



FEMA

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Fact Sheet

DISASTER DECLARATIONS

The Stafford Act (§401) requires that: “All requests for a declaration by the President that a major disaster exists shall be made by the Governor of the affected State.” A State also includes the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. The Marshall Islands and the Federated States of Micronesia are also eligible to request a declaration and receive assistance.

Preliminary Disaster Assessment

The Governor’s request is made through the regional FEMA office. State and Federal officials conduct a preliminary damage assessment (PDA) to estimate the extent of the disaster and its impact on individuals and public facilities. This information is included in the Governor’s request to show that the disaster is of such severity and magnitude that effective response is beyond the capabilities of the State and the local governments and that Federal assistance is necessary. Normally, the PDA is completed prior to the submission of the Governor’s request. However, when an obviously severe or catastrophic event occurs, the Governor’s request may be submitted prior to the PDA.

State Resources Overwhelmed

As part of the request, the Governor must take appropriate action under State law and direct execution of the State’s emergency plan. The Governor shall furnish information on the nature and amount of State and local resources that have been or will be committed to alleviating the results of the disaster, provide an estimate of the amount and severity of damage and the impact on the private and public sector, and provide an estimate of the type and amount of assistance needed under the Stafford Act.

In addition, the Governor will need to certify that, for the current disaster, State and local government obligations and expenditures (of which State commitments must be a significant proportion) will comply with all applicable cost-sharing requirements.

Declaration Types

There are two types of Declarations provided for in the Stafford Act: Emergency Declarations and Major Disaster Declarations. Both declaration types authorize the President to provide Federal disaster assistance. However, the cause of the declaration and type and amount of assistance differ.

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- **Emergency Declarations:** An Emergency Declaration can be declared for any occasion or instance when the President determines Federal assistance is needed. Emergency Declarations usually supplement State and local efforts in providing emergency services, such as the protection of lives, property, public health, and safety, or to lessen or avert the threat of a catastrophe in any part of the United States. The amount of emergency assistance is capped at \$5 million per single event. If additional assistance is needed, the President must report to Congress.
- **Major Declaration:** The President can declare a Major Disaster Declaration for any natural event, 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, fire, flood, or explosion, that the President believes has caused damage of such severity that it is beyond the combined capabilities of State and local governments to respond. A major disaster declaration provides a wide range of Federal assistance programs for individuals and public infrastructure, including funds for both emergency and permanent work.

Assistance Available for Major Declarations

Not all programs, however, are activated for every disaster. The determination of which programs are activated is based on the needs found during damage assessment and any subsequent information that may be discovered. FEMA disaster assistance falls into three general categories:

- **Individual Assistance** — aid to individuals and households;
- **Public Assistance** — aid to public and tribal (and certain private non-profit) entities for certain emergency services and the repair or replacement of disaster damaged public facilities; and
- **Hazard Mitigation Assistance** — funding for measures designed to reduce future losses to public and private property. Some declarations will provide only individual assistance or only public assistance. Hazard mitigation opportunities are assessed in most situations.

FEMA manages federal response and recovery efforts following any national incident. FEMA also initiates mitigation activities, works with state and local emergency managers, and manages the National Flood Insurance Program. FEMA became part of the U.S. Department of Homeland Security on March 1, 2003.

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