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## **FEMA Disaster Response Policy Brief**

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### **Declaration of Major Disaster**

Although various federal agencies have disaster response functions, the Federal Emergency Management Agency (FEMA) is the primary agency for disaster and emergency response. The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), originally passed in 1988, authorizes the President to issue a “major disaster” declaration to provide a wide range of federal aid to states determined to be overwhelmed by hurricanes or other disasters. The Stafford Act requires that “all requests for a declaration by the President that a major disaster exists shall be made by the Governor of the affected state.”

The Stafford Act establishes a process for requesting and obtaining a Presidential disaster declaration, defines the type and scope of assistance available from the Federal government, and sets the conditions for obtaining that assistance. FEMA, now part of the Emergency Preparedness and Response Directorate of the Department of Homeland Security, is tasked with coordinating the response under the Stafford Act. For more information on the disaster declaration process and federal disaster assistance, see: [http://www.fema.gov/rrr/dec\\_guid.shtm](http://www.fema.gov/rrr/dec_guid.shtm).

### **Current Katrina-Related Federal Disaster Areas**

The governors of Alabama, Louisiana, and Mississippi all declared a state of emergency for their states prior to Hurricane Katrina’s landfall and applied to FEMA for federal assistance shortly afterward. President Bush responded by declaring portions of Alabama, Louisiana and Mississippi as federal disaster areas. In addition, after Hurricane Katrina, the following state’s governors have declared a state of emergency for their respective states to trigger federal and state disaster assistance: Arkansas, Iowa, Florida, Kentucky, Michigan Oklahoma, Pennsylvania, Texas, and Utah.

### **Stafford Act Provisions**

Under the Stafford Act, last reauthorized in 2000, FEMA has established three major categories of aid: individual and household, public, and hazard mitigation assistance. Within these categories, authorization is provided for temporary housing, grants for immediate needs of families and individuals, the repair of public infrastructure, emergency communications systems, and other forms of assistance. The FEMA program that serves as the primary vehicle to assist individuals is the Individual and Household Grants (IHG) program (also referred to by FEMA as the Individuals and Households Program or IHP).

## **FEMA's IHP Provisions**

FEMA financial assistance is limited by statute to \$26,200 per household (this amount is adjusted annually based on the CPI). The following list shows the categories of assistance under IHP, and all funds received count toward the per household cap:

- **Temporary Housing**: Money is available to rent temporary housing, or a government provided housing unit when rental properties are not available.
- **Home Repair**: Home owners receive grants (*capped at \$5,100 by statute*) to repair damage from the disaster that is *not covered by insurance*. The goal is to make the damaged home safe, sanitary, and functional.
- **Replacement**: Money is available to homeowners to replace their home destroyed in the disaster if the home is not covered by insurance (*capped at \$10,200 by statute*).
- **Permanent Housing Construction**: Direct assistance or money for the construction of a home. This type of help occurs only in insular areas or remote locations specified by FEMA, where no other type of housing assistance is possible.
- **Other Needs Assistance (ONA)**: Applicants can receive grants for necessary expenses and serious needs caused by the disaster. This includes medical, dental, funeral, personal property, transportation, moving and storage, and other expenses that are authorized by law. The homeowner may need to apply for a SBA loan before receiving this type of assistance (in some instances, by statute, FEMA financial assistance is not available until an individual has been denied a loan by the SBA). This may also include up to \$2,000 in emergency living expenses, provided in the form of a debit card, via check at their registration address, or via direct deposit. It is not clear if accountability measures are in place to ensure that the debit cards and other forms of cash for emergency living expenses are used properly.

To view FEMA's IHP Applicants Guide, which includes more specifics about the IHP program and eligibility requirements, see:

[http://www.fema.gov/pdf/about/process/help\\_after\\_disaster\\_english.pdf](http://www.fema.gov/pdf/about/process/help_after_disaster_english.pdf)

## **Disaster Assistance Process**

Individuals may apply for disaster assistance online at [www.fema.gov](http://www.fema.gov) or by phone at 800-621-FEMA (3362). Information that will be required to process an application for aid:

- Social Security Number
- Description of losses caused by the disaster
- Insurance Information
- Directions to damaged property
- Telephone number to be contacted

For information regarding FEMA and other federal agency disaster assistance programs, see:

FEMA IHP Website: <http://www.fema.gov/about/process/index.shtm>

CRS Report RL31734: <http://www.congress.gov/erp/rl/pdf/RL31734.pdf>

CRS Report RL33053: <http://www.congress.gov/erp/rl/pdf/RL33053.pdf>