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FEMA's Individuals and Households Program (IHP)

When a disaster occurs, the Federal Emergency Management Agency (FEMA) may assist individuals with their recovery through the Individual Assistance (IA) program if the President authorizes such assistance pursuant to a declaration of emergency or major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act; P.L. 93-288, as amended; codified at 42 U.S.C. §§5121 et seq.). One form of IA is the Individuals and Households Program (IHP), through which FEMA may provide financial and/or direct assistance for housing, as well as financial assistance for other needs. The IHP is authorized under Stafford Act Section 408 (42 U.S.C. §5174); FEMA's IHP regulations are codified at 44 C.F.R. §§206.101 et seq.

Authorizing IA-IHP Assistance

There is no threshold or trigger that automatically authorizes IA or IHP assistance. Federal assistance is intended to supplement—not supplant—the local, state, territory, or tribal government's response and recovery efforts. Thus, the governor of an affected state or territory or the chief executive of an affected tribal government must request that the President declare an emergency or major disaster authorizing IA. Using information submitted by the governor or chief executive in their major disaster declaration request, FEMA evaluates specific factors to determine whether there is a need for supplemental federal assistance to individuals (i.e., IA) (see CRS Report R47015, *FEMA's Individuals and Households Program (IHP)—Implementation and Considerations for Congress*, by Elizabeth M. Webster for more detail). FEMA then provides a recommendation to the President, who has sole discretion to authorize a declaration that provides IA (the declaration approval may limit the types of IA that are authorized, to include limiting assistance to the IHP or selected types of IHP assistance).

IHP Categories of Assistance

IHP assistance helps address the disaster-caused needs of individuals, with certain limitations. The program only covers uninsured or under-insured necessary expenses and serious needs that cannot otherwise be met; for example, the IHP may help make a home safe, sanitary, or functional, but is not designed to restore it to its pre-disaster condition. There are two categories of IHP assistance: Housing Assistance and Other Needs Assistance (ONA).

Housing Assistance

FEMA can help meet a disaster survivor's housing needs by providing financial and/or direct assistance. Financial Housing Assistance provides grant funds for temporary accommodations and/or to repair or replace a damaged primary residence. FEMA first looks to provide financial assistance before providing Direct Housing Assistance,

which provides disaster survivors with a temporary place to live (see **Table 1** for a list of the types of Financial and Direct Housing Assistance). The federal government pays 100% of the costs of all forms of Housing Assistance.

Other Needs Assistance

FEMA can also provide financial assistance to help disaster survivors with the costs of acquiring or obtaining essential items or services through ONA. The types of ONA available to an applicant will vary based on their disaster-caused needs. Some types of ONA also involve consideration of an applicant's eligibility for low-interest loans available through the Small Business Administration (SBA) (see **Table 2** for a list of the types of SBA-Dependent and Non-SBA-Dependent ONA, and the description on the SBA's role, included below). States, territories, and tribes may decide to (1) administer ONA independently; (2) jointly administer ONA with FEMA; or (3) allow FEMA to administer ONA. ONA is subject to a statutorily set 75% federal and 25% nonfederal cost share, which is borne by the affected state, territory, or tribe (not the individual or household receiving ONA).

Table 1. Types of IHP Housing Assistance

Housing Assistance: Financial	Housing Assistance: Direct
Lodging Expense Reimbursement	Multi-Family Lease and Repair
Rental Assistance	Transportable Temporary Housing Units
Home Repair Assistance	Direct Lease
Home Replacement Assistance	Permanent Housing Construction

Source: CRS's interpretation of Figure 5 on page 44 of FEMA's, *Individual Assistance Program and Policy Guide (IAPPG)*.

Table 2. Types of IHP Other Needs Assistance (ONA)

ONA: SBA-Dependent^a	ONA: Non-SBA-Dependent^b
Personal Property Assistance	Funeral Assistance
Transportation Assistance	Medical and Dental Assistance
Group Flood Insurance Policy	Childcare Assistance
	Assistance for Miscellaneous Items
	Moving and Storage Assistance
	Critical Needs Assistance
	Clean and Removal Assistance

Source: CRS's interpretation of Figure 28 on page 146 of FEMA's *Individual Assistance Program and Policy Guide (IAPPG)*.

Notes: "SBA" refers to the Small Business Administration.

- SBA-Dependent ONA is only available to individuals or households that do not qualify for an SBA disaster loan or whose SBA disaster loan amount is insufficient. Eligibility for SBA-Dependent ONA is determined by FEMA in collaboration with SBA (see 42 U.S.C. §5174(e); and 44 C.F.R. §206.119).
- Non-SBA-Dependent ONA may be awarded regardless of the individual or household's SBA disaster loan status (see 42 U.S.C. §5174(e); and 44 C.F.R. §206.119).

IHP Program Limitations

IHP awards for Financial Housing Assistance and ONA are subject to statutory funding caps that limit the amount of financial assistance an individual can receive. These caps are adjusted annually and published in the *Federal Register*. Exempted from the maximum award amounts are financial assistance to rent alternative housing accommodations and funding for accessibility-related home and personal property repair or replacement costs. Selected forms of ONA are subject to additional state-set funding limits. In addition, some forms of IHP assistance are subject to time-based limitations. Further, the Stafford Act prohibits FEMA from providing assistance that could constitute a duplication of benefits, and applicants must agree to repay FEMA assistance that duplicates other assistance received.

IHP Applicant Eligibility

Applicants (i.e., individuals or households) may register for FEMA IHP assistance online, via telephone, or in person. Applicants generally have 60 days from the IA declaration to apply for IHP assistance (unless the registration period is extended), and FEMA may also accept late registrations—with written justification—for an additional 60 days.

Per FEMA's guidance, IHP applicants must meet general eligibility requirements:

- "[t]he applicant must be a U.S. citizen, noncitizen national, or qualified alien" (or the parent or guardian of such a minor);
- "FEMA must be able to verify the applicant's identity";

- "[t]he applicant's insurance, or other forms of disaster assistance received, cannot meet their disaster-caused needs"; and
- "[t]he applicant's necessary expenses and serious needs are directly caused by a declared disaster."

Each type of IHP assistance also requires that additional eligibility conditions be met, and may require additional documentation.

SBA-Dependent ONA Application Consideration

FEMA and the SBA collaborate to determine an applicant's eligibility for the three forms of SBA-Dependent ONA: (1) Personal Property Assistance; (2) Transportation Assistance; and (3) Group Flood Insurance Policy Assistance, because these forms of assistance may also be addressed by an SBA disaster loan. Thus, to avoid a duplication of benefits, FEMA refers applicants who meet the SBA's minimum income test to first apply for a low-interest SBA disaster loan. If the applicant does not qualify for an SBA disaster loan or their SBA disaster loan amount is insufficient to meet their disaster-caused expenses or serious needs, then they can be referred back to FEMA for consideration for SBA-Dependent ONA. In September 2020, the U.S. Government Accountability Office (GAO) found the interconnected SBA Disaster Loan and SBA-Dependent ONA application process burdensome. As of October 2021, FEMA reported it was responding to the GAO's recommendations by revising letters to applicants explaining the SBA loan application requirement, and working with the SBA to simplify the application process.

IHP Award Amount Determinations

The amount of financial assistance an applicant receives through the IHP will vary based on their personal circumstances. IHP award amounts depend on factors, including the applicant's status (e.g., homeowner, renter, roommate), the number of household members and household composition, the type(s) of assistance being requested and the associated eligibility criteria and limitations, the loss amount determined by FEMA's inspection, and to what extent the applicant's real and personal property losses were insured.

Appealing FEMA's IHP Decisions

If FEMA denies an applicant's IHP request, the applicant may appeal FEMA's determination by submitting a written appeal and supporting documentation. Applicants can appeal initial eligibility determinations, decisions related to the amount and/or specific type of IHP assistance received, and FEMA's rejection of a late application.

Recoupment and Recoupment Waivers

Federal laws require federal agencies, including FEMA, to identify and recover *improper payments* (i.e., payments that should not have been made or were made in an incorrect amount). FEMA has some discretion not to pursue recoupment, and may waive a debt owed by an IHP recipient if FEMA provided the assistance in error, and the recipient can show they were not at fault and the collection of the debt would be "against equity and good conscience."

Additional IA and IHP Resources

For a detailed overview of the IHP, including the information touched on in this In Focus, see CRS Report R47015, *FEMA's Individuals and Households Program (IHP)—Implementation and Considerations for Congress*, by Elizabeth M. Webster. For brief overviews of the IA program, see CRS Infographic IG10024, *How FEMA Individual Assistance Works*; CRS In Focus IF11298, *A Brief Overview of FEMA's Individual Assistance Program*, by Elizabeth M. Webster; and CRS Report R46014, *FEMA Individual Assistance Programs: An Overview*. FEMA's IA

program guidance, the Individual Assistance Program and Policy Guide (IAPPG), v. 1.1, FP 104-009-03, May 2021, and related guidance are available at <https://www.fema.gov/assistance/individual/policy-guidance-and-fact-sheets>.

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