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Selected Federal Financial Assistance for Emergency Response to Extreme Heat: In Brief

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Introduction

Summer 2021 has brought extreme heat to many areas of the United States,[1] setting temperature records in multiple states.[2] Extreme heat is relative to each climate,[3] but is defined by the Federal Emergency Management Agency (FEMA) as a period of temperatures above 90 degrees and high humidity for at least two to three days.[4] Affected communities report excess deaths,[5] overwhelmed healthcare systems,[6] and power supply strains.[7] Vulnerable populations, including individuals with medical conditions and disabilities, as well as children, older adults, unhoused persons, agricultural and other outdoor workers, and persons without air-conditioning, may be at particular risk of heat-related illness or death.[8] The Centers for Disease Control and Prevention (CDC) reports that extreme heat is one of the leading weather-related causes of death in the United States;[9] the Environmental Protection Agency (EPA) states that "[s]ome statistical approaches estimate that more than 1,300 deaths per year" in the United States are due to extreme heat.[10]

CDC[11] and EPA[12] discuss response measures that state, local, tribal, territorial governments (SLTTs) and communities may undertake to protect residents, including:

- developing heat health action plans;
- communicating risks to the public;[13]

[1] Tom Di Liberto, NOAA, "Record-Breaking June 2021 Heatwave Impacts the U.S. West," June 23, 2021, https://www.climate.gov/news-features/event-tracker/record-breaking-june-2021-heatwave-impacts-us-west.

[2] NOAA National Centers for Environmental Information, "U.S. Climate Summary for June 2021: Hottest June on Record," July 9, 2021, https://www.climate.gov/news-features/understanding-climate/us-climate-summary-june-2021-hottest-june-record.

[3] Centers for Disease Control and Prevention (CDC), "About Extreme Heat," last reviewed June 19, 2017, https://www.cdc.gov/disasters/extremeheat/heat_guide.html.

[4] Ready.gov, "Extreme Heat," last updated July 20, 2021, https://www.ready.gov/heat.

[5] Serio Olmos, Winston Choi-Schagrin, and Shawn Hubler, "Heat-Related Death Toll Climbs to Nearly 100 in Washington State and Oregon," *New York Times*, last updated July 28, 2021, https://www.nytimes.com/2021/07/01/us/heat-wave-deaths-oregon-canada-washington.html.

[6] Orla, McCaffrey, Ian Lovett, and Paul Vieira, "Deadly Heat Wave in Pacific Northwest Overwhelmed Healthcare System," *Wall Street Journal*, July 5, 2021, https://www.wsj.com/articles/deadly-heat-wave-in-pacific-northwest-overwhelmed-healthcare-system-11625493601.

[7] Dan Murtaugh, Dan, Josh Saul, and Naureen S. Malik, "Global Power Grids Pushed to Breaking Point," *Bloomberg*, June 16, 2021, https://www.bloomberg.com/news/articles/2021-06-16/power-prices-rising-temperatures-risk-blackouts.

[8] Jessica Abbinett, Paul J. Schramm, Stasia Widerynski, et al., CDC, "Heat Response Plans: Summary of Evidence and Strategies for Collaboration and Implementation," p. 11, https://www.cdc.gov/climateandhealth/docs/HeatResponsePlans_508.pdf#page=11.

[9] CDC, "CDC's Tracking Network in Action: Extreme Heat," last reviewed June 1, 2021, https://www.cdc.gov/nceh/features/trackingheat/index.html.

[10] Environmental Protection Agency (EPA), "Climate Change Indicators: Heat-Related Deaths," last updated April 2021, https://www.epa.gov/climate-indicators/climate-change-indicators-heat-related-deaths.

[11] Jessica, Abbinett, Paul J. Schramm, Stasia Widerynski, et al., CDC, "Heat Response Plans: Summary of Evidence and Strategies for Collaboration and Implementation," https://www.cdc.gov/climateandhealth/docs/HeatResponsePlans_508.pdf.

[12] EPA, "Excessive Heat Events Guidebook," June 2006, https://www.epa.gov/sites/default/files/2016-03/documents/eheguide_final.pdf#page=58.

[13] CDC, "Climate Change and Extreme Heat Events." https://www.cdc.gov/climateandhealth/pubs/ClimateChangeandExtremeHeatEvents.pdf.

- closing outdoor events;
- expanding surveillance of health effects;
- increasing emergency medical staff;
- expanding services and distributing water to vulnerable populations;[14]
- providing emergency energy assistance;[15] and
- opening cooling centers.[16]

Federal Financial Assistance by Agency

This report identifies federal assistance potentially available through the Department of Homeland Security (DHS), the Department of Health and Human Services (HHS), the Department of Housing and Urban Development (HUD), the Department of Agriculture, and other authorities for certain extreme heat response costs incurred by SLTTs and eligible community organizations (e.g., hospitals). Given evolving and flexible program and grant guidelines, the lists in this report may not be comprehensive. Program applicability to each applicant or incident may vary.

Federal assistance for other costs related to extreme heat (e.g., preparedness, infrastructural improvements, and assistance for individuals) are not detailed here, but may be available from the Department of Energy, EPA (e.g., the Heat Islands Reduction Program[17]), and other agencies.

Department of Homeland Security

FEMA

FEMA's response, recovery, and Hazard Mitigation Assistance (HMA) programs could potentially provide funding for extreme heat.[18] HMA guidance encourages mitigation projects that address future effects of climate change and extreme heat, among other hazards.[19]

FEMA may provide assistance for heat-related response costs if the President issues an emergency or major disaster declaration for extreme heat under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act; P.L. 93-288, as amended).[20] CRS could not locate prior Stafford Act declarations for heat waves, though the President declared

[14] Jessica Abbinett, Paul J. Schramm, Stasia Widerynski, et al., CDC, "Heat Response Plans: Summary of Evidence and Strategies for Collaboration and Implementation," p. 34, https://www.cdc.gov/climateandhealth/docs/HeatResponsePlans_508.pdf#page=34.

[15] Ibid., p. 36.

[16] Ibid., p. 33.

[17] EPA, "What EPA Is Doing to Reduce Heat Islands," https://www.epa.gov/heatislands/what-epa-doing-reduce-heat-islands.

[18] Federal Emergency Management Agency (FEMA), "State Hazard Mitigation Officers," last updated July 21, 2021, https://www.fema.gov/grants/mitigation/state-contacts.

[19] FEMA, "Hazard Mitigation Assistance Guidance," February 27, 2015, https://www.fema.gov/sites/default/files/2020-07/fy15_HMA_Guidance.pdf.

[20] 42 U.S.C. §§5121 et seq.

emergencies for the 2003 power outages[21] which may have been related to a heat wave.[22] Extreme heat could meet the statutory definition of an emergency, as it may qualify as:

> "... any occasion or instance for which, in the determination of the President, federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States."
>
> **42 U.S.C. §5122(1)**

Although extreme heat is not among the list of qualifying events in the statutory definition of major disasters (see below), the major disaster declarations for the COVID-19 pandemic suggest that natural catastrophes may include hazards not expressly named.

> "... any natural catastrophe (including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this chapter to supplement the efforts and available resources of states, tribes, territories, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby."
>
> **42 U.S.C. §5122(2)**

Public Assistance (PA)[23]

CRS Expert: Erica Lee

- Provides financial and direct assistance (e.g., personnel) to SLTTs and eligible nonprofits when authorized by the President through a Stafford Act declaration.[24] Subject to agency discretion, FEMA may provide reimbursement for emergency protective measures, including "sheltering," which could potentially include

[21] See "Ohio Power Outage (EM-3187-OH)," "New Jersey Power Outage (EM-3188-NJ)," "Michigan Power Outage (EM_3189-MI)," "New York Power Outage (EM-3186-NY)," at FEMA, "Declared Disasters," https://www.fema.gov/disaster/declarations?field_dv2_state_territory_tribal_value=All&field_year_value=2003&field_dv2_declaration_type_value=All&field_dv2_incident_type_target_id_selective=49142.

[22] Jeremy Dillon, and Edward Klump, "Heat Wave Slams the Grid. Here's What to Know," *Politico Pro*, July 22, 2019, https://subscriber.politicopro.com/article/eenews/1060771407; and JR Minkel, "The 2003 Northeast Blackout—Five Years Later," *Scientific American*, August 13, 2008, https://www.scientificamerican.com/article/2003-blackout-five-years-later/.

[23] Federal Emergency Management Agency, "Assistance for Governments and Private Non-Profits After a Disaster," last updated August 7, 2020, https://www.fema.gov/assistance/public.

[24] For more information, see CRS Report R46749, *FEMA's Public Assistance Program: A Primer and Considerations for Congress*, by Erica A. Lee.

cooling centers, as well as emergency food, water, or medical care, and risk communication.[25]

Hazard Mitigation Grant Program (HMGP)[26]

CRS Expert: Diane Horn

- Following a declaration of a Stafford Act major disaster[27] or Fire Management Assistance Grant (FMAG),[28] HMGP is awarded as a formula grant to states based on estimated federal assistance per declaration or FMAG, subject to a sliding scale.[29] Funds may be used for eligible activities irrespective of the hazard or area for which the grant was awarded. For example, funding allocated following a flooding incident in one county could be used for eligible mitigation measures of extreme heat in another county.[30]

Building Resilient Infrastructure and Communities (BRIC)[31]

CRS Expert: Diane Horn

- Provides financial assistance to SLTTs undertaking mitigation activities to reduce the threat of future losses of life and property. BRIC is awarded competitively on an annual basis and independent of a declaration.

Department of Health and Human Services

CDC

Recipients of CDC grants may use some funds to prepare for or respond to extreme heat. These funds are generally designed to increase public health preparedness capacity; however, in certain circumstances, funds can be used for response costs. Depending on the grant, funded activities can include emergency planning, health communication, data surveillance and analysis, and efforts to identify and assist at-risk individuals.

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[25] FEMA, *Public Assistance Program and Policy Guide V. 4.0*, effective June 1, 2020, pp. 120-121, https://www.fema.gov/sites/default/files/documents/fema_pappg-v4-updated-links_policy_6-1-2020.pdf#page=121.

[26] FEMA, "Hazard Mitigation Grant Program," last updated August 6, 2021, https://www.fema.gov/grants/mitigation/hazard-mitigation. For more information, see CRS Insight IN11187, *Federal Emergency Management Agency (FEMA) Hazard Mitigation Assistance*, by Diane P. Horn.

[27] FEMA, "How a Disaster Gets Declared," last updated May 24, 2021, https://www.fema.gov/disaster/how-declared.

[28] FEMA, "Fire Management Assistance Grants," last updated July 1, 2021, https://www.fema.gov/assistance/public/fire-management-assistance.

[29] 42 U.S.C. §5170c.

[30] FEMA, "Hazard Mitigation Assistance Guidance," February 27, 2015, https://www.fema.gov/sites/default/files/2020-07/fy15_HMA_Guidance.pdf.

[31] FEMA, "Building Resilient Infrastructure and Communities (BRIC)," last updated August 10, 2021, https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities. For more information, see CRS Insight IN11515, *FEMA Pre-Disaster Mitigation: The Building Resilient Infrastructure and Communities (BRIC) Program*, by Diane P. Horn.

Public Health Emergency Preparedness (PHEP) Cooperative Agreement[32]

CRS Expert: Hassan Z. Sheikh

- Provides assistance to state, local, and territorial public health departments to strengthen public health response capacity.

Public Health Crisis Response Notice of Funding Opportunity (NOFO)[33]

CRS Expert: Sarah A. Lister

- Speeds CDC's award of funds to SLTTs for public health emergency response by using an "approved but unfunded" grantee list. Congress may provide for supplemental appropriations to fund SLTTs under the NOFO.

Climate-Ready States & Cities Initiative[34]

CRS Expert: Taylor R. Wyatt

- Funds grantees' efforts to identify local climate change effects, potential health effects, at-risk populations, and potential mitigating interventions. Funds may be used for climate-related emergency preparedness and response activities.

Preventive Health and Health Services (PHHS) Block Grant[35]

CRS Expert: Kavya Sekar

- Flexible block grant to 61 health jurisdictions allows grantees to address the unique and emerging public health needs of their communities including those related to extreme heat.[36]

[32] CDC, "Public Health Emergency Preparedness (PHEP) Cooperative Agreement," last reviewed June 24, 2021, https://www.cdc.gov/cpr/readiness/phep.htm.

[33] CDC, "Public Health Crisis Response NOFO," last reviewed May 28, 2021, https://www.cdc.gov/cpr/readiness/funding-crisis.htm.

[34] CDC, "CDC's Climate-Ready States and Cities Initiative," last reviewed July 20, 2020, https://www.cdc.gov/climateandhealth/climate_ready.htm.

[35] CDC, "Public Health Professionals Gateway: Preventive Health and Health Services (PHHS) Block Grant," last reviewed December 9, 2019, https://www.cdc.gov/phhsblockgrant/index.htm.

[36] CDC, "PHHS Block Grant Program Contacts," last reviewed December 9, 2019, https://www.cdc.gov/phhsblockgrant/phhscontacts.htm.

Administration for Children and Families

CRS Expert: Libby Perl

Community Services Block Grant (CSBG)[37]

- Provides flexible funding to states, territories, and tribes for distribution to local agencies to support community-based activities to reduce poverty.[38] Funds may be used for emergency assistance, which may include cooling center operations.

Low Income Home Energy Assistance Program (LIHEAP)[39]

- LIHEAP is a flexible block grant to states, tribes, and territories for operating home energy assistance programs for low-income households.[40] Grantees[41] may use funds to pay for heating and cooling costs, crisis assistance, weatherization assistance, and services to reduce the need for energy assistance. An HHS memorandum states that grantees may use funds to establish and operate cooling centers and provide air-conditioning units to eligible households.[42]

Department of Housing and Urban Development

Community Development Block Grant Program (CDBG)[43]

CRS Experts: Joseph Jaroscak

- Provides flexible federal funding to states and localities to support economic development, community development, and infrastructure.[44] In some cases, CDBG grantees could target or reprogram funds to prepare for or respond to extreme heat events. In particular CDBG funds could support the development or

[37] U.S. Department of Health and Human Services (HHS) Office of Community Services, "Community Services Block Grant (CSBG)," last reviewed March 9, 2021, https://www.acf.hhs.gov/ocs/programs/community-services-block-grant-csbg.

[38] HHS Office of Community Services, "CSBG Contact Info State Officials and Program Coordinators," July 16, 2021, https://www.acf.hhs.gov/ocs/contact-information/csbg-contact-info-state-officials-and-program-coordinators.

[39] UHHS Office of Community Services, "Low Income Home Energy Assistance Program (LIHEAP)," last reviewed May 28, 2021, https://www.acf.hhs.gov/ocs/low-income-home-energy-assistance-program-liheap.

[40] For more information on LIHEAP, see CRS Report RL31865, LIHEAP: Program and Funding, by Libby Perl.

[41] HHS Office of Community Services, "LIHEAP Map State and Territory Contact Listing," https://www.acf.hhs.gov/ocs/map/liheap-map-state-and-territory-contact-listing.

[42] HHS Office of Community Services, "LIHEAP IM-2021-01 Heat Stress Flexibilities and Resources," July 1, 2021, https://www.acf.hhs.gov/ocs/policy-guidance/liheap-im-2021-01-heat-stress-flexibilities-and-resources.

[43] U.S. Department of Housing and Urban Development (HUD), "Community Development Block Grant Program," content current as of June 8, 2021, https://www.hud.gov/program_offices/comm_planning/cdbg.

[44] HUD Exchange, "Community Development Block Grant Program," https://www.hudexchange.info/programs/cdbg/. For more information, see CRS Report R43520, *Community Development Block Grants and Related Programs: A Primer*, by Joseph V. Jaroscak.

rehabilitation of public facilities,[45] or the provision of public services[46] to meet specific community needs related to heat events, if compliant with one of the program's three national objectives and all relevant requirements.[47]

CDBG—Disaster Recovery (CDBG-DR)[48]

CRS Experts: Michael Cecire and Joseph Jaroscak

- Congress has provided for supplemental appropriations using CDBG authorities for disaster recovery (CDBG-DR), or in response to other emergency events. Emergencies may potentially include extreme heat. Recently Congress dedicated funds to mitigate against future disaster risk (CDBG-MIT) following some incidents; this could serve as a model for extreme heat mitigation resilience.[49]

The Indian Community Development Block Grant (ICDBG)[50]

CRS Expert: Michael Cecire

- Provides economic development and urgent needs funding to federally recognized tribal nations and Alaska Native villages. ICDBG funding is awarded in two categories: (1) competitive community and economic development grants allow for a variety of uses, including potentially extreme heat mitigation; and (2) noncompetitive imminent threat grants address issues posing an urgent threat to the public health or safety of tribal residents, which could also respond to extreme heat incidents or their aftermath.

Federal Regional Commissions and Authorities[51]

CRS Expert: Michael Cecire

- There are seven authorized federal regional commissions and authorities in statute: Appalachian Regional Commission (ARC);[52] Delta Regional Authority

[45] Department of Housing and Urban Development, *Guide to National Objectives and Eligible Activities for CDBG Entitlement Communities*, "Chapter 2: Categories of Eligible Activities," February 2001, pp. 2-11 through 2-12; available at https://www.hudexchange.info/sites/onecpd/assets/File/CDBG-National-Objectives-Eligible-Activities-Chapter-2.pdf.

[46] Ibid., pp. 2-22.

[47] HUD Exchange, "Guide to National Objectives and Eligible Activities for CDBG Entitlement Communities," February 2001, https://www.hudexchange.info/resource/89/community-development-block-grant-program-cdbg-guide-to-national-objectives-and-eligible-activities-for-entitlement-communities/.

[48] HUD Exchange, "Community Development Block Grant Disaster Recovery Program," https://www.hudexchange.info/programs/cdbg-dr/. For more information, see CRS Report R46475, *The Community Development Block Grant's Disaster Recovery (CDBG-DR) Component: Background and Issues*, by Michael H. Cecire and Joseph V. Jaroscak.

[49] HUD Exchange, "Community Development Block Grant Mitigation Program," https://www.hudexchange.info/programs/cdbg-mit/.

[50] U.S. Department of Housing and Urban Development, "Indian Community Development Block Grant Program," https://www.hud.gov/program_offices/public_indian_housing/ih/grants/icdbg.

[51] See CRS Report R45997, Federal Regional Commissions and Authorities: Structural Features and Function, by Michael H. Cecire.

[52] Appalachian Regional Commission, "Investing in Appalachia's economic future," https://www.arc.gov/.

(DRA);[53] Denali Commission;[54] Northern Great Plains Regional Authority (NGPRA); Northern Border Regional Commission (NBRC);[55] Southeast Crescent Regional Commission (SCRC);[56] and Southwest Border Regional Commission. As chartered federal-state partnerships, the federal regional commissions are appropriated funds, which they sub-allocate for community and economic development purposes in their respective service areas. These funds are generally flexible, and can be used to address a variety of community and economic development purposes, including pre- and post-disaster hazard mitigation uses related to extreme heat or other climate-related issues. Previously, grant funding has been used to respond to natural disasters and the COVID-19 pandemic.

Defense Production Act of 1950 (DPA)[57]

CRS Experts: Michael Cecire and Heidi Peters

- The DPA provides the President with the authority to mobilize the domestic economy in service of the national defense, broadly defined, which may include emergency management and disaster recovery purposes. The DPA generally does not provide direct financial assistance to SLTTs. However, it does allow the federal government to intervene in the civilian economy to facilitate the provision, movement, and expanded production of critical goods, materials, and services. During an extreme heat event, DPA authorities could be used to furnish supplies or provide resources to SLTTs to mitigate adverse effects. For example, the President could use DPA authorities to prioritize the production and distribution of potable water to supplement SLTT emergency stocks. The President could also use DPA authorities to investigate supply chain vulnerabilities that might be strained in the event of an extreme heat event or to create a professional reserve of subject matter experts to advise the government prior to and during such emergency situations.[58]

[53] Delta Regional Authority, "Delta Regional Authority," https://dra.gov/.

[54] Denali Commission, "Denali Commission," https://www.denali.gov/.

[55] Northern Border Regional Commission, "Northern Border Regional Commission," https://www.nbrc.gov/.

[56] Southeast Crescent Regional Commission, "A Federal Commission for the Southeastern United States," https://scrcc.org/.

[57] FEMA, "Defense Production Act," last updated July 6, 2021, https://www.fema.gov/disaster/defense-production-act.

[58] For more information on the DPA, see CRS Report R43767, The Defense Production Act of 1950: History, Authorities, and Considerations for Congress, by Michael H. Cecire and Heidi M. Peters.

Department of Agriculture

CRS Experts: Alyssa Casey and Lisa Benson

- For certain kinds of projects in qualifying rural areas, USDA Rural Development is a potential resource for assistance.[59] USDA Community Facilities Programs (such as Community Facilities Direct Loans and Grants)[60] assist with developing or improving essential public services and facilities; these funds might be used for efforts related to community emergency shelters and cooling centers.[61] The USDA Disaster Resource Center also gives timely information on assistance to communities affected by severe weather events and other disasters and emergencies.[62] See State Offices for contacts.[63]

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[59] U.S. Department of Agriculture, "Rural Development," https://www.rd.usda.gov/.

[60] U.S. Department of Agriculture, "Community Facilities Direct Loan & Grant Program," https://www.rd.usda.gov/programs-services/community-facilities/community-facilities-direct-loan-grant-program.

[61] U.S. Department of Agriculture, "Community Facilities Programs," https://www.rd.usda.gov/programs-services/all-programs/community-facilities-programs.

[62] U.S. Department of Agriculture, "Disaster Resource Center," https://www.usda.gov/topics/disaster-resource-center.

[63] U.S. Department of Agriculture, "State Offices," https://www.rd.usda.gov/about-rd/state-offices#.

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