

## Disaster Declaration Criteria

FEMA considers a combination of factors when evaluating a Governor's request for a major disaster declaration and in making a recommendation to the President for final determination on the declaration of a major disaster or emergency. These factors include issues which revolve around the specific needs of different communities, including those States with small populations or unique circumstances. The different needs of all States are carefully considered through the declaration process, irrespective of the size of the State's population and FEMA does not use an arithmetical formula as a sole determining factor.

FEMA regulations outline the factors the Agency considers when evaluating a Governor's request for Federal assistance. While these factors include assessments of damage and impact, the Stafford Act prohibits the denial of assistance solely on the basis of arithmetic formulas or sliding scales based on income or population (Section 320). FEMA's declaration regulations do not make a distinction or apply different criteria for States based on different categories of population size. For Public Assistance, however, FEMA does review analysis of the impact of a disaster based on a per capita estimation of eligible costs. The same per capita factor is applied to all States and territories regardless of overall size of the population. There is no per capita indicator established as a factor for the consideration of Individual Assistance.

FEMA's Public Assistance (PA) program provides supplemental assistance to State, local and tribal governments, as well as certain private non-profit organizations, for emergency measures to protect public health and safety and for the repair and restoration of facilities damaged in major disasters. FEMA considers multiple factors when making a recommendation to the President regarding the provision of PA under a Presidential disaster declaration. As outlined in FEMA regulations, these factors include:

- 1. Estimated cost of the assistance.** FEMA evaluates the estimated cost of Federal and non-Federal public assistance against the statewide population to give some measure of the per capita impact within the State. FEMA uses a per capita amount as an indicator that the disaster is of such size and magnitude that it might warrant Federal assistance, and adjusts this figure annually, based on the Consumer Price Index. For Fiscal Year 2015, the State per capita amount is \$1.41. FEMA has also established a county per capita amount of \$3.56.
- 2. Localized impacts.** FEMA evaluates the impact of the disaster at the county and local government levels, as well as at the American Indian and Alaskan Native Tribal Government levels, because, at times, there are extraordinary concentrations of damages that might warrant Federal assistance even if the statewide per capita is not met. This is particularly true where critical facilities (such as major roadways, bridges, public buildings, etc.) are affected or where localized per capita impacts are extremely high. For example, localized damages may be in the tens or even hundreds of dollars per capita, even though the overall statewide per capita impact is low.
- 3. Insurance coverage in force.** FEMA considers the amount of insurance coverage that is in force or should have been in force as required by law and regulation at the time of the disaster, and reduces the amount of anticipated assistance by that amount.

**4. Hazard mitigation.** To recognize and encourage mitigation, FEMA considers the extent to which State and local government measures contributed to the reduction of disaster damages. For example, if a State can demonstrate in its disaster request that State-wide building codes or other mitigation measures are likely to have reduced the damages from a particular disaster, FEMA considers that in the evaluation of the request. This could be especially significant in those disasters where, because of mitigation, the estimated public assistance damages fell below the per capita indicator.

**5. Recent multiple disasters.** FEMA also considers the disaster history within the last twelve-month period to better evaluate the overall impact on the State or locality. FEMA considers declarations under the Stafford Act as well as declarations by the Governor and the extent to which the State has spent its own funds.

**6. Programs of other Federal assistance.** FEMA also considers programs of other Federal agencies (U.S. Army Corps of Engineers, Federal Highway Administration, etc.) because at times their assistance programs more appropriately meet the needs created by the disaster.

### ***Individual Assistance***

Through Individual Assistance (IA) programs, FEMA provides assistance to individuals and households who have suffered losses and have outstanding needs as the result of a major disaster. These programs can provide eligible disaster victims with assistance for home repairs, temporary housing, and other outstanding needs such as medical, dental and funeral expenses resulting from the disaster. Other IA programs include crisis counseling and disaster unemployment assistance. FEMA considers multiple factors when making a recommendation to the President regarding the provision of IA under a Presidential disaster declaration. As outlined in FEMA regulations, these factors include:

**1. Concentration of damages to individuals.** High concentrations of damages to individuals, such as destroyed and damaged housing, may indicate a greater need for Federal assistance than widespread and scattered damages throughout a State.

**2. Trauma.** The degree of trauma to the State and communities is considered, with special attention to large numbers of injuries and deaths, large scale disruptions to normal community functions and services, and emergency needs, such as extended or widespread losses of power or water.

**3. Special Populations.** FEMA considers the impact of the disaster on special populations, such as the low-income, the elderly, and the unemployed. Special consideration is also given to the effect of the disaster on American Indian and Alaskan Native tribal populations.

**4. Voluntary agency assistance.** The capabilities of local and State voluntary, faith, and community-based organizations are taken into consideration, as these entities play an important role in meeting both the emergency and recovery needs of individuals impacted by disasters.

**5. Insurance.** Stafford Act assistance is supplemental in nature, and therefore the level of insurance coverage is taken into account; primarily to qualify the scope of necessary assistance.

**6. Average amount of individual assistance by State size.** While there is no set threshold for recommending individual assistance, the average amount of assistance historically provided to individuals and households is published in FEMA regulations<sup>[1]</sup>, and may be useful to States and voluntary agencies as they develop plans and programs to help disaster victims. It includes an indication of the number of homes that were destroyed or received major damage in previously declared disasters. The impact to housing is a primary factor when evaluating a request for Individual Assistance. When conducting joint Preliminary Damage Assessments with an affected State, FEMA evaluates the total number of homes destroyed and damaged, as well as evaluates the accessibility and habitability of the dwellings and the community.

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<sup>[1]</sup> FEMA regulations at 44 CFR Part 206, Subpart B