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# Federal Disaster Assistance Response and Recovery Programs: Brief Summaries

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## Summary

This report is designed to assist Members of Congress and their staff as they address the needs of their states, communities, and constituents after a disaster. It includes a summary of federal programs that provide federal disaster assistance to individual survivors, states, territories, local governments, and nongovernmental entities following a natural or man-made disaster. A number of federal agencies provide financial assistance through grants, loans, and loan guarantees to assist in the provision of critical services, such as temporary housing, counseling, and infrastructure repair.

The programs summarized in the report fall into two broad categories. First are programs specifically authorized for disaster situations. Most of these programs are administered by the Federal Emergency Management Agency (FEMA). Second are general assistance programs that in some instances may be used in either disaster situations or to meet regular service needs. Many federal agencies, including the Departments of Health and Human Services (HHS) and Housing and Urban Development (HUD), administer programs that may be included in the second category.

The programs in the report are primarily organized by recipient: individuals, state and local governments, nongovernmental entities, or businesses. These programs address a variety of short-term needs, such as food and shelter, and long-term needs, such as the repair of public utilities and public infrastructure.

The report also includes a list of Congressional Research Service (CRS) reports on disaster assistance as well as relevant federal agency websites that provide information on disaster responses, updates on recovery efforts, and resources on federal assistance programs.

This report will be updated as significant legislative or administrative changes occur.

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## Introduction

Federal agencies provide a range of assistance to individual survivors; state, territorial, and local governments; and nongovernmental entities after major disasters, including natural disasters and terrorist attacks. Types of aid can include, but are not limited to, operational, logistical, and technical support; financial assistance through grants, loans, and loan guarantees; and the provision of federally owned equipment and facilities.

Many, but not all, programs are available after the President issues a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) authority.<sup>1</sup> More limited aid is available under a Stafford Act emergency declaration,<sup>2</sup> a declaration issued by a department or agency head, or on an as needed basis.<sup>3</sup>

This report only identifies programs frequently used to provide financial assistance in the disaster response and recovery process. It provides brief descriptive information to help congressional offices determine which programs merit further consideration in the planning, organization, or execution of the disaster response and recovery process.

Most of the programs listed here are authorized as assistance programs and are listed in the *Catalog of Federal Domestic Assistance (CFDA)*.<sup>4</sup> The list does not include operational or technical assistance that some agencies provide in emergency or disaster situations. It is not inclusive of all forms of financial disaster assistance that may be available to every jurisdiction in every circumstance, as unique factors often trigger unique forms of assistance. Congress may, and frequently has, authorized specific forms of financial assistance on a limited basis following particular disasters.

## Program Selection Criteria

Programs discussed in this report satisfy one or more of the following criteria:

- Congress expressly designated the program to provide financial assistance for disaster relief or recovery.
- The program is applicable to most disaster situations, even if not specifically authorized for that purpose.
- The Federal Emergency Management Agency (FEMA) and other federal agencies have frequently used the program to provide financial assistance.
- The program is potentially useful for addressing short-term and long-term recovery needs (e.g., assistance with processing survivor benefits or repair of public facilities).

Most of the programs listed in this report are specifically authorized for disaster situations. General assistance programs that may apply to disaster situations are described at the end of the report (see “General Assistance Programs”).

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<sup>1</sup> 42 U.S.C. §5170.

<sup>2</sup> 42 U.S.C. §5191.

<sup>3</sup> The Administrators of the Small Business Administration and Farm Services Agency and the Secretaries of Agriculture and Transportation, within statutory limitations, may issue disaster declarations for purposes of providing assistance solely from their agencies. Citations to these authorities are presented in the relevant program summaries.

<sup>4</sup> Available at <http://www.cfda.gov>.

As Congress and the Administration respond to domestic needs arising from major disasters, some conditions of these programs may be changed. For the most up-to-date information on a particular program, please contact the CRS analyst or department or agency program officers listed in the report.

## **Federal Disaster Recovery Programs**

### **Assistance for Individuals and Families**

#### **Individuals and Households Program**

The Individuals and Households Program (IHP) is the primary vehicle for FEMA assistance to families and individuals after the President issues a major disaster declaration. Congress appropriates money for the IHP (and most other aid authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act) to the Disaster Relief Fund. Grants assist disaster victims whose needs cannot be met through other forms of assistance, such as insurance or other federal programs. Program funds have a wide range of eligible uses, including temporary housing; limited housing repair or replacement; and uninsured medical, dental, or other personal needs (generally referred to as Other Needs Assistance [ONA]). ONA is cost shared at 75% federal and 25% state, but the federal share of temporary housing assistance is 100%. Grants may currently not exceed \$33,300 (FY2017) per individual or household.<sup>5</sup> This amount is adjusted annually to reflect consumer price changes;<sup>6</sup> IHP assistance is generally limited to a period of 18 months.<sup>7</sup> (Also see “Physical Disaster Loans—Residential SBA Disaster Loans Available to Homeowners and Renters” below for additional assistance for homeowners and renters.)

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5174

*Regulation:* 44 C.F.R. §206.110–.120

*Phone:* Office of Congressional Affairs, 202-646-4500

*Website:* <https://www.fema.gov/media-library/assets/documents/24945>

*CFDA Program Numbers:* 97.048 (<http://cfda.gov/programs/97.048>), 97.049 (<http://cfda.gov/programs/97.049>), and 97.050 (<http://cfda.gov/programs/97.050>)

*CRS Contact:* (name redacted), 202 -707-3752

#### **Disaster Unemployment Assistance**

Disaster Unemployment Assistance (DUA) provides benefits to previously employed or self-employed individuals rendered jobless as a direct result of a major disaster and who are not eligible for regular federal or state unemployment compensation (UC). In certain cases, individuals who have no work history or are unable to work may also be eligible for DUA benefits. DUA is federally funded through FEMA, but is administered by the Department of Labor and state UC agencies. Generally, individuals must apply for benefits within 30 days after the date the state announces availability of DUA benefits. When applicants have good cause, they

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<sup>5</sup> The latest adjustment was posted in the *Federal Register*. See Federal Emergency Management Agency, “FEMA gives notice of the maximum amount for assistance under the Individuals and Households Program for emergencies and major disasters declared on or after October 1, 2016,” 81 *Federal Register* 70431, October 12, 2016.

<sup>6</sup> 44 C.F.R. §206.110 (b).

<sup>7</sup> 42 U.S.C. §5174 (B)(iii).

may file claims after the 30-day deadline.<sup>8</sup> This deadline may be extended; however, initial applications filed after the 26<sup>th</sup> week following the declaration date will not be considered.<sup>9</sup> When a reasonable comparative earnings history can be constructed, DUA benefits are determined in a similar manner to regular state UC benefit rules. The minimum weekly DUA benefit is required to be half of the average weekly UC benefit for the state where the disaster occurred. DUA assistance is available to eligible individuals as long as the major disaster continues, but no longer than 26 weeks after the disaster declaration. For more information, see CRS Report RS22022, *Disaster Unemployment Assistance (DUA)*, by (name redacted) .

*Agency:* Department of Labor, Employment and Training Administration

*Authority:* 42 U.S.C. §5177

*Regulation:* 20 C.F.R. §625; 44 C.F.R. §206.141

*Contact:* See listings of state UC Agencies, <http://www.servicelocator.org/OWSLinks.asp>

*Website:* <http://ows.doleta.gov/unemploy/disaster.asp>

*CFDA Program Numbers:* 97.034 (<http://cfda.gov/programs/97.034>)

*CRS Contact:* Julie Whittaker, 202-707-2587

### **Dislocated Worker Activities**

The dislocated worker program helps fund training and related assistance to persons who have lost their jobs and are unlikely to return to their current jobs or industries. Of the funds appropriated, 80% are allotted by formula grants to states and local entities and 20% are reserved by the Secretary of Labor for activities to fund a national reserve, including national dislocated worker grants to states or local entities. One type of national emergency grant is Disaster Relief Employment Assistance, under which funds can be made available to states to employ dislocated workers in temporary jobs involving recovery after a national emergency. An individual may be employed for up to 12 months.<sup>10</sup> There are no matching requirements for Workforce Innovation and Opportunity Act (WIOA) programs.

*Agency:* Department of Labor, Employment and Training Administration

*Authority:* 29 USC 3225

*Regulation:* 20 C.F.R. §671

*Contact:* See listings of state Dislocated Worker/Rapid Response Coordinators at [http://www.doleta.gov/layoff/rapid\\_coord.cfm](http://www.doleta.gov/layoff/rapid_coord.cfm)

*Website:* [https://www.doleta.gov/DWGs/eta\\_default.cfm](https://www.doleta.gov/DWGs/eta_default.cfm)

*CFDA Program Numbers:* 17.260 (<http://cfda.gov/programs/17.260>) and 17.278 (<http://cfda.gov/programs/17.278>)

*CRS Contact:* (name redacted), 202-707-7352

### **Physical Disaster Loans—Residential SBA Disaster Loans Available to Homeowners and Renters**

The majority of disaster loans provided by the Small Business Administration (SBA), approximately 80%, are made available to individuals and households. SBA disaster assistance is provided in the form of loans, not grants, and therefore must be repaid to the federal government. Homeowners, renters, and personal property owners located in a declared disaster area (and in

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<sup>8</sup> 20 C.F.R. §625.8.

<sup>9</sup> 42 U.S.C. §3226

<sup>10</sup> 29 USC 2918 (d)(3).

contiguous counties) may apply to the SBA for loans to help recover losses from the disaster. SBA's Home Disaster Loan Program falls into two categories: personal property loans and real property loans. These loans cover only uninsured or underinsured property and primary residences. Loan maturities may be up to 30 years.<sup>11</sup>

### **Personal Property Loans**

A personal property loan provides a creditworthy homeowner or renter with up to \$40,000 to repair or replace personal property items, such as furniture, clothing, or automobiles, damaged or lost in a disaster.<sup>12</sup> These loans cover only uninsured or underinsured property and primary residences and cannot be used to replace extraordinarily expensive or irreplaceable items, such as antiques, recreational vehicles, or furs.

### **Real Property Loans**

A creditworthy homeowner may apply for a "real property loan" of up to \$200,000 to repair or restore the homeowner's primary residence to its pre-disaster condition.<sup>13</sup> The loans may not be used to upgrade homes or build additions, unless upgrades or changes are required by city or county building codes. A real property loan may be increased by 20% for repairs to protect the damaged property from a similar disaster in the future.<sup>14</sup>

*Agency:* Small Business Administration

*Authority:* 15 U.S.C. §636(b)

*Regulation:* 13 C.F.R. §123.200–.204

*Contact:* Office of Congressional and Legislative Affairs, 202-205-6700

*Website:* <http://www.sba.gov/content/home-and-personal-property-loans>

*CFDA Program Numbers:* 59.008 (<http://cfda.gov/programs/59.008>)

*CRS Contact:* (name redacted), 202 -707-3752

### **Cora Brown Fund**

This unique fund directs payments to individuals and groups for disaster-related needs that have not been or will not be met by government agencies or other organizations. A disaster survivor will normally receive no more than \$2,000 from this fund in any one declared disaster unless the Assistant Administrator for the Disaster Assistance Directorate determines that a larger amount is in the best interest of the disaster victim and the federal government.<sup>15</sup> There is no matching requirement for this program and no limitation on the time period in which assistance is available.

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5121 *et seq.*

*Regulation:* 44 C.F.R. §206.181

*Contact:* Office of Congressional Affairs, 202-646-4500

*Website:* <http://www.fema.gov/library/viewRecord.do?id=5037>

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<sup>11</sup> See CRS Report R41309, *The SBA Disaster Loan Program: Overview and Possible Issues for Congress*, by (name redacted) .

<sup>12</sup> 13 C.F.R. §123.105(a)(1).

<sup>13</sup> 13 C.F.R. §123.105(a)(2).

<sup>14</sup> 13 C.F.R. §123.107.

<sup>15</sup> 44 C.F.R. §206.164(c)(2).

*CFDA Program Numbers:* 97.031 (<http://cfda.gov/programs/97.031>)  
*CRS Contact:* (name redacted), 202 -707-3752

### **Crisis Counseling**

This program provides grants that enable states to offer crisis counseling services, when required, to victims of a federally declared major disaster for the purpose of relieving mental health problems caused or aggravated by the disaster or its aftermath. Assistance is short-term and community-oriented. Cost-share requirements are not imposed on this assistance. The regulations specify that program funding generally ends after nine months, but time extensions may be approved if requested by the state and approved by federal officials.<sup>16</sup>

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5183

*Regulation:* 44 C.F.R. §206.171

*Contact:* Office of Congressional Affairs, 202-646-4500

*Website:* <https://www.fema.gov/recovery-directorate/crisis-counseling-assistance-training-program>

*CFDA Program Numbers:* 97.032 (<http://cfda.gov/programs/97.032>)

*CRS Contact:* (name redacted) 202-707-7320

### **Disaster Legal Services**

These services offer free legal assistance to individuals affected by a major federal disaster. Types of assistance typically include help with insurance claims and guardianships, preparing powers of attorney, new wills, and other lost legal documents. Neither the statute nor the regulations establish cost-share requirements or time limitations for assistance.

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5182

*Regulation:* 44 C.F.R. §206.164

*Contact:* Office of Congressional Affairs, 202-646-4500

*Website:* <https://www.fema.gov/media-library/assets/documents/24413>

*CFDA Program Numbers:* 97.033 (<http://cfda.gov/programs/97.033>)

*CRS Contact:* (name redacted), 202 -707-3752

### **Disaster Case Management**

The Disaster Case Management Program (DCMP) is a federally funded program administered by FEMA. The governor of an impacted state may request implementation of Disaster Case Management (DCM) in the event of a presidentially declared disaster that includes individual assistance. DCMP allows for immediate services to address disaster-caused unmet needs, such as technical assistance, outreach, initial triage, and disaster case management casework. It may also provide for Disaster Case Management State Grants, which may allow for DCM providers to supply services to survivors with long-term disaster-caused unmet needs. Eligible funding under the State DCMP Grant may include salary and fringe benefits for DCM staff; supplies and equipment for the DCMP to operate; DCMP training costs incurred by the state and local providers; transportation and mileage for disaster case managers to perform official duties.

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<sup>16</sup> 44 C.F.R. §206.17(g)(4).



*Agency:* Federal Emergency Management Agency  
*Authority:* 42 U.S.C. §5189d  
*Contact:* Office of Congressional Affairs, 202-646-4500  
*Website:* <https://www.fema.gov/media-library/assets/documents/31253>  
*CFDA Program Number:* 97.088 (<http://cfda.gov/programs/97.088>)  
*CRS Contact:* (name redacted), 202 -707-3752

## Tax Relief

The Internal Revenue Code (IRC) includes tax relief provisions that apply to individuals and businesses affected by federally declared disasters, and the following are some examples. Individuals located in affected areas are allowed extra time (four years instead of the general two) to replace homes due to involuntary conversion (e.g., destruction from wind or floods, theft, or property ordered to be demolished) and still defer any gain.<sup>17</sup> Casualty losses can also be deducted against income in the prior tax year.<sup>18</sup> These losses also include government-ordered demolition of unsafe property. Qualifying disaster relief payments received by affected individuals are not subject to tax.<sup>19</sup> The Internal Revenue Service also has the authority to provide some relief, including the extension of tax filing deadlines.<sup>20</sup>

In addition to these and other permanent tax relief provisions, special temporary provisions were enacted for certain disasters, including Hurricanes Katrina, Rita, and Wilma, which struck the Gulf Coast in 2005,<sup>21</sup> and the severe weather that affected the Midwest in 2008.<sup>22</sup> In 2008, Congress also provided some additional benefits for federally declared disasters occurring prior to January 1, 2010.<sup>23</sup>

For more information on all of the permanent and temporary provisions, see CRS Report R42839, *Tax Provisions to Assist with Disaster Recovery*, by (name redacted), (name redacted), and (name redacted).

*Agency:* Internal Revenue Service  
*Authority:* Various provisions throughout the Internal Revenue Code, Title 26 U.S.C., including §§123, 139, 165, 402, 408, 1033, 6654, 7508A.  
*Regulation:* No specific regulation  
*Contact:* Congressional Liaison, 202-317-6985  
*Website:* <http://www.irs.gov/uac/Tax-Relief-in-Disaster-Situations>  
*CRS Contacts:* Molly Sherlock, 202-707-7797 and Erika Lunder, 202-707-4538.

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<sup>17</sup> 26 U.S.C. §1033.

<sup>18</sup> 26 U.S.C. §165.

<sup>19</sup> 26 U.S.C. §139.

<sup>20</sup> 26 U.S.C. §7508A.

<sup>21</sup> Katrina Emergency Tax Relief Act of 2005 (KETRA), P.L. 109-73; Gulf Opportunity Zone Act of 2005 (GO Zone Act), P.L. 109-135.

<sup>22</sup> Heartland Disaster Tax Relief Act of 2008, P.L. 110-343, Div. C (Tax Extenders and Alternative Minimum Tax Relief Act of 2008), Title VII, Subtitle A.

<sup>23</sup> P.L. 110-343, Div. C (Tax Extenders and Alternative Minimum Tax Relief Act of 2008), Title VII, Subtitle B.

## Assistance for State, Territorial, and Local Governments

### Public Assistance Grants

Authorized by multiple sections of the Stafford Act, the Public Assistance (PA) Grant Program is FEMA's primary form of financial assistance for state and local governments. The PA Program provides grant assistance for many eligible purposes, including

- Emergency work, as authorized by Sections 403, 407, and 502 of the Stafford Act, which provide for the removal of debris and emergency protective measures, such as the establishment of temporary shelters and emergency power generation.
- Permanent work, as authorized by Section 406, which provides for the repair, replacement, or restoration of disaster-damaged, publicly owned facilities and the facilities of certain private nonprofit organizations (PNPs). PNPs are generally eligible for permanent work assistance if they provide a governmental type of service, though PNPs not providing a "critical" service must first apply to the SBA for loan assistance for facility projects. At its discretion, FEMA may provide assistance for hazard mitigation measures that are not required by applicable codes and standards. As a condition of PA assistance, applicants must obtain and maintain insurance on their facilities for similar future disasters.
- Management costs, as authorized by Section 324, which reimburses some of the applicant's administrative expenses incurred managing the totality of the PA Program's projects and grants.

The federal government provides a minimum of 75% of the cost of eligible assistance, and this cost-share can rise if certain criteria are met.<sup>24</sup> Funding for the PA Program comes through discretionary appropriations to the Disaster Relief Fund. For more information, see CRS Report R43990, *FEMA's Public Assistance Grant Program: Background and Considerations for Congress*, by (name redacted) and (name redacted).

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §§ 5170b, 5172, 5173, 5189f, 5192

*Regulation:* 44 C.F.R. §206, subparts G, H, I

*Contact:* Office of Congressional Affairs, 202-646-4500

*Website:* <http://www.fema.gov/public-assistance-local-state-tribal-and-non-profit>

*CFDA Program Numbers:* 97.036 (<http://cfda.gov/programs/97.036>)

*CRS Contact:* (name redacted) 202-707-4918

### Hazard Mitigation Grants

The Hazard Mitigation Grant Program (HMGP) provides grants to states for implementing mitigation measures after a disaster and to provide funding for previously identified mitigation measures to lessen future damage and loss of life. The federal government provides up to 75% of the cost share of eligible projects. Historically, the amount available for HMGP awards is established by a scale that authorizes three tiers of awards: 15% of the total other Stafford Act assistance in a state for a major disaster in which no more than \$2 billion is provided; 10% for assistance that ranges from more than \$2 billion to \$10 billion; and 7.5% for a major disaster that

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<sup>24</sup> 44 C.F.R. §206.47.

involves Stafford Act assistance from more than \$10 billion to \$35.3 billion.<sup>25</sup> Funding for HMGP comes through discretionary appropriations to the Disaster Relief Fund. The amount of funding provided can be increased if the state has an approved enhanced mitigation plan.<sup>26</sup> HMGP funding is only awarded with a major disaster declaration, not an emergency declaration. However, during FY2015, HMGP grants were also available with fire management assistance grants.<sup>27</sup>

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5170c

*Regulation:* 44 C.F.R. §206.430–.440

*Contact:* Office of Congressional Affairs, 202-646-4500

*Website:* <http://www.fema.gov/hazard-mitigation-grant-program>

*CFDA Program Numbers:* 97.039 (<http://cfda.gov/programs/97.039>)

*CRS Contact:* (name redacted), 202707-4918

### Pre-Disaster Mitigation Grants

The Predisaster Mitigation (PDM) Grant Program provides grants and technical assistance to states, territories, and local communities for cost-effective hazard mitigation activities that complement a comprehensive hazard mitigation program and reduce injuries, loss of life, and damage and destruction of property. A minimum of \$575,000 or 1.0% of appropriated funds is provided to a state or local government, with assistance capped at 15% of appropriated funds.<sup>28</sup> Federal funds generally comprise 75% of the cost of approved mitigation projects, except for small impoverished communities that may receive up to 90% of the cost.<sup>29</sup> Funding for PDM Program comes through discretionary appropriations to the National Predisaster Mitigation Fund.<sup>30</sup> For more information, see CRS Report RL34537, *FEMA's Pre-Disaster Mitigation Program: Overview and Issues*, by (name redacted).

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5133

*Regulation:* 44 C.F.R. §201

*Contact:* Office of Congressional Affairs, 202-646-4500

*Website:* <http://www.fema.gov/pre-disaster-mitigation-grant-program>

*CFDA Program Numbers:* 97.047 (<http://cfda.gov/programs/97.047>)

*CRS Contact:* (name redacted), 202707-4918

### Community Disaster Loans

This program provides loans to local governments that have suffered substantial loss of tax and other revenue in areas included in a major disaster declaration. Typically, the loan may not exceed 25% of the local government's annual operating budget for the fiscal year of the disaster. The limit is 50% if the local government lost 75% or more of its annual operating budget. A loan may

<sup>25</sup>Section 404(a) of the Stafford Act, 42 U.S.C. §5170c(a).

<sup>26</sup>Section 322(e) of the Stafford Act, 42 U.S.C. §5165(e).

<sup>27</sup>P.L. 114-4, General Provisions, Section 570.

<sup>28</sup>Section 203(f) of the Stafford Act, 42 U.S.C. §5133(f).

<sup>29</sup>Section 203(h) of the Stafford Act, 42 U.S.C. §5133(h).

<sup>30</sup>Section 203(i) of the Stafford Act, 42 U.S.C. §5133(i).

not exceed \$5 million.<sup>31</sup> There is no matching requirement. The statute does not impose time limitations on the assistance, but the normal term of a loan is five years. The statute provides that the repayment requirement is cancelled if local government revenues are not sufficient to meet operations expenses during a three fiscal year period after a disaster.<sup>32</sup> The governor's authorized representative must officially approve the application and funds must be available in the Disaster Assistance Direct Loan Program account.<sup>33</sup> For more information, see CRS Report R42527, *FEMA's Community Disaster Loan Program: History, Analysis, and Issues for Congress*, by (name redacted).

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5184

*Regulation:* 44 C.F.R. §206.360–.378

*Contact:* Office of Congressional Affairs, 202-646-4500

*Website:* <https://www.fema.gov/media-library/assets/documents/33726>

*CFDA Program Numbers:* 97.030 (<http://cfda.gov/programs/97.030>)

*CRS Contact:* (name redacted), 202707-4918

## Fire Management Assistance Grant Program

This program provides grants to state and local governments to aid states and their communities with the mitigation, management, and control of fires burning on publicly or privately owned forests or grasslands. The federal government provides 75% of the costs associated with fire management projects,<sup>34</sup> but funding is limited to calculations of the “fire cost threshold” for each state.<sup>35</sup> No time limitation is applied to the program.

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5187

*Regulation:* 44 C.F.R. §204.1–.64

*Contact:* Office of Congressional Affairs, 202-646-4500

*Website:* <http://www.fema.gov/fire-management-assistance-grants-program-details>

*CFDA Program Numbers:* 97.046 (<http://cfda.gov/programs/97.046>)

*CRS Contact:* (name redacted), 202 -707-3752

## Oil Spill Liability Trust Fund

Congress created the Oil Spill Liability Trust Fund (OSLTF) in 1986,<sup>36</sup> and the Oil Pollution Act of 1990 (OPA)<sup>37</sup> authorized its use and provided funding to support it. The OSLTF may be used, among other purposes, to fund oil spill response activities and to compensate individuals, businesses, and governments for applicable economic damages resulting from an oil spill.<sup>38</sup> Potential damages include injury or loss of property and loss of profits or earning capacity. OPA

<sup>31</sup> Section 417(b) of the Stafford Act, 42 U.S.C. §5184(b).

<sup>32</sup> Section 417(c) of the Stafford Act, 42 U.S.C. §5184(c).

<sup>33</sup> 44 C.F.R. §206.364(a).

<sup>34</sup> 44 C.F.R. §204.61.

<sup>35</sup> 44 C.F.R. §204.51.

<sup>36</sup> Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509).

<sup>37</sup> P.L. 101-380, primarily codified at 33 U.S.C. §2701 et seq. OPA amended other sections of the U.S. Code, including the Clean Water Act (e.g., 33 U.S.C. §1321) and portions of the tax code (26 U.S.C. §4611 and §9509).

<sup>38</sup> For more information, see CRS Report RL33705, *Oil Spills: Background and Governance*, by (name redacted).

established a claims process for compensating parties affected by an oil spill. In general, claims must be presented first to the party responsible for the spill, but specific circumstances (e.g., the responsible party is unknown) allow persons to present a claim directly to the OSLTF.<sup>39</sup>

*Agency:* National Pollution Funds Center (part of the U.S. Coast Guard)

*Authority:* 26 U.S.C. §9509 and 33 U.S.C. §2712.

*Regulation:* 33 C.F.R. §136

*Contact:* Office of Legislative Affairs, 202-245-0520

*Website:* <http://www.uscg.mil/npfc/>

*CRS Contact:* (name redacted), 202 -707-7919

## Assistance for Small Businesses & Nonprofit Organizations

### Economic Injury Disaster Loans

This program assists small businesses and nonprofits suffering economic injury as a result of disasters by offering loans and loan guarantees. Businesses must be located in disaster areas declared by the President, the Small Business Administration, or the Secretary of Agriculture.<sup>40</sup> There is no matching requirement in this program. The maximum loan amount is \$2 million. Loan terms may extend for up to 30 years.<sup>41</sup> The application period is announced at the time of the disaster declaration. For more information, see CRS Report R41309, *The SBA Disaster Loan Program: Overview and Possible Issues for Congress*, by (name redacted) .

*Agency:* Small Business Administration

*Authority:* 15 U.S.C. §636(b)

*Regulation:* 13 C.F.R. §123.300–303

*Contact:* Office of Congressional Affairs, 202-205-6700

*Website:* <http://www.sba.gov/content/economic-injury-disaster-loans>

*CFDA Program Numbers:* 59.008 (<http://cfda.gov/programs/59.008>)

*CRS Contact:* (name redacted), 202 -707-3752

### Physical Disaster Loans

This program provides loans to businesses and nonprofits in declared disaster areas for uninsured physical damage and losses. The maximum loan amount is \$2 million.<sup>42</sup> Loan terms may extend for up to 30 years.<sup>43</sup> There is no matching requirement in this program. For more information, see CRS Report R41309, *The SBA Disaster Loan Program: Overview and Possible Issues for Congress*, by (name redacted) .

*Agency:* Small Business Administration

*Authority:* 15 U.S.C. §636(b)

*Regulation:* 13 C.F.R. §123.200–204

*Contact:* Office of Congressional Affairs, 202-205-6700

*Website:* <http://www.sba.gov/content/business-physical-disaster-loans/>

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<sup>39</sup> 44 C.F.R. §136.105.

<sup>40</sup> 13 C.F.R. §123.300.

<sup>41</sup> 13 C.F.R. §123.302.

<sup>42</sup> 13 C.F.R. §123.202.

<sup>43</sup> 13 C.F.R. §123.203.

*CFDA Program Numbers:* 59.008 (<http://cfda.gov/programs/59.008>)  
*CRS Contact:* (name redacted), 202 -707-3752

### Emergency Loans for Farms

When a county has been declared a disaster area by either the President or the Secretary of Agriculture, agricultural producers in that county may become eligible for low-interest emergency disaster (EM) loans available through the U.S. Department of Agriculture's Farm Service Agency. Producers in counties that are contiguous to a county with a disaster designation also become eligible for an EM loan. EM loan funds may be used to help eligible farmers, ranchers, and aquaculture producers recover from production losses (e.g., when the producer suffers a significant loss of an annual crop) or from physical losses (e.g., repairing or replacing damaged or destroyed structures or equipment, or replanting permanent crops, such as orchards). A qualified applicant can then borrow up to 100% of actual production or physical losses (not to exceed \$500,000) at a below-market interest rate. For more information see CRS Report RS21212, *Agricultural Disaster Assistance*, by (name redacted)

*Agency:* Department of Agriculture, Farm Service Agency

*Authority:* 7 U.S.C. §1961

*Regulation:* 7 C.F.R. §764

*Contact:* Legislative Liaison Staff, 202-720-3865

*Website:* <http://www.fsa.usda.gov/FSA/webapp?area=home&subject=fmlp&topic=efl>

*CFDA Program Numbers:* 10.404 (<http://cfda.gov/programs/10.404>)

*CRS Contact:* (name redacted) 202-707-8707

### National Flood Insurance Program

Since 1968, the federal government has pursued a comprehensive flood risk management strategy designed to (1) identify and map flood-prone communities across the country (flood hazard mapping); (2) encourage property owners in NFIP participating communities to purchase insurance as a protection against flood losses (flood insurance); and (3) require communities in designated flood risk zones to adopt and enforce approved floodplain management ordinances to reduce future flood risk to new construction in regulated floodplains (floodplain management). The Federal Insurance and Mitigation Administration (FIMA), a part of the FEMA in the U.S. Department of Homeland Security (DHS), manages the NFIP. For more information, see CRS Report R44593, *Introduction to the National Flood Insurance Program (NFIP)*, by (name redacted) and (name redacted) and CRS Insight IN10450, *Private Flood Insurance and the National Flood Insurance Program (NFIP)*, by (name redacted) and (name redacted)

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. 4001 et seq.

*Regulation:* 44 C.F.R. §59.1–§82.21

*Contact:* Office of Congressional Affairs, 202-646-4500

*Website:* <http://www.fema.gov/national-flood-insurance-program>

*CFDA Program Numbers:* 97.022 (<http://cfda.gov/programs/97.022>)

*CRS Contact:* Diane Horn, 202-707-3472

### General Assistance Programs

In addition to programs described above that provide targeted assistance to individuals, states, territories, local governments, and businesses specifically affected by disasters, other general assistance programs may be useful to communities in disaster situations. For example, individuals

who lose income, employment, or health insurance may become eligible for programs that are not specifically intended as disaster relief, such as cash assistance under the Temporary Assistance for Needy Families (TANF) program, job training under the Workforce Investment Act, Medicaid, or the State Children's Health Insurance Program (S-CHIP). Likewise, state or local officials have the discretion to use funds under programs such as the Social Services Block Grant or Community Development Block Grant to meet disaster-related needs, even though these programs were not established specifically for such purposes. Other agencies may offer assistance to state and local governments, including the Economic Development Administration and the Army Corps of Engineers. For businesses, however, only the disaster programs administered by the Small Business Administration are generally applicable.

There are numerous federal programs that potentially offer disaster relief. However, specific eligibility criteria or other program rules might make it less likely that they would actually be used. Moreover, available funds might already be obligated for ongoing program activities. To the extent that federal agencies have discretion in the administration of programs, some agencies may choose to adapt these non-targeted programs for use in disaster situations. Also, Congress may choose to provide additional funds through emergency supplemental appropriations for certain general assistance programs, specifically for use after a disaster.

CRS analysts and program specialists can help provide information regarding general assistance programs that might be relevant to a given disaster situation. CRS appropriations reports may have information on disaster assistance within particular federal agencies. These reports also list CRS's key policy staff by their program area and agency expertise.<sup>44</sup>

## **Other Sources of Information**

### **Selected CRS Reports**

#### **Disaster Assistance**

CRS Report R41981, *Congressional Primer on Responding to Major Disasters and Emergencies*, by (name redacted) and (name redacted) .

CRS Report R43990, *FEMA's Public Assistance Grant Program: Background and Considerations for Congress*, by (name redacted) and (name redacted)

CRS Report R41101, *FEMA Disaster Cost-Shares: Evolution and Analysis*, by (name redacted)

CRS Report RS22266, *The Use of Federal Troops for Disaster Assistance: Legal Issues*, by (name redacted) and (name redacted) .

CRS Report RL33330, *Community Development Block Grant Funds in Disaster Relief and Recovery*, by (name redacted)

CRS Report RL33579, *The Public Health and Medical Response to Disasters: Federal Authority and Funding*, by (name redacted)

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<sup>44</sup> CRS appropriations and budget reports can be found at <http://www.crs.gov/AppropriationsStatusTable/Index>.

CRS Report RL34131, *Flood Damage Related to Army Corps of Engineers Projects: Selected Legal Issues*, by (name redacted)

CRS Report R44593, *Introduction to the National Flood Insurance Program (NFIP)*, by (name redacted) and (name redacted)

CRS Insight IN10450, *Private Flood Insurance and the National Flood Insurance Program (NFIP)*, by (name redacted) and (name redacted)

CRS Report R41884, *Considerations for a Catastrophic Declaration: Issues and Analysis*, by (name redacted) and (name redacted)

CRS Report R42527, *FEMA's Community Disaster Loan Program: History, Analysis, and Issues for Congress*, by (name redacted)

CRS Report R42839, *Tax Provisions to Assist with Disaster Recovery*, by (name redacted), (name redacted), and (name redacted)

CRS Report R43784, *FEMA's Disaster Declaration Process: A Primer*, by (name redacted)

CRS Report RL34537, *FEMA's Pre-Disaster Mitigation Program: Overview and Issues*, by (name redacted)

## **Disaster Assistance to Individuals, Families, and Businesses**

CRS Report RS22022, *Disaster Unemployment Assistance (DUA)*, by (name redacted)

CRS Report R42839, *Tax Provisions to Assist with Disaster Recovery*, by (name redacted), (name redacted), and (name redacted)

CRS Report R41309, *The SBA Disaster Loan Program: Overview and Possible Issues for Congress*, by (name redacted)

CRS Report RS21212, *Agricultural Disaster Assistance*, by (name redacted)

CRS Report R42854, *Emergency Assistance for Agricultural Land Rehabilitation*, by (name redacted)

CRS In Focus IF10565, *Federal Disaster Assistance for Agriculture*, by (name redacted)

CRS Report R44808, *Federal Disaster Assistance: The National Flood Insurance Program and Other Federal Disaster Assistance Programs Available to Individuals and Households After a Flood*, by (name redacted)

## **Federal Agency Websites**

Note: Because not all agencies have complete, up-to-date information available on the Internet, in particular during and immediately after a disaster, congressional users are encouraged to contact the appropriate CRS program analysts or department or agency program officers for more complete, timely information.

### **USA.gov**

<http://www.USA.gov/>

Many federal agencies have established websites specifically for responding to disasters. Some agencies maintain websites with comprehensive information about their disaster assistance programs, whereas others supply only limited information; most list contact phone numbers. An A-Z index of U.S. government departments and agencies is available at the website above.



### **FEMA Website**

<http://www.fema.gov>

From its website, FEMA offers regular updates on recovery efforts in areas under a major disaster declaration. Information on a specific disaster may include a listing of declared counties and contact information for local residents.

### **Disaster Assistance.gov**

<http://www.disasterassistance.gov/>

DisasterAssitance.gov provides information on how help might be obtained from the U.S. government before, during, and after a disaster. The website includes tools to find, apply for, and check the status of assistance by category or agency. The website also includes disaster-related news feeds and information on community resources.

### **Catalog of Federal Domestic Assistance**

<http://www.cfda.gov>

The CFDA posts official descriptions of more than 2,200 federal assistance programs, including disaster and recovery grants and loans. For programs summarized in this report, CFDA program numbers and links are given. Full CFDA program descriptions, updated continuously by departments and agencies, cover authorizing legislation, objectives, uses and restrictions, and eligibility requirements. For current appropriations and additional information, users can contact CRS analysts, or departments and agencies.

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