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FEMA Individual Assistance Programs: An Overview

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SUMMARY

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FEMA Individual Assistance Programs: An Overview

Following a presidential declaration of emergency or major disaster, the Federal Emergency Management Agency (FEMA) may provide three primary forms of assistance: Individual Assistance (IA), Public Assistance (PA), and Hazard Mitigation Assistance (HMA). IA, which is the focus of this report, provides aid to affected individuals and households. PA provides grants to local, state, territorial, and Indian tribal governments, as well as certain private nonprofit organizations for emergency protective measures, debris removal operations, and repair or replacement of damaged public infrastructure. HMA funds pay for mitigation and resiliency projects and programs to reduce the threat or impacts of future disasters.

State, territorial, and Indian tribal governments do not automatically receive IA when a disaster occurs. Instead, the governor or tribal chief executive must request that the President declare an emergency or major disaster and that IA be authorized. When drafting such a request, the state, territorial, or Indian tribal government must demonstrate that the incident exceeds their capacity to effectively respond without federal assistance. FEMA then evaluates the request using a set of factors and provides a recommendation to the President. The evaluation of the IA factors, in addition to helping FEMA determine whether or not to recommend the President declare a major disaster, helps FEMA identify the types of IA that are needed.

This report provides brief descriptions of the categories of IA authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act; P.L. 93-288, as amended; 42 U.S.C. §§5121 et seq.):

1. Mass Care and Emergency Assistance;
2. Crisis Counseling Assistance and Training Program;
3. Disaster Unemployment Assistance;
4. Disaster Legal Services;
5. Disaster Case Management; and
6. Individuals and Households Program.

The information regarding the Individuals and Households Program (IHP) is covered in greatest detail herein, because it is the primary assistance program for providing federal assistance to individuals and households following a presidential declaration of emergency or major disaster. The IHP provides financial and/or direct assistance to eligible individuals and households who, as a result of a disaster, have uninsured or under-insured necessary expenses and serious needs that cannot be met through other means or forms of assistance. Forms of financial assistance include some categories of Housing Assistance (e.g., Rental Assistance) and Other Needs Assistance (ONA), and forms of direct assistance include other categories of Housing Assistance (e.g., Transportable Temporary Housing Units).

The IA program information is based on the guidance that FEMA released in March 2019, to serve as a comprehensive IA program policy resource; the *Individual Assistance Program and Policy Guide (IAPPG)* applies to emergencies and disasters declared on or after March 1, 2019.

This report also briefly describes the updated factors considered when evaluating a governor's request for IA pursuant to a presidential declaration of emergency or major disaster, which became effective June 1, 2019. As required by Section 1109 of the Sandy Recovery Improvement Act of 2013 (SRIA, Division B of P.L. 113-2), FEMA released these updated factors to establish more objective criteria for evaluating the need for assistance, clarify eligibility requirements, and expedite a presidential declaration determination.

Contents

Introduction 1
Individual Assistance Programs 2
Mass Care and Emergency Assistance 2
Crisis Counseling Assistance and Training Program 3
Disaster Unemployment Assistance 3
Disaster Legal Services 4
Disaster Case Management 4
Individuals and Households Program 4
IA Factors for a Major Disaster Declaration 9

Tables

Table 1. Types of Housing Assistance and Other Needs Assistance 5

Contacts

Author Information 15

Introduction

Following a presidential declaration of emergency or major disaster,[1] the Federal Emergency Management Agency (FEMA) may provide three primary forms of assistance: Individual Assistance (IA), Public Assistance (PA), and Hazard Mitigation Assistance (HMA). IA, which is the focus of this report, provides aid to affected individuals and households, and can take the form of assistance for housing and for other needs through the Individuals and Households Program, crisis counseling, disaster unemployment assistance, disaster legal services, and disaster case management services, as well as mass care and emergency assistance. PA provides grants to local, state, territorial, and Indian tribal governments, as well as certain private nonprofit organizations, for emergency protective measures, debris removal operations, and repair or replacement of damaged public infrastructure. HMA funds pay for mitigation and resiliency projects and programs to reduce the threat or impacts of future disasters. This report provides brief descriptions of the categories of IA authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act; P.L. 93-288, as amended; 42 U.S.C. §§5121 et seq.). The information is based on the program guidance that FEMA released in March 2019, to serve as a comprehensive IA program policy resource; the *Individual Assistance Program and Policy Guide (IAPPG)* applies to emergencies and disasters declared on or after March 1, 2019.[2]

State, territorial, and Indian tribal governments do not automatically receive IA when a disaster occurs.[3] Following an *incident*,[4] the governor or tribal chief executive must request that the President declare an emergency or major disaster and that IA be authorized.[5] When drafting a request for a major disaster declaration authorizing IA, the state, territorial, or Indian tribal government must demonstrate that the incident exceeds their capacity to effectively respond without federal assistance.[6] FEMA then evaluates the request using a set of factors before

[1] For more information on the declaration process, see CRS Report R43784, *FEMA's Disaster Declaration Process: A Primer*, by Bruce R. Lindsay.

[2] Previously, the *Individuals and Households Program Unified Guidance (IHPUG)* served as the policy guide for the Individuals and Households Program (IHP). It applies to disasters declared on or after September 30, 2016 through February 28, 2019. Federal Emergency Management Agency (FEMA), *Individuals and Households Program Unified Guidance (IHPUG)*, FP 104-009-03, September 2016, https://www.fema.gov/media-library-data/1483567080828-1201b6eebf9fbbd7c8a070fddb308971/FEMAIHPUG_CoverEdit_December2016.pdf.

[3] 44 C.F.R. §§206.35, 206.36, 206.40(a); FEMA, "The Disaster Declaration Process," last updated January 8, 2018, https://www.fema.gov/disaster-declaration-process (hereinafter FEMA, "The Disaster Declaration Process"). As with IA, PA must also be requested by the governor or tribal chief executive. The Hazard Mitigation Grant Program (HMGP), which supports local, state, territorial, and Indian tribal governments, as well as certain private nonprofit organizations' long-term hazard mitigation planning and projects to reduce risk to life and property, is authorized without consideration of additional factors when it is requested following a major disaster declaration. For more information, see Federal Emergency Management Agency (FEMA), *Hazard Mitigation Assistance Guidance: Hazard Mitigation Grant Program, Pre-Disaster Mitigation Program, and Flood Mitigation Assistance Program*, February 27, 2015, pp. 25-26, https://www.fema.gov/media-library-data/1424983165449-38f5dfc69c0bd4ea8a161e8bb7b79553/HMA_Guidance_022715_508.pdf.

[4] 44 C.F.R. §206.32(e) defines an *incident* as "[a]ny condition which meets the definition of major disaster or emergency as set forth in §206.2 which causes damage or hardship that may result in a Presidential declaration of a major disaster or an emergency."

[5] 44 C.F.R. §§206.35, 206.36, 206.40(a); FEMA, "The Disaster Declaration Process;" FEMA, "FAQs: Current Process for Tribal Governments to Request a Presidential Declaration," last updated May 24, 2019, https://www.fema.gov/frequently-asked-questions-current-process-tribal-governments-request-presidential-declaration (hereinafter FEMA, "FAQs: Process for Tribal Governments to Request a Declaration").

[6] 44 C.F.R. §§206.35 and 206.36.

providing a recommendation to the President.[7] In March 2019, FEMA released the updated factors considered when evaluating a governor's request for IA,[8] which became effective June 1, 2019.[9] Thus, this report also lists and briefly describes the updated IA factors.[10]

Individual Assistance Programs

Various types of FEMA IA may be provided to disaster survivors. The available IA options depend on the type of declaration (i.e., an "emergency"[11] or "major disaster"), and the type(s) of IA requested by the governor of the affected state or the tribal chief executive. These requests must be authorized by FEMA (for information on the factors considered when determining whether to authorize IA, see the "IA Factors" section, below).[12] FEMA's IA program includes

1. Mass Care and Emergency Assistance;
2. Crisis Counseling Assistance and Training Program;
3. Disaster Unemployment Assistance;
4. Disaster Legal Services;
5. Disaster Case Management; and
6. Individuals and Households Program.[13]

A brief description of each form of IA is included below.

Mass Care and Emergency Assistance[14]

Mass Care and Emergency Assistance (MC/EA) involves the provision of life-sustaining services to disaster survivors prior to, during, and following an incident through short-term recovery.

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[7] 44 C.F.R. §206.48(b).

[8] 44 C.F.R. §206.48(b).

[9] FEMA, "Factors Considered When Evaluating a Governor's Request for Individual Assistance for a Major Disaster," 84 *Federal Register* 10632-10664, March 21, 2019, https://www.govinfo.gov/content/pkg/FR-2019-03-21/pdf/2019-05388.pdf (hereinafter FEMA, "Factors Considered When Evaluating a Request for IA").

[10] This report does not address the factors considered for Public Assistance (PA). For more information on the PA factors considered when evaluating a governor's request for a major disaster declaration, see 44 C.F.R. §206.48(a) and CRS Report R43784, *FEMA's Disaster Declaration Process: A Primer*, by Bruce R. Lindsay.

[11] The Individuals and Households Program (IHP) is the only form of Individual Assistance (IA) that may be authorized under an emergency declaration; however, all forms of IA may be available following a declaration of major disaster (FEMA, "The Disaster Declaration Process"). As of the writing of this report, the Texas Explosion (EM-3363), which received a presidential declaration of emergency on April 19, 2013, "is the only instance since IHP was implemented" for which IA-IHP was authorized (email correspondence from FEMA Congressional Affairs staff, November 19, 2019; FEMA, "Texas Explosion (EM-3363)," last updated October 28, 2015, https://www.fema.gov/disaster/3363; FEMA, "Amendment No. 1 to Notice of an Emergency Declaration," May 1, 2013, https://www.fema.gov/disaster/3363/notices/amendment-no-1-notice-emergency-declaration).

[12] For additional information on the FEMA IA programs, see the FEMA, *Individual Assistance Program and Policy Guide (IAPPG)*, FP 104-009-03, March 2019, https://www.fema.gov/media-library-data/1551713430046-1abf12182d2d5e622d16accb37c4d163/IAPPG.pdf (hereinafter FEMA, *IAPPG*); and CRS Report RL31734, *Federal Disaster Assistance Response and Recovery Programs: Brief Summaries*, by Maria Kreiser, Maura Mullins, and Jared C. Nagel.

[13] The IHP provides assistance to meet the housing and other needs of disaster survivors, and is the IA program that is often the subject of the most congressional interest.

[14] FEMA, *IAPPG*, pp. 15-42. The *IAPPG* chapter on Mass Care and Emergency Assistance (MC/EA) includes an overview of the program, as well as descriptions of assistance, including support related to (1) sheltering; (2) feeding; (3) the distribution of emergency supplies; (4) individuals with disabilities and others with access and functional needs;

MC/EA includes seven service "activities": (1) sheltering; (2) feeding; (3) distribution of emergency supplies; (4) support for individuals with disabilities and others with access and functional needs; (5) reunification services for adults and children; (6) support for household pets, service animals, and assistance animals; and (7) mass evacuee support.[15]

Crisis Counseling Assistance and Training Program[16]

The Crisis Counseling Assistance and Training Program (CCP)[17] provides grant funding to eligible local, state, territorial, and Indian tribal governments, as well as nongovernmental organizations.[18] CCP supplements efforts to assist individuals and communities with recovering from the effects of a disaster through community-based outreach and the provision of services, such as crisis counseling, psycho-education,[19] and coping skills development.[20] CCP also provides support by linking the disaster survivor with other resources, such as individuals and agencies that help survivors in the recovery process.[21] The program provides short- to intermediate-term assistance to support mental and emotional health needs. Two CCP programs provide assistance for different lengths of time: (1) the Immediate Services Program provides funding for up to 60 days following a major disaster declaration; and (2) the Regular Services Program provides funding for up to nine months from the notice of award.[22]

Disaster Unemployment Assistance[23]

Disaster Unemployment Assistance (DUA) provides benefits to individuals who were previously employed or self-employed, were rendered jobless or whose employment was interrupted as a direct result of a major disaster, and are ineligible for regular unemployment insurance.[24] DUA

(5) reunification; (6) pets, service, and assistance animals; (7) mass evacuees; (8) the PA-funded work under Section 403 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act; P.L. 93-288, as amended; 42 U.S.C. §§5121 et seq.), including the Transitional Sheltering Assistance (TSA) and Operation Blue Roof programs; and (9) the National Mass Care Exercise.

[15] FEMA, *IAPPG*, p. 6.

[16] FEMA, *IAPPG*, pp. 190-217. The *IAPPG* chapter on the Crisis Counseling Assistance and Training Program (CCP) includes a general program overview, as well as overviews of the Immediate Services and Regular Services Programs, and considerations for implementation.

[17] 42 U.S.C. §5183; 44 C.F.R. §206.171.

[18] Nongovernmental organizations in this CCP context are private mental health organizations that the governor has designated to receive funds.

[19] 42 U.S.C. §5183; 44 C.F.R. §206.171. Psycho-educational service consists of therapeutic treatment for disaster survivors that provides information and support to help them better understand and cope with their situation (FEMA, *IAPPG*, p. 8). The FEMA *IAPPG* describes the available CCP-funded services (see FEMA, *IAPPG*, pp. 192-193).

[20] FEMA, *IAPPG*, p. 8.

[21] FEMA, *IAPPG*, p. 8.

[22] FEMA, *IAPPG*, p. 8; FEMA, "Crisis Counseling Assistance & Training Program Fact Sheet," April 2019, https://www.fema.gov/media-library-data/1566920200647-b478e3a3650f2cc1224b13818cd7eada/FACTSHEET_CrisisCounselingProgram.pdf.

[23] FEMA, *IAPPG*, pp. 222-225. The *IAPPG* chapter on Disaster Unemployment Assistance (DUA) includes an overview of the program and requirements to participate, as well as the delivery of DUA services, which the U.S. Department of Labor oversees and coordinates with FEMA.

[24] 42 U.S.C. §5177; 44 C.F.R. §206.141; FEMA, *IAPPG*, pp. 8-9, and 222.

may also provide re-employment assistance.[25] DUA benefits may continue for up to 26 weeks following the declaration of a major disaster.[26]

Disaster Legal Services[27]

Disaster Legal Services (DLS) are provided free to low-income individuals who require them because of a major disaster. The provision of services is "confined to the securing of benefits under the [Stafford] Act and claims arising out of a major disaster."[28] Assistance may include help with insurance claims, drawing up new wills and other legal documents lost in the disaster, help with home repair contracts and contractors, and appeals of FEMA decisions.[29] Disaster Legal Services are provided through an agreement with the American Bar Association's Young Lawyers Division.[30] Neither the statute nor the regulations establish cost-share requirements or time limitations for DLS.

Disaster Case Management[31]

The Disaster Case Management (DCM) program partners case managers with disaster survivors to develop and implement disaster recovery plans that address their unmet needs.[32] The program is time-limited, and shall not exceed 24 months from the date of the major disaster declaration.[33]

Individuals and Households Program[34]

The Individuals and Households Program (IHP) provides financial and/or direct assistance to eligible individuals and households who, as a result of a disaster, have uninsured or under-insured necessary expenses and serious needs that cannot be met through other means or forms of assistance.[35] The IHP is the primary way FEMA assists disaster survivors. Although it may meet

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[25] FEMA, *IAPPG*, pp. 8, 222.

[26] 42 U.S.C. §5177; FEMA, *IAPPG*, p. 222; FEMA, "Disaster Unemployment Assistance Fact Sheet," May 2018, https://www.fema.gov/media-library-data/1528984254955-49515ab3f8eeca0627f777a8abe4347a/DisasterUnemploymentAssistance.pdf. For more information on DUA, see CRS Report RS22022, *Disaster Unemployment Assistance (DUA)*, by Julie M. Whittaker.

[27] FEMA, *IAPPG*, pp. 218-220. The *IAPPG* chapter on Disaster Legal Services (DLS) includes an overview of the program and requirements to participate, as well as the delivery of DLS services.

[28] 42 U.S.C. §5182; 44 C.F.R. §206.164(e).

[29] 42 U.S.C. §5182; 44 C.F.R. §206.164; FEMA, *IAPPG*, p. 8; FEMA, "Disaster Legal Services Fact Sheet," April 2019, https://www.fema.gov/media-library-data/1565183972050-1b178d085b84dd8949d4f8a1bdf8b2f2/FACTSHEET_DisasterLegalServicesFINAL2019Compliant.pdf.

[30] FEMA, *IAPPG*, p. 8.

[31] FEMA, *IAPPG*, pp. 172-189. The *IAPPG* chapter on Disaster Case Management (DCM) includes an overview of the program and process for providing services to disaster survivors, as well as the Immediate DCM Program and DCM Program. It also describes the application process and requirements related to managing a DCM award.

[32] 42 U.S.C. §5189d. Disaster recovery plans include "resources, decision-making priorities, providing guidance, and tools to assist disaster survivor" (FEMA, *IAPPG*, p. 7).

[33] FEMA, *IAPPG*, p. 177; see also FEMA, "Disaster Case Management Toolbox," last updated September 6, 2019, https://www.fema.gov/media-library/assets/documents/101292.

[34] FEMA, *IAPPG*, pp. 43-170. The *IAPPG* chapter on the Individuals and Households Program (IHP) includes a program overview, eligibility and documentation requirements, and application and program delivery information. It also includes sections describing the categories, subcategories, and types of IHP assistance, as well as eligibility and documentation requirements, and limitations and exclusions for each type of IHP assistance.

[35] 42 U.S.C. §5174; 44 C.F.R. §206.110(a); FEMA, *IAPPG*, p. 6; FEMA, "Individuals and Households Program Fact Sheet," July 2019, https://www.fema.gov/media-library-data/1571949706314-838a916aad698391afe34b45ac13100a/

basic needs, it cannot compensate for all losses. The categories of IHP assistance are Housing Assistance and Other Needs Assistance (ONA) (see **Table 1**).[36] The period of assistance is generally limited to 18 months following the date of the emergency or major disaster declaration.[37]

Table 1. Types of Housing Assistance and Other Needs Assistance

Housing Assistance: Financial	Housing Assistance: Direct	ONA: SBA-Dependent	ONA: Non-SBA-Dependent
Lodging Expense Reimbursement	Multifamily Lease and Repair	Personal Property	Funeral Assistance
Rental Assistance	Transportable Temporary Housing Units	Moving and Storage	Medical and Dental Assistance
Home Repair Assistance	Direct Lease	Transportation Assistance	Childcare Assistance
Home Replacement Assistance	Permanent Housing Construction	Group Flood Insurance Policy	Assistance for Miscellaneous Items
			Critical Needs Assistance
			Clean and Removal Assistance

Source: FEMA, *Individual Assistance Program and Policy Guide (IAPPG)*, FP 104-009-03, March 2019, p. 7, https://www.fema.gov/media-library-data/1551713430046-1abf12182d2d5e622d16accb37c4d163/IAPPG.pdf.

Housing Assistance

Multiple types of Housing Assistance may be provided to meet disaster survivors' post-disaster housing needs. Housing Assistance includes the subcategories of Financial Housing Assistance and Direct Housing Assistance. The appropriate types of housing assistance depend on various considerations, including, but not limited to, cost-effectiveness; availability; suitability; and access to services.[38] The federal cost share for FEMA housing assistance is 100%.[39] The following sections provide a brief overview of each type of Housing Assistance organized by subcategory.

Financial Housing Assistance

Financial Housing Assistance is grant funding provided directly to the individual or household by FEMA.[40] Some types of Financial Housing Assistance are subject to a limit on the amount of Financial Housing Assistance an individual or household is eligible to receive.[41]

1_FACTSHEET_Individuals_and_Households_Program.pdf.

[36] IHP Housing Assistance can provide either financial or direct assistance; all types of ONA are financial assistance.

[37] FEMA, *IAPPG*, p. 6.

[38] 44 C.F.R. §206.110(c).

[39] 42 U.S.C. §5174(g)(1); 44 C.F.R. §206.110(i)(1); FEMA, *IAPPG*, p. 4.

[40] FEMA, *IAPPG*, p. 7.

[41] Assistance for housing-related needs may not exceed $35,500 (FY2020; adjusted annually). FEMA, "Notice of Maximum Amount of Assistance Under the Individuals and Households Program," 84 *Federal Register* 55324, October 16, 2019, https://www.govinfo.gov/content/pkg/FR-2019-10-16/pdf/2019-22471.pdf (hereinafter FEMA, "Notice of Maximum Amount of Assistance"). It is adjusted annually to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor (42 U.S.C. §5174(h)(3)).

- **Lodging Expense Reimbursement (LER)** provides funding for out-of-pocket short-term lodging costs and taxes when the applicant is displaced from their primary residence because it is uninhabitable or inaccessible.[42]
- **Rental Assistance (including Initial Rental Assistance and Continued Rental Assistance)** provides funding to rent alternate housing accommodations while the applicant is displaced from their primary residence because it is uninhabitable, inaccessible, affected by a utility outage, or unavailable.[43]
- **Home Repair Assistance** provides funding to repair[44] an owner-occupied primary residence, utilities, and infrastructure, subject to the maximum amount of financial assistance.[45]
- **Home Replacement Assistance** provides funding to help replace a disaster-destroyed owner-occupied primary residence, subject to the maximum amount of financial assistance.[46]

Direct Housing Assistance

Direct Housing Assistance[47] is housing provided to the individual or household by FEMA or the state, territorial, or Indian tribal government.[48] Direct Housing Assistance is not subject to the limit on the maximum amount of financial assistance an individual or household is eligible to receive. However, FEMA may only provide Direct Housing Assistance when Rental Assistance (a type of Financial Housing Assistance) is not available or is insufficient.[49]

- **Multifamily Lease and Repair (MLR)** places disaster survivors in leased, repaired or improved multifamily temporary housing units (e.g., apartments).[50]

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[42] FEMA, *IAPPG*, pp. 78-79.

[43] FEMA, *IAPPG*, pp. 80-86. Rental Assistance includes monthly rent, essential utilities, and a security deposit.

[44] See FEMA, *IAPPG*, pp. 86-87 for a non-exclusive list of real property components that are eligible for repair.

[45] FEMA, *IAPPG*, pp. 86-90.

[46] FEMA, *IAPPG*, pp. 91-92. Home Replacement Assistance may be applied toward the purchase of a new permanent residence that exceeds the maximum award.

[47] When providing Direct Housing Assistance, "FEMA expects the state, territorial, or tribal government to establish and lead a Disaster Housing Task Force (DHTF)" comprised of government, private, and nonprofit partners to determine the scope of housing needs, and identify housing solutions and deliver programs. FEMA, *IAPPG*, pp. 93-94.

[48] DRRA Section 1211(a) amended Stafford Act Section 408(f)—Federal Assistance to Individuals and Households, State Role—to expand the types of FEMA IHP assistance that a state, territorial, or Indian tribal government may request to administer to include Direct Temporary Housing Assistance and Permanent Housing Construction, in addition to Other Needs Assistance. FEMA stated that it is developing a *State-Administered Direct Housing Grant Guide* that will serve as interim guidance and will provide the guidance that enables implementation of the pilot program, which will end after two years and will then require a rulemaking. As of the date of publication of this report, FEMA stated that the interim guidance had been transmitted to the Department of Homeland Security for clearance (email correspondence from FEMA Congressional Affairs staff, November 19, 2019). The guidance may be published in mid-December 2019, according to FEMA (email correspondence from FEMA Congressional Affairs staff, December 3, 2019).

[49] Direct Housing Assistance must be requested in writing, and is only available when: (1) Rental Assistance cannot be used due to insufficient available housing resources; (2) increasing the Rental Assistance rate to 125% of the HUD Fair Market Rent (FMR) will not be sufficient to meet the housing needs; and (3) assistance from other providers (e.g., voluntary organizations) is insufficient to meet the housing needs. FEMA, *IAPPG*, pp. 44, 93, and 95.

[50] FEMA, *IAPPG*, pp. 107-112. Following Hurricane Sandy, the Sandy Recovery Improvement Act of 2013 (SRIA, Division B of P.L. 113-2) formalized FEMA's Multifamily Lease and Repair (MLR) program (FEMA, *IAPPG*, pp. 107-112).

- **Transportable Temporary Housing Units (TTHUs)** place disaster survivors in purchased or leased temporary housing units.[51] TTHU sites[52] must meet specific requirements, including (1) providing access to available and functional utilities;[53] (2) complying with government ordinances; and (3) satisfying federal floodplain management and Environmental Planning and Historic Preservation (EHP) compliance review requirements.[54]
- **Direct Lease**[55] places disaster survivors in leased residential properties.[56]
- **Permanent Housing Construction (PHC)** is a last resort used to provide home repair and new construction services[57] to homeowners in insular areas[58] or another location where no alternative housing resources are available.[59]

Other Needs Assistance

Other Needs Assistance (ONA) provides a grant of financial assistance for other disaster-related necessary expenses and serious needs, and includes the subcategories of SBA-Dependent ONA and Non-SBA-Dependent ONA. ONA is subject to a limit on the amount of assistance an individual or household is eligible to receive.[60] Further, ONA assistance may be somewhat limited because some ONA-eligible items and amounts available to be awarded are

[51] Examples of Transportable Temporary Housing Units (TTHUs) include Recreational Vehicles (RVs) or Manufactured Housing Units (MHUs), which is defined in 24 C.F.R. §3280.2 as "... a structure, transportable in one or more sections ... and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required.... " These types of units were sometimes referred to as "FEMA trailers" in the past, but MHUs are built to meet the construction and safety standards set forth by HUD. The *IAPPG* provides additional information on the certification standards that FEMA-provided RVs and MHUs must meet. FEMA, *IAPPG*, p. 113; see also 24 C.F.R. §3280 et seq. for the Manufactured Home Construction and Safety Standards; see also Jessica Stapf, "The New and Improved 'FEMA Trailer'," *FEMA Blog*, February 2016, last accessed November 19, 2019, https://www.fema.gov/blog/2016-02-16/new-and-improved-fema-trailer.

[52] Site types may include (1) private sites that are provided at no cost to FEMA by the applicant (usually on the applicant's property); (2) commercial sites that allow FEMA to lease available pads in an existing manufactured home park; and (3) group sites, such as publicly-owned park land provided by the state or local government. Group sites are only considered when there are no other Direct Temporary Housing Assistance options that can meet the housing need (see the *IAPPG* for conditions that must be met for a group site to be approved). FEMA, *IAPPG*, pp. 112, and 114-119.

[53] Necessary utilities include available and functional sanitation, electrical service, and potable water service. FEMA, *IAPPG*, p. 114.

[54] FEMA, *IAPPG*, pp. 112-124.

[55] In 2017, FEMA developed its Direct Lease program, and it has been implemented since 2018 as a form of Direct Temporary Housing Assistance. Email correspondence from FEMA Congressional Affairs staff, March 9, 2019.

[56] FEMA, *IAPPG*, pp. 124-126.

[57] Permanent Housing Construction (PHC) technically allows FEMA to provide financial or direct assistance (although it is grouped with Direct Housing Assistance). FEMA, *IAPPG*, p. 127.

[58] Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, and the U.S. Virgin Islands are considered *insular areas*. Additionally, the Alaskan interior is also an example of a remote area. FEMA, *IAPPG*, p. 75.

[59] FEMA, *IAPPG*, pp. 127-132. To use PHC, all other types of Financial and Direct Housing Assistance must be "unavailable, infeasible, or not cost-effective." In short, *unavailable* means temporary housing options are not available for a reasonable cost or in a reasonable amount of time; *infeasible* means there are no available Rental Assistance resources or forms of Direct Temporary Housing Assistance cannot be used because of various challenges or time delays; and *not cost-effective* means the provision of other forms of Direct Temporary Housing Assistance would cost more than providing PHC (FEMA, *IAPPG*, pp. 45, 93, 95, and 127-128).

[60] Assistance for ONA may not exceed $35,500 (FY2020; adjusted annually). 42 U.S.C. §5174(h)(2); FEMA, "Notice of Maximum Amount of Assistance," 84 *Federal Register* 55324.

predetermined by FEMA and the state, territorial, or Indian tribal government.[61] The federal cost share for ONA is 75%, and the non-federal cost share is the remaining 25%.[62] The following sections provide an overview of each type of ONA organized by subcategory.

SBA-Dependent ONA

FEMA and the SBA collaborate in determining applicant eligibility for SBA-Dependent ONA.[63] To receive SBA-Dependent types of ONA, applicants must first apply for an SBA disaster loan.[64] SBA-Dependent ONA is only available to individuals or households who do not qualify for an SBA disaster loan or whose SBA disaster loan amount is insufficient.[65]

- **Personal Property Assistance** provides funding to repair or replace eligible items damaged or destroyed as a result of a disaster.[66]
- **Transportation Assistance** provides funding to repair or replace a vehicle damaged by a disaster.[67]
- **Moving and Storage Assistance** provides funding to relocate and store essential personal property while repairs are made, and then return the property to the repaired primary residence.[68]
- **Group Flood Insurance Policy** enables FEMA or the state, territorial, or Indian tribal government to pay $600 for three years of flood insurance for real and personal property through the National Flood Insurance Program (NFIP). Upon

[61] State, territorial, and Indian tribal governments establish the maximum amount of assistance that may be awarded for some categories of ONA, including Transportation Assistance, Funeral Assistance, and Childcare Assistance. Personal Property and Miscellaneous Items may also be requested, and the requesting state, territorial, and Indian tribal government must list the additional items, maximum quantity, maximum award amount, and justification and situations for use. This is submitted to FEMA annually via the FEMA *ONA Administrative Option Selection* Form (FEMA, *Individuals and Households Program (IHP)–Other Needs Assistance Administrative Option Selection*, form, O.M.B. Control No. 1660-0061, expires December 31, 2021, last accessed November 19, 2019, https://www.fema.gov/media-library-data/1544535263707-b64302090b362e43b9acec0517150836/ Individuals_and_Households_ONA_Administrative_Option_(FEMA_Form_010-0-11).pdf; FEMA, *IAPPG* p. 134). However, the amounts may be changed "during any nondisaster time period or within three days of a major disaster declaration" (FEMA, *IAPPG* p. 137).

[62] 42 U.S.C. §5174(g)(2); 44 C.F.R. §206.110(i)(2); FEMA, *IAPPG*, p. 135.

[63] SBA, "Computer Matching Agreement Between U.S. Small Business Administration and U.S. Department of Homeland Security, Federal Emergency Management Agency," 84 *Federal Register* 2651, February 7, 2019, https://www.govinfo.gov/content/pkg/FR-2019-02-07/pdf/2019-01508.pdf (hereinafter SBA, "Computer Matching Agreement"); FEMA, *IAPPG*, p. 133.

[64] SBA, "Computer Matching Agreement," 84 *Federal Register* 2651.

[65] For more information on the process of determining whether an applicant may qualify for an SBA disaster loan and how FEMA ONA assistance and SBA disaster loans intersect, see CRS Report R45238, *FEMA and SBA Disaster Assistance for Individuals and Households: Application Processes, Determinations, and Appeals*, by Bruce R. Lindsay and Elizabeth M. Webster.

[66] FEMA, *IAPPG*, pp. 152-155. Eligible Personal Property items include standard appliances, essential clothing, standard furnishings, accessibility items as defined by the Americans with Disabilities Act, and essential, specialized tools and equipment required by an employer (essential equipment for self-employment is ineligible) or education.

[67] FEMA, *IAPPG*, pp. 155-157. Eligible vehicles include cars, vans, sport utility vehicles (SUVs), and trucks, and may include motorcycles, boats, golf carts, etc. if specified by the affected state, territorial, or Indian tribal government.

[68] FEMA, *IAPPG*, pp. 158-159. Items may be relocated to a temporary housing unit if they will be returned to the primary residence following the completion of repair work. Essential personal property items eligible for Moving and Storage Assistance include appliances and furniture, but not recreational items.

the expiration of the group policy, the applicant must purchase and maintain their own flood insurance; failure to do so may affect future IHP eligibility.[69]

Non-SBA-Dependent ONA

Non-SBA-Dependent types of ONA may be awarded regardless of the individual or household's SBA disaster loan status.[70]

- **Funeral Assistance** provides funding to assist with eligible expenses.[71]
- **Medical and Dental Assistance** provides funding to assist with eligible expenses.[72]
- **Childcare Assistance** is provided in the form of a one-time payment that covers up to eight cumulative weeks of childcare and eligible expenses to care for children aged 13 and under, and/or children up to age 21 who have a disability.[73]
- **Miscellaneous Expenses** provides funding for reimbursement of eligible items purchased or rented after a disaster to assist with recovery.[74]
- **Critical Needs Assistance** (sometimes referred to as "Immediate Needs Assistance") is provided in the form of a one-time payment of $500 to individuals or households who need life-saving and life-sustaining items because they are displaced from their primary dwelling as a result of a disaster.[75]
- **Clean and Removal Assistance** is provided in the form of a one-time payment to address floodwater contamination for individuals or households whose primary residence experienced flood damage (any assistance received will be deducted from any subsequent award of Home Repair Assistance).[76]

IA Factors for a Major Disaster Declaration

State, territorial, and Indian tribal governments do not automatically receive Individual Assistance (IA) when an *incident*[77] occurs. The governor or tribal chief executive must request that the

[69] 44 C.F.R. §§206.119(c)(6)(i) and (d)(2); FEMA, *IAPPG*, pp. 159-163.

[70] FEMA, *IAPPG*, p. 137.

[71] FEMA, *IAPPG*, pp. 37-140. Examples of funeral expenses include interment or reinterment, funeral and officiant services, and death certificates.

[72] FEMA, *IAPPG*, pp. 140-143. Examples of medical and dental expenses include injury, illness, loss of prescribed medication or equipment, insurance deductibles and copayments, and loss or injury of a service animal.

[73] FEMA, *IAPPG*, pp. 143-148. Examples of childcare expenses include registration and service fees. A child with a disability means as defined by federal law and who needs assistance with activities of daily living.

[74] FEMA, *IAPPG*, pp. 148-150. Miscellaneous items may assist disaster survivors with gaining access to their property or assisting with cleaning efforts. Examples of miscellaneous items include carbon monoxide and smoke detectors, and a dehumidifier or humidifier. Chainsaws and generators are also permitted under limited circumstances if certain conditions are met.

[75] FEMA, *IAPPG*, pp. 150-151. FEMA's *IAPPG* provides a nonexclusive list of life-saving and life-sustaining items including "water, food, first aid, prescriptions, infant formula, diapers, consumable medical supplies, DME [durable medical equipment], personal hygiene items, and fuel for transportation."

[76] FEMA, *IAPPG*, pp. 151-152. Clean and Removal Assistance is "limited to a fixed amount calculated based on the average cost of cleaning, sanitizing, and removing carpet in the geographic area."

[77] 44 C.F.R. §206.32(e) defines an *incident* as "[a]ny condition which meets the definition of major disaster or emergency as set forth in §206.2 which causes damage or hardship that may result in a Presidential declaration of a major disaster or an emergency."

President declare an emergency or major disaster and that IA be authorized.[78] This is because federal assistance is intended to supplement—not supplant—local, state, territorial, or Indian tribal government response and recovery efforts.[79] In making such a request, the governor or tribal chief executive is claiming and must demonstrate that they are unable to effectively respond to the incident without federal assistance.[80]

The governor or tribal chief executive's request for a presidential declaration of emergency or major disaster must include information about the actions and resources that have been or will be committed, and an estimate of the amount and severity of the disaster-caused damages, in addition to other required information.[81] Specific factors are considered by FEMA when evaluating the need for supplemental federal assistance to individuals (i.e., IA) pursuant to a request for a major disaster declaration.[82] FEMA provides a recommendation to the President, and the decision to grant a declaration request is at the President's discretion.[83] The authority to designate assistance types to be made available is delegated to the FEMA Assistant Administrator for the Disaster Assistance Directorate.[84]

IA Factors

On March 21, 2019, as required by Section 1109 of the Sandy Recovery Improvement Act of 2013 (SRIA, Division B of P.L. 113-2), FEMA issued a final rule revising the factors considered when evaluating a governor's request for IA.[85] The factors were revised to establish more objective criteria for evaluating the need for assistance, clarify eligibility requirements, and expedite a presidential declaration determination. These factors became effective June 1, 2019. In addition to the revised factors, FEMA also produced guidance for use by state, territorial, and Indian tribal governments when drafting requests for major disaster declarations authorizing IA.[86]

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[78] 44 C.F.R. §§206.35, 206.36, 206.40(a); FEMA, "The Disaster Declaration Process;" FEMA, "FAQs: Process for Tribal Governments to Request a Declaration." For more information about the disaster declaration process, see CRS Report R43784, *FEMA's Disaster Declaration Process: A Primer*, by Bruce R. Lindsay. Presidential declarations of emergency and major disaster include the areas designated as being eligible for federal assistance, as well as the types of assistance the designated areas are eligible to receive (44 C.F.R. §206.2(a)(6)). Additional designated areas and available assistance are published in the *Federal Register* and listed on FEMA's "Disasters" website (FEMA, "Disasters," https://www.fema.gov/disasters). A *designated area* is "[a]ny emergency or major disaster-affected portion of a State which has been determined eligible for Federal assistance." (44 C.F.R. §206.2(a)(6); FEMA, *IAPPG*, p. 5).

[79] The governor or tribal chief executive's request must document that the "situation is of such severity and magnitude that effective response is beyond the capabilities of the State and affected local governments" and that supplemental federal assistance is necessary (44 C.F.R. §§206.35 and 206.36). To justify a declaration of emergency, supplemental federal assistance must be needed to "save lives and to protect property, public health and safety, or to lessen or avert the threat of a disaster" (44 C.F.R. §206.3). To justify a declaration of major disaster, federal assistance must be needed to "supplement the efforts and available resources of the State, local governments, disaster relief organizations, and compensation by insurance for disaster-related losses" (44 C.F.R. §206.36).

[80] 44 C.F.R. §§206.35 and 206.36.

[81] For a list and description of information requirements to accompany a governor or tribal chief executive's request for an emergency declaration and a major disaster declaration, see 44 C.F.R. §206.35 and 44 C.F.R. §206.36, respectively.

[82] 44 C.F.R. §206.48(b).

[83] 44 C.F.R. §206.38.

[84] 44 C.F.R. §206.40(a). For more information about the disaster declaration process, see CRS Report R43784, *FEMA's Disaster Declaration Process: A Primer*, by Bruce R. Lindsay; see also FEMA, "The Disaster Declaration Process," https://www.fema.gov/disaster-declaration-process.

[85] FEMA, "Factors Considered When Evaluating a Request for IA," 84 *Federal Register* 10632-10664; 44 C.F.R. §206.48(b).

[86] FEMA, *Individual Assistance Declarations Factors Guidance*, June 2019, last accessed November 19, 2019, https://www.regulations.gov/docket?D=FEMA-2014-0005 (hereinafter FEMA, *IA Declarations Factors Guidance*); see

In addition to determining IA eligibility, the factors are also used to identify the types of IA that will be made available to the requesting state/territory/Indian tribal government.[87]

The factors considered when evaluating a governor's request for a major disaster declaration authorizing Individual Assistance are intended to assess the "severity, magnitude, and impact of a disaster, as well as the capabilities of the affected jurisdictions."[88] "FEMA will always consider all relevant information submitted as part of a declaration request."[89] As was the case prior to the adoption of the revised IA factors, major disaster declarations are made at the President's discretion and the IA factors do not limit presidential discretion.[90] Brief descriptions of the factors are as follows:

1. **State Fiscal Capacity and Resource Availability** requires an evaluation of the resources available to the local and state/territorial/Indian tribal government, nongovernmental organizations, and the private sector, combined with the circumstances that contribute to a lack of sufficient resources, resulting in a need for supplemental federal assistance.[91] This factor includes two subfactors:

    a. **Fiscal Capacity** evaluates the state's ability to raise revenue for disaster response and recovery using one of two variables: (1) increasing or decreasing, or higher or lower state total taxable resources (TTR);[92] or

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also FEMA, "Individual Assistance Declaration Factors," last updated May 30, 2019, https://www.fema.gov/individual-assistance-declaration-factors (FEMA's website on the IA factors includes the list of factors and links that state, territorial, and Indian tribal governments may reference throughout the declaration request process, as well as additional information related to the considerations associated with various factors).

[87] FEMA, *IA Declarations Factors Guidance*, p. 13. For example, low disaster-related unemployment may indicate there is not a need for Disaster Unemployment Assistance.

[88] FEMA, "Factors Considered When Evaluating a Request for IA," 84 *Federal Register* 10632; see also FEMA, "Factors Considered When Evaluating a Governor's Request for Individual Assistance for a Major Disaster; Correction," 84 *Federal Register* 25685, June 4, 2019, https://www.govinfo.gov/content/pkg/FR-2019-06-04/pdf/2019-11656.pdf; and 44 C.F.R. §206.48(b).

[89] 44 C.F.R. §206.48(b).

[90] FEMA, "Factors Considered," 84 *Federal Register* 10633; FEMA, *IA Declarations Factors Guidance*, p. 3. The FEMA Assistant Administrator for the Disaster Assistance Directorate has been delegated the authority to determine and designate the types of assistance to be made available (44 C.F.R. §206.40(a)).

[91] 44 C.F.R. §206.48(b). For a state/territorial/Indian tribal government to receive a presidential declaration of emergency or disaster, the governor or tribal chief executive must demonstrate that the incident is of such severity and magnitude that effective response is beyond their capability without supplemental federal assistance (44 C.F.R. §206.35(b)(1)-(2) and 44 C.F.R. §206.36(b)(1)-(2)).

[92] Total taxable resources (TTR) is calculated annually by the U.S. Department of Treasury (Treasury) (ADAMHA [Alcohol, Drug Abuse, and Mental Health Administration] Reorganization Act, P.L. 102-321), and represents the "unduplicated sum of the income flows produced within a State and the income flows, received by its residents, which a State could potentially tax" (FEMA, *IA Declarations Factors Guidance*, p. 7). An increase in TTR may indicate a strengthening state economy and a decrease may indicate a declining economy, or a lower TTR may indicate a state economy that is less resilient to the financial burdens associated with disasters and a higher TTR may indicate higher resilience (FEMA, *IA Declarations Factors Guidance*, pp. 7-8). TTR data organized by state is available from the Treasury (Treasury, "Total Taxable Resources, Estimates," last accessed November 19, 2019, https://home.treasury.gov/policy-issues/economic-policy/total-taxable-resources). TTR is also used to allocate federal funds for the Community Mental Health Service and Substance Abuse Prevention and Treatment block grant programs, which are administered by the U.S. Department of Health & Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA) (SAMHSA, "Community Mental Health Services Block Grant," last updated September 15, 2017, https://www.samhsa.gov/grants/block-grants/mhbg; SAMHSA, "Substance Abuse Prevention and Treatment Block Grant," last updated September 15, 2017, https://www.samhsa.gov/grants/block-grants/sabg). For an overview of TTR, including how it is estimated and the limitations of using TTR as a measurement of fiscal capacity, see Treasury, Office of Economic Policy, *Treasury Methodology for Estimating Total Taxable Resources (TTR)*, December 2002, https://www.treasury.gov/resource-center/economic-policy/Documents/

(2) higher or lower state gross domestic product (GDP), which may be considered as the primary alternative to TTR for requesting territories[93] or when TTR data is unavailable.[94] Higher or lower per capita personal income by local area may also be considered with TTR or state GDP when FEMA needs to better assess the need for supplemental federal assistance within a local area.[95] In addition, other factors may be considered because even states with a high fiscal capacity may be affected by disasters that overwhelm their capabilities, or the variables (i.e., TTR and state GDP) may not accurately reflect a state's fiscal capacity due to extenuating circumstances;[96] and

b. **Resource Availability** evaluates whether the disaster-caused needs can be met using non-Stafford Act sources.[97] Two variables are considered: (1) resources and services provided by local and state/territorial/Indian tribal governments, and nongovernmental and private sector organizations; and (2) the cumulative effect of recent disasters occurring in the previous 24-month period.[98]

2. **Uninsured Home and Personal Property Losses** considers the results of the FEMA-State Preliminary Damage Assessment (PDA) process to evaluate the extent of damage and estimated cost of assistance.[99] The subfactors considered include (1) the "peril that caused the disaster damage" because it may affect insurance coverage;[100] (2) the percentage of affected applicants with insurance

nmpubsum.pdf (FEMA's *IA Declarations Factors Guidance* refers users to this document).

[93] FEMA, *IA Declarations Factors Guidance*, p. 8. TTR is provided for the fifty states and the District of Columbia.

[94] State gross domestic product (GDP) measures the "sum of the distributions by industry and state of the components of gross domestic income which is the sum of the costs incurred and incomes earned in the production of GDP" (FEMA, *IA Declarations Factors Guidance*, p. 8). State GDP data is calculated by the Bureau of Economic Analysis (BEA) for the states and territories, with the exception of Puerto Rico, the data for which is published by the U.S. Census Bureau (FEMA, *IA Declarations Factors Guidance*, p. 8; see also BEA, "Regional Economic Accounts," last updated April 9, 2019, https://www.bea.gov/data/economic-accounts/regional (hereinafter BEA, "Regional Economic Accounts")). For an overview of State GDP, including how it is estimated, see U.S. Department of Commerce, Bureau of Economic Analysis, *Gross Domestic Product by State Estimation Methodology*, 2017, last accessed November 19, 2019, https://www.bea.gov/sites/default/files/methodologies/0417_GDP_by_State_Methodology.pdf.

[95] Local area per capita income is the "personal income of the residents of a given area divided by the resident population of the area" (FEMA, *IA Declarations Factors Guidance*, p. 8). "Local governments in areas with low per capita personal income will typically have smaller tax bases and therefore may have fewer resources available to help local residents impacted by a disaster, which may indicate a lower threshold for requiring supplemental Federal assistance" (FEMA, *IA Declarations Factors Guidance*, p. 8). Data is collected from the BEA (BEA, "Regional Economic Accounts").

[96] FEMA, *IA Declarations Factors Guidance*, p. 8. Examples of other factors that may be considered include examples of state obligations or circumstances affecting a state's ability to collect funds, such as the economic climate (e.g., a recent recession) or recent disasters that affected the state.

[97] FEMA, *IA Declarations Factors Guidance*, p. 8.

[98] FEMA, *IA Declarations Factors Guidance*, p. 8. Disasters occurring during a state's budget cycle are considered.

[99] FEMA, IA Declarations Factors Guidance, p. 9. For more information on the Preliminary Damage Assessment (PDA) process, see CRS Report R44977, *Preliminary Damage Assessments for Major Disasters: Overview, Analysis, and Policy Observations*, by Bruce R. Lindsay. FEMA does not publish all Preliminary Damage Assessment (PDA) information to its website; however, FEMA posts PDA Reports to its website. These PDA Reports include brief information about the incident, the types of Stafford Act assistance requested, a summary of the damage assessment information, and the President's decision to declare a major disaster or deny the request (FEMA, "Preliminary Damage Assessment Reports," last updated November 4, 2019, https://www.fema.gov/preliminary-damage-assessment-reports.

[100] FEMA, *IA Declarations Factors Guidance*, p. 9.

for the peril that caused the damage;[101] (3) whether the concentration of damages is in one area or if it is widespread;[102] (4) the number of homes damaged and degree to which they are damaged (i.e., whether habitability is affected);[103] (5) the estimated cost of assistance based on the PDA data and historical data;[104] (6) the estimated rate of homeownership for the affected homes, which may influence whether the IHP is needed, and what types of housing assistance should be made available;[105] and (7) other relevant PDA data that may demonstrate a need for supplemental federal assistance.[106]

3. **Disaster Impacted Population Profile** evaluates the recovery challenges of the impacted population considering the affected community's demographics as compared with national averages.[107]
4. **Impact to Community Infrastructure** evaluates the disaster's impact by considering disruption, damage, or destruction for more than 72 hours to any of the following three subfactors: (1) Life-Saving and Life-Sustaining Services that provide an "essential community function that ... will affect public health and safety", such as police, fire, and emergency medical services (EMS), medical facilities, and water treatment services; (2) Essential Community Services that improve quality of life, such as schools and childcare providers, and social services; and (3) Transportation Infrastructure and Utilities that, for example, render housing uninhabitable or inaccessible, or affect the delivery of services.[108]
5. **Casualties**, including the number of individuals who are missing, injured, or deceased as a result of a disaster, indicate the level of trauma, which may influence the appropriate types of IA assistance to provide.[109]

Disaster Related Unemployment identifies the number of individuals who may have lost work or become unemployed as a result of the disaster and who do not qualify for standard unemployment insurance.[110]

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[101] FEMA, *IA Declarations Factors Guidance*, p. 10.

[102] FEMA, *IA Declarations Factors Guidance*, p. 9. Even if the concentration of damage is limited, significant damage to a small geographic area may indicate a need for supplemental federal assistance.

[103] FEMA uses the following categories for degree of damage to homes: destroyed, major damage, minor damage, and affected. FEMA, *Damage Assessment Operations Manual: A Guide to Assessing Damage and Impact*, April 5, 2016, pp. 113-114, https://www.fema.gov/media-library-data/1459972926996-a31eb90a2741e86699ef34ce2069663a/PDAManualFinal6.pdf; FEMA, *IA Declarations Factors Guidance*, p. 9.

[104] FEMA, *IA Declarations Factors Guidance*, p. 9.

[105] FEMA, *IA Declarations Factors Guidance*, p. 10.

[106] FEMA, *IA Declarations Factors Guidance*, p. 10.

[107] FEMA, *IA Declarations Factors Guidance*, pp. 10-11. Data considered includes the percentage of the population: (1) in poverty status; (2) receiving government assistance; (3) 65 years or older; (4) 18 years or younger; (5) who are individuals with disabilities; (6) who speak a language other than English and speak English less than "very well;" as well as (7) the pre-disaster unemployment rate. FEMA also considers "any unique considerations regarding American Indian and Alaskan Native Tribal populations" (FEMA, *IA Declarations Factors Guidance*, p. 10). Data sources include Census data and information from the Bureau of Labor and Statistics (i.e., for unemployment information). This information may also be used to help direct outreach efforts (e.g., FEMA may need to provide information in multiple languages based on the languages commonly spoken in an affected jurisdiction).

[108] FEMA, *IA Declarations Factors Guidance*, pp. 11-12.

[109] FEMA, *IA Declarations Factors Guidance*, p. 12. For example, the number and type of casualties may indicate a need for the CCP or Non-SBA-Dependent ONA—Funeral Assistance.

[110] To be eligible for DUA, an individual must: (1) have been previously employed or self-employed; (2) rendered

jobless or had their employment interrupted as a direct result of a major disaster; and (3) be ineligible for regular unemployment insurance (44 C.F.R. §206.141; 42 U.S.C. §5177; FEMA, *IAPPG*, pp. 8-9, 222). FEMA also considers impacts to major employers in the affected jurisdiction (FEMA, *IA Declarations Factors Guidance*, pp. 12-13).

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