Grant Program (SLCGP), which expired in September after initially receiving \$1 billion under the 2021 infrastructure law. The [Protecting Information by Local Leaders for Agency Resilience \(PILLAR\) Act](#) (H.R.5078) would extend the program for up to a decade, stabilize federal cost-sharing at 60% for single applicants and 70% for multi-entity groups, and encourage adoption of multifactor authentication, shared services, and AI-related risk mitigation. It had previously advanced by a vote

of 21-1 through a September markup in the House Homeland Security Committee. NEMA joined eight other associations in support of this bill.

Lawmakers emphasized that state and local systems, supporting essential services from utilities to emergency response, remain prime targets for foreign adversaries and criminal groups, making federal support essential. The program has already funded hundreds of projects nationwide, with early investments supporting regional security operations centers, statewide endpoint detection capabilities, and cybersecurity workforce development. The GAO found in a report earlier this year that the program had helped fund 839 state and local cybersecurity projects as of August 1, 2024.

While the *PILLAR Act* does not specify future funding levels, leaving appropriations to Congress, stakeholders have urged lawmakers to establish a stable multiyear funding stream, warning that the cost of inaction outweighs the investment required. The bill now awaits consideration in the Senate Committee on Homeland Security and Governmental Affairs, after which it would require presidential approval to become law.

HIGHLIGHTS FROM AROUND D.C.

PRESIDENT SIGNS NEW EXECUTIVE ORDER: ADDRESSING STATE AND LOCAL FAILURES TO REBUILD LOS ANGELES AFTER WILDFIRE DISASTERS

On January 27, President Trump has signed an Executive Order aimed at speeding up the reconstruction efforts for the homes destroyed by last year's LA-area wildfires. The order—[Addressing State and Local Failures to Rebuild Los Angeles After Wildfire Disasters](#)—directs FEMA and the Small Business Administration (SBA) to publish proposed regulations (within 30 days) that preempt state and local permitting rules/processes and permit builders to self-certify that they have complied with health, safety and building standards. Final regulations are to be issued within 90 days. The order also directs federal agencies to make efforts to expedite waivers, permits, and/or approvals to increase the speed of the rebuilding of homes, businesses, or other such structures proposed to be rebuilt using federal emergency relief funds.

The order also directs that within 90 days, the Secretary of Homeland Security, through the FEMA and SBA Administrators and in consultation with the Assistant to the President for Domestic Policy and the White House Director of Legislative Affairs, must provide legislative proposals to the President that enable FEMA and SBA to address situations in which states or local governments are not enabling timely recovery after disasters, including through appropriate regulation.

Finally, the order calls for an audit to “determine what amount, if any, of the nearly \$3 billion in unspent HMGP funding granted to California was awarded arbitrarily, capriciously, or contrary to law” and “whether funded projects were completed as approved and on time, whether projected risk reduction matched actual outcomes, and whether California used Federal funding in a way that demonstrably mitigated the impact of future wildfires on its citizens.” The order has been controversial, and it is currently unclear what authority the federal government could exert over local and state permitting.

FEDERAL JUDGE RULES THAT FEMA'S TERMINATION OF THE BRIC PROGRAM WAS UNLAWFUL AND ISSUES INJUNCTION RESTORING THE PROGRAM

In December, the U.S. District Court for the District of Massachusetts granted full summary judgment in favor of over 20 plaintiff states in the case of *Washington v. FEMA*. The court ruled that FEMA's termination of FEMA's Building Resilient Infrastructure and Communities (BRIC) program was unlawful and issued a permanent injunction restoring the program. The decision holds that FEMA's actions to cancel the BRIC program—including the April 2025 “Hamilton Memo” and related press release—were unauthorized and had no legal effect.

The court found that FEMA's termination violated the *Administrative Procedure Act* (APA) and *Stafford Act*, among others. In short, FEMA was found to have substantially reduced its mitigation responsibilities without Congressional approval.

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Additionally, the ruling found that FEMA’s attempt to reallocate BRIC funding to post-disaster relief grants also violated federal appropriations law, as the funds were earmarked explicitly for mitigation purposes.

The order prohibits FEMA and DHS from:

- Reinstating the “Hamilton Memo” or similar directives;
- Taking any further actions to pause or shut down the BRIC program without Congressional approval;
- Repurposing BRIC funds for other uses; and
- Requires FEMA to reverse any actions taken to terminate the program.

States should anticipate further communication and guidance from FEMA regarding resumption of project awards, funding availability, and revised Notices of Funding Opportunities (NOFOs). NEMA will continue to monitor FEMA’s implementation of the court’s ruling and provide updates as appropriate.

This summary is provided courtesy of the NEMA Legislative Committee. Should you have any questions, please feel free to contact NEMA Deputy Director, Matt Cowles at 202-624-5459 or mcowles@csg.org or Policy Analyst Matt Shade at 202-624-5458 or mshade@csg.org