

What Is Possible? Policy Options for Long-term Disaster Recovery in Puerto Rico

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ABSTRACT

Policymakers, practitioners, academics, and community leaders can often identify unjust outcomes resulting from disaster policies that fail to satisfy basic needs or that underserve disadvantaged populations. What is less clear is how to design and implement successful programs that result in better and more just outcomes. To shed light on this matter, this paper explores CDBG-DR governance models across different U.S. jurisdictions and examines strategies that promote equity by targeting the most vulnerable and prioritizing local needs, knowledge, and capabilities for long-term recovery. The paper uses a policy assemblage framework and draws on key stakeholder interviews and analysis of various secondary sources about disaster recovery planning and policy. Findings suggest that a great deal can be improved through (a) an equity-oriented interpretation of federal guidelines and the exercise of bureaucratic discretion, and (b) enabling networks to build local capacity for community and economic development. [Keywords: CDBG-DR, governance, disaster recovery, planning, advocacy, equity]

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Introduction

Puerto Rico is at a crossroads. September 2020 marked the three-year anniversary of Hurricane María — an event that altered the livelihoods of millions of Puerto Ricans in countless ways. As Puerto Rico transitions to long-term recovery, the prospect of billions of dollars in Community Development Block Grant — Disaster Recovery (CDBG-DR) and Mitigation (CDBG-MIT) funds is increasingly shaping planning and decision-making processes. If used properly, these funds could present an opportunity for communities to secure decent housing, adequate infrastructure, and economic recovery. If misused, at the very least, these funds will not reach the communities that need them the most.

Policymakers, practitioners, academics, and community leaders can often identify unjust outcomes resulting from disaster policies that fail to satisfy basic needs or that underserve disadvantaged populations. This indeed has been the case of Puerto Rico, as the paper shall explain later on. What is less clear is how to design and implement successful programs through appropriate planning processes that result in better and more just outcomes. To shed light on this matter, this paper presents a comparative case study research of CDBG-DR governance models in Puerto Rico, Louisiana, South Carolina, Florida, and Texas, and examines strategies that promote equity by targeting the most vulnerable and prioritizing local needs, knowledge, and capabilities for long-term recovery. Findings suggest that current federal guidelines for the use of CDBG-DR funds allow for a certain measure of discretion and interpretation that the Government of Puerto Rico can elect to exercise or not in order to develop more equitable programs aimed at producing a better and more just recovery. Further, the analysis shows that a common approach to achieving this goal is by harnessing local knowledge to enable networks that build capacity for community and economic development.

The next section provides a short review on the U.S. disaster policy framework and a brief account on how the institutional post-María recovery process has advanced thus far in Puerto Rico. After, the paper describes the research design, including methods and conceptual framework. It then presents the research findings from each case, followed by an analysis and discussion of planning and policy implications for Puerto Rico. Finally, the paper concludes with a call to action for policymakers, government officials, and planning practitioners.

U.S. Disaster Policy Framework

The main law that defines the U.S. disaster policy framework is the Disaster Relief Act of 1974. It was substantially amended in 1988 and titled the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act). Under the Stafford Act, the Federal Emergency Management Agency (FEMA) is the lead entity to coordinate the federal government’s role in dealing with the effects of all domestic disasters. FEMA administers the federal government’s main recovery assistance programs defined by the Stafford Act: Individual Assistance, Public Assistance, and Hazard Mitigation Assistance. Other federal government agencies with potentially significant roles and resources in post-disaster recovery include the U.S. Department of Housing and Urban Development (HUD), the Small Business Administration (SBA), the Economic Development Administration (EDA), and the U.S. Department of Agriculture (USDA) (Johnson and Olshansky 2017).

This recovery continuum progresses through four phases: preparedness, short-term (days), intermediate (weeks-months) and long-term (months-years).

In 2011, FEMA released the National Disaster Recovery Framework (NDRF), which was the first national recovery policy that defined measures of recovery success, including: individual and family empowerment, leadership and local primacy, pre-disaster recovery planning, engaged partnerships and inclusiveness, unity of effort, timeliness and flexibility, resilience and sustainability, and psychological and emotional recovery (FEMA 2016). Also, the NDRF uses the concept of “recovery continuum” to describe a sequence of interdependent and often concurrent activities that progressively advance a community toward its planned recovery outcomes. This recovery continuum progresses through four phases: preparedness, short-term (days), intermediate (weeks-months) and long-term (months-years) (see Figure 1).

Activities related to the post-disaster short-term recovery phase—also described as emergency response—focus primarily on saving lives and property, and on providing basic human needs and support services. Activities

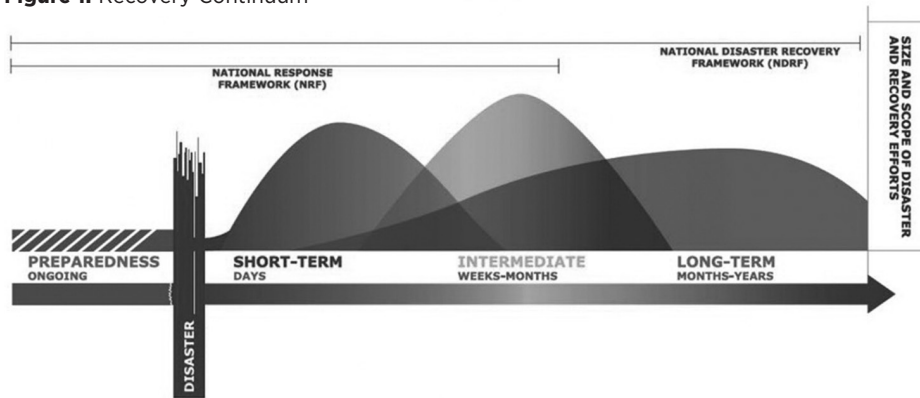
related to the intermediate or mid-term phase are those related primarily to providing interim solutions to housing, mobility, and the restoration of other essential services, aimed at returning to functional pre-disaster conditions. Activities related to long-term recovery are those of housing and infrastructure reconstruction, economic development, and hazard mitigation.

Long-term recovery activities across the U.S. have been largely centralized at the federal and state level, mainly driven by HUD's CDBG-DR funding (Johnson and Olshansky 2017). CDBG-DR is an allocation of funds from HUD that becomes available when the president declares a major disaster and there are significant needs left unmet by FEMA's individual and public assistance programs. After Congress appropriates CDBG-DR funds, HUD formally announces the CDBG-DR awards via press release and notices published in the Federal Register (HUD 2019).

CDBG-DR funds can be used in a variety of ways to address community development issues, including the restoration of essential services, the mitigation of the effects of future disasters, as well as "long-term recovery and reconstruction of businesses, homes, community facilities, and infrastructure" (Johnson and Olshansky 2017, 255). All CDBG-DR-supported programs must meet the criteria of at least one of the program's national objectives: (a) benefit low—and moderate—income persons or households, (b) aid and assist in the prevention or elimination of deteriorating areas, such as slums or blights, and (c) meet an urgent need (HUD 2019). Under applicable regulations or waivers and alternative requirements, general planning and program administrative costs are presumed to meet a national objective. Typically, HUD grants a waiver and alternative requirement to state CDBG-DR grantees to expand eligible planning activities to include non-project specific plans such as functional land-use plans, master plans, historic preservation plans, comprehensive plans, community recovery plans, development of housing codes, zoning ordinances, and neighborhood plans (HUD 2019).

Policy Problems in Post-María Recovery

To date, Puerto Rico's post-María recovery process has been plagued with policy failures and politics of injustice (see Currie 2019; Garcia 2019; Molinari 2019), resulting in an unreasonably elevated death toll (Kishore et al. 2018), the collapse of safety nets, and the displacement of thousands of citi-

Figure 1. Recovery Continuum

National Disaster Recovery Framework, Second Edition, 2016

zens (Wilson et al. 2019). During the short-term recovery phase, not all significant losses and casualties were identified and estimated appropriately, particularly those related to marginalized rural areas (Molinari 2019). This was due in part not only to the magnitude of the destruction, but also to the lack of preparedness by government units at all levels (FEMA 2018). In fact, in his testimony before the Committee on Homeland Security of the U.S. House of Representatives, Chris Currie, the director of Homeland Security and Justice, admitted that FEMA's lack of key supplies on Puerto Rico before the storm, their unqualified staff, and the many challenges with delivering emergency supplies affected the recovery process (Currie 2019).

Among the most visible policy problems leading to unjust outcomes of Puerto Rico's official institutional recovery process has been the marginalization of disadvantaged social groups. Two main issues here stand out. First, after María, FEMA developed new advisory flood maps as a mechanism to prevent the use of federal funds for housing reconstruction in flood zones areas without flood insurance. This has had great adverse implications for low-income coastal communities, limiting their opportunities to adequately participate in recovery programs and access recovery funds. Second, FEMA denied 58 percent of the total applications to the Individual Household Assistance program. Why? It often came down to proof of ownership, where many individuals either lack any documentation prov-

ing that they own their homes or their proof is incompatible with FEMA's requirements (García, Olshansky and Carrasquillo 2019).

Regarding transitions to the mid-term recovery phase, many stakeholders have consistently brought attention to systematic policy failures and local disaster recovery programs. To mention just a few, members of the U.S. Congress, Legal Aid Puerto Rico, and others have expressed grave concerns about the insufficient standards in regard to ensuing equitable access to recovery funds and about policy parameters that promote displacement (see Congress of the U.S. 2019; Legal Aid PR 2019). The Center for the New Economy has shed light on how federal relief and recovery spending in Puerto Rico has been mostly used to contract stateside private firms rather than local ones, limiting potential local economic development opportunities (Lamba-Nieves and Santiago 2018). The Center for Investigative Journalism has brought attention to the deregulated government contracting dynamics (e.g., no-bid contracts) and the associated corruption schemes (Flavelle, Malik and Smith 2017). Also, advocacy and professional organizations including the Hispanic Federation and the Puerto Rican Planning Society have claimed that opportunities for community involvement in key post-disaster planning processes (e.g., hazard mitigation, disaster recovery action planning, etc.) have been limited and restricted (García 2019).

Nevertheless, despite how events have transpired so far, Puerto Rico is still transitioning from an intermediate or mid-term recovery phase to long-term recovery and reconstruction. Although the implementation of current disaster policy and legislation has led to many unjust outcomes, research findings suggest that there is a great deal that can be improved through the interpretation of the federal policy rules and regulations and the exercise of bureaucratic discretion. This is particularly the case regarding action planning for the use of the CDBG-DR and CDBG-MIT funds.

Research Design

Planning scholar Libby Porter (2018) argues that any policymaking or planning activity that occurs in a context where colonial relations are present is saturated with complex and contested historical issues. This is true for Puerto Rico. Its territorial condition as defined in the U.S. Constitution and enforced by the U.S. Government and the Supreme Court directly shapes law,

politics, and discourse, all of which have great effects on recovery processes. That is to say, Puerto Rico's colonial context directly shapes how the U.S. disaster policy framework is assembled and implemented in Puerto Rico.

Within this context, this paper applies a policy assemblage framework to explore options on how Puerto Rico might design and implement successful CDBG-DR programs. Understanding the uniqueness of Puerto Rico's relationship with the U.S., rather than the traditional approach of seeking for "best practices," the goal here is to identify what might work for Puerto Rico if the federal guidelines for the use of CDBG-DR funds are adapted to the local context in a way that is sensible to the multiple components and context-specific factors that need to be considered and strategically arranged to render better outcomes.

Policy Assemblage Framework

At its core, to focus on policy assemblage is to examine how multiple heterogeneous elements are arranged to create governable forms. These elements include arrangements of humans, materials, technologies, organizations, techniques, procedures, norms, and events (Baker and McGuirk 2016). According to Savage (2019), there are three foundations central to the policy assemblage framework: (1) relations of exteriority and emergence, (2) heterogeneity, relationality, and flux; and (3) attention to power, politics, and agency. Together, these foundations signal a coherency to assemblage thinking and allow researchers to see and explain things in ways that many established traditions in policy research do not.

The notion of relations of exteriority and emergence suggests that, rather than understanding a policy as a coherent thing or as definable as the sum of its constitutive components, an assemblage approach stresses that what is most important is understanding the "nature of interactions between components and the capacities such components exhibit when arranged in different ways" (Savage 2019, 4). Regarding heterogeneity, relationality and flux, the main idea is that assemblages are comprised of a multiplicity of component parts that have been arranged together in a particular way toward particular strategic ends. However, the relations between the parts are contingent rather than fixed. This means that the policy assemblage approach emphasizes the evolving nature of relationships and formations. Fi-

nally, attention to power, politics, and agency refers to the need to think in distinct ways about where power and agency comes from, how they are put to work in a particular policy assemblage, and how might they change if the elements comprising a particular assemblage are rearranged.

With these ideas in mind, the policy assemblage framework invites researchers to pay strong attention to politics and the relative capacities of individuals and organizations to exercise agency in relation to both the creation of policy and its enactments. Based on this framework, this paper explores cases across different U.S. jurisdictions to examine how their CDBG-DR governance models are arranged together in a particular way toward particular strategic ends.

Methods

The research design is based on a case study comparison that involved an analysis of CDBG-DR governance models in Puerto Rico, Louisiana, South Carolina, Florida, and Texas. These cases were selected through convenience sampling. The sample universe was defined as U.S. jurisdictions affected by hurricanes with experience managing federal disaster aid. Although contact was made to several different U.S. jurisdictions, the final selection was based on stakeholders' willingness and availability to participate in the study.

For insights into official institutional recovery and planning processes, the paper draws on key stakeholder interviews and analysis of various secondary sources about disaster recovery planning and policy collected between June 2019 and May 2020. The author conducted 48 semi-structured interviews to representatives from academia, civic sector organizations, and state, county, and city government officials (see Table 1). The article also draws on multiple secondary sources. Sources included institutional plans, academic and professional publications, news media, and public records, including notices of available funds (NOFAs), requests for applications/qualifications (RFAs/RFQs), among others.

Findings

This section is organized as follows. It begins by describing some of the basic elements available for CDBG-DR governance. It then presents the cases of the U.S. jurisdictions examined and their respective CDBG-DR governance

models assembled for their priorities. At the end of the section, Table 2 presents a summary of all the CDBG-DR governance models examined.

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CDBG-DR Governance

HUD typically allocates funds to States given their capacity to administer funds across damaged areas. When this is the case, the CDBG-DR appropriation mandates that all funds must be spent to meet recovery needs in presidentially declared major disaster areas pursuant to the Stafford Act. Typically, appropriations further limit use of funds to the most impacted and distressed areas resulting from a major disaster. It is important to mention that, although HUD typically allocates funds to States, units of general local government (UGLGs) such as counties and cities could potentially be direct recipients or grantees. Further, as we shall see later on, even when states are grantees or recipients, local governments can be actively engaged in the action planning process if given the opportunity.

Grantees have many options when they consider their governance model for how CDBG-DR funds will flow to various types of projects. The three main models available are: (1) direct implementation, (2) partnerships, and (3) method of distribution. In a direct implementation model, the grantee develops or expands in-house capacity to directly administer the programs in all of the eligible impacted areas. This could be by a direct procurement of con-

Table 1. Interviews by Sector Across Study Sites

	Puerto Rico	Louisiana	South Carolina	Florida	Texas	Total
Government	3	4	3	2	2	14
Civic Sector	7	5	3	3	3	21
Academia	5	3	1	2	2	13
Total	15	12	7	7	7	48

tractors to manage or implement specific portions of a grantee program, or by distributing grant administration among peer state or municipal agencies to administer programs in their typical field of operations (HUD 2019). In a partnership model, the grantee delegates distinct responsibilities or programs to other state agencies, local governments, and nonprofits. Finally, the method of distribution allows for formulaic sub-awards to sub-recipient UGLGs to further define and administer projects and programs at the local level. It is important to mention these models are not necessarily mutually exclusive. Grantees can develop a hybrid governance model and combine different approaches.

Puerto Rico's CDBG-DR governance model

In Puerto Rico, since the entire archipelago was declared a major disaster area, the Commonwealth was designated as the grantee of approximately \$20 billion in recovery funds made available by the U.S. Congress through CDBG-DR and CDBG-MIT appropriations. To administer these funds, the Governor of Puerto Rico appointed the Puerto Rico Department of Housing (hereinafter *Vivienda*). *Vivienda* was assigned the responsibility to develop the Puerto Rico Disaster Recovery Action Plan (DRAP) establishing how the CDBG-DR funds will be used, and another Action Plan establishing how the CDBG-MIT funds will be used. After assessing their organizational capacity, *Vivienda* decided to hire private contractors to help them design some housing and economic recovery programs, and one local nonprofit organization to help them design one planning program. With this approach to plan-making, *Vivienda* maintains control and closely oversees the program design process.

The first version of the DRAP centered on addressing urgent housing and socioeconomic needs and laying the foundation for the long-term recovery. This initial plan established four programmatic areas: Planning, Housing, Economy, and Infrastructure. In February 2018, HUD awarded \$1.5 billion in CDBG-DR funds to support this effort. Later amendments to the plan added Multi-Sector as a fifth programmatic area. Across these five programmatic areas, the Action Plan presents a total of 25 programs: four in Planning, nine in Housing, seven in Economy, three in Infrastructure, and two in Multi-Sector. In total, approximately \$10 billion in CDBG-DR funds will be available to support these efforts (DRAP Amendment Four 2020).¹ The

remaining approximately \$10 billion will be made available through CDBG-MIT allocations to design and implement the CDBG-MIT Action Plan.

According to the DRAP, Vivienda will utilize two different governance models for their 25 recovery programs: direct implementation and a method of distribution through subrecipient agreements. The concept of “subrecipient refers to a “public or private nonprofit agency, authority, or organization, or an authorized for-profit entity, receiving CDBG funds from the recipient (in this case Vivienda) to undertake activities eligible for such assistance” (DRAP Amendment Four 2020, 99). To administer the Housing Repair, Reconstruction, and Relocation (R3) Program, which is the main housing program and the largest recovery program in the DRAP, Vivienda adopted a direct implementation model with a procurement of contractors to manage specific portions of the program. For the rest of the programs, in housing and in the other programmatic areas, Vivienda adopted a method of distribution through subrecipient agreements.

Approximately 46 percent (\$3.75 billion) of the second allocation of CDBG-DR funds (\$8.22 billion) have been dedicated for housing recovery (DRAP Amendment Four 2020). Of this, 65 percent (\$2.5 billion) are for the R3 program. Other housing programs include: CDBG-DR Gap to Low Income Housing Tax Credits Program (LIHTC) and Homebuyer Assistance Program, among others with less funds allocated.

In this centralized, top-down model, HUD and Vivienda control funding at all stages of the process.

In sum, Puerto Rico’s CDBG-DR governance model follows a basic top-down approach, centralized at the federal (HUD) and state (Vivienda) level. In this centralized, top-down model, HUD and Vivienda control funding at all stages of the process. There is one action plan, administered by one central agency with external contractors performing specific functions of program design and implementation, as well as subrecipients assisting with certain program management functions. Through this approach, the amount of time allocated to community participation and consensus building is limited. Also, since the entire island was declared as a major disaster area, and no

additional efforts were done to prioritize the most impacted and distressed areas, Vivienda can impose uniformity in planning and implementation.

Louisiana's Recovery after 2005 Hurricane Katrina

When thinking about other U.S. jurisdictions to draw lessons from, it is almost inevitable to examine the case of Louisiana after the 2005 Hurricanes Katrina and Rita. One can easily see numerous similarities, both in terms of the magnitude of the disaster and in the erratic recovery process. Just like Puerto Rico, Louisiana faced many bureaucratic obstacles, mainly due to their lack of capacity and to the lack of trust from the federal government (Johnson and Olshansky 2017).

After Hurricane Katrina, the Governor of Louisiana issued an executive order to create the Louisiana Recovery Authority (LRA) and charged it with securing funding and other resources, “establishing principles and policies for redevelopment, leading long-term community and regional planning efforts, ensuring transparency and accountability, and communicating progress, status, and needs of the recovery to officials, community advocates, and the public” (LRA 2010). The LRA was led by a board of directors whose 33 members were selected to be bipartisan, socioeconomically and racially diverse civic and national leaders who originated from affected communities. These volunteers met consistently nearly every month over the five-year life of the LRA, and the agency issued quarterly reports on its work, as required by the Louisiana legislature. The LRA also formed a series of task forces to develop and guide policy for a host of recovery issues, including “housing, economic and workforce development, infrastructure and transportation, public health and healthcare, the environment, human services, education, coastal protection, and long-term community planning” (Johnson and Olshansky 2017, 277).

Under the LRA, the two main recovery program management agencies were the Louisiana Office of Community Development (OCD) and the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP). The OCD established the Disaster Recovery Unit with lead responsibility for the administration of the CDBG-DR funds, while GOHSEP had lead responsibility administrating the FEMA's programs.

The State of Louisiana received approximately \$13.4 billion in CDBG-DR funds, and their action plan identified four programmatic areas: plan-

ning, housing, infrastructure, and economic development. For the Housing programmatic area, also known as Road Home, the State assigned approximately \$9 billion, close to 67 percent of their total CDBG-DR allocation. Within Road Home, four housing recovery programs were developed, all using a direct implementation model. To address their capacity limitations, the State hired private firms for the program design and implementation. Spaces and opportunities for the local non-profit sector were quite limited.

Louisiana’s CDBG-DR Governance after 2008 Hurricanes Gustav and Ike

After the 2008 Hurricanes Gustav and Ike, the State of Louisiana determined that it was in their best interest “to allow the most impacted local governments, acting through subrecipient agreements, to decide which recovery programs they wanted to develop to meet their assessed unmet needs” (Interview, Hazard Mitigation Office, New Orleans, August 2, 2019). This time, they developed two different methods of distribution: (a) sub-awards to subrecipient UGLGs, and (b) subrecipient agreements through a competitive request for proposals (RFP) process.

According to the State of Louisiana Action Plan for the Utilization of CDBG Funds in Response to Hurricanes Gustav and Ike (Action Plan for Gustav and Ike), the State identified the parishes most affected and allowed them to define and administer their own projects and programs at the local level through sub-awards. Approximately 70 percent of the total CDBG-DR funds were distributed this way. For the rest of the affected areas, the state allocated 25 percent of the total CDBG-DR funds for competitive projects in the areas of affordable housing, agriculture, hurricane protection, coastal restoration, and fisheries (Action Plan for Gustav and Ike 2009, 6). Here, the State prioritized proposals that met the CDBG national objectives of benefiting to low- and moderate-income persons, the removal of slum and blight, and urgent need. Further, they prioritized proposals prepared by non-governmental or non-profit organizations, local governments, or governmental entities who presented community-driven projects that integrated the needs, desires, and resources of the residents in the reconstruction process.

South Carolina’s CDBG-DR Governance after 2015 Hurricane Joaquin

The situation in South Carolina is quite different. In response to the flood-

ing events caused by Hurricane Joaquin, in addition to the State of South Carolina, Richland County, Lexington County, and the City of Columbia are all direct recipients of CDBG-DR allocations. That is, within one state, there are four different grantees: the state and three UGLGs. This case of multiple grantees within one State is enabled by the Disaster Relief Appropriations Act of 2016 (Pub. L. 114-113, approved December 18, 2015).

HUD allocated \$126.7 million in CDBG-DR funds to the State, \$23.5 million to Richland County, \$16.3 million to Lexington County, and \$20 million to the City of Columbia. Each grantee has the responsibility of developing its own action plan and implementing their programs within their administrative boundary limits without overlapping. Stakeholders across all four jurisdictions attributed this to (a) the fact that Richland County, Lexington County, and the City of Columbia are all HUD Entitlement Communities that already had programs to manage CDBG, HOME, and Emergency Solutions Grants funds, and, more important, (b) political leadership, referring to political maneuvers of government officials and the congressional representative of those communities.

At the state level, South Carolina implemented a hybrid CDBG-DR governance model, including partnerships with nonprofit organizations and a method of distribution to prioritize the most affected areas outside Richland and Lexington. Also, they developed a nonprofit recovery fund—One SC Fund—to support nonprofit organizations providing relief and recovery assistance. Both Richland and Lexington adopted a direct implementation model, while the City of Columbia developed a hybrid approach, combining the partnerships model with a method of distribution through a competitive request for applications (RFA) process.

The approval of UGLGs in South Carolina resulted in new spaces and opportunities for local nonprofit and community organizations to get involved in rebuilding efforts. According to representatives of SBP, a 501 (c)3 nonprofit organization dedicated to disaster recovery in multiple states (including South Carolina), “when local governments have authority over housing recovery efforts within their jurisdiction, community development corporations (CDCs) and other nonprofit housing developers have greater access to official recovery planning processes and federal grants” (Interview with author, 25 October 2019).

Florida's CDBG-DR Governance after 2017 Hurricane Irma

Following Hurricane Irma, the State of Florida—as the sole grantee of CDBG-DR allocations—appointed the Department of Economic Opportunity (DEO) to develop the state action plan to administer the funds. The DEO established a governance model developing a method of distribution considering regional differentiation. Among the elements considered to determine regional differentiation were the level of impact of the hurricane, unmet urgent needs, and the geographic and socio-economic characteristics of the region. In total, three classifications for regional differentiation were established: (1) Monroe County, (2) Statewide, and (3) Smaller Developments. Once these classes were determined, the DEO developed specialized RFAs that established the entities that may participate in their different recovery programs and the mechanisms available for each one. The Statewide RFA targets more affluent impacted counties and requesting entities must combine CDBG-DR funds with Tax-Exempt Multifamily Mortgage Revenue Bonds (MMRB) and Non-Competitive Housing Credits. The Smaller Developments RFA targets less affluent impacted counties and requesting entities will receive increased support through CDBG-DR funds and capacity-building programs.

Approximately 69 percent of all CDBG-DR allocations were destined for housing recovery programs. The State's Action Plan divides their housing recovery budget into three programs: (a) Housing Repair and Replacement, organized with a direct implementation model, (b) Workforce Affordable Housing Construction, developed and implemented in partnership with the Florida Housing Finance Corporation (FHFC), and (c) Voluntary Home Buyout, with a method of distribution through subrecipient agreements to UGLGs designated as most impacted and distressed areas.

Regarding the Workforce Affordable Housing Construction Program, DEO and FHFC will provide two different funding mechanisms. The first mechanism includes leveraging CDBG-DR funds with other sources of funding, such as Low-Income Housing Tax Credits and Tax-Exempt Bond Financing, among others. The second mechanism is to utilize stand-alone CDBG-DR funds to provide zero-interest loans to create smaller, new multi-family developments. Both of these mechanisms are designed considering differentiation between counties, particularly the extent and character of unmet needs, county's capacity and assets. Further, both of these mechanisms provide spaces and

opportunities for nonprofit housing developers, CDCs, and for joint ventures between for-profit and nonprofit community land trusts.

Texas CDBG-DR Governance after 2017 Hurricane Harvey

Following the 2017 Hurricane Harvey, the Governor of Texas recruited the Texas A&M University System's Chancellor and former State Comptroller John Sharp to lead the disaster recovery efforts and put together the state plans required by the NDRF. Within ten weeks of Hurricane Harvey, Chancellor Sharp and his team compiled a comprehensive flood infrastructure mitigation plan that requested \$61 billions of federal aid to address related damages and needs (Sharp 2017).

To secure HUD's CDBG-DR funds, the Texas General Land Office (GLO), which has experience administering CDBG-DR funds since 2011, developed the State of Texas Plan for Disaster Recovery: Hurricane Harvey – Round 1 CDBG-DR Action Plan. This plan identified Harris County as a “most impacted and distressed” area and was allocated by the State, along with the City of Houston, a direct allocation from the State's CDBG-DR \$5.024 billion allocation. Both Harris County and the City of Houston elected to develop their own local recovery programs, which required them to develop supplemental action plans to be submitted as a substantial amendment under the State of Texas Action Plan. As a result, the State Action Plan provided a three-way division of the non-administrative funds: \$1.156 billion going to Harris County plan, \$1.156 billion going to the City of Houston, and \$2.51 billion staying with GLO for distribution to the rest of the state (Campbell 2018).

The primary goal of the Harris County Supplemental Action Plan was to give their residents opportunities to get involved in the recovery process as it pertains to CDBG-DR funds. This effort provides an ease of access to vulnerable populations. The plan focuses on housing recovery, combining, among other things, (a) the rehabilitation and reconstruction of public housing, affordable housing and other forms of assisted housing (e.g., Section 8 Housing Choice Voucher Program), (b) housing for vulnerable populations (e.g., housing for homeless and those at-risk of homelessness, etc.), and (c) strategies to minimize displacement.

ANALYSIS

Planning practitioners, academics, advocacy groups, and community leaders in Puerto Rico have consistently raised flags during the CDBG-DR action planning process regarding insufficient opportunities for community involvement, inequitable allocation of funds, and unjust outcomes resulting from recovery programs that fail to recognize regional differentiation and might force the displacement of disadvantaged populations. These con-

Table 2. Summary of CDBG-DR governance in five U.S. jurisdictions.

U.S. Jurisdiction	CDBG-DR governance model	Key insights
Louisiana (post-Hurricanes Gustav and Ike, 2008)	Subrecipient agreements with UGLGs and a method of distribution through RFPs	Provides direct allocations to local governments, giving deference to local knowledge and allowing them to design and run their own programs.
South Carolina (post-Hurricane Joaquin, 2015)	State: Partnerships and subrecipient agreements; Counties: Direct implementation; City of Columbia: Partnerships and a method of distribution through RFPs	In addition to the state, UGLGs act as grantees of federal appropriations. CDBG-DR governance is based on partnerships with nonprofit housing developers and community development corporations for housing recovery.
Florida (post-Hurricane Irma, 2017)	Partnerships and State-managed recovery with regional differentiation through RFPs.	This approach is rooted on joint ventures and partnerships between government agencies, for-profit and nonprofit organizations. Policy is attentive to different constituencies, necessities, and regional characteristics.
Texas (post-Hurricane Harvey, 2017)	Supplemental action planning.	Decentralized governance. Prioritizes most affected areas and redistributes resources from the state to county and city levels.
Puerto Rico (post-Hurricane María, 2017)	Centralized, top-down administration with private contractors and subrecipients.	Central action plan with external contractors performing specific policy design and implementation functions.

cerns and issues are tied to Puerto Rico's CDBG-DR governance model. As mentioned earlier, Puerto Rico's centralized, top-down approach limits the spaces and opportunities for community participation and consensus building. Also, since no efforts have been done to prioritize the most impacted and distressed areas, Vivienda imposes uniformity in program design, limiting regional or jurisdictional differences across the archipelago.

Applying a policy assemblage framework to this analysis helps direct our attention away from theoretical abstractions and ideal types, which are rife in political science and public policy studies, toward more materialist, relational, and bottom-up orientations in an effort to better understand the tangible stuff around HUD's CDBG-DR funds. It is true that post-disaster recovery planning across the U.S. has been fundamentally centralized at the federal and state level, largely driven by federal policies and funding allocations. This indeed tends to push states toward more centralized CDBG-DR governance models. Yet, after taking a closer look at how other U.S. jurisdictions assemble their CDBG-DR governance model, we can identify policy options still available for Puerto Rico.

But leadership should not be confused with centralized technocratic management.

Stakeholders across jurisdictions with knowledge on the field of hazard mitigation and disaster recovery action planning point to effective political and civil service leadership, as well as the exercise of bureaucratic discretion, in the interpretation of the federal rules and regulations for the use of CDBG-DR funds. But leadership should not be confused with centralized technocratic management. Excessive top-down control can render recovery programs overly rigid and exclude the local actors who better understand regional and local particulars that impact implementation (Jerolleman 2019).

Professional and advocacy groups like the Hispanic Federation, Legal Aid Puerto Rico, Puerto Rican Planning Society, Planners for Puerto Rico, and others have advocated for the creation of a multi-sectoral coalition of community leaders, private, and third-sector organizations, civil service, and government officials to design Puerto Rico's recovery agenda and define priorities for long-term recovery. To some extent, this might approximate

LRA's board and the task forces created to develop policy recommendations for a host of recovery issues. But there are also other approaches to CDBG-DR governance still available that might help increase community involvement and result in more equitable programs.

Policy options based on more decentralized and inclusive models for implementing recovery programs include partnerships with nonprofit organizations and methods of distribution through RFPs and RFAs rooted in joint ventures. For a more equitable housing and economic recovery, federal guidelines allow methods of distribution that prioritize the most affected areas and that take into consideration regional differentiation. Also, efforts that prioritize local needs by empowering local stakeholders in CDBG-DR action planning are more prone to result in more inclusive and equitable recovery processes. This could be through supplemental action planning agreements or subrecipient agreements with UGLGs that provide direct allocations for disaster recovery action planning.

A common pathway toward a more inclusive and equitable recovery process is building local capacity, focusing on empowering networks of civic sector organizations and local governments. Current policies and regulations do include provisions that, when enforced, can provide opportunities for this. Programs aimed at developing comprehensive community planning can serve to enhance participatory access, particularly where decisions regarding allocations of assistance and future development are concerned. One example of this is the Louisiana's Strategic Adaptations for Future Environments (LA SAFE) initiative, which was created and implemented as a joint venture between the State of Louisiana and the Foundation for Louisiana. LA SAFE is a statewide resilience policy framework focused on "helping communities plan for—and implement—safer, stronger, and smarter development strategies." Similarly, South Carolina developed the One SC Fund to support nonprofit organizations providing relief and recovery assistance.

To correct these trends, political, civil service, and the civic sector leadership can develop programs and initiatives that allow the civic sector to stay involved for long-term recovery.

It is broadly known that local governments and civic sector organizations play an important role after great disasters, providing spaces and opportunities for recovery to those most vulnerable (Contreras 2016; Khazai et al. 2006; Patterson, Weil and Patel 2010). However, as jurisdictions transition to long-term recovery, and most institutional efforts concentrate around CDBG-DR funds, much of the planning, design, engineering, and reconstruction work that state and municipal governments are required to do gets done by private consulting and construction firms. As a result, local communities lose spaces for active involvement, and nonprofits are held back providing social services and assistance, lacking the resources to sustain operations without financial assistance.

To correct these trends, political, civil service, and the civic sector leadership can develop programs and initiatives that allow the civic sector to stay involved for long-term recovery. The State of Florida, for example, does this through RFPs requiring joint ventures between for profit and nonprofit organizations, and through their partnership with the Florida Housing Finance Corporation. In the City of New Orleans, the Greater New Orleans Housing Alliance, a collaborative of home builders and community development organizations advocating for the preservation and production of affordable housing, developed the HousingNOLA 10-year Strategy and Implementation Plan. The implementation of this plan is funded by the Convergence Partnership, the City of New Orleans' Network for Economic Opportunity, the Ford Foundation, the Greater New Orleans Foundation's Metropolitan Opportunities Initiative, JPMorgan Chase Foundation, Surdna Foundation, and W.K. Kellogg Foundation (Greater New Orleans Housing Alliance 2015).

The Puerto Rico CDBG-DR Action Plan has two programs that, although largely centralized, might still provide opportunities to empower local networks. One is the Municipal Recovery Planning (MRP) Program with an allocation of \$39 million that will be distributed across the 78 municipalities. Grants will be awarded to local municipalities through subrecipient agreements, and the amount of those grants will be determined by an award formula, which will consider factors including municipal population, land area, coastline length, area covered by water, and assessed damages data. The other program is the Whole Community Resiliency Planning (WCRP) Program with an allocation of \$55 million. This program is managed by Foundation for Puerto Rico (FPR)

by means of a subrecipient agreement with Vivienda. The goal of the program is to develop “comprehensive community recovery plans,” which could allow communities to develop policies, planning, and management capacity that best meet their needs (García, Olshansky and Carrasquillo 2019).

Both of these programs—MRP and WCRP—present potential opportunities for local involvement and capacity-building. The extent to which they complement or contradict each other remains to be seen. The extent to which they harness local knowledge to enable networks that build capacity for community and economic development also remains to be seen. Further, the extent to which these efforts lead to the implementation of community developed projects, and the extent to which Vivienda will secure CDBG-MIT funds to support these efforts also remains unknown. Finally, the extent to which these programs relate to FEMA’s municipal hazard mitigation planning program is still unclear, although professional groups state that so far “there is great disconnection” (Interview, Puerto Rican Planning Society, 6 June 2019).

Conclusion: Towards a Just Recovery

CDBG-DR regulations allows for a certain measure of discretion and interpretation that the Government of Puerto Rico can elect to exercise or not in order to develop more equitable programs aimed at producing a better and more just recovery. More decentralized, inclusive, and equitable CDBG-DR governance models provide greater spaces and opportunities for local involvement and are more prone to prioritize real and timely participation, the right to safe housing, and mitigation strategies that minimize displacements. Conversely, the lack of equitable access to resources and programs—including full participation in decision-making processes that govern resource allocation, future development, and other functions—hinders recovery.

To date, institutional recovery processes in Puerto Rico have demonstrated a lack of leadership, financial mismanagement, and corruption. Also, long-held local top-down management attitudes and mistrust from the White House and the U.S. Congress have shaped how local actors interact with federal policies, sometimes even subverting policy aims. In response, this paper constitutes a call to action, asking policy makers, government officials, nonprofit professional and community organizations, and other interested parties, such as diasporic communities who might have greater in-

fluence on Congress than local communities in Puerto Rico, to take a closer look at the policy options available for CDBG-DR governance and amend the current recovery trajectory. The pursuit of a more just recovery requires a strong push from multi-sectorial fronts and at various entry points in this recovery process: “from the congressional level, where recovery funds are appropriated, to agencies that establish the primary use of these funds and disbursement criteria, to the local project level” (Meléndez 2018).

Approaching these issues through a policy assemblage framework opens the door for us to see the role of various actors and agents at different levels of government and across different sectors of society in creating conditions of possibility for certain policy arrangements to emerge. Also, this framework sheds light on how the relationships between the agents and other policy components are contingent rather than fixed. As such, this paper invites all readers to pay strong attention to politics and the relative capacities of individuals and organizations to exercise agency in relation to both the creation of policy and its enactments.

The maneuvers referenced in this study are by no means easy to implement and might require significant structural and programmatic changes to the ways that disaster recovery is managed and resourced. The decision is not whether to change or not—the fact or reality is that change is inevitable. The decision is how to change in a manner that is equitable and that leads to a just recovery. The cases examined here show that incremental changes are possible; however, awareness and coalition building are crucial first steps toward the design and implementation of more inclusive and equitable policies. Further, what cannot be immediately changed, can be brought to light—and casting such a light on policy failures in clear and descriptive terms is a necessary precursor to change.

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NOTES

¹ By the time this paper was published the DRAP Amendment Five had been approved with some substantial changes.

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