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Federal Disaster Assistance After Hurricanes Katrina, Rita, Wilma, Gustav, and Ike

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Summary

This report provides information on federal financial assistance provided to the Gulf States after major disasters were declared in Alabama, Florida, Louisiana, Mississippi, and Texas in response to the widespread destruction that resulted from Hurricanes Katrina, Rita, and Wilma in 2005 and Hurricanes Gustav and Ike in 2008.

Though the storms happened over a decade ago, Congress has remained interested in the types and amounts of federal assistance that were provided to the Gulf Coast for several reasons. This includes how the money has been spent, what resources have been provided to the region, and whether the money has reached the intended people and entities. The financial information is also useful for congressional oversight of the federal programs provided in response to the storms. It gives Congress a general idea of the federal assets that are needed and can be brought to bear when catastrophic disasters take place in the United States. Finally, the financial information from the storms can help frame the congressional debate concerning federal assistance for current and future disasters.

The financial information for the 2005 and 2008 Gulf Coast storms is provided in two sections of this report:

1. **Table 1** of **Section I** summarizes disaster assistance supplemental appropriations enacted into public law primarily for the needs associated with the five hurricanes, with the information categorized by federal department and agency; and
2. **Section II** contains information on the federal assistance provided to the five Gulf Coast states through the most significant federal programs, or categories of programs.

The financial findings in this report include:

- Congress has appropriated roughly $121.7 billion in hurricane relief for the 2005 and 2008 hurricanes in 10 supplemental appropriations statutes.
- The appropriated funds have been distributed among 11 departments, 3 independent agencies/entities, numerous sub-entities, and the federal judiciary.
- Congress appropriated almost half of the funds ($53.8 billion, or 44% of the total) to the Department of Homeland Security, most of which went to the Disaster Relief Fund (DRF) administered by the Federal Emergency Management Agency (FEMA).
- Congress targeted roughly 22% of the total appropriations (almost $27 billion) to the Department of Housing and Urban Development for community development and housing programs.
- Approximately 20% ($25 billion) was appropriated to Department of Defense entities: $15.6 billion for civil construction and engineering activities undertaken by the Army Corps of Engineers and $9.2 billion for military personnel, operations, and construction costs.
- FEMA has reported that roughly $5.9 billion has been obligated from the DRF after Hurricanes Katrina, Rita, and Wilma to save lives and property through mission assignments made to over 50 federal entities and the American Red Cross (see **Table 19**), $160.4 million after Hurricane Gustav through 32 federal entities (see **Table 20**), and $441 million after Hurricane Ike through 30 federal entities (see **Table 21**). In total, federal agencies obligated roughly $6.5 billion for mission assignments after the five hurricanes.

- The Small Business Administration approved almost 177,000 applications in the region for business, home, and economic injury loans, with a total loan value of almost $12 billion (**Table 31** and **Table 32**).
- The Department of Education obligated roughly $1.8 billion to the five states for elementary, secondary, and higher education assistance (**Table 12**).

This report also includes a brief summary of each hurricane and a discussion concerning federal to state cost-shares. Federal assistance to states is triggered when the President issues a major disaster declaration. In general, once declared the federal share for disaster recovery is 75% while the state pays for 25% of recovery costs. However, in some cases the federal share can be adjusted upward when a sufficient amount of damage has occurred, or when altered by Congress (or both). In addition, how much federal assistance is provided to states for major disasters is influenced not only by the declaration, but also by the percentage the federal government pays for the assistance. This report includes a cost-share discussion because some of these incidents received adjusted cost-shares in certain areas.

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Introduction

This report provides a comprehensive summary of the federal financial assistance provided to the Gulf Coast states of Alabama, Florida, Louisiana, Mississippi, and Texas in response to the widespread destruction that resulted from Hurricanes Katrina, Rita, and Wilma in 2005 and Hurricanes Gustav and Ike in 2008.

The damages caused by the hurricanes are some of the worst in the history of the United States in terms of lives lost and property damaged and destroyed. The federal government played a significant role in the response to the hurricanes and Congress appropriated funds for a wide range of activities and efforts to help the Gulf Coast states recover and rebuild from the storms. In addition, Congress appropriated a significant amount of funds for mitigation activities and projects to reduce or eliminate the impacts of future storms.

Though the storms happened over a decade ago, Congress remains interested in the types and amounts of federal assistance that were provided to the Gulf Coast for several reasons. For one, Congress continues to be interested in how the money has been spent, what resources have been provided to the region, and whether the money has reached the people and entities intended to receive the funds. The financial information is also useful for congressional oversight and evaluation of the federal entities that were responsible for response and recovery operations. Similarly, it gives Congress a general idea of the federal assets that are needed and can be brought to bear when catastrophic disasters take place in the United States. As such, the financial information from the storms can help frame the congressional debate concerning federal assistance for current and future disasters.

The financial information provided in this report includes a summary of appropriations provided to the Gulf Coast states by Congress in response to the 2005 and 2008 hurricanes. In addition, when available, hurricane-specific and state-specific funding information is provided by federal entity.

Background[1]

The 2005 hurricane season was a record-breaking season for hurricanes and storms. There were 13 hurricanes in 2005, breaking the old record of 12 hurricanes set in 1969.[2] The 2005 season also set a record for the number of category 5 storms (three) in a season.[3] Most of the damaging effects caused by the hurricanes were experienced in the Gulf Coast states of Louisiana, Arkansas, Florida, Mississippi, and Texas. The 2008 hurricane season was also an active hurricane season that caused additional damage in the Gulf Coast.

Hurricane Katrina

On August 23, 2005, Hurricane Katrina began about 200 miles southeast of Nassau in the Bahamas as a tropical depression. It became a tropical storm the following day. On August 24-25, 2005, the storm moved through the northwestern Bahamas and then turned westward toward southern Florida. Katrina became a hurricane just before making landfall near the Miami-Dade/Broward county line during the evening of August 25, 2005. The hurricane moved

[1] This section was coauthored by Bruce Lindsay, Analyst in American National Government, Government and Finance Division; and Jared Nagel, Information Research Specialist, Government and Finance Division.

[2] "Colorado State U. Review Finds 2005 Hurricane Season 'Most Active,'" *Insurance Journal*, February 5, 2006.

[3] Ibid.

southwestward across southern Florida into the eastern Gulf of Mexico on August 26, 2005. Katrina then strengthened significantly, reaching Category 5 intensity on August 28. On August 29, 2005, Hurricane Katrina made landfall in southern Plaquemines Parish, LA. The storm affected a broad geographic area—stretching from Alabama, across coastal Mississippi, to southeast Louisiana. Hurricane Katrina was reported as a category 4 storm when it initially made landfall in Louisiana, but was later downgraded to a category 3 storm. Even as a category 3 storm, Hurricane Katrina was one of the strongest storms to impact the U.S. Gulf Coast. The force of the storm was significant. The winds to the east of the storm's center were estimated to be nearly 125 mph.[4]

The Gulf Coast has had a history of devastating hurricanes, but Hurricane Katrina was singular in many respects. Approximately 1.2 million people evacuated from the New Orleans metropolitan area.[5] While the evacuation helped to save lives, over 1,800 people died in the storm.[6] In addition, Hurricane Katrina destroyed or made uninhabitable an estimated 300,000 homes[7] and displaced over 400,000 citizens.[8] Economic losses from the storm were estimated to be between $125 billion and $150 billion.[9]

Hurricanes Rita and Wilma

Two other hurricanes made landfall in the Gulf Coast shortly after Hurricane Katrina that added to recovery costs and impeded recovery efforts. On September 24, 2005, Hurricane Rita made landfall on the Texas and Louisiana border as a category 3 storm. Rita also hit parts of Arkansas and Florida. Hurricane Rita caused widespread property damage to the Gulf Coast; however, there were few deaths or injuries reported.[10] Rita produced rainfalls of 5 to 9 inches over large portions of Louisiana, Mississippi, and eastern Texas, with isolated amounts of 10 to 15 inches.[11] In addition, storm surge flooding and wind damage occurred in southwestern Louisiana and southeastern Texas, with some surge damage occurring in the Florida Keys.[12]

On October 24, 2005, Hurricane Wilma made landfall as a Category 3 hurricane in Cape Romano, FL. The eye of Hurricane Wilma crossed the Florida Peninsula and then moved into the Atlantic

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[4] National Oceanic and Atmospheric Administration, "Hurricanes in History." See Katrina, available at http://www.nhc.noaa.gov/outreach/history/#katrina.

[5] U.S. Congress, Senate Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina: A Nation Still Unprepared*, 109th Cong., 2nd sess., S.Rept. 109-322 (Washington: GPO, 2006), p. 42.

[6] See National Oceanic and Atmospheric Administration, National Climate Data Center Billion-Dollar Weather/Climate Disaster website, available at http://www.ncdc.noaa.gov/billions/events.

[7] The White House, *The Federal Response to Hurricane Katrina: Lessons Learned*, February 23, 2006, p. 7, available at http://library.stmarytx.edu/acadlib/edocs/katrinawh.pdf.

[8] Kimberly A. Geaghan, *Forced to Move: An Analysis of Hurricane Katrina Movers*, U.S. Census Bureau, SEHSD Working Paper, Washington DC, June 2011, p. 1, available at https://www.census.gov/content/dam/Census/programs-surveys/ahs/working-papers/HK_Movers-FINAL.pdf.

[9] Kristy Frame, Lynne Montgomery, and Christopher Newbury, *Bank Performance after Natural Disasters: a Historical Perspective*, Federal Deposit Insurance Corporation, January 16, 2006, available at http://www.fdic.gov/bank/analytical/regional/ro20054q/na/2005_winter01.html.

[10] This may have been the result of Texas and Louisiana officials evacuating over 3 million residents before Rita made landfall. See National Oceanic and Atmospheric Administration, "Hurricanes in History" available at http://www.nhc.noaa.gov/outreach/history/#rita.

[11] National Oceanic and Atmospheric Administration, National Hurricane Center, "Hurricanes in History," available at http://www.nhc.noaa.gov/outreach/history.

[12] Ibid.

Ocean north of Palm Beach.[13] Hurricane Wilma killed five people in Florida and caused widespread property damage in the Gulf Coast region.

Hurricanes Gustav and Ike

In 2008, the Gulf Coast was once again affected by storms that caused billions of dollars in additional damage. On September 1, 2008, Hurricane Gustav made landfall near Cocodrie, LA, as a category 2 storm, then swept across the region causing damages in Alabama, Florida, Mississippi, and Texas. Gustav produced rains over Louisiana and Arkansas that caused moderate flooding along many rivers, and is known to have produced 41 tornadoes: 21 in Mississippi, 11 in Louisiana, 6 in Florida, 2 in Arkansas, and 1 in Alabama.[14]

Hurricane Ike made landfall as a category 2 storm near Galveston, Texas, on September 13, 2008, with maximum sustained winds of 110 mph. The hurricane weakened as it moved inland across eastern Texas and Arkansas. Hurricane Ike's storm surge devastated the Bolivar Peninsula of Texas, and surge, winds, and flooding from heavy rains caused widespread damage in other portions of southeastern Texas, western Louisiana, and Arkansas and killed 20 people in these areas.[15] Additionally, as an extratropical system over the Ohio Valley, Ike was directly or indirectly responsible for 28 deaths and more than $1 billion in property damage in areas outside of the Gulf Coast.[16]

Information Categories and Data Collection Methods

The following two sections provide funding data and narratives describing the assistance that was provided to the Gulf Coast in response to the 2005 and 2008 hurricane seasons. **Section I** presents funding provided to the five Gulf Coast states (Alabama, Florida, Louisiana, Mississippi, and Texas) after Hurricanes Katrina, Rita, Wilma, Gustav, and Ike. Funding amounts were compiled by CRS analysts who reviewed legislative texts of supplemental appropriations. The amounts are disaggregated by federal entity and sub-entity, insofar as possible and applicable. The data are based on the analysts' interpretations of disaster assistance. Some data were excluded from **Section I** because CRS analysts found that the data either were too ambiguous or covered disasters not limited to the Gulf Coast. Certain amounts pertaining to a range of disasters were included, however, because CRS analysts determined that most of the funds went to the Gulf Coast states.

Section II presents funding by federal agency. The amounts reported may reflect expenditures, obligations, allocations, or appropriations. The data in this section are not based solely on those in **Section I**. Rather, the data in **Section II** were derived from a variety of authoritative sources, including agency websites, CRS experts who received information directly from agencies, and governmental reports. **Section II** presents funding information by federal entity and includes a narrative summarizing each agency's disaster assistance efforts. The sections also provide the

[13] Ibid.

[14] John L. Beven II and Todd B. Kimberlain, *Tropical Cyclone Report: Hurricane Gustav*, National Hurricane Center, AL072008, January 22, 2009, p. a, available at http://www.nhc.noaa.gov/data/tcr/AL072008_Gustav.pdf.

[15] National Oceanic and Atmospheric Administration, National Hurricane Center, "Hurricanes in History," available at http://www.nhc.noaa.gov/outreach/history.

[16] Ibid.

authorities that authorized the activities that were provided. When possible, funding data are provided in tabular form.

It should be noted that the data on appropriations in **Section I**, **Table 1**, are not directly comparable to funding data in **Section II**. The former were drawn solely from the public laws cited in the source note to **Table 1**. The data in **Section II** were obtained, as cited in each subsection, from a range of published and unpublished sources, and include various fiscal years.

Caveats and Limitations

Funding data on federal (and non-federal) assistance are not systematically collected. Given the absence of comprehensive federal information on disaster assistance, the data provided in this report should only be considered as an approximation, and should not be viewed as definitive.

In addition to the above, the following caveats apply to this report:

- It is difficult to identify all of the federal entities that provide disaster relief because many federal entities provide aid through a wide range of programs, not necessarily through those designated specifically as "disaster assistance" programs.[17]
- Because data on federal (and non-federal) assistance are not systematically collected, funding data were drawn from a wide-range of sources including published and unpublished data that have been collected at different times and under inconsistent reporting methods.
- Following the exodus of thousands of residents from the Gulf Coast states after Hurricane Katrina in 2005, many other states received federal assistance to cope with the influx of those seeking aid. The aid provided to the states outside the Gulf Coast is not discussed in this report.
- The appropriations language reviewed for **Section I** usually designates funds to a federal entity for a range of disasters without identifying how much funding is to be disbursed to each incident. For example, P.L. 110-329, signed into law on September 30, 2008, provided funds for several disasters that occurred in 2008, including Hurricanes Gustav and Ike, wildfires in California, and the Midwest floods. Determining the funding amounts directed toward each individual disaster is difficult, if not impossible, unless the legislative text specifies these amounts. An additional difficulty occurs in tracking funding at the agency level because appropriations might be made, not to specific entities, but to budget accounts, and then allocated for specified purposes.
- The degree of transparency in reporting funding levels for disaster relief varies tremendously among federal entities. As an example, Congress requires the Federal Emergency Management Agency (FEMA) to submit monthly status reports on the Disaster Relief Fund (DRF).[18] The DRF is FEMA's disaster assistance account. The DRF is used to fund existing recovery projects (including reimbursements to other federal agencies for their work) and provide funding for future emergencies and disasters as needed. The DRF reports must detail obligations, allocations, and expenditures for Hurricanes Katrina, Rita, and

[17] For example, the Department of Housing and Urban Development's Section 8 Housing Choice Voucher Program also provides vouchers for disaster victims.

[18] P.L. 110-161, codified at 42 U.S.C. §5208.

Wilma. This requirement has not been extended to other agencies, and scant data exist, particularly on a state-by-state basis, on other federal funding for emergencies and major disasters.

- Appropriations may be subject to transfers or rescissions after enactment of appropriations statutes. It is possible that such emendations to the initial appropriations have not been identified in this research.

In addition to the above caveats, it should also be noted that there may have been funding changes since this report was originally published in 2013 that are not represented in this updated version. In some cases, additional obligations may have been provided and in other cases some funding may have been recouped or otherwise transferred. The funding information in this report should therefore be interpreted as illustrative as opposed to definitive, and used with appropriate caution.

Section I: Summary of Gulf Coast Disaster Supplemental Appropriations

Table 1 presents data on the appropriations enacted after Hurricanes Katrina, Rita, Wilma, Gustav, and Ike from FY2005 to FY2009, by federal entity and sub-entity, when possible and applicable. As mentioned earlier, in many cases funding for disaster relief is appropriated for multiple incidents. Therefore, **Table 1** may include data on appropriations that also provided funding for non-Gulf Coast incidents. Some appropriations designated for a range of disasters were excluded, however, in an attempt to avoid artificially inflating the amount of funding directed to the Gulf Coast for hurricane relief.

Since FY2005, at least 10 appropriations bills have been enacted to address widespread destruction caused by the 2005 and 2008 Gulf Coast hurricanes. These appropriations consisted of eight emergency supplemental appropriations acts, one reconciliation act, and one continuing appropriations resolution.[19] In addition to these statutes that specifically identify the hurricanes or the Gulf Coast states, it is likely that regular appropriations legislation also provided assistance to the Gulf Coast. Because these statutes did not specify that they were providing such assistance, regular appropriations are not included in **Table 1**.

Table 1. Estimated Gulf Coast Supplemental Appropriations for Hurricanes Katrina, Rita, Wilma, Gustav, and Ike

(Disaster-Related Supplemental Appropriations by Department/Agency; Nominal Dollars in Millions)

Department/Agency/Program	Estimated Appropriation
DEPARTMENT OF AGRICULTURE	
Emergency Forestry Conservation Reserve Program	$82
Agricultural Research Service	$39
Emergency Conservation Program	$73
Farm Service Agency	$242
Executive Operations	$60
Food and Nutrition Service Commodity Assistance	$10

[19] These include P.L. 109-61, P.L. 109-62, P.L. 109-148, P.L. 109-171, P.L. 109-234, P.L. 110-28, P.L. 110-116, P.L. 110-252, P.L. 110-329, and P.L. 111-32.

Department/Agency/Program	Estimated Appropriation
Forest Service	$77
Inspector General	*
Natural Resources Conservation Service	$351
Other Emergency Appropriations	*
Rural Housing Service	$90
Rural Utility Service	$53
Subtotal	$1,077
DEPARTMENT OF COMMERCE	
Department of Commerce (non specified)	$400
National Oceanic and Atmospheric Administration	$85
Marine Fishery Emergency Assistance Program	$260
Subtotal	$745
DEPARTMENT OF DEFENSE (MILITARY)	
Military Personnel	$540
Operations and Maintenance	$3,684
Procurement	$2,850
Research, Development, Test, and Evaluation	$54
Military Construction and Family Housing	$1,785
Management Funds	$66
Other Defense	$236
Subtotal	$9,215[a]
DEPARTMENT OF DEFENSE (CIVIL)	
Army Corps of Engineers Construction	$4,951
Flood Control and Coastal Emergencies	$9,926
Flood Damage Construction for FEMA	*
Mississippi River and Tributaries	$154
General Expenses	$3
Investigations	$43
Operations and Maintenance	$516
Subtotal	$15,593
DEPARTMENT OF EDUCATION	
Office of Elementary and Secondary Education	$1,689
Office of Postsecondary Education	$292
Subtotal	$1,981
DEPARTMENT OF HEALTH AND HUMAN SERVICES	
Health Resources and Services Administration	$4

Department/Agency/Program	Estimated Appropriation
Administration for Children and Families	$1,240
Centers for Disease Control and Prevention	$8
Centers for Medicare and Medicaid Services	$2,000
Subtotal	$3,252
DEPARTMENT OF HOMELAND SECURITY	
Department of Homeland Security (non-specified)	$9,157
Customs and Border Protection	$52
Federal Emergency Management Agency	$44,083[b]
Immigration and Customs Enforcement	$13
Office of Domestic Preparedness	$10
Office of Inspector General	$2
United States Coast Guard	$487
United States Secret Service	$4
Subtotal	$53,711
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT	
Community Development Block Grants	$26,200
Rental Assistance/Section 8 Vouchers	$555
Supportive Housing	$73
Public Housing Repair	$15
Office of Inspector General	$7
Subtotal	$26,850
DEPARTMENT OF THE INTERIOR	
Department of the Interior	$210
Bureau of Reclamation	$9
Mineral Management Service	$31
National Park Service	$117
National Park Service Historical Preservation Fund	*
U.S. Fish and Wildlife Service	$162
U.S. Geological Survey	$16
Subtotal	$545
DEPARTMENT OF JUSTICE	
Bureau of Alcohol, Tobacco, Firearms, and Explosives	$20
Drug Enforcement Administration	$10
Federal Bureau of Investigation	$45
Federal Prison System	$11
Legal Activities	$18

Department/Agency/Program	Estimated Appropriation
Office of Justice Programs	$175
U.S. Marshals Service	$9
Subtotal	$288
DEPARTMENT OF LABOR	
Job Corps	$16
Employment and Training Administration	$125
Subtotal	$149
DEPARTMENT OF TRANSPORTATION	
Department of Transportation (non-specified)	$722
Federal Aviation Administration	$41
Federal Highway Administration	$2,751
Federal Transportation Administration Grants	*
Maritime Administration	$8
Subtotal	$3,522
DEPARTMENT OF VETERANS AFFAIRS	
Department Administration	$62
Veterans Health Administration	$198
Major Construction—Medical Facilities	$918
Subtotal	$1,178
ARMED FORCES RETIREMENT HOME	
Armed Forces Retirement Home	$242
Subtotal	$242
ENVIRONMENTAL PROTECTION AGENCY	
Environmental Protection Agency (non-specified)	$21
Subtotal	$21
GENERAL SERVICES ADMINISTRATION	
General Services Administration (non-specified)	$75
Subtotal	$75
SMALL BUSINESS ADMINISTRATION	
Small Business Administration (non-specified)	$2,279
Disaster Loans Program Account	$441
Inspector General	$5
Subtotal	$2,725
THE JUDICIARY	
The Federal Judiciary (non specified)	$18
Subtotal	$18

Department/Agency/Program	Estimated Appropriation
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION	
National Aeronautics and Space Administration (non-specified)	$385
Exploration Capabilities as a Consequence of Katrina	*
Subtotal	$385
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE	
Corporation for National and Community Service	$10
Subtotal	$10
Grand Total	**$121,671**

Source: Data derived from CRS database of appropriations. Statutes include P.L. 109-61, P.L. 109-62, P.L. 109-148, P.L. 109-171, P.L. 109-234, P.L. 110-28, P.L. 110-116, P.L. 110-252, P.L. 110-329, and P.L. 111-32. This table does not take into consideration any rescissions applied after Congress appropriated these funds.

Notes: * Signifies appropriation of less than $1 million. Cells marked as "non-specified" indicate appropriations funded to a department generally.

a. This figure represents the amount appropriated after rescission of funds; it does not reflect that $1.5 billion of these funds expired in FY2006 or were transferred for other purposes.

b. P.L. 109-62 (119 Stat. 1991) appropriated $50 billion for the Disaster Relief Fund. P.L. 109-148 (119 Stat. 2790) rescinded $23.4 billion of those funds.

Section II. Agency-Specific Information on Gulf Coast Hurricane Federal Assistance

In the course of this research, CRS identified 11 federal departments, 4 federal agencies (or other entities), and numerous sub-entities, programs, and activities that supplied over $121.7 billion in federal assistance to the Gulf Coast states after the major hurricanes of 2005 (Katrina, Rita, and Wilma) and 2008 (Gustav and Ike). **Section II** provides information on the most significant programs, or categories of programs, through which the aid was provided. Each narrative contains a summary of activities of each federal entity providing disaster relief. When possible, the information is presented in tabular form and is disaster and state specific. Unless otherwise specified, all figures are stated in nominal dollars.

As mentioned earlier, the data in **Section II** may not correspond to the emergency funds appropriated by Congress for hurricane relief purposes specified in **Section I.** Reasons for the difference include the following:

- the tables in **Section II** present information from a variety of funding measures, including obligations, allocations, and expenditures;[20]
- some funds made available may have been reallocated or deobligated from other purposes; and

[20] For a discussion of funding terminology, see CRS Report 98-410, *Basic Federal Budgeting Terminology*, by Bill Heniff Jr.

- money from accounts that did not terminate at the end of a fiscal year (known as no-year accounts) may have been allocated to the Gulf Coast states.

Department of Agriculture[21]

The U.S. Department of Agriculture (USDA) provides a variety of disaster assistance for hurricanes and other natural disasters. For the hurricanes covered in this report, the bulk of the department's funding has been disaster payments to producers who suffered production losses and funding for land rehabilitation programs for cleanup and restoration projects, primarily under P.L. 109-234 and through other authorities.[22] The total USDA budget authority was over $1.0 billion for disaster relief following Hurricanes Katrina, Rita, and Wilma (**Table 2**). For these three hurricanes, USDA also paid an additional $112 million in farm disaster benefits to farmers in the Gulf States under various Farm Service Agency indemnity and grant programs, using funds allocated from USDA's "Section 32" Program (see "Farm Service Agency" section below).[23]

Hurricane-related support by individual agency for the 2005 and 2008 hurricanes is described in separate sections below. State-specific data are provided where available and are current as of the dates cited.

Table 2. Disaster Relief Funding by the U.S. Department of Agriculture for 2005 Gulf Coast Hurricanes

(Dollars in Thousands)

Department of Agriculture	Budget Authority	Obligations	Outlays
Agricultural Research Service	$39,000	$38,000	$37,000
Farm Service Agency			
Disaster payments-crop/livestock losses (excludes Section 32)	$132,300	$132,300	$132,300
Emergency Forestry Conservation Reserve Program (EFCRP)	$81,800	$81,800	$68,600
Emergency Conservation Program (ECP)	$84,700	$73,400	$44,800
Food and Nutrition Service	$10,000	$10,000	$9,000
Forest Service	$77,000	$77,000	$77,000
Office of Inspector General	$445	$445	$445
Natural Resources Conservation Service (NRCS)	$351,000	$300,000	$287,000
Rural Housing Service	$128,000	$101,000	$63,000
Rural Utilities Service	$53,000	$34,000	$14,000

[21] This section was authored by the following individuals in the Resources, Science, and Industry Division: Megan Stubbs, Specialist in Agricultural Conservation and Natural Resources Policy; Katie Hoover, Specialist in Natural Resources Policy; Tadlock Cowan, Analyst in Natural Resources and Rural Development; and Randy Alison Aussenberg, Specialist in Nutrition Assistance Policy, Domestic Social Policy Division.

[22] In many cases, these other authorities have been amended or repealed by Congress and are no longer valid. For a discussion of current agricultural disaster assistance programs, see CRS In Focus IF10565, *Federal Disaster Assistance for Agriculture*, by Megan Stubbs; CRS Report RS21212, *Agricultural Disaster Assistance*, by Megan Stubbs; or CRS Report R42854, *Emergency Assistance for Agricultural Land Rehabilitation*, by Megan Stubbs.

[23] For more information on Section 32, see CRS Report RL34081, *Farm and Food Support Under USDA's Section 32 Program*, coordinated by Jim Monke.

Department of Agriculture	Budget Authority	Obligations	Outlays
Working Capital Fund	$60,000	$59,000	$59,000
Total	**$1,017,245**	**$906,945**	**$792,145**

Source: Budget Data Request No. 11-31 requested June 27, 2011, and provided July 20, 2011. Submission by Office of Budget and Program Analysis, U.S. Department of Agriculture, to Office of Management and Budget.

Notes: Figures are for Hurricanes Katrina, Rita, and Wilma in support of Gulf Coast recovery efforts and include disaster payments made under P.L. 109-234. Excludes disaster payments made under Section 32 (see **Table 3**) and disaster payments made under the Food, Conservation, and Energy Act of 2008 (P.L. 110-246, 2008 farm bill, see **Table 4**).

Agricultural Research Service

The Agricultural Research Service (ARS) is USDA's chief scientific research agency. Under P.L. 109-234, USDA received funding for cleanup and salvage efforts at the ARS facility in Poplarville, MS, and the Southern Regional Research Center in New Orleans, LA. Total budget authority was $39 million for the 2005 hurricanes provided under P.L. 109-234 and through reallocations from existing funds.

Farm Service Agency

The mission of the Farm Service Agency (FSA) is to serve farmers, ranchers, and agricultural partners through the delivery of agricultural support programs. Besides administering general farm commodity programs, FSA administers disaster payments for crop and livestock farmers who suffer losses from natural disasters. Following the 2005 hurricanes, producer benefits were provided under five new programs created by USDA for tropical fruit, citrus, sugarcane, nursery crops, fruits and vegetables, livestock death, feed losses, and dairy production and spoilage losses. These USDA-created programs were the Hurricane Indemnity Program (HIP), Livestock Indemnity Program (LIP), Feed Indemnity Program (FIP), and an Aquaculture Grant Program (AGP). Payments under the previously established Tree Indemnity Program (TIP) were provided to eligible owners of commercially-grown fruit trees, nut trees, bushes, and vines producing annual crops that were lost or damaged.[24]

Total outlays for 2005 hurricanes to the Gulf States under the aforementioned five programs were $132 million under P.L. 109-234 (see **Table 2**) and $112 million for four programs under "Section 32" (see **Table 3** for Section 32 data). Section 32 is a permanent appropriation (originating from P.L. 74-320) that supports a variety of USDA activities, including disaster relief, federal child nutrition programs, and surplus commodity purchases.[25]

[24] As previously stated, all of these programs have been amended, repealed, or are no longer valid. For a discussion of current agricultural disaster assistance programs, see CRS In Focus IF10565, *Federal Disaster Assistance for Agriculture*, by Megan Stubbs.

[25] USDA is currently limited in its authority to distribute emergency payments to farmers under "Section 32" authority (as well as with Commodity Credit Corporation (CCC) funds). In annual appropriations acts between FY2012 and FY2017, Congress has prohibited the use of appropriated funds to pay for salaries and expenses needed to operate a farm disaster program under either of these two funding sources. However, in FY2017 (Section 715 of FY2017 Agriculture Appropriations Act, P.L. 115-31), Congress amended this prohibition to allow such payments from available carryover funding up to $75 million.

Table 3. 2005 Hurricane Disaster Relief Payments for Crops and Livestock by State

(Dollars in Thousands)

	Alabama	Florida	Louisiana	Mississippi	North Carolina	Texas	Total
Hurricane Indemnity Program (HIP)	$3,002	$31,164	$3,049	$2,061	—	$282	$39,558
Tree Indemnity Program (TIP)	$604	$18,144	$376	$833	—	$28	$19,985
Feed Indemnity Program (FIP)	$902	$1,719	$1,050	$1,156	—	$27	$4,854
Livestock Indemnity Program (LIP)	$265	$709	$19,238	$2,148	—	$701	$23,061
Aquaculture Grant Program (AGP)	$5,038	$3,663	$4,513	$10,738	$313	$661	$24,690
Total	**$9,811**	**$55,399**	**$28,226**	**$16,936**	**$313**	**$1,699**	**$112,384**

Source: U.S. Department of Agriculture, Farm Service Agency, November 6, 2017.

Notes: Latest payment data available from USDA for 2005 hurricanes, as of November 6, 2017; the above programs were administered by FSA with funding allocated from USDA's "Section 32" Program.

Following Hurricanes Gustav and Ike in 2008, payments were provided to qualifying producers under five nationwide agricultural disaster programs authorized in the Food, Conservation, and Energy Act of 2008 (P.L. 110-246, 2008 farm bill). Under the largest disaster program, Supplemental Revenue Assistance Payments Program (SURE),[26] the combined payments for Alabama, Florida, Louisiana, Mississippi, and Texas totaled $285 million in 2008 for a variety of natural disaster losses, including hurricane damage (**Table 4**). Payments for these states under the other four programs (three livestock-related programs and the Tree Assistance Program (TAP)) were approximately $66 million.[27]

Table 4. 2008 Agricultural Disaster Relief Program Payments by State

(Dollars in Thousands)

	Alabama	Florida	Louisiana	Mississippi	Texas	Total
Supplemental Revenue Assistance Payments Program (SURE)	$5,005	$12,932	$13,068	$4,993	$249,002	$285,000
Livestock Forage Program (LFP)	$9,002	$2,688	—	—	$40,182	$51,872
Livestock Indemnity Program (LIP)	$34	$64	$1,301	$91	$6,359	$7,849
Emergency Assistance for Livestock, Honeybees and Farm-Raised Fish Program (ELAP)	$81	$2,918	$776	$10	$659	$4,443
Tree Assistance Program (TAP)	—	$1,802	< $1	—	$146	$1,948
Total	**$14,122**	**$20,404**	**$15,145**	**$5,094**	**$296,348**	**$351,112**

[26] SURE authority expired in 2011 and was not reauthorized.

[27] The LFP, LIP, ELAP, and TAP programs were amended and reauthorized under section 1501 of the Agricultural Act of 2014 (P.L. 113-79, 2014 farm bill).

Source: U.S. Department of Agriculture, Farm Service Agency, November 6, 2017.

Notes: Programs were authorized under the Food, Conservation, and Energy Act of 2008 (P.L. 110-246, 2008 farm bill). Payments as of November 6, 2017, and made for a variety of natural disaster losses that included more than just hurricane damage.

FSA also administered two land rehabilitation disaster programs: (1) the Emergency Forestry Conservation Reserve Program (EFCRP),[28] which compensated private, nonindustrial forest landowners who experienced losses from hurricanes in calendar year 2005, for temporarily retiring their land; and (2) the Emergency Conservation Program (ECP),[29] which provides emergency funding and technical assistance for farmers and ranchers to rehabilitate farmland damaged by natural disasters.

For the 2005 hurricanes, Congress provided $82 million in budget authority for EFCRP and $84.7 million in budget authority for ECP. Of the $84.7 million in budget authority for ECP, FSA obligated over $70 million. Previously unobligated funds from 2005 hurricane recovery efforts were reprogrammed in 2009 under P.L. 111-32 to be used for then current disasters, including hurricanes. On July 14, 2009, USDA announced $71 million in ECP funding, which included the 2005 reprogrammed funds, for repairing farmland damaged by natural disasters, including the hurricanes that occurred in 2008. Of the five hurricane-affected states, Texas received the largest allocation ($11 million) to address 2008 hurricane restoration efforts.

Food and Nutrition Service[30]

The Food and Nutrition Service (FNS) administers several programs that are crucial in hurricane relief efforts.[31] These include the Supplemental Nutrition Assistance Program (SNAP, formerly known as the Food Stamp Program (FSP)), child nutrition programs (e.g., school meals programs), and federally donated food commodities delivered through relief organizations. Existing laws authorize USDA to change eligibility and benefit rules to facilitate emergency aid. Disaster FSP benefits provided approximately $1 billion worth of support directly due to Hurricanes Katrina, Rita, Wilma, Gustav, and Ike.[32] Assistance provided by FSP (now, SNAP) and the child nutrition programs required no additional appropriations because the benefits are treated as entitlements.

Other than a small one-time increase in appropriations, in P.L. 109-148, to replenish some commodity stocks used for hurricane-relief purposes, no significant action was taken for hurricane relief or to pay for commodity distribution costs. This is because funding and federally provided food commodities were generally available without a need for a large appropriation.

[28] Authorized by §107(a) of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (P.L. 109-148), as amended. This program was repealed under section 2702(a) of the 2014 farm bill.

[29] Authorized in Section 401 of the Agricultural Credit Act of 1978 (P.L. 95-334) as amended and codified under 16 U.S.C. §§2201-2205. For more information on ECP and other land rehabilitation programs, CRS Report R42854, *Emergency Assistance for Agricultural Land Rehabilitation*, by Megan Stubbs.

[30] The section was authored by Randy Aussenberg, Specialist in Nutrition Assistance Policy.

[31] For further information on Food and Nutrition Service's disaster relief authorities and actions generally, see USDA-FNS website, available at http://www.fns.usda.gov/disasters/disaster.htm. For additional detail on federal food assistance provided for Hurricanes Katrina and Rita, CRS Report RL33102, *Federal Food Assistance in Disasters: Hurricanes Katrina and Rita*, by Joe Richardson.

[32] USDA, Food and Nutrition Service, 2008 Budget Explanatory Notes for Committee on Appropriations, p. 27g-13; USDA, Food and Nutrition Service, 2010 Budget Explanatory Notes for Committee on Appropriations, p. 26g-48.

Natural Resources Conservation Service

The Natural Resources Conservation Service (NRCS) assists private land owners with conserving soil, water, and other natural resources. Following natural disasters, NRCS works with FEMA, state and federal agencies, and local units of government to conduct post-disaster cleanup and restoration projects. NRCS administers the Emergency Watershed Protection (EWP) Program,[33] which assists landowners and operators in implementing emergency recovery measures for slowing runoff and preventing erosion to relieve imminent hazards to life and property created by a natural disaster that causes a sudden impairment of a watershed. In the wake of 2005 and 2008 hurricane events, NRCS staff also assessed the demand and requirements for the disposal of animal carcasses, through authority delegated by FEMA. As of November 29, 2012, NRCS had obligated approximately $300 million for disaster relief stemming from these hurricanes. State EWP data for the 2005 and 2008 hurricanes are provided in **Table 5** below.

Table 5. Disaster Relief Funding Through the Emergency Watershed Protection Program

(Dollars in Thousands)

Hurricane	Alabama	Florida	Louisiana	Mississippi	Tennessee	Texas	Total
Katrina	$21,300	$7,200	$44,900	$114,200	$400	—	$188,000
Rita	—	—	$43,800	$2,400	—	$12,700	$58,900
Wilma	—	$12,840	—	—	—	—	$12,840
Gustav	$600	$600	$12,600	$600	—	—	$14,400
Ike	—	—	$12,000	—	—	$12,800	$24,800
Total	**$21,900**	**$20,640**	**$113,300**	**$117,200**	**$400**	**$25,500**	**$298,940**

Source: USDA, NRCS, November 29, 2012.

Forest Service[34]

The Forest Service (FS) administers programs for protecting and managing the natural resources of the National Forest System (NFS, primarily national forests and national grasslands) and for assisting states and non-industrial private forestland owners in protecting and managing the natural resources of non-federal forestlands. Through its State and Private Forestry (SPF) program, the FS provides financial and technical assistance, typically through state forestry agencies, to non-federal landowners to restore forests damaged by hurricanes (and other disasters). The state agencies are authorized to use such funds in numerous ways, such as assisting landowners to clear damaged trees and to plant new stands on cleared sites. While emergency and supplemental funding is sometimes enacted for natural disasters (e.g., hurricanes), the funding often is expended through ongoing, existing programs, and commonly cannot be distinguished from regular appropriations for these purposes (i.e., protecting and managing NFS

[33] Authorized in §216 of P.L. 81-516 and §403 of the Agricultural Credit Act of 1978 (P.L. 95-334), as amended. Codified under 16 U.S.C. §2203 and 33 U.S.C. §701b-1. For more information on EWP and other land rehabilitation programs, see CRS Report R42854, *Emergency Assistance for Agricultural Land Rehabilitation*, by Megan Stubbs.

[34] This section was originally authored by Kelsi Bracmort, Specialist in Agricultural Conservation and Natural Resources Policy, Resources, Science, and Industry Division, and was updated by Katie Hoover, Specialist in Natural Resources Policy.

lands and resources and assisting non-federal landowners in protecting and managing their forests).

Funding for the FS to conduct work after a natural disaster can be categorized generally as response efforts and recovery efforts. Response tasks are identified through the National Response Framework (NRF), administered by FEMA, which grants the FS certain responsibilities (e.g., firefighting) to coordinate during a presidential-declared emergency or major disaster.[35] The FS reports it spent approximately $77 million for Hurricanes Katrina, Rita, and Wilma, respectively, on response efforts in FS region 8 (state-level data was not available).[36] The FS estimates it spent a total of $2.5 million on response efforts for Hurricane Gustav ($1.4 million in Alabama, $0.9 million in Louisiana, $0.1 million in Mississippi, and $0.1 million in Texas).[37] The FS reports it spent a total of $2.1 million on response efforts for Hurricane Ike (all funding spent in Texas).

Although the FS does not have the authority for specific programs to grant recovery assistance to states, the FS can use its regular program authorities to assist state and private landowners broadly following a disaster. For example, after a hurricane, the FS may receive supplemental funding under the state and private forestry (SPF) programs appropriation to conduct recovery work via a SPF program. Eight existing FS programs were used to assist the states following Hurricanes Katrina, Rita, Wilma, Gustav, and Ike (see **Table 6**).[38] The FS may also grant funding for the FSA Emergency Forest Restoration Program.[39] FS recovery funding amounts by state for the 2005 hurricanes (Katrina, Rita, and Wilma) and 2008 hurricanes (Gustav and Ike) are provided in **Table 7**.

Table 6. Forest Service Programs Used to Grant Assistance after Hurricanes in 2005 and 2008

Program	Purpose	Authority
Cooperative Forest Health Protection	Provides federal financial and technical assistance to states to facilitate their survey and monitoring of forest health conditions and for the protection of forests and trees on state and private lands from insects, disease causing agents, and invasive plants.	16 U.S.C. §2104
Economic Action Program	Assists communities and their leaders in improving the efficiency and marketing of natural resource-based industries and in diversifying rural community economic bases.	7 U.S.C. §§6611-6617
Emergency Forestry Conservation Reserve Program (temporary)	Provides assistance to nonindustrial private forest landowners who experienced a loss of 35% or more in merchantable timber from the 2005 hurricanes (Hurricane Katrina et al.).	P.L. 109-148 Section 107
Forest Stewardship	Improves timber production and environmental protection on nonfederal forest lands.	16 U.S.C. §2103a
Hazard Fuel Mitigation	Assists communities in reducing threats from wildfires.	16 U.S.C. §2106

[35] Additional information provided in the FEMA section of this report. Region 8 encompasses 13 states including the six states identified for this request.

[36] Email from the Forest Service, December 10, 2012.

[37] Email from the Forest Service, December 10, 2012.

[38] The FS reports that no funds were provided to Tennessee for any of the hurricanes.

[39] Additional information provided in the FSA section of this chapter.

Program	Purpose	Authority
State Fire Assistance	Provides technical and financial assistance to state cooperators.	16 U.S.C. §2106
Urban and Community Forestry	Expands knowledge and awareness of the value of urban trees and encourages the maintenance and expansion of urban tree cover.	16 U.S.C. §2105
Volunteer Fire Assistance	Provides federal financial, technical, and other assistance to state foresters and other appropriate officials to organize, train, and equip fire departments in rural areas and rural communities to prevent and suppress fires.	16 U.S.C. §2106

Source: Compiled by CRS.

Table 7. Forest Service 2005 and 2008 Hurricane Recovery Funding

(Dollars in Thousands)

Hurricane Year	State	Program	FS Obligations
2005	Alabama	Forest Stewardship	$474
2005	Alabama	Cooperative Forest Health Protection	$90
2005	Alabama	Economic Action/Rural Development	$45
2005	Alabama	State Fire Assistance	$369
2005	Alabama	Urban and Community Forestry	$255
2005	Alabama	Volunteer Fire Assistance	$50
		Totals	**$1,282**
2005	Florida	Urban and Community Forestry	$615
2005	Louisiana	Urban and Community Forestry/ State Fire Assistance/ Forest Stewardship/ Cooperative Forest Health Protection[a]	$7,971
2005	Louisiana	Volunteer Fire Assistance	$517
		Totals	**$8,489**
2005	Mississippi	Economic Action/Rural Development	$160
2005	Mississippi	Urban and Community Forestry/ State Fire Assistance/ Forest Stewardship/ Cooperative Forest Health Protection[a]	$11,519
2005	Mississippi	Volunteer Fire Assistance	$553
		Totals	**$12,232**
2005	Texas	Economic Action/Rural Development	$83

Hurricane Year	State	Program	FS Obligations
2005	Texas	Urban and Community Forestry/ State Fire Assistance/ Forest Stewardship/ Cooperative Forest Health Protection[a]	$4,679
		Totals	**$4,763**
2008	Texas	State Fire Assistance	$4,089
2008	Texas	Urban and Community Forestry (Carryover)	$50
		Totals	**$4,139**

Source: Data provided by the U.S. Forest Service, November 30, 2012, and confirmed on October 24, 2017.

Note: Numbers have been rounded.

a. Forest Service did not provide information on how these funds were allocated between the specified programs.

Rural Housing Service

The Rural Housing Service (RHS) provides loan and grant assistance for single-family and multi-family housing. RHS also administers the Community Facilities loan and grant program to provide assistance to communities for health facilities, fire and police stations, and other essential community facilities. Following the hurricanes, RHS provided housing relief to residents of the affected areas through payment moratoriums of six months, a three-month moratorium on initiating foreclosures under the single family guaranteed homeownership loans, loan forgiveness, loan reamortization, and refinancing. In addition, RHS provided temporary rental assistance to displaced family farm labor housing tenants. Assistance was provided for single-family homeowners (e.g., Section 502 loans), multi-family housing owners (e.g., Section 504 loans), and rental housing assistance (Section 521). Under P.L. 109-234, total budget authority for RHS programs for the 2005 hurricanes was $128 million.

The Disaster Relief and Recovery Supplemental Appropriations Act of 2008 (P.L. 110-329) provided funding for activities under the Rural Development Mission Area for relief and recovery from natural disasters (including hurricanes) during 2008. The act specifically provided $38 million for activities of the Rural Housing Service for areas affected by Hurricanes Katrina and Rita.

Rural Utilities Service

The Rural Utilities Service (RUS) is responsible for administering electric, telecommunications, and water assistance programs that help finance the infrastructure necessary to improve the quality of life and promote economic development in rural areas. Hurricane relief included grants for rebuilding, repairing, or otherwise improving water and waste disposal systems in designated disaster areas. Increased technical assistance under the Circuit Rider program was also provided to rural water districts. With the approval of lenders, RUS also suspended preauthorized debit payments for water and waste disposal loan guarantees for six months. Under permanent authority of P.L. 92-419, total budget authority for RUS programs for the 2005 hurricanes was $53 million.

Department of Commerce

National Oceanic and Atmospheric Administration[40]

The federal government may provide disaster relief to the fishing industry when there is a commercial fishery failure. A commercial fishery failure occurs when fishermen endure hardships resulting from fish population declines or other disruptions to the fishery. Two statutes, the Interjurisdictional Fisheries Act (16 U.S.C. §4107) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. §1864a and §1864), provide the authority and requirements for fishery disaster assistance. Under both statutes, a request for a fishery disaster determination is generally made by the governor of a state, or by a fishing community, although the Secretary of Commerce may also initiate a review at his or her own discretion. If the Secretary determines that a fishery disaster has occurred, Congress may appropriate funds for disaster assistance, which are administered by the Secretary. Funding is usually distributed as grants to states or regional marine fisheries commissions by the National Oceanic and Atmospheric Administration (NOAA) of the Department of Commerce.

Since 2005, Congress has appropriated almost $260 million of hurricane disaster relief to the Gulf of Mexico fishing industry (see **Table 8**). Of this total, $213 million was appropriated for damages and disruptions caused by Hurricanes Katrina and Rita (P.L. 109-234 and P.L. 110-28). Assistance provided for the direct needs of fishermen and related businesses, and supported related fisheries programs such as oyster bed and fishery habitat restoration, cooperative research, product marketing, fishing gear studies, and seafood testing. Many of these activities such as habitat restoration are ongoing management priorities for these fisheries. For damage caused by Hurricanes Gustav and Ike, $47 million was appropriated to restore damaged oyster reefs, remove storm debris, and rebuild fishing infrastructure in Texas and Louisiana (P.L. 110-329). In addition, $85 million was provided to NOAA for scanning, mapping, and removing marine debris; repairing and reconstructing the NOAA Science Center; procuring a replacement emergency response aircraft and sensor package; and other activities (P.L. 109-234 and P.L. 110-28).

Table 8. Disaster Relief Funding for Commercial Fisheries

(Obligations as of October 2017; Dollars in Thousands)

Commercial Fishery Disaster Assistance	Alabama	Florida	Louisiana	Mississippi	Texas	Total
Total	$44,633	$6,233	$134,190	$62,042	$11,375	**$258,473**

Source: NOAA Budget Office, personal communication, November 1, 2017. Gulf States Marine Fisheries Commission, Emergency Disaster Recovery Program, available at http://www.gsmfc.org/fdrp.php.

Notes: According to NOAA, all funds have been expended except for approximately $79,000. The total does not add to $260 million because $1,527 thousand was allocated for program administration. The table does not include funding for NOAA programs.

[40] This section was authored by Harold F. Upton, Analyst in Natural Resources Policy, Resources, Science, and Industry Division.

Economic Development Administration Economic Adjustment Assistance Program[41]

The Economic Development Administration (EDA) was created with the passage of the Public Works and Economic Development Act of 1965 (PWEDA), P.L. 89-136, (42 U.S.C. §3121, et. al) to provide assistance to communities experiencing long-term economic distress or sudden economic dislocation. Among the programs administered by EDA is the Economic Adjustment Assistance (EAA) program. The PWEDA (42 U.S.C. §3149(c)(2)) authorizes EDA to provide EAA funds for:

> disasters or emergencies, in areas with respect to which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act for post-disaster economic recovery.[42]

In addition to funding disaster-recovery efforts using Emergency Assistance Act (EAA) funds available under its regular appropriation, 42 U.S.C. §3233 authorizes the appropriation of such sums as are necessary to fund EAA disaster recovery activities authorized under 42 U.S.C. §3149(c)(2). Funds appropriated under 42 U.S.C. §3233 may be used to cover up to 100% of the cost of a project or activity authorized under 42 U.S.C. §3149(c)(2). Funds appropriated under a regular appropriations act may be used to cover only 50% of the cost of disaster recovery activities. However, the authorizing statute also grants EDA the authority to increase the federal share of a project's cost to 100%.

Disaster Assistance Grants

Presidentially declared disasters or emergencies are one of five specific qualifying events eligible for EAA funding assistance.[43] EAA grants are competitively awarded and may be used to help finance public facilities; public services (including job training and counseling) business development (including funding a revolving loan fund (RLF); planning; and technical assistance that support the creation or retention of private sector jobs. Regions submitting an application for EAA disaster assistance must demonstrate a clear connection between the proposed project and disaster recovery efforts. EAA disaster grants can cover 100% of a project's cost.

In order to qualify for assistance, the Secretary of Commerce must find that a proposed project or activity will help the area respond to a severe increase in unemployment, or economic adjustment problems resulting from severe changes in economic conditions. EAA regulations also require an area seeking such assistance to prepare or have in place a Comprehensive Economic Development Strategy (CEDS) outlining the nature and level of economic distress in the region, and proposed activities that could be undertaken to support private-sector job creation or retention efforts in the area.

Funding Narrative

Congress did not provide EAA supplemental appropriations for disaster recovery activities related to Hurricanes Katrina, Rita, or Wilma. However, EDA allocated $24.2 million from its regular

[41] This section was authored by Eugene Boyd, Analyst in Federalism and Economic Development Policy, Government and Finance Division.

[42] Also cited as §209(c)(2) of P.L. 89-136.

[43] Other qualifying events eligible for EAA assistance, as outlined in 42 U.S.C. §3149, include communities whose economies have been injured by military-related reductions including base closures or realignments, defense contractor reductions in force, or Department of Energy defense related funding reduction; international trade; fishery failures; or the loss of manufacturing jobs.

appropriations in response to the hurricanes of 2005. In response to Hurricanes Gustav and Ike and other disasters occurring in 2008, Congress appropriated $400 million in EAA disaster supplemental funding when it approved P.L. 110-329. It also appropriated an additional $100 million in supplemental EAA disaster assistance without limiting it to disasters occurring in a specific year when it passed the Supplemental Appropriations Act of 2008, P.L. 110-252.

Of the $500 million appropriated for EAA disaster grants in 2008, EDA allocated, based on its 2010 annual report to Congress, the latest data available, a total of $63.8 million to 33 recipients in five of the six states identified in this report.

Department of Defense (Civil)[44]

Army Corps of Engineers

Civil Works Program

The U.S. Army Corps of Engineers (Corps) is a unique federal agency in the Department of Defense, with military and civilian responsibilities. Under its civil works program, the Corps plans, builds, operates, and maintains a wide range of water resources facilities, including hurricane protection and flood damage reduction projects, and performs emergency actions for flood and coastal emergencies.

Table 9 shows, for each Gulf Coast state, the direct appropriations that the Corps received for its water resources work related to the five hurricanes. According to data the Corps provided to CRS, of the total $15.6 billion appropriated, more than $11.2 billion has been obligated.

Table 9. Disaster Relief Funding Appropriations for the Army Corps of Engineers

(Dollars in Thousands)

Army Corps of Engineers	Alabama	Florida	Louisiana	Mississippi	Texas	Total
Civil Works Appropriations	$3,000	$57,000	$14,768,000	$558,000	$207,000	$15,593,000

Source: CRS correspondence with Army Corps of Engineers Budget Office, 2012.

Department of Defense (Military)[45]

Military Personnel

The Military Personnel accounts fund military pay and allowances, permanent change of station travel, retirement and health benefit accruals, uniforms, and other personnel costs. For the hurricane response efforts, funds have been used primarily to pay per diem to DOD personnel evacuated from affected areas, for the pay and allowances of activated Guard and Reserve personnel supporting the hurricane relief effort, and for increased housing allowances to

[44] This section was authored by Charles Stern, Specialist in Natural Resources Policy, Resources, Science, and Industry Division and updated by Nicole Carter, Specialist in Natural Resources Policy, Resources, Science, and Industry Division.

[45] This section was authored by Lawrence Kapp, Specialist in Military Manpower Policy, Foreign Affairs, Defense, and Trade Division, with assistance from former CRS specialists Amy Belasco and Dan Else. Program summary information was taken from Department of Defense budget documents and H.Rept. 109-359, Conference Report to Accompany H.R. 2863, Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006.

compensate for housing rate increases in hurricane-affected areas. Military personnel funds obligated by the Alabama, Florida, Texas, Louisiana, and Mississippi National Guard are detailed in **Table 10**. Data on the obligation of other Military Personnel funds, by state, were not readily available.

Operations and Maintenance

The Operations and Maintenance (O&M) accounts fund training and operation costs, pay for civilians, maintenance service contracts, fuel, supplies, repair parts, and other expenses. For the hurricane response efforts, funds have been used primarily to repair facilities, establish alternate operating sites for displaced military organizations, repair and replace equipment, remove debris, clean up hazardous waste, repair utilities, evacuate DOD personnel from affected areas, and support the operations of activated Army and Air National Guard units. O&M funds obligated by the Alabama, Florida, Texas, Louisiana, and Mississippi National Guard are detailed in **Table 10**. Data on the obligation of other O&M funds, by state, were not readily available.

Procurement

The Procurement accounts generally fund the acquisition of aircraft, ships, combat vehicles, satellites, weapons, ammunition, and other capital equipment. For the hurricane response efforts, $2.85 billion was appropriated, of which $2.5 billion was used primarily to pay for extraordinary shipbuilding and ship repair costs, including not only damage to ships under construction and replacement of equipment and materials, but also additional overhead and labor costs resulting from schedule delays due to the hurricane damage to shipyards, primarily Avondale in New Orleans, Louisiana, and Ingalls in Pascagoula, Mississippi.[46] These funds also included $140 million to improve the infrastructure at damaged shipyards.[47] Budget authority, obligations, and outlays for procurement, allocated by state for Alabama, Florida, Texas, Louisiana, and Mississippi are detailed in **Table 10**.

Research, Development, Test, and Evaluation

The Research, Development, Test, and Evaluation (RDT&E) accounts fund modernization efforts by way of basic and applied research, creation of technology-demonstration devices, developing prototypes, and other related costs. For the hurricane response efforts, funds have been used to replace damaged test equipment and repair damaged test facilities. Data allocating RDT&E funds by state were not readily available.

Military Construction (MILCON) and Family Housing

The MILCON accounts fund the acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property. The Family Housing Construction accounts fund costs associated with the construction of military family housing (including acquisition, replacement, addition, expansion, extension, and alteration), while the Family Housing O&M accounts fund expenses such as debt payment, leasing, minor construction, principal and interest charges, and insurance premiums on military family housing. For the hurricane response efforts, $1.4 billion was appropriated to finance the

[46] H.Rept. 109-359, Conference Report to Accompany H.R. 2863, *Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006*, p. 496.

[47] §2203, P.L. 109-234, provided that $140 million was available for infrastructure improvements to Gulf Coast shipyards damaged in 2005.

planning, design, and construction of military facilities and infrastructure that were damaged or destroyed by hurricane winds and water. Of this, $918 million was dedicated to military operations and training facilities, while an additional $460 million was appropriated for family housing construction and family housing O&M to rebuild destroyed, damaged, or new housing units and a housing office. Budget authority for MILCON and family housing construction allocated to the states of Alabama, Florida, Texas, Louisiana, and Mississippi is detailed in **Table 10**. Of the $1.4 billion appropriated, $1.2 billion could be allocated to the five specified states, while $167 million was devoted to planning and design activities not associated with specific locations.

Management Funds

This category includes the Defense Working Capital Fund, the National Defense Sealift Fund, and a commissary fund. For the hurricane response efforts, these funds have been used primarily to rebuild and repair damaged commissaries, replace commissary inventories, and cover transportation and contingency costs of the Defense Logistics Agency. Data allocating these funds by state were not readily available.

Other Department of Defense Programs

This category includes the Defense Health Program (DHP) and the Office of the Inspector General (OIG). The DHP title funds medical and dental care to current and retired members of the Armed Forces, their family members, and other eligible beneficiaries. For the hurricane response efforts, these funds have been used primarily to pay for costs associated with displaced beneficiaries seeking care from private-sector providers rather than at military health care facilities, to pay the health care costs of activated Guard and Reserve personnel, and to replace medical supplies and equipment. Data allocating DHP funds by state were not readily available. Of the $589,000 appropriated for the OIG, $263,000 was provided to replace and repair damaged equipment in the Inspector General's office in Slidell, LA, and to cover relocation costs.

Table 10. Disaster Relief Funding by the Department of Defense (Military)

(Dollars in Thousands)

Name of Program	Alabama	Florida	Louisiana	Mississippi	Texas	Total
Military Personnel (National Guard only)[a]	$7,192	$4,091	$126,982	$27,123	$15,974	$181,361
Operations and Maintenance (National Guard only)[b]	$1,407	$1,759	$89,538	$112,721	$12,440	$217,866
Procurement: Budget Authority[c]	$60,048	—	$770,647	$1,698,581	—	$2,529,277
Obligations	$60,007	—	$770,546	$1,698,193	—	$2,528,746
Outlays	$54,996	—	$697,584	$1,567,619	—	$2,320,199
Military Construction and Family Housing[d]	—	—	$371	$840	—	$1,378

Sources: The National Guard Personnel and O&M figures are CRS calculations based on data provided by the National Guard Bureau. Procurement figures were provided by the Navy. Military Construction and Family Housing figures are CRS calculations based on data contained in the conference committee reports that accompanied the relevant appropriations acts.

Notes:

a. National Guard figures are expressed in terms of obligations.
b. The obligated funds for National Guard personnel and O&M were for hurricane response purposes in the specified states from 2005-2012, but they may not correspond in all cases to the emergency funds appropriated by Congress for hurricane relief purposes specified in **Table 1** of this report. An indeterminate amount of the funding came from regular appropriated funds.
c. Procurement figures are expressed in terms of budget authority, obligations, and outlays; budget authority is nearly identical to obligations.
d. Military construction figures are expressed in terms of budget authority; $167 million is not geographically specific.
e. **Table 11** does not include funding for Management Funds, DHP, or the OIG.

Department of Education[48]

Elementary and Secondary Education

Program Authorities[49]

Following the Gulf Coast hurricanes, funding to support elementary and secondary schools affected by Hurricane Katrina or Hurricane Rita was provided through three public laws: P.L. 109-148 ($1.4 billion), P.L. 109-234 ($235 million), and P.L. 110-28 ($30 million).

- P.L. 109-148 created two new programs: (1) Immediate Aid to Restart School Operations ($750 million) and (2) Temporary Impact Aid for Displaced Students ($645 million), which were specifically designed to address needs resulting from the hurricanes.[50] It also added $5 million to the McKinney-Vento Homeless Assistance Act to serve homeless children and youth who had been displaced by the Gulf Coast hurricanes.
- P.L. 109-234 provided additional funding of $235 million for the Temporary Impact Aid for Displaced Students enacted under P.L. 109-148.
- P.L. 110-28 appropriated $30 million for elementary and secondary schools affected by the hurricanes through the Hurricane Educator Assistance program to assist in recruiting, retaining, and compensating staff in those schools.

Congress then appropriated an additional $15 million through P.L. 110-329 to provide support to local educational agencies (LEAs) whose enrollment of homeless students increased as a result of hurricanes, including Hurricanes Gustav and Ike, floods, or other natural disasters during 2008. Congress subsequently appropriated $12 million through P.L. 111-117 for the Gulf Coast Recovery Initiative to improve education in areas affected by Hurricanes Katrina, Rita, or Gustav.

[48] This section was authored by Rebecca Skinner, Specialist in Education Policy, Domestic Social Policy Division.

[49] While not provided through education-related disaster relief legislation, Louisiana also received $20.9 million through the Charter School Program authorized under Title V-B-1 of the Elementary and Secondary Education Act specifically to help reopen charter schools damaged by Hurricanes Katrina and Rita, help create 10 new charter schools, and expand existing charter schools to accommodate displaced students. (For more information, see U.S. Department of Education, "Louisiana Awarded $20.9 Million No Child Left Behind Grant to Assist Damaged Charter Schools, Create New Charter Schools," press release, September 30, 2005, available at http://www2.ed.gov/news/pressreleases/2005/09/09302005.html).

[50] In addition to funding, P.L. 109-148 also provided general waiver authority for the Secretary of Education related to maintenance of effort (MOE) requirements; the use of federal funds to supplement, not supplant non-federal funds; and matching contributions for programs administered by the Secretary. It also modified hold harmless provisions for the Elementary and Secondary Education Act (ESEA) Title I-A Grants to Local Educational Agencies program and modified highly qualified teacher provisions contained in ESEA Title I-A.

A brief description of each of these programs and the amount of funding each received is presented below. **Table 11** details how much funding various states received under each of the programs.

Immediate Aid to Restart School Operations

The Immediate Aid to Restart School Operations provided support for LEAs and non-public schools in Louisiana, Mississippi, Alabama, and Texas to restart school operations, reopen schools, and re-enroll students. P.L. 109-148 provided $750 million for this program. This program is no longer authorized.

Temporary Emergency Impact Aid for Displaced Students

The Temporary Emergency Impact Aid for Displaced Students program provided federal funding to assist schools in enrolling students who had been displaced by the Gulf Coast hurricanes. Funds were made available to LEAs and schools based on the number of displaced students that enrolled, irrespective of whether the school in which parents chose to enroll their child was a public or non-public school. P.L. 109-148 appropriated $645 million for this program. Subsequently, P.L. 109-234 appropriated an additional $235 million for this program, bringing the total program appropriation to $880 million.[51] Portions of the funds appropriated were provided to 49 states[52] and the District of Columbia based on the number of displaced students each enrolled. Louisiana, Texas, and Mississippi received the largest proportion of funds. This program is no longer authorized.

Hurricane Educator Assistance Program

The Hurricane Educator Assistance Program made federal funding available to Louisiana, Mississippi, and Alabama to use for recruiting, retaining, and compensating school staff who committed to work for at least three years in public elementary and secondary schools affected by Hurricanes Katrina or Rita. States were required to apply to receive funds, and the funds were allocated based on the number of public elementary and secondary schools that were closed for 19 days or more from August 29, 2005, through December 31, 2005. P.L. 110-28 provided $30 million for these purposes to Louisiana and Mississippi only. This program is no longer authorized.

McKinney-Vento Homeless Assistance Act

The McKinney-Vento Homeless Assistance Act provides funding to states to ensure that homeless children and youth are provided equal access to a free, appropriate public education in the same manner as provided other children and youth.[53] P.L. 109-148 appropriated $5 million for this program for LEAs serving homeless children and youth who had been displaced by Hurricane Katrina or Hurricane Rita. Eight states received funding under this program, with the largest grants provided to Texas and Louisiana.[54] While the McKinney-Vento Homeless Assistance Act

[51] Of the total appropriation for Temporary Emergency Impact Aid for Displaced Students, only $878 million was distributed, as the remaining funds were not needed by states under this program.

[52] Hawaii did not receive any funds through this program.

[53] 42 U.S.C. §11433.

[54] The eight states that received funds included Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Tennessee, and Texas.

continues to provide funding related to the education of homeless students, the provisions enacted specifically in response to the Gulf Coast hurricanes are no longer authorized.

Homeless Education Disaster Assistance[55]

P.L. 110-329 provided $15 million to LEAs whose enrollment of homeless students increased as a result of hurricanes, floods, or other natural disasters that occurred during 2008 and for which the President declared a major disaster under Title IV of the Stafford Act. ED was required to distribute the funds through the McKinney-Vento Homeless Assistance Act based on demonstrated need. These funds provided assistance to LEAs in Gulf Coast states affected by Hurricanes Gustav and Ike, as well as LEAs affected by natural disasters in other parts of the nation, such as flooding in the Midwest. The majority of the funds were provided to LEAs in Louisiana and Texas.[56] This program is no longer authorized.

Gulf Coast Recovery Initiative

P.L. 111-117 provided $12 million for competitive awards to LEAs located in counties in Louisiana, Mississippi, and Texas that were designated by FEMA as counties eligible for individual assistance as a result of damage caused by Hurricanes Katrina, Rita, or Gustav. The funds had to be used to improve education in areas affected by these hurricanes and had to be used for activities such as replacing instructional materials and equipment; paying teacher incentives; modernizing, renovating, or repairing school buildings; supporting charter school expansion; and supporting extended learning time activities. The majority of the funds were provided to LEAs in Louisiana. This program is no longer authorized.

Higher Education

Program Authorities

Appropriations to support institutions of higher education (IHEs) following the Gulf Coast hurricanes of 2005 were provided through P.L. 109-148 ($200 million), P.L. 109-234 ($50 million), and P.L. 110-28 ($30 million). P.L. 110-329 subsequently provided an additional $15 million for IHEs in areas affected by hurricanes, including Hurricanes Gustav and Ike, floods, or other natural disasters in 2008. **Table 11** details the amount of funding allocated to various states under these provisions.

Hurricane Education Recovery

Of the $200 million provided under P.L. 109-148 for higher education, $95 million was specifically appropriated for the Louisiana Board of Regents, and $95 million was specifically appropriated for the Mississippi Institutes of Higher Learning for hurricane education recovery from the 2005 Gulf Coast hurricanes. Subsequently, P.L. 109-234 and P.L. 110-28 provided

[55] None of these funds were provided in response to the Gulf Coast hurricanes of 2005.

[56] While data were not available on the specific disasters experienced by the LEAs that received funding, data were available on the specific types of disasters for which institutions of higher education (IHEs) received funds under the Higher Education Disaster Relief program (P.L. 110-329), which also provided aid in response to natural disasters that occurred in 2008. According to these data, all IHEs in Louisiana that received funds were affected by Hurricane Gustav or Ike. Most IHEs in Texas that received funds were affected by Hurricane Ike. A few IHEs in Texas were affected by Hurricane Dolly, accounting for a relatively small portion of the funds allocated to IHEs in Texas. IHEs in Florida that received funding were affected by Tropical Storm Fay. LEAs in Iowa and Illinois received the remaining funds available to LEAs.

additional funds for hurricane education recovery under the Fund for the Improvement of Postsecondary Education (FIPSE), authorized by Title VII of the Higher Education Act, to assist IHEs adversely affected by the 2005 Gulf Coast hurricanes. Under both laws, funds were provided to help defray the expenses incurred by IHEs that were forced to close, relocate, or reduce their activities due to hurricane damage. Under P.L. 110-28, IHEs also were permitted to use these funds to make grants to students enrolled at these institutions on or after July 1, 2006. A total of $80 million was provided for IHEs affected by Hurricane Katrina or Hurricane Rita under the FIPSE for hurricane education recovery. The majority of funds appropriated for hurricane education recovery were provided to Mississippi and Louisiana. These activities are no longer authorized.

Funds to Assist IHEs Enrolling Displaced Students

The remaining $10 million appropriated under P.L. 109-148 for higher education disaster relief was provided to assist IHEs with unanticipated costs associated with the enrollment of students displaced as a result of Hurricane Katrina or Hurricane Rita. Overall, 99 IHEs in 24 states and the District of Columbia received funds related to the enrollment of displaced higher education students.[57] Louisiana and Texas received the largest state grants. This program is no longer authorized.

Higher Education Disaster Relief[58]

P.L. 110-329 provided an additional $15 million for IHEs that were located in an area affected by hurricanes, floods, and other natural disasters that occurred during 2008 and for which the President declared a major disaster under Title IV of the Stafford Act.[59] Funds provided through the Higher Education Disaster Relief program could be used to defray the expenses incurred by IHEs that were forced to close or relocate or whose operations were adversely affected by the natural disaster, and to provide grants to students who attended such IHEs for academic years beginning on or after July 1, 2008. The majority of these funds were provided to Louisiana and Texas for hurricane-related education disaster assistance related to Hurricanes Gustav and Ike.[60] This program is no longer authorized.

Funding Summary

Following the Gulf Coast hurricanes of 2005, Congress appropriated $1.943 billion for ED to provide support to LEAs, schools, and IHEs in the Gulf Coast region and nationwide that were affected by Hurricane Katrina or Hurricane Rita.[61] Subsequently, FY2009 supplemental appropriations provided an additional $30 million for education-related disaster relief for LEAs and IHEs affected by natural disasters during the 2008 calendar year. Most recently, FY2010 appropriations provided an additional $12 million for LEAs located in specific areas affected by Hurricanes Katrina, Rita, or Gustav. Of the $1.985 billion provided for education-related disaster

[57] The 24 states in which IHEs received funds included Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, Ohio, Tennessee, Texas, Utah, and Virginia.

[58] None of these funds were provided in response to the Gulf Coast hurricanes of 2005.

[59] Total obligations under this program were $15,028,360.

[60] IHEs in Arkansas, Colorado, Iowa, Illinois, Indiana, and Kentucky also received funds under this program.

[61] For a more detailed discussion of federal education-related hurricane relief, see CRS Report R42881, *Education-Related Regulatory Flexibilities, Waivers, and Federal Assistance in Response to Disasters and National Emergencies*, by Boris Granovskiy and Alexandra Hegji.

relief and administered by ED since the Gulf Coast hurricanes, nearly all of these funds ($1.826 billion, 92%) were provided to Alabama, Florida, Louisiana, Mississippi, Tennessee, and Texas in response to the 2005 and 2008 hurricanes. **Table 11** details how much of this funding was allocated to each of these states for each of the programs discussed in this section.

Table 11. Disaster Relief Funding Administered by the Department of Education Provided in Response to Hurricanes Katrina, Rita, Gustav, and Ike

(Dollars in Thousands (cumulative obligations))

Department of Education	Alabama	Florida	Louisiana	Mississippi	Tennessee	Texas	Total
Elementary and secondary education							
Immediate Aid to Restart School Operations	$3,750	—	$445,604	$222,493	—	$78,153	$750,000
Emergency Impact Aid for Displaced Students[a]	$36,605	$27,214	$291,717	$100,787	$19,001	$250,890	$726,213
McKinney-Vento Homeless Education Assistance Program	$247	$196	$1,564	$687	$122	$1,687	$4,504
Hurricane Educator Assistance Program	—	—	$22,593	$7,407	—	—	$30,000
Homeless Education Disaster Assistance[b]	—	—	$1,171	—	—	$12,256	$13,427
Gulf Coast Recovery Initiative	—	—	$8,624	$2,638	—	$739	$12,000
Subtotal for elementary and secondary education	$40,602	$27,410	$771,273	$334,012	$19,123	$343,724	$1,536,144
Higher education							
Hurricane Education Recovery	$301	$1,507	$145,663	$117,878	—	$4,651	$270,000
Funds to Assist Institutions of Higher Education Enrolling Displaced Students	$357	$34	$5,748	$327	$95	$1,750	$8,312
Higher Education Disaster Relief Program[c]	—	—	$3,524	—	—	$8,067	$11,591
Subtotal postsecondary education	$658	$1,541	$154,935	$118,206	$95	$14,468	$289,903
Total	**$41,261**	**$28,952**	**$926,208**	**$452,217**	**$19,218**	**$358,192**	**$1,826,046**

Source: Table prepared by CRS, December 11, 2012, based on published and unpublished data available from the U.S. Department of Education (ED).

Notes: Details may not add to totals due to rounding.

a. Under the Emergency Impact Aid program, $1.9 million of the $880 million appropriated was not allocated to states, as the funds were not needed. Thus, the total appropriated amount is higher than the amount allocated and shown on the table.

b. None of these funds were provided in response to the Gulf Coast hurricanes of 2005. While data were not available from ED on the specific disasters experienced by the LEAs that received funding, data were available on the specific types of disasters for which IHEs received funds under P.L. 110-329. According to these data, all IHEs in Louisiana that received funds were affected by Hurricane Gustav or Ike. Most IHEs in Texas that received funds were affected by Hurricane Ike. A few IHEs in Texas were affected by Hurricane Dolly, accounting for a relatively small portion of the funds allocated to IHEs in Texas. IHEs in Florida that received funding were affected by Tropical Storm Fay. Thus, all funds provided to LEAs in Louisiana and Texas were included in the table, while funds provided to LEAs in Florida were not included.

c. Funds obligated to this account were in response to the 2008 hurricanes.

Department of Health and Human Services

Administration for Children and Families[62]

Head Start

The federal Head Start program, authorized at 42 U.S.C. §9801 et seq., provides comprehensive early childhood development services to low-income children.[63] The program seeks to promote school readiness by enhancing the social and cognitive development of children through the provision of educational, health, nutritional, social, and other services. Federal Head Start funds are provided directly to local grantees (e.g., public and private nonprofit and for-profit agencies) rather than through states. Most children served in Head Start programs are three- and four-year olds, but services are authorized for children from birth through compulsory school age.

In December 2005, Congress appropriated $90 million in supplemental Head Start funds for the costs of serving displaced children and the renovation of Head Start facilities affected by the Gulf Coast hurricanes of 2005.[64] The Department of Health and Human Services (HHS) Administration for Children and Families (ACF) reported awarding approximately $74 million of the total appropriation based on grantee requests; the remaining funds ($16 million) reverted to the U.S. Treasury Department.[65] The majority of the funds awarded to grantees ($72.5 million, or 98% of the $74 million) went to Head Start programs in Alabama, Florida, Louisiana, Mississippi, and Texas (see **Table 12**).

Social Services Block Grant

The Social Services Block Grant (SSBG), permanently authorized by 42 U.S.C. §1397 et seq., is a flexible source of funds that states use to support a wide variety of social services activities, ranging from child care to special services for the disabled.[66] States have broad discretion over the use of SSBG funds, which are typically allocated to states according to a population-based formula.

In December 2005, Congress appropriated $550 million in supplemental SSBG funds for necessary expenses related to the consequences of the Gulf Coast hurricanes of 2005.[67] ACF distributed these funds based on the number of FEMA registrants from Hurricanes Katrina, Rita, and Wilma, as well as the percent of individuals in poverty in each state. Funds were allocated to all states that took in evacuees, not just the states that were directly affected. The appropriations language expanded potential services for which these funds could be used to include "health services (including mental health services) and for repair, renovation, and construction of health facilities (including mental health facilities)."

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[62] This section was authored by Karen Lynch, Specialist in Social Policy, Domestic Social Policy Division.

[63] For additional information, see CRS Report RL30952, *Head Start: Background and Funding*, by Karen E. Lynch.

[64] See Division B of P.L. 109-148. The appropriations language specified that costs of renovations may be covered "to the extent reimbursements from FEMA and insurance companies do not fully cover such costs."

[65] U.S. Department of Health and Human Services, Administration for Children and Families, "FY2008 Justification of Estimates for Appropriations Committees," February 2007, p. 91.

[66] For additional information, see CRS Report 94-953, *Social Services Block Grant: Background and Funding*, by Karen E. Lynch.

[67] See Division B of P.L. 109-148.

In September 2008, Congress appropriated $600 million for necessary expenses resulting from major disasters occurring in 2008, including hurricanes, floods, and other natural disasters, as well as expenses resulting from Hurricanes Katrina and Rita.[68] ACF reserved a portion of these funds for states affected by major disasters of 2008 and a portion for states facing ongoing needs as a result of Hurricanes Katrina and Rita.[69] ACF distributed both sets of funds based on each state's share of FEMA registrants, as well as the overall population for each state. Like the previous supplemental, the 2008 supplemental appropriation again expanded potential services for which SSBG funds could be used, this time to include "health services (including mental health services) and for repair, renovation, and construction of health facilities (including mental health facilities), child care centers, and other social services facilities."

Combined, these two supplemental appropriations provided $1.150 billion for the SSBG. According to ACF, the bulk of these funds—$944 million, or 82% of the $1.150 billion—were allocated to Alabama, Florida, Louisiana, Mississippi, and Texas (see **Table 12**).[70]

Typically, SSBG funds are subject to a two-year expenditure period—meaning that funds must be spent by the end of the fiscal year subsequent to the fiscal year in which they were allotted to states.[71] However, most states had not spent all of their funds from either supplemental within the standard two-year period and, in both cases, Congress passed legislation extending the spending deadline for these supplemental funds.[72] According to data from ACF, states had spent about $521 million (95%) of the 2005 $550 million supplemental before the extended deadline of September 30, 2009. ACF data indicate that states had spent about $522 million (87%) of the 2008 $600 million supplemental before the extended expenditure deadline of September 30, 2011. Unspent funds were to revert to the U.S. Treasury.

According to the FY2009 SSBG annual report, states spent supplemental funds on 28 of the 29 SSBG service categories defined in federal regulation,[73] including education and training, counseling services, and health-related services.[74] The FY2009 report indicated that most supplemental funds were spent in the "other services" category, including expenditures for certain construction and renovation costs, as well as costs related to certain health and mental health services. Notably, the FY2009 annual report only includes expenditures from the December 2005 supplemental appropriation.

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[68] See Division B of P.L. 110-329.

[69] For the purpose of allocating these funds, ACF counted major disasters occurring between January and September of 2008 for which FEMA Individual Assistance was authorized, plus Hurricanes Katrina and Rita.

[70] Of the $944 million, $519 million came from funds appropriated in P.L. 109-148, while $425 million came from funds appropriated in P.L. 110-329. Notably, allocations from the latter appropriation were developed based on needs resulting from a broader array of storms. In addition to accounting for Hurricanes Katrina, Rita, Gustav, and Ike, the formula for allocating these funds also took into account other major disasters of CY2008 that qualified for the FEMA Individual Assistance program, such as Tropical Storm Fay in Florida, Hurricane Dolly in Texas, and various other severe storms, tornados, and floods. For state-by-state allocation and expenditure data for these supplemental appropriations, see CRS Report 94-953, *Social Services Block Grant: Background and Funding*, by Karen E. Lynch.

[71] See §2002(c) of Title XX-A of the Social Security Act.

[72] The expenditure deadline for the $550 million in supplemental SSBG funds appropriated in P.L. 109-148 was initially September 30, 2007. This deadline was extended, by P.L. 110-28, through September 30, 2009. The expenditure deadline for the $600 million in supplemental SSBG funds appropriated in P.L. 110-329 was initially September 30, 2010. This deadline was extended, by P.L. 111-285, through September 30, 2011.

[73] 45 C.F.R. §96.74(b).

[74] U.S. Department of Health and Human Services, Administration for Children and Families, "Social Services Block Grant Program Annual Report 2009, Chapter 5," available at http://archive.acf.hhs.gov/programs/ocs/ssbg/reports/2009/index.html.

Table 12. Disaster Relief Funding for Programs at the HHS Administration for Children and Families

(Cumulative Allocations as of July 2010; Dollars in Thousands)

HHS Administration for Children and Families	Alabama	Florida	Louisiana	Mississippi	Texas	Total
Head Start	$1,390	$114	$44,995	$22,212	$3,796	$72,507
Social Services Block Grant (SSBG)	$40,945	$89,194	$350,639	$156,535	$306,805	$944,117
Total	**$42,335**	**$89,308**	**$395,634**	**$178,747**	**$310,601**	**$1,016,624**

Source: CRS interpretation based on data from the HHS Administration for Children and Families (ACF). Head Start data are from ACF's *FY2008 Justification of Estimates for Appropriations Committees*. SSBG data are for combined supplemental allocations, based on data available at http://www.acf.hhs.gov/programs/ocs/resource/supplemental (for the 2005 supplemental) and http://www.acf.hhs.gov/programs/ocs/resource/grant-awards (for the 2008 supplemental).

Notes: Totals shown for the SSBG reflect a combination of supplemental funds appropriated by P.L. 109-148 in December 2005 and P.L. 110-329 in September 2008. Notably, the 2008 SSBG supplemental was appropriated for expenses resulting from major disasters occurring during 2008, as well as Hurricanes Katrina and Rita. Thus, the allocations shown in this table include some funds that were allocated for disasters other than Hurricanes Katrina, Rita, Wilma, Gustav, and Ike (e.g., Tropical Storm Fay and Hurricane Dolly).

Public Health and Medical Assistance[75]

DRF-Funded Mission Assignments

The Department of Health and Human Services (HHS) is the coordinating agency for Emergency Support Function 8 (ESF #8), Public Health and Medical Services, under the *National Response Framework*.[76] The Stafford Act authorizes reimbursements to HHS for many of its emergency or major disaster response activities, including (among others): deployment of operational assets (medical surge and mortuary teams, portable field hospitals, and the Strategic National Stockpile of drugs and medical supplies); disease surveillance; food and water safety activities; and workforce assistance to health departments. Reimbursements to HHS for mission assignments are presented in **Table 17**, **Table 18**, and **Table 19**.

DRF-Funded Crisis Counseling Program (CCP)

Pursuant to Section 416 of the Stafford Act, the President may provide assistance for the establishment of crisis counseling services in areas affected by declared major disasters. CCP, a program to provide short-term mental health screening, counseling, and referral services in presidentially declared disasters, is jointly administered by FEMA, the Substance Abuse and Mental Health Services Administration (SAMHSA) in HHS, and affected states. Amounts provided to each state for the response to the Gulf Coast hurricanes are displayed in **Table 13**.

[75] This section was authored by Sarah A. Lister, Specialist in Public Health and Epidemiology, Domestic Social Policy Division.

[76] For more information on the National Response Framework see https://www.fema.gov/media-library/assets/documents/117791.

Federal Assistance for Health Care

In response to Hurricane Katrina, Congress authorized and appropriated a one-time program of up to $2.1 billion to cover full federal funding of the state match that would normally have been required under the Medicaid and State Children's Health Insurance (CHIP) programs, and the costs of uncompensated care, for eligible individuals from disaster-affected areas. Assistance was provided both to directly affected states and to certain states that hosted evacuees. Funding was also authorized "to restore access to health care in impacted communities," and was provided to stabilize the primary care workforce in three directly affected states: Alabama, Louisiana, and Mississippi.[77] Outlay amounts are presented in **Table 14**.[78]

Appropriations to Existing HHS Accounts

In response to the 2005 hurricanes, Congress provided, in emergency supplemental appropriations for affected areas, $4 million for communications equipment for community health centers, and $8 million for mosquito abatement in affected states.[79] The amounts obligated from this emergency supplemental funding are presented in **Table 15**.

Grants from Existing HHS Accounts

In some cases, funds available in existing HHS accounts were provided for hurricane relief. For example, the Centers for Medicare and Medicaid Services (CMS) Emergency Prescription Assistance Program provided up to $2 million in individual assistance for affected counties in Texas following Hurricane Ike. Also, the HHS Office of Minority Health provided $12 million in grants to minority-serving organizations following Hurricane Katrina. Third, SAMHSA Emergency Response Grants (SERG) provided funds to states for mental health and substance abuse services following Hurricane Katrina.[80] Amounts for SERG grants are presented in **Table 12**.

Administrative Waivers

The federal government funds a significant portion of the nation's health care costs, through the Medicare and Medicaid programs, veterans and Indian health care systems, and other activities.

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[77] P.L. 109-171, Deficit Reduction Act (DRA), §6201, 120 Stat. 132-134, February 8, 2006; and P.L. 109-62, Second Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising From the Consequences of Hurricane Katrina, 2005, 119 Stat. 1991, September 8, 2005. The $2 billion appropriated in the DRA was in addition to $100 million appropriated earlier to the National Disaster Medical System, some of which was also transferred for this purpose. See GAO, *Hurricane Katrina: Allocation and Use of $2 Billion for Medicaid and Other Health Care Needs*, GAO-07-67, February 28, 2007, and GAO, *Hurricane Katrina: CMS and HRSA Assistance to Sustain Primary Care Gains in the Greater New Orleans Area*, GAO-10-773R, June 30, 2010.

[78] Congress also provided $90 million in grants to states for high-risk pools that provide health insurance to individuals who are otherwise uninsurable. P.L. 109-171 (DRA), §6202, 120 Stat. 134. Almost all states were eligible and received awards under this program. Although it was not the primary focus, some states may have used the funds to provide insurance coverage to hurricane evacuees.

[79] P.L. 109-234, Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006, 120 Stat. 463, June 15, 2006. A portion of funds for communications equipment was provided to North Carolina, which deployed a field hospital to the Gulf Coast; funding was used to facilitate that aid.

[80] HHS, "HHS Provides Prescription Drug and Durable Medical Equipment Assistance for Uninsured Texas Victims of Hurricane Ike," press release, September 12, 2008; HHS, "HHS Awards Grants to Support Minority Health," press release, September 30, 2005; and HHS, "HHS Awards $600,000 in Emergency Mental Health Grants to Four States Devastated by Hurricane Katrina," press release, September 13, 2005, available at http://www.hhs.gov/news.

In response to the major hurricanes, HHS invoked numerous waiver authorities that allowed state, local, tribal, and private health care providers and facilities affected by the disasters to continue receiving federal health care services and/or reimbursements under altered conditions, such as the use of temporary facilities, the use of volunteer providers, and care provided to individuals not usually eligible.[81] Although these waivers did not provide new funds to disaster-affected areas, they prevented the loss of substantial federal revenues. Several HHS agencies also allowed states to reprogram federal grant funds, including from most of the grants administered by the Centers for Disease Control and Prevention (CDC).

Public Health Emergency Fund

The Secretary of HHS has authority to use a no-year fund[82] for public health emergencies. However, the fund has not had a balance since the 1990s, so it was not available for the response to the 2005 and 2008 hurricanes.[83]

Table 13. Disaster Relief Funding for Crisis Counseling, Mental Health, and Substance Abuse Services

(Allocations as of June 2010; Dollars in Thousands)

	Alabama		Florida		Louisiana		Mississippi		Texas		Total by Program	
Hurricane	**CCP**	**SERG**	**CCP**	**SERG**	**CCP**	**SERG**	**CCP**	**SERG**	**CCP**	**SERG**	**CCP**	**SERG**
Katrina	$3,019	$100	—	—	$100,436	$200	$41,101	$150	—	$150	$144,556	$600
Rita	—	—	—	—	$4,484	—	—	—	$2,709	—	$7,193	—
Wilma	—	—	$10,401	—	—	—	—	—	—	—	$10,401	—
Gustav	—	—	—	—	$16,476	—	—	—	—	—	$16,476	—
Ike	—	—	—	—	—	—	—	—	$8,267	—	$8,267	—
Total	**$3,019**	**$100**	**$10,401**	**—**	**$121,396**	**$200**	**$41,101**	**$150**	**$10,976**	**$150**	**$186,893**	**$600**

Source: Information for Hurricanes Katrina, Rita, and Wilma from FEMA, "Disaster Relief Fund: Monthly Status Report," (FY2010 Report to Congress), June 22, 2010, pp. 11-14; and HHS, "HHS Awards $600,000 in Emergency Mental Health Grants to Four States Devastated by Hurricane Katrina," press release, September 13, 2005, available at http://www.hhs.gov/news/. Information for Hurricanes Gustav and Ike provided by FEMA Office of External Affairs, July 14, 2010.

Notes: CCP is the Crisis Counseling Program. SERG is SAMHSA Emergency Response Grants. A hyphen indicates that no funds were provided. Although CCP allocations may have continued since June 2010, FEMA has not provided incident-specific funding information since that time. The SERG allocations as presented are final.

Table 14. Disaster Relief Funding for Health Care Costs and Infrastructure

(Outlays as of December 31, 2012; Dollars in Thousands)

Source	Alabama	Florida	Louisiana	Mississippi	Texas
Health care costs	$240,300	$1,800	$741,100	$581,400	$33,100
Primary care stabilization	$38,300	-	$57,600	$92,800	-

[81] These waiver authorities are described at, "Department of Health and Human Services, "1135 Waivers" available at https://www.phe.gov/Preparedness/legal/Pages/1135-waivers.aspx.

[82] No-year funds are available until they are expended.

[83] See "Federal Funding to Support an ESF-8 Response," in CRS Report RL33579, *The Public Health and Medical Response to Disasters: Federal Authority and Funding*, by Sarah A. Lister.

Source	Alabama	Florida	Louisiana	Mississippi	Texas
Total	**$278,600**	**$1,800**	**$998,700**	**$674,200**	**$33,100**

Source: HHS Office of the Assistant Secretary for Financial Resources, February 26, 2013.

Notes: Authority and appropriations pursuant to the Deficit Reduction Act (DRA), Section 6201, limited to the Hurricane Katrina response. Amounts included $2.0 billion appropriated under DRA, and authority to transfer up to $100 million previously appropriated to the National Disaster Medical System (NDMS). For health care costs only, funding was provided to 21 additional states and the District of Columbia, which hosted evacuees.

Table 15. Disaster Relief Funding for Communications Equipment and Mosquito Abatement

(Obligations as of July 2009; Dollars in Thousands)

Purpose	Alabama	Florida	Louisiana	Mississippi	Texas	Total
Communications equipment	$667	$667	$667	$667	$663	$3,331
Mosquito abatement	$798	-	$3,202	$2,871	$1,109	$7,980
Total	**$1,465**	**$667**	**$3,869**	**$3,538**	**$1,772**	**$11,311**

Source: HHS: Health Resources and Services Administration (HRSA) Office of Legislation; and CDC Washington Office, July 15, 2009.

Notes: Assistance provided for the response to Hurricane Katrina pursuant to P.L. 109-234. North Carolina also received a comparable award for communications equipment. On July 15, 2010, the HHS Office of the Assistant Secretary for Financial Resources confirmed that the amounts appropriated–$4 million for communications equipment and $8 million for mosquito abatement–had been fully obligated.

Department of Homeland Security[84]

Federal Emergency Management Agency

Authority

The Stafford Act authorizes the President to issue major disaster or emergency declarations in response to incidents in the United States that overwhelm state and local governments.[85] Section 403(a)(1) of Stafford authorizes the President to direct federal resources to provide assistance essential to meeting immediate threats to life and property resulting from a major disaster.[86] Section 304 of the Stafford Act authorizes the reimbursement of other agencies from funds appropriated to the DRF for services or supplies furnished under the authority of the Stafford Act.[87]

[84] This section was authored by Bruce R. Lindsay, Analyst in American National Government, Government and Finance Division.

[85] 42 U.S.C. §5121 et seq.

[86] 42 U.S.C. §5170b(a)(1).

[87] 42 U.S.C. §5147.

Program Description

The primary mission of FEMA is to "reduce the loss of life and property and protect the Nation from all hazards, including natural disasters, acts of terrorism, and other man-made disasters, by leading and supporting the Nation in a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation."[88]

FEMA provides assistance to states, local governments, tribal nations, individuals and families, and certain nonprofit organizations through the Disaster Relief Fund (DRF).[89] The more significant aid programs authorized under the Stafford Act include the Public Assistance Program (PA);[90] and the Individual and Household Program (IHP), which includes Other Needs Assistance (ONA)[91] and Debris Removal,[92] the Hazard Mitigation Grant Program (HMGP),[93] and Essential Assistance.[94]

P.L. 112-175[95] requires the FEMA Administrator to provide a report by the fifth day of each month on the DRF which includes DRF funding summaries. The DRF report provides funding information by state for the 2005 and 2008 hurricanes. As shown in **Table 16**, the DRF report aggregates funding for Hurricanes Katrina, Rita, and Wilma.

Table 16. Disaster Relief Funding by the Federal Emergency Management Agency for Hurricanes Katrina, Rita, Wilma, Gustav, and Ike

(Cumulative Obligations as of February 5, 2013; Dollars in Millions)

Hurricane	Alabama	Florida	Louisiana	Mississippi	Texas	Total
Katrina, Rita, and Wilma	$1,022	$233	$31,016	$10,058	$1,900	$44,229
Ike	$15	-	$329	-	$4,178	$4,522
Gustav	$19	$8	$1,544	$47	-	$1,618
Total	**$1,056**	**$241**	**$32,889**	**$10,105**	**$6,078**	**$50,369**

Source: Federal Emergency Management Agency, *Disaster Relief Fund: Monthly Report*, February 5, 2013.

FEMA Mission Assignments by Federal Entity

Mission assignments are directives from FEMA (on behalf of the requesting state) to other federal agencies to perform specific work in disaster operations on a reimbursable basis. The mission assignment contains information that is used by FEMA management to evaluate requests for

[88] Federal Emergency Management Agency, "About the Agency," available at https://www.fema.gov/about-agency.

[89] The DRF is the main account used to fund a wide variety of programs, grants, and other forms of emergency and disaster assistance to states, local governments, certain nonprofit entities, and families and individuals affected by disasters. In most cases, funding from the DRF is released after the President has issued a declaration pursuant to the Stafford Act. For further analysis on declaration process, see CRS Report R43784, *FEMA's Disaster Declaration Process: A Primer*, by Bruce R. Lindsay.

[90] §406, 42 U.S.C. §5172.

[91] §408, 42 U.S.C. §5174.

[92] §407, 42 U.S.C. §5173.

[93] §404, 42 U.S.C. §5170c.

[94] §403, 42 U.S.C. §5170b.

[95] Making continuing appropriations for fiscal year 2013, and for other purposes.

assistance from states, other federal agencies, and internal FEMA organizations.[96] Mission assignments are paid out of the DRF through funds appropriated to FEMA rather than funds appropriated directly to the respective agency. **Table 17** contains a list of mission assignment funding by entity for Hurricanes Katrina, Wilma, and Rita. **Table 18** contains mission assignment data for Hurricane Gustav and **Table 19** contains mission assignment funding for Hurricane Ike. As shown in **Tables 18**, **19**, and **20**, mission assignment funding can be assigned directly to an agency, directly to an agency's program/activity, or both.

Table 17. Mission Assignment Funding by Agency: Hurricanes Katrina, Wilma, and Rita

(Net Obligations, as of January 1, 2013)

Department/Agency	Obligations
Department of Agriculture	$2,573,496
Animal and Plant Health Inspection Service	$55,776
Food and Nutrition Service	$10,493
U.S. Forest Service	$162,523,398
Department of Commerce	$2,171,004
National Oceanic and Atmospheric Administration	$2,503,387
Department of Defense	$380,614,318
Army Corps of Engineers—Great Lakes and Ohio River Division	$2,522
Army Corps of Engineers—Mississippi Valley Division	$3,606,709,470
Army Corps of Engineers—South Atlantic Division	$234,037,021
Army Corps of Engineers—South Western Division	$208,521,382
National Geospatial Intelligence Agency	$1,005,796
Department of Energy	$209,373
Department of Health and Human Services	$74,004,453
Centers for Disease Control and Prevention	$15,101,893
Department of Homeland Security	
Customs and Border Protection	$15,487,544
Federal Law Enforcement Training Center	$459,381
Federal Protective Service	$182,228,449
National Communications System	$4,310,150
Transportation Security Administration	$351,511
U.S. Citizenship and Immigration Services	$304,257
U.S. Coast Guard	$183,542,905
U.S. Immigration and Customs Enforcement	$7,7,487,035
U.S. Secret Service	$8,800
Department of Housing and Urban Development	$41,700,880

[96] Department of Homeland Security, "Agency Information Collection Activities: Proposed Collection; Comment Request," 69 *Federal Register* 9350, February 27, 2004.

Department/Agency	Obligations
Department of Justice	$29,976,879
U.S. Parole Commission	$2,056,790
Department of Labor	$925,851
Occupational Safety and Health Administration	$4,958,193
Department of State	$18,101
Department of the Interior	$234,730
Bureau of Indian Affairs	$21,189
Bureau of Reclamation	$820,442
National Park Service	$52,921
U.S. Geological Survey	$471,065
Department of Transportation	$442,007,004
Federal Aviation Administration	$7,433
Department of the Treasury	$1,754,433
Department of Veterans Affairs	$2,931,612
Agency for International Development	$1,749,789
American Red Cross	$11,159
Corporation for National and Community Service	$1,028,304
Environmental Protection Agency	$264,062,645
Equal Employment Opportunity Commission	$354,546
General Services Administration	$56,410,169
National Aeronautics and Space Administration	$1,768,211
National Archives and Records Administration	$434,350
National Capital Planning Commission	$7,469
National Labor Relations Board	$215,543
Office of Personnel Management	$400,000
Office of the Chief Financial Officer	$70,100
Railroad Retirement Board	$5,419
Social Security Administration	$817,509
Tennessee Valley Authority	$9,039,858
U.S. Postal Service	$129,208
Total	**$5,941,178,581**

Source: Unpublished data provided by FEMA.

Notes: Mission Assignments were given to departments as well as the entities within some of the departments. The obligations data in the table reflect both department-wide and sub-department entity-specific obligations for mission assignments. Totals are not provided for each agency.

Table 18. Mission Assignments by Agency: Hurricane Gustav

(Net Obligations, as of January 1, 2013)

Department/Agency	Obligations
Department of Agriculture	$45,000
Animal and Plant Health Inspection Service	$178,465
U.S. Forest Service	$2,750,000
Department of Commerce	
National Oceanic and Atmospheric Administration	$15,000
Department of Defense	
Army Corps of Engineers-Mississippi Valley Division	$105,349,225
Army Corps of Engineers-South Atlantic Division	$1,587,780
Army Corps of Engineers-South Western Division	$831,710
National Geospatial-Intelligence Agency	$62,000
Department of Energy	$120,000
Department of Health and Human Services	$17,476,000
Department of Homeland Security	
Customs and Border Protection	$857,000
Federal Communications Commission	$75,000
Federal Protective Service	$7,653,644
Information Analysis and Infrastructure Protection Program	$220,000
National Communications System	$48,426
Transportation Security Administration	$13,978
U.S. Coast Guard	$571,960
U.S. Immigration and Customs Enforcement	$82,411
Department of Housing and Urban Development	$140,000
Department of Justice	$1,281,144
Department of Labor	$10,000
Occupational Safety and Health Administration	$35,000
Department of State	$40,000
Department of the Interior	$20,000
National Park Service	$300,000
Department of Transportation	$621,904
Department of Treasury	$50,000
Department of Veterans Affairs	$10,000
Corporation for National and Community Service	$252,049
Environmental Protection Agency	$12,007,379
General Services Administration	$4,274,543
Tennessee Valley Authority	$3,448,894

Department/Agency	Obligations
Total	**$161,322,222**

Source: Unpublished data provided by FEMA.

Notes: Mission assignments were given to departments as well as the entities within some of the departments. The obligations data in the table reflect both department-wide and sub-department entity-specific obligations for mission assignments. Totals are not provided for each agency.

Table 19. Mission Assignments by Agency: Hurricane Ike

(Net Obligations, as of January 1, 2013)

Department/Agency	Obligations
Department of Agriculture	$2,153,188
U.S. Forest Service	$18,990,000
Department of Defense	$25,030,836
Army Corps of Engineers—Mississippi Valley Division	$19,200,000
Army Corps of Engineers—South Atlantic Division	$7,926
Army Corps of Engineers—South Western Division	$243,230,000
National Geospatial-Intelligence Agency	$808,051
Department of Energy	$235,000
Department of Health and Human Services	$36,630,000
Department of Homeland Security	
Customs and Border Protection	$580,000
Federal Protective Service	$24,995,000
Information Analysis and Infrastructure Protection Program	$340,000
National Communication System	$135,000
Transportation Security Administration	$639,978
U.S. Coast Guard	$668,180
Department of Housing and Urban Development	$1,346,668
Department of Justice	$386,398
Department of Labor	
Occupational Safety and Health Administration	$30,000
Department of the Interior	$850,000
Bureau of Indian Affairs	$10,000
U.S. Geological Survey	$558,485
Department of Transportation	$115,597
Federal Aviation Administration	$250,000
Department of Treasury	$4,011
Department of Veterans Affairs	$260,000
Corporation for National and Community Service	$84,236
Environmental Protection Agency	$58,365,000

Department/Agency	Obligations
General Services Administration	$1,026,351
Tennessee Valley Authority	$4,350,768
Total	**$441,280,673**

Source: Unpublished data provided by FEMA.

Notes: Mission assignments were given to departments as well as the entities within some of the departments. The obligations data in the table reflect both department-wide and sub-department entity-specific obligations for mission assignments. Totals are not provided for each agency.

Department of Housing and Urban Development (HUD)[97]

Community Development Block Grants

Program Authority

The Community Development Block Grant (CDBG) program was first authorized as Title I of the Housing and Community Development Act of 1974, P.L. 93-383, (42 U.S. C. §5301, et al.).

Program Description

Funds are allocated by formula to states, Puerto Rico, and eligible (entitlement) communities to be used to fund eligible housing, neighborhood revitalization, and economic development activities. After funds are set aside for Indian tribes and insular areas 70% of each year's annual CDBG program appropriation must be allocated to CDBG entitlement communities, including metropolitan cities with populations of 50,000 persons or more, central cities of metropolitan areas, and statutorily defined urban counties. The remaining 30% of appropriated funds are allocated to states for distribution to non-entitlement communities.

Eligible activities must meet one of three national objectives. The activity must:

- principally benefit low or moderate income persons;
- aid in preventing or eliminating slums or blight; or
- address an imminent threat to the health or welfare of residents of an area, including disaster relief, mitigation, and long-term recovery activities.

In addition, a state or entitlement community grantee must certify that it will expend at least 70% of its CDBG allocation over a three-year period on eligible activities principally benefiting low- and moderate-income persons.

In addition to allowing a state or entitlement community to fund disaster-recovery efforts under the CDBG's imminent threat national objective using CDBG regular appropriation, Congress has, at its discretion, appropriated additional supplemental CDBG funds in response to presidentially declared disasters. In addition to appropriating funds for disaster recovery activities, the statute authorizing the CDBG program grants the Department of Housing and Urban Development (HUD) the authority to waive or modify program regulations, except those relating to public notice, fair housing, civil rights, labor standards, environmental review, and the program's low-

[97] This section was authored by Maggie McCarty, Specialist in Housing Policy and Eugene Boyd, Analyst in Federalism and Economic Development Policy.

and moderate-income targeting requirement, when CDBG funds are used to respond to presidentially declared major disasters.[98]

Funds are allocated to states and communities to cover unmet needs not covered by state and local efforts, private insurers, and standard federal disaster programs administered by the Federal Emergency Management Agency, the Small Business Administration, and the Army Corps of Engineers. As a condition of funding, grantees are required to submit, for HUDs approval, a disaster recovery plan.

Funding

In the aggregate, the six states identified in **Table 20** were awarded a total of $23.971 billion in CDBG disaster relief assistance to fund disaster relief activities in response to the five hurricanes identified in the table. Nearly 60% of this amount was allocated to Louisiana while Mississippi received approximately 30% of the total.

Five of the six states included in **Table 20** received a total allocation of $19.672 billion in response to the Gulf Coast hurricanes of 2005. Louisiana received the largest share (75%) of this amount followed by Mississippi (28%), Texas (2.5%), Florida (1%), and Alabama (less than 1%).

A total of $4.296 billion was awarded to five of six states included in **Table 20** to support disaster recovery activities in response to Hurricane Ike. Texas accounted for 71% of the total followed by Louisiana (25%), Tennessee (2%), Florida (1.8%), and Mississippi (less than 1%).

Table 20. Distribution of CDBG Disaster Recovery Funds for Selected States, by Disaster Declaration

(Allocations as of Feb. 25, 2013; Dollars in Thousands)

Hurricane	Alabama	Florida	Louisiana	Mississippi	Tennessee	Texas	Total
Katrina-Rita-Wilma	$95,614	$182,970	$13,410,000	$5,481,221	—	$503,194	$19,672,999
Gustav	—	—	—	$2,281	—	—	$2,281
Ike	—	$81,063	$1,058.690	$6,283	$92,517	$3,057,919	$4,296,472
Total	**$95,614**	**$264,033**	**$14,468,690**	**$5,489,785**	**$92,517**	**$3,561,113**	**$23,971,752**

Source: HUD, available at http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/programs/drsi/activegrantee.

Notes: Allocations for Hurricanes Katrina, Wilma, and Rita were reported and presented as an aggregated total.

Rental Assistance/Section 8 Vouchers

The Section 8 Housing Choice Voucher program, authorized at 42 U.S.C. §1437f(o), provides portable rent subsidies that low-income families can use to rent housing units offered by private market landlords. Families with vouchers contribute an income-based payment towards their rent

[98] 42 U.S.C. §5321. For funds designated under this chapter by a recipient to address the damage in an area for which the President has declared a disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act [42 U.S.C. §5170 et seq.], the Secretary may suspend all requirements for purposes of assistance under §5306 of this title for that area, except for those related to public notice of funding availability, nondiscrimination, fair housing, labor standards, environmental standards, and requirements that activities benefit persons of low and moderate income.

(generally equal to 30% of a family's income), and the federal government, through local public housing authorities (PHAs), pays the landlord the difference between the tenant's contribution and the contract rent for the unit.

Congress provided over $555 million to HUD to provide rental assistance (in the form of Section 8 Housing Choice Vouchers) to families displaced by Hurricanes Katrina and Rita. The first $390 million of that amount was appropriated to HUD to provide temporary rental assistance vouchers to families that were previously assisted by HUD programs, but were displaced by the 2005 hurricanes.

Later, HUD was given a mission assignment by FEMA to begin providing rental assistance to all remaining households displaced by the 2005 hurricanes. HUD named this program the Disaster Housing Assistance Program (DHAP), and the cost of the DHAP was covered by FEMA's Disaster Relief Fund. Following Hurricane Ike, FEMA and HUD established another Disaster Housing Assistance Program (DHAP-Ike) for families displaced by that storm, also funded through the DRF under a mission assignment.

Following the first appropriation, and establishment of the mission assignments, Congress appropriated $85 million for HUD to fund the cost of ongoing, permanent Section 8 rental assistance vouchers for displaced families whose temporary housing assistance under DHAP-Katrina was expiring. Congress later appropriated an additional $80 million to create new Section 8 rental assistance vouchers in the areas affected by Hurricanes Katrina and Rita.

Table 21 provides the total appropriations for disaster-related rental assistance vouchers. It does not provide allocations by state for all rental assistance funding because that information is not readily available and would be difficult to determine. Most of the funding for rental assistance was not allocated to the local public housing authorities (PHAs) administering the program by state. Rather, it was allocated based on where displaced families were living. For example, a PHA in Texas may have been administering a voucher on behalf of the Housing Authority of New Orleans for a family who was living in New Orleans before the storm, but relocated to Alabama after the storm.[99] The $80 million for new vouchers was allocated to housing authorities and **Table 21** provides a break-down by state for those funds.

Supportive Housing

The Louisiana Recovery Corporation titled its recovery plan, which was primarily funded with emergency CDBG funding, the "Road Home" program. As shown in **Table 21**, Congress appropriated $73 million to HUD for allocation to Louisiana's Road Home program (Supportive Housing) to fund the creation of permanent supportive housing units for the elderly and persons with disabilities. Of that amount, $50 million was appropriated through an existing homeless assistance grant program that serves homeless persons with disabilities (called Shelter Plus Care) (authorized at 42 U.S.C. Chapter 119) and $23 million was appropriated through the Section 8 Housing Choice Voucher program.[100]

[99] The Housing Authority of New Orleans sustained so much damage as a result of the storm that they contracted with a PHA in Harris County, TX, to administer their voucher program for them.

[100] For more information about the Shelter Plus Care program, see CRS Report RL33764, *The HUD Homeless Assistance Grants: Programs Authorized by the HEARTH Act*, by Libby Perl; for more information about Section 8 vouchers, see CRS Report RL32284, *An Overview of the Section 8 Housing Programs: Housing Choice Vouchers and Project-Based Rental Assistance*, by Maggie McCarty.

Public Housing Repair

Low-rent public housing is federally subsidized housing owned and operated by local PHAs and available to low-income families. Several public housing developments, particularly in New Orleans, suffered severe damage after Hurricane Katrina. As shown in **Table 21**, Congress appropriated $15 million in emergency funding to HUD's public housing capital fund (authorized at 42 U.S.C. §1437g), which was allocated to PHAs to aid in the repair of severely damaged public housing in Louisiana.

Inspector General

As shown in **Table 21**, Congress appropriated $7 million for the HUD Inspector General to help fund the cost of enhanced oversight over disaster recovery funding.

Table 21. Disaster Relief Funding by the Department of Housing and Urban Development

(Allocations; Dollars in Thousands)

Department of Housing And Urban Development	Alabama	Florida	Louisiana	Mississippi	Texas	Total
Rental Assistance/Section 8 Vouchers[a]	$6,109	$10,980	$16,908	$16,797	$27,706	$78,500
Supportive Housing	—	—	$73,000	—	—	$73,000
Public Housing Repair	—	—	$15,000	—	—	$15,000
Inspector General[b]	N/A	N/A	N/A	N/A	N/A	$7,000
Total	**$6,109**	**$10,980**	**$104,908**	**$16,797**	**$27,706**	**$173,500**

Source: Table prepared by CRS. Figures are based on P.L. 109-148, P.L. 109-234, P.L. 110-28, P.L. 110-116, P.L. 110-252, P.L. 110-329, and P.L. 111-32. Community Development Block Grant allocations taken from https://web.archive.org/web/20120808044154/http://portal.hud.gov:80/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/programs/drsi/activegrantee. Rental Assistance/Section 8 Voucher allocations taken from https://web.archive.org/web/20170222002106/https:/www.hud.gov/offices/pih/publications/sec1203/thu-cong-ntf.pdf. Public Housing repair information was taken from HUD's FY2010 Congressional Budget Justifications.

Notes: Total amounts allocated do not equal total amounts appropriated in some cases because funds have been reserved by the department for administrative costs.

a. Note that state allocations are only provided for the $80 million provided for new vouchers by P.L. 111-32.

b. An additional $7 million provided by P.L. 109-234 for Community Development Block Grants was required to be transferred to the Office of Inspector General.

Department of Justice[101]

Established by an "Act to Establish the Department of Justice"[102] with the Attorney General at its head, the Department of Justice (DOJ) provides counsel for the government in federal cases and protects citizens through law enforcement. It represents the federal government in all proceedings, civil and criminal, before the U.S. Supreme Court. In legal matters, generally, the

[101] This section was authored by Nathan James, Analyst in Crime Policy, Domestic Social Policy Division.

[102] 28 U.S.C. §501.

department provides legal advice and opinions, upon request, to the President and executive branch department heads.

To date, the DOJ has received a total of $287.5 million in supplemental appropriations for departmental expenses related to hurricanes in the Gulf of Mexico and to award grants to Gulf Coast states. **Table 22** provides a breakdown of how DOJ obligated disaster funding amongst Alabama, Florida, Louisiana, Mississippi, and Texas.

Legal Activities

Program Authority or Authorities

Subtitle A of Title XI of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (P.L. 109-162) authorized appropriations for the General Legal Activities and U.S. Attorneys accounts. For the General Legal Activities account the act authorized $679.7 million for FY2006, $706.8 million for FY2007, $735.1 million for FY2008, and $764.5 million for FY2009. For the U.S. Attorneys account the act authorized $1.626 billion for FY2006, $1.691 billion for FY2007, $1.795 billion for FY2008, and $1.829 billion for FY2009.

Program Description

The Legal Activities account includes several sub-accounts, including General Legal Activities and the U.S. Attorneys. The General Legal Activities sub-account funds the Solicitor General's supervision of DOJ's conduct in proceedings before the Supreme Court. It also funds several departmental divisions (tax, criminal, civil, environment and natural resources, legal counsel, civil rights, INTERPOL, and dispute resolution). The U.S. Attorneys enforce federal laws through prosecution of criminal cases and represent the federal government in civil actions in all of the 94 federal judicial districts.[103]

Funding Narrative

Since 2005, Congress has appropriated a total of $17.5 million in supplemental appropriations for this account. This amount included $2.0 million for General Legal Activities and a total of $15.5 million for the U.S. Attorneys. Chapter 8 of Title II of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror and Hurricane Recovery, 2006 (P.L. 109-234) provided $2 million for General Legal Activities "to investigate and prosecute fraud cases related to hurricanes in the Gulf Coast region."[104] Chapter 8 of Title I of Division B of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (P.L. 109-148) provided $9 million for the U.S. Attorneys "to support operational recovery from hurricane-related damage in the Gulf Coast region."[105] Chapter 8 of Title II of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror and Hurricane Recovery, 2006 (P.L. 109-234) provided the U.S.

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[103] U.S. Department of Justice, Offices of the United States Attorneys, "United States Attorneys' Mission Statement," available at http://www.justice.gov/usao/about/mission.html.

[104] U.S. Congress, House, *Making Emergency Supplemental Appropriations for the Fiscal Year Ending September 30, 2006 and Other Purposes*, Conference Report, 109th Cong., 2nd sess., June 8, 2006, H.Rept. 109-494 (Washington: GPO, 2006), p. 128.

[105] U.S. Congress, House, *Making Appropriations for the Department of Defense for the Fiscal Year Ending September 30, 2006, and Other Purposes*, Conference Report, 109th Cong., 1st sess., December 18, 2005, H.Rept. 109-359 (Washington: GPO, 2005), p. 514.

Attorneys with $6.5 million "to investigate and prosecute fraud cases related to hurricanes in the Gulf Coast region."[106]

United States Marshals Service

Program Authority or Authorities

Subtitle A of Title XI of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (P.L. 109-162) authorized $800.3 million for FY2006, $832.3 million for FY2007, $865.6 million for FY2008, and $900.2 million for FY2009 for the United States Marshals Service (USMS) account.

Program Description

The federal marshals' service was founded in 1789, making it the oldest federal law enforcement agency. A presidentially appointed U.S. marshal directs the operations of the marshals' services in each of the 94 federal judicial districts. The USMS facilitates the functioning of the federal judicial process by providing protection for judges, attorneys, witnesses, and jurors and providing physical security in courthouses. The USMS is the federal government's primary agency for fugitive investigations. USMS task forces combine the efforts of federal, state, and local law enforcement agencies to locate and arrest fugitives. The Marshals Service also works with international law enforcement agencies to apprehend fugitives who have fled abroad and to apprehend foreign fugitives who have entered the United States. The USMS executes all federal arrest warrants. The USMS manages and sells assets which were seized or forfeited by federal law enforcement agencies.[107] The assets managed and sold by the USMS are assets that represent the proceeds of, or were used to facilitate federal crimes.[108] The Marshals Service is responsible for housing and transporting all federal detainees from the time they are arrested until they are either acquitted or convicted and delivered to their designated federal prison. The USMS operates the Justice Prisoner and Alien Transportation System (JPATS), which transports prisoners between judicial districts, correctional facilities, and foreign countries. The USMS is also responsible for administering the federal witness security program, which provides for the security and safety of government witnesses and their authorized family members, whose lives are in danger as a result of their cooperation with the U.S. government.[109]

Funding Narrative

Since 2005, Congress has appropriated $9 million in supplemental appropriations for the U.S. Marshal's Service. Chapter 8 of Title I of Division B of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (P.L. 109-148) provided $9 million for the USMS's salaries and expenses

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[106] U.S. Congress, House, *Making Emergency Supplemental Appropriations for the Fiscal Year Ending September 30, 2006 and Other Purposes*, Conference Report, 109th Cong., 2nd sess., June 8, 2006, H.Rept. 109-494 (Washington: GPO, 2006), p. 128.

[107] U.S. Department of Justice, U.S. Marshals Service, "Overview of the U.S. Marshals Service," available at https://www.usmarshals.gov/duties/factsheets/index.html.

[108] U.S. Department of Justice, "Assets Forfeiture Program," available at http://www.justice.gov/jmd/afp/.

[109] U.S. Department of Justice, U.S. Marshals Service, "Overview of the U.S. Marshals Service," available at https://www.usmarshals.gov/duties/factsheets/overview.pdf.

account "to support operational recovery from hurricane-related damage in the Gulf Coast region."[110]

Federal Bureau of Investigation

Program Authority or Authorities

Subtitle A of Title XI of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (P.L. 109-162) authorized $5.761 billion for FY2006, $5.992 billion for FY2007, $6.231 billion for FY2008, and $6.481 billion for FY2009 for the Federal Bureau of Investigation (FBI) account.

Program Description

The FBI was founded in 1908. Its headquarters is in Washington, DC, and it has 56 field offices located in major cities throughout the United States and its territories and another 380 resident agencies in cities and towns across the nation. In addition, the FBI has more than 60 international offices called "legal attachés" in U.S. embassies worldwide. The FBI is the lead federal investigative agency charged with defending the country against foreign terrorist and intelligence threats; enforcing federal criminal laws; and providing leadership and criminal justice services to federal, state, municipal, tribal, and territorial law enforcement agencies and partners. The FBI focuses on protecting the United States from internal and external threats and investigations that are too large or too complex for state and local authorities to handle on their own. The priorities of the FBI include:

- protecting the United States from terrorist attack;
- protecting the United States against foreign intelligence operations and espionage;
- protecting the United States against cyber-based attacks and high-technology crimes;
- combating public corruption;
- protecting civil rights;
- investigating transnational/national criminal organizations and enterprises;
- investigating major white-collar crime;
- investigating significant violent crime; and
- supporting federal, state, local and international partners.[111]

The FBI collects and disseminates national crime data through the Uniform Crime Reports (UCR).[112] The FBI also operates several national law enforcement information sharing systems such as the Combined DNA Index System (CODIS),[113] the Law Enforcement National Data

[110] U.S. Congress, House, *Making Appropriations for the Department of Defense for the Fiscal Year Ending September 30, 2006, and Other Purposes*, Conference Report, 109th Cong., 1st sess., December 18, 2005, H.Rept. 109-359 (Washington: GPO, 2005), p. 514.

[111] U.S. Department of Justice, Federal Bureau of Investigation, "About," available at https://www.fbi.gov/about/mission.

[112] U.S. Department of Justice, Federal Bureau of Investigation, "Uniform Crime Reports," available at https://ucr.fbi.gov/.

[113] U.S. Department of Justice, Federal Bureau of Investigation, "Combined DNA Index System (CODIS)," available at

Exchange (N-Dex),[114] the Next Generation Identification System (NGI),[115] the National Instant Criminal Background Check System (NICS),[116] and the National Crime Information Center (NCIC).[117]

Funding Narrative

Since 2005, Congress has appropriated $45 million in supplemental appropriations for the FBI. Chapter 8 of Title I of Division B of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (P.L. 109-148) provided $45 million for the FBI's salaries and expenses account "to support operational recovery from hurricane-related damage in the Gulf Coast region."[118]

Drug Enforcement Administration

Program Authority or Authorities

Subtitle A of Title XI of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (P.L. 109-162) authorized $1.716 billion for FY2006, $1.785 billion for FY2007, $1.856 billion for FY2008, and $1.930 billion for FY2009 for the Drug Enforcement Administration (DEA) account.

Program Description

The DEA was established in 1973 through an executive order issued by President Nixon.[119] The DEA has 226 domestic and 85 foreign offices.[120] The DEA's mission is "to enforce the controlled substances laws and regulations of the United States and bring to the criminal and civil justice system of the United States, or any other competent jurisdiction, those organizations and principal members of organizations, involved in the growing, manufacture, or distribution of controlled substances appearing in or destined for illicit traffic in the United States; and to recommend and support non-enforcement programs aimed at reducing the availability of illicit controlled

http://www.fbi.gov/about-us/lab/biometric-analysis/codis.

[114] U.S. Department of Justice, Federal Bureau of Investigation, "N-Dex: National Law Enforcement Data Exchange," available at http://www.fbi.gov/about-us/cjis/n-dex.

[115] U.S. Department of Justice, Federal Bureau of Investigation, "Next Generation Identification (NGI)," available at https://www.fbi.gov/services/cjis/fingerprints-and-other-biometrics/ngi.

[116] U.S. Department of Justice, Federal Bureau of Investigation, "National Instant Criminal Background Check System," available at http://www.fbi.gov/about-us/cjis/nics.

[117] U.S. Department of Justice, Federal Bureau of Investigation, "National Crime Information Center," available at https://www.fbi.gov/services/cjis/ncic.

[118] U.S. Congress, House, *Making Appropriations for the Department of Defense for the Fiscal Year Ending September 30, 2006, and Other Purposes*, Conference Report, 109th Cong., 1st sess., December 18, 2005, H.Rept. 109-359 (Washington: GPO, 2005), p. 514.

[119] U.S. Department of Justice, Drug Enforcement Administration, "DEA History," available at https://www.dea.gov/about/history.shtml.

[120] U.S. Department of Justice, Drug Enforcement Administration, "Domestic Office Locations," available at https://www.dea.gov/about/Domesticoffices.shtml. U.S. Department of Justice, Drug Enforcement Administration, Foreign Office Locations, available at https://www.dea.gov/about/foreignoffices.shtml.

substances on the domestic and international markets."[121] The DEA's primary responsibilities include:

- investigating major violators of controlled substance laws operating at interstate and international levels;
- management of a national drug intelligence program in cooperation with federal, state, local, and foreign officials to collect, analyze, and disseminate strategic and operational drug intelligence information;
- seizure and forfeiture of assets derived from, traceable to, or intended to be used for illicit drug trafficking;
- enforcement of the provisions of the Controlled Substances Act as they pertain to the manufacture, distribution, and dispensing of legally produced controlled substances;
- reduction of illicit drugs on the United States market through methods such as crop eradication, crop substitution, and training of foreign officials; and
- liaison with the United Nations, Interpol, and other organizations on matters relating to international drug control programs.[122]

Funding Narrative

Since 2005, Congress has appropriated $10 million in supplemental appropriations for this account. Chapter 8 of Title I of Division B of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (P.L. 109-148) provided $10 million for the DEA's salaries and expenses account "to support operational recovery from hurricane-related damage in the Gulf Coast region."[123]

Bureau of Alcohol, Tobacco, Firearms, and Explosives

Program Authority or Authorities

Subtitle A of Title XI of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (P.L. 109-162) authorized $923.6 million for FY2006, $960.6 million for FY2007, $999.0 million for FY2008, and $1.039 billion for FY2009 for the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) account.

Program Description

The ATF enforces federal criminal law related to the manufacture, importation, and distribution of alcohol, tobacco, firearms, and explosives.[124] The ATF's responsibilities were transferred from the

[121] U.S. Department of Justice, Drug Enforcement Administration, "DEA Mission Statement," available at https://www.dea.gov/about/mission.shtml.

[122] Ibid.

[123] U.S. Congress, House, *Making Appropriations for the Department of Defense for the Fiscal Year Ending September 30, 2006, and Other Purposes*, Conference Report, 109th Cong., 1st sess., December 18, 2005, H.Rept. 109-359 (Washington: GPO, 2005), p. 514.

[124] CRS Report R44189, *Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF): FY2016 Appropriations*, by William J. Krouse.

Department of the Treasury to the Department of Justice as a part of the Homeland Security Act (P.L. 107-296).[125] The ATF works both independently and through partnerships with industry groups, international, state, and local governments, and other federal agencies to investigate and reduce crime involving firearms and explosives, acts of arson and bombings, and illegal trafficking of alcohol and tobacco products.[126]

Funding Narrative

Since 2005, Congress has appropriated $20 million in supplemental appropriations for the ATF. Chapter 8 of Title I of Division B of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (P.L. 109-148) provided $20 million for the ATF's salaries and expenses account "to support operational recovery from hurricane-related damage in the Gulf Coast region."[127]

Federal Prison System (Bureau of Prisons)

Program Authority

Subtitle A of Title XI of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (P.L. 109-162) authorized $5.066 billion for FY2006, $5.268 billion for FY2007, $5.479 billion for FY2008, and $5.698 billion for FY2009 for the Federal Prison System account.

Program Description

The Bureau of Prisons (BOP) was established in 1930 to house federal inmates, to professionalize the prison service, and to ensure consistent and centralized administration of the federal prison system.[128] The BOP's mission is to protect society by confining offenders in prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities for inmates so that they can become productive citizens after they are released.[129] BOP currently operates 118 correctional facilities across the country.[130]

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[125] U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, "ATF's History," available at http://www.atf.gov/about/history/.

[126] U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, Bureau of Alcohol, Tobacco, Firearms and Explosives, "Congressional Budget Submission, Fiscal Year 2016," p. 5, available at https://edit.justice.gov/sites/default/files/jmd/pages/attachments/2015/02/02/26._bureau_of_alcohol_tobacco_firearms_and_explosives_atf.pdf.

[127] U.S. Congress, House, *Making Appropriations for the Department of Defense for the Fiscal Year Ending September 30, 2006, and Other Purposes*, Conference Report, 109th Cong., 1st sess., December 18, 2005, H.Rept. 109-359 (Washington: GPO, 2005), p. 515.

[128] U.S. Department of Justice, Bureau of Prisons, "About the Bureau of Prisons," available at http://www.bop.gov/about/index.jsp.

[129] U.S. Department of Justice, Bureau of Prisons, "Mission and Vision of the Bureau of Prisons," available at https://www.bop.gov/about/agency/agency_pillars.jsp.

[130] U.S. Department of Justice, Bureau of Prisons, "About the Bureau of Prisons," available at http://www.bop.gov/about/index.jsp.

Funding Narrative

Since 2005, Congress has appropriated $11 million in supplemental appropriations for the BOP. Chapter 8 of Title I of Division B of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (P.L. 109-148) provided $11 million for the BOP's buildings and facilities account "to repair hurricane-related damage in the Gulf Coast region."[131]

Office of Justice Programs

Program Authorities

Congress has not traditionally authorized appropriations for the Office of Justice Programs (OJP); rather it has authorized appropriations for grant programs administered by the OJP. The funding appropriated by Congress for the OJP under the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (P.L. 109-148) was not appropriated pursuant to any authorized grant program. Congress appropriated funding for OJP's State and Local Law Enforcement assistance account for the OJP to award to states affected by hurricanes in the Gulf of Mexico in 2005. The funding appropriated by Congress for the OJP under the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (P.L. 110-28) was appropriated pursuant to an authorization for the Byrne Discretionary Grant program. This program was previously authorized under Part B of Subchapter V of Chapter 46 of Title 42 of the U.S. Code. However, the authorization was repealed by Section 1111(b)(1) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (P.L. 109-162). Congress continued to appropriate funding for the Byrne Discretionary Grant program until FY2011 when the program's funding was eliminated due to the earmark ban put in place by the 112th Congress.

Program Description

The OJP manages and coordinates the National Institute of Justice (NIJ), Bureau of Justice Statistics (BJS), Office of Juvenile Justice and Delinquency Prevention (OJJDP), Office of Victims of Crime (OVC), Bureau of Justice Assistance (BJA), and related grant programs. Through its component offices and bureaus, OJP disseminates knowledge and practices across America and provides grants for the implementation of crime fighting strategies. NIJ focuses on research, development, and evaluation of crime control and justice issues. NIJ funds research, development, and technology assistance, as well as assesses programs, policies, and technologies. BJS collects, analyzes, publishes, and disseminates information on crime, criminal offenders, crime victims, and criminal justice operations. BJS also provides financial and technical support to state, local, and tribal governments to improve their statistical capabilities and the quality and the utility of their criminal history records. OJJDP assists local community endeavors to effectively avert and react to juvenile delinquency and victimization. OJJDP seeks to improve the juvenile justice system and its policies so that the public is better protected, youth and their families are better served, and offenders are held accountable. OVC distributes federal funds to victim assistance programs across the country. OVC offers training programs for professionals and their agencies that specialize in helping victims. BJA provides leadership and assistance to

[131] U.S. Congress, House, *Making Appropriations for the Department of Defense for the Fiscal Year Ending September 30, 2006, and Other Purposes*, Conference Report, 109th Cong., 1st sess., December 18, 2005, H.Rept. 109-359 (Washington: GPO, 2005), p. 515.

local criminal justice programs that improve and reinforce the nation's criminal justice system. BJA's goals are to reduce and prevent crime, violence, and drug abuse and to improve the way in which the criminal justice system functions.[132]

Funding Narrative

Since 2005, Congress has appropriated $175 million for OJP for grants to assist states affected by hurricanes in the Gulf of Mexico. Chapter 8 of Title I of Division B of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (P.L. 109-148) included $125 million for OJP's State and Local Law Enforcement Assistance account for "necessary expenses related to the direct or indirect consequences of hurricanes in the Gulf of Mexico in calendar year 2005." Chapter 2 of Title IV of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (P.L. 110-28) included $50 million under OJP's State and Local Law Enforcement Assistance Account for the Byrne Discretionary Grant program. Language in the law stated that funds provided under this program were to be used for local law enforcement initiatives in the Gulf Coast region related to the aftermath of Hurricane Katrina. Congress also required OJP to award the $50 million it received under the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 based upon each affected state's level of reported violent crime in 2005.

Table 22. Disaster Relief Funding for the Department of Justice

(Obligations: Dollars in Thousands)

Department of Justice	Alabama	Florida	Louisiana	Mississippi	Texas	Other	Total
Criminal Division	—	—	$440	—	—	$935	$1,375
Civil Division	—	—	—	—	—	$625	$625
U.S. Attorneys	$79	$1,019	$8,806	$3,545	$627	$1,424	$15,500
U.S. Marshals Service	—	$105	$3,002	$1,066	$1,830	$2,995	$9,000
Federal Bureau of Investigation	$993	$439	$18,469	$674	$107	$24,318	$45,000
Drug Enforcement Administration	$1,906	$2	$4,302	$1,848	$135	$1,807	$10,000
Bureau of Alcohol, Tobacco, Firearms, and Explosives	—	—	—	—	—	$20,000	$20,000
Bureau of Prisons	—	$4,100	—	—	$6,900	—	$11,000
Office of Justice Programs	$26,448	—	$82,830	$65,683	$20,000	—	$195,000

Source: Unpublished data provided by U.S. Department of Justice, December 12, 2012.

Notes: The "other" categories includes funds that were not allocated specifically to an individual state, but benefited recovery efforts generally; funds that were unable to be broken out by state due to incomplete financial information (ATF only); and funds that expired. Obligations for the Office of Justice Programs includes $20 million in deobligated funds from other OJP accounts. Figures have been rounded.

[132] U.S. Department of Justice, Office of Justice Programs, Office of Justice Programs, "Congressional Budget Submission, Fiscal Year 2018," available at https://www.justice.gov/file/969001/download.

Department of Labor[133]

Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker Activities[134]

National Dislocated Worker Grants

The Employment and Training Administration (ETA) of the Department of Labor administers "federal government job training and worker dislocation programs, federal grants to states for public employment service programs, and unemployment insurance benefits. These services are primarily provided through state and local workforce development systems."[135]

The Workforce Innovation and Opportunity Act (WIOA, P.L. 113-128), whose programs are administered primarily by ETA, is the primary federal employment and training legislation. WIOA authorizes several job training programs: state formula grants for Adult, Youth, and Dislocated Worker Employment and Training Activities; Job Corps; and other national programs, including Native American Programs, Migrant and Seasonal Farmworker Programs, and a series of competitive grant programs authorized under Section 169 of WIOA.

ETA provides funding assistance for disaster relief activities primarily through the Dislocated Worker program, specifically by National Dislocated Worker Grants (DWG). DWGs are authorized under WIOA Section 170 and are for employment and training assistance to workers affected by major economic dislocations, such as plant closures, mass layoffs, or natural disasters. These DWGs are awarded primarily to states and local Workforce Development Boards (WDBs) to provide services for eligible individuals, including dislocated workers, civilian employees of the Departments of Defense or Energy employed at an installation that is being closed within 24 months of eligibility determination, employees or contractors with the Department of Defense at risk of dislocation due to reduced defense expenditures, or certain other members of the Armed Forces. Services include job search assistance and training for eligible workers. In addition, DWG funding may be used to provide direct employment ("disaster relief employment") to individuals for a period of up to 12 months for work related to a disaster.

A majority of WIOA funding for the Dislocated Worker program is allocated by formula grants to states (which in turn allocate funds to local entities) to provide training and related services to individuals who have lost their jobs and are unlikely to return to those jobs or similar jobs in the same industry. The remainder of the appropriation is reserved by DOL for a National Reserve account, which in part provides for the DWGs.[136]

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[133] This section was authored by David Bradley, Specialist in Labor Economics, Domestic Social Policy Division.

[134] The grants described in this section are authorized by WIOA, which replaced the Workforce Investment Act (WIA; P.L. 105-220) in 2014. WIA authorized similar grants—National Emergency Grants (NEGs)—that provided the authority for grants described in Table 26, which were issued prior to WIOA. NEGs and DWGs are substantively similar.

[135] U.S. Department of Labor, Employment and Training Administration, "About ETA", available at http://www.doleta.gov/etainfo/.

[136] Specifically, WIOA §132(a)(2)(A) requires that 20% of the amount appropriated for Dislocated Worker Employment and Training Activities be reserved for national dislocated worker grants, projects, and technical assistance. The remaining 80% is to be used for state formula grants.

Funding Narrative

The Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (P.L. 109-148) provided $125 million in appropriations to ETA to award National Emergency Grants (NEGs) related to the consequences of hurricanes in the Gulf of Mexico in calendar year 2005. P.L. 109-148 specified that the appropriations were to remain available until June 30, 2006, and that the funds could be used to replace NEG funds previously obligated to the hurricane-impacted areas. In calendar year (CY) 2006, Alabama received $667,000, Louisiana $36.4 million, Mississippi $46.7 million, and Texas $64.9 million in NEG funding. The total of $148.6 million in NEG funding awarded to the five states, shown in **Table 23**, exceeds the $125 million appropriated in P.L. 109-148. In providing the award amounts and projects, ETA does not distinguish awards by funding source. Thus, some of the funding shown in **Table 23** is from the NEG funding in the regular annual WIA National Reserve appropriations.[137]

The Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (P.L. 109-234) provided $16 million in appropriations to ETA for "necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, for the construction, rehabilitation, and acquisition of Job Corps centers." P.L. 109-234 specified that the funds were to remain available until expended. Job Corps, which is administered by ETA, is primarily a residential job training program first established in 1964 that provides educational and career services to low-income individuals ages 16 to 24, primarily through contracts administered by DOL with corporations and nonprofit organizations. Most participants in the Job Corps program work toward attaining a high school diploma or a General Educational Development (GED) certificate, with a subset also receiving career technical training. Currently, Job Corps centers operate in 50 states, the District of Columbia, and Puerto Rico. The $16 million provided in P.L. 109-234 for construction, rehabilitation, and acquisition of Job Corps centers was most likely used for repair of the Gulfport (Mississippi) and New Orleans Job Corps centers, which were damaged during Hurricane Katrina.[138]

Table 23. Disaster Relief Funding by the Department of Labor

(Cumulative obligations as of December 2006; Dollars in Millions)

Department of Labor	Alabama	Florida	Louisiana	Mississippi	Texas	Total
Employment and Training Administration						
National Emergency Grants	$0.67	—	$36.4	$46.7	$64.9	$148.6
Office of the Secretary						

[137] NEG award amounts were obtained from ETA. ETA reports grants awarded by state and type of project in each calendar year. Because the supplemental appropriations became law December 30, 2005 (P.L. 109-148), the amounts reported in **Table 23** are for calendar year 2006 only. It should be noted that additional NEG funding was provided to these five states in other calendar years. Florida, for example, received $8.5 million in NEG funding in 2005 for hurricane-related emergencies; however, given the timing of P.L. 109-148, it does not appear that Florida's funding came from the supplemental appropriations identified in **Table 23**.

[138] The PY (program year) 2005 Job Corps Annual Report indicated that, "Following a recent appropriation from Congress, Job Corps is on the fast track to restoring the Gulfport and New Orleans Job Corps centers, which sustained damage during Hurricane Katrina." See U.S. Department of Labor, *Job Corps Annual Report: Program Year July 1, 2005 - June 30, 2006*, Washington, DC, 2006, p. 27, available at http://www.jobcorps.gov/Libraries/pdf/py05report.sflb.

Department of Labor	Alabama	Florida	Louisiana	Mississippi	Texas	Total
Job Corps	—	—	—	—	—	$16.0
Total	**$0.67**	**—**	**$36.4**	**$46.7**	**$64.9**	**$164.6**

Source: CRS compilation of data from the Department of Labor Employment and Training Administration, available at http://www.doleta.gov/neg/cy_awards_LastSix.cfm.

Notes: National Emergency Grant awards in were identified by reviewing the "project name" field of the Department of Labor Office of National Response data. Projects that identified Hurricanes Katrina, Rita, or Wilma were included. As noted in the text, only NEG awards for CY2006 were included in this table.

Department of Transportation[139]

DOT is the lead support agency under Emergency Support Function #1: Transportation, under the NRF. DOT reports on damage to transportation infrastructure and coordinates alternative transportation services and the restoration and recovery of the transportation infrastructure. At the time that Hurricanes Katrina, Rita, and Wilma struck, DOT also worked with FEMA in providing and coordinating transportation support, such as evacuation aid and shipping of critical supplies to the disaster area. However, by the time Gustav and Ike struck, DOT had turned over its role in evacuation aid and the shipping of critical supplies to FEMA.

During the hurricane response, DOT had only one permanent disaster program, the Federal Highway Administration Emergency Relief Program (ER). Other operating administrations, such as the Federal Aviation Administration and the Federal Transit Administration, also provided disaster assistance.

From a budgetary perspective, however, the DOT response to the Gulf Coast hurricanes may be viewed as either DOT funding or as FEMA funding provided to DOT for the mission assignment activities assumed by its operating administrations (see **Table 17**, **Table 18**, and **Table 19**). Funding by the FHWA, FAA, and FTA is briefly described below, and the cumulative total allocations to the Gulf of Mexico states are provided in **Table 24**.

Federal Highway Administration: Emergency Relief Program (ER)

ER Program Authorities

The Federal Highway Administration's Emergency Relief Program (ER) is authorized by Title 23, U.S.C. §125 (Section 120 (e) for federal share payable).[140]

Program Description[141]

The ER program provides funds for the repair and reconstruction of roads on the federal-aid highway system that have suffered serious damage as a result of either (1) a natural disaster over a wide area, such as a flood, hurricane, tidal wave, earthquake, tornado, severe storm, or landslide; or (2) a catastrophic failure from any external cause (for example, the collapse of a bridge that is struck by a barge). Historically, however, the vast majority of ER funds have gone for natural disaster repair and reconstruction.

[139] This section was authored by Robert S. Kirk, Specialist in Transportation Policy, Resources, Science, and Industry Division.

[140] Regulatory Reference: 23 C.F.R. Part 668.

[141] See "Emergency Relief Program" available at https://www.fhwa.dot.gov/programadmin/erelief.cfm.

ER Funding for Gulf Coast Hurricane Response

ER funding allocations for Hurricanes Katrina, Rita, Wilma, Gustav, and Ike totaled almost $3.2 billion. Of this amount, just over $2.8 billion has been obligated; see **Table 24**. Funding provided for hurricane relief includes funds from the program's annual $100 million authorization and from additional sums provided in supplemental or other appropriations acts. ER funds can only be used for roads and bridges on the federal-aid highway system. Repair and reconstruction costs for other damaged roads (mostly local roads and neighborhood streets) may be reimbursed by FEMA.

Table 24. Emergency Relief Obligations for Gulf Coast Hurricanes

(Obligations as of December 2012; Dollars in Thousands)

Hurricane	Alabama	Florida	Louisiana	Mississippi	Tennessee	Texas	Total
Katrina	$27,693	$29,448	$1,193,896	$1,085,905	—	—	$2,336,942
Rita	—	$793	—	—	—	$37,508	$38,301
Wilma	—	$271,462	—	—	—	—	$271,462
Gustav	—	—	$76,976	$4,825	—	—	$81,801
Ike	—	—	$17,429	—	—	$99,923	$117,352
Total	**$27,693**	**$301,703**	**$1,288,301**	**$1,090,730**	**—**	**$137,431**	**$2,845,858**

Source: Federal Highway Administration.

Notes: Funds are obligated through a binding agreement, such as a project agreement, entered into by the Federal Highway Administration and a state.

Federal Aviation Administration (FAA)

FAA has approved $110.5 million for repair and improvements to hurricane-damaged airport and air traffic control infrastructure.[142] Of this amount, $40.6 million was appropriated under the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act of 2006 (P.L. 109-148). FAA also provided Airport Improvement Program discretionary funds for airport repairs in the Gulf of Mexico states.[143]

Federal Transit Administration (FTA)

The U.S. Troop Readiness Veterans' Care Katrina Recovery and Iraq Accountability Appropriations Act of 2007 (P.L. 110-28) appropriated $35 million for transit relief to the Gulf Coast states. The distribution of this funding across the Gulf Coast states is shown in **Table 25**. It is not unusual for FTA to be tasked by FEMA under a mission assignment to provide transit assistance to disaster victims. **Table 25** does not include these FEMA-reimbursed costs.

[142] This total includes $1 million in Airport Improvement Program funding provided on September 19, 2008.

[143] The FAA was the lead Operational Administration for the Katrina disaster mission assignment responses. Most of the mission assignment costs overseen by FAA following Katrina were for services provided by Landstar Express America, Inc. Landstar provided transport services for the air, sea, and land transportation of supplies and resources.

Table 25. Disaster Relief Funding by Modal Administration/Program

(Allocated Amounts; Dollars in Thousands)

Department of Transportation	Alabama	Florida	Louisiana	Mississippi	Texas	Total
Federal Aviation Administration	$1,688	$6,356	$21,927	$73,271	$7,256	$110,498
Federal Highway Administration: Emergency Relief Program	$27,378	$523,175	$1,410,826	$1,079,712	$142,926	$3,184,017
Federal Transit Administration	$646	$475	$20,453	$12,705	$721	$35,000
Total	**$29,712**	**$530,006**	**$1,453,206**	**$1,165,688**	**$150,903**	**$3,329,515**

Source: FAA Office of Government and Industry Affairs, FTA Office of Budget, FHWA.

Notes: The FAA total includes $1 million in Airport Improvement Program funding provided for damage caused by Hurricane Ike. Totals for FAA and FTA are based on information provided to CRS as of July 13, 2010. FHWA allocations are as of January 2013. As of January 2012, FHWA began a process of identifying unobligated ER funds and withdrawing those funds no longer needed for the events for which they were allocated. Consequently, these figures could change.

Department of Veterans Affairs[144]

Medical Center in New Orleans

The Department of Veterans Affairs (VA) administers programs that provide benefits and other services to veterans and their spouses, dependents, and beneficiaries. The VA has three primary organizations to provide these benefits: the Veterans Benefits Administration (VBA), the Veterans Health Administration (VHA), and the National Cemetery Administration (NCA). The VHA provides medical care to eligible veterans and dependents. Hurricane Katrina caused extensive damage to the VA Medical Center in New Orleans.

Funding Narrative

P.L. 109-148 appropriated additional funds for necessary expenses due to the consequences of the hurricanes in the Gulf of Mexico in 2005. Funds were appropriated by category, including $198.3 million for medical services, and $26.9 million for general operating expenses, minor construction, and the National Cemetery Administration. P.L. 109-148 appropriated $367.5 million for major construction, of which $292.5 million was for a new facility in Biloxi, MS, and $75 million was for advance planning and design work to replace the VA Medical Center in New Orleans.[145]

The total amount of appropriations authorized for the new Biloxi VA Medical Center was $310 million. This amount included $292.5 million provided in. P.L. 109-148 and $17.5 million in regular appropriations. P.L. 111-212 transferred $6 million in bid savings to the Filipino Veterans Compensation Fund, and $18 million was transferred to New Orleans Medical Center project.

[144] This section was authored by Sidath Viranga Panangala, Specialist in Veterans Policy, Domestic Social Policy Division.

[145] For more information see CRS Report RL33409, *Veterans' Medical Care: FY2007 Appropriations*, by Sidath Viranga Panangala.

Later another $11 million was reprogramed from the working reserve for the new Biloxi VA Medical Center.[146] The total estimated cost of the new Biloxi VA Medical Center is $297 million. While a majority of buildings were completed in December 2011, as of FY2018 some buildings are still under construction.[147]

P.L. 109-234 appropriated $585.9 million for major construction by the VA, of which $550 million was for replacing the New Orleans Medical Center. P.L. 112-10 appropriated $310 million for FY2011, and P.L. 112-74 appropriated $60 million for FY2012, for the New Orleans Medical Center. In FY2015 $39.5 million and in FY2016 $50 million were respectively reprogrammed from the working reserve. The total estimated cost of replacing the VA Medical Center in New Orleans is approximately $1.09 billion.

The site decision for the new VA Medical Center in New Orleans was announced on November 25, 2008, and a groundbreaking ceremony was held on June 25, 2010. However, VA could not acquire all the land parcels necessary to construct the new medical center until late April 2011. The construction of the new facility began in May 2011.[148] The new medical center was formally opened on November 18, 2016,[149] and activation of various clinics would occur in various phases.[150]

Armed Forces Retirement Homes

Gulfport Facility

The Armed Forces Retirement Home Trust Fund provides funds to operate and maintain the Armed Forces Retirement Homes (AFRH) in Washington, DC (also known as the United States Soldiers' and Airmen's Home), and in Gulfport, MS (originally located in Philadelphia, PA, and known as the United States Naval Home). These two facilities provide long-term housing and medical care for approximately 1,600 needy veterans. The Gulfport campus, encompassing a 19-story living accommodation and medical facility tower, was severely damaged by Hurricane Katrina, and closed at the end of August 2005.

Funding Narrative

P.L. 109-148 appropriated $65.8 million for the AFRH for expenses necessary because of the Gulf of Mexico hurricanes. Of the $65.8 million, $45 million was for advance planning and design work to replace the Gulfport, MS, facility, which was nearly destroyed by Hurricane Katrina. The facility had almost 600 residents, the majority of whom were transferred to the Washington, DC, facility after the storm. P.L. 109-234 appropriated $176 million for construction of the new Gulfport facility, and consolidated an additional $64.7 million in previously appropriated funds for construction of the new facility. P.L. 110-329 and P.L. 111-117 provided

[146] Unexpended balances that remain after construction projects are finished are placed in a working reserve and could be redirected to other major construction projects with approval from Congress or key VA officials based on the dollar threshold established in appropriation acts.

[147] Department of Veterans Affairs, *FY2018 Congressional Budget Submission Construction, Long Range Capital Plan and Appendix*, Volume 4 of 4, May 2017, p. 6-172

[148] U.S. Congress, House Committee on Veterans' Affairs, *Deconstructing the U.S. Department of Veterans Affairs Construction Planning*, 112th Cong., 1st sess., April 5, 2011 (Washington: GPO, 2011), p.73 and p. 69.

[149] https://www.blogs.va.gov/VAntage/33256/celebrating-the-grand-opening-of-the-new-orleans-va-hospital/

[150] Department of Veteran Affairs, Southeast Louisiana Veterans Health Care System, "Project Legacy - Frequently Asked Questions," available at https://www.neworleans.va.gov/Project_Legacy.asp

additional funds ($8.0 million and $72.0 million, respectively) for construction and renovation at the Washington, DC, and Gulfport facilities (a breakdown between the facilities for the funding is not available). In October 2010, the new Gulfport facility was completed to which residents returned.

Corporation for National and Community Service[151]

The National Civilian Community Corps (NCCC), authorized under the National and Community Service Act of 1990, as amended, is a residential program for individuals age 18 through 24 that conducts projects related to, among other things, disaster preparedness and relief and recovery efforts. The $10 million in Emergency Supplemental Funds provided for NCCC in P.L. 109-234 was used to support a range of program operations in the Gulf Region, from staff and member payroll and travel to covering communications, equipment, and supply costs.[152] Funding was used in FY2007. Approximately $1.3 million went directly to the National Service Trust, which provides educational awards to NCCC members who complete 10 months of full-time service. The remaining $8.7 million was used to support program operations; it was not used to support a specific project or service. Instead, it was combined with the program's FY2007 appropriation of $26.8 million and allowed NCCC to direct members from all of its campuses to the Gulf Region for the recovery effort. The FY2007 appropriation, combined with the $8.7 million in supplemental funds, was used, among other things, to enable 1,063 members to serve 810,000 hours on 341 relief and recovery projects in the Gulf Region.

To support this work, NCCC partnered with numerous national and local organizations, local universities and churches, as well as local and federal government, including (but are not limited to) the American Red Cross; Habitat for Humanity; City Year Louisiana; The Salvation Army; Hands On Network; Federal Emergency Management Agency; St. Bernard Parish; Tulane, Xavier, and Dillard Universities; United Way of Acadiana, Louisiana; New Orleans Recovery School District; Christian Contractors Association, Mississippi; Council on Aging, Louisiana; Alliance for Affordable Energy; Arc of Greater New Orleans; Blackbelt and Central Alabama Housing Authority; various Boys and Girls Clubs; Mississippi Commission for Volunteers; and New Orleans Recreation Department.

Environmental Protection Agency[153]

The U.S. Environmental Protection Agency's (EPA's) primary responsibilities include the implementation of federal statutes regulating air quality, water quality, pesticides, and toxic substances; the regulation of the management and disposal of solid and hazardous wastes; and the cleanup of environmental contamination.[154] In the case of declared disasters, FEMA may call on EPA to provide assistance to state and local governments, most notably in response to releases of hazardous materials and contaminants from a major disaster or emergency.[155]

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[151] This section was authored by former analyst Ann Lordeman and Joselynn Fountain, Analyst in Education Policy, Domestic Social Policy Division.

[152] Information on the use of the $10 million appropriated under P.L. 109-234 was provided by the Corporation for National and Community Service in correspondence with CRS on July 15, 2009.

[153] This section was authored by Robert Esworthy, Environmental Specialist, Resources, Science and Industry Division.

[154] See CRS Report RL30798, *Environmental Laws: Summaries of Major Statutes Administered by the Environmental Protection Agency*, coordinated by David M. Bearden. See also U.S. EPA, "Emergency Response," available at https://www.epa.gov/emergency-response.

[155] See U.S. EPA, "Response to 2005 Hurricanes," available at https://archive.epa.gov/katrina/web/html/; and U.S.

Hurricane Emergency Response Authorities

In addition to the authorities of a Presidential declaration under the Stafford Act, three federal laws authorized the development of the regulations that are embodied in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP).[156] These regulations serve as EPA's standing authority and plan for response to oil spills and releases of hazardous substances.[157] Section 311 of the Clean Water Act[158] authorizes federal emergency response to oil spills into U.S. waters, onto adjoining shorelines, or that may affect natural resources under the jurisdiction of the United States.[159] The Oil Pollution Act of 1990 (OPA) amended the response authorities in Section 311 of the Clean Water Act, and established a liability and compensation framework for oil spills.[160] The Comprehensive, Environmental Response, Compensation, and Liability Act (CERCLA, commonly referred to as Superfund) authorizes federal emergency response to releases of hazardous substances into the environment.[161] The President's response authorities under these laws are delegated by executive order to the Environmental Protection Agency (EPA) in the inland zone and to the U.S. Coast Guard in the coastal zone.[162] Other response authorities apply to oil released under certain circumstances not covered by the NCP.[163]

EPA also has additional emergency response roles related to protecting water infrastructure under other response plans and authorities if required. EPA is the lead federal agency for the water sector under the National Infrastructure Protection Plan.[164] EPA also has statutory "emergency powers" under the Safe Drinking Water Act to issue orders and commence civil action if a contaminant likely to enter a public water supply system poses a substantial threat to public health, and state or local officials have not taken adequate action.[165]

EPA, "Hurricane Sandy Response and Recovery," available at https://archive.epa.gov/region02/sandy/web/html/indexoriginal%20response.html).

[156] See 40 C.F.R. Part 300.

[157] For further information, see CRS Report R43251, *Oil and Chemical Spills: Federal Emergency Response Framework*, by David M. Bearden and Jonathan L. Ramseur.

[158] Federal Water Pollution Control Act, P.L. 92-500, as amended, codified at 33 U.S.C. §1251 et seq.

[159] 33 U.S.C. §1321. For further discussion, see CRS Report RL33705, *Oil Spills: Background and Governance*, by Jonathan L. Ramseur.

[160] 33 U.S.C. §2701 et seq.

[161] The term "environment" includes surface and subsurface lands, surface waters, groundwater, and ambient air, making the response authorities for hazardous substances broader in terms of their physical reach than that for oil spills. 42 U.S.C. §9601 et seq. For further discussion of the authorities of CERCLA, see CRS Report R41039, *Comprehensive Environmental Response, Compensation, and Liability Act: A Summary of Superfund Cleanup Authorities and Related Provisions of the Act*, by David M. Bearden.

[162] Executive Order 12580 delegated the President's authorities under CERCLA, and Executive Order 12777 delegated the President's authorities under OPA and Section 311 of the Clean Water Act. Executive Order 13286 amended these executive orders to reflect the transfer of the U.S. Coast Guard from the Department of Transportation to the Department of Homeland Security in 2003.

[163] Subtitle I of the Solid Waste Disposal Act addresses petroleum leaked from underground storage tanks. This role is performed mainly by the states under cooperative agreements with EPA.

[164] For information on the National Infrastructure Protection Plan and sector-specific agency roles, see the Department of Homeland Security's website, available at http://www.dhs.gov/national-infrastructure-protection-plan.

[165] 42 U.S.C. §300i.

EPA Hurricane Response

EPA's primary disaster response role is carried out in accordance with the (NCP) as outlined in the NRF, Emergency Support Function 10 (ESF#10)—Oil and Hazardous Materials Annex. Under ESF#10, EPA is the lead federal agency for inland incidents and those affecting both inland and coastal zones.[166] EPA also has various other response roles under the NRF and may perform a wide array of support functions in responding to a disaster or emergency.[167] In accordance with various ESFs, EPA support to other federal agencies (primarily FEMA and the Army Corps of Engineers) and state and local governments, includes activities necessary to address threats to human health and the environment focusing on impacts to drinking water and wastewater treatment facilities and post-disaster cleanup. EPA also may support the Army Corps of Engineers in its mission under ESF #3—Public Works and Engineering Annex—to remove disaster debris[168] and cleanup of water infrastructure facilities, and to DOE under ESF #12—Energy Annex—in its effort to maintain continuous and reliable energy supplies. In practice, EPA support for this latter function has generally involved waiving environmental requirements applicable to motor vehicle fuel under the Clean Air Act. For example, as part of the federal response to hurricanes in 2005, EPA granted certain waivers under this statute in response to requests from state and local officials when significant disruptions in fuel production or distribution occurred in the wake of these natural disasters.[169]

EPA's activities following the 2005 and 2008 hurricanes included retrieval and disposal of orphan (oil) tanks and drums, the collection of household hazardous waste, and the collection of liquid and semi-liquid waste.[170] Additionally, EPA and Corps of Engineers staff conducted assessments, providing assistance to state and local government personnel to evaluate damages to public works. Steps involved in actually restoring service include drying out and cleaning engines; testing and repairing waterlogged electrical systems; testing for toxic chemicals that may have infiltrated pipes and plants; restoring pressure (drinking water distribution lines); activating disinfection units; restoring bacteria needed to treat wastes (wastewater plants); and cleaning, repairing, and flushing distribution and sewer lines. EPA also assisted local agencies with contaminated (non-hazardous) debris management activities.

Funding Narrative

Initially following the 2005 and 2008 hurricanes, EPA conducted assessments and provided assistance to state and local governments using existing programs and regular funding. After the initial period EPA was eligible for reimbursement by FEMA for costs associated with these efforts under a FEMA mission assignment. Funding for EPA's response to Hurricanes Katrina, Rita,

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[166] EPA is the primary agency for the inland zone and incidents affecting both inland and coastal zones; the U.S. Coast Guard has primary responsibility for coastal incidents and often acts as co-lead.

[167] For more information about EPA responsibilities under the National Response Framework, including those under individual ESFs, see EPA's "Federal Response Plans" website, available at https://www.epa.gov/emergency-response/epa-and-national-response-framework-nrf.

[168] For more information, see CRS Report R44941, *Disaster Debris Management: Requirements, Challenges, and Federal Agency Roles*, by Linda Luther.

[169] See EPA's website: "Fuels Waivers Response to 2005 Hurricanes" available at https://www.epa.gov/enforcement/fuel-waivers#2005.

[170] EPA activities included assessment and containment of existing Superfund sites and releases from underground storage tanks. EPA uses funds from the Superfund appropriations account to pay for emergency response activities for all pre-existing Superfund sites; see "Policy Guidance on ESF #10 Mission Assignments," available at https://www.nrt.org/sites/2/files/Suiter_Makris_Policy_Guidance_on_ESF.pdf.

Wilma, Gustav, and Ike was primarily through the FEMA mission assignments and interagency agreements with FEMA. EPA indicated that of the $505 million received cumulatively through interagency agreements for its response to the five hurricanes, $497 million was expended.[171]

In addition to the mission assignment from FEMA, EPA received a cumulative total of $21 million in emergency supplemental appropriations under P.L. 109-148 enacted December 30, 2005, and P.L. 109-234, enacted June 15, 2006. Under P.L. 109-148, EPA received $8 million in emergency supplemental FY2006 appropriations for the Leaking Underground Storage Tank Program (LUST) for necessary expenses to address the most immediate underground storage tank needs in areas affected by Hurricanes Katrina and Rita. P.L. 109-234 increased EPA's FY2006 appropriation by an additional $7 million for assessing underground storage tanks that may have leaked in affected areas, and made $6 million available through EPA's Environmental Programs and Management (EPM) appropriations account for increased environmental monitoring, assessment, and analytical support to protect public health during the ongoing recovery and reconstruction efforts related to the consequences of the 2005 hurricane season.

EPA provided the cumulative $15 million included in the two supplemental appropriations under the LUST program to Alabama, Louisiana, and Mississippi in the form of grants for assessment and containment of underground tanks (by statute not to exceed $85,000 per project). EPA reported no allocation of this funding to Florida or Texas. The per-state distribution was determined jointly by EPA and the affected states based on the site evaluation information available at the time. The Alabama Department of Environmental Management (ADEM) indicated completion of site work related to Katrina and initiated a return of unliquidated obligations totaling $364,670. The majority of the $6 million emergency appropriations provided within the EPA Environmental Programs and Management appropriations account was used to fund contractors for analytical and other disaster support and to purchase equipment, including replacement of expended or damaged air monitors, within Louisiana and Mississippi. Funding was also provided for similar purposes in Alabama and Florida. No EPM funding allocation was reported for Texas. EPA provided $1.4 million of the EPM supplemental funding to its Office of Research and Development and Office of Air and Radiation for continued disaster and emergency response support, including analysis in its laboratories and air monitoring, across states affected by Hurricanes Katrina and Rita.

Table 26. Disaster Relief Supplemental Appropriations for the U.S. Environmental Protection Agency (EPA): P.L. 109-148 and P.L. 109-234

(FY2006 Appropriations as Received and Distributed to States; Dollars in Thousands)

Department/Agency/Program	Alabama	Florida	Louisiana	Mississippi	Texas	Total
ENVIRONMENTAL PROTECTION AGENCY						
Leaking Underground Storage Tanks (LUST) Trust Fund	$632	—	$10,947	$3,421	—	$15,000
Environmental Programs and Management (EPM)	$180	$96	$3,073	$1,241	—	$4,590
Total	**$812**	**$96**	**$14,020**	**$4,662**	**—**	**$19,590**

[171] The funding received includes $800,000 received through a U.S. Army Corp of Engineers interagency agreement. The total received amounts as reported by EPA reflected adjustments resulting from quarterly reviews on all Mission Assignments and Interagency Agreements performed jointly by FEMA/DHS, EPA Cincinnati finance office, EPA Regional Program Office, and Federal Coordinating Officers, and funding EPA provided back to FEMA.

Source: CRS interpretation of data provided by the U.S. EPA Office of the Chief Financial Officer (OCFO) through the Agency's Office of Congressional and Intergovernmental Relations (OCIR) August 2010.

Notes: P.L. 109-148 and P.L. 109-234 provided a cumulative total of $15 million in emergency funding within EPA's LUST Trust Fund account. The Alabama Department of Environmental Management (ADEM) indicated completion of site work related to Katrina and initiated a return of unliquidated obligations totaling $364,670. P.L. 109-234 provided $6.0 million in emergency funding within EPA's EPM account. The total amount shown in the table for EPA's EPM account does not reflect $1.4 million for EPA's Office of Research and Development and Office of Air and Radiation. Amounts in the table may not add due to rounding.

EPA Regular Appropriations

General appropriation funds available to states in the form of grants from EPA may also have been used in the 2005 and 2008 hurricane recovery efforts, in particular, capitalization grants from the Clean Water and the Drinking Water State Revolving Funds (SRFs).[172] The SRFs are funded within the EPA's State and Tribal Assistance Grants (STAG) appropriations account. SRF grant funding is used for local wastewater and drinking water infrastructure projects, such as construction of and modification to municipal sewage treatment plants and drinking water treatment plants, to facilitate compliance with Clean Water Act and Safe Drinking Water Act requirements, respectively. Although, following a presidentially declared emergency, public drinking water and wastewater utilities are eligible for FEMA supplemental federal disaster grant assistance for the repair, replacement, or restoration of disaster damaged facilities,[173] the portions of the annual fiscal year SRF grant allotments to states may have also been used to supplement these projects.

EPA allocates annual appropriations for these capitalization grants among the states based on an established formula authorized in the Clean Water Act and based on needs surveys under the Safe Drinking Water Act.[174] States must provide 20% matching funds in order to receive the federal funds. States combine their matching funds with the federal monies to capitalize their SRFs, which they use to issue low-interest or no interest loans to finance local water infrastructure projects in communities. The recipients generally must repay the loan to the issuing state. For FY2006-FY2011, the cumulative total allotment to the five Gulf States examined in this report from Clean Water SRF annual appropriations was $1.20 billion.[175] The cumulative total during the six-year period for the Drinking Water SRF was $1.16 billion.[176] What portion of these funds was used to support projects for infrastructure affected by the five hurricanes is not known.

[172] For more information on the Clean Water SRF, see CRS Report R44963, *Wastewater Infrastructure: Overview, Funding, and Legislative Developments*, by Jonathan L. Ramseur; for more information on the drinking water SRF, see CRS Report RS22037, *Drinking Water State Revolving Fund (DWSRF): Program Overview and Issues*, by Mary Tiemann.

[173] See U.S. EPA publication "Public Assistance for Water and Wastewater Utilities in Emergencies and Disasters," EPA 817-F-10-009, Office of Water, August 2010, available at http://water.epa.gov/infrastructure/watersecurity/emerplan/upload/Public-Assistance-for-Water-and-Wastewater-Utilities-in-Emergencies-and-Disasters.pdf. See also FEMA 322 Public Assistance Guide, under Category F, and "Federal Funding for Water/Wastewater Utilities in National Disasters (Fed FUNDS)" available at https://www.epa.gov/fedfunds.

[174] EPA must allocate the Clean Water SRF grants among the states according to a formula specified in the Clean Water Act itself, whereas the Safe Drinking Water Act authorizes EPA to develop a formula for allocating the Drinking Water SRF grants among the states that is to reflect the proportional share of each state's funding needs.

[175] Includes $438.4 million allotted to these states in FY2009 from the total $4.0 billion in CWSRF supplemental appropriations included in the American Recovery and Reinvestment Act of 2009 (ARRA, P.L. 111-5).

[176] Includes $315.4 million allotted to these states in FY2009 from the total $2.0 billion DWSRF supplemental appropriations included in the ARRA (P.L. 111-5).

The Federal Judiciary[177]

The mission of the federal courts is to protect the rights and liberties guaranteed under the Constitution. The courts are charged with interpreting and applying the law to resolve disputes through fair and impartial judgments, and ensuring fairness and equal justice for all citizens of the United States.[178]

According to the Budget Office of the Administrative Office of the U.S. Courts, Congress appropriated $18 million in emergency judiciary funding[179] for disaster relief in the aftermath of Hurricanes Katrina and Rita. These monies were obligated to (1) reimburse per diem for judges, court staff, and federal public defenders' staff who were on temporary duty assignment, and their dependents; (2) reimburse all judges and court staff who were on temporary duty assignment for travel purposes; (3) pay for furniture, equipment, and security in the temporary locations; and (4) replace furniture and equipment in courts affected by the hurricanes. **Table 27** presents the funding provided to Louisiana, Mississippi, Texas, and Florida, as well as the additional funding to the Fifth Circuit.

Table 27. Disaster Relief Funding by the Federal Judiciary

(Obligations current as of November 2012; Dollars in Thousands)

	Louisiana	Mississippi	Texas	Florida	Fifth Circuit	Total
The Federal Judiciary	$4,712	$881	$170	$345	$11,891	$17,999

Source: Unpublished data from the Administrative Office Budget Division.

Notes: All figures have been rounded. The Fifth Circuit encompasses the District of the Canal Zone, Louisiana, Mississippi, and Texas. The table excludes $1,360 (nominal dollars) provided to the Fourth Circuit. The Fourth Circuit encompasses Maryland, North Carolina, South Carolina, Virginia, and West Virginia.

Small Business Administration[180]

Disaster Assistance Program

Authority

The Small Business Administration's (SBA) Disaster Assistance Program is authorized by the Small Business Act (P.L. 85-536, Section 7(b) 72 Stat. 387, as amended).

Program Description

The SBA's Disaster Assistance Program provides low-interest disaster loans to homeowners, renters, and businesses, as well as to private and non-profit organizations to repair or replace real

[177] This section was authored by Matthew Eric Glassman, former Analyst in American National Government, and updated by Barry McMillion, Analyst in American National Government.

[178] The 94 U.S. judicial districts are organized into 12 regional circuits, each of which has a United States court of appeals. A court of appeals hears appeals from the district courts located within its circuit, as well as appeals from decisions of federal administrative agencies.

[179] P.L. 109-148, Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006.

[180] This section was authored by Bruce R. Lindsay, Analyst in American National Government, Government and Finance Division.

estate, personal property, machinery and equipment, inventory, and business assets that have been damaged or destroyed in a declared disaster.[181]

The SBA provides three categories of loans: (1) home loans, (2) business loans, and (3) Economic Injury Disaster Loans (EIDLs). Home disaster loans help homeowners and renters repair or replace disaster-related damages to homes or personal property. SBA regulations limit home loans to $200,000 for the repair or replacement of real estate and $40,000 to repair or replace personal property. Business disaster loans help business owners repair or replace disaster-damaged property, including inventory and supplies. Business loans are limited to $2 million. EIDLs provide assistance to small businesses, small agricultural cooperatives, and certain private, non-profit organizations that have suffered substantial economic injury resulting from a physical disaster or an agricultural production disaster. EIDLs are limited to $2 million.

Table 28 lists the number of approved disaster loan applications by state and by type of loan for all five hurricanes. The actual number of loans made may be somewhat lower than the number of loan applications approved, because not all approved loan applications are subsequently accepted by the borrower. **Table 29** lists the amount of the approved loans, by state.

Table 28. Small Business Administration: Number of Approved Disaster Assistance Loans For the Five Hurricanes

(Number of Total Approved Applications as of January 29, 2013)

Small Business Administration	Alabama	Florida	Louisiana	Mississippi	Texas	Total
Home Loans	2,497	14,021	86,206	31,243	15,935	149,902
Business Loans	360	2,578	12,921	4,388	2,545	22,792
Economic Injury Disaster Loans	82	812	1,801	335	410	3,440
Total	**2,939**	**17,411**	**100,928**	**35,966**	**18,890**	**176,134**

Source: U.S. Small Business Administration, Office of Congressional and Legislative Affairs, correspondence with CRS on January 29, 2013.

Notes: The SBA provided disaster loans to Alabama for Hurricanes Katrina, Rita, and Wilma. Alabama did not receive loans for Hurricanes Gustav and Ike. The SBA provided disaster loans to Florida for Hurricanes Katrina, Rita, and Wilma. Florida did not receive loans for Hurricanes Gustav and Ike. The SBA provided disaster loans to Mississippi for Hurricanes Katrina, Rita, Wilma, and Gustav. Mississippi did not receive loans for Hurricane Ike. The SBA provided disaster loans to Texas for Hurricanes Katrina, Rita, Wilma, and Ike. Texas did not receive loans for Hurricane Gustav.

Table 29. Small Business Administration: Approved Disaster Loan Applications by Amount

(Cumulative Loan Amounts by State as of January 29, 2013; Dollars in Thousands)

Small Business Administration	Alabama	Florida	Louisiana	Mississippi	Texas	Total
Home Loans	$96,244	$450,170	$5,445,887	$2,069,160	$686,533	$8,747,994

[181] U.S. Small Business Administration, "Disaster Assistance," available at https://www.sba.gov/funding-programs/disaster-assistance.

Small Business Administration	Alabama	Florida	Louisiana	Mississippi	Texas	Total
Business Loans	$47,052	$412,085	$1,526,241	$546,417	$324,016	$2,855,811
Economic Injury Disaster Loans	$7,221	$48,917	$111,486	$19,267	$24,277	$211,167
Total	**$150,517**	**$911,172**	**$7,083,615**	**$2,634,844**	**$1,034,826**	**$11,814,973**

Source: U.S. Small Business Administration, Office of Congressional and Legislative Affairs, correspondence with CRS on January 29, 2013.

Cost-Shares and Programmatic Considerations: Hurricanes Katrina, Wilma, Dennis, and Rita[182]

Administrative and Congressional Waivers of Cost-Shares

P.L. 110-28, the "U.S. Troops Readiness, Veterans Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007," which provided supplemental appropriations legislation for the war in Iraq and disaster recovery from Hurricane Katrina, provided cost-share reductions for disaster assistance provided to the affected states along the Gulf Coast.[183] The reductions provided to Alabama, Florida, Louisiana, Mississippi, and Texas were among the largest ever granted.

P.L. 110-28 provided a waiver of all state and local cost-shares for four disaster assistance programs that are a part of the Stafford Act. These programs included Section 403 (Essential Assistance), Section 406 (Repair, Restoration, and Replacement of Damaged Facilities), Section 407 (Debris Removal), and Section 408 (Federal Assistance to Individuals and Households). These programs are generally cost-shared in statute at 75% federal and 25% state and local with the possibility, under specified circumstances, for a 90% federal, 10% state and local ratio. Also significant was the cost-share waiver for the Other Needs Assistance Program under Section 408, which had never been waived previously. That section of Stafford states that the "Federal share shall be 75 percent."

Section 4501 of P.L. 110-28, also states in part, the following:

> (a) Notwithstanding any other provision of law, including any agreement, the Federal share of assistance, including direct Federal assistance, provided for the States of Louisiana, Mississippi, Florida, Alabama and Texas in connection with Hurricanes Katrina, Wilma, Dennis and Rita under sections 403, 406, 407, and 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 USC 5170b, 5172, 5173, and 5174) shall be 100 percent of the eligible costs under such sections.
>
> (b) APPLICABILITY
>
> 1) IN GENERAL—The federal share provided by subsection (a) shall apply to disaster assistance applied for before the date of enactment of this Act.

[182] This section was originally authored by former CRS analyst Francis X. McCarthy and was updated by Jared Brown, Analyst in Emergency Management and Homeland Security Policy.

[183] For more information on cost-shares see CRS Report R41101, *FEMA Disaster Cost-Shares: Evolution and Analysis*, by Jared T. Brown and Bruce R. Lindsay.

> (2) LIMITATION—In the case of disaster assistance provided under Section 403, 406 and 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Federal share provided by subsection (a) shall be limited to assistance provided for projects for which a "request for public assistance form" has been submitted.
>
> The statutory cost-share waivers were provided for five states. Per capita damage for Louisiana, Mississippi, and Alabama from Hurricane Katrina, and for Louisiana from Hurricane Rita, had already qualified those states for a decreased state cost-share (from 25% to 10%) through FEMA's regulatory formula based on estimated damage. Congress' inclusion of Florida and Texas may have been an effort to not separate out related damages within a devastating hurricane season.

Also, the decision to grant cost-share waivers to Florida and Texas may have been in recognition of the amount of help both states had provided to Mississippi and Louisiana, respectively, in both the provision of emergency management resources and in hosting large numbers of evacuees in the wake of the storms of 2005.

The "Limitation" in the legislation was intended to ensure that the projects receiving the waiver were ones already identified by applicants and not newly created projects, or perhaps, projects not necessarily related to the event that were attempting to capitalize on the reduced cost-share provision. The legislation states that a "request for public assistance" submitted prior to enactment of the bill (May 25, 2007) will require no cost-share. Any "requests for public assistance" not submitted prior to the enactment of the bill will be cost-shared at the 90% federal, 10% state and local cost-share for the affected states. This provision appeared to be intended to provide the more generous cost-share to those projects already selected by the state rather than projects that could be developed or submitted based on 100% federal funding.

There have been several instances when Congress chose to adjust a state's cost-share by legislation. Prior to large cost-share adjustments made to several FEMA programs as noted above, Congress also legislatively reduced cost-shares for states affected by Hurricane Rita.[184]

Concluding Observations and Policy Questions[185]

This report demonstrates not only the significant amount of assistance the federal government provides for major disasters, but also the wide range of federal programs that are brought to bear to help individuals and communities respond and recover from major disasters, as well as prepare and mitigate against future disasters. Yet, this is only a partial picture of the amounts and types of disaster assistance that have been provided by the federal government on a yearly basis. The research focus for this report was on supplemental appropriations for the 2005 and 2008 Gulf Coast hurricanes. The federal government, however, also annually provides disaster assistance through regular appropriations and continuing resolutions, as well as supplemental appropriations. For example, with respect to the DRF, Congress provided roughly $42 billion in annual appropriations for FY2007 to FY2016 (see **Table 30**). This amount does not include what was provided in annual appropriations for other agencies, nor does it include what was provided through supplemental appropriations.

[184] P.L. 109-234, 115 Stat. 671.

[185] This section was authored by Bruce R. Lindsay, Analyst in American National Government, Government and Finance Division.

Table 30. Disaster Relief Fund Annual Appropriations FY2007-FY2016

(Dollars in Millions)

Fiscal Year	Amount
2007	$1,500
2008	$1,400
2009	$1,278
2010	$1,600
2011	$2,645
2012	$7,100
2013	$7,007
2014	$6,220
2015	$6,438
2016	$7,374
Total	**$42,562**

Source: CRS analysis of various Administration budget documents and appropriations statutes.

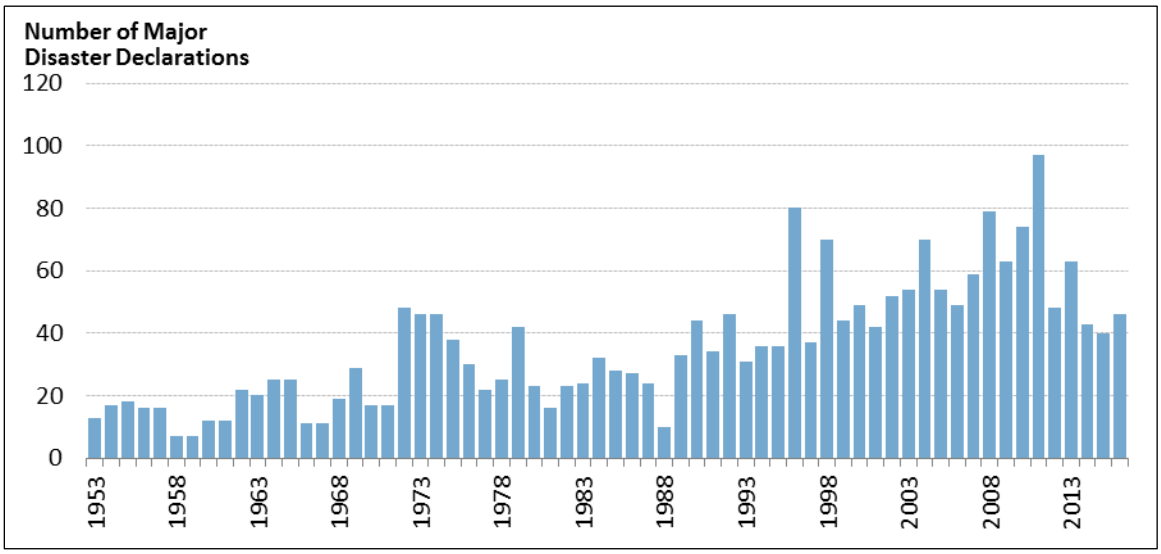
Note: Table 31 does not include rescissions or transfers unless they have been incorporated in appropriation acts.

There are indications that expenditures on disaster assistance may increase. In recent years there has been an uptick in the number of declarations issued each year. For example, the average number of major disasters declared per year from 1953 to 2016 was 35.8.[186] However, beginning in the 1990s there has been an uptick in the frequency with which major disasters are declared. During the 1990s the average number of major disaster declarations per year was 45.8, the average number from 2000 to 2009 was 57.1, and the average number from 2010 to 2016 was 58.7 (see **Figure 1**).

[186] Congress first authorized the President to issue major disaster declarations in 1953.

Figure 1. Major Disaster Declarations

1953-2016



Source: CRS analysis of data derived from https://www.fema.gov/disasters and data provided by FEMA.

Thus, while this report provides the most detailed information on federal assistance for the 2005 and 2008 Gulf Coast hurricanes, there is a need for further research on the subject of federal disaster assistance—including the assistance provided in response to disasters in other regions of the United States—to address existing gaps in funding information. This information would be useful because, arguably, congressional oversight and debates concerning disaster relief can be better informed with more accurate data and information on the amounts and types of assistance provided by the federal government to states, localities, and tribal nations.

Potential policy methods for addressing gaps in funding information may include requiring:

- the issuance of disaster assistance reports on an annual or quarterly basis from all federal entities that provide significant amounts of disaster assistance;
- the Office of Management and Budget (OMB) to compile a report on an annual or quarterly basis with funding information that details all federal spending for emergencies and major disasters;
- a standardization of how expenditure data are reported across federal agencies to facilitate cost comparisons;[187]
- reports to include state-specific as well as disaster-specific information. State-specific information could be used to target mitigation projects;
- disaster assistance reports to include supplemental as well as regular appropriations data;
- federal agencies to flag monies used for disaster relief that has been taken from their regular budgets; and
- disaster assistance reports to contain cost share information as well as detailed information on state expenditures.

[187] Funding information is currently provided in different formats including obligations, allocations, and expenditures.

Potential Methods for Controlling Costs Associated with Major Disasters

If the increase in the number of declarations and their associated costs are of concern, in addition to requiring improved data reporting Congress may choose to address the issue through a variety of policy measures.

The following sections could be used to frame a potential debate on limiting the number of declarations being issued, limiting the assistance provided after a declaration has been declared, or both.

Rationale for Keeping the Disaster Assistance the Same

To many, providing relief to disaster victims is an essential role of the government. In their view, the concern over costs is understandable given concerns over the national budget. However, they may argue that the increase in the amount of assistance provided over the past decade is justified because the occurrences of disasters are on the rise (see **Figure 1**).[188] The rise may be due to a number of factors including increases in inclement weather, population growth, and building development. Moreover, proponents of keeping the current system in place may say that providing assistance to disaster-stricken areas is both acceptable and needed to help a state and region's economy recover from a storm that it otherwise may not be able to recover from on its own.

Limiting the Number of Major Disaster Declarations Being Issued

Others may contend that too many major disasters are being declared and should be limited. The following sections review some policy mechanisms that could be employed to decrease the number of declarations that are being issued. The primary option consists of preventing what may be perceived by some to be marginal incidents from triggering federal assistance. Potential methods to achieve this include changing the definitions of a major disaster in Stafford Act, changing the per capita formula for determining whether a disaster is sufficiently large to warrant federal assistance, or the use of other indicators instead of, or in conjunction with, the per capita formula.

Changing the Definition of Major Disaster in the Stafford Act

Some argue that the Stafford Act has enhanced presidential declaration authority because the definition of a major disaster in Section 102(2) of Stafford Act is ill-defined.[189] Because of the expansive nature of this definition under the Stafford Act, they assert, there are not many restrictions on the types of major disasters for which the President may issue a declaration.[190] For example, some would argue that snowstorms do not warrant major disaster declarations.

[188] For historical information on major disaster declarations. See CRS Report R42702, *Stafford Act Declarations 1953-2016: Trends, Analyses, and Implications for Congress*, by Bruce R. Lindsay.

[189] P.L. 93-288, 42 U.S.C. §5122.

[190] Richard T. Sylves, Disaster Policy and Politics: Emergency Management and Homeland Security (Washington, DC: CQ Press, 2008), p. 79.

Changing the Per Capita Formula

One potential method of reducing the number of major disasters being declared is to increase the per capita amount used by FEMA to make major disaster recommendations to the President. A per capita formula based on damages caused by an incident is used by FEMA to make recommendations to the President concerning whether to issue a major disaster declaration. The current per capita amount used by FEMA to make recommendations is $1.43. This amount could be increased (for example, by 10%) to reduce the number of incidents eligible for federal assistance.

If increased, Congress might require that the per capita be adjusted annually for inflation. The DHS Inspector General issued a report in May 2012, which noted that FEMA had been using a $1 per capita damage amount since 1986 for determining during its preliminary damage assessment process if it would recommend to the President that the event was beyond the capacity of state and local governments to deal with without federal assistance. The DHS Inspector General also explained that FEMA did not begin adjusting that number for inflation until 1999. The DHS Inspector General pointed out that if the inflation adjustment had been occurring over that 13-year period, from 1986 to 1999, fully 36% fewer disasters would have qualified for a presidential declaration based on that factor.[191]

However, it is also useful to understand that the actual public announcement of factors considered for a declaration did not become public until 1999. At the behest of Congress, it was in that year that FEMA began to print the factors that were considered in regulation. Until then, all of that information had been within the "pre-decisional" part of the process in the executive branch. However, in 1999 FEMA began to identify factors considered for both Public and Individual Assistance. That is not to say FEMA was not using the per capita amount in its considerations, only that the process was not widely known or understood as it presently is. As the DHS IG notes, FEMA could have been raising that amount gradually, a process that did not begin until more than a dozen years later. On the other hand, it should also be considered that when FEMA discussed such proposals (e.g., per capita figures gradually increasing) with Congress, the result was a new Section 320 of the Stafford Act that stated:

> No geographic area shall be precluded from receiving assistance under this Act solely by virtue of an arithmetic formula or sliding scale based on income of population.

The Use of State Capacity Indicators

In 2001, the Government Accountability Office (GAO) issued a report on disaster declaration criteria. The GAO report was a comprehensive review of FEMA's declaration criteria factors. GAO recommended that FEMA "develop more objective and specific criteria to assess the capabilities of state and local governments to respond to a disaster" and "consider replacing the per capita measure of state capacity with a more sensitive measure, such as a state's total taxable resources."

The state's Total Taxable Resources (TTR) was developed by the Department of the Treasury. GAO reported that TTR:

> is a better measure of state funding capacity in that it provides a more comprehensive measure of the resources that are potentially subject to state taxation. For example, TTR includes much of the business income that does not become part of the income flow to state

[191] Department of Homeland Security, Office of Inspector General, Opportunities to Improve FEMA's Public Assistance Preliminary Damage Assessment Process, pp. 5-7. Available at https://www.oig.dhs.gov/assets/Mgmt/2012/OIG_12-79_May12.pdf.

> residents, undistributed corporate profits, and rents and interest payments made by businesses to out-of-state stock owners. This more comprehensive indicator of state funding capacity is currently used to target federal aid to low-capacity states under the Substance Abuse and Mental Health Service Administration's block grant programs. In the case of FEMA's Public Assistance program, adjustments for TTR in setting the threshold for a disaster declaration would result in a more realistic estimate of a state's ability to respond to a disaster.[192]

It could be argued that the use of TTR would conflict with the prohibition against the use of arithmetic formulas established by Congress. However, just as FEMA's per capita measurement is one of several factors considered and not the "sole" determinant of a declaration, GAO stated that TTR would not violate Section 320 because TTR could also be used with other criteria such as those identified in regulations. Thus, some could contend that TTR could fill a similar role with perhaps more accuracy. It may also help reduce federal costs for disaster assistance by denying assistance to marginal incidents that could be otherwise handled by the state.

Expert Panels

Some have proposed the use of an independent expert panel to review gubernatorial requests for major disaster declarations.[193] Such panels would be comprised of individuals with specialized knowledge in certain subject areas, such as disasters, economics, and public health. The panel would take into account the severity of the incident as well as other factors that might indicate how well the state could respond to and recover from the incident. The panel would then make recommendations to the President whether the circumstances of the incident were worthy of federal assistance based on their assessment.

Some might argue that the use of an expert panel would make decisions about whether to provide assistance more objective. Others might argue that the use of a panel may slow down the declaration process and impede the provision of important assets and resources. It may be argued that the panel's recommendation would infringe on the President's authority to issue a declaration. On the other hand, it could also be argued that the President would retain the authority to issue a declaration despite the panel's recommendation.

Emergency Loans

Another potential method to reduce the number of declarations and the costs of federal disaster assistance would be to create incentives to dissuade states from requesting assistance. One method would be converting some, or all, federal assistance provided through emergency declarations into a loan program. For example, emergency declarations could be altered to provide up to a specified amount (for example, $5 billion dollars) in low interest recovery loans. Under this arrangement a state could elect to handle the incident without federal assistance rather than having to reimburse the federal government for recovery loans.

[192] U.S. Government Accountability Office, DISASTER ASSISTANCE; Improvement Needed in Disaster Declaration Criteria and Eligibility Assurance Procedures, GAO-01-837, August, 2001, p.11

[193] For example, S. 1630, the Disaster Recovery Act of 2011, which was introduced on September 23, 2011, and referred to the Committee on Homeland Security and Governmental Affairs, would have amended the Stafford Act to authorize the President to declare a catastrophic incident if a recommendation was issued by an independent panel of experts.

Changes to the Stafford Act

The following section discusses some potential changes to the Stafford Act that might limit the number of declarations being issued each year.

Repeal of Section 320

As mentioned previously, Section 320 of the Stafford Act restricts the use of an arithmetic or sliding scale to provide federal assistance. Repealing Section 320 would allow formulas that establish certain thresholds that states would have to meet to qualify for assistance.

Section 404

Section 404 of the Stafford Act[194] authorizes the President to contribute up to 75% of the cost of an incident toward mitigation measures that reduce the risk of future damage, loss of life, and suffering. Section 404 could be amended to make mitigation assistance contingent on state codes being in place prior to an event. For example, states that have met certain mitigation standards could remain eligible for the 75% federal cost share. States that do not meet the standards would be eligible for a smaller share, such as 50% federal cost share. The amendment may incentivize mitigation work on the behalf of the state and possibly help reduce damages to the extent that a request for assistance is not needed, or the cost of the federal share may be lessened. The amendment could be set to take effect in three years, giving states time to act, or not.

Other Potential Amendments to the Stafford Act

Other amendments to the Stafford Act could either limit the number of declarations being issued, or the amount of assistance provided to the state by the federal government.

- The Stafford Act could be amended so that there could be no administrative adjustment of the cost-share. The cost-share could only be adjusted through congressional action. The amendment could be designed to apply immediately.
- The Stafford Act could be amended so that federal assistance would only be available for states with corollary programs (such as Public Assistance, Individual Assistance, and housing assistance). Establishing these programs at the state level may increase state capacity to handle some incidents without federal assistance. The amendment could be designed to take effect in three years, giving states time to act, or not.
- The Stafford Act could be amended to discontinue all assistance for snow removal unless directed by Congress. The amendment could be designed to take effect in three years to give states and localities an opportunity to increase snow removal budgets, or not.

[194] 42 U.S.C. §5170c.

Reducing the Amount of Assistance Provided Through Declarations

Adjust the State Cost Share

Most discussions regarding state cost-shares in disaster programs and projects involve ways in which the state amount may be reduced and the federal share increased.[195] Some may contend, however, that the opposite approach should be adopted and efforts should be undertaken to reduce disaster costs by shifting the costs to the state and local level. Currently, state and local governments provide 25% of disaster costs on projects and grants to families and individuals with the federal government assuming, at a minimum, 75% of all costs.[196]

There is no statutory limit on the number of people that can be helped following a disaster.[197] Similarly, when assessing damage to state and local infrastructure there is no cap on the amount of federal funds that can be expended to make the repairs or accomplish a replacement. The only limitation is that the damage must be to eligible facilities and that it is disaster-related damage.

Given that open-ended commitment by the federal government, some may argue that increasing the state share of 25% to a higher percentage would be warranted given the federal government's fiscal condition. Another option would be to make the cost-share arrangement not subject to administrative adjustment.

Disaster Loans

As mentioned previously, the assistance provided for emergency declarations could be provided through the form of loans. Similarly, some or all of the assistance provided to the state after a major disaster could be converted to low-interest or no-interest loans. For example, a state may receive the traditional 75% cost share for an incident but be required to reimburse 25% of that funding to the federal government. Loans for disaster recovery could also be incentivized. For instance, states that undertook certain pre-established preparedness mitigation measures could qualify for a larger federal share or a lower interest rate.

Policy Questions

Congress has always debated the federal role in disaster relief. In recent years the debate has intensified in light of the federal budgetary environment. Policymakers have, or may ask, a number of questions relating to federal expenditures on disaster relief to assist and improve oversight, and to better inform deliberations on legislation designed to assist individuals and communities respond and recover from incidents. Such questions may include:

- To what degree should the federal government be involved in providing disaster assistance? Is the federal government providing enough assistance, or being overly generous in providing financial assistance to states?
- Was the funding provided for the Gulf Coast storms delivered efficiently and to its intended targets? If not, how can the process be improved without slowing the provision of necessary services and resources?

[195] For additional discussion on this topic see CRS Report R41101, *FEMA Disaster Cost-Shares: Evolution and Analysis*, by Jared T. Brown and Bruce R. Lindsay.

[196] Ibid.

[197] There is however, a limit on how much any one household can receive ($33,300 at the time of this report).

- How were funding allocations to each federal entity determined? Was the process accurate, or could it be improved in upcoming disasters?
- Are there increased instances of fraud, abuse, and waste when large sums of funding are provided for disaster relief? If so, what oversight mechanisms are in place to prevent such occurrences?
- Is there unnecessary duplication of services and/or efforts given the large number of federal entities involved in disaster relief?
- The assistance provided by the federal government to the Gulf Coast was provided, in part, by a number of supplemental appropriations. Is it better to provide funding overtime through multiple supplemental appropriations, or to provide the funding once through a single supplemental appropriation?

Appendix. Contributing Authors

The following authors contributed sections in this report.

Table A-1. Contributing Authors

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