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# Federal Disaster Assistance Response and Recovery Programs: Brief Summaries

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## Federal Disaster Assistance Response and Recovery Programs: Brief Summaries

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 financial assistance for federally declared disasters to individual survivors, states, territories, tribes, 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 disaster response or recovery. Most of these programs are administered by the Federal Emergency Management Agency (FEMA) and the Small Business Administration (SBA). Second are general assistance programs that, in some instances, may be used either in relation to disaster situations or to meet other needs unrelated to a declared 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 availability of assistance outlined in this report may vary by county, state, territory, tribe, or local government due to the manner in which it is awarded or administered. Availability of funding is not guaranteed for each program. This report also includes a list of relevant federal agency websites that provide information on disaster responses, updates on recovery efforts, and resources on federal assistance programs.

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June 20, 2023

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## Introduction

Federal agencies provide a range of assistance to individual survivors; state, territorial, tribes, 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 programs become 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 after a Stafford Act emergency declaration<sup>2</sup> and those declarations issued by department or agency heads.<sup>3</sup>

This report identifies 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 SAM.gov.<sup>4</sup> Also, most of the programs listed in this report are 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 “Other”).

This report does not cover all of the programs developed in response to the COVID-19 pandemic and does not include operational or technical assistance that some agencies provide in emergency or disaster situations. Nor does this report include 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.

Also, Congress has authorized specific forms of financial assistance on a limited basis following particular disasters, and as Congress and presidential administrations 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 program officers listed in this report.

## 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.

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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://sam.gov/content/assistance-listings>. The website 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://sam.gov/content/assistance-listings>.

- 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 response and recovery needs (e.g., assistance with processing survivor benefits or repair of public facilities).

## Federal Disaster Recovery Programs

### Assistance for Disaster Survivors

#### Assistance for Real and Personal Property

##### *Individuals and Households Program (Assistance for Housing and Other Needs)*

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 (referred to as Other Needs Assistance or ONA) following either a declaration of emergency or major disaster.<sup>5</sup> Program funds have a wide range of eligible uses. FEMA Housing Assistance includes different forms of temporary housing assistance; housing repairs; housing replacement; and permanent housing construction. IHP ONA funds may be used for funeral, medical and dental, childcare, personal property, transportation, and other disaster-caused expenses.

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. Further, the IHP is intended to meet basic needs and support recovery efforts, but it does not compensate disaster survivors for all losses and is not intended to be a substitute for private home, property, or automobile insurance. IHP assistance is intended to be temporary and is generally limited to a period of 18 months from the date of the major disaster or emergency declaration, but may be extended by FEMA.<sup>6</sup>

IHP awards for Financial Housing Assistance and ONA are subject to statutory funding caps that limit the amount of financial assistance an individual or household may receive.<sup>7</sup> Assistance for housing-related needs may not exceed \$41,000 (FY2023; adjusted annually),<sup>8</sup> and assistance for

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<sup>5</sup> 42 U.S.C. §5174 (major disaster); 42 U.S.C. §5192(a)(6) (emergency).

<sup>6</sup> See, for example, the period of assistance for direct housing assistance at 42 U.S.C. §5174(c)(1)(B)(iii); 44 C.F.R. §206.110(e).

<sup>7</sup> 42 U.S.C. §5174(h)(1)-(2). The maximum amount of financial assistance for Housing Assistance and Other Needs Assistance (ONA) are subject to separate caps of equal amounts.

<sup>8</sup> DHS/FEMA, “Notice of Maximum Amount of Assistance Under the Individuals and Households Program,” 87 *Federal Register* 64511-64512, October 25, 2022, <https://www.govinfo.gov/content/pkg/FR-2022-10-25/pdf/2022-23162.pdf> (hereinafter FEMA, “Notice of Maximum Amount of Assistance”). The amount is adjusted annually to (continued...)

ONA may not exceed \$41,000 (FY2023; adjusted annually).<sup>9</sup> The exceptions are that financial assistance to rent alternate housing accommodations<sup>10</sup> and financial assistance for accessibility-related real and personal property costs are not subject to the cap.<sup>11</sup> The amount of financial assistance an applicant receives through the IHP will vary based on their personal circumstances, including based on considerations such as the loss amount determined by FEMA’s inspection, and to what extent the applicant’s real and personal property losses were insured.

(Also see “Physical Disaster Loans—Residential SBA Disaster Loans Available to Homeowners and Renters” for additional assistance for homeowners and renters.)

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 and supporting documentation—for an additional 60 days.<sup>12</sup>

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

1. “[t]he applicant must be a U.S. citizen, noncitizen national, or qualified alien” (or the parent or guardian of such a minor);
2. “FEMA must be able to verify the applicant’s identity”;
3. “[t]he applicant’s insurance, or other forms of disaster assistance received, cannot meet their disaster-caused needs”; and
4. “[t]he applicant’s necessary expenses and serious needs are directly caused by a declared disaster.”<sup>13</sup>

Each type of IHP assistance also requires that additional eligibility conditions be met, and may require additional documentation. The IHP (and most other aid authorized under the Stafford Act) is funded through the Disaster Relief Fund (DRF). FEMA provides 100% of the housing assistance costs, and ONA is subject to a 75% federal and 25% nonfederal cost share (borne by the affected state, territory, or tribe).<sup>14</sup>

For more information on FEMA IA and the IHP, see CRS Report R46014, *FEMA Individual Assistance Programs: An Overview* and CRS Report R47015, *FEMA’s Individuals and Households Program (IHP)—Implementation and Considerations for Congress*, by Elizabeth M. Webster.

*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/assistance/individual>

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reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor (42 U.S.C. §5174(h)(3)).

<sup>9</sup> FEMA, “Notice of Maximum Amount of Assistance.” Additionally, other needs assistance (ONA) may be somewhat limited because some ONA-eligible items and amounts available to be awarded are predetermined by FEMA and the state, territorial, or Indian tribal government.

<sup>10</sup> 42 U.S.C. §5174(h)(1).

<sup>11</sup> 42 U.S.C. §5174(h)(4).

<sup>12</sup> FEMA, *Individual Assistance Program and Policy Guide (IAPPG)*, v. 1.1, FP 104-009-03, May 2021, pp. 70-71, [https://www.fema.gov/sites/default/files/documents/fema\\_iappg-1.1.pdf](https://www.fema.gov/sites/default/files/documents/fema_iappg-1.1.pdf) (hereinafter FEMA, *IAPPG*).

<sup>13</sup> FEMA, *IAPPG*, p. 46.

<sup>14</sup> 42 U.S.C. §5174(g).

CFDA Program Numbers: 97.048 and 97.050

CRS Contact: Elizabeth M. Webster, ewebster@crs.loc.gov, 202-707-9197

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

The Small Business Administration (SBA) provides disaster loans to help homeowners and renters rebuild and recover from disasters. Homeowners and renters living in a declared disaster area (and in contiguous counties) may apply directly to the SBA for a disaster loan.

SBA Home Disaster Loans are divided 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 disaster-damaged personal property items, such as furniture, clothing, or automobiles.<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.

#### ***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 pre-disaster 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>

For more information on SBA disaster loans, 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. §§123.200–123.204

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

Website: <https://disasterloanassistance.sba.gov/ela/s/>

CFDA Program Number: 59.008

CRS Contact: Bruce R. Lindsay, blindsay@crs.loc.gov, 202-707-3752

### ***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 National Flood Insurance Program (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

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<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).

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

<sup>18</sup> 13 C.F.R. §123.107.



approved floodplain management ordinances to reduce future flood risk to construction in regulated floodplains (floodplain management). The Federal Insurance and Mitigation Administration (FIMA), a part of FEMA, manages the NFIP. Policyholders can file NFIP claims after any flood and claims do not require any form of disaster declaration. NFIP policyholders are likely to receive more funding after a flood than those who rely on FEMA Individual Assistance; the average NFIP claim for the last 10 years was \$24,549, while the average Individual Assistance payment in the last 10 years was \$4,000.

To reduce comprehensive flood risk, FEMA also operates a Flood Mitigation Assistance (FMA) Grant Program, which is funded through revenue collected by the NFIP.<sup>19</sup> FMA grants are only available to communities, which participate in the NFIP, to assist in efforts to reduce or eliminate flood damage to buildings and structures insurable under the NFIP, particularly repetitive loss<sup>20</sup> and severe repetitive loss<sup>21</sup> properties. The Infrastructure Investment and Jobs Act (IIJA)<sup>22</sup> appropriated \$3.5 billion for the FMA program, with \$700 million for each of FY2022 through FY2026. This represents a significant increase in the amount of funding available for flood mitigation, and the first time that funding has been appropriated for the FMA program. The FMA Program awards grants for a number of purposes, including state and local mitigation planning; the elevation, relocation, demolition, or flood proofing of structures; the acquisition of properties; and other activities.<sup>23</sup> For more information, see CRS Report R44593, *Introduction to the National Flood Insurance Program (NFIP)*, by Diane P. Horn and Baird Webel; and CRS Insight IN11049, *A Brief Introduction to the National Flood Insurance Program in the 118th Congress*, 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:* <https://www.fema.gov/flood-insurance>

*CFDA Program Number:* 97.022

*CRS Contact:* Diane P. Horn, [dhorn@crs.loc.gov](mailto:dhorn@crs.loc.gov), 202-707-3472

## Unemployment Assistance

### *Disaster Unemployment Assistance*

Disaster Unemployment Assistance (DUA) provides benefits to previously employed or self-employed individuals rendered jobless as a direct result of a presidentially declared major disaster and who are ineligible 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

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<sup>19</sup> 42 U.S.C. §4104c.

<sup>20</sup> 42 U.S.C. §4121(a)(7) defines repetitive loss structure as a structure covered by a contract for flood insurance that (A) has incurred flood-related damage on 2 occasions, in which the cost of repair, on the average, equaled or exceeded 25 percent of the value of the structure at the time of each such flood event; and (B) at the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance coverage.

<sup>21</sup> Severe repetitive loss properties are those that have incurred four or more claim payments exceeding \$5,000 each, with a cumulative amount of such payments over \$20,000; or at least two claims with a cumulative total exceeding the value of the property. See 42 U.S.C. §4014(h) and 44 C.F.R. §79.2(h).

<sup>22</sup> P.L. 117-58.

<sup>23</sup> For additional information on the FMA Program, see 44 C.F.R. Part 78 and FEMA's website at <https://www.fema.gov/grants/mitigation/floods>.

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>24</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>25</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>

*Website:* <https://oui.doleta.gov/unemploy/disaster.asp>

*CFDA Program Number:* 97.034

*CRS Contact:* Julie M. Whittaker, [jwhittaker@crs.loc.gov](mailto:jwhittaker@crs.loc.gov), 202-707-2587

### ***Dislocated Worker Activities***

The Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker Employment and Training Activities (DW) program helps fund training and related assistance to individuals who have lost their jobs and are unlikely to return to their current jobs or industries due to a specific incident, such as being part of a mass layoff. Of the funds appropriated, 80% are allotted by formula grants to states and local entities and 20% are retained by the Secretary of Labor to fund a national reserve that supports 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 an emergency or disaster.<sup>26</sup> An individual may be employed for up to 12 months.<sup>27</sup> There are no matching requirements for WIOA programs. For more information, see CRS In Focus IF11530, *Dislocated Worker Activities in the Workforce Innovation and Opportunity Act (WIOA)*, by David H. Bradley and Abigail R. Overbay.

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

*Authority:* 29 U.S.C. §3225

*Regulation:* 20 C.F.R. §687

*Contact:* See listings of state Dislocated Worker/Rapid Response Coordinators, <https://www.dol.gov/agencies/eta/layoffs/contact>

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<sup>24</sup> 20 C.F.R. §625.8.

<sup>25</sup> 42 U.S.C. §5177.

<sup>26</sup> 29 U.S.C. §3225(a)(1). This includes presidential declarations of emergency or major disaster under the Stafford Act, or other emergency or disaster situation[s] “of national significance that could result in a potentially large loss of employment....”

<sup>27</sup> 29 U.S.C. §3225(d)(3).

Website: <https://www.dol.gov/agencies/eta/dislocated-workers>

CFDA Program Number: 17.278

CRS Contact: Benjamin Collins, [bcollins@crs.loc.gov](mailto:bcollins@crs.loc.gov), 202-707-7382

## Other Assistance for Disaster Survivors

### *Crisis Counseling*

The Crisis Counseling Assistance and Training Program (CCP) provides grants that supplement states, territories, and tribes' community-based outreach and educational services, when required, to support disaster survivors affected by a presidential emergency or major disaster declaration under the Stafford Act.<sup>28</sup> CCP is intended to relieve adverse behavioral and psychological effects caused or aggravated by the emergency or major disaster, or its aftermath. It may be provided upon the request of an affected state, territorial, or tribal government and requires a grant award application. Assistance is short-term and community-oriented, and it includes services such as assisting disaster survivors with developing coping strategies and connecting disaster survivors with other resources. Cost-share requirements are not imposed on this assistance.<sup>29</sup>

There are two separate CCP grant programs: the Immediate Services Program (ISP) and the Regular Services Program (RSP). The CCP regulations and guidance specify the application deadlines and timing for the availability of program funding. ISP funding is provided for up to 60 days following the approval of Individual Assistance for a major disaster. RSP funding is provided for up to nine months following the date of the notice of award. However, funding time extensions may be approved if requested by the state, territory, or tribe and approved by federal officials.<sup>30</sup>

For additional information about the CCP, see CRS Report R46014, *FEMA Individual Assistance Programs: An Overview*, by Elizabeth M. Webster.

Agency: Federal Emergency Management Agency, and Substance Abuse and Mental Health Services Administration

Authority: 42 U.S.C. §5183

Regulation: 44 C.F.R. §206.171

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

Websites: <https://www.fema.gov/assistance/individual/disaster-survivors#counseling>; and <https://www.samhsa.gov/dtac/ccp>

CFDA Program Numbers: 97.032 and 93.982

CRS Contact: Elizabeth M. Webster, [ewebster@crs.loc.gov](mailto:ewebster@crs.loc.gov), 202-707-9197

### *Disaster Legal Services*

Disaster Legal Services (DLS) are provided for free to low-income individuals who request them as a result of a presidentially declared major disaster under the Stafford Act,<sup>31</sup> and the provision

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<sup>28</sup> 42 U.S.C. §5183 (major disaster); 42 U.S.C. §5192(a)(6) (emergency).

<sup>29</sup> For additional information on how the Crisis Counseling Assistance and Training Program is administered, see FEMA and Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Mental Health Services (CMHS), *Crisis Counseling Assistance and Training Program Guidance: CCP Application Toolkit*, Version 5.3, April 2023, <https://www.samhsa.gov/sites/default/files/dtac/ccptoolkit/fema-ccp-guidance.pdf>; FEMA, *IAPPG*, pp. 203-233.

<sup>30</sup> 44 C.F.R. §206.171; FEMA, *IAPPG*, pp. 209 and 218.

<sup>31</sup> FEMA, *IAPPG*, p. 236. FEMA's guidance defines *low-income* as disaster survivors "who have insufficient resources to secure adequate legal services, whether the insufficiency existed prior to or resulted from the major disaster."

of services is “confined to the securing of benefits under the [Stafford] Act and claims arising out of a major disaster.”<sup>32</sup> 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>33</sup> Cases are limited to those that are non-fee generating.<sup>34</sup> DLS is provided at 100% federal share.<sup>35</sup> For additional information on DLS, see CRS Report R46014, *FEMA Individual Assistance Programs: An Overview*, by Elizabeth M. Webster.

*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.disasterassistance.gov/get-assistance/forms-of-assistance/4464>

*CFDA Program Number:* 97.033

*CRS Contact:* Elizabeth M. Webster, [ewebster@crs.loc.gov](mailto:ewebster@crs.loc.gov), 202-707-9197

### ***Disaster Case Management***

The Disaster Case Management (DCM) program partners case managers with disaster survivors to develop and implement individual disaster recovery plans and address their unmet needs.<sup>36</sup> 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>37</sup> DCM is provided at 100% federal share.<sup>38</sup> For additional information on DCM, see CRS Report R46014, *FEMA Individual Assistance Programs: An Overview*, by Elizabeth M. Webster.

*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-collection/disaster-case-management-toolbox>

*CFDA Program Number:* 97.088

*CRS Contact:* Elizabeth M. Webster, [ewebster@crs.loc.gov](mailto:ewebster@crs.loc.gov), 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. For example, individuals located in affected areas are allowed additional time (four years instead of the typical two) to replace homes due to involuntary conversion (e.g., destruction from wind or floods, theft, or property ordered to be

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<sup>32</sup> 44 C.F.R. §206.164(e).

<sup>33</sup> FEMA, *IAPPG*, p. 8.

<sup>34</sup> FEMA, *IAPPG*, p. 235.

<sup>35</sup> FEMA, *IAPPG*, p. 5.

<sup>36</sup> FEMA, *IAPPG*, p. 183.

<sup>37</sup> FEMA, *IAPPG*, p. 188; see also FEMA, “Disaster Case Management Toolbox,” last updated March 8, 2022, <https://www.fema.gov/media-collection/disaster-case-management-toolbox>.

<sup>38</sup> FEMA, *IAPPG*, pp. 5 and 183.

demolished) and still defer any gain.<sup>39</sup> Taxpayers may also be able to deduct personal casualty losses attributable to federally declared disasters, subject to certain limitations.<sup>40</sup> Qualifying disaster relief payments received by affected individuals are not subject to tax.<sup>41</sup> Tax filing deadlines are automatically postponed for 60 days following disasters declared after December 20, 2019, and the Internal Revenue Service (IRS) may further postpone tax filing or other deadlines.<sup>42</sup>

In addition to these and other permanent tax relief provisions, special temporary provisions have been enacted for certain disasters.<sup>43</sup> For example, the Taxpayer Certainty and Disaster Tax Relief Act of 2019 (Division Q of the Further Consolidated Appropriations Act, 2020; P.L. 116-94) provided relief for major disasters that occurred in 2018 or 2019, and the Taxpayer Certainty and Disaster Tax Relief Act of 2020 (Division EE of the Consolidated Appropriations Act, 2021; P.L. 116-260) provided relief for major disasters that generally occurred in 2020.

For additional information on tax relief to individuals following a disaster, see CRS Report R45864, *Tax Policy and Disaster Recovery*, by Brendan McDermott and Jennifer Teefy.

*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:* Brendan McDermott, [bmcdermott@crs.loc.gov](mailto:bmcdermott@crs.loc.gov), 202-707-1418

## Assistance for State, Tribes, Territories, and Units of Local Governments, and Eligible Nonprofit Organizations

### *FEMA 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, tribal, territorial, and local governments, as well as eligible private nonprofit organizations (PNPs). The PA Program provides grant assistance as well as direct assistance (e.g., supplies, personnel, and facilities) for many eligible purposes, including the following:

- PA for Emergency work, as authorized by Sections 402, 403, 407, 418, 419, 428, and 502 of the Stafford Act, provides assistance for the removal of debris and implementation of emergency protective measures, such as the establishment of temporary shelters and emergency power generation.<sup>44</sup>

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<sup>39</sup> 26 U.S.C. §1033. When taxpayers receive compensation for their losses and use the compensation to purchase replacement property, the basis of the replaced property may transfer to the replacement property. Taxpayers may be able to defer recognition of any capital gain until the replacement property is sold.

<sup>40</sup> 26 U.S.C. §165(h).

<sup>41</sup> 26 U.S.C. §139.

<sup>42</sup> 26 U.S.C. §7508A.

<sup>43</sup> See CRS Report R45864, *Tax Policy and Disaster Recovery*, by Brendan McDermott and Jennifer Teefy.

<sup>44</sup> Stafford Act §§418 and 419 authorize only direct federal assistance for emergency communications and emergency public transportation, respectively (42 U.S.C. §§5185 and 5186).

- PA for Permanent work, as authorized by Sections 406 and 428, provides assistance for the repair, replacement, or restoration of disaster-damaged, publicly owned facilities and the facilities of certain PNPs. At its discretion, FEMA may also provide PA 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, reimburse some of the administrative expenses incurred while managing PA grants.

Eligible PNPs are generally eligible for permanent work assistance if they provide a governmental type of service.<sup>45</sup>

The federal government provides a minimum of 75% of the cost of eligible assistance, though the President may increase the cost share. FEMA may recommend an increase if certain criteria are met.<sup>46</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(a)

*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:* Erica A. Lee, [ealee@crs.loc.gov](mailto:ealee@crs.loc.gov), 202-707-3829

### ***FEMA Hazard Mitigation Grant Program***

The Hazard Mitigation Grant Program (HMGP) provides grants to states for implementing mitigation measures after a disaster and provides funding for previously identified mitigation measures to reduce 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: (1) 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; (2) 10% for assistance that ranges between \$2 billion to \$10 billion; and (3) 7.5% for a major disaster that involves Stafford Act assistance between \$10 billion to \$35.3 billion.<sup>47</sup> States with an approved Enhanced State Mitigation Plan in effect before a disaster are eligible for HMGP funding of 20% of the estimated total amount of disaster assistance awarded by FEMA for that disaster.<sup>48</sup>

Funding for HMGP comes through discretionary appropriations to the Disaster Relief Fund. HMGP funding is only awarded with a major disaster declaration, not an emergency declaration.

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<sup>45</sup> Private nonprofit organizations (PNPs) not providing a “critical” service as defined by the Stafford Act must first apply to the Small Business Administration (SBA) for loan assistance for facility projects. Section 406(a)(3)(A) of the Stafford Act, 42 U.S.C. §5172(a)(3)(A).

<sup>46</sup> 44 C.F.R. §206.47.

<sup>47</sup> Section 404(a) of the Stafford Act, 42 U.S.C. §5170c(a).

<sup>48</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 July 20, 2021, see FEMA’s website at <https://www.fema.gov/hazard-mitigation-plan-status>.

However, with the passage of the Disaster Recovery Reform Act of 2018 (DRRA),<sup>49</sup> HMGP funding can also be triggered by a Fire Management Assistance Grant (FMAG).<sup>50</sup>

States can use HMGP funds for any eligible activity for any type of hazard and are not limited to the hazard or area for which the grant was awarded. For example, funding allocated for flooding in one county could be used for wildfire mitigation in a different county, as long as the activity is eligible. The decision is made by the state where the funding can best be used, and decisions about allocating HMGP funds to subapplicants are made by the state.<sup>51</sup>

HMGP funding was made available to all states, territories, and tribes that received a major disaster declaration for the COVID-19 pandemic for 4% of eligible relief costs.<sup>52</sup> The use of this funding is not restricted to pandemic-related mitigation. Four percent is a lower percentage than is usually awarded for HMPG, but the total funding of \$3.46 billion represents the largest amount of HMGP funding in a single fiscal year.

For more information on FEMA's HMGP, see CRS Report R46989, *FEMA Hazard Mitigation: A First Step Toward Climate Adaptation*, by Diane P. Horn.

*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:* <https://www.fema.gov/grants/mitigation/hazard-mitigation>

*CFDA Program Number:* 97.039

*CRS Contact:* Diane P. Horn, [dhorn@crs.loc.gov](mailto:dhorn@crs.loc.gov), 202-707-3472

### ***Building Resilient Infrastructure and Communities (BRIC)***

FEMA's pre-disaster mitigation funding provides grants and technical assistance to states, territories, and local communities for cost-effective hazard mitigation activities that complement a comprehensive hazard mitigation program. They must be designed to reduce injuries, loss of life, and damage and destruction of property.

Funding for pre-disaster mitigation changed significantly with the passage of the Disaster Recovery Reform Act of 2018.<sup>53</sup> DRRA authorized a new source of funding for pre-disaster mitigation called 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 total amount of post-disaster grants in the following sections of the Stafford Act:

- 403 (essential assistance);

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<sup>49</sup> Division D of P.L. 115-254. For further information on selected statutory provisions of the 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>50</sup> Section 420(d) of the Stafford Act, 42 U.S.C. §5187(d).

<sup>51</sup> State agencies and federally recognized tribes applying for HMGP funding must have a FEMA-approved State or Tribal Mitigation Plan at the time of the presidential major disaster declaration and at the time the HMGP funding is obligated. All subapplicants for HMGP must have a FEMA-approved Local or Tribal Mitigation Plan at the time of obligation of grant funds.

<sup>52</sup> FEMA, *COVID-19 Disaster Declarations*, August 20, 2021, <https://www.fema.gov/disaster/coronavirus/disaster-declarations>.

<sup>53</sup> Section 203(i) of the Stafford Act, 42 U.S.C. §5133(i). For further information on selected statutory provisions of the 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.

- 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).

FEMA expected this fund would receive \$300 million-\$500 million per year on average, based on historical disaster expenditures.<sup>54</sup> The disaster assistance associated with the COVID-19 major disaster declarations,<sup>55</sup> however, has resulted in additional funding for pre-disaster mitigation. As of April 30, 2023, \$4.5 billion was set aside in the DRF for pre-disaster mitigation.<sup>56</sup> The IIJA appropriated \$1 billion for BRIC, with \$200 million for each of FY2022 to FY2026. This funding is in addition to the 6% set-aside.

FEMA introduced a new program, the Building Resilient Infrastructure and Communities (BRIC) Grant Program,<sup>57</sup> in FY2020 to replace the Pre-Disaster Mitigation Grant Program. Any state that has had a major disaster declaration under the Stafford Act during the seven years before the application start date is eligible to apply. All states, territories, and recognized tribal governments are eligible at least through FY2026 due to the COVID-19 pandemic disaster declarations. Federal funds for BRIC 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>58</sup>

\$500 million was available for BRIC in FY2020, \$1 billion in FY2021, and \$2.295 billion in FY2022. Funding was available in three categories: (1) state/territory allocation; (2) tribal set-aside; and (3) national competition. Each state, territory, and tribe is eligible for a set amount (\$500,000 in FY2020, \$1 million in FY2021, and \$2 million in FY2022) in categories (1) or (2) if they submitted an application for eligible activities. Applicants were able to submit an unlimited number of mitigation project applications in category (3), each valued at up to \$50 million, in all three years.

For additional information on FEMA's BRIC program, see CRS Insight IN11515, *FEMA Pre-Disaster Mitigation: The Building Resilient Infrastructure and Communities (BRIC) Program*, by Diane P. Horn.

*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:* <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities>

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<sup>54</sup> U.S. Congress, House Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, *Disaster Preparedness: DRR Implementation and FEMA Readiness*, Serial No. 116-17 (House Hearing), 116<sup>th</sup> Cong., 1<sup>st</sup> sess., May 22, 2019, p. 90, <https://www.congress.gov/116/chrg/CHRG-116hhrg40590/CHRG-116hhrg40590.pdf>.

<sup>55</sup> FEMA, *COVID-19 Disaster Declarations*, <https://www.fema.gov/disasters/coronavirus/disaster-declarations>.

<sup>56</sup> FEMA, *Disaster Relief Fund: Monthly Report as of April 30, 2023*, Fiscal Year 2023 Report to Congress, Washington, DC, May 5, 2023, p. 16, [https://www.fema.gov/sites/default/files/documents/fema\\_disaster-relief-fund-report\\_052023.pdf](https://www.fema.gov/sites/default/files/documents/fema_disaster-relief-fund-report_052023.pdf).

<sup>57</sup> FEMA, *Building Resilient Infrastructure and Communities (BRIC)*, <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities>.

<sup>58</sup> Section 203(h) of the Stafford Act, 42 U.S.C. §5133(h).



CFDA Program Number: 97.047

CRS Contact: Diane P. Horn, dhorn@crs.loc.gov, 202-707-3472

### ***Safeguarding Tomorrow Revolving Loan Fund Program (STRLF)***

A new source of hazard mitigation funding became available in FY2022 through the Safeguarding Tomorrow through Ongoing Risk Mitigation Act, or the STORM Act (P.L. 116-284).<sup>59</sup> This law amended the Stafford Act by authorizing FEMA to enter into agreements with eligible entities to establish hazard mitigation revolving loan funds.<sup>60</sup> Funds made available through the STORM Act may be used to assist homeowners, businesses, certain nonprofit organizations, and communities to reduce risk in order to decrease the loss of life and property, the cost of flood insurance, and federal disaster payments. In addition to funding mitigation activities, STRLF loans can be used for the nonfederal cost share for other HMA programs.

Eligible entities include states and territories, and federally recognized tribes, which received a major disaster declaration between January 1, 2016 and January 1, 2021, with 15 tribes eligible for STRLF funding.<sup>61</sup> All participating entities are required to provide matching funds from nonfederal sources in an amount equal to 10% of the amount that they receive for the revolving fund. Rather than acting as pass-through entities as in other HMA programs, the STRLF empowers entities to make funding decisions and award loans directly.<sup>62</sup>

The STORM Act authorized the appropriation of \$100 million annually for FY2022 and FY2023 to make grants to capitalize new revolving funds to be administered by states or insular areas. The IJA appropriated \$500 million for the revolving loan program, with \$100 million for each of FY2022 through FY2026. FEMA made \$50 million available in FY2023 and anticipates making available no less than \$5.1 million per capitalization grant application selected for funding in this first funding opportunity.<sup>63</sup>

For more information on the STRLF Program, see CRS Report R46989, *FEMA Hazard Mitigation: A First Step Toward Climate Adaptation*, by Diane P. Horn

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5135

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

*Website:* <https://www.fema.gov/grants/mitigation/storm-rlf>

*CFDA Program Number:* 97.139

*CRS Contact:* Diane P. Horn, dhorn@crs.loc.gov, 202-707-3472

### ***FEMA 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. A government may apply from the end of the incident period, as determined by FEMA, through the end of the following fiscal year. 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

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<sup>59</sup> P.L. 116-284.

<sup>60</sup> 42 U.S.C. §5135.

<sup>61</sup> FEMA, *Eligibility for the Safeguarding Tomorrow Revolving Loan Fund Program*, February 3, 2023, <https://www.fema.gov/grants/mitigation/storm-rlf/eligibility>.

<sup>62</sup> FEMA, *Safeguarding Tomorrow Revolving Loan Fund Program*, January 30, 2023, <https://www.fema.gov/grants/mitigation/storm-rlf>.

<sup>63</sup> *Ibid.*

local government lost 75% or more of its annual operating budget. A loan may not exceed \$5 million,<sup>64</sup> and there is no matching requirement.

The statute does not impose time limitations on the assistance, but the normal term of a CDL is 5 years, extendable to 10 years. The statute provides that the repayment requirement is partially or fully cancelled if local government revenues are not sufficient to meet operational expenses during a three-fiscal-year period after a disaster.<sup>65</sup> The governor's authorized representative must approve the application and funds must be available in the Disaster Assistance Direct Loan Program (DADLP) account.<sup>66</sup>

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>67</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 cancellation, among other program elements. As a result, this CDL-type program operates differently from the traditional program.<sup>68</sup> Congress forgave all outstanding CDLs as of September 30, 2021, including those from 2017, in P.L. 117-43.

For additional information on CDLs, see CRS In Focus IF11600, *FEMA's Community Disaster Loan (CDL) Program: A Primer*, by Adam G. Levin.

*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:* Adam G. Levin, [aglevin@crs.loc.gov](mailto:aglevin@crs.loc.gov), 202-707-7109

### ***FEMA Fire Management Assistance Grant (FMAG) Program***

This program provides grants to state and local governments to aid states and their communities with the mitigation, management, and control of fires actively burning on publicly or privately owned forests or grasslands. The federal government provides 75% of the costs associated with fire management projects,<sup>69</sup> but funding is limited to calculations of the “fire cost threshold” for each state.<sup>70</sup> No time limitation is applied to the program. For more information, see CRS Report R43738, *Fire Management Assistance Grants: Frequently Asked Questions*, by Diane P. Horn, Katie Hoover, and Bruce R. Lindsay.

*Agency:* Federal Emergency Management Agency

*Authority:* 42 U.S.C. §5187

*Regulation:* 44 C.F.R. §§204.1–204.64

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<sup>64</sup> Section 417(b) of the Stafford Act, 42 U.S.C. §5184(b).

<sup>65</sup> Section 417(c) of the Stafford Act, 42 U.S.C. §5184(c).

<sup>66</sup> 44 C.F.R. §206.364(a).

<sup>67</sup> 131 Stat. 1225.

<sup>68</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>69</sup> 44 C.F.R. §204.61.

<sup>70</sup> 44 C.F.R. §204.51.

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

*Website:* <https://www.fema.gov/assistance/public/fire-management-assistance>

*CFDA Program Number:* 97.046

*CRS Contact:* Diane P. Horn, [dhorn@crs.loc.gov](mailto:dhorn@crs.loc.gov), 202-707-3472

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

Congress created the Oil Spill Liability Trust Fund (OSLTF) in 1986.<sup>71</sup> 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>72</sup> Potential damages include injury or loss of property and loss of profits or earning capacity. 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 frameworks, and amended the existing Clean Water Act oil spill response authorities. In addition, OPA transferred monies into the OSLTF from existing liability funds. Subsequent laws authorized the OSLTF taxing authority, appropriations from the fund, and eligible uses for the fund. Historically, the OSLTF has been financed primarily by a per-barrel excise tax on domestic crude oil and imported petroleum products.

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>73</sup> The Coast Guard created the National Pollution Funds Center (NPFC) to manage the trust fund in 1991. The NPFC evaluates claims to the OSLTF.

For more information on OSLTF, see CRS Report RL33705, *Oil Spills: Background and Governance*, by Jonathan L. Ramseur.

*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:* Coast Guard National Pollution Funds Center, 202-795-6003

*Website:* <https://www.uscg.mil/Mariners/National-Pollution-Funds-Center/>

*CRS Contact:* Jonathan L. Ramseur, [jramseur@crs.loc.gov](mailto:jramseur@crs.loc.gov), 202-707-7919

### ***Community Development Block Grants for Disaster Recovery (CDBG-DR)***

In response to some major disasters and emergencies, Congress has provided supplemental funding for long-term disaster recovery under the conventional Community Development Block Grant (CDBG) program's statutory authority—commonly referred to as CDBG-DR.<sup>74</sup> Eligible CDBG-DR grantees may include states, localities, insular areas, and tribes.<sup>75</sup> The Department of Housing and Urban Development (HUD) allocates funds to grantees based on congressional direction in supplemental appropriations acts and a calculation of unmet needs from other sources

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<sup>71</sup> Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509).

<sup>72</sup> For more information, see CRS Report RL33705, *Oil Spills: Background and Governance*, by Jonathan L. Ramseur.

<sup>73</sup> 33 C.F.R. §136.

<sup>74</sup> 42 U.S.C. §5301.

<sup>75</sup> HUD, *Community Development Block Grant Disaster Recovery Grant Funds*, [https://www.hud.gov/program\\_offices/comm\\_planning/cdbg-dr](https://www.hud.gov/program_offices/comm_planning/cdbg-dr); HUD, *CDBG and CDBG-DR: A Comparison*, <https://files.hudexchange.info/resources/documents/CDBG-and-CDBG-DR-Comparison.pdf>.

of federal disaster assistance.<sup>76</sup> Typically, CDBG-DR funds are directed to the most impacted and distressed areas with federal emergency or disaster declarations under the Stafford Act.<sup>77</sup>

CDBG-DR funds are subject to the conventional CDBG program's statutory and regulatory requirements,<sup>78</sup> with any disaster-specific requirements or waivers established by HUD through *Federal Register* notices.<sup>79</sup> Grantees may use CDBG-DR funds for long-term disaster recovery activities related to housing, infrastructure, and economic revitalization, primarily for the benefit of low- and moderate-income residents.<sup>80</sup> Additionally, the conventional CDBG program statute allows grantees to use program funds to satisfy nonfederal cost share requirements of other forms of federal disaster assistance, in some cases.<sup>81</sup>

*Agency:* Department of Housing and Urban Development

*Authority:* 42 U.S.C. §5301 et seq.

*Regulation:* 24 C.F.R. §570 and associated *Federal Register* notices

*Contact:* Office of Congressional and Intergovernmental Relations, 202-708-0005

*Website:* [https://www.hud.gov/program\\_offices/comm\\_planning/cdbg-dr](https://www.hud.gov/program_offices/comm_planning/cdbg-dr)

*CFDA Program Numbers:* 14.218, 14.228

*CRS Contact:* Joseph V. Jaroscak, [jjaroscak@crs.loc.gov](mailto:jjaroscak@crs.loc.gov), 202-707-2988

### ***Community Development Block Grants for Mitigation (CDBG-MIT)***

Some supplemental disaster appropriations have also included CDBG funds for activities related to mitigation against future disaster effects and risk—commonly referred to as CDBG-MIT.<sup>82</sup> Like CDBG-DR, CDBG-MIT funds are subject to the conventional CDBG program's statutory and regulatory requirements,<sup>83</sup> with alternative requirements and waivers enumerated in *Federal Register* notices.

*Agency:* Department of Housing and Urban Development

*Authority:* 42 U.S.C. §5301 et seq.

*Regulation:* 24 C.F.R. §570 and associated *Federal Register* notices

*Contact:* Office of Congressional and Intergovernmental Relations, 202-708-0005

*Website:* [https://www.hud.gov/program\\_offices/comm\\_planning/cdbg-dr/cdbg-mit](https://www.hud.gov/program_offices/comm_planning/cdbg-dr/cdbg-mit)

*CFDA Program Numbers:* 14.218, 14.228

*CRS Contact:* Joseph V. Jaroscak, [jjaroscak@crs.loc.gov](mailto:jjaroscak@crs.loc.gov), 202-707-2988

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<sup>76</sup> For an example of the CDBG-DR allocation methodology, see HUD, “Allocations for Community Development Block Grant Disaster Recovery and Implementation of CDBG-DR Consolidated Waivers and Alternative Requirements Notice,” 88 *Federal Register* 3210, January 18, 2023.

<sup>77</sup> Please note CDBG-DR funding allocations are based on availability of funding, as well as HUD assessments of disaster impact and needs unmet by other forms of federal assistance.

<sup>78</sup> 42 U.S.C. §5301 et seq. and 24 C.F.R. §570 et seq.

<sup>79</sup> For a recent example, see U.S. Department of Housing and Urban Development (HUD), “Allocations for Community Development Block Grant Disaster Recovery and Implementation of the CDBG-DR Consolidated Waivers and Alternative Requirements Notice,” 87 *Federal Register* 31636-31667, May 24, 2022.

<sup>80</sup> HUD, *Fact Sheet: Community Development Block Grant Disaster Recovery (CDBG-DR)*, <https://files.hudexchange.info/resources/documents/CDBG-DR-Fact-Sheet.pdf>.

<sup>81</sup> 42 U.S.C. §5305(a)(9).

<sup>82</sup> HUD, *CDBG-MIT Overview*, <https://www.hudexchange.info/programs/cdbg-mit/overview/>.

<sup>83</sup> 42 U.S.C. §5301 et seq. and 24 C.F.R. §570 et seq.

## Assistance for Small Businesses and Nonprofit Organizations

In addition to some of the above-listed grant programs that may assist eligible private nonprofit organizations (e.g., FEMA PA), the following federal programs may assist nonprofit organizations, as well as small businesses, with disaster recovery.

### *SBA Economic Injury Disaster Loans*

The SBA provides Economic Injury Disaster Loans (EIDL) to small businesses and nonprofit organizations suffering economic injury as a result of a disaster. Businesses and nonprofit organizations must be located in disaster areas declared by the President under the Stafford Act, the Small Business Administrator, the Secretary of Commerce, or the Secretary of Agriculture. The maximum loan amount is \$2 million. Loan terms may extend for up to 30 years.<sup>84</sup> The application period is announced at the time of the disaster declaration. For more information, see CRS Report R44412, *SBA Disaster Loan Program: Frequently Asked Questions*, by Bruce R. Lindsay.

For information on EIDL for COVID-19, see CRS Report R46284, *COVID-19 Relief Assistance to Small Businesses: Issues and Policy Options*, by Bruce R. Lindsay, Adam G. Levin, and R. Corinne Blackford.

*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://disasterloanassistance.sba.gov/ela/s/>

*CFDA Program Number:* 59.008

*CRS Contact:* Bruce R. Lindsay, [blindsay@crs.loc.gov](mailto:blindsay@crs.loc.gov), 202-707-3752

### *SBA Physical Disaster Loans*

The SBA provides physical disaster loans to businesses and nonprofits in federally declared disaster areas for uninsured or underinsured physical damage and losses. The application period is announced at the time of the disaster declaration. The maximum loan amount is \$2 million.<sup>85</sup> Loan terms may extend for up to 30 years. For more information, see CRS Report R44412, *SBA Disaster Loan Program: Frequently Asked Questions*, 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, [blindsay@crs.loc.gov](mailto:blindsay@crs.loc.gov), 202-707-3752

### *USDA 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

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<sup>84</sup> 13 C.F.R. §123 Subpart D.

<sup>85</sup> 13 C.F.R. §123.202.

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 may 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, mstubbs@crs.loc.gov, 202-707-8707

## Federal Disaster Assistance Programs At-A-Glance

**Table 1** provides a matrix of the programs previously described that may assist congressional staff in locating relevant federal disaster assistance programs.

**Table 1. At-a-Glance: Federal Disaster Response and Recovery Programs**

<b>Agency</b>	<b>Type of Assistance</b>	<b>What the Assistance Provides</b>	<b>Purpose of Assistance (response, recovery, or resilience)</b>	<b>Who is eligible?</b>	<b>Requirements to Authorize Assistance</b>
FEMA	Individual Assistance (IA)	Grants of financial assistance and direct aid to support the recovery of individuals/households, including for Housing Assistance and Other Needs Assistance (ONA) through the <b>Individuals and Households Program (IHP)</b> .	Recovery	Individuals and households who meet the IHP eligibility criteria	Emergency Declaration or Major Disaster Declaration

Agency	Type of Assistance	What the Assistance Provides	Purpose of Assistance (response, recovery, or resilience)	Who is eligible?	Requirements to Authorize Assistance
FEMA	Individual Assistance (IA)	Grants to enable state/local/tribal/territorial government agencies to provide <b>Crisis Counseling</b> services or contract with local mental health service providers to provide services.	Recovery	Any disaster survivor affected by the emergency or major disaster	Emergency Declaration or Major Disaster Declaration
FEMA	Individual Assistance (IA)	Funding for <b>Disaster Unemployment Assistance</b> payments provided by the state/territory unemployment insurance agency.	Recovery	Individuals who were previously employed or self-employed and rendered jobless as a direct result of the major disaster, and are ineligible for regular federal or state unemployment compensation	Major Disaster Declaration
FEMA	Individual Assistance (IA)	FEMA may provide <b>Disaster Case Management</b> services, or grants to enable state/local/tribal/territorial government agencies or qualified private organizations to provide such services.	Recovery	Any disaster survivor affected by the major disaster	Major Disaster Declaration
FEMA	Individual Assistance (IA)	The Young Lawyers Division of the American Bar Association provides <b>Disaster Legal Services</b> through an agreement with FEMA.	Recovery	Low-income disaster survivors affected by the major disaster who lack the means to hire an attorney	Major Disaster Declaration

Agency	Type of Assistance	What the Assistance Provides	Purpose of Assistance (response, recovery, or resilience)	Who is eligible?	Requirements to Authorize Assistance
SBA	SBA Disaster Loan Program	<b>Real Property Disaster Loans</b> and <b>Personal Property Disaster Loans</b> for individuals and households. <b>Business Physical Disaster Loans</b> and <b>EIDLs</b> for businesses and nonprofit organizations.	Response and Recovery	Individuals and households / Businesses and nonprofit organizations	Major Disaster Declaration designating IA and PA authorizes all forms of SBA Disaster Loans to all eligible entities. Major Disaster Declaration designating only PA authorizes only Business Physical Disaster Loans and EIDLs only for nonprofit organizations. SBA Administrator may also issue a declaration for specific types of SBA Disaster Loans.
FEMA	<b>National Flood Insurance Program (NFIP)</b>	Payment of flood insurance claims to program participant policyholders.	Recovery and resilience	Individuals, households, and businesses (policyholders)	Does not require a Stafford Act declaration.
FEMA	<b>Public Assistance (PA)</b>	Grants and direct aid to SLTT governments and private nonprofit organizations for emergency protective measures and debris removal operations (Emergency Work), and the repair or replacement of eligible public and nonprofit facilities (Permanent Work).	Response, recovery, and resilience	State, local, tribal, and territorial governments (SLTT) and certain nonprofits	Emergency Declaration may authorize Emergency Work. Major Disaster Declaration may authorize Emergency Work and Permanent Work.
FEMA	<b>Community Disaster Loans (CDL)</b>	Provides loans to local governments that have suffered substantial loss of tax and other revenue in areas included in a major disaster declaration.	Response and recovery	Local government	Major Disaster Declaration may authorize CDL.



Agency	Type of Assistance	What the Assistance Provides	Purpose of Assistance (response, recovery, or resilience)	Who is eligible?	Requirements to Authorize Assistance
FEMA	<b>Fire Management Assistance Grant (FMAG) Program</b>	Grants to aid states and their communities with the mitigation, management, and control of fires actively burning on publicly or privately owned forests or grasslands.	Response	State, local, and tribal governments	U.S. President or FEMA’s Regional Administrators may authorize FMAG.
FEMA	Hazard Mitigation Assistance (HMA)	Grants to support mitigation and resiliency projects and programs through four HMA programs: (1) <b>Hazard Mitigation Grant Program (HMGP)</b> ; (2) <b>Flood Mitigation Assistance (FMA)</b> ; (3) <b>Building Resilient Infrastructure and Communities (BRIC)</b> ; and (4) <b>Safeguarding Tomorrow Revolving Loan Fund Program (STRLF)</b> .	Resilience	State, local, and tribal governments. HMGP is also available to certain nonprofit organizations.	Major Disaster Declaration may authorize HMGP. FMA and BRIC are competitive grant application processes and do not require a Stafford Act declaration. STRLF requires a Major Disaster Declaration between January 1, 2016 and January 1, 2021, for tribes only, with 15 tribes eligible for STRLF funding.
U.S. Coast Guard (administered by the National Pollution Funds Center)	<b>Oil Spill Liability Trust Fund (OSLTF)</b>	Funds oil spill response activities; compensates individuals, businesses, and governments for applicable response costs, economic damages, and natural resource damages resulting from an oil spill.	Response	Individuals, businesses, and governments	The Internal Revenue Code (26 U.S.C. §9509) authorizes specific expenditures from the OSLTF, including the uses identified in Section 1012 of the Oil Pollution Act (33 U.S.C §2712).
USDA, Farm Service Agency	<b>Emergency Loans for Farms</b>	Assistance for eligible farmers, ranchers, and aquaculture producers to recover from production losses or from physical losses.	Recovery	Individuals and businesses	Federal disaster declaration by either the President or the Secretary of Agriculture.

Agency	Type of Assistance	What the Assistance Provides	Purpose of Assistance (response, recovery, or resilience)	Who is eligible?	Requirements to Authorize Assistance
IRS	<b>Tax Relief</b>	Allows additional time to replace homes due to involuntary conversion and still defer any gain. Taxpayers may also be able to deduct personal casualty losses attributable to federally declared disasters. Tax filing deadlines are automatically postponed for 60 days following disaster declarations, and the IRS may further postpone tax filing deadlines. Other tax benefits may also be available.	Response	Individuals and businesses	Federal disaster declaration may authorize tax relief.
Department of Labor, Employment and Training Administration	Dislocated Worker Activities	The <b>Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker Employment and Training Activities (DW)</b> program helps fund training and related assistance to individuals who have lost their jobs and are unlikely to return to their current jobs or industries due to a specific incident, such as a mass layoff. One type of national emergency grant is <b>Disaster Relief Employment Assistance</b> under which funds can be made available to states to employ dislocated workers in temporary jobs involving recovery after an emergency or disaster.	Response	States and local entities	Presidential emergency declaration, major disaster declaration under the Stafford Act, or other emergency or disaster situation of national significance that could result in a potentially large loss of employment.

Agency	Type of Assistance	What the Assistance Provides	Purpose of Assistance (response, recovery, or resilience)	Who is eligible?	Requirements to Authorize Assistance
HUD	<b>Community Development Block Grants for Disaster Recovery (CDBG-DR)</b>	Flexible grant funding to address unmet needs for long-term recovery related to housing, infrastructure, economic revitalization, and related activities.	Recovery	States, localities, insular areas, and tribes	Supplemental Appropriation by Congress
HUD	<b>Community Development Block Grants for Mitigation (CDBG-MIT)</b>	Grant funding for disaster affected communities to mitigate against future disasters.	Resilience	States, localities, insular areas, and tribes	Supplemental Appropriation by Congress

**Notes:** The “Purpose of Assistance” column indicates the overarching function of each assistance program, either response, recovery, and/or resilience.

**Response** is defined by FEMA as “including those capabilities necessary to save lives, protect property and the environment, and meet basic human needs after an incident has occurred. It is focused on ensuring that the Nation is able to effectively respond to any threat or hazard, including those with cascading effects. Response emphasizes saving and sustaining lives, stabilizing the incident, rapidly meeting basic human needs, restoring basic services and technologies, restoring community functionality, providing universal accessibility, establishing a safe and secure environment, and supporting the transition to recovery.” See FEMA’s National Preparedness Goal, Second Edition, September 2015, at <https://www.fema.gov/emergency-managers/national-preparedness/goal>.

**Recovery** is defined by FEMA as “capabilities necessary to assist communities affected by an incident to recover effectively. Support for recovery ensures a continuum of care for individuals to maintain and restore health, safety, independence and livelihoods, especially those who experience financial, emotional, and physical hardships. Successful recovery ensures that we emerge from any threat or hazard stronger and positioned to meet the needs of the future. Recovery capabilities support well-coordinated, transparent, and timely restoration, strengthening, and revitalization of infrastructure and housing; an economic base; health and social systems; and a revitalized cultural, historic, and environmental fabric.” See FEMA’s National Preparedness Goal, Second Edition, September 2015, at <https://www.fema.gov/emergency-managers/national-preparedness/goal>.

**Resilience** is defined by FEMA as: “the ability to prepare for threats and hazards, adapt to changing conditions, and withstand and recover rapidly from disruptions.” FEMA is also undertaking a project to create national guidance and resources to “promote a common understanding of resilience, incorporate the relationship between stressors and shocks, address the critical roles of all stakeholders, and inspire fresh, forward-looking and people-centered planning approaches—going beyond “business as usual”—to move the needle on increasing community and national Resilience.” See FEMA’s 2023 publication, National Resilience Guidance: Background and Key Concepts, at [https://www.fema.gov/sites/default/files/documents/fema\\_national-resilience-guidance-project-background\\_2023.pdf](https://www.fema.gov/sites/default/files/documents/fema_national-resilience-guidance-project-background_2023.pdf). For more background on federal efforts facilitating disaster resilience, see the U.S. Government Accountability Office report, Disaster Resilience Framework: Principles for Analyzing Federal Efforts to Facilitate and Promote Resilience to Natural Disasters (2019), at <https://www.gao.gov/products/gao-20-100sp>.

### Other

In addition to programs described above, other general assistance programs may be useful to communities experiencing disasters. For example, individuals who lose income, employment, or health insurance may become eligible for programs that are not specifically intended as disaster relief but may address emergent needs, 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 may have the discretion to use funds from 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, federal disaster assistance is primarily provided by the Small Business Administration.

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, such as the conventional CDBG program. Also, Congress may choose to provide additional funds through emergency supplemental appropriations for certain general assistance programs, specifically for use after a disaster.<sup>86</sup>

## Other Sources of Information

### CRS Products

<http://www.crs.gov>

CRS.gov includes a variety of Reports, Insights, and other products related to disaster assistance, response, and recovery. The “Federal Disasters & Assistance” issue area includes some of the most recent products related to disaster assistance.<sup>87</sup>

### Federal Agency Websites

Note: Because not all agencies have complete, up-to-date information available on the internet—particularly 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/>

An A-Z index of U.S. government departments and agencies is available at the website above. 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.

#### FEMA Website

<http://www.fema.gov>

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

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<sup>86</sup> Additional information on disaster supplemental appropriations can be found in CRS Report R45484, *The Disaster Relief Fund: Overview and Issues*, by William L. Painter.

<sup>87</sup> The issue area can also be found by searching [crs.gov](http://crs.gov) for “Federal Disasters & Assistance,” or at [crs.gov](http://crs.gov), go to the “issue area” tab, select “homeland security and emergency management,” and then expand all sub-issues to locate reports on “Federal Disasters & Assistance.”

**Disaster Assistance.gov**

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

DisasterAssistance.gov provides information on obtaining help 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.

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