How FEMA Individual Assistance Works

FEMA's Individual Assistance (IA) program provides financial and direct assistance to affected individuals and households when authorized pursuant to a presidential 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).

WHAT IS INDIVIDUAL ASSISTANCE (IA)?

- Individuals and Households Program → Individuals and Households receive financial/direct assistance for housing and financial assistance for other needs (ONA*)
- Disaster Case Management
- Crisis Counseling Assistance & Training Program → SLTT* government agencies and NGOs* provide services to disaster survivors
- Disaster Unemployment Assistance
- Disaster Legal Services → Young Lawyers Division of the ABA* provides legal aid to disaster survivors

HOW IS IA FUNDED?

Disaster Relief Fund (DRF) Appropriations
The source of funding for Stafford Act assistance.

Federal cost share = **100%** for most IA

The federal government provides **75%** of the eligible costs for IHP-ONA*

HOW IS IA AUTHORIZED AND WHAT FACTORS ARE CONSIDERED?

Incident → Local Assessment → Joint PDA* → PDA* Findings → Governor or Chief Executive submits Declaration Request → FEMA makes Recommendation to the President → President issues declaration or denies the request → Declaration designates eligible counties and categories of work → Appeal **

There is no automatic threshold for authorizing a request for IA.
FEMA evaluates different factors for the states/territories and tribes, as well as other relevant information:

State/Territorial Governor's Request for IA

- State fiscal capacity and resources availability ***
- Uninsured home and personal property losses ***
- Disaster-impacted population profile
- Impact to community infrastructure
- Casualties
- Disaster-related unemployment

Tribal Chief Executive's Request for IA

- Tribal government resources
- Voluntary agency and other assistance
- Availability of housing resources
- Uninsured home and personal property losses
- Disaster-impacted population profile
- Impact to community infrastructure
- Casualties
- The unique conditions that may affect tribal governments

HOW DO IA APPLICANTS RECEIVE FUNDING?

SLTTs*/NGOs* (provide assistance to disaster survivors)

Meet eligibility criteria → Complete needs assessment → Complete grant application → FEMA provides written approval/ denial and justification → FEMA provides Notice of Award (NOA) → Complete conditions of award per NOA time frame → Complete federal grant closeout

Individuals/ Households (IHP*)

Meet eligibility criteria → Submit application (online, phone, or DRC*) → FEMA verifies disaster-caused losses → FEMA provides Eligibility Letter and funds (check or direct deposit) → Applicant uses assistance to support their disaster recovery

HOW DOES FEMA RECOUP IHP FUNDING?

FEMA seeks to recoup IHP* funding from individuals when the assistance was provided in error.

FEMA Provides Notice of Potential Debt to Individual

Individual Requests Appeal
- Written appeal
- Request oral hearing

No Appeal Requested
- Potential debt becomes final

FEMA Makes Determination Regarding Debt Validity

Recoupment Ceases
- Debt is invalid

Recoupment Proceeds
- Debt is valid
- Appeal partially granted
- FEMA identifies increased amount or different recoupment reason

Individual Pays Debt

Payment Options
- Pay in full
- Request payment plan
- Request full/partial debt compromise

or

Individual Requests Debt Waiver
- Debt was the result of FEMA error and
- Applicant must show:
  (1) They were not at fault
  (2) Collection would be against "equity and good conscience"

* **Abbreviations - ABA:** American Bar Association; **DRC:** Disaster Recovery Center; **IHP:** Individuals and Households Program; **NGOs:** Nongovernmental Organizations; **ONA:** Other Needs Assistance (i.e., IHP assistance for "other needs"); **PDA:** Preliminary Damage Assessment; **SLTT:** State, Local, Tribal, and Territorial.
** Appeal Note: The state/territory/tribe may appeal the decision regarding the declaration, eligible counties, or categories of work.
*** Indicates principal factor for determining the need for the IHP.

Sources: CRS's interpretation of Stafford Act Sections 408, 426, 416, 410, and 415 (42 U.S.C. §§5174, 5189d, 5183, 5177, and 5182); 44 C.F.R. Part 206, Subparts B, D, and F; 44 C.F.R. §206.48(b); FEMA's *Individual Assistance Program and Policy Guide* (IAPPG), v.1.1, FP 104-009-03, May 2021; and FEMA's "Instruction 116-1-2: Individuals and Households Program Recoupment," v. 2.0, May 2019.

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