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# Federal Disaster Assistance Response and Recovery Programs: Brief Summaries

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## Summary

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

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

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

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

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

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## Introduction

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

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

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

Most of the programs listed here are authorized as assistance programs and are listed at the General Services Administration (GSA) website [beta.SAM.gov](https://beta.sam.gov).<sup>4</sup> The list does not include operational or technical assistance that some agencies provide in emergency or disaster situations. It is also not inclusive of all forms of financial disaster assistance that may be available to every jurisdiction in every circumstance, as unique factors often trigger unique forms of assistance. Congress may, and frequently has, authorized specific forms of financial assistance on a limited basis following particular disasters.

## Program Selection Criteria

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

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

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<sup>1</sup> 42 U.S.C. §5170.

<sup>2</sup> 42 U.S.C. §5191.

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

<sup>4</sup> Available at <https://beta.sam.gov/>. The website is currently in beta, and it houses federal assistance listings previously found on the now-retired *Catalog of Federal Domestic Assistance* (CFDA). CFDA program numbers are listed in this report, and they are searchable at <https://beta.sam.gov/>.

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

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

## **Federal Disaster Recovery Programs**

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

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

The Individuals and Households Program (IHP) is the primary vehicle for FEMA assistance to individuals and households after the President issues an emergency or major disaster declaration, when authorized. It is intended to meet basic needs and support recovery efforts, but it cannot compensate disaster survivors for all losses. Congress appropriates money for the IHP (and most other aid authorized by the Stafford Act) to the Disaster Relief Fund.

IHP assistance is available in the form of financial and direct assistance to eligible individuals and households who, as a result of a disaster, have uninsured or under-insured necessary expenses and serious needs that cannot be met through other means or forms of assistance.<sup>5</sup> Program funds have a wide range of eligible uses, including different forms of temporary housing assistance; housing repairs; housing replacement; and permanent housing construction. IHP funds may also be used for other needs assistance (ONA), including funeral, medical, dental, childcare, personal property, transportation, and other expenses.

FEMA provides 100% of the housing assistance costs, but ONA is subject to a 75% federal and 25% state cost share.<sup>6</sup> In addition, there is a limitation on the amount of financial assistance an individual or household may receive, with financial assistance including assistance to reimburse temporary lodging expenses; rent for alternate housing accommodations; home repairs and replacement; as well as ONA.

- Financial assistance for repairs and replacement may not exceed \$34,900 (FY2019).<sup>7</sup>
- Separately, financial assistance for ONA may not exceed \$34,900 (FY2019).<sup>8</sup>

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<sup>5</sup> 44 C.F.R. §206.110(a).

<sup>6</sup> Section 408(g) of the Stafford Act, 42 U.S.C. §5174(g).

<sup>7</sup> The latest adjustment was posted in the *Federal Register*. See Federal Emergency Management Agency, “FEMA gives notice of the maximum amount for assistance under the Individuals and Households Program for emergencies and major disasters declared on or after October 1, 2018,” 83 *Federal Register* 53281, October 22, 2018, available at <https://www.govinfo.gov/content/pkg/FR-2018-10-22/pdf/2018-22884.pdf>.

<sup>8</sup> §1212 of the Disaster Recovery Reform Act (DRRA), Division D, P.L. 115-254, as it amends for §408(h)(1) and (2), 42 U.S.C. §5174(h)(1) and (2).

- Financial assistance to rent alternate housing accommodations under Section 408 (c)(1)(A)(i) of the Stafford Act, however, is excluded from the cap.<sup>9</sup>

The maximum amount of financial assistance is adjusted annually to reflect changes in the Consumer Price Index.<sup>10</sup> IHP assistance is intended to be temporary and is generally limited to a period of 18 months from the date of the declaration, but may be extended by FEMA.<sup>11</sup> (Also see “Physical Disaster Loans—Residential SBA Disaster Loans Available to Homeowners and Renters” below for additional assistance for homeowners and renters.)

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5174

*Regulation:* 44 C.F.R. §§206.110–206.120

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

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

*CFDA Program Numbers:* 97.048 and 97.050

*CRS Contact:* Elizabeth Webster, 202-707-9197

## Disaster Unemployment Assistance

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

- In general, individuals must apply for benefits within 30 days after the date the state announces availability of DUA benefits. When applicants have good cause, they may file claims after the 30-day deadline.<sup>12</sup> This deadline may be extended; however, initial applications filed after the 26<sup>th</sup> week following the declaration date will not be considered.<sup>13</sup>
- When a reasonable comparative earnings history can be constructed, DUA benefits are determined in a similar manner to regular state UC benefit rules. The minimum weekly DUA benefit is required to be half of the average weekly UC benefit for the state where the disaster occurred.
- DUA assistance is available to eligible individuals as long as the major disaster continues, but no longer than 26 weeks after the disaster declaration.

For more information, see CRS Report RS22022, *Disaster Unemployment Assistance (DUA)*, by Julie M. Whittaker.

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

*Authority:* 42 U.S.C. §5177

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

*Contact:* See listings of resources by state, <https://www.careeronestop.org/localhelp/unemploymentbenefits/unemployment-benefits.aspx>

<sup>9</sup> §1212 of DRRRA, P.L. 115-254, as it amends for §408 (h)(1), 42 U.S.C. §5174(h)(1).

<sup>10</sup> 44 C.F.R. §206.110 (b).

<sup>11</sup> 44 C.F.R. §206.110 (e); §408(c)(1)(B)(iii) of the Stafford Act, 42 U.S.C. §5174(c)(1)(B)(iii).

<sup>12</sup> 20 C.F.R. §625.8.

<sup>13</sup> 42 U.S.C. §3226.

*Website:* <http://ows.doleta.gov/unemploy/disaster.asp>  
*CFDA Program Number:* 97.034  
*CRS Contact:* Julie Whittaker, 202-707-2587

### **Dislocated Worker Activities**

The dislocated worker program helps fund training and related assistance to persons who have lost their jobs and are unlikely to return to their current jobs or industries. Of the funds appropriated, 80% are allotted by formula grants to states and local entities and 20% are reserved by the Secretary of Labor to fund a national reserve that supports national dislocated worker grants to states or local entities. One type of national emergency grant is Disaster Relief Employment Assistance, under which funds can be made available to states to employ dislocated workers in temporary jobs involving recovery after a national emergency. An individual may be employed for up to 12 months.<sup>14</sup> There are no matching requirements for Workforce Innovation and Opportunity Act (WIOA) programs.

*Agency:* Department of Labor, Employment and Training Administration  
*Authority:* 29 U.S.C. §3225  
*Regulation:* 20 C.F.R. §671  
*Contact:* See listings of state Dislocated Worker/Rapid Response Coordinators at [http://www.doleta.gov/layoff/rapid\\_coord.cfm](http://www.doleta.gov/layoff/rapid_coord.cfm)  
*Website:* [https://www.doleta.gov/DWGs/eta\\_default.cfm](https://www.doleta.gov/DWGs/eta_default.cfm)  
*CFDA Program Number:* 17.278  
*CRS Contact:* David H. Bradley, 202-707-7352

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

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

SBA's Home Disaster Loan Program falls into two categories: personal property loans and real property loans. These loans cover only uninsured or underinsured property and primary residences. Loan maturities may be up to 30 years.<sup>15</sup>

#### ***Personal Property Loans***

A personal property loan provides a creditworthy homeowner or renter with up to \$40,000 to repair or replace personal property items, such as furniture, clothing, or automobiles, damaged or lost in a disaster.<sup>16</sup> These loans cover only uninsured or underinsured property and primary residences and cannot be used to replace extraordinarily expensive or irreplaceable items, such as antiques, recreational vehicles, or furs.

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<sup>14</sup> 29 U.S.C. §2918(d)(3).

<sup>15</sup> See CRS Report R41309, *The SBA Disaster Loan Program: Overview and Possible Issues for Congress*, by Bruce R. Lindsay.

<sup>16</sup> 13 C.F.R. §123.105(a)(1).

## **Real Property Loans**

A creditworthy homeowner may apply for a “real property loan” of up to \$200,000 to repair or restore the homeowner’s primary residence to its predisaster condition.<sup>17</sup> The loans may not be used to upgrade homes or build additions, unless upgrades or changes are required by city or county building codes. A real property loan may be increased by 20% for repairs to protect the damaged property from a similar disaster in the future.<sup>18</sup>

*Agency:* Small Business Administration

*Authority:* 15 U.S.C. §636(b)

*Regulation:* 13 C.F.R. §§123.200–123.204

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

*Website:* <https://disasterloan.sba.gov/ela/Information/TypesOfLoans>

*CFDA Program Number:* 59.008

*CRS Contact:* Bruce R. Lindsay, 202-707-3752

## **Cora Brown Fund**

This unique fund directs payments to individuals and groups for disaster-related needs that have not been or will not be met by government agencies or other organizations. A disaster survivor will normally receive no more than \$2,000 from this fund in any one declared disaster unless the Assistant Administrator for the Disaster Assistance Directorate determines that a larger amount is in the best interest of the disaster victim and the federal government.<sup>19</sup> There is no matching requirement for this program and no limitation on the time period in which assistance is available.

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5121 et seq.

*Regulation:* 44 C.F.R. §206.181

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

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

*CRS Contact:* Bruce R. Lindsay, 202-707-3752

## **Crisis Counseling**

This program provides grants that enable states to offer crisis counseling services, when required, to victims of a federally declared major disaster for the purpose of relieving mental health problems caused or aggravated by the disaster or its aftermath. Assistance is short-term and community-oriented. Cost-share requirements are not imposed on this assistance. The regulations specify that program funding generally ends after nine months, but time extensions may be approved if requested by the state and approved by federal officials.<sup>20</sup>

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5183

*Regulation:* 44 C.F.R. §206.171

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

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

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<sup>17</sup> 13 C.F.R. §123.105(a)(2).

<sup>18</sup> 13 C.F.R. §123.107.

<sup>19</sup> 44 C.F.R. §206.164(c)(2).

<sup>20</sup> 44 C.F.R. §206.17(g)(4).



*CFDA Program Number:* 97.032  
*CRS Contact:* Sarah A. Lister, 202-707-7320

## Disaster Legal Services

Disaster Legal Services (DLS) are provided for free to low-income individuals who require them as a result of a major disaster, and the provision of services is “confined to the securing of benefits under the [Stafford] Act and claims arising out of a major disaster.” Assistance may include help with insurance claims, drawing up new wills and other legal documents lost in the disaster, help with home repair contracts and contractors, and appeals of FEMA decisions.<sup>21</sup> Neither the statute nor the regulations establish cost-share requirements or time limitations for DLS.

*Agency:* Federal Emergency Management Agency  
*Authority:* 42 U.S.C. §5182  
*Regulation:* 44 C.F.R. §206.164  
*Contact:* Office of Congressional Affairs, 202-646-4500  
*Website:* <https://www.fema.gov/media-library/assets/documents/24413>  
*CFDA Program Number:* 97.033  
*CRS Contact:* Elizabeth Webster, 202-707-9197

## Disaster Case Management

The Disaster Case Management (DCM) program partners case managers and disaster survivors to develop and implement Disaster Recovery Plans to address unmet needs. The DCM program is authorized under the Stafford Act. Following a presidentially declared major disaster that includes Individual Assistance (IA), the governor or tribal executive may request a grant to use DCM providers to supply services to survivors with long-term, disaster-caused unmet needs. The program is time-limited, and it shall not exceed 24 months from the date of the presidential major disaster declaration.<sup>22</sup>

*Agency:* Federal Emergency Management Agency  
*Authority:* 42 U.S.C. §5189d  
*Contact:* Office of Congressional Affairs, 202-646-4500  
*Website:* <https://www.fema.gov/media-library/assets/documents/101292>  
*CFDA Program Number:* 97.088  
*CRS Contact:* Elizabeth Webster, 202-707-9197

## Tax Relief

The Internal Revenue Code (IRC) includes tax relief provisions that apply to individuals and businesses affected by federally declared disasters, and the following are some examples. Individuals located in affected areas are allowed extra time (four years instead of the general two) to replace homes due to involuntary conversion (e.g., destruction from wind or floods, theft, or property ordered to be demolished) and still defer any gain.<sup>23</sup> Taxpayers may also be able to

<sup>21</sup> FEMA, *Disaster Legal Services Fact Sheet* (May 2018), [https://www.fema.gov/media-library-data/1528984229149-b0cedbd1c05772a4c3740dd83745f1e6/Disaster\\_LegalServices.pdf](https://www.fema.gov/media-library-data/1528984229149-b0cedbd1c05772a4c3740dd83745f1e6/Disaster_LegalServices.pdf).

<sup>22</sup> FEMA, *Disaster Case Management Fact Sheet* (May 2018), <https://www.fema.gov/media-library-data/1531337891411-cabfa4ed94c00980ce115b1db51dc0ba/Disaster.pdf>.

<sup>23</sup> 26 U.S.C. §1033.

deduct personal casualty losses attributable to federally declared disasters, subject to certain limitations.<sup>24</sup> Qualifying disaster relief payments received by affected individuals are not subject to tax.<sup>25</sup> The Internal Revenue Service also has the authority to provide some relief, including the extension of tax filing deadlines.<sup>26</sup>

In addition to these and other permanent tax relief provisions, special temporary provisions have been enacted for certain disasters.<sup>27</sup> The 2017 tax revision (P.L. 115-97) provided tax relief related to 2016 and 2017 disasters. These measures were expanded to cover the California wildfires in the Bipartisan Budget Act of 2018 (P.L. 115-123).

*Agency:* Internal Revenue Service

*Authority:* Various provisions throughout the Internal Revenue Code, Title 26 U.S.C., including §§123, 139, 165, 402, 408, 1033, 6654, 7508A

*Regulation:* No specific regulation

*Contact:* Congressional Liaison, 202-317-6985

*Website:* <http://www.irs.gov/uac/Tax-Relief-in-Disaster-Situations>

*CRS Contacts:* Molly Sherlock, 202-707-7797

## **Assistance for State, Territorial, and Local Governments**

### **Public Assistance Grants**

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

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

PNPs are generally eligible for permanent work assistance if they provide a governmental type of service, though PNPs not providing a "critical" service must first apply to the SBA for loan assistance for facility projects.

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<sup>24</sup> 26 U.S.C. §165(h).

<sup>25</sup> 26 U.S.C. §139.

<sup>26</sup> 26 U.S.C. §7508A.

<sup>27</sup> See CRS In Focus IF10730, *Tax Policy and Disaster Recovery*, by Molly F. Sherlock.

The federal government provides a minimum of 75% of the cost of eligible assistance, and this cost share can rise if certain criteria are met.<sup>28</sup> Funding for the PA Program comes through discretionary appropriations to the Disaster Relief Fund.

*Agency:* Federal Emergency Management Agency

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

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

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

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

*CFDA Program Number:* 97.036

*CRS Contact:* Natalie Keegan, 202-707-9569

## Hazard Mitigation Grant Program

The Hazard Mitigation Grant Program (HMGP) provides grants to states for implementing mitigation measures after a disaster and to provide funding for previously identified mitigation measures to lessen future damage and loss of life. The federal government provides up to 75% of the cost share of eligible projects. Historically, the amount available for HMGP awards is established by a scale that authorizes three tiers of awards: 15% of the total of other Stafford Act assistance in a state for a major disaster in which no more than \$2 billion is provided; 10% for assistance that ranges from more than \$2 billion to \$10 billion; and 7.5% for a major disaster that involves Stafford Act assistance from more than \$10 billion to \$35.3 billion.<sup>29</sup>

Funding for HMGP comes through discretionary appropriations to the Disaster Relief Fund. The amount of funding provided can be increased if the state has an approved enhanced mitigation plan.<sup>30</sup> HMGP funding is only awarded with a major disaster declaration, not an emergency declaration. However, during FY2015, FY2017, and FY2018, Congress directed that HMGP grants be made available with fire management assistance grants.<sup>31</sup>

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5170c

*Regulation:* 44 C.F.R. §§206.430–206.440

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

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

*CFDA Program Number:* 97.039

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

## Pre-Disaster Mitigation Grants

The Pre-Disaster Mitigation (PDM) Grant Program provides grants and technical assistance to states, territories, and local communities for cost-effective hazard mitigation activities that complement a comprehensive hazard mitigation program and reduce injuries, loss of life, and damage and destruction of property. Through FY2018, a minimum of the lesser of \$575,000 or 1.0% of appropriated funds was provided to a state or local government, with assistance capped at

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<sup>28</sup> 44 C.F.R. §206.47.

<sup>29</sup> Section 404(a) of the Stafford Act, 42 U.S.C. §5170c(a).

<sup>30</sup> Section 322(e) of the Stafford Act, 42 U.S.C. §5165(e). For a list of states that have enhanced plans as of April 23, 2019, see FEMA's website at <https://www.fema.gov/hazard-mitigation-plan-status>.

<sup>31</sup> For FY2015, see Section 570 of P.L. 114-4. For FY2017 and FY2018, see Section 20602 of P.L. 115-123.

15% of appropriated funds.<sup>32</sup> Federal funds generally comprise 75% of the cost of approved mitigation projects, except for small impoverished communities that may receive up to 90% of the cost.<sup>33</sup>

Funding for the PDM Program changed significantly with the passage of the Disaster Recovery Reform Act of 2018 (DRRA).<sup>34</sup> DRRA authorizes the National Public Infrastructure Pre-Disaster Mitigation Fund, for which the President may set aside from the DRF, with respect to each major disaster, an amount equal to 6% of the estimated aggregate amount of the grants to be made pursuant to the following sections of the Stafford Act: 403 (essential assistance), 406 (repair, restoration, and replacement of damaged facilities), 407 (debris removal), 408 (federal assistance to individuals and households), 410 (unemployment assistance), 416 (crisis counseling assistance and training), and 428 (public assistance program alternative program procedures).

These changes may increase the focus on funding public infrastructure projects that improve community resilience before a disaster occurs, although FEMA has the discretion to shape the program in many ways. There is potential for significantly increased funding post-DRRA through the new transfer from the DRF, but it is not yet clear how FEMA will implement this new program.

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5133

*Regulation:* 44 C.F.R. §201

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

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

*CFDA Program Number:* 97.047

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

## Community Disaster Loans

The Community Disaster Loan (CDL) program provides loans to local governments that have suffered substantial loss of tax and other revenue in areas included in a major disaster declaration. Typically, the loan may not exceed 25% of the local government's annual operating budget for the fiscal year of the disaster. The limit is 50% if the local government lost 75% or more of its annual operating budget. A loan may not exceed \$5 million,<sup>35</sup> and there is no matching requirement.

The statute does not impose time limitations on the assistance, but the normal term of a loan is five years. The statute provides that the repayment requirement is cancelled if local government revenues are not sufficient to meet operations expenses during a three-fiscal-year period after a disaster.<sup>36</sup> The governor's authorized representative must officially approve the application and funds must be available in the Disaster Assistance Direct Loan Program (DADLP) account.<sup>37</sup>

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<sup>32</sup> Section 203(f) of the Stafford Act, 42 U.S.C. §5133(f).

<sup>33</sup> Section 203(h) of the Stafford Act, 42 U.S.C. §5133(h).

<sup>34</sup> Section 203(i) of the Stafford Act, 42 U.S.C. §5133(i). For further information on selected statutory provisions of the Disaster Recovery and Reform Act of 2018 (DRRA), see CRS Report R45819, *The Disaster Recovery Reform Act of 2018 (DRRA): A Summary of Selected Statutory Provisions*, coordinated by Elizabeth M. Webster and Bruce R. Lindsay.

<sup>35</sup> Section 417(b) of the Stafford Act, 42 U.S.C. §5184(b).

<sup>36</sup> Section 417(c) of the Stafford Act, 42 U.S.C. §5184(c).

<sup>37</sup> 44 C.F.R. §206.364(a).

In P.L. 115-72, Congress provided up to \$4.9 billion for the CDL program to assist local governments in providing essential services as a result of Hurricanes Harvey, Irma, or Maria.<sup>38</sup> However, this legislation departed from the traditional CDL program framework by giving the Secretary of Homeland Security (in consultation with the Secretary of the Treasury) broad authority over lending terms, eligible uses, and criteria for loan cancelation, among other program elements. As a result, this CDL-type program operates differently from the traditional program.<sup>39</sup> For more information, see CRS Insight IN11106, *Community Disaster Loans: Homeland Security Issues in the 116th Congress*, by Michael H. Cecire.

*Agency:* Federal Emergency Management Agency  
*Authority:* 42 U.S.C. §5184  
*Regulation:* 44 C.F.R. §§206.360–206.378  
*Contact:* Office of Congressional Affairs, 202-646-4500  
*CFDA Program Number:* 97.030  
*CRS Contact:* Michael H. Cecire, 202-707-7109

### **Fire Management Assistance Grant Program**

This program provides grants to state and local governments to aid states and their communities with the mitigation, management, and control of fires burning on publicly or privately owned forests or grasslands. The federal government provides 75% of the costs associated with fire management projects,<sup>40</sup> but funding is limited to calculations of the “fire cost threshold” for each state.<sup>41</sup> No time limitation is applied to the program. For more information, see CRS Report R43738, *Fire Management Assistance Grants: Frequently Asked Questions*, by Bruce R. Lindsay and Katie Hoover.

*Agency:* Federal Emergency Management Agency  
*Authority:* 42 U.S.C. §5187  
*Regulation:* 44 C.F.R. §§204.1–204.64  
*Contact:* Office of Congressional Affairs, 202-646-4500  
*Website:* <https://www.fema.gov/fire-management-assistance-grant-program>  
*CFDA Program Number:* 97.046  
*CRS Contact:* Bruce R. Lindsay, 202-707-3752

### **Oil Spill Liability Trust Fund**

Congress created the Oil Spill Liability Trust Fund (OSLTF) in 1986.<sup>42</sup> Subsequent laws authorized the OSLTF taxing authority, appropriations from the fund, and eligible uses for the fund. The OSLTF complements the Oil Pollution Act of 1990 (OPA; P.L. 101-380), which established a new federal oil spill liability framework, replaced existing federal liability

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<sup>38</sup> 131 Stat. 1225.

<sup>39</sup> For example, the law provides that “notwithstanding any other provision of law, the Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall determine the terms, conditions, eligible uses, and timing and amount of Federal disbursements of loans issued to a territory or possession, and instrumentalities and local governments thereof....” 131 Stat. 1225-1226.

<sup>40</sup> 44 C.F.R. §204.61.

<sup>41</sup> 44 C.F.R. §204.51.

<sup>42</sup> Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509).

frameworks, and amended the existing Clean Water Act oil spill response authorities. In addition, OPA transferred monies into the OSLTF from existing liability funds.

The OSLTF may be used, among other purposes, to fund oil spill response activities and to compensate individuals, businesses, and governments for applicable economic damages resulting from an oil spill.<sup>43</sup> Potential damages include injury or loss of property and loss of profits or earning capacity. OPA established a claims process for compensating parties affected by an oil spill. In general, claims must be presented first to the party responsible for the spill, but specific circumstances (e.g., the responsible party is unknown) allow persons to present a claim directly to the OSLTF.<sup>44</sup>

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

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

*Regulation:* 33 C.F.R. §136

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

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

*CRS Contact:* Jonathan L. Ramseur, 202-707-7919

## Assistance for Small Businesses and Nonprofit Organizations

### Economic Injury Disaster Loans

This program assists small businesses and nonprofits suffering economic injury as a result of disasters by offering loans and loan guarantees. Businesses must be located in disaster areas declared by the President, the Small Business Administration, or the Secretary of Agriculture.<sup>45</sup> There is no matching requirement in this program. The maximum loan amount is \$2 million. Loan terms may extend for up to 30 years.<sup>46</sup> The application period is announced at the time of the disaster declaration. For more information, see CRS Report R41309, *The SBA Disaster Loan Program: Overview and Possible Issues for Congress*, by Bruce R. Lindsay.

*Agency:* Small Business Administration

*Authority:* 15 U.S.C. §636(b)

*Regulation:* 13 C.F.R. §§123.300–123.303

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

*Website:* <https://disasterloan.sba.gov/ela/Information/EIDLLoans>

*CFDA Program Number:* 59.008

*CRS Contact:* Bruce R. Lindsay, 202-707-3752

### Physical Disaster Loans

This program provides loans to businesses and nonprofits in declared disaster areas for uninsured physical damage and losses. The maximum loan amount is \$2 million.<sup>47</sup> Loan terms may extend for up to 30 years.<sup>48</sup> There is no matching requirement in this program. For more information, see

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<sup>43</sup> For more information, see CRS Report RL33705, *Oil Spills: Background and Governance*, by Jonathan L. Ramseur.

<sup>44</sup> 44 C.F.R. §136.105.

<sup>45</sup> 13 C.F.R. §123.300.

<sup>46</sup> 13 C.F.R. §123.302.

<sup>47</sup> 13 C.F.R. §123.202.

<sup>48</sup> 13 C.F.R. §123.203.

CRS Report R41309, *The SBA Disaster Loan Program: Overview and Possible Issues for Congress*, by Bruce R. Lindsay.

*Agency:* Small Business Administration

*Authority:* 15 U.S.C. §636(b)

*Regulation:* 13 C.F.R. §§123.200–123.204

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

*Website:* <https://disasterloan.sba.gov/ela/Information/BusinessPhysicalLoans>

*CFDA Program Number:* 59.008

*CRS Contact:* Bruce R. Lindsay, 202-707-3752

## Emergency Loans for Farms

When a county has been declared a disaster area by either the President or the Secretary of Agriculture, agricultural producers in that county may become eligible for low-interest emergency disaster (EM) loans available through the U.S. Department of Agriculture’s Farm Service Agency. Producers in counties that are contiguous to a county with a disaster designation also become eligible for an EM loan.

EM loan funds may be used to help eligible farmers, ranchers, and aquaculture producers recover from production losses (e.g., when the producer suffers a significant loss of an annual crop) or from physical losses (e.g., repairing or replacing damaged or destroyed structures or equipment, or replanting permanent crops, such as orchards). A qualified applicant can then borrow up to 100% of actual production or physical losses (not to exceed \$500,000) at a below-market interest rate. For more information see CRS Report RS21212, *Agricultural Disaster Assistance*, by Megan Stubbs.

*Agency:* Department of Agriculture, Farm Service Agency

*Authority:* 7 U.S.C. §1961

*Regulation:* 7 C.F.R. §764

*Contact:* Legislative Liaison Staff, 202-720-7095

*Website:* <https://www.fsa.usda.gov/programs-and-services/farm-loan-programs/emergency-farm-loans/index>

*CFDA Program Number:* 10.404

*CRS Contact:* Megan Stubbs, 202-707-8707

## National Flood Insurance Program

Since 1968, the federal government has pursued a comprehensive flood risk management strategy designed to (1) identify and map flood-prone communities across the country (flood hazard mapping); (2) encourage property owners in NFIP participating communities to purchase insurance as a protection against flood losses (flood insurance); and (3) require communities in designated flood risk zones to adopt and enforce approved floodplain management ordinances to reduce future flood risk to new construction in regulated floodplains (floodplain management). The Federal Insurance and Mitigation Administration (FIMA), a part of FEMA, manages the NFIP. For more information, see CRS Report R44593, *Introduction to the National Flood Insurance Program (NFIP)*, by Diane P. Horn and Baird Webel, and CRS In Focus IF11023, *Selected Issues for National Flood Insurance Program (NFIP) Reauthorization and Reform*, by Diane P. Horn.

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §4001 et seq.

*Regulation:* 44 C.F.R. §59.1–§82.21

*Contact:* Office of Congressional Affairs, 202-646-4500  
*Website:* <http://www.fema.gov/national-flood-insurance-program>  
*CFDA Program Number:* 97.022  
*CRS Contact:* Diane Horn, 202-707-3472

## General Assistance Programs

In addition to programs described above that provide targeted assistance to individuals, states, territories, local governments, and businesses specifically affected by disasters, other general assistance programs may be useful to communities in disaster situations. For example, individuals who lose income, employment, or health insurance may become eligible for programs that are not specifically intended as disaster relief, such as cash assistance under the Temporary Assistance for Needy Families (TANF) program, job training under the Workforce Investment Act, Medicaid, or the State Children's Health Insurance Program (S-CHIP).

Likewise, state or local officials have the discretion to use funds under programs such as the Social Services Block Grant or Community Development Block Grant to meet disaster-related needs, even though these programs were not established specifically for such purposes. Other agencies may offer assistance to state and local governments, including the Economic Development Administration and the Army Corps of Engineers. For businesses, however, only the disaster programs administered by the Small Business Administration are generally applicable.

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

CRS analysts and program specialists can help provide information regarding general assistance programs that might be relevant to a given disaster situation. CRS appropriations reports may have information on disaster assistance within particular federal agencies. These reports also list CRS's key policy staff by their program area and agency expertise.<sup>49</sup>

## Other Sources of Information

### Selected CRS Reports

#### Disaster Assistance

CRS Report R41981, *Congressional Primer on Responding to Major Disasters and Emergencies*, by Bruce R. Lindsay and Elizabeth M. Webster

CRS Report R41101, *FEMA Disaster Cost-Shares: Evolution and Analysis*, by Natalie Keegan and Elizabeth M. Webster

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<sup>49</sup> CRS appropriations and budget reports can be found at <http://www.crs.gov/AppropriationsStatusTable/Index>.



CRS Report RL33330, *Community Development Block Grant Funds in Disaster Relief and Recovery*, by Eugene Boyd

CRS Report RL33579, *The Public Health and Medical Response to Disasters: Federal Authority and Funding*, by Sarah A. Lister

CRS Report R44593, *Introduction to the National Flood Insurance Program (NFIP)*, by Diane P. Horn and Baird Webel

CRS Insight IN10450, *Private Flood Insurance and the National Flood Insurance Program (NFIP)*, by Baird Webel and Diane P. Horn

CRS Report R45099, *National Flood Insurance Program: Selected Issues and Legislation in the 115th Congress*, by Diane P. Horn

CRS In Focus IF10730, *Tax Policy and Disaster Recovery*, by Molly F. Sherlock

CRS Report R41884, *Considerations for a Catastrophic Declaration: Issues and Analysis*, by Bruce R. Lindsay

CRS Report R43784, *FEMA's Disaster Declaration Process: A Primer*, by Bruce R. Lindsay

CRS Report R43738, *Fire Management Assistance Grants: Frequently Asked Questions*, by Bruce R. Lindsay and Katie Hoover

CRS Report R45085, *FEMA Individual Assistance Programs: In Brief*, by Shawn Reese

CRS Report R45238, *FEMA and SBA Disaster Assistance for Individuals and Households: Application Process, Determinations, and Appeals*, by Bruce R. Lindsay and Shawn Reese

CRS Report R45819, *The Disaster Recovery Reform Act of 2018 (DRRA): A Summary of Selected Statutory Provisions*, coordinated by Elizabeth M. Webster and Bruce R. Lindsay

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

CRS Report RS22022, *Disaster Unemployment Assistance (DUA)*, by Julie M. Whittaker

CRS Report R41309, *The SBA Disaster Loan Program: Overview and Possible Issues for Congress*, by Bruce R. Lindsay

CRS Report RS21212, *Agricultural Disaster Assistance*, by Megan Stubbs

CRS Report R42854, *Emergency Assistance for Agricultural Land Rehabilitation*, by Megan Stubbs

CRS In Focus IF10565, *Federal Disaster Assistance for Agriculture*, by Megan Stubbs

CRS In Focus IF10730, *Tax Policy and Disaster Recovery*, by Molly F. Sherlock

CRS Report R44808, *Federal Disaster Assistance: The National Flood Insurance Program and Other Federal Disaster Assistance Programs Available to Individuals and Households After a Flood*, by Diane P. Horn

CRS Insight IN11094, *The Evolving Use of Disaster Housing Assistance and the Roles of the Disaster Housing Assistance Program (DHAP) and the Individuals and Households Program (IHP)*, by Elizabeth M. Webster

CRS Insight IN11054, *Disaster Housing Assistance: Homeland Security Issues in the 116th Congress*, by Elizabeth M. Webster

CRS Insight IN11106, *Community Disaster Loans: Homeland Security Issues in the 116th Congress*, by Michael H. Cecire

## **Federal Agency Websites**

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

### **USA.gov**

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

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

### **FEMA Website**

<http://www.fema.gov>

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

### **Disaster Assistance.gov**

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

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

### **Assistance Listings at beta.SAM.gov**

<https://beta.SAM.gov/>

Official descriptions of more than 2,200 federal assistance programs, including disaster and recovery grants and loans, can be found on beta.SAM.gov. The website is currently in beta, and it houses federal assistance listings previously found on the now-retired *Catalog of Federal Domestic Assistance* (CFDA). For programs summarized in this report, CFDA program numbers are given (which are searchable at the “Assistance Listings” domain at beta.SAM.gov). Full assistance listing descriptions, updated by departments and agencies, cover authorizing legislation, objectives, and eligibility and compliance requirements. For current appropriations and additional information, users can contact CRS analysts, or departments and agencies.

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