

# Disaster Declaration Process and Federal Disaster Assistance

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This fact sheet explains the declaration process and provides an overview of the assistance available for disasters declared on or after March 22, 2024.

State, local, federally recognized Indian tribal governments (Tribal Nations), and territorial governments share the responsibility for protecting their citizens from disasters, and for helping them to recover when a disaster strikes. In some cases, a disaster is beyond the capabilities of the State, local, Tribal Nation, and Territorial governments to respond.

In 1988, the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. §§ 5121-5207, was enacted to support state, local, Tribal Nation, and territorial governments and their citizens when disasters overwhelm their resources. This law, as amended, establishes a process for requesting and obtaining a Presidential disaster declaration, defines the type and scope of assistance available from the Federal Government, and sets the conditions for obtaining that assistance. The Federal Emergency Management Agency (FEMA), part of the Department of Homeland Security, is tasked with coordinating the response.

## The Disaster Declaration Process

The Stafford Act (§401) requires: “All requests for a declaration by the President that a major disaster exists shall be made by the Governor of the affected State or Tribal Chief Executive of the affected Indian tribal government.” In this context, a state also includes the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. The Marshall Islands and the Federated States of Micronesia are also eligible to request a declaration and receive assistance under the Compact of Free Association.

The Governor or Tribal Chief Executive’s request is made through the FEMA Regional Office. Federal, state/territory/Tribal Nation, and local officials conduct a joint Preliminary Damage Assessment (PDA) to estimate the extent of the disaster and its impact on individuals and public facilities. The PDA team is comprised of personnel from FEMA, the requesting state, Tribal Nation, or territory’s emergency management agency, county, and local government officials and the U.S. Small Business Administration. The team’s work begins with reviewing the types of damage or emergency costs incurred by the State/Territory, local, or Tribal Nation government, and the impact to critical facilities, such as public utilities, individuals’ homes, and businesses. This assessment includes the number of homes damaged, the number of people displaced, and the threat to health and safety caused by the incident. Additional data from other local voluntary organizations may also be reviewed. During the assessment, the team will collect estimates of the expenses and damages. This information is included in the Governor or Tribal Chief Executive’s request to show that the disaster is of such severity and magnitude that effective response is beyond the combined capabilities of the state, local, Tribal Nation, and territorial governments and that Federal disaster



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assistance is necessary. Normally, the PDA is completed prior to the submission of the Governor or Tribal Chief Executive’s request. However, per 44 Code of Federal Regulations §§ 206.33(d) and 206.36(d), the requirement for a joint PDA may be temporarily waived for those incidents of such unusual severity and magnitude that field damage assessments are not required to establish the need for supplemental federal assistance under the Stafford Act. When a severe or catastrophic event occurs, the Governor or Tribal Chief Executive’s request may be submitted prior to the PDA. The Governor or Tribal Chief Executive must still make the request for disaster assistance.

As part of the request and a prerequisite to assistance under the Stafford Act, the Governor or Tribal Chief Executive must take appropriate action under state, tribal, or territorial law and direct the execution of the state, territory, or tribal emergency plan. The Governor or Tribal Chief Executive shall furnish information on the nature and amount of state/territory and local or Tribal Nation resources that have been or will be committed to alleviating the results of the disaster, provide an estimate of the amount and severity of damage and the impact on the private and public sector, and provide an estimate of the type and amount of assistance needed under the Stafford Act. In addition, the Governor or Tribal Chief Executive will need to certify that, for the current disaster, state/territory and local or Tribal Nation obligations and expenditures will comply with all applicable cost-sharing requirements.

Federal disaster law restricts the use of arithmetic formulas or other objective standards as the sole basis for determining the need for federal supplemental aid. As a result, FEMA assesses a number of factors to determine the severity, magnitude, and impact of a disaster event. Major disaster declaration request evaluation factors considered include:

State/Territory Public Assistance Factors	State/Territory Individual Assistance Factors
<ul style="list-style-type: none"> <li>▪ Estimated cost of the assistance</li> </ul>	<ul style="list-style-type: none"> <li>▪ State Fiscal Capacity and Resource Availability</li> </ul>
<ul style="list-style-type: none"> <li>▪ Localized impacts</li> </ul>	<ul style="list-style-type: none"> <li>▪ Uninsured Home and Personal Property Losses</li> </ul>
<ul style="list-style-type: none"> <li>▪ Insurance coverage in force</li> </ul>	<ul style="list-style-type: none"> <li>▪ Disaster Impacted Population Profile</li> </ul>
<ul style="list-style-type: none"> <li>▪ Hazard mitigation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Impact to Community Infrastructure</li> </ul>
<ul style="list-style-type: none"> <li>▪ Recent multiple disasters</li> </ul>	<ul style="list-style-type: none"> <li>▪ Casualties</li> </ul>
<ul style="list-style-type: none"> <li>▪ Programs of Other Federal assistance</li> </ul>	<ul style="list-style-type: none"> <li>▪ Disaster Related Unemployment</li> </ul>

Due to the unique circumstances that Tribal Nations face, Tribal Nation major disaster declaration requests are reviewed under separate evaluation factors. FEMA is actively consulting with Tribal Nations on the [Tribal Declarations Pilot Guidance \(fema.gov\)](https://www.fema.gov/tribal-declarations-pilot-guidance) and these factors may change based on the outcomes of tribal discussions. Current major disaster declaration request evaluation factors considered include:

Tribal Nation Public Assistance Factors	Tribal Nation Individual Assistance Factors
<ul style="list-style-type: none"> <li>▪ Minimum Damage Amount</li> </ul>	<ul style="list-style-type: none"> <li>▪ Uninsured Home and Personal Property Losses;</li> </ul>
<ul style="list-style-type: none"> <li>▪ Types &amp; Amount of Damage</li> </ul>	<ul style="list-style-type: none"> <li>▪ Availability of Housing Resources</li> </ul>

Tribal Nation Public Assistance Factors	Tribal Nation Individual Assistance Factors
<ul style="list-style-type: none"> <li>▪ Economic Impact of the Incident</li> </ul>	<ul style="list-style-type: none"> <li>▪ Casualties</li> </ul>
<ul style="list-style-type: none"> <li>▪ Tribal Government Resources</li> </ul>	<ul style="list-style-type: none"> <li>▪ Impact to Community Infrastructure</li> </ul>
<ul style="list-style-type: none"> <li>▪ Demographics</li> </ul>	<ul style="list-style-type: none"> <li>▪ Disaster Impacted Population Profile</li> </ul>
<ul style="list-style-type: none"> <li>▪ 24-month Disaster History</li> </ul>	<ul style="list-style-type: none"> <li>▪ Voluntary Agency and Other Assistance</li> </ul>
<ul style="list-style-type: none"> <li>▪ Evaluation of Previous Mitigation Efforts</li> </ul>	<ul style="list-style-type: none"> <li>▪ Tribal Government Resources</li> </ul>
<ul style="list-style-type: none"> <li>▪ Programs of Other Federal Assistance</li> </ul>	<ul style="list-style-type: none"> <li>▪ Unique Conditions that Affect Tribal Governments</li> </ul>
<ul style="list-style-type: none"> <li>▪ Insurance coverage in force</li> </ul>	<ul style="list-style-type: none"> <li>▪ Other Relevant Information</li> </ul>
<ul style="list-style-type: none"> <li>▪ Unique Conditions that Affect Tribal Governments</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Other Relevant Information</li> </ul>	

Based on the Governor or Tribal Chief Executive’s request, the President may declare that a major disaster or emergency exists, activating federal programs to assist in the response and recovery effort.

## Federal Disaster Assistance

Dependent on the type and severity of needs present after a disaster, the Federal Government will tailor assistance provided to the requesting state, Tribal Nation, or territory. Not all FEMA programs are activated for every disaster. The determination of which programs are authorized is based on the types of assistance specified in the Governor’s or Tribal Chief Executive’s request and the needs identified during the joint preliminary damage assessment (PDA).

There are many additional forms of disaster assistance available from other federal agencies that can address specific needs after disasters outside of FEMA’s disaster funding programs. FEMA Interagency Recovery Coordination assists communities with navigating disaster assistance options available from federal and non-governmental sources to address unmet needs and achieve their disaster recovery objectives. A full library of federal disaster assistance programs and resources available to support individuals’, businesses’, communities’, non-profit organizations’, and public authorities’ recovery is available on [fema.gov](https://www.fema.gov/emergency-managers/practitioners/recovery-resources) at <https://www.fema.gov/emergency-managers/practitioners/recovery-resources>.

FEMA disaster assistance falls into three general categories:

- Individual Assistance — aid to individuals and households;
- Public Assistance — aid to public (and certain private non-profit) entities for certain emergency services and the repair or replacement of disaster-damaged facilities;
- Hazard Mitigation Assistance — funding for measures designed to reduce future losses to public and private property.

Major disaster declarations make available a wide range of federal assistance programs for individuals and public infrastructure. However, not all federal assistance programs are authorized for every declared major disaster. A summary of each of these programs follows along with a description of two types of disaster assistance available to individuals from the Internal Revenue Service and Small Business Administration. Because funding program complexities require lengthy explanations, the discussion that follows is simply an overview.

## Individual Assistance (FEMA)

### INDIVIDUALS AND HOUSEHOLDS PROGRAM

The FEMA Individuals and Households Program (IHP) provides up to \$42,500 (FY 2024) for financial assistance for Housing Assistance and \$42,500 (FY 2024) for Other Needs Assistance financial help to those who have necessary expenses and serious needs if they are unable to meet the needs through other means. In addition, FEMA may provide Direct Assistance to individuals or households who, because of a lack of available resources, are unable to make use of financial temporary housing assistance. When a disaster occurs, IHP provides grant money and services to people in the declared area whose property has been damaged or destroyed and whose losses are underinsured or not covered by insurance. In every case, the disaster survivor must apply for assistance and establish eligibility. Disaster survivors may call FEMA's Helpline at 800-621-3362 to apply for assistance or check their application status. If you use a video relay service (VRS), captioned telephone service or others, give FEMA your number for that service. Applicants may also register on-line at [www.disasterassistance.gov](http://www.disasterassistance.gov) or in-person at a Disaster Recovery Center. FEMA will verify eligibility and need before assistance is offered.

### What Types of Assistance Are Provided?

The IHP has two provisions: Housing Assistance and Other Needs Assistance. The IHP - Housing Assistance (HA) (including Temporary Housing, Home Repair/Replacement, and Semi-Permanent or Permanent Housing Construction) assures that people whose homes are damaged by a disaster have a safe place to live. The IHP - Other Needs Assistance (ONA) (including personal property and other items) provides financial assistance to individuals and households who have other disaster-related necessary expenses or serious needs. These provisions are designed to provide funds for expenses that are underinsured or not covered by insurance. They are available only to homeowners and renters who are United States citizens, non-citizen nationals, or qualified non-citizens affected by the disaster. The following is a list of the types of assistance available through this program and what each provides.

### Housing Assistance (HA)

- **Temporary Housing** - Homeowners and renters receive funds to rent a different place to live or may be eligible to receive direct assistance when rental properties are not available. They may also receive reimbursement for short term lodging, such as stays in hotels or motels.
- **Repair/Replacement** - Homeowners receive funds to rebuild or make basic repairs to the damaged home that is not covered by insurance. The goal is to make the damaged home safe and sanitary.
  - **Accessibility Needs** – Homeowners receive funds to help survivors with a disability with specific repairs that make their home accessible (such as exterior ramp, grab bars, and paved path to the home entrance).

Repairs can be made when these items are damaged. Improvements can be made when those features were not present prior to the disaster and are needed due to a pre-existing disability or a disability caused by the disaster.

- **Privately-owned Roads, Bridges, Docks** - Homeowners receive funds to help survivors whose only access to their home has been damaged by the disaster.
- **Direct Temporary Housing Assistance:** Eligible Homeowners and renters may be provided direct assistance from FEMA who have no other practical temporary housing options available within a reasonable commuting distance due to a lack of available rental resources. This assistance is provided through providing Temporary Housing Units, Multi-Family Lease and Repair, or Direct Lease. Direct Temporary Housing Assistance is authorized on a disaster-by-disaster basis and may not always be available.
- **Permanent Housing Construction (PHC):** Home repair and/or construction services provided in insular areas outside the continental United States and other locations where no alternative housing resources are available; and where other types of housing assistance FEMA normally provides, such as Rental Assistance or other forms of direct assistance, are unavailable, infeasible, or not cost-effective.

### Other Needs Assistance (ONA)

This assistance may be provided to eligible homeowners and renters.

- **Serious Needs Assistance:** Financial assistance to help pay for immediate needs such as water, food, first aid, prescriptions, infant formula, breastfeeding equipment, diapers, personal hygiene items, and fuels for transportation. Serious Needs Assistance is available in all disasters, but you must meet eligibility requirements.
- **Displacement Assistance:** Financial assistance to help with survivors' immediate housing needs if they cannot return home because of the disaster. The money can be used to stay in a hotel, with family and friends, or other options while looking for a rental unit.
- **Personal Property Assistance:** Financial assistance to help repair or replace appliances, room furnishings, and a computer damaged by the disaster. This can also include money for books, uniforms, tools, additional computers and other items required for school or work, including self-employment.
- **Transportation Assistance:** Financial assistance for a survivor's vehicle damaged by the disaster when they do not have another vehicle to use. Unlike most other forms of assistance, a survivor does not need to live in the Presidentially declared disaster area to be considered for this assistance.
- **Medical and Dental Assistance:** Financial assistance to help pay for expenses because the disaster caused an injury or illness. This money can also be used to help replace medical/dental equipment, breastfeeding equipment, damaged or lost prescribed medicine, or loss/injury of a service animal.
- **Funeral Assistance:** Financial assistance to help pay for funeral or reburial expenses caused by the disaster.
- **Child Care Assistance:** Financial assistance for new or increased disaster-caused child care expenses.

- **Moving and Storage Expenses:** Financial assistance to help move and store personal property from the home to prevent additional damage, typically used while making repairs to the home or moving to a new place due to the disaster.
- **Assistance for Miscellaneous Items:** Financial assistance for certain eligible items (such as a generator, dehumidifier, chainsaw, etc.) purchased or rented after the disaster to assist with recovery.
- **Group Flood Insurance Policy:** If the home is in a Special Flood Hazard Area and a survivor has flood damage caused by the disaster, FEMA may purchase a Group Flood Insurance Policy on their behalf that gives three years of coverage.
- **Clean and Sanitize Assistance:** Financial assistance to help pay for very minor damage caused by the disaster to prevent additional loss and potential health or safety concerns. This money is only available in certain disasters if the survivor had property damage but was not eligible for Home Repair or Replacement Assistance because FEMA determined they could still live safely in the home.

## DISASTER UNEMPLOYMENT ASSISTANCE

The Disaster Unemployment Assistance (DUA) program is funded by FEMA and administered by the U.S. Department of Labor. DUA provides unemployment benefits and re-employment services to eligible individuals who have become unemployed because of major disasters. DUA benefits are generally paid up to 26 weeks beginning with the first week following the date the major disaster began and ending with the 26th week following the date the major disaster is declared by the President, as long as the individual's unemployment continues to be a direct result of the major disaster. These benefits are made available to individuals not covered by other unemployment compensation programs, such as self-employed, farmers, migrant and seasonal workers, and those who have insufficient quarters to qualify for other unemployment compensation.

All unemployed individuals must register with the state Workforce Agency in the declared state by phone, internet, or in person at local claims offices to determine their eligibility for the DUA program.

## DISASTER LEGAL SERVICES

Pursuant to 42 USC §5182 of the Stafford Act, whenever the President declares a major disaster, FEMA, through a Memorandum of Agreement with the Young Lawyers Division of the American Bar Association, provides free legal assistance to disaster survivors. Legal advice is limited to cases that will not produce a fee (i.e., these attorneys work without payment). A legal service hotline toll-free number may also be available as a means for individuals to contact the volunteer lawyers for assistance with legal questions and concerns. Cases that may generate a fee are turned over to the local lawyer referral service. The assistance that participating lawyers provide typically includes:

- Assistance with insurance claims (life, medical, property, etc.);
- Assistance with home repair contracts;
- Counseling on landlord/tenant problems;
- Assisting in consumer protection, remedies, and procedures and

- Replacement of wills and other important legal documents destroyed in a major disaster

Disaster legal services are provided to low-income individuals, who, prior to or because of the disaster, are unable to secure legal services adequate to meet their needs as a consequence of a major disaster.

## **CRISIS COUNSELING ASSISTANCE AND TRAINING PROGRAM**

The Crisis Counseling Assistance and Training Program (CCP) is designed to provide supplemental funding to states for short-term crisis counseling services to people affected in emergencies and Presidentially declared disasters. Supplemental funding for crisis counseling is available to the state through two grant programs: the Immediate Services Program, which provides funds for up to 60 days of services immediately following a disaster declaration; and the Regular Services Program, which provides funds for up to nine months following a major Presidential disaster declaration designated for Individual Assistance and CCP. A state may request either or both types of funding. The following services are offered under the CCP grant program:

- Individual Crisis Counseling - One-time contacts to help survivors understand their reactions, improve coping strategies, review their options, and connect with other individuals and agencies that may assist them.
- Basic Supportive or Educational Contact - General support and information on resources and services available to disaster survivors.
- Group Crisis Counseling - Group sessions led by trained crisis counselors who offer skills to help survivors cope with their situations and reactions.
- Public Education - Information and education about typical reactions, helpful coping strategies, and available disaster-related resources.
- Community Networking and Support - Relationship building with community resource organizations, faith-based groups, and local agencies.

To be eligible for crisis counseling services funded by the program, the person must be a resident of the designated area or must have been located in the area at the time the disaster occurred.

## **DISASTER CASE MANAGEMENT**

The Disaster Case Management (DCM) program supplements a state, local, tribal, or territorial (SLTT) government's capacity to provide support services to survivors after a disaster.

DCM is a FEMA-funded federal award to SLTTs or qualified private organizations to implement a supplemental DCM program to supply services to survivors with long-term, disaster-caused unmet needs. The DCM federal award application must be submitted within 90 days from the date of the IA designation on the Presidential disaster declaration, and the period of performance shall not exceed 24 months from the date of the IA designation.

## Small Business Administration: Disaster Loans (SBA)

The U.S. Small Business Administration (SBA) provides low-interest loans to help businesses, nonprofit organizations, homeowners, or renters located in a disaster declared area repair or replace homes, personal property, or business losses not covered by insurance or funding from FEMA. SBA disaster assistance is provided in the form of loans, not grants, and therefore must be repaid to the federal government. For many individuals the SBA disaster loan program is the primary form of disaster assistance.

The SBA can provide three types of disaster loans to qualified homeowners, renters, and businesses:

### PHYSICAL DAMAGE LOANS

- SBA provides home and personal property disaster loans to **homeowners, renters, and personal property owners** to repair or replace property damaged or destroyed in a disaster. Homeowners may apply for up to \$200,000 to replace or repair their primary residence. Renters, homeowners, and personal property owners may borrow up to \$40,000 to replace or repair personal property, such as clothing, furniture, cars, or appliances.
- **Businesses of any size and most private nonprofit organizations** may apply to SBA for a business physical disaster loan of up to \$2 million to cover disaster losses not fully covered by insurance or other sources. Loan proceeds may be used for repair or replacement of real property, inventory, equipment, machinery, fixtures, and leasehold improvements.
- Mitigation assistance to help protect homes and businesses against future disasters. Eligible SBA disaster loan borrowers may choose to receive expanded funding to help mitigate their home or business against future disasters. SBA disaster loans can be increased up to 20% to make building upgrades.

### ECONOMIC INJURY DISASTER LOANS (EIDL)

Economic injury disaster loans (EIDL), which provide capital to small businesses, nonprofit organizations, and small agricultural cooperatives to assist them through the disaster recovery period. EIDL provides the necessary working capital to help small businesses impacted by a disaster survive until normal operations resume. SBA can provide up to \$2 million to help meet financial obligations and operating expenses that could have been met had the disaster not occurred. EIDL assistance is available only to small businesses when SBA determines they are unable to obtain credit elsewhere. A business may qualify for both an EIDL and a physical disaster loan.

## Internal Revenue Service Special Tax Consideration

Special tax law provisions permit the IRS to help taxpayers who reside or have a business in a declared disaster area. Depending on the circumstances, the IRS may grant additional time to file returns and pay taxes. Both individuals and businesses in a federally declared disaster area can get a faster refund by claiming losses related to the disaster on the tax return for the previous year, usually by filing an amended return. For more information, visit [Disaster Assistance and Emergency Relief for Individuals and Businesses | Internal Revenue Service \(irs.gov\)](#).



## Public Assistance (FEMA)

The Public Assistance Program provides supplemental Federal disaster grant assistance for the repair, replacement, or restoration of disaster-damaged, publicly owned facilities, and the facilities of certain Private Non-Profit (PNP) organizations, following a Presidentially declared major disaster or emergency. Eligible applicants include state, local, Tribal Nation, and territorial governments, and certain PNP organizations. Eligible PNP facilities generally include medical, custodial care, educational, emergency (fire, police and EMS), utilities, and irrigation facilities, as well as other PNP facilities that provide essential social services to the general public. PNPs that provide “critical services” (power, water – including water provided by an irrigation organization or facility, sewer, wastewater treatment, communications, educational facilities and emergency medical care) may apply directly to FEMA for a disaster assistance. For emergency work, PNPs with facilities that provide noncritical, essential social services may apply directly to FEMA for assistance. However, for permanent work, noncritical PNPs must also apply for a Small Business Administration (SBA) Loan. If the PNP is declined for an SBA loan or the loan does not cover all eligible damages, PA funding may be eligible to cover those costs.

As soon as practicable after the declaration, the state or Tribal Nation, assisted by FEMA, conducts the Applicant Briefings for state, Tribal Nation, local and PNP officials to inform them of the assistance available and how to apply for it. A Request for Public Assistance (RPA) must be filed with the state or Tribal Nation within 30 days after the area is designated eligible for assistance. Applicants should use the Public Assistance [Grants Portal](https://www.fema.gov/assistance/public/apply) to account for all activities associated with their damage claims. (<https://www.fema.gov/assistance/public/apply>). After the RPA is approved, a Recovery Scoping Meeting may be conducted with the Applicant where damages will be discussed, needs assessed, and a plan of action put in place. A combined Federal/state/Tribal Nation/local team proceeds with Project Formulation, which is the process of documenting the eligible work and costs associated with an applicant's claimed disaster-related impacts for both emergency work and permanent work. The team prepares a Project Worksheet (PW) for each project.

Projects fall into the following categories:

- Category A: Debris removal
- Category B: Emergency protective measures
- Category C: Roads and bridges
- Category D: Water control facilities
- Category E: Buildings and equipment
- Category F: Utilities
- Category G: Parks, recreational, and other facilities

For insurable structures within special flood hazard areas (SFHA), primarily buildings, assistance from FEMA is reduced by the amount of insurance settlement that could have been obtained under a standard NFIP policy. For structures located outside of a SFHA, FEMA will reduce the amount of eligible assistance by any available insurance proceeds. The Applicant must also obtain and maintain insurance on damaged insurable facilities, in the amount of the eligible damage for the hazard that caused the damage, as a condition of receiving PA funding.

FEMA reviews and approves the PWs and obligates the Federal share of the costs (which cannot be less than 75%) to the state or Tribal Nation. The state or Tribal Nation then disburses funds to local applicants. Once a declaration has been made, a Tribal Nation may request to serve as its own Recipient for Public Assistance.

Projects falling below a certain threshold are considered 'small.' For Fiscal Year 2024, that threshold is \$1,037,000. For small projects, payment of the Federal share of the estimate is made upon approval of the project and no further accounting to FEMA is required. For large projects, payment is made on the basis of actual costs determined after the project is completed; although interim payments may be made as necessary. Once FEMA obligates funds to the state or Tribal Nation, further management of the assistance, including disbursement to Subrecipients is the responsibility of the state or Tribal Nation. FEMA will continue to monitor the recovery progress to ensure the timely delivery of eligible assistance and compliance with the law and regulations.

Section 406 of the Stafford Act also authorizes FEMA to provide mitigation funding for disaster-damaged facilities through the Public Assistance program. Applicants may use both Public Assistance Mitigation and Hazard Mitigation Grant Program (HMGP) assistance to implement mitigation measures on the same facility but not for the same work. A combination of PA and HMGP assistance may be appropriate where PA Mitigation is used to provide protection to portions of a facility that were damaged by a declared disaster and HMGP assistance is used to protect undamaged portions of the facility.

## HAZARD MITIGATION

Hazard mitigation refers to sustained measures enacted to reduce or eliminate long-term risk to people and property from natural hazards and their effects. In the long term, mitigation measures reduce personal loss, save lives, and reduce the cost to the nation of responding to and recovering from disasters.

Sections 404 and 406 of the Stafford Act authorize hazard mitigation funds after a major disaster declaration or Fire Management Assistance Grant (FMAG) declaration. In each case, the Federal government can provide up to 75% of the cost, with some exceptions.

Through the Hazard Mitigation Grant Program (HMGP) and HMGP Post Fire, authorized by §404 of the Stafford Act, communities can apply for mitigation funds through states, territories, and federally recognized tribes. The state, territory, and tribe, as applicant, is responsible for notifying potential applicants of the availability of funding, defining a project selection process, ranking and prioritizing projects, and forwarding projects to FEMA for funding. Once an applicant receives funding it becomes the recipient; the recipient or an eligible subrecipient carries out approved projects. The state, local government, territory, Tribal Nation, or homeowner must provide a 25% match, which can include a combination of cash and in-kind sources. In general, the non-federal cost share requirement may not be met with assistance from other federal agencies; however, some authorizing statutes explicitly allow some federal assistance to be used as a cost share for other federal grants. For example, funding provided to states under the Community Development Block Grant program from the Department of Housing and Urban Development can be used for the non-federal share. FEMA's Safeguarding Tomorrow Revolving Loan Fund (Safeguarding Tomorrow RLF) allows loans funded by the program to be used for the meeting non-Federal cost-share requirements for HMA grants, but Safeguarding Tomorrow RLF grant requirements will then apply to the entire project.

Total federal funding under HMGP is based on a sliding scale of the estimated grants for individual assistance programs and public assistance projects. The Disaster Mitigation Act of 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) to emphasize the importance of planning in reducing disaster losses. Section 322 of the Stafford Act requires recipients to develop a Mitigation Plan that provides a summary of the hazards facing them, an assessment of the risks and vulnerabilities to those hazards, and a strategy for reducing those impacts. These plans were required by May 1, 2005, as a condition of non-emergency assistance under the Stafford Act, and must be reviewed and updated every three years.

By November 1, 2004, local jurisdictions also were required to develop mitigation plans to be eligible for project grant funding under the Hazard Mitigation Grant Program. In addition, states may use a set-aside of up to 5% of the total HMGP funds available for mitigation measures at their discretion. To be eligible, a set-aside project must be identified in a state's hazard mitigation plan and fulfill the goal of the HMGP, that is, to reduce or prevent future damage to property or prevent loss of life or injury.

Eligible mitigation measures under HMGP include acquisition, relocation, or elevation of flood prone structures; seismic rehabilitation of existing structures; strengthening of existing structures against wildfire; dry flood proofing activities that bring a structure into compliance with minimum NFIP requirements and state or local code. Up to 7% of a recipient's HMGP funds may be used to develop state and/or local mitigation plans.

All HMGP projects must be technically feasible, demonstrate cost-effectiveness, and comply with the National Environmental Policy Act and all relevant Executive Orders. HMGP grants cannot be given for acquisition, elevation, or construction purposes if the site is located in a designated Special Flood Hazard Area (SFHA) and the community is not participating in the NFIP.

# FEMA Regional Offices

## Region 1

Connecticut, Maine, Massachusetts, New Hampshire,  
Rhode Island, Vermont  
Federal Emergency Management Agency  
99 High Street, 6th Floor  
Boston, MA 02110-2320  
(617) 956-7506

## Region 2

New Jersey, New York, Puerto Rico, Virgin Islands  
Federal Emergency Management Agency  
26 Federal Plaza, Room 1337  
New York, NY 10278-0002  
(212) 680-3600

## Region 3

Delaware, District of Columbia, Maryland,  
Pennsylvania, Virginia, West Virginia  
Federal Emergency Management Agency  
One Independence Mall, 6th Floor  
615 Chestnut Street  
Philadelphia, PA 19106-4404  
(215) 931-5608

## Region 4

Alabama, Florida, Georgia, Kentucky, Mississippi,  
North Carolina, South Carolina, Tennessee  
Federal Emergency Management Agency  
3005 Chamblee-Tucker Road  
Atlanta, GA 30341  
(770) 220-5200

## Region 5

Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin  
Federal Emergency Management Agency  
536 South Clark Street, 6th Floor  
Chicago, IL 60605  
(312) 408-5500

## Region 6

Arkansas, Louisiana, New Mexico, Oklahoma, Texas  
Federal Emergency Management Agency  
Federal Regional Center  
800 N. Loop 288  
Denton, TX 76201-3698  
(940) 898-5104

## Region 7

Iowa, Kansas, Missouri, Nebraska  
Federal Emergency Management Agency  
9221 Ward Parkway, Suite 300  
Kansas City, MO 64114  
(816) 283-7061

## Region 8

Colorado, Montana, North Dakota, South Dakota,  
Utah, Wyoming  
Federal Emergency Management Agency  
Denver Federal Center Building 710  
Box 25267  
Denver, CO 80225-0267  
(303) 235-4812

## Region 9

American Samoa, Arizona, California, Guam,  
Hawaii, Nevada, Commonwealth of the Northern  
Mariana Islands  
Federal Emergency Management Agency  
1111 Broadway Suite 1200  
Oakland, CA 94607-4052  
(510) 627-7100

## Region 10

Alaska, Idaho, Oregon, Washington  
Federal Emergency Management Agency  
130 228th Street, S.W.  
Bothell, WA 98021-9796  
(425) 487-4600