



How Federal Disasters are Declared

WHAT IS A FEDERAL DISASTER DECLARATION?

We've all seen our local and national newspapers with headlines screaming: "federal disaster declared" or "Emergency declared in five counties." But what does that actually mean? How does that affect you and your community, or how you recover and rebuild after a disaster?

If "all disasters are local" (and they are), then local and state governments are responsible for disaster recovery. But when damages and emergency response requirements overwhelm the capacity of the State to respond, the federal government is called in for help.

A federal disaster declaration opens the channels for federal assistance to reach affected counties in a declared State.

THE DECLARATION PROCESS

The federal disaster declaration process begins when a governor (with assistance from the local FEMA office) assesses damages from a disaster and determines that needs have exceeded county and state resources.

Preliminary Steps by the Governor

- **The Governor declares a state of emergency and activates the state's Emergency Operations Plan.** Both of these must have occurred before the state can request federal assistance.
- **The Governor submits a request to the President.** Usually within 72 hours of the disaster, the governor (through the local FEMA office) asks the President to declare a federal disaster.



Biography

Pete Gustin is assistant rector at Good Shepherd Episcopal Church, a Diocesan Disaster Coordinator for the Diocese of Virginia and a government contractor for FEMA and the Office of Emergency Management in Loudoun County, VA.



Fast Facts

- **The 1988 Robert T. Stafford Disaster Relief & Emergency Act** establishes the declaration process, and defines the scope of federal assistance and conditions for granting aid.
- **FEMA**, the Federal Emergency Management Agency, was subsumed under the U.S. Department of Homeland Security when it was created in response to the terrorist attacks of September 11, 2001.
- You must apply for an **SBA loan** to determine eligibility for housing assistance



Preliminary Damage Assessment

- **FEMA conducts preliminary damage assessments in counties affected by the disaster.** Normally, assessments are completed prior to and then included with the Governor's request. However, in the case of an obvious catastrophe; e.g., a mass casualty event, these may be completed after the request is submitted to the President.
- **FEMA assesses various factors to determine the magnitude of a disaster and the type of assistance it will recommend.** The FEMA team reviews the extent and types of damage, the cost of the emergency to state governments, and the effect on critical public facilities, as well as the cost of response efforts. The team also looks at the number of damaged homes and buildings, the number of people displaced, and threats to health and safety.

Assistance

- **There are two categories of federal declarations: an emergency declaration and a major disaster declaration.** The types and amount of aid available differ depending on the kind of declaration.
 - **Emergency Declaration:** Federal assistance goes to state and local efforts for emergency services. In an Emergency Declaration, no benefits for individuals will be available.
 - **Major Declaration:** There are three general categories of FEMA assistance in a Major Declaration – individual, public, and hazard mitigation programs. The assistance made available is based on the preliminary damage assessment.
- **Individual Assistance:** This type of assistance is only available in the case of a major declaration; the individual award cap differs depending on the assessment, but is usually around \$30,000. The Individuals and Households Program provides money and services to people whose losses are not covered by insurance. It includes:
 - **Housing assistance:** This can be the provision of temporary housing, home repair and/or replacement.
 - **Other Needs Assistance (ONA):** Financial aid for people with other disaster-related expenses such as medical, dental, funeral, personal property, etc.
 - **Small Business Administration (SBA) Disaster Loans:** These are federally subsidized loans to repair or replace homes or businesses that sustained damages not covered by insurance. There are three types of SBA loans: home disaster loans, business physical disaster loans and economic injury disaster. This isn't readily obvious, but it's important to know that if an SBA loan is available and you plan on applying for ONA, you must apply for the SBA loan first.

Accessing Individual Assistance:



- **Check** to see if your county is covered by a disaster declaration:
<http://www.fema.gov/news/disasters.fema>
- **File** a claim with your home or auto insurance for damages.
- Apply online at:
www.disasterassistance.gov or by phone: 1-800-621-FEMA (3362). Hearing/speech impaired ONLY should call: 1-800-462-7585.
- **Have the following information** with you when you apply: Social Security number, a description of losses caused by the disaster (including photographs, if possible), insurance information, financial information (your family's gross total household income at the time of the disaster), contact information and banking information.
- When your application is complete, FEMA will provide you with an **application number**. Use this number to check your status at any time starting 24 hours after you submit your application.
- If you are deemed eligible, you will be contacted by an **inspector** to set an appointment to assess the disaster-related damage to your property.
- Within 10 days of the visit you will receive a letter informing you of the decision on your request. An application for an **SBA loan** may be included with the letter. If it is, you are required to apply for the loan before requesting ONA.



- **Disaster Unemployment Assistance:** Unemployment and employment services are provided to people who become unemployed as a direct result of a disaster.
- **Legal Services:** The Young Lawyers Division of the American Bar Association provides free legal assistance to victims.
- **Special Tax Considerations:** All documented losses from a declared disaster may be deducted from that year's federal income tax return.
- **Crisis Counseling:** Financial support goes to the state to help with two types of services:
 - **Immediate services:** This includes screening and diagnostic and counseling services
 - **Regular services:** Federal funding provides up to 9 months of crisis counseling, community outreach and consultation, and education services.
- **Public Assistance:** FEMA provides aid to public and some non-governmental organizations for projects in: debris removal, emergency protective measures, road systems and bridges, water control facilities, public buildings, public utilities, and parks, recreational, etc.
- **Hazard Mitigation Assistance:** Financial aid for sustained measures to prevent damage, loss of life or property and long-term recovery costs for future disasters.

What Can You Do?

- **Apply within 60 days.** You have 60 days from the date of the declaration to apply with FEMA for assistance; FEMA will then accept late applications for an additional 60 days. Many times this deadline may be extended.
- **Other online resources.** For more information on Individual Assistance, Federal disaster declarations and Federal grant programs you can visit the following online resources:
 - <http://www.fema.gov/assistance/index.shtm>
 - http://www.fema.gov/assistance/process/individual_assistance.shtm
 - <http://www.fema.gov/individual/grant.shtm>
 - <http://www.disasterassistance.gov/>

Information from: "Help After a Disaster: Applicant's Guide to the Individuals & Households Program, FEMA 545/July 2008:
http://www.fema.gov/pdf/assistance/process/help_after_disaster_english.pdf

Declaration Timeline (an example):



Hurricane/Tropical Storm Irene in New Jersey

- **8/27/2011:** Governor Christie declares state of emergency in New Jersey, and the State Emergency Operations Plan is activated.
- **8/28/2011:** Irene passes through New Jersey. Numerous power outages and extensive flooding reported.
- **8/30/2011:** Governor Christie sends letter to President Obama requesting Federal recovery assistance
- **8/31/2011:** President Obama signs a major disaster declaration for the State of New Jersey. Federal aid programs include Individual Assistance for small business and farming grants, and home rental and rebuilding assistance. Public Assistance is made available for public utilities repair, debris removal, and mitigation of future flooding events.

Additional Resources



For more information on individual and household assistance after a disaster, stay tuned for the following Episcopal Relief & Development article:

- "How To: Disaster Assistance Form Brigade"

Share your own disaster response stories or tips to help a community in need at www.episcopalrelief.org