

Congressional Primer on Responding to Major Disasters and Emergencies

Francis X. McCarthy

Analyst in Emergency Management Policy

Jared T. Brown

Analyst in Emergency Management and Homeland Security Policy

April 30, 2014

Congressional Research Service

7-5700

www.crs.gov

R41981

Summary

The principles of disaster management assume a leadership role by the local, tribal, and state governments with the federal government providing coordinated supplemental resources and assistance, if requested and approved. The immediate response to a disaster is guided by the National Response Framework (NRF), which details roles and responsibilities at various levels of government, along with cooperation from the private and nonprofit sectors, for differing incidents and support functions. A declaration of a major disaster or emergency under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, must, in almost all cases, be requested by the governor of a state or the chief executive of an affected Indian tribal government, who at that point has declared that the situation is beyond the capacity of the state or tribe to respond. The governor/chief also determines which parts of the state/tribal territory they will request assistance for and suggests the types of assistance programs that may be needed. The President considers the request, in consultation with officials of the Federal Emergency Management Agency (FEMA), within the Department of Homeland Security (DHS), and makes the initial decisions on the areas to be included as well as the programs that are implemented.

The majority of federal aid is made available from FEMA under the authority of the Stafford Act. In addition to that assistance, other disaster aid is made available through programs of the Small Business Administration (which provides disaster loans to both businesses and homeowners), the U.S. Department of Agriculture (USDA), the Department of Transportation (DOT), and, in some instances, the Department of Housing and Urban Development (HUD) (in the form of Community Development Block Grant funds being made available for unmet disaster needs).

While the disaster response and recovery process is fundamentally a relationship between the federal government and the requesting state or tribal government, there are roles for congressional offices to play in providing information to the federal response and recovery teams in their respective states and districts. Congressional offices also serve as a valuable source of accurate and timely information to their constituents.

Contents

Overview	1
Background on Disaster Response	1
Major Disaster and Emergency Declarations	1
The Process for a Declaration	2
Types of Assistance with Declarations	2
Fire Management Assistance Grants	3
National Response Framework.....	3
National Disaster Recovery Framework.....	4
Who Is in Charge?	5
The Principle of Federalism in Emergency Management	5
Key Emergency Management Officials	5
Forms of Disaster Assistance.....	6
Mutual Aid and Assistance Agreements	6
Non-Governmental Organization (NGO) Assistance	6
National Guard	6
Main Forms of Stafford Act Assistance.....	7
Other Federal Assistance	7
Congressional Activity in the Process	9
Where to Obtain Further Information	10

Contacts

Author Contact Information.....	11
Acknowledgments	11
Key Policy Staff.....	11

Overview

Before and after a disaster strikes, it may be helpful to understand the broad outlines of the national emergency management structure and where authority rests at various stages of the process. This report provides information that can aid policymakers as they navigate through the many levels of responsibility, and numerous policy pressure points, by having an understanding of the laws and administrative policies governing the disaster response and recovery process. The report also reviews the legislative framework that exists for providing federal assistance, as well as the implementing policies the executive branch employs to provide supplemental help to state, tribal, and local governments during time of disasters.

See the “Where to Obtain Further Information” section of this report for online resources with information on the response to current disasters, on the disaster management process and federal disaster assistance programs, and on the current scientific predictions for various natural hazards.

Background on Disaster Response

Major Disaster and Emergency Declarations

Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 93-288, as amended, hereinafter “the Stafford Act”) there are two principal forms of presidential action to authorize federal supplemental assistance.¹ Emergency declarations are made to protect property and public health and safety and to lessen or avert the threat of a major disaster or catastrophe. Emergency declarations are often made when a threat is recognized (such as emergency declarations for hurricanes which may be made prior to landfall) and are intended to supplement and coordinate local and state efforts prior to the event. Emergency declarations are also made to provide direct federal assistance to protect lives and property. This aids activities such as evacuations and the protection of public assets. In contrast, a major disaster declaration is made as a result of the disaster or catastrophic event and constitutes a broader authority that helps states and local communities, as well as families and individuals, respond and recover from the damage caused by the event.

In considering declarations, it may be helpful to appreciate the discretionary roles of the governor, chief of the tribe, and the President.² The declaration process contains many factors for consideration and, for all but the most catastrophic events, the process moves at a deliberate speed accumulating information from several sources. While the process is informed by that information and its relationship to potential assistance programs, the information that is gathered

¹ P.L. 93-288, 42 U.S.C. §§ 5121-5208.

² Since passage of the Sandy Recovery Improvement Act of 2013 (Division B of P.L. 113-2), a chief executive of an affected Indian tribal government may apply directly to the President for a disaster declaration, or can remain treated as a local government and join a governor’s request (per previous policy). For more on this and other amendments to the Stafford Act, see CRS Report R42991, *Analysis of the Sandy Recovery Improvement Act of 2013*, by Jared T. Brown, Francis X. McCarthy, and Edward C. Liu. FEMA has begun a consultation process with Indian tribal governments and other emergency management stakeholders to develop this tribal declaration process and policy. See FEMA’s website on the consultation process at <http://www.fema.gov/tribal-consultation>.

at the state and local level does not preclude the exercise of judgment by the governor/chief or the President.³

The Stafford Act stipulates several procedural actions a governor/chief must take prior to requesting federal disaster assistance (including the execution within the state of the state emergency plan and an agreement to accept cost-share provisions and related information-sharing). Still, the process leaves broad discretion with the governor if he or she determines that a situation is “beyond the capabilities of the state.”⁴ The concession that a state or tribe can no longer respond on its own is difficult to quantify. It is the governor/chief who makes that assessment, based on his or her knowledge of state/tribal resources and capabilities.

The Process for a Declaration

Following a significant event, the first need is for accurate information. The governor/chief’s first decision is whether the incident is severe enough to warrant the assembling of a traditional Preliminary Damage Assessment (PDA) team to survey the damaged area. The traditional PDA team includes a state official, representatives from the appropriate FEMA regional office, a local official familiar with the area and, in some instances, representatives from the American Red Cross and/or the Small Business Administration.⁵

The FEMA representatives have the responsibility of briefing the team on the factors to be considered, the information that will be helpful in the assessment, and how the information should be reported. One significant improvement in this process is that the regulations now require that the participants reconcile any differences in their findings so that all parties involved are working from the same sets of information. In the case of some large disaster events, an initial declaration may be made to accelerate emergency assistance. Follow-up assessments may then be made to determine the extent of damage and the federal programs needed to address the situation.

Types of Assistance with Declarations

While the assistance under an emergency declaration may be proscribed by actions taken by the state prior to the event, the forms of assistance contained in a major disaster declaration are broader and may generally consist of the three types of assistance.

The type of federal assistance made available varies from one disaster to another and among eligible applicants within a tribe or state, commensurate with decisions by FEMA officials on the extent of damage and the eligibility of applicants. For instance, under a major disaster declaration, local jurisdictions with large numbers of damaged or destroyed residences might be eligible for assistance under the Individual Assistance (IA) program, whereas those with severely damaged infrastructure but relatively few damaged homes might be eligible only for assistance under the Public Assistance (PA) program. Similarly, if a local government had extensive debris in public rights-of-way due to a disaster, but very little damage to public facilities, a determination might be made to provide assistance only for debris removal activities under the PA

³ For further analysis on emergency and major disaster declarations, see CRS Report RL34146, *FEMA’s Disaster Declaration Process: A Primer*, by Francis X. McCarthy.

⁴ 42 U.S.C. § 5170.

⁵ For examples of PDA reports, see <http://www.fema.gov/preliminary-damage-assessment-reports>.

program. On the other hand, areas severely devastated by a catastrophe are often eligible for both IA and PA. In most instances, disaster declarations now include Hazard Mitigation Assistance (HMA), which is provided to reduce the threat of future disaster damage.

The President's declaration announcement will stipulate those counties/tribal areas included in the declaration and for which forms of assistance.⁶ The declaration may comport with the governor's or tribal leader's request. However, there are instances where the initial declaration may not include all requested counties and types of assistance. Often times, additional assessments may be needed to reach a decision on the specific areas and types of assistance to be provided. Additional counties and assistance can be added on following the declaration. Hazard Mitigation Assistance is generally included on a state-wide basis to give the states or tribes flexibility on prioritizing projects within the state or tribal area that may reduce future disaster damage.

The declaration announcement will also note the federal and state cost-shares for disaster assistance programs. Programs with a cost-share, such as infrastructure repair, are generally done on a 75% federal, 25% state/tribe and local basis. The cost shared by the states/tribes may be lowered based on several considerations, including the scope of the damage within an area.⁷

Fire Management Assistance Grants

In addition to the major disaster and emergency declarations, there is one other type of federal supplemental assistance that is funded by the President's Disaster Relief Fund. This type of declaration is the Fire Management Assistance Grant (FMAG) which is authorized by Section 420 of the Stafford Act.⁸ The President has delegated this authority to FEMA and its implementation is negotiated on a real-time basis between the affected state or tribal department of forestry, the FEMA regional office, and the U.S. Forest Service (which usually serves as FEMA's Principal Advisor at the regional level).⁹ The FMAG is intended to mitigate the effects of a wildfire and prevent it from becoming a major disaster event. It is cost-shared on a 75% federal and 25% state/tribe basis.

National Response Framework

The National Response Framework (NRF) guides the nation's response to a major disaster, regardless of cause or size.¹⁰ The NRF also establishes 15 different Emergency Support Functions (ESFs) to organize the response capabilities of the federal government. ESFs group federal agencies with pertinent authorities, resources, and expertise to accomplish a set of capabilities needed in disaster response, regardless of the type of hazard. For instance, ESF #9 is "Search and Rescue," which unifies federal agencies with the appropriate resources and authorities to conduct

⁶ These announcements are publicly available in the *Federal Register*.

⁷ For a full discussion of cost-shares under Stafford Act declarations see CRS Report R41101, *FEMA Disaster Cost-Shares: Evolution and Analysis*, by Francis X. McCarthy.

⁸ 42 U.S.C. § 5187.

⁹ U.S. Department of Homeland Security/Federal Emergency Management Agency, "Fire Management Assistance Grants: Program Details," June 15, 2012, at <http://www.fema.gov/fire-management-assistance-grants-program-details>.

¹⁰ U.S. Department of Homeland Security, *National Response Framework*, Second Edition, May 2013, <http://www.fema.gov/library/viewRecord.do?id=7371>. For extensive support documents and presentations on the NRF, see <http://www.fema.gov/nrf/>.

search and rescue operations following a hurricane, earthquake, terrorist attack, or other disaster.¹¹ The NRF also contains additional guidance describing how the NRF will be used in response to certain common disaster problems. The Volunteer and Donations Management Support Annex, for example, describes how the federal government will help coordinate the most efficient and effective use of unaffiliated volunteers, unaffiliated organizations, and unsolicited donated goods.¹²

Although the NRF is often closely linked with the Stafford Act, the NRF is always in effect and does not require a formal Stafford Act declaration to be used. Any disaster requiring federal coordination, including those declared under other federal authorities, arguably would be managed through the NRF.¹³ As a result of the NRF, the federal, tribal, state, local government agencies, and even most non-governmental organizations will arguably operate in similar ways during response, with commonly understood terminology and management structures.

National Disaster Recovery Framework

The National Disaster Recovery Framework (NDRF) provides a companion document to the NRF in guiding the nation's recovery to major disasters.¹⁴ The NDRF puts forth basic recovery principles as well as roles and responsibilities at the respective levels of government, along with a structure and process to assist short- and long-term recovery following a disaster event. As with the NRF, the NDRF also uses a support function model to organize federal capabilities. For the recovery phase, FEMA and its partners have identified six Recovery Support Functions. An example of a Recovery Support Function is the Economic Recovery Support Function. That RSF is coordinated by the U.S. Department of Commerce.¹⁵

In addition, the NDRF also presents three positions that provide focal points for incorporating recovery considerations into the decision making process following a disaster. Those positions are Federal Disaster Recovery Coordinator (FDRC), State or Tribal Disaster Recovery Coordinators (SDRC or TDRC) and Local Disaster Recovery Managers (LDRM).¹⁶

¹¹ Each ESF has a coordinating agency, typically several different primary agencies, and a larger number of support agencies.

¹² See Federal Emergency Management Agency, *Volunteer and Donations Management Support Annex, National Response Framework*, May 2013, at http://www.fema.gov/media-library-data/20130726-1914-25045-5208/nrf_support_annex_volunteer_20130505.pdf.

¹³ U.S. Department of Homeland Security, *National Response Framework*, Second Edition, May 2013, p. 17, <http://www.fema.gov/library/viewRecord.do?id=7371>. Examples include public health emergencies declared under Section 319 of the Public Health Services Act (42 U.S.C. §§ 201 *et seq.*), or spills of national significance under the Oil Pollution Act (P.L. 101-380).

¹⁴ U.S. Department of Homeland Security, Federal Emergency Management Agency, "National Disaster Recovery Framework," September, 2011, at <http://www.fema.gov/national-disaster-recovery-framework>.

¹⁵ For more on the Recovery Support Functions, see <http://www.fema.gov/recovery-support-functions>.

¹⁶ U.S. Department of Homeland Security, Federal Emergency Management Agency, "National Disaster Recovery Framework," September, 2011, p. 25, at <http://www.fema.gov/national-disaster-recovery-framework>.

Who Is in Charge?

The Principle of Federalism in Emergency Management

Through the NRF, the United States takes a “bottom up” approach to both managing and providing assistance during a disaster. The responsibility for responding to disasters begins at the local level with survivors, elected officials, and emergency service personnel. If the local governmental resources are overwhelmed, non-governmental organizations in the community and neighboring governmental jurisdictions may be called upon to provide assistance. If those become exhausted, the state and tribal governments may supplement the local government’s resources, and the governor may make a state disaster declaration. Only after both local and state/tribal government resources have been overwhelmed, and the governor of the state or tribal chief has requested assistance, does the federal government begin to “supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering.”¹⁷ The details of this supplemental partnership are stipulated in the Federal-State Agreement (or FEMA-Tribal Agreement) which is signed by the representatives of the governor/chief and of FEMA and enumerates the “conditions for assistance” and how it will be provided.¹⁸

Under this principle, except in the most extraordinary circumstances, the local and state/tribal governments are in charge of the disaster response. FEMA, or any other federal agency, is there to aid the disaster response process through the NRF and programs it administers, and to coordinate federal resources in response to state/tribal requests—not to be in the lead or take command.¹⁹

Key Emergency Management Officials

Following the federalism principle, the local elected official, such as a mayor or their appointed representative, leads the disaster response for their community. The governor is the lead for the state response, the chief for the tribe, and the President for the federal response.²⁰ If state resources are being used to supplement the local response, they are typically coordinated through a State Coordinating Officer (SCO) and the state’s emergency management or homeland security agency. In the event of a Stafford Act emergency or disaster declaration, the President will request that each governor appoint a SCO if they have not done so already.²¹ Similar positions will be filled by the tribes. Likewise, the President, FEMA Administrator, or Regional Administrator will appoint a Federal Coordinating Officer (FCO) to coordinate all federal resources per state.²² The FCO is located at the Joint Field Office (JFO) where federal agencies and departments coordinate

¹⁷ 42 U.S.C. § 5122, Section 102(2) of the Stafford Act.

¹⁸ 44 C.F.R. § 206.44.

¹⁹ There are circumstances when the federal government is the lead for a disaster. This most frequently occurs because the incident involves an issue or hazard for which, under the Constitution or a federal law, the President or other federal authority has exclusive or preeminent responsibility and authority. Examples include when the area affected is federal property (in national waters, parks, or military installations, etc.) or when the disaster is caused by a terrorist act and the Federal Bureau of Investigation becomes the lead federal law enforcement agency.

²⁰ At the federal level, the President has delegated leadership responsibilities to the Secretary of Homeland Security and the Administrator of FEMA.

²¹ 42 U.S.C. § 5143(c).

²² The role of the coordinating officers is described in statute at 42 U.S.C. § 5143 and in regulations at 44 C.F.R. § 206.42.

their activities. Often times, state/tribal disaster officials will co-locate at the JFO to facilitate coordination of efforts.

Forms of Disaster Assistance

Mutual Aid and Assistance Agreements

Many local governments have pre-negotiated agreements with neighboring jurisdictions to share resources ranging from emergency service equipment (ambulances, fire trucks, etc.) to technical experts (bridge inspectors, contract managers, etc.). At the state level, the Emergency Management Assistance Compact (EMAC) is a congressionally ratified compact that provides a legal structure by which states affected by a disaster may request emergency assistance and aid from other states.²³ Mutual aid agreements are an increasingly common and important source of assistance during major disasters. Congressional offices may wish to become familiar with the types of agreements in place for disaster assistance in their appropriate state and congressional district.

Non-Governmental Organization (NGO) Assistance

Though not required, NGOs wishing to provide disaster assistance and relief are encouraged by statute and regulation to coordinate their assistance through the structure of the NRF.²⁴ Two national NGOs, the National Voluntary Organizations Active in Disaster (National VOAD) and the American Red Cross, have specific responsibilities under the NRF.²⁵ Because each disaster has a unique set of NGOs involved in response and relief, state, tribe or local government officials may generally be the best source of information on their activities during the disaster.

National Guard

Governors routinely use their state National Guard forces to assist with disaster response and recovery. Although National Guard personnel can be called into federal service under certain circumstances, they normally operate under the control of state and territorial governors. As part of a state-level response to a disaster, governors have the authority to order state National Guard personnel to perform full-time duty under state law. This is commonly referred to as “state active duty.” In this capacity, National Guard personnel operate under the control of their governor, are paid according to state law, can assist civil authorities in a wide variety of tasks, and are not subject to the restrictions of the Posse Comitatus Act (that is, they can perform law enforcement functions). In response to a hurricane, National Guard personnel might perform tasks such as conducting search and rescue, transporting and distributing supplies, setting up emergency shelters, clearing road debris, and providing emergency medical care.

²³ The EMAC was ratified in P.L. 104-321. For more on EMAC, see <http://www.emacweb.org/>.

²⁴ For example, see 42 U.S.C. 5152 and 44 C.F.R. § 206.12.

²⁵ See p. 9 of the NRF. National VOAD is a coalition of many NGO organizations, and is a valuable resource in understanding the types of assistance available through NGOs. See more at <http://www.nvoad.org/>. The American Red Cross is actually a federally chartered instrumentality of the U.S. government; see 36 U.S.C. §§ 300101-300113.

Main Forms of Stafford Act Assistance

The three principal forms of federal financial assistance under the Stafford Act are:

- *Public Assistance (PA)*, which generally provides repairs to public infrastructure. This can include debris removal, repairs to public buildings, state and local roads, water control facilities, public or nonprofit utilities, and recreational facilities. Although certain nonprofit organizations may be eligible, private businesses are not.²⁶
- *Individual Assistance (IA)*, which generally involves temporary housing which can take the form of rental assistance, repairs to make a home habitable, direct assistance when rental units are not available (this is usually in the form of mobile homes or trailers), or contributions toward the replacement of a home. Total assistance under this program is capped at about \$32,400, though the number changes annually. Other aid to individuals may be provided through Crisis Counseling for disaster victims²⁷ and Disaster Unemployment Assistance (DUA) if there are significant numbers of workers unemployed due to the disaster who do not qualify for the regular state unemployment program.²⁸
- *Hazard Mitigation Assistance (HMA)*, which is the form of aid that provides additional funding to states to accomplish projects that can reduce future disaster damage. This form of assistance is also cost-shared. Mitigation projects can include the construction of safe rooms, buy-outs of frequently flooded properties, and retro-fitting of facilities.²⁹

Other Federal Assistance³⁰

Under a Stafford Act declaration, the President, the FEMA Administrator, and the FEMA Regional Administrator may:

direct any Federal agency, with or without reimbursement, to utilize its authorities and the resources granted to it under Federal law (including personnel, equipment, supplies,

²⁶ The Public Assistance program is authorized by Sections 403(a)(3)(A), 406, 407, 428, and 502(a)(5) of the Stafford Act. Respectively, these sections of the Stafford Act refer to emergency debris removal; repair, restoration, and replacement of damaged facilities; non-essential debris removal; public assistance program alternative procedures, and debris removal (via an emergency declaration). Under FEMA policy guidance for PA, there are seven categories. Under “emergency work” there is Category A—Debris Removal and Category B—Emergency Protective Measures; and under “permanent work” there is Category C—Roads and Bridges, Category D—Water Control Facilities, Category E—Buildings and Equipment, Category F—Utilities, and Category G—Parks, Recreational Facilities, and Other Items. These categories are defined in Federal Emergency Management Agency, Public Assistance Guide, FEMA 322, 2007, at <http://www.fema.gov/public-assistance-policy-and-guidance>.

²⁷ 42 U.S.C. § 5177.

²⁸ For additional information on this program, see CRS Report RS22022, *Disaster Unemployment Assistance (DUA)*, by Julie M. Whittaker.

²⁹ For a full description of the Hazard Mitigation program see CRS Report R40471, *FEMA’s Hazard Mitigation Grant Program: Overview and Issues*, by Natalie Keegan.

³⁰ For a more comprehensive list of federal assistance programs, see CRS Report RL31734, *Federal Disaster Assistance Response and Recovery Programs: Brief Summaries*, by Carolyn V. Torsell and Jared C. Nagel.

facilities, and managerial, technical, and advisory services) in support of State and local assistance response and recovery efforts, including precautionary evacuations.³¹

If another federal agency is called upon to assist during a disaster using this authority, typically they receive a *mission assignment* from FEMA and are reimbursed through the Disaster Relief Fund.³² In addition, there are a number of pre-existing disaster assistance programs not administered by DHS or FEMA that can be involved in any given disaster. Four significant programs are:

- Small Business Administration (SBA) Disaster Loans: SBA provides federally subsidized loans to repair or replace homes, personal property, or businesses that sustained damages not covered by insurance following a disaster. SBA loans are a key source of assistance for the private sector and individual homeowners.³³
- Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program: These funds can be used to meet a wide range of disaster needs, but the program typically requires a supplemental appropriation to accommodate the high cost of disaster relief.³⁴
- U.S. Department of Transportation Federal-Aid Highway Emergency Relief (ER) Program: The ER program is the major source of grant funds for the repair and reconstruction of roads on the federal-aid highway system³⁵ 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.³⁶
- U.S. Department of Agriculture (USDA) Agriculture and Rural Assistance: There are multiple programs provided by USDA that provide food, housing, and financial assistance, primarily to agricultural and rural communities.³⁷

³¹ 42 U.S.C. § 5170a, Section 402(1) of the Stafford Act.

³² Mission assignments rely on the authority of the President to direct federal agencies to support disaster response and recovery operations, namely found at Sec. 402, 403, and 502 of the Stafford Act (42 U.S.C. §§ 5170a, 5170b, and 5192). See Federal Emergency Management Agency, *Financial Management Support Annex, National Response Framework*, May 2013, at <http://www.fema.gov/media-library/assets/documents/32264?id=7387>.

³³ For more on the current programs offered by SBA to assist after disasters, see CRS Report R41309, *The SBA Disaster Loan Program: Overview and Possible Issues for Congress*, by Bruce R. Lindsay.

³⁴ For more on how CDBG can be used during disaster relief, see CRS Report RL33330, *Community Development Block Grant Funds in Disaster Relief and Recovery*, by Eugene Boyd. The program website is available at http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/programs/drsi.

³⁵ According to U.S. DOT, the definition of Federal-aid highways includes roads “ranging from high service level arterials to lower service local streets ...” and “... about one-quarter of the overall public road mileage has been designated as Federal-aid highways.” For a full definition, see <http://www.fhwa.dot.gov/specialfunding/er/guide.cfm>.

³⁶ For more on the FHWA ER program and its comparable program for transit, see CRS Report R43384, *Emergency Relief for Disaster Damaged Roads and Transit Systems: In Brief*, by Robert S. Kirk.

³⁷ For more, see USDA’s fact sheet on their programs at <http://www.usda.gov/documents/usda-disaster-assistance-fact-sheet-oct-2012.docx>. Also review CRS Report RS21212, *Agricultural Disaster Assistance*, by Dennis A. Shields and CRS Report RL33816, *Broadband Loan and Grant Programs in the USDA’s Rural Utilities Service*, by Lennard G. Kruger, among others.

Congressional Activity in the Process

As mentioned previously, the Stafford Act, and overall federal disaster assistance, is fundamentally a relationship between the federal, state, and tribal governments. However, there are steps along the way in which congressional input and distribution of information can assist the process toward recovery. As a disaster situation unfolds, congressional offices may wish to take the following steps during the pre-declaration period:

- Encourage family and household planning through web sites such as <http://www.ready.gov>, which provides pre-disaster planning advice.
- Establish a working relationship with the state/tribal emergency management office to understand the most valuable contributions that an office can make.
- Consider a letter of support for the governor/chief's request for a declaration by framing the problems confronted by the state/tribe and local governments and the importance of specific federal, supplemental assistance.
- Provide input to the PDA teams, through state, tribal, and local officials, regarding pockets of need or constituents who have noted problem areas that should be reviewed.
- Help to manage expectations of residents by explaining the process and the potential assistance, as well as its limitations.

If a declaration is made by the President, congressional offices can then:

- Establish their relationship with FEMA/DHS Congressional liaisons to obtain accurate and timely information both at the headquarters level and in the field at the Joint Field Office (JFO) level.
- Consider publicizing the 1-800 number and the online process for applying for Individual Assistance programs as described at <http://www.fema.gov>.
- If needed, provide suggestions to FEMA/DHS on likely locations for fixed Disaster Recovery Centers (DRCs) and for possible sites for Mobile Disaster Recovery Centers to visit. These DRCs are typically staffed by FEMA and other federal agencies as well as non-governmental organizations and provide citizens with the opportunity for face to face sessions with recovery staff.
- Work with FEMA/DHS to get an accurate listing of communities that are participating in the National Flood Insurance Program and those that are either sanctioned, or have chosen not to participate.
- Consider publicizing the "Applicants Briefing" to local governments and non-governmental organizations that sustained damage from the event. This briefing is the session in which FEMA staff explain the PA program (repairs to infrastructure) regulations and policies to local officials and potential applicants.
- Engage the State Hazard Mitigation Officer to understand the state's plan for mitigation, the priorities it has established, and the timeline of its implementation.

- Be cognizant of the financial status of the Disaster Relief Fund (DRF) that funds the Stafford Act programs as well as other missions assigned to other departments and agencies to carry out response and recovery missions.³⁸ Depending on the severity of the disaster and existing accounting balances, the Administration may request, and Congress could act on, legislation to provide supplemental appropriations in the DRF and other disaster assistance program accounts.

Where to Obtain Further Information

There are available online sources that provide the most immediate disaster response information.

- Current Stafford Act declarations: <http://www.fema.gov/news/disasters.fema>.
- FEMA news releases: <http://www.fema.gov/news/recentnews.fema>.
- FEMA also maintains a blog, a Facebook page, and a Twitter feed with the latest information on disasters, see <http://blog.fema.gov/>, <http://www.facebook.com/FEMA>, and <https://twitter.com/fema>, respectively.

Sources of information on the federal emergency management process and policies.

- How citizens can prepare for disasters: <http://www.ready.gov/>.
- On National Preparedness Policy and the National Planning Frameworks: <http://www.fema.gov/national-planning-frameworks>.
- On the National Response Framework: <http://www.fema.gov/nrf/>.
- On the National Incident Management System: <http://www.fema.gov/nims/>.

Sources of information on disaster assistance programs.

- How citizens can receive individual disaster assistance: <http://www.disasterassistance.gov/>.
- Database of disaster assistance programs for federal, state, for-profit, nonprofit, and charitable entities (National Disaster Recovery Program Database): <http://www.fema.gov/ndrpd/>.
- Background on all federal assistance programs: <https://www.cfda.gov/>.

Sources of scientific information on the magnitude and location of natural hazards.

- Relating to hurricanes: <http://www.nhc.noaa.gov/>.
- Relating to earthquakes: <http://earthquake.usgs.gov/earthquakes/>.
- Current flood and drought maps: <http://waterwatch.usgs.gov/new/>.

³⁸ For a further discussion of disaster spending, see CRS Report R40708, *Disaster Relief Funding and Supplemental Appropriations for Disaster Relief*, by Bruce R. Lindsay and Justin Murray.

- Current severe weather warnings, including tornados, thunderstorms, and flooding: <http://www.spc.noaa.gov/products/wwa/>.

Author Contact Information

Francis X. McCarthy
Analyst in Emergency Management Policy
fmccarthy@crs.loc.gov, 7-9533

Jared T. Brown
Analyst in Emergency Management and Homeland
Security Policy
jbrown@crs.loc.gov, 7-4918

Acknowledgments

The authors are grateful for the assistance of Bruce Lindsay, Natalie Keegan, William Painter, and Lawrence Kapp in preparing this report.

Key Policy Staff

Area of Expertise	Name	Phone	E-mail
Disaster Authorities, Processes, and Principles			
Stafford Act Emergency and Disaster Declarations	Francis McCarthy	7-9533	fmccarthy@crs.loc.gov
	Bruce Lindsay	7-3752	blindsay@crs.loc.gov
	Jared Brown	7-4918	jbrown@crs.loc.gov
Management of Emergency and Disaster Response	Jared Brown	7-4918	jbrown@crs.loc.gov
	Bruce Lindsay	7-3752	blindsay@crs.loc.gov
	Francis McCarthy	7-9533	fmccarthy@crs.loc.gov
Emergency and Disaster Preparedness Policies	Jared Brown	7-4918	jbrown@crs.loc.gov
	Bruce Lindsay	7-3752	blindsay@crs.loc.gov
	Fran McCarthy	7-9533	fmccarthy@crs.loc.gov
Disaster Preparedness Grants	Natalie Keegan	7-9569	nkeegan@crs.loc.gov
Public Health and Medical Response in Disasters	Sarah Lister	7-7320	slister@crs.loc.gov
National Guard, and Department of Defense Disaster Response	Lawrence Kapp	7-7609	lkapp@crs.loc.gov
Federal Wildfire Policy	Kelsi Bracmort	7-7283	kbracmort@crs.loc.gov
Defense Production Act Authorities	Jared Brown	7-4918	jbrown@crs.loc.gov
Disaster Assistance Programs			
Funding Disaster Assistance and the Disaster Relief Fund	Bruce Lindsay	7-3752	blindsay@crs.loc.gov
Stafford Act Assistance Programs	Francis McCarthy	7-9533	fmccarthy@crs.loc.gov
	Jared Brown	7-4918	jbrown@crs.loc.gov

Area of Expertise	Name	Phone	E-mail
Small Business Administration Disaster Loans	Bruce Lindsay	7-3752	blindsay@crs.loc.gov
Community Development Block Grant Assistance	Eugene Boyd	7-8689	eboyd@crs.loc.gov
Community Disaster Loan Program (FEMA)	Jared Brown	7-4918	jbrown@crs.loc.gov
National Flood Insurance Program/Flood Mitigation	Rawle King	7-5975	rking@crs.loc.gov
Agriculture Disaster Assistance	Dennis Shields	7-9051	dshields@crs.loc.gov
Transportation Assistance	Robert S. Kirk	7-7769	rkirk@crs.loc.gov
Disaster Unemployment Assistance	Julie Whittaker	7-2587	jwhittaker@crs.loc.gov