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Stafford Act Declarations 1953-2016: Trends, Analyses, and Implications for Congress

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Summary

The Robert T. Stafford Disaster Relief and Emergency Assistance Act authorizes the President to issue declarations that provide states, tribes, and localities with a range of federal assistance in response to natural and man-made incidents. Since 1953 the frequency of declarations has increased. For example, the average number of major disaster declarations issued from 1960 to 1969 was roughly 18.6 per year. In contrast, the average number of major disaster declarations issued from 2000 to 2009 was 57.1 per year. The highest number was declared in 2011, with 97 major disaster declarations.

Declarations are of concern to Members of Congress and state delegations when incidents occur in their states and/or congressional districts. Declarations are also of broader congressional interest for at least two reasons: (1) the costs involved with the federal assistance provided by the declarations, and (2) concerns that declarations may be used as political tools—especially during election years.

Analysis of Stafford Act declarations from 1953 to 2016 demonstrates that:

- most emergency declarations are for winter storms and hurricanes;
- most major disaster declarations are for floods, tornados, winter storms, and hurricanes;
- the average number of declarations issued per year in presidential election years from 1974 to 2016 is slightly higher than the average number of declarations in other years from 1974 to 2016, but the number is not significant enough to draw a decisive conclusion regarding their use as a political tool.

After providing an overview of each type of declaration, this report discusses factors that may be responsible for the increase in frequency of declarations, including federal policy changes, increases in severe weather incidents, population growth, and development.

Some may contend that declaration policies should not be changed because they trigger important federal assistance to states and localities. Others argue that policies should be implemented to reduce either the number of declarations being issued each year, or the amount of federal assistance that they provide, or both. These policies include

- amending certain Stafford Act policies;
- changing the per capita threshold formula used to recommend the issuance of a declaration;
- implementing a state capacity indicator to assess whether the state is capable of addressing an incident on its own;
- substituting federal loans to states for recovery grants; and
- adjusting the federal to state cost-share.

Such changes could reduce declarations and shift a portion of the funding back to the states. On the other hand, reducing declarations could hamper the ability of states and localities to recover from an incident and could create long-term consequences.

The selected approach will likely be influenced by how policymakers view the role of the government when a disaster strikes. It is generally agreed that the government should help disaster victims in times of need, but it is debatable whether the fiscal responsibility resides primarily with the federal or the state government. Many of the policy options described in this report shift a greater share of disaster-related costs to states and localities. It remains to be seen if

reducing declarations and/or limiting the amount of disaster assistance provided to requesting states would severely disrupt the state's ability to respond and recover from an incident.

This report concludes that the upward trend in declarations will likely continue if declaration policies remain unchanged and severe weather patterns, population growth, and development continue to increase. All of these variables appear to play a role in declaration activity. It could be argued that the policy mechanisms used to address the increase in declarations should be shaped in response to the given variable or variables. This may prove to be difficult because it is unclear which of the variables (or combination of variables) has had the greatest impact on the increase in disaster declarations over the years.

This report will be updated as events warrant.

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Introduction

When a state is overwhelmed by an emergency or major disaster, the governor may request assistance from the federal government.[1] In general, when a request is submitted, representatives from the Federal Emergency Management Agency (FEMA) meet with the state and compile a Preliminary Damage Assessment (PDA). FEMA then makes a recommendation to the President concerning whether a declaration should be issued. The President has the authority to make the declaration or deny the request.[2]

In comparison to when disaster declarations were first introduced in 1953, the average number of declarations issued per year has increased. The average number of major disaster declarations issued per year in the 1960s (the first full decade for declarations) was roughly 18.6. In contrast, from 2000 to 2009 the average number of declarations issued per year was 57.1. Calendar year 2011 was the busiest year on record with 97 major disaster declarations.[3]

Congressional concern over the rising number of declarations is primarily focused on their associated costs because once declared, the majority of disaster relief costs (at least 75%) are shifted from the state to the federal government.[4] The current fiscal environment, including concern over the federal deficit, has heightened congressional interest in the costs of disasters, leading to proposals to offset some portion of disaster assistance spending by implementing new budgetary mechanisms.[5]

The increase in declarations has led some critics to argue that thresholds for issuing major disaster declarations are set too low, allowing too many "marginal incidents" to receive a declaration. Related criticisms and questions have been voiced concerning the declarations process. For example, are incidents increasing or is the federal government being more generous in its interpretation of disaster or emergency criteria? Another point of discussion is the relative capacity of state governments to respond to disaster events. The federal government's openness in describing factors considered for declarations may have led some state officials to believe they have met the factors under consideration and are entitled to support.[6]

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[1] 42 U.S.C. §5170.

[2] Fire Management Assistance Grants—discussed later in this report—do not need presidential approval to be declared.

[3] U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations*, available at https://www.fema.gov/disasters.

[4] The calculus of how declarations translate into costs is not as simple as it may seem. On one hand, each declaration adds to the amount of disaster relief costs obligated by the federal government. On the other hand, some declarations, as discussed below, are intended to avoid major disaster declarations thereby potentially avoiding expenditures associated with programs only available under a major disaster declaration. Furthermore, increasing costs of disasters tend to be attributable to the largest disasters and not the large number of typical incidents. Analysis of disaster declarations and obligations data from 1989 to 2014 provided by FEMA has shown that half of all disasters account for 97% of the costs, and the top quartile of disasters is responsible for 93% of all disaster spending. To avoid these complications, this report will focus solely on the number of disaster declarations. For more information about the costs of disaster declarations see CRS Report R43537, *FEMA's Disaster Relief Fund: Overview and Selected Issues*; CRS Report R44619, *FEMA Disaster Housing: The Individuals and Households Program—Implementation and Potential Issues for Congress*; and CRS Report R43990, *FEMA's Public Assistance Grant Program: Background and Considerations for Congress*.

[5] For further analysis on the sequestration and disaster assistance see CRS Report R42352, *An Examination of Federal Disaster Relief Under the Budget Control Act*, by (name redacted), (name redacted), and (name redacted) ; and CRS Report R44415, *Five Years of the Budget Control Act's Disaster Relief Adjustment*, coordinated by (name redacted) .

[6] 44 C.F.R. §206.48. The publication of factors considered (1999) was made at the request of Congress. While (continued...)

This report provides a historical overview of the three categories of declarations, including the average number of declarations declared and turned down, and the distribution of declarations by incident type and state. This report discusses a wide range of factors that might be contributing to the increase in declarations and provides policy options that might reduce the number of declarations and some of their associated costs.

Brief Overview of Declarations

Prior to 1950, state and local governments in need of federal assistance after a disaster had to wait until Congress met, debated, and then acted upon their request for disaster assistance. The Federal Disaster Relief Act of 1950 (P.L. 81-875, hereinafter the Disaster Relief Act) altered this arrangement and transferred the authority to provide federal disaster assistance from Congress to the President. Under the Disaster Relief Act, the President had the authority to decide whether to provide disaster assistance and which federal agencies would provide that assistance.

The President's decision to provide federal aid for an incident is known as a "declaration."[7] The first disaster declaration was issued by President Eisenhower on May 2, 1953, for damages caused by a tornado in Georgia. Over the years, the Disaster Relief Act has undergone a series of reforms and amendments, but the President's authority to issue declarations has been retained. Today the principal authority governing federal assistance for emergencies and major disasters in the United States is the Robert T. Stafford Relief and Emergency Assistance Act (P.L. 93-288, hereinafter the Stafford Act). Under the Stafford Act, the primary federal agency responsible for coordinating the federal response is FEMA, located within the Department of Homeland Security (DHS).[8]

Declaration Categories and the Declaration Process

The Stafford Act authorizes three types of declarations: (1) Fire Management Assistance Grant Program (FMAG) declarations, (2) emergency declarations, and (3) major disaster declarations. While emergency and major disaster declarations must be issued by the President, the FEMA Regional Director, in consultation with FEMA leadership, has the authority to issue FMAG declarations.[9] A detailed description of each type of declaration is provided in the following sections of this report.

The Stafford Act stipulates several procedural actions a governor must take prior to requesting federal disaster assistance. The governor cannot request a declaration unless he or she determines the event has overwhelmed the state's resources to such an extent that federal resources are needed. The gubernatorial request is vital to the declaration process because the President cannot issue either an emergency or a major disaster declaration, nor can the Regional Director issue an

(...continued)

providing greater transparency in the declaration process it also created expectations among state and local governments concerning when a declaration would occur based on selected factors.

[7] For more information on emergency and disaster declarations see CRS Report R43784, *FEMA's Disaster Declaration Process: A Primer*, by (name redacted) .

[8] FEMA was incorporated into DHS by the Homeland Security Act (P.L. 107-296). DHS Secretary has re-delegated Stafford Act authority to the Administrator of FEMA.

[9] For more information on FMAGs see CRS Report R43738, *Fire Management Assistance Grants: Frequently Asked Questions*, coordinated by (name redacted) .

FMAG, without the request. The only exception to this rule is the authority given to the President to declare an emergency when the President

> determines that an emergency exists for which the primary responsibility for response rests with the United States because the emergency involves a subject area for which, under the Constitution or laws of the United States, the United States can exercise exclusive or preeminent responsibility and authority[10]

The denial of a gubernatorial request for federal assistance is referred to as a "turndown."

Analysis of Declaration Data

The following sections of this report analyze declarations by category since 1953.[11] The analysis includes the number of FMAG, emergency, and major disaster declarations that have been approved and turned down by the President. The analysis also includes a breakdown of declarations by incident and by state for emergency and major disaster declarations. The presentation of the data is based on graduated levels of assistance beginning with FMAG declarations and ending with major disaster declarations.[12]

Fire Management Assistance Grant Declarations

As mentioned previously, while the President has the sole authority to issue an emergency or major disaster declaration, the decision to issue an FMAG declaration can be rendered either by the President or a FEMA Regional Director.[13] An FMAG declaration authorizes various forms of federal assistance, such as equipment, personnel, and grants to any state or local government for the control, management, and mitigation of any fire on public or private forest land or grassland that might become a major disaster.[14] FMAG declarations do not provide assistance to individuals and households. One distinguishing feature of FMAGs is that they are intended to prevent a fire from becoming a major disaster.[15] An additional unique feature of an FMAG is FEMA's work with a "Principal Advisor." This is an

> individual appointed by the Forest Service, United States Department of Agriculture, or Bureau of Land Management, Department of the Interior, who is responsible for providing FEMA with a technical assessment of the fire or fire complex for which a state is requesting a fire management assistance declaration.[16]

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[10] P.L. 93-288, 42 U.S.C. §5191. Examples of these declarations include the April 19, 1995, bombing of the Alfred P. Murrah Building in Oklahoma City and the September 11, 2001, attack on the Pentagon.

[11] The first FMAG declaration was issued in 1970, and the first emergency declaration was issued in 1974. Therefore, while data for major disaster declarations are available beginning in 1953, FMAG declaration data are reported from 1970, and emergency declaration data are reported from 1974.

[12] Note that the number of Stafford Act declarations is not equivalent to the number of natural or manmade incidents requiring federal assistance. To illustrate, Hurricane Katrina received 52 declarations—48 emergency declarations and 4 major disaster declarations. Most incidents that receive multiple declarations do so because the incident affects multiple states, each of which is issued a distinct declaration. Other incidents, however, receive more than one declaration because the incident is initially granted one type of declaration and then progresses such that it warrants another type of declaration. For example, the 2014 Washington Wildfires received an FMAG, then received an emergency declaration, and ultimately were upgraded to a major disaster declaration between July and August of 2014.

[13] 44 C.F.R. §204.24.

[14] P.L. 93-288, 42 U.S.C. §5187.

[15] P.L. 93-288, 42 U.S.C. §5187.

[16] 44 C.F.R. §204.3.

As with emergency and major disaster declarations, FEMA has the authority to assess the situation, including the state's efforts, the current state of the fire, and its potential impact. However, before an FMAG can be granted, the state or territory must meet a cost threshold, either for that particular fire or for a cumulative state-wide threshold number if the state is requesting help for numerous fires within the state.

FMAG Determinations

The following criteria are used to evaluate wildfires and make a determination whether to issue an FMAG:

- The threat to lives and property including critical facilities, infrastructures, and watershed areas;
- the availability of state and local fire resources;
- high fire danger conditions based on nationally accepted indices such as the National Fire Danger Ratings System; and
- the potential economic impacts of the fire.

In addition, FEMA uses two types of fire cost thresholds to help determine if a state or tribal nation is eligible for fire assistance: (1) individual thresholds for a single fire, and (2) cumulative thresholds for multiple fires. Cumulative thresholds are applied to multiple fires burning simultaneously or the accumulation of multiple fires in a single fire season. Threshold amounts vary by state (see **Table 1** for selected examples and the **Appendix** for a complete list of states).

Individual Fire Threshold

The formula for the individual fire threshold is the state population multiplied by 5%, which is then multiplied by $1.43.[17] In general, if that amount exceeds the state's individual fire threshold, the state is eligible for federal assistance.

For example, the state of Pennsylvania's population, according to the most recent decennial census, is 12,702,379. The individual fire threshold formula for the state is: [12,702,379 x 5% x $1.43 = $908,220]. Therefore, the state of Pennsylvania would meet or exceed the individual fire threshold if it had a wildfire costing $908,220 or more in damages.

Cumulative Thresholds

The formula for the cumulative fire threshold for a given state is one of two amounts—$500,000 *or* the amount of that state's individual fire threshold multiplied by three, whichever is greater. Returning to the Pennsylvania example, the sum of three individual fire thresholds equals $2,724,660. Since that amount is larger than $500,000, cumulative fire damages in Pennsylvania must meet or exceed $2,724,660 to be eligible for assistance. In contrast, the individual fire threshold for Alaska is $100,000, but the cumulative threshold is $500,000, not the sum of three individual fire thresholds ($300,000). For some states, such as West Virginia, the state population is high enough that the individual threshold exceeds $100,000. However, the cumulative threshold for these states is $500,000 because that number is still higher than the sum of three individual fire thresholds.

[17] The formula is [(population) x .05 x $1.43]. The dollar amount is periodically adjusted for inflation by FEMA.

Table 1. Selected Examples of CY2017 Individual and Cumulative Fire Thresholds by State

CY2017 Individual and Cumulative Fire Thresholds by State

State	Individual Threshold	Cumulative Threshold
Alaska	$100,000	$500,000
California	$2,663,658	$7,990,974
Pennsylvania	$908,220	$2,724,660
Texas	$1,797,908	$5,393,723
West Virginia	$132,489	$500,000

Source: FEMA, "CY2017 Fire Cost Threshold." Obtained through correspondence with FEMA Congressional Affairs. Alaska, Pennsylvania, and West Virginia were selected because they are referenced in the text to illustrate how the individual and cumulative fire thresholds are calculated and applied. California and Texas were selected because they are the two states with the highest frequency of FMAG declarations from CY1970-CY2016, with 166 and 236, respectively.

As shown in **Figure 1**, FMAG declarations began to increase in the late 1990s, reaching a high of 114 in 2011. This surpassed the previous high of 86 FMAGs in 2006. As mentioned previously, FMAGS are designed to prevent fires from becoming major disasters. It could be argued that even though the number of FMAG declarations has increased, FMAGs may actually save federal dollars by reducing the need for a major disaster declaration and, in turn, decreasing spending on Stafford Act programs.

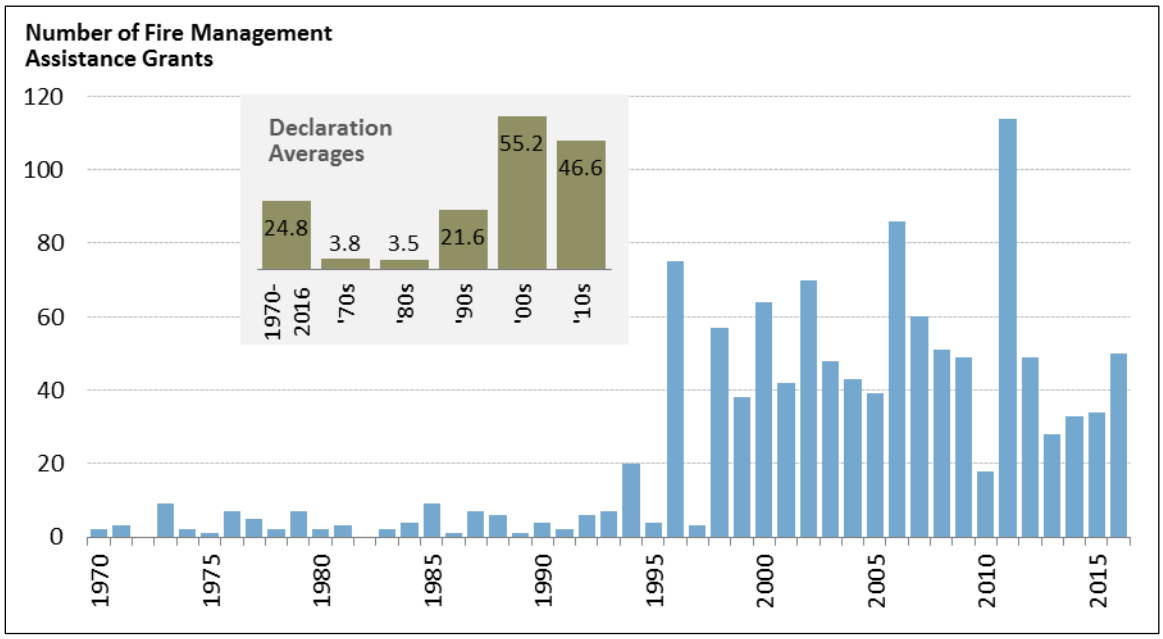
As shown in **Figure 1**, the first FMAG was declared in 1970, though FMAGs were rarely issued until the 1990s. The average numbers of FMAGs declared in the 1970s and the 1980s were 3.8 and 3.5, respectively. During the 1990s, there were an average of 21.6 FMAG declarations per year (see inset of **Figure 1**). This upward trend continued into the 2000s, with an average of 55.2 FMAG declarations issued each year.

Unlike emergency and major disaster declarations, comprehensive data on turndowns are not available for FMAGs. However, from 2000 to 2015 the average annual number of FMAG requests that FEMA did not recommend the President to declare was 11.6.

Texas has received the most FMAGs declarations (236) followed by California (166), Oklahoma (90), and Washington (89) (see **Figure 2**).

Figure 1. Fire Management Assistance Grants

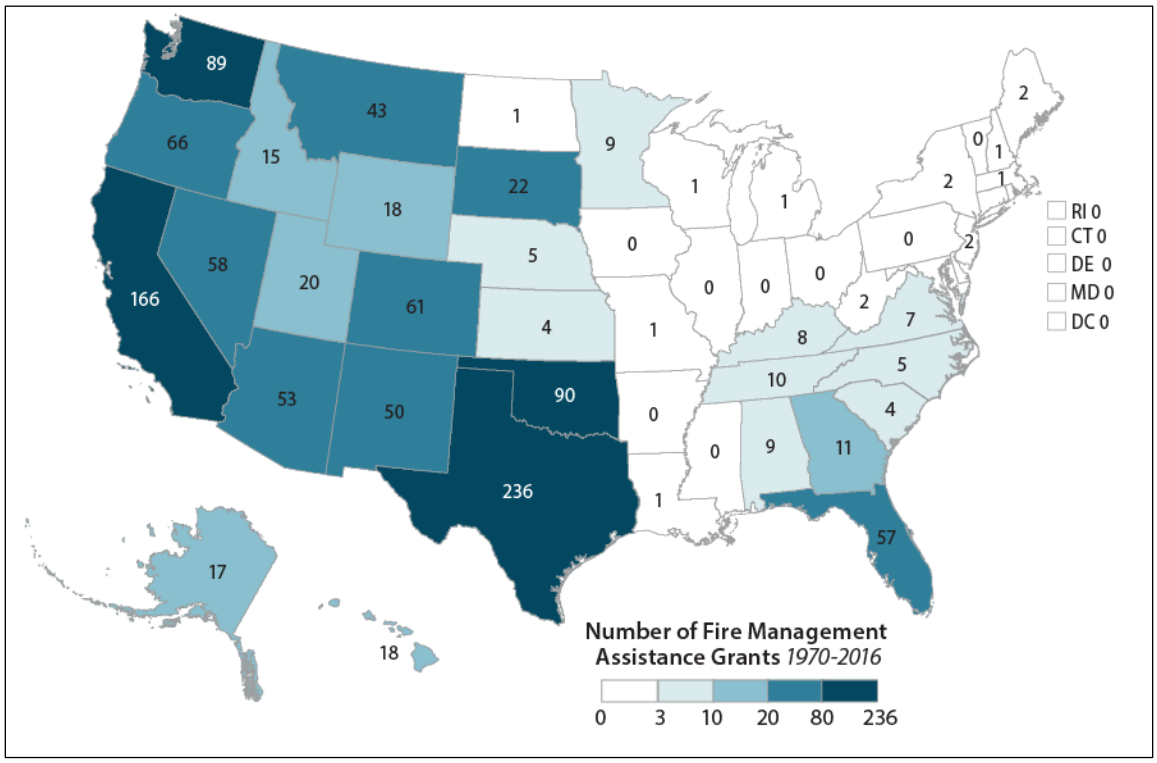
1970-2016



Source: CRS analysis based on data from U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations,* available at https://www.fema.gov/disasters.

Figure 2. Fire Management Assistance Grants by State

1970-2016



Source: CRS analysis based on data from U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations,* available at https://www.fema.gov/disasters.

Note: One (1) FMAG was declared in Guam in 1998.

Emergency Declarations

Emergency declarations authorize activities that can help states and communities carry out essential services and activities that might reduce the threat of future damage. Emergency declarations, however, do not provide assistance for repairs and replacement of public infrastructure or nonprofit facilities. Emergency declarations may be declared before an incident occurs to save lives and prevent loss. For example, emergency declarations have been declared prior to a hurricane making landfall to help state and local governments take steps (evacuation assistance, placement of response resources, etc.) that might lessen the storm's impact and prevent a major disaster from occurring.[18]

The Stafford Act broadly defines an emergency as:

> any occasion or instance for which, in the determination of the President, federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States.[19]

[18] Recent examples of pre-event declarations include emergency declarations prior to Hurricanes Katrina, Rita, Gustav, Sandy, and Matthew.

[19] P.L. 93-288, 42 U.S.C. §5122.

As shown in **Figure 3**, the number of emergency declarations declared each year has varied tremendously, from many years receiving no declarations to 2005, which had 65 declarations. 2005 received the highest number of emergency declarations because many states were issued an emergency declaration to assist with Hurricane Katrina evacuees.

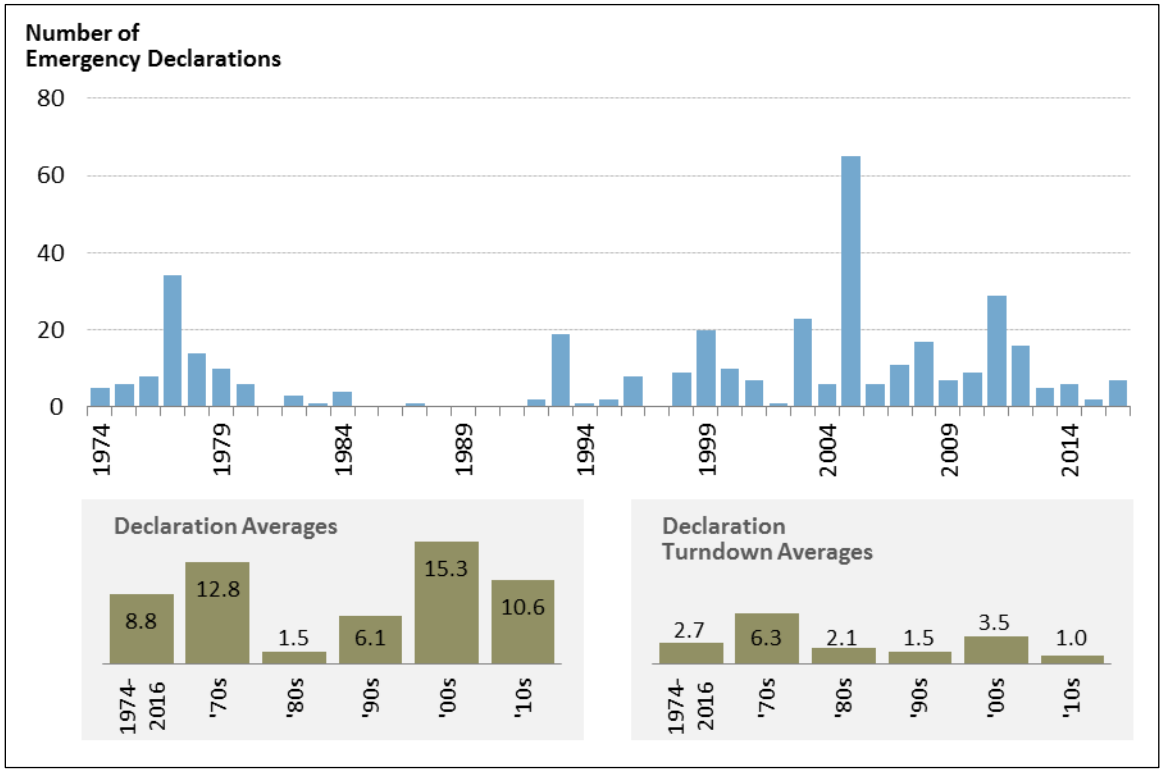
The average number of emergency declarations issued from 1974 to 2016 was 8.8 per year; the average number of declarations from 2010 to 2016 was 10.6 (see inset of **Figure 3**).

Emergency Declaration Turndowns

Denials of gubernatorial requests for emergency declarations have remained fairly static each decade (see inset of **Figure 3**), averaging 2.7 per year. There is a slight decrease in denials during presidential election years, from an average of 2.9 per year during nonelection years, to an average of 2.1 during election years.[20] Some might argue this is an indication that Presidents are more reluctant to deny a declaration during an election year. In response to this argument, some might say that such conclusions are unwarranted because the number is statistically insignificant.[21] For more discussion on the influence of politics on disaster declarations see section "Possible Political Influences on Emergency and Major Disaster Declarations."

Figure 3. Emergency Declarations

1974-2016



Source: CRS analysis based on data from U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations,* available at https://www.fema.gov/disasters and data provided by FEMA.

[20] Data not shown. Based on CRS analysis of turndown data provided by FEMA.

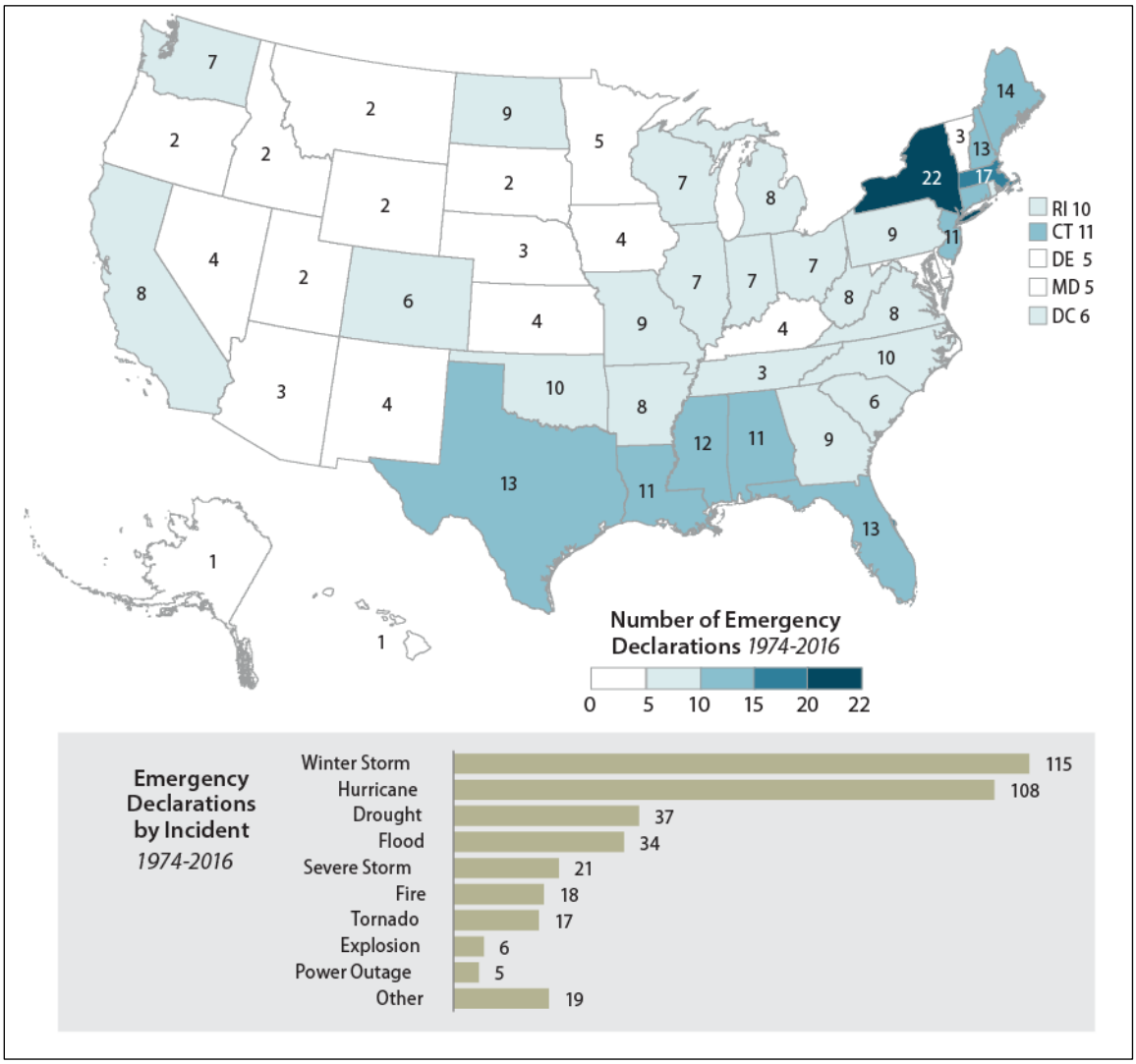
[21] For a two-tailed *t*-test, $p = 0.35$.

Emergency Declarations by State and Type

As shown in **Figure 4**, New York has received the most emergency declarations (22), followed by Massachusetts (17), and Maine (14).

Figure 4. Emergency Declarations by State and Type

1974-2016



Source: CRS analysis based on data from U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations,* available at https://www.fema.gov/disasters.

Note: From 1974 to 2016, two (2) emergencies were declared in the Federated States of Micronesia, six (6) were declared in Puerto Rico, and four (4) were declared in the Virgin Islands.
Until 2016, FEMA did not provide specific categories to classify disasters. For this analysis, CRS searched the disaster titles from U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations,* available at https://www.fema.gov/disasters for keywords to determine categories of disasters. For all but "Winter Storm" and "Severe Storm," the category name is also the keyword that was used. For winter storms, keywords included "winter," "snow," and "blizzard." The severe storm category includes all declarations for which the disaster title included "storm," "rain," or "wind" that were not already categorized or that belonged to multiple categories. Some examples of events included in the "Other" category are water main breaks, a bridge collapse, chemical spills, terrorist attacks, viral outbreaks, and water shortages. For emergencies

in 2016, one emergency that was categorized as a flood by FEMA was categorized as a tornado using the methodology developed for previous years.

The majority of incidents declared as emergencies are issued for winter storms, followed by hurricanes, droughts, and flooding (see inset of **Figure 4**). Since 1980, the U.S. Department of Agriculture has been the lead federal entity for drought assistance. "Drought," however, is listed in the definition of "major disaster." FEMA still provides assistance when it has a unique capacity to provide supplemental assistance.

Major Disaster Declarations

The definition for a major disaster is more precise than an emergency declaration, and the range of assistance available to state and local governments; private, nonprofit organizations; and families and individuals is broader. Under a major disaster declaration, state and local governments and certain nonprofit organizations are eligible (if so designated) for assistance for the repair or restoration of public infrastructure, such as roads and buildings. A major disaster declaration may also include additional programs beyond temporary housing, such as disaster unemployment assistance and crisis counseling, and other recovery programs, such as community disaster loans.

While emergencies are defined broadly, the Stafford Act defines a major disaster narrowly as

> any natural catastrophe (including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this chapter to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.[22]

The average number of major disasters declared per year from 1953 to 2016 was 35.8. However, beginning in the 1990s there has been an uptick in the frequency with which major disasters are declared. During the 1990s the average number of major disaster declarations per year was 45.8, the average number from 2000 to 2009 was 57.1, and the average number from 2010 to 2016 was 58.7 (see inset of **Figure 5**).

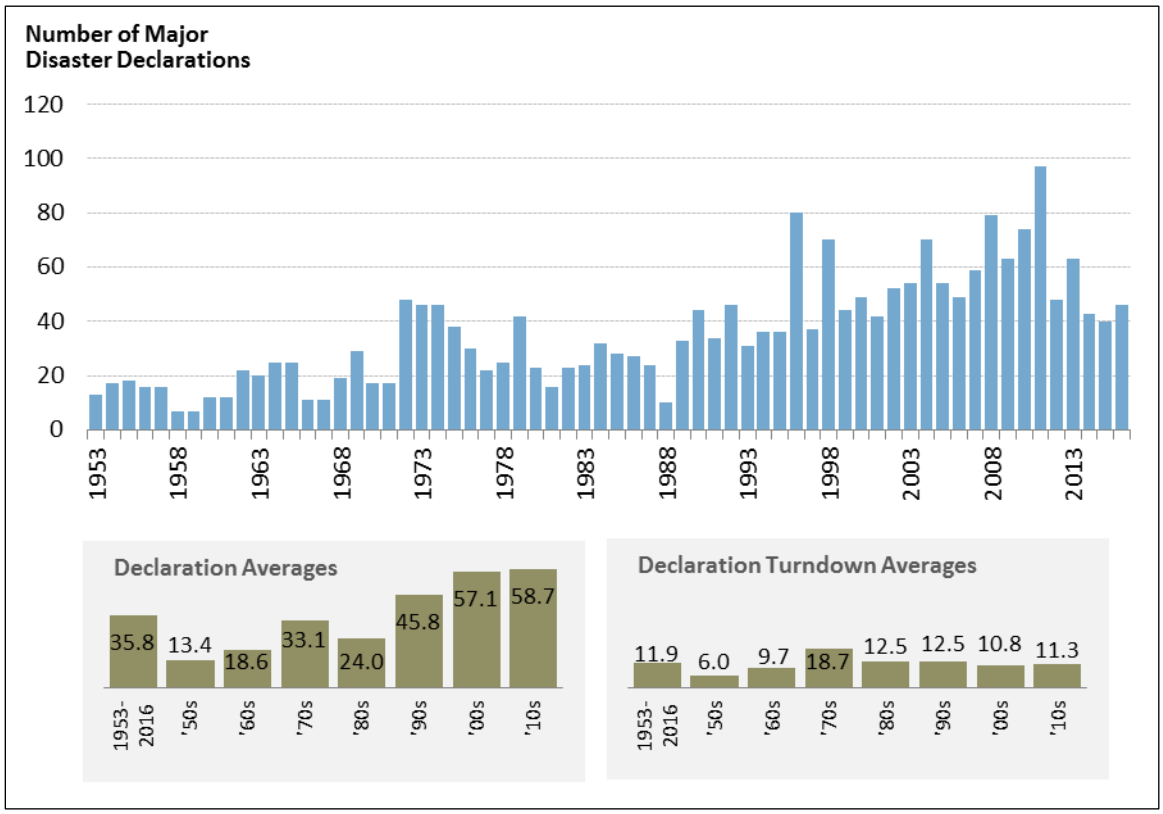
Major Disaster Declaration Turndowns

The President can deny a gubernatorial request for federal disaster assistance (see inset of **Figure 5**). The average number of requests for a major disaster declaration denied by the President since 1953 has varied somewhat, from a low of 9.7 per year from 1960 to 1969 to a high of 18.7 during the 1970s. More recently, the number of presidential denials of requests for major disaster declarations has become more static, averaging 11.3 denials from 2010 to 2016 (see inset of **Figure 5**).

[22] P.L. 93-288, 42 U.S.C. §5122(2).

Figure 5. Major Disaster Declarations

1953-2016



Source: CRS analysis based on data from U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations,* available at https://www.fema.gov/disasters and data provided by FEMA.

One possible explanation for the decrease in declaration turndowns is that emergency managers have become more knowledgeable of the declaration process and the use of per capita indicators. As a consequence, they may dissuade the governor from making a request when they believe the per capita threshold for their particular incident is too low.[23]

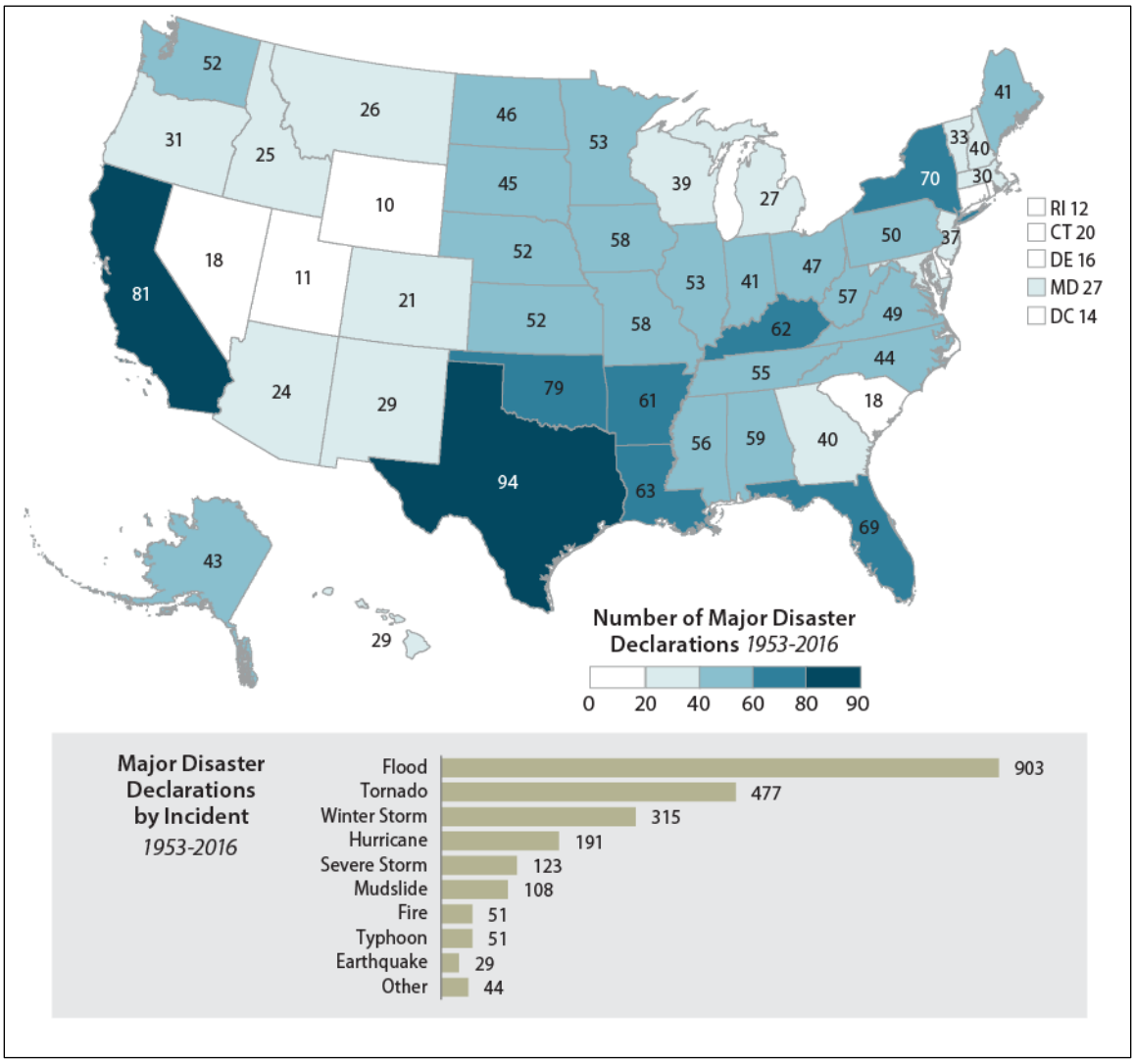
Major Disaster Declarations by State and Type

The majority of incidents declared as major disasters are issued as a result of a flood, tornado, winter storm, or hurricane (see inset of **Figure 6**). Floods, which often co-occur with severe storms and hurricanes, represent at least 61.5% of all major disaster declarations. The states that have received the most major disaster declarations are Texas (94), California (81), Oklahoma (79), New York (70), and Florida (69) (see **Figure 6**).

[23] For more information on the professional development of emergency managers see "The Professionalization of Emergency Management," below.

Figure 6. Major Disaster Declarations by State and Type

1953-2016



Source: CRS analysis based on data from U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations,* available at https://www.fema.gov/disasters.

Note: From 1953 to 2016, 12 major disaster were declared in American Somoa; 14 were declared in Guam; 15 were declared in the Northern Mariana Islands; 26 were declared in Puerto Rico; 17 were declared in the Virgin Islands; and 32 were declared in what are now the freely associated states of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. Eight (8) major disaster declarations were made for tribal lands, which are discussed further under "Tribal Declarations."

Until 2016, FEMA did not provide specific categories to classify disasters. For this analysis, CRS searched the disaster titles from U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations,* available at https://www.fema.gov/disasters for keywords to determine categories of disasters. For all but "Winter Storm" and "Severe Storm," the category name is also the keyword that was used. For winter storms, keywords included "winter," "snow," and "blizzard." The severe storm category includes all declarations for which the disaster title included "storm," "rain," or "wind" that could not be categorized otherwise. Some examples of events in the "Other" category include drought, volcanic activity, tropical depressions, terrorist attacks, tsunamis, and water shortages. When incidents that could be classified in the "other" category could also be categorized in a major category (i.e., flood, tornado, winter storm, hurricane, severe storm, mudslide, typhoon, fire, or earthquake) they were classified in a major category. In the 548 instances when an event could be classified in more than one major category, only one was assigned. Consequently, one (1) hurricane event

could be classified as a tornado, three (3) tornados could be classified as winter storms, and a combination of 38 mudslides could be classified as fires, tornados, or winter storms. In 506 instances, an event that was categorized otherwise could have been categorized as a flood. If those instances had been categorized as floods, the total number of flood incidents that received a major disaster declaration would have been 1,409. None of these categorization decisions changes the relative position, in order of frequency, of disaster categories for major disaster declarations. In 2016, seven major disasters that were categorized as either a flood or severe storm by FEMA were categorized as a tornado using the methodology developed for previous years. Similarly, four disasters were categorized as winter storms as opposed to severe storms; six disasters were categorized as mudslides as opposed to floods or severe storms; and three disasters were categorized as floods as opposed to severe storms.

Tribal Declarations

The Sandy Recovery and Improvement Act (SRIA, P.L. 113-2), among several significant changes to the Stafford Act, provided the opportunity for Native American groups to be treated as states and to be eligible to request a major disaster declaration directly from the President. Previously, tribal groups were treated as local governments and any request had to be made by the governor(s) of the affected state(s) where the tribal land, infrastructure, and populations had been affected by an incident that could warrant consideration for an emergency or major disaster declaration.

Tribes sought this authority for various reasons. While tribes and Native Americans have long received assistance under Stafford Act declarations, working through the state government for all assistance has been viewed as an issue of tribal sovereignty. For example, states might have been reluctant to request on behalf of a tribe when the damage was localized on tribal property. Other challenges to administering disaster relief involved language barriers and the physical isolation of some tribal lands. Also, the tribes wished to have the same ability as states to help manage the response and recovery from a disaster. All of these factors created challenges for emergency management following disaster events in tribal areas.

Under this provision in SRIA (now in the Stafford Act Sections 401 and 501), the "Chief Executive of an Indian Tribal Government" is able to submit a request for a declaration by the President. In addition, the "Savings Provision" of Sections 401 and 501 ensures that a tribal government is not prohibited from receiving assistance under a declaration made by the President at the request of the governor if the President has not made a separate declaration for the tribal government. In effect, a tribal government will retain the ability to be treated as a local government in those situations.[24] There has only been limited use of the Savings Provision over the first several years. FEMA is continuing to develop polices on implementation of the tribal authority. As noted in **Table 2**, the initial declarations have been relatively small in terms of federal resources.[25]

[24] For additional information on the SRIA provisions for tribal governments, see CRS Report R42991, *Analysis of the Sandy Recovery Improvement Act of 2013*, by (name redacted), (name redacted), and (name redacted) .

[25] Changes to the automated forms used for populating the FEMA declarations dataset, available for download at https://www.fema.gov/data-feeds, have lagged behind changes in legislation. Consequently, the tribal declarations listed in Table 2 are not listed as tribal declarations in the FEMA declarations dataset. Instead, they are associated with the states in which the area of tribal land affected by each disaster is located. More specifically, the declaration numbers are associated with the following states: 4103-NC, 4104-AZ, 4123-ND, 4142-CA, 4147-NM, 4151-NM, 4206-CA, and 4237-SD.

Table 2. Tribal Major Disaster Declarations

2013-2016

Tribe	Declaration Number	Obligations	Date
Eastern Band of Cherokee Indians	4103	$6,097,572	3/1/2013
Navajo Nation	4104	$2,348,759	3/5/2013
Standing Rock Sioux Tribe	4123	$663,680	6/25/2013
Karuk Tribe	4142	$650,306	8/29/2013
Santa Clara Pueblo	4147	$1,524,414	9/27/2013
Santa Clara Pueblo	4151	$10,881,507	10/24/2013
Soboba Band of Luiseño Indians	4206	$1,045,648	1/27/2015
Oglala Sioux	4237	$36,957,070	8/7/2015

Source: CRS analysis of FEMA declarations data, available at https://www.fema.gov/disasters. Obligations data as of December 2015 provided by FEMA.

Notes: There were no tribal declarations in 2016. Obligations for major disasters often increase over a period of many years so any costs reflected above may increase in the future.

Possible Explanations for the Increase in Declarations

There are a number of factors that might influence the increase in declarations over the past few decades, ranging from increases in weather incidents to changes in federal policies. This section reviews some of these factors.

Increased Frequency of Weather-Related Incidents

The rise in disaster declarations could be a function of increased frequency of severe weather incidents. For example, according to a report produced by an advisory committee chartered under the Federal Advisory Committee Act for the U.S. Global Change Research Program's Subcommittee on Global Change Research, there is evidence that there has been an increased frequency and intensity of heavy downpours.[26]

To assess that relationship, CRS compared severe weather data from 1974 to 2016 consisting of tornado, hail, and wind events, available from the National Oceanic and Atmospheric Administration (NOAA), to emergency and major disaster declarations.[27] As illustrated in **Figure 7**, the reporting of weather incidents has had an upward trajectory since 1974. In the latter half of the 1970s, there was a gap between the number of declarations and severe weather incidents, with more declarations than reported weather incidents. In the 1980s and the first part of the 1990s the two tracked fairly closely together, but then another gap occurred in the early part of the 2000s,

[26] *Global Climate Change Impacts in the United States*, ed. Karl, Thomas R., Jerry M. Melillo and Thomas C. Peterson, 9, 12, 24, 32-40. ed. (Cambridge University Press, 2009), available at https://downloads.globalchange.gov/usimpacts/pdfs/climate-impacts-report.pdf.

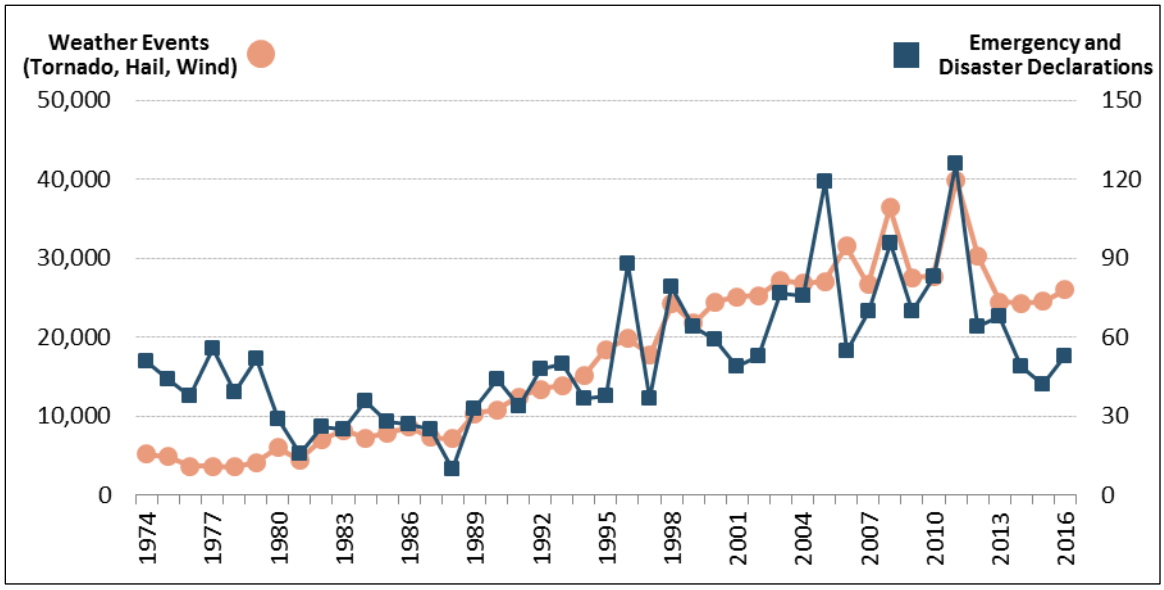
[27] National Oceanic and Atmospheric Administration, *Storm Prediction Center*, SVRGIS, Norman, OK, August 9, 2017, available at http://www.spc.noaa.gov/gis/svrgis/.

this time with more reported weather incidents than declarations. Since 2010, however, there has been more parity, with a slight dip in emergency and disaster declarations compared to weather events in the most recent years.

To some, the increased number of reported severe weather incidents is evidence that there is a correspondence between the weather and the issuance of declarations.[28] Others might be skeptical of the data. For example, it may be argued that the trend shown in **Figure 7** could be explained by improvements in weather tracking technology. As this technology becomes more sophisticated, more weather incidents are reported. Furthermore, **Figure 7** does not provide statistical information on flooding—one of the most frequent types of incidents to receive declarations—or other incidents such as winter storms. Some may, therefore, conclude that further studies are needed to establish a link between historical weather patterns and declarations.

Figure 7. Reported Severe Weather Incidents and Emergency and Major Disaster Declarations: A Comparison

Tornado, Hail, Wind—1974-2016



Source: CRS analysis of declaration data from U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations,* available at https://www.fema.gov/disasters, and weather data downloaded from National Oceanic and Atmospheric Administration, *Storm Prediction Center*, SVRGIS, Norman, OK, August 9, 2017, available at http://www.spc.noaa.gov/gis/svrgis/.

Increases in Population and Development

From 1953 to 2016 the population of the United States doubled—from 160.2 million to 323.1 million.[29] It could be argued that population growth has increased the density of existing communities and spurred development into areas that were previously uninhabited. An area may

[28] From 1974 to 2016, the correlation coefficient between severe weather events and emergency and major disaster declarations is 0.75.

[29] Population estimates can be found at American FactFinder managed by the U.S. Census Bureau, *Annual Estimates of Resident Population*, July 2017, at http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=PEP_2016_PEPANNRES&src=pt.

have been previously struck by an incident, but because there were no residents in the area, there may have been little or no need to declare an emergency or disaster. Also, states and communities that welcome growth may not want to discourage it by considering the potential vulnerability to disaster damage and taking what may be unpopular steps to mitigate against such damage.[30]

> As our population grows, more of the nation's citizens live in areas prone to natural disasters, from floods and tornadoes to earthquakes and hurricanes, and some states have taken action to encourage this development for immediate economic gain (in the form of a larger tax base and other benefits). That means the consequences of such events are exacerbated.[31]

In the case of previously existing communities with higher population densities, the number of households and dwellings may have caused the costs of the associated damages to rise beyond the state's capacity to financially recover from the event. This tendency is magnified in coastal development:

> Coastal development also has become a lucrative economic force for private investors. The deluge of people living on and near the coasts is not merely a fad that soon will yield to a preference for inland locations. It is largely a result of population growth combined with the beauty and economic promise of coastal areas. This growing interest in coastal development, combined with a strong economy, in recent years has increased the pressure on landowners to sell or develop.[32]

In addition, the costs of recovering from disasters may have also grown due not only to the growing population but also to increased standards of living and an increasing reliance on interdependent technical systems—both of which are expensive to repair and replace.

Policy Changes and Political Considerations

A number of federal policy changes have occurred since 1953 that may also help to explain why the number of declarations being issued each year has increased. These include changes in (1) federal legislation and (2) various FEMA declaration policies. In addition, some have postulated that the declaration process has become politicized.

Evolution of Federal Disaster Policy

Since the first major disaster declaration was issued in 1953, there have been key pieces of federal legislation that may help explain why the number of declarations has increased (see **Figure 8**). From 1950 through 1980, the federal role in disaster response and recovery gradually expanded, both through executive action and legislation. In the 1950s, the federal approach to disaster assistance was less comprehensive than today. In general, the assistance consisted of initial repairs to infrastructure, modest assistance to help families and individuals, and loans for homeowners and businesses. Later there was an emphasis on mitigation to lessen the effect of future disaster events. Key legislation was passed in each decade, but especially in the 1970s, that

[30] This can include upgrading building codes, planning development with an adherence to National Flood Insurance Program (NFIP) mapping, and other steps to decrease the impact of disaster events.

[31] Ronald J. Daniels, Donald F. Kettl, and Howard Kunreuther, *On Risk and Disaster* (Philadelphia: University of Pennsylvania Press, 2006), p. 3.

[32] The H. John Heinz III Center for Science, Economics and the Environment, *Human Links to Coastal Disasters*, Washington, DC, 2002, pp. 23-24, https://adapt.nd.edu/resources/462/download/Human_Links_to_Coastal_Disasters.pdf.

addressed distinct problems caused by natural disasters.[33] This was also the time when FEMA was created by President Jimmy Carter under his reorganization plan of 1978.[34] As one observer summarized the myriad of actions taken during this period:

> For almost thirty years the federal government had, at different times, inched toward a policy that gave administrators a superior and determinative role in emergency management. At times during that period federal policy received a hard push from nature, such as the Alaska earthquake or Hurricane Betsy. Periodically, members of Congress or administration officials nudged federal policy in a different direction. By 1978, however, experience had shown that coordination of federal and nonfederal action, not dispersion, was the best approach.[35]

The federal/state framework that had been created was, ironically, not really tested during the 1980s. That relatively quiet decade did not have large disaster events to present challenges to the disaster relief programs nor large supplemental expenditure requests to Congress. In spite of that, P.L. 100-707, which became law in 1988, contained a number of significant changes. In addition to naming the Disaster Relief Act in honor of former Vermont Senator Robert Stafford, it also established in law the Hazard Mitigation Grant Program (HMGP) as well as the federal/state cost-share for the Public Assistance program.[36] As a result of the quiescent period disaster policy changes then enacted that would later address an increasing number of unique and devastating disaster situations, were not employed until the 1990s.

[33] P.L. 93-288, Disaster Relief Act Amendments of 1974. Later named in honor of former Vermont Senator Robert Stafford.

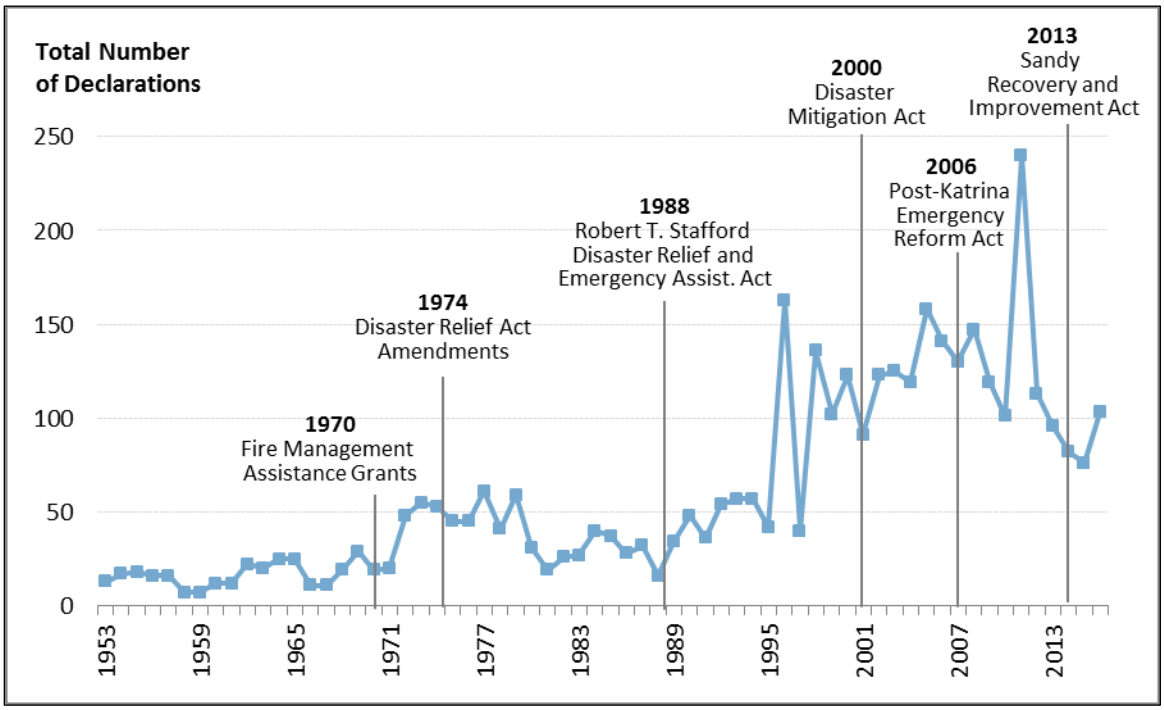
[34] Executive Order 12127, "Federal Emergency Management Agency," 19367, March 31, 1979.

[35] (name redacted), "The Formative Years: 1978," in *Emergency Management: The American Experience 1900-2010*, ed. Claire B. Rubin, 2nd ed. (Boca Raton, FL: CRC Press, 2012), p. 111.

[36] P.L. 93-288, 42 U.S.C. §5170(c) and §5172.

Figure 8. Select Federal Disaster Legislation and the Total Number of Declarations

FMAG, Emergency, and Major Disaster Declarations 1953-2016



Source: CRS analysis of declaration data from U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations,* available at https://www.fema.gov/disasters.

P.L. 106-390, the Disaster Mitigation Act of 2000 (hereinafter DMA2K) established for the first time a pre-disaster mitigation (hereinafter PDM) program to reduce risk regardless of disaster declarations.[37] While the PDM program was funded separately, outside of the President's Disaster Relief Fund, DMA2K also permitted increased funding to states under the Hazard Mitigation Grant Program, which is funded from the Disaster Relief Fund.[38] However, while DMA2K increased potential mitigation spending, it also capped home repair costs at $5,000 per household, which limited disaster spending in that category.[39]

Significant changes to the administration of disaster relief were included in the Post-Katrina Emergency Reform Act of 2006, P.L. 109-295 (hereinafter PKEMRA). This legislation was developed in response to the problems encountered in the recovery from the Gulf Coast storms of 2005. While the legislation did not alter the declaration process, it did make several changes to Stafford Act authorities that increased the available aid for post-disaster recovery. For example, the $5,000 cap that was enacted in 2000 was repealed. Also, PKEMRA included authority for states to provide case management services for disaster victims as well as assistance for transportation.

In 2013 Congress passed the Sandy Recovery and Improvement Act of 2013, P.L. 113-2, in response to the impact of Hurricane Sandy. This also included significant amendments to the Stafford Act and the administration of disaster relief assistance. In addition to including a tribal

[37] 42 U.S.C. §5133.

[38] 42 U.S.C. §5170c.

[39] 42 U.S.C. §5174 (c)(2)(C), later removed by P.L. 109-295.

declaration policy, the legislation made major adjustments to the Public Assistance program and other Stafford Act authorities.[40]

Changes in FEMA Policy

In addition to the factors that might influence the President's decision to issue a declaration, there are agency-level policy changes at FEMA that may play a role in increasing declarations, including changes in how FEMA handles snowstorms, the use of pre-landfall declarations for hurricane response preparations, and the shift to a more transparent declaration process.

Snow Declarations

One example of how an administrative practice can affect the number of major disaster declarations is FEMA's recent adjustment in snow policy, which began in November 2009. Formerly, FEMA provided federal assistance for snow removal costs for a stipulated period—usually two or three days. Most of these events were defined as snow emergencies because of the relatively limited assistance requested and provided. However, since FEMA published new regulations for snow declarations in 2009, the agency considers most, but not all, snow-related events as major disasters.[41] As FEMA explained, the intent of the change was to make FEMA's snow policy conform more closely to the Stafford Act:

> FEMA's 1999 Snow Assistance Policy evaluated requests for snow assistance under both the criteria for an ''emergency'' declaration under 44 CFR 206.35, as well as a request for a ''major disaster'' declaration under 44 CFR 206.36. However, the Stafford Act, 42 U.S.C. 5122, and FEMA regulations, 44 CFR 206.2(a)(17), expressly include ''snowstorm'' in the definition of a ''major disaster.'' By comparison, FEMA regulations define ''emergencies'' as those types of events that *do not* qualify under the definition of a major disaster. In this revised policy, snowstorm events will be considered by FEMA for major disaster declarations under 44 CFR 206.36, consistent with the Stafford Act and FEMA regulations. As discussed below, in response to comments received on the July 2008 proposed policy, this final Snow Assistance Policy does not include the limitation proposed in 2008 that FEMA would only make recommendations for major disaster declarations for snow events.[42]

In FY2010, the change in snow policy resulted in 22 would-be "snow emergencies" being declared "snow disasters."[43] This number included multiple declarations for states affected by the storms of December 2009, and the February 2010 storm in the National Capital Region. Without the snow policy change, the total number of major disasters for FY2010 most likely would have been 52.[44] While it was still a significant year for declarations, the change in snow policy

[40] For additional analysis of the SRIA provisions see CRS Report R42991, *Analysis of the Sandy Recovery Improvement Act of 2013*, by (name redacted), (name redacted), and (name redacted) . Also, for a detailed analysis of the changes to the Public Assistance program see CRS Report R43990, *FEMA's Public Assistance Grant Program: Background and Considerations for Congress*, by (name redacted) and (name redacted) .

[41] One recent exception was the emergency declaration on October 31, 2011, for the snow event in Connecticut. This snow emergency was reclassified as a major disaster declaration on November 17, 2011.

[42] U.S. Department of Homeland Security, Federal Emergency Management Agency, "Snow Assistance and Severe Winter Storm Policy," 74 *Federal Register* 57509, November 6, 2009.

[43] As noted previously, FEMA does not use specific categories to classify disasters. Snow declarations were identified by using a keyword search of disaster titles from U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations*, available at https://www.fema.gov/disasters for "blizzard," "freeze," "ice," "snow," and "winter."

[44] U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations*, available (continued...)

increased the number of major disaster declarations by approximately one-third. Similarly, in 2011 there were 14 major disaster declarations issued for a severe winter storm or a snow storm. Absent those declarations, the record-setting total number of declarations for 2011 drops from 97 to 83. In total, from 2010 to 2016 there were 87 major disasters declared for severe winter and snow storms.[45]

Pre-Landfall Declarations

While traditionally FEMA had taken a "management of consequences" approach to most disasters and waited for a storm's impact before addressing a governor's request, in the late 1990s FEMA began to treat hurricanes differently. Due to the lead time provided by the tracking of hurricanes, FEMA began, in 1999, to recommend emergency declarations in advance of hurricanes making landfall. The impetus for this policy was to supplement, and thus strengthen, state evacuation efforts and related work by state and local governments to reduce the impact of hurricanes.

These types of declarations are now governed by FEMA policy guidance and are frequently employed.[46] For example, four declarations were issued before Hurricane Irene made landfall on August 27, 2011.[47] Similar emergency declarations were made for the Gulf Coast states prior to the impact of Hurricane Katrina and the East Coast states prior to Hurricanes Sandy and Matthew. The number of declarations in these instances is doubled when a state receives both an emergency and major disaster declaration for the same event.[48]

These pre-landfall declarations are made for states "immediately threatened with impact from a major hurricane or typhoon." The guidance suggests these declarations be made for storms projected to a category 3, 4, or 5 on the Saffir/Simpson scale. However, as with any declaration, the President retains discretion to make the decision on whether a declaration is made. This is an example of a change in FEMA policy that has increased the number of declarations over the last two decades.

Transparency of the Declaration Process

The disaster declaration process begins with a dynamic event and is generally considered to be open and relatively transparent. In addition, the disaster declaration process, though subject to inquiry, argument, hearings, studies, and recommendations, has changed very little over time. It remains a process that can be observed and evaluated as it occurs in the area affected by the disaster and grows opaque as it moves up through layers of FEMA and DHS management to the White House.

(...continued)

at https://www.fema.gov/disasters.

[45] During this time period there were also eight (8) emergencies declared for severe winter storms or snow storms.

[46] FEMA Policy FP-010-4, "Pre-Disaster Emergency Declarations Requests," May 18, 2012 (supersedes policy guidance, July 18, 2007).

[47] Emergency declarations were issued for North Carolina on August 25th and for New York, Virginia, and Massachusetts on August 26th.

[48] Although the number of declarations is doubled, spending is likely not increased since, under previous policy, much of the emergency spending may have been captured as eligible within a longer incident period. The benefit of the separate emergency declaration is that it makes federal assistance available more rapidly and likely contributes to the confidence of state and local governments in carrying out emergency services with an assurance of partial reimbursement.

That observation reflects the fact that damage assessments are done publicly with federal, state, and local officials working together to determine the amount of eligible damage. Similarly, the governor's letters requesting federal, supplemental help are usually available to the public. In that respect, FEMA provides a template to state emergency management offices so they can anticipate the types of information that should be provided (including legal language regarding state activities, state commitments toward program cost shares, and other necessary information).

With the encouragement of Congress, FEMA has gradually made the disaster declaration process more transparent. The prime example of this greater transparency is the set of regulations that details the factors FEMA considers when evaluating a governor's request. These regulations first appeared in the *Federal Register* in September 1999.[49]

Another step in the direction of transparency was the publishing, on FEMA's website, of the preliminary damage assessment (PDA) reports that help to inform both the governor's decision on whether to make a request as well as the declaration decision itself. FEMA now makes available for public review all PDAs dating back to 2008.[50]

The move toward greater transparency may have shifted the way in which FEMA makes recommendations to the President as to whether incidents are worthy of federal assistance. Prior to the move for greater transparency, FEMA officials could have private discussions to evaluate a range of factors when determining a state's financial capacity to respond to an incident without federal assistance. These factors could include the state's economic well-being or whether the state had a budget surplus, among others. These factors are often subjective and difficult to quantify, which in turn makes the rationale for certain recommendations more difficult to justify. Some would contend that recommendations that are exclusively based on per capita thresholds make the recommendation process appear more equitable, but in reality, just using per capita thresholds to determine whether to provide disaster assistance eliminates important factors that establish state capacity. It could be argued that the move toward transparency eliminated private and frank discussions concerning state capacity that could potentially prevent a state from receiving federal assistance for an incident it could conceivably handle on its own.

Finally, as emergency managers have become more knowledgeable of the declaration process and the use of per capita indicators, they may dissuade the governor from making a request when they believe the per capita threshold for their particular incident is too low. This may explain, in part, why the number of declaration turndowns has decreased slightly over the years (see inset of **Figure 5**), because it is possible that fewer requests are being submitted that are likely to be denied.

Possible Political Influences on Emergency and Major Disaster Declarations

Critics argue that Presidents are more likely to issue a declaration during a presidential election year.[51] They also argue that declaration turndowns are influenced by election cycles.

[49] Federal Emergency Management Agency, "Disaster Assistance; Factors Considered When Evaluating a Governor's Request for a Major Disaster Declaration," 64 *Federal Register* 47698, September 1, 1999.

[50] U.S. Department of Homeland Security, Federal Emergency Management Agency, *Preliminary Damage Assessment Reports*, available at http://www.fema.gov/preliminary-damage-assessment-reports.

[51] For example, see Jessica Zuckerman, *An Election-Year Trend: Disaster Declarations on the Rise*, The Heritage Foundation, January 4, 2012, available at http://blog.heritage.org/2012/01/04/an-election-year-trend-disaster-declarations-on-the-rise/.

The data indicate that there is a slight increase in the number of emergency and major disaster declarations and a slight decrease in the number of declaration turndowns during presidential election years (see **Table 3**).[52] In presidential election years, there are an average of 54.3 declarations and 14.5 turndowns. In comparison, in all years without a presidential election, there are an average of 52.1 declarations and 16.0 turndowns. However, as shown in **Table 4**, there is also variation in the average numbers of declarations and turndowns in years without a presidential election.

Table 3. Average Number of Declarations and Turndowns in Presidential and Non-Presidential Election Years

1974-2016

	Average Number of Declarations	Average Number of Turndowns	Average Percentage of Turndowns
Presidential Election Years	54.3	14.5	24.2%
All Years *Except* Presidential Election Years	52.1	16.0	25.3%

Source: CRS analysis of declaration data from U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations,* available at https://www.fema.gov/disasters.

Table 4. Average Number of Declarations and Turndowns by Election Cycle Years

1974-2016

	Average Number of Declarations	Average Number of Turndowns	Average Percentage of Turndowns
Presidential Election Years	54.3	14.5	24.2%
Year Following Presidential Election Years	52.6	16.9	26.6%
Mid-Term Election Years	49.4	16.9	26.4%
Year Preceding Presidential Election Years	54.3	14.4	23.1%

Source: CRS analysis of declaration data from U.S. Department of Homeland Security, Federal Emergency Management Agency, *Disaster Declarations,* available at https://www.fema.gov/disasters.

On one hand, the increase in declarations and decrease in turndowns may lead some to conclude that political factors influence declaration decisions during presidential election years. On the other hand, it could be argued that while a President may be motivated to issue a declaration or be reluctant to deny a declaration for political reasons, it is at best a small factor. It is difficult to establish evidence to support that political reasons play a role in declaration determinations.

[52] In previous versions of this report, this section separately analyzed emergency and major disaster declarations since 1990. This report analyzes both emergency and major disaster declarations since 1974 for data reliability purposes.

As demonstrated in **Table 3**, the differences in presidential and non-presidential election years are slight and prove to be statistically insignificant.[53] Moreover, methodologically, there are more nonelection years in the sample than election years, which may skew the results since an increase in the sample will usually generate a figure that is more statistically normal. Additionally, the slight increase in declarations during presidential election years could be the result of other variables that have been described in this report. To contextualize the raw counts of declarations and turndowns in each year, **Table 3** and **Table 4** also include the average percentage of turndowns for relevant years. Again, differences between these averages are slight and statistically insignificant.[54]

The Debate over Politics and Declarations

Some who contend that presidential decisions on whether to issue a declaration are increasingly linked to political considerations argue that declarations are more likely to be issued around presidential election years in an attempt to garner media coverage and gain approval of voters in a state that has been stricken by an incident.[55] Another, similar argument is that congressional districts sharing the President's party affiliation are more likely to be issued a disaster declaration. Both of these arguments are difficult to prove and recent studies on this issue have led to differing conclusions. For example, in a 2002 study economists Thomas A. Garrett and Russell S. Sobel postulated:

> States politically important to the President have a higher rate of disaster declaration by the President, and disaster expenditures are higher in states having congressional representation on FEMA oversight committees. Election year impacts are also found.[56]

Other researchers have been unable to deduce the same bias:

> There was no evidence of a statistically significant relationship between success in acquiring major disaster declarations and any of the remaining partisanship, biased vote-seeking, or overwhelming need predictor variables.[57]

Some may contend that the argument that declaration approvals and denials have increased solely due to political motivations may be making the unwarranted assumption that weather patterns, development, and increases in population have remained static or near static over the past six decades. For example, it could be argued that President Reagan's number of approvals of gubernatorial requests was low and his record of turndowns was high, representing a conservative approach to governing in the disaster realm. However, very few natural disaster events occurred during President Reagan's presidency (see **Figure 7**). Had there been more disasters he may have approved more gubernatorial requests for assistance.

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[53] Using a two-tailed *t*-test assuming heterogeneity, the *p*-value for declarations is 0.81 and for turndowns is 0.54. Furthermore, when comparing all four years of the election cycle (see **Table 4**) simultaneously using an ANOVA, the *p*-value for declarations is 0.97 and for turndowns is 0.80.

[54] Using a two-tailed *t*-test assuming heterogeneity, the *p*-value for percentage of turndowns is 0.81. When comparing all four years of the election cycle simultaneously using an ANOVA, the *p*-value for percentage of turndowns is 0.89.

[55] For example, see Jessica Zuckerman, *An Election-Year Trend: Disaster Declarations on the Rise*, The Heritage Foundation, January 4, 2012, available at http://blog.heritage.org/2012/01/04/an-election-year-trend-disaster-declarations-on-the-rise/.

[56] Thomas A. Garrett and Russell S. Sobel, "The Political Economy of FEMA Disaster Payments," *Economic Inquiry*, Vol. 41, No. 3, July, 2003, p. 496.

[57] Richard S. Salkowe and Jayajit Chakraborty, "Federal Disaster Relief in the U.S.: The Role of Political Partisanship and Preference in Presidential Disaster Declarations and Turndowns," *Journal of Homeland Security and Emergency Management*, Vol. 6. 2009. p. 13.

Finally, if declarations are tied to presidential elections, then one would expect the number of emergency and major disaster declarations to have been high for election year 2012. However, there were only 64 emergency and major disaster declarations in 2012, which was the lowest number for a single year, regardless of whether or not it was a presidential election year, since 2006.

24-Hour News Networks and Personal Video Devices

A related issue that may influence the President's decision to issue a declaration is the rise of 24-hour news networks in the last three decades. News coverage and broadcasts of emergencies and major disasters have increased significantly since the 1980s. The rise in news coverage is attributed, in part, to technological advances in electronics and satellite communications that began in the latter part of the 1980s. These advances eventually gave rise to 24-hour news networks that provide live coverage of emergencies and disasters. The striking images of emergencies and disasters make the footage of these events highly desirable in media outlets. The miniaturization of cameras and the availability of video via cell phones and other devices have also increased the availability of footage of such events.

The advances in technology over the past 30 years have led to increased media coverage of disasters. Perhaps as a consequence, some have suggested that Presidents have taken a greater interest in disasters as a meeting point of politics and public policy. For example, it is now customary for a President to visit a major disaster site to demonstrate responsiveness to the incident as well as show empathy and concern toward disaster victims.[58]

In addition, the proliferation of media coverage of emergencies and major disasters extends public scrutiny of the handling of the incident beyond just those in the disaster area. Higher levels of scrutiny, whether justified or not, may compel the President to declare an emergency or major disaster to show compassion to the disaster victims and demonstrate responsiveness to the incident. As one observer suggests:

> Some of the increase in presidential disaster declarations may be directly attributable to television news coverage; this is because media coverage of disasters and emergencies imposes political pressure on the president to demonstrate concern and offers a unique opportunity to demonstrate assertiveness, compassion, and strong decision-making skills. Public officials tend to use the news media to demonstrate their sympathy for disaster victims and to decry slow emergency response and relief efforts.[59]

Scholars studying disasters have argued that the perceptions of the President's handling of a disaster have consequences. According to Richard T. Sylves, an expert on emergency and disaster declarations, the perceived mishandling of Hurricane Andrew damaged President George H. W. Bush's image in Florida and may have contributed to his defeat in the 1992 presidential election.[60] It could be argued that if a President fails to issue a declaration he might be perceived as callous or indifferent to the disaster-stricken state. In the cases of "marginal" disasters—disasters that arguably could be handled by the state without federal aid—the greater the intensity

[58] Richard T. Sylves, *Disaster Policy and Politics: Emergency Management and Homeland Security* (Washington, DC: CQ Press, 2008), p. 219.

[59] Claire Rubin, Ed. *Emergency Management: The American Experience 1900-2010, 2nd Edition*, (CRC Press: Boca Raton, 2012), p. 131. Excerpt: Gary L. Wamsley, et al. *Coping with Catastrophe: Building an Emergency Management System to Meet People's Needs in Natural and Manmade Disasters* (Washington, DC: National Academy of Public Administration, 1993).

[60] Richard T. Sylves, *Disaster Policy and Politics: Emergency Management and Homeland Security* (Washington, DC: CQ Press, 2008), p. 85.

of national news coverage of the event, the more the President is arguably compelled to provide federal aid.

Changes in State Policies and Circumstances

In addition to the federal elements that may have played a role in the increases in major disaster declarations, there are a number of state-level factors that have made the states more likely to request a declaration than in years past. These may be the result of various factors including (1) budget shortfalls, (2) a "learning curve" in declarations, and (3) the professionalization of emergency management.

State Budget Gaps

The recession that began at the end of 2007 led many states to experience heightened levels of fiscal stress, primarily because state revenue growth either stagnated, or in some states, declined. Because most states are required to balance their budgets, states have been forced to increase taxes and fees and/or reduce expenditures to address gaps in their budgets. According to a report issued by the National Governors Association and the National Association of State Budget Officers, 2016 marked the first year in which "total estimated state general fund expenditures and revenues have surpassed their fiscal 2008, pre-recession peak levels in real terms."[61]

It could be argued that the budgetary stress caused by the economic contraction encouraged states to seek federal funds to help offset state disaster costs. In pre-recession years states may have funded the recovery with their own funds, but given the tightening of those funds since that time states may be more likely to seek assistance from the federal government. Similarly, in years past, a state may have had sufficient funds for a rainy day fund to pay for unanticipated incidents. However, during periods of budgetary constraints, rainy day funds may not be available to use for disaster assistance.

The Learning Curve of Declarations

When a request for an emergency or major disaster is approved by the President for a certain type of incident, other states may take notice and request assistance for similar incidents. It is conceivable that a state may not have thought to ask for the declaration had it not been previously approved for another state. In this way, "declaration creep" might occur over time as states learn what types of incidents might qualify for a declaration.

The Professionalization of Emergency Management

Since 2001, many states have created state emergency management agencies staffed by professional emergency managers. In addition, many colleges and universities offer degrees in emergency management and homeland security. In a speech at the FEMA Higher Education Conference in 2004, Wayne Blanchard, manager of the Emergency Management Higher Education Project at FEMA's Emergency Management Institute, stated that emergency management programs had grown from 95 to 113 between 2003 and 2004, with another 97 programs under investigation or development.[62] By 2016, the number of programs in emergency

[61] National Governors Association and the National Association of State Budget Officers, *The Fiscal Survey of States*, Washington, DC, 2016, p. vii, available at http://www.nasbo.org/sites/default/files/Spring%202016%20Fiscal%20Survey%20of%20States-S.pdf.

[62] Federal Emergency Management Agency, *Status Report: Emergency Management Higher Education Project*, (continued...)

management had grown to 310.[63] The increase in the number of programs may be producing graduates who go on to be emergency managers that are more likely to be knowledgeable of the declaration process. In addition, technological advances enable emergency managers at the state level to gather information necessary to make a disaster declaration request more rapidly than in the past:

> Owing to advances in information technology, state emergency managers at the close of the twentieth century were likely better able to document the disaster loss than they were in the 1970s. State and local governments became more expert in using information technology to document disaster losses and more proficient in proving their need for federal assistance, which gave them a stronger factual basis for requesting a presidential disaster declaration. This may have contributed to the trend in declining turndowns of requests for federal assistance.[64]

As a result of this changing environment, state emergency managers may have more confidence in advocating a request for a declaration. Conversely, the state emergency manager may dissuade the governor from requesting a declaration if the emergency manager believes the incident is likely to be turned down.

Potential Methods for Controlling Declarations and Their Costs

If the increase in the number of declarations is a concern for the federal costs that accompany them (or for other reasons which have been discussed in this report), Congress may choose to address the issue. Addressing the issue may be conceptualized as two approaches: (1) limiting the number of declarations and (2) limiting the amount of spending that can occur after a declaration has been made.

The following section could be used to frame a potential debate on limiting the number of declarations being issued, limiting the assistance provided after a declaration has been declared, or both.

Rationale for Keeping the Declaration Process the Same

To many, providing relief to disaster victims is an essential role of the government. In their view, the concern over costs is understandable given concerns over the national budget. However, they may argue that the increase in the number of declarations being issued is justified because the declarations are tied to increased inclement weather, population growth, and development. Moreover, they say providing assistance to disaster-stricken areas is both acceptable and needed to help a state and region's economy to recover from a storm that it otherwise may not be able to recover from on its own.

A similar argument could be made that the number of declarations should be allowed to increase to meet the needs caused by population growth and development as well as inclement weather

(...continued)

Emmitsburg, MD, June 8, 2004.

[63] FEMA Emergency Management Institute, *Alphabetical Listing of Programs in the US*, August 5, 2016, available at http://www.training.fema.gov/emiweb/edu/collegelist/.

[64] Claire Rubin, Ed. *Emergency Management: The American Experience 1900-2010, 2nd Edition*, (CRC Press: Boca Raton, 2012), p. 158.

activity. However, there could be adjustments to limit the amount of federal assistance that is granted once the declaration has been issued.

Limiting the Number of Declarations Being Issued

Others may argue that the number of declarations being issued should be limited. The following sections review some policy mechanisms that could be employed to decrease the number of declarations that are being issued. The primary method consists of preventing what may be perceived to be marginal incidents from triggering federal assistance. These include changing the definitions of emergency and disaster in the Stafford Act and changing the per capita formula for determining whether a disaster is sufficiently large to warrant federal assistance.

Emergency and Disaster Definitions in the Stafford Act

Some argue that the Stafford Act has enhanced presidential declaration authority because emergencies and major disasters in Sections 102(1) and 102(2) of Stafford Act are ill-defined.[65] Because of the expansive nature of the definitions under the Stafford Act there are not many restrictions on the types of emergencies and disasters for which the President may issue a declaration.[66]

The Per Capita Formula

The DHS Inspector General (IG) noted in a May 2012 report that FEMA had been using a $1 per capita damage amount during its preliminary damage assessment since 1986 to recommend to the President whether event response was beyond the capacity of state and local governments. The report also indicated that FEMA did not begin adjusting that number for inflation until 1999. The IG pointed out that if the inflation adjustment had been occurring over that 13-year period, from 1986 to 1999, fully 36% fewer disasters would have qualified for a presidential declaration based on that factor.[67]

However, the actual factors considered for a declaration did not become public until 1999. At the behest of Congress, that year FEMA began to print the factors that were considered in regulation. Until then, that information had been within the "pre-decisional" part of the process in the executive branch. However, in 1999 FEMA began to identify factors considered for both Public and Individual Assistance.[68] That is not to say FEMA was not using the per capita amount in its considerations, only that the process was not widely known or understood as it presently is. As the DHS IG notes, FEMA could have increased the thresholds gradually beginning in 1986. However, adjusting the per capita amount on an annual basis for inflation did not begin until more than a dozen years later. On the other hand, it should also be considered that when FEMA discussed such proposals (e.g., adjusting per capita figures) with Congress in 1986, Congress passed Section 320 of the Stafford Act that stated:

[65] P.L. 93-288, 42 U.S.C. §5122.

[66] Richard T. Sylves, *Disaster Policy and Politics: Emergency Management and Homeland Security* (Washington, DC: CQ Press, 2008), p. 79.

[67] Department of Homeland Security, Office of Inspector General, *Opportunities to Improve FEMA's Public Assistance Preliminary Damage Assessment Process,* pp. 5-7.

[68] For further information on this process, see CRS Report R43784, *FEMA's Disaster Declaration Process: A Primer*, by (name redacted) .

> No geographic area shall be precluded from receiving assistance under this Act solely by virtue of an arithmetic formula or sliding scale based on income or population.[69]

While it can be argued that FEMA should have been increasing the per capita amount to account for inflation in each succeeding year, it can also be argued that Congress's passage of Section 320 was expressing its will that such measurements of need would not be the sole determinant for a disaster declaration.

The Use of State Capacity Indicators

In 2001, the Government Accountability Office (GAO) issued a report on disaster declaration criteria. This report was a comprehensive review of FEMA's declaration criteria factors. GAO recommended that FEMA "develop more objective and specific criteria to assess the capabilities of state and local governments to respond to a disaster" and "consider replacing the per capita measure of state capacity with a more sensitive measure, such as a state's total taxable resources."

The state's Total Taxable Resources (TTR) was developed by the Department of the Treasury. GAO reported that TTR:

> is a better measure of state funding capacity in that it provides a more comprehensive measure of the resources that are potentially subject to state taxation. For example, TTR includes much of the business income that does not become part of the income flow to state residents, undistributed corporate profits, and rents and interest payments made by businesses to out-of-state stock owners. This more comprehensive indicator of state funding capacity is currently used to target federal aid to low-capacity states under the Substance Abuse and Mental Health Service Administration's block grant programs. In the case of FEMA's Public Assistance program, adjustments for TTR in setting the threshold for a disaster declaration would result in a more realistic estimate of a state's ability to respond to a disaster.[70]

It could be argued that the use of TTR would conflict with the prohibition against arithmetic formulas established by Congress. However, just as FEMA's per capita measurement is one of several factors considered and not the "sole" determinant of a declaration, GAO stated that TTR would not violate Section 320 because TTR could also be used with other criteria such as those identified in regulations. Thus, some could contend that TTR could fill a similar role with perhaps more accuracy. It may also help reduce federal costs for disaster assistance by denying assistance to marginal incidents that could be otherwise handled by the state.

Expert Panels

Some policymakers have suggested using expert panels to help the President make major disaster determinations. For example, S. 1630 introduced in the 112th Congress, entitled *the Disaster Recovery Act of 2011*, would have amended the Stafford Act to authorize the President to declare a catastrophic incident if a recommendation was issued by an independent panel of experts. These panels would be comprised of individuals with specialized knowledge in certain subject areas, such as disasters, economics, and public health. The panel would take into account the severity of the incident as well as other factors that might indicate how well the state could respond to and recover from the incident. The panel would then make a recommendation to the President

[69] 42 U.S.C. §5163.

[70] U.S. General Accounting Office, *Disaster Assistance: Improvement Needed in Disaster Declaration Criteria and Eligibility Assurance Procedures*, GAO-01-837, August 31, 2001, pp. 11-12, available at http://www.gao.gov/assets/240/232622.pdf.

whether the circumstances of the incident were worthy of federal assistance based on their assessment.[71]

Some might argue that the use of an expert panel would make decisions about whether to provide assistance more objective. Others might argue that the use of a panel may slow down the declaration process and impede the provision of important assets and resources. It may be further argued that the panel's recommendation would infringe on the President's authority to issue a declaration. On the other hand, it could also be argued that the President would retain the authority to issue a declaration despite the panel's recommendation.

Emergency Loans

Another potential method to reduce the number of declarations and the costs of federal disaster assistance would be to create incentives to dissuade states from requesting assistance. One method would be converting some, or all, federal assistance provided through emergency declarations into loan programs. For example, emergency declarations could be altered to provide up to a specified amount (for example, $5 billion dollars) in low-interest recovery loans.[72] Under this arrangement a state could elect to handle the incident without federal assistance rather than having to reimburse the federal government for recovery loans.

Another, similar, option would be to expand FEMA's Community Disaster Loan (CDL) program. The core purpose of the CDL program is to provide financial assistance to local governments that are having difficulty providing government services because of a loss in tax or other revenue following a disaster. The program assists local governments by offering federal loans to compensate for this temporary or permanent loss in local revenue. In addition to helping with lost revenue, the CDL program could be used to provide loans to help states and localities repair, rebuild, and recover after a major disaster.

Another loan program already in existence is the Small Business Administration (SBA) Disaster Loan Program.[73] SBA offers low-interest, long-term loans for physical and economic damages to businesses to help repair, rebuild, and recover from economic losses after a declared disaster. However, the majority of the agency's approved disaster loans (approximately 80%) are made to individuals and households (renters and property owners) to help repair and replace homes and personal property. Policymakers could consider expanding the SBA Disaster Loan Program by including recovery loans at low interest rates for states and local governments.

Changes to the Stafford Act

The following section discusses some potential changes to the Stafford Act that might limit the number of declarations being issued each year or the amount of assistance provided to the state by the federal government.

[71] For example, in the 112th Congress, Section 109 of S. 1630 proposed the use of an expert panel to designate a new category of declaration known as a "catastrophic" declaration. In this case, the panel would have determined whether the incident met the threshold of being catastrophic. For further analysis on catastrophic declarations see CRS Report R41884, *Considerations for a Catastrophic Declaration: Issues and Analysis*, by (name redacted) and (name redac ted) .

[72] Assistance for emergency declarations is capped at $5 billion per incident.

[73] For more information on SBA disaster loans see CRS Report R41309, *The SBA Disaster Loan Program: Overview and Possible Issues for Congress*, by (name redacted) .

Repeal of Section 320

As mentioned previously, Section 320 of the Stafford Act restricts the use of an arithmetic or sliding scale to provide federal assistance. Repealing Section 320 would allow formulas that establish certain thresholds that states would have to meet to qualify for assistance.

Section 404

Section 404 of the Stafford Act[74] authorizes the President to contribute up to 75% of the cost of an incident toward mitigation measures that reduce the risk of future damage, loss of life, and suffering. One example of a change that could reduce federal cost is to amend Section 404 to make mitigation assistance contingent on state codes being in place prior to an event. For example, states that have met certain mitigation standards could remain eligible for the 75% federal cost share. States that do not meet the standards would be eligible for a smaller share, such as 50% federal cost share. The amendment could incentivize mitigation work on the behalf of the state and possibly help reduce damages to the extent that a request for assistance is not needed or the cost of the federal share may be lessened. The amendment could be set to take effect in the future (for example, in three years), giving states time to act, or not.

Other Potential Amendments to the Stafford Act

Other amendments to the Stafford Act could either limit the number of declarations being issued or the amount of assistance provided to the state by the federal government.

- The Stafford Act could be amended so that there could be no administrative adjustment of the cost-share. The cost-share could only be adjusted through congressional action. The amendment could be designed to apply immediately.
- The Stafford Act could be amended so that federal assistance would only be available for states with corollary programs (such as Public Assistance, Individual Assistance, and Housing Assistance). Establishing these programs at the state level may increase state capacity to handle some incidents without federal assistance. The amendment could be designed to take effect in the future (for example, three years), giving states time to act, or not.
- The Stafford Act could be amended to discontinue all assistance for snow removal unless directed by Congress. The amendment could be designed to take effect in the future (for example, three years) to give states and localities an opportunity to increase snow removal budgets, or not.

Reducing the Amount of Assistance Provided through Declarations

State Cost Share

Most discussions regarding state cost-shares in disaster programs and projects involve ways in which the state amount may be reduced and the federal share increased.[75] Some may contend, however, that the opposite approach should be adopted and efforts should be undertaken to reduce

[74] 42 U.S.C. §5170c.

[75] For additional discussion on this topic see CRS Report R41101, *FEMA Disaster Cost-Shares: Evolution and Analysis*, by (name redacted) .

disaster costs by shifting the costs to the state and local level. Currently, state and local governments provide 25% of disaster costs on projects and grants to families and individuals with the federal government assuming, at a minimum, 75% of all costs.[76]

There is no statutory limit on the number of people that can be helped following a disaster.[77] Similarly, when assessing damage to state and local infrastructure there is no cap on the amount of federal funds that can be expended to make the repairs or accomplish a replacement. The only limitation is that the damage must be to eligible facilities and that it is disaster-related damage.

Given that open-ended commitment by the federal government, some may argue that increasing the state share of 25% to a higher percentage would be warranted given the federal government's fiscal condition. Another option would be to make the cost-share arrangement not subject to administrative adjustment.

Disaster Loans

As mentioned previously, the assistance provided for emergency declarations could be provided through the form of loans. Similarly, some or all of the assistance provided to the state after a major disaster could be converted to low-interest or no-interest loans. For example, a state may receive the traditional 75% cost share for an incident but be required to reimburse 25% of that funding to the federal government. Loans for disaster recovery could also be incentivized. For instance, states that undertook certain pre-established preparedness mitigation measures could qualify for a larger federal share or a lower interest rate.

Concluding Observations

Given the variables described in this report that can lead to an increase in the number of declarations, including trends in severe weather patterns, population growth, and development, the upward trend of declarations will likely continue if declarations policies remain unchanged. Some may contend that the policy mechanisms used to address the number of declarations should be shaped in response to the causes of the increase. Others may argue that if the causes are due to an increase in severe weather incidents, population growth, or development, then the declaration process should remain unchanged. Alternatively, thresholds for federal assistance could be adjusted to eliminate what may be perceived to be marginal incidents and focus federal assistance on large-scale disasters. Another method would be shifting a greater share of the responsibility for providing assistance from the federal government to states and localities.

The approach to reduce declarations might shift somewhat if the increase in declarations and their costs is due primarily to federal policies. If that is the case, it could be argued that methods that constrain the President's discretion to issue declarations or reform FEMA policies may be more suitable. If the increase is tied to state policies then mechanisms such as the use of loans or other incentives could be implemented to help decrease the number of state requests for assistance. Finally, as mentioned throughout this report, a combination of all of the above could be implemented.

At the heart of the declaration phenomenon is the role of the government when a disaster strikes. While it is generally agreed that the government should help disaster victims in time of need, it is debatable whether the fiscal responsibility resides primarily with the federal or the state

[76] Ibid.

[77] There is however, a limit on how much any one household can receive ($33,000 at the time of this report).

government. Finding the balance has thus far has been elusive, and altering the declaration process could have important implications for both federal and state officials, as well as disaster victims. Many of the policy options described in this report would shift a greater share of disaster-related costs to states and localities. It remains to be seen if reducing declarations and/or limiting the amount of disaster assistance provided to requesting states would severely disrupt the state's ability to recover from an incident or if states would be able to adjust to the changes by reallocating available state resources.

Appendix. CY2017 Individual and Cumulative Fire Thresholds by State

Table A-1. CY2017 Individual and Cumulative Fire Thresholds by State

State	Individual Threshold	Cumulative Threshold
Alabama	$341,751	$1,025,253
Alaska	$100,000	$500,000
American Samoa	$100,000	$500,000
Arizona	$457,029	$1,371,088
Arkansas	$208,488	$625,464
California	$2,663,658	$7,990,974
CNMI	$100,000	$500,000
Colorado	$359,588	$1,078,763
Connecticut	$255,548	$766,644
Delaware	$100,000	$500,000
District of Columbia	$100,000	$500,000
Florida	$1,344,294	$4,032,881
Georgia	$692,667	$2,078,002
Guam	$100,000	$500,000
Hawaii	$100,000	$500,000
Idaho	$112,082	$500,000
Illinois	$917,390	$2,752,171
Indiana	$463,592	$1,390,776
Iowa	$217,814	$653,443
Kansas	$203,998	$611,994
Kentucky	$310,265	$930,794
Louisiana	$324,136	$972,408
Maine	$100,000	$500,000
Maryland	$412,809	$1,238,427
Massachusetts	$468,155	$1,404,466
Michigan	$706,680	$2,120,041
Minnesota	$379,231	$1,137,692
Mississippi	$212,162	$636,485
Missouri	$428,208	$1,284,625
Montana	$100,000	$500,000
Nebraska	$130,583	$500,000
Nevada	$193,089	$579,268

State	Individual Threshold	Cumulative Threshold
New Hampshire	$100,000	$500,000
New Jersey	$628,620	$1,885,861
New Mexico	$147,231	$500,000
New York	$1,385,534	$4,156,603
North Carolina	$681,787	$2,045,361
North Dakota	$100,000	$500,000
Ohio	$824,860	$2,474,580
Oklahoma	$268,222	$804,665
Oregon	$273,922	$821,765
Pennsylvania	$908,220	$2,724,660
Puerto Rico	$266,394	$799,182
Rhode Island	$100,000	$500,000
South Carolina	$330,714	$992,141
South Dakota	$100,000	$500,000
Tennessee	$453,747	$1,361,240
Texas	$1,797,908	$5,393,723
Utah	$197,618	$592,853
Vermont	$100,000	$500,000
Virgin Islands	$100,000	$500,000
Virginia	$572,073	$1,716,220
Washington	$480,805	$1,442,414
West Virginia	$132,489	$500,000
Wisconsin	$406,619	$1,219,858
Wyoming	$100,000	$500,000

Source: FEMA, "CY2017 Fire Cost Threshold." Obtained through correspondence with FEMA Congressional Affairs.

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