

Introduction

This guide explains how a governor may request a presidential declaration for an emergency or major disaster, and the types of federal disaster assistance that are available following a declaration.

Governors, their staff, as well as Congressional officials, will find this a useful reference guide on how the federal disaster assistance process works.

The mission of the Federal Emergency Management Agency (FEMA) is to support our citizens and first responders to ensure that as a nation we work together to build, sustain and improve our capability to prepare for, protect against, respond to, recover from and mitigate all hazards.

FEMA coordinates the federal government's role in supporting state*, local, and tribal governments throughout all phases of emergency management, including disaster preparedness, response, recovery, and mitigation. Above all, FEMA strives to be survivor-centric in all aspects of its mission.

Working Together to Recover From Disasters

State, tribal, and local governments share the primary responsibility for protecting and helping their communities recover from disasters.

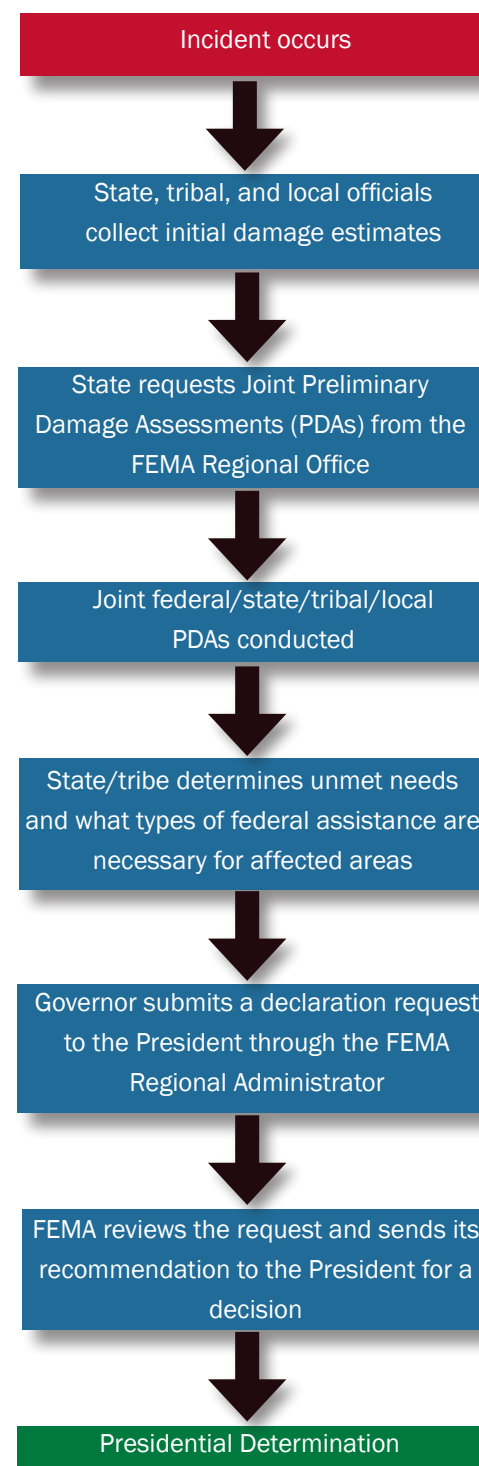
In some cases, an emergency or disaster is beyond the capability of those governments to respond. In these instances, the governor may request federal disaster assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), to supplement state, tribal, and local efforts to respond and recover from disaster impacts.

*The Stafford Act's definition of "state" includes U.S. territories.

Did You Know?

Tribes have two options when requesting federal disaster assistance. After an emergency or disaster occurs, federally recognized Indian tribes may seek federal assistance. Recent Stafford Act amendments provide tribes with the option of requesting a presidential declaration on their own, or being included in the state's request. This guide will not discuss the separate declaration process for federally recognized tribes. For more information, contact your FEMA regional office.

Declaration Process



When Disaster Strikes

Disasters can strike at any time. Governors and emergency managers work year-round to ensure their states are prepared and ready, in partnership with tribes and local communities, to respond to and recover from the impact of these events.

State emergency plans, community participation, and the sharing of resources through partnerships and agreements help to improve and ensure national preparedness. This effort involves engaging public, private, and non-profit resources to make sure citizens and businesses are informed, protected, and ready for a variety of emergencies. When a disaster strikes, everyone must work together.

When impacts from a disaster or emergency are of such severity and magnitude that an effective response and recovery is beyond the combined capability of the state, tribal, or local government, the governor can request a presidential declaration to supplement their response and recovery efforts.

Types of Presidential Declarations

Emergency Declaration:

The President makes an Emergency Declaration when an incident occurs, or threatens to occur, that poses a threat to life, the protection of property, public health, and safety. This also includes any instance in which federal assistance is needed to avert a catastrophe. This assistance does not include any restoration or permanent repairs to public infrastructure. An emergency does not have to be a natural disaster or fire, flood, or explosion.

A governor must submit his/her request as soon as the need for assistance becomes apparent, but no longer than 30 days after the incident occurs.

Major Disaster Declaration:

The President makes a Major Disaster Declaration when a natural catastrophe or fire, flood, or explosion (regardless of cause) occurs, that the President determines caused damage of such severity that it is beyond the combined capabilities of state, tribal, and local governments to respond. This declaration type provides a wide range of federal assistance programs for individuals and public infrastructure.

A governor must submit his/her request within 30 days of the incident.

Did You Know?

FEMA will review requests for a pre-disaster emergency declaration when states are immediately threatened by any natural or man-made incident where a potential Major Disaster Declaration is imminent, such as an approaching hurricane. Contact your FEMA regional office for more information.

Fire Management Assistance Grants

FEMA also provides financial assistance to states that are battling large wildfires on publicly or privately owned forest or grasslands that threaten destruction that would constitute a major disaster.

FEMA will pay 75 percent of a state's eligible firefighting costs. Eligible costs can include expenses for field camps; equipment use, repair and replacement; mobilization and demobilization activities; and tools, materials and supplies.

To request a Fire Management Assistance Grant, the state must send requests for assistance to the FEMA regional office. For more information, visit www.fema.gov/fire-management-assistance-grant-program.

Requesting a Declaration

If it is apparent that a presidential disaster declaration may be necessary to assist in the response and/or recovery of the impacted area, the state emergency manager should contact their FEMA regional office and request a joint federal, state, tribal, and local Preliminary Damage Assessment.

Together, the team will conduct a thorough assessment of the area impacted by the disaster and determine the extent, its impact on individuals and public facilities, and the types of federal assistance needed, if any.

The data gathered during this assessment process will help the governor determine whether the damage exceeds state, tribal, and local resources. Once the assessment is complete and the governor determines that the damage exceeds state, tribal, and local resources, the governor may submit a declaration request to the President through the FEMA regional administrator.

States should consult with tribal and local governments who have been impacted prior to submitting requests for federal assistance.

As part of the declaration request, the governor must do all of the following:

- Demonstrate that the severity and magnitude of the disaster exceed state, tribal, and local capabilities
- Show that federal assistance is necessary to supplement the efforts and available resources of the state, tribal, and local governments, disaster relief organizations, and compensation by insurance for disaster related losses
- Confirm execution of the state's emergency plan
- Agree to cost-sharing requirements

For additional guidance on requesting a declaration, and for templates of a declaration request letter, contact your FEMA regional office and visit www.fema.gov/declaration-policies-guidance.

Reviewing the Declaration Request

After a review of the governor's request, FEMA makes a recommendation to the President on the approval or denial of the disaster or emergency declaration.

FEMA assesses a number of factors to determine the severity, magnitude, and impact of a disaster event.

Factors Considered

- Amount and type of damage
- Impact on infrastructure of affected areas or critical facilities
- Imminent threats to public health and safety
- Impact to essential government services and functions
- Dispersion or concentration of damage
- Level of insurance coverage in place for homeowners and public facilities
- Assistance available from federal, state, tribal, local, and voluntary organizations
- Recent disaster history
- Any other relevant information

Did You Know?

As a factor for Public Assistance, FEMA uses a per capita indicator to evaluate the impact of an event. In FY 2015, the indicators are \$1.41 per capita (2010 census) statewide for state consideration, and \$3.56 per capita countywide for county consideration. These figures are adjusted annually for inflation.

Appealing a Denial

Should a state's request for a presidential declaration be denied, the governor can appeal the decision by submitting a request for appeal within 30 days of the date of the President's decision.

The appeal should include additional information to establish that the severity and magnitude of the disaster exceeds state and local capabilities.

The governor should submit the appeal through the FEMA regional administrator.

After the Presidential Declaration

After a presidential declaration is issued, the state and FEMA sign an agreement that provides the terms of assistance. As the state learns more about the damage and other assistance that may be needed, the state may request adjustments within 72 hours of the declaration.

Governors designate a Governor's Authorized Representative (GAR) to approve and submit certain requests on behalf of the state, such as requests for additional programs and areas, time extensions, and cost-share adjustments.

Establishing a Joint Field Office

To effectively deliver disaster assistance in coordination with the state, FEMA establishes a Joint Field Office (JFO) soon after the presidential declaration is issued. The JFO is a temporary facility established locally to provide a central location where federal, state, tribal, and local officials can coordinate efforts to help the community recover from the disaster. In some cases, a virtual JFO may be established in the FEMA regional office. In the event of multiple incidents in one state, multiple area offices may be established.

FEMA appoints a federal coordinating officer to oversee FEMA operations at the JFO, ensure federal support to the state, and work closely with the GAR and the state coordinating officer (SCO). The governor appoints the SCO to oversee state operations during the disaster.

Quick Checklist for Governors

- Execute your State Emergency Plan and carry out appropriate emergency response activities.
- If warranted, ask the FEMA regional office for a joint Preliminary Damage Assessment (PDA).
- Based upon the PDA findings, determine whether the event is beyond the capability of the state and affected local and tribal governments, and that supplemental federal assistance is needed.
- Determine what types of federal assistance to request.
- Prepare a Declaration Request Letter to the President and complete the required Declaration Request form. This should include the results of the PDA; the quantity and cost of state, tribal, and local (if applicable) resources expended to date; a map and description of the geographic areas affected; extent of damages; and statistics of the affected areas.
- Sign the request and forward it to the FEMA regional office for review.

Online Resources

Visit www.fema.gov/declaration-policies-guidance for request forms, template letters, and other resources on how to submit a request.



Disaster Assistance Programs

There are three categories of disaster assistance available when requesting a presidential declaration of a major disaster:

Public Assistance Program:

Aid to state, tribal, and local governments and certain private non-profit organizations for emergency work and the repair or replacement of disaster-damaged facilities. This program may assist with debris removal and the repair of public infrastructure and public utilities.

Individual Assistance Program:

Aid to individuals and households that may include assistance with housing, personal property losses, transportation, medical, dental, and funeral costs, child care expenses, and more.

Hazard Mitigation Grant Program:

Funding for measures designed to reduce future losses to public and private property.

Not all forms of federal assistance are activated during every emergency or disaster. Programs are activated based on the impacts of the incident on the affected area, the needs determined during the disaster assessments, and the capability that exists within the state, tribal, or local community to assist in the recovery.

Public Assistance Program

The Public Assistance Program is an important source of recovery funds for disaster-damaged public facilities and infrastructure. The program provides assistance for debris removal, emergency protective measures, and the repair, replacement, or restoration of disaster-damaged, government-owned facilities such as schools and roads. Certain private nonprofit facilities may also be eligible.

The Public Assistance Program encourages protection of these damaged facilities from future events by providing assistance for cost-effective hazard mitigation measures during the recovery process.

Cost Share

FEMA generally funds 75 percent of eligible work. The state is responsible for 25 percent.

The President has the authority to increase the federal share in situations of severe impact. States requesting a presidential declaration may request an adjustment of the cost share.

What May Be Covered

- Debris removal
- Emergency protective measures (e.g., sheltering, feeding, evacuation)
- Roads and bridges
- Water control facilities
- Buildings and equipment
- Utilities
- Parks and recreational facilities

Post-Disaster Hazard Mitigation Program

The Hazard Mitigation Grant Program (HMGP) provides grants to state, tribal, and local governments and certain private non-profit organizations to implement cost-effective, long-term hazard mitigation measures after a major disaster declaration. While the Pre-Disaster Mitigation (PDM) and Flood Mitigation Assistance (FMA) programs are grant programs that provide mitigation funds before a disaster occurs, the purpose of the HMGP is to reduce the loss of life and damage to property due to disasters, and to enable mitigation measures to be implemented during the immediate recovery after a disaster.

HMGP grants are required to have at least a 25 percent non-federal cost share. The President does not have the authority to waive this cost share.

Examples of Eligible HMGP Activities

- Property acquisition
- Structure elevation
- Flood reduction projects
- Infrastructure retrofit
- Safe rooms
- Soil stabilization
- Wildfire mitigation
- Generators
- Hazard mitigation planning
- Management costs

A complete description of HMGP is available online at www.fema.gov/hazard-mitigation-assistance. Technical assistance is available by contacting your FEMA regional office.



Individual Assistance Program

The Individual Assistance Program provides supplemental assistance to individuals and households affected by a major disaster. The President may authorize all or some of the following Individual Assistance programs: Individuals and Households Program, Disaster Unemployment Assistance, Disaster Legal Services, Crisis Counseling Assistance and Training, and Disaster Case Management. When requesting a presidential declaration, governors must specify what types of Individual Assistance programs are needed.

Individuals and Households Program

The Individuals and Households Program provides financial assistance or direct services to those disaster survivors who have necessary expenses and serious needs that are unmet through other means, such as insurance.

Housing Assistance is 100 percent federally-funded and may include:

- Reimbursement for reasonable short-term lodging expenses immediately following a disaster
- Financial assistance to renters or homeowners for lodging or rental expenses while repairs are made to the primary residence
- Financial assistance to homeowners to repair disaster-related damage not covered by insurance
- Direct temporary housing when disaster survivors cannot make use of financial temporary housing assistance due to a lack of adequate alternate housing

Other Needs Assistance may include financial assistance for:

- Disaster-related medical or dental expenses
- Expenses incurred for a death due to the disaster
- Child care expenses
- Repair or replacement of common household items, such as furniture and appliances, or ADA-accessible items
- Transportation-related costs and/or to repair or replace a vehicle damaged by the disaster

Disaster Unemployment Assistance

Disaster Unemployment Assistance helps individuals who have lost work or become unemployed as a result of a major disaster, but who are not eligible for regular state unemployment insurance. If eligible, benefits start on the date of unemployment and can extend up to 26 weeks after the presidential disaster declaration date. All unemployed individuals must register with the state's employment services office.

FEMA delegated the responsibility of administering Disaster Unemployment Assistance to the Secretary of Labor. When the President authorizes Disaster Unemployment Assistance, state unemployment insurance agencies implement the program on behalf of the Department of Labor.

Disaster Legal Services

Disaster legal services can be available for low-income disaster survivors who have disaster-related legal needs. Free legal help is provided through the Young Lawyers Division of the American Bar Association. Services include assistance with:

- Insurance claims
- Wills, power of attorney, and other legal papers lost in the disaster
- Disputes regarding home repair contracts or contractors
- Advice on problems with landlords

Crisis Counseling Assistance and Training Program

The Crisis Counseling Assistance and Training Program is a grant-based program, which funds community-based crisis counseling activities. Activities may include, but are not limited to:

- Assisting disaster survivors with stress and anxiety mitigation
- Assisting disaster survivors with using or developing coping strategies
- Linking disaster survivors with other resources that may help in their recovery process.

Disaster Case Management Program

The Disaster Case Management Program provides funding to supplement case management services in affected communities. Through the Disaster Case Management program, case managers work with disaster survivors to develop and carry out a disaster recovery plan, which assesses disaster-caused unmet needs and outlines steps necessary to recover. The case manager will support the disaster survivors' efforts to meet recovery plan goals and provide information on available resources that match the survivors' disaster-caused unmet needs.

Disaster Assistance Registration Process

Once a disaster is presidentially-declared, the first step disaster survivors must take to receive Individual Assistance is to register with FEMA. Individuals and families who have sustained losses due to a disaster can apply for assistance several ways:

- Online: www.disasterassistance.gov
- Mobile devices: m.fema.gov
- Phone: 800-621-FEMA (3362) or TTY 800-462-7585
- In-person: Disaster Survivor Assistance Teams deploy quickly to meet survivors in their communities to provide on-the-spot registration for disaster assistance. These teams also provide referrals to partner organizations to assist with other needs.
- On-site: Disaster Recovery Centers are set up locally after a presidential declaration is issued. Impacted survivors can visit these centers to learn more about assistance programs available, ask questions, check on the status of their application, and more.

To apply for disaster assistance, individuals will need:

- A social security number
- Financial information, including family income at the time of the disaster
- Current contact information
- The address of the damaged property
- Electronic Funds Transfer information (optional)

Contact FEMA Regional Offices

Region I:
CT, ME, MA, NH, RI, VT
99 High Street
Boston, MA 02110
(617) 956-7506

Region II:
NJ, NY, Puerto Rico, U.S. Virgin Islands
26 Federal Plaza, Room 1337
New York, NY 10278-0002
(212) 680-8622
(877) 568-9043

Region III:
DC, DE, MD, PA, VA, WV
One Independence Mall, 6th Floor
615 Chestnut Street
Philadelphia, PA 19106-4404
(215) 931-5500

Region IV:
AL, FL, GA, KY, MS, NC, SC, TN
3003 Chamblee-Tucker Road
Atlanta, GA 30341
(770) 220-5200

Region V:
IL, IN, MI, MN, OH, WI
536 South Clark Street, 6th Floor
Chicago, IL 60605
(312) 408-5501

Region VI:
AR, LA, NM, OK, TX
Federal Regional Center
800 N. Loop 288
Denton, TX 76201-3698
(817) 898-5104

Region VII:
IA, KS, MO, NE
9221 Ward Parkway, Ste. 300
Kansas City, MO 64114-3372
(816) 283-7600

Region VIII:
CO, MT, ND, SD, UT, WY
Denver Federal Center
Building 710, Box 25267
Denver, CO 80225-0267
(303) 235-4908

Region IX:
AZ, CA, HI, NV, Guam, American Samoa, Commonwealth of the Northern Mariana Islands
1111 Broadway, Suite 1200
Oakland, CA 94607-4052
(510) 627-7100

Region X:
AK, ID, OR, WA
Federal Regional Center
130 228th Street, S.W.
Bothell, WA 98021-9796
(206) 487-4604

Did You Know?

The Disaster Relief Fund (DRF) is a Congressional appropriation upon which FEMA can draw to fund eligible response and recovery efforts associated with presidentially-declared major disasters and emergencies, pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Using DRF funds, FEMA can also direct other federal agencies to provide resources or conduct activities to assist with the response to, and recovery from, a disaster. The DRF also funds Fire Management Assistance Grants, which are available to help respond to large wildfires.

