

Part II - Programs Which Assist Families and Individuals

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PART II - PROGRAMS WHICH ASSIST FAMILIES AND INDIVIDUALS

The programs in this part of the *Guidebook* are also known as “Individual Assistance” or Human Services programs. Traditionally, Individual Assistance is a term used by FEMA and many states for those programs which assist both individuals and families with their recovery from disasters. This *Guidebook* generally uses the term Individual Assistance or IA, which can include operation of emergency shelters and feeding sites, housing assistance, disaster loans and grants, tax assistance, legal services, consumer aid, disaster unemployment benefits, crisis counseling, and other programs.

Federal assistance to families and individuals has usually been accomplished within sixty (60) days of the date of a Presidential disaster declaration. However, the American Red Cross and other voluntary agencies may continue to provide some types of assistance for two years or longer.

SECTION A: SEQUENCE OF DELIVERY OF INDIVIDUAL ASSISTANCE (IA) PROGRAMS

Individual Assistance programs strive to meet the disaster related needs of individuals and families while utilizing disaster assistance resources as efficiently as possible. Disaster recovery officials especially strive to avoid duplication of benefits (DOB). Computer systems are utilized to track the disaster recovery benefits provided to an individual or family. Efficient use of recovery resources is also aided by providing assistance through a sequence of programs. Those with serious unmet disaster-related needs proceed through each step, until all avenues - public and private - have been explored to meet those needs.

The information that follows in Section A is intended to simulate, step-by-step, the typical sequence of providing Individual Assistance (see also the flowchart in the General Information Appendix):

1. Insurance

[For additional information on insurance, see the information that begins on page III-1 of this *Guidebook*.]

Insurance is the first source of assistance to disaster-affected individuals and families. Claims should be made in accordance with appropriate insurance policies in effect for the peril which caused the disaster. Disaster assistance programs are not a replacement for proper insurance, nor can any disaster assistance program provide cost recovery for those affected by disaster as good as that provided by insurance. Also, most natural disasters that affect an individual or family are not widespread enough to result in the implementation of federal disaster assistance programs. **Hence, in the vast majority of cases, insurance and voluntary agency assistance are the *only* avenues for helping families and individuals to recover.**¹

2. Voluntary Agency Assistance

Many voluntary agencies provide disaster recovery assistance to individuals and families. Like insurance, voluntary agencies should be viewed as having resources which are utilized prior to governmental disaster assistance programs. In cases for which there is a Presidential declaration, access to some voluntary agency assistance may be gained at or through Disaster Recovery Centers (DRCs). Most voluntary agency assistance is intended to meet immediate disaster-related needs such as shelter, food, clothing, health and medical care including counseling and mental health assistance, essential household furnishings, bedding, transportation, and sometimes temporary assistance to rent housing. An outline of some of the available programs is on the following page.

¹ A component of the National Flood Insurance Program (NFIP) called Increased Cost of Compliance (ICC) provides for the payment of a claim (in addition to the claim payment for insured damages) for the cost to comply with state or community floodplain management laws or ordinances after a direct physical loss by flood. When a building covered by a Standard Flood Insurance Policy under the NFIP sustains a flood loss and the state or community declares the building to be substantially or repetitively damaged, ICC will help pay for the cost to elevate, floodproof, demolish, or relocate the building. ICC coverage is available on residential and non-residential buildings (this category includes public or government buildings, such as schools, libraries, and municipal buildings) insured under the NFIP.

- < The **American Red Cross (ARC)** is usually the lead or coordinating voluntary agency during recovery from a disaster.² FEMA has a statement of understanding with the American Red Cross to specifically manage some Individual Assistance Programs.

Assistance available from the American Red Cross includes food, water, clothing, shelter, and first aid provided at shelters and at aid and feeding stations. The ARC registers persons at shelters, assisting in the locating of missing persons. Supplementary nursing care and blood products are distributed to hospitals and other emergency medical facilities.

Funds or disbursement orders may be issued to families for temporary housing, or for repairs to homes so that they can be re-occupied. Grant aid may be available for more extensive repairs or rebuilding of a home, and for replacement of household goods when there is not a major disaster declaration, or if the family is not eligible for government benefits, or if such benefits are inadequate to meet essential disaster-related needs.

Meals, transportation, and other assistance is often offered to emergency workers as well.

- < The **Salvation Army** offers counseling of injured and distressed persons, operates a missing person service, and answers inquiries from concerned relatives and families outside the disaster area. It can offer medical assistance, temporary shelter, and "mass" or mobile feeding for disaster victims and emergency workers.

The Salvation Army collects and distributes donated goods,³ such as; clothing, food, furniture, bedding, cleaning supplies, etc. It also provides information about other appropriate government and voluntary agency services.

- < Many **churches and interfaith groups**, such as **Adventist Community Services, Lutheran Family Services, Mennonite Disaster Services, and many others** provide disaster assistance to individuals and families, such as food, clothing, spiritual counseling, and mental health services.

Churches and interfaith groups often assist individuals, families, and communities in debris removal, clean-up, repair, and rehabilitation work following a disaster, especially repairs (temporary or permanent) to the homes of elderly and under-insured persons. They can be involved in the reconstruction and rehabilitation of residences and vital community facilities.

Local churches often belong to a regional disaster assistance network which shares resources throughout an area. Regional networks can be very resourceful in meeting community needs following a disaster. These networks are often called COADs - community of (committee of, council of) organizations active in disaster.

² The disaster services work done by the ARC operates under a Congressional Charter, Public Law 58-4, January 5, 1905.

³ Local Emergency Program Managers should work with local voluntary agencies to establish a process for requesting and handling donated clothing and household goods. This can be a serious management problem, and can result in a health hazard.

3. Individuals and Households Program (IHP)

[See also the Individuals and Households Program (IHP) Overview in the General Information Appendix.]

IHP is a FEMA program, authorized by section 408 of the Stafford Act through changes put in place by the Disaster Mitigation Act of 2000. IHP provides assistance to eligible individuals and households that, as a direct result of a major disaster or emergency, have uninsured or under-insured damages and/or expenses that are unable to be met through other means. It replaces FEMA programs formerly known as Disaster Housing and the Individual and Family Grant Program. Implementation of IHP began by means of an Interim Final Rule (IFR) on October 15, 2002.

Individuals and households who wish to apply for FEMA disaster assistance should call the following toll-free telephone numbers:

1-800-621-FEMA
TDD/TTY: 1-800-462-7585

IHP is designed to work in both small and large disasters. It can provide both financial assistance and direct assistance. It is broadly organized into “housing assistance” and “other needs assistance.” It emphasizes helping applicants with immediate needs and finding a permanent housing solution, and can include personal property, transportation, and other items. While “housing assistance” is 100% federally funded, the state is usually required to cost-share 25% of the cost of implementing the “other needs assistance” components of IHP. FEMA and the state may provide assistance through the IHP for no longer than 18 months, or up to a maximum of \$25,600 following a Presidential declaration.

Housing assistance is based on a dwelling being uninhabitable or on persons being displaced from their home. It can include a direct housing component following catastrophic events. The most appropriate type of assistance is based on considerations of cost-effectiveness, convenience to individuals and households, suitability, and availability. Temporary housing and repair assistance are utilized to the fullest extent practical before other types of housing assistance are considered. Temporary housing is most commonly delivered in the form of a check to pay for alternate living accommodations (often use of existing rental properties), or reimbursement of short-term lodging expenses (motel/hotel). Occasionally recreational vehicles may be used for short time periods. Although the use of federally owned manufactured homes for direct housing is generally viewed as a last resort by FEMA and OEM for providing temporary housing, sometimes this is the only viable option. In these cases, local government is responsible for siting, consistent with the applicable land use plan, permitting, and for site preparation.

FEMA can provide minimum essential repairs up to a maximum of \$5,100 (FFY 2004 ⁴) for uninsured losses to owner-occupied residences as well as temporary housing assistance for owners and/or renters that need to move out of their home while repairs are being made. For additional assistance in making repairs that exceed the \$5,100 limit, the Small Business Administration (SBA) can provide assistance in the form of low interest loans up to a maximum of \$200,000 (see 4. Loans, which follows on page II-4).

⁴ This amount is adjusted annually based on the CPI.

Other needs assistance for personal property, moving and storage, as well as transportation repair and replacement, may be provided. However, the applicant must first go through an income screening and be found ineligible for a SBA loan, or receive a loan for less than the FEMA verified loss. Medical, dental, and funeral assistance do not require an SBA denial prior to receiving assistance.

Individuals and families receiving assistance related to a flood are required to purchase and maintain flood insurance through the National Flood Insurance Program (NFIP). FEMA can help fund the first year under a group policy.

4. Loans

a. U.S. Small Business Administration (SBA)

Presidential major disaster declarations make available low interest, long term disaster loans from the SBA, which is a primary source of federal recovery assistance to homeowners, renters, and businesses/private nonprofits.

SBA disaster loans are more extensively covered in Part III of the *Guidebook*. Rather than duplicating the information between this location in Part II and the business/ private nonprofit category of Part III, all of the SBA loan programs are covered in detail in Part III. Please see Part III to learn more about how SBA loans fit into the delivery of assistance to homeowners and renters.

b. Farm Service Agency (FSA)

Individual Assistance can also include loans and other assistance made to farmers and farm businesses. In addition to loans, assistance can include payments to cover a major portion of the cost to eligible farmers who perform emergency conservation actions on farmland damaged by the disaster, use of federally owned feed grain for livestock, and technical assistance.

More information, and additional programs available from the FSA appear in Part V of this *Guidebook*.

5. Voluntary Agency Additional Assistance

After the sources of assistance offered via the programs outlined in Section A, 3 and 4, have been fully implemented, some families and individuals will still have serious, disaster-related unmet needs that cannot be met through these programs. This need for additional assistance may be met by voluntary agencies, often coordinated through a local or regional group of voluntary agencies organized into a “long-term recovery” committee (formerly known as “unmet needs” committee). Unmet needs are directed to the long-term recovery committee, and the persons who represent the individual organizations on the committee meet periodically - often weekly during the first few months following a disaster - to discuss the seriousness of each person or family’s need in the context of the big picture of disaster recovery, to determine which agency is best suited to address the need, and to assure that the need is not being filled by more than one source (avoid “duplication of benefits”).

SECTION B: OTHER INDIVIDUAL ASSISTANCE PROGRAMS

Other Individual Assistance programs are available for persons who still have serious unmet disaster-related needs. The major ones are:

1. Cora Brown Fund

The Cora Brown Fund provides assistance for persons with disaster-related needs that have not been, and will not be met by government agencies or relief organizations. Assistance is available after a Presidential declaration of major disaster. Eligible applicants are persons affected by a Presidentially declared disaster who have serious unmet needs after applying for all other available aid. Application may be made through the Governor's Authorized Representative to the Federal Coordinating Officer.

2. Crisis Counseling Program (CCP)

The CCP provides supplemental funding to states for short-term crisis counseling services for eligible disaster victims in order to relieve mental health problems caused or aggravated by a disaster or its aftermath. The CCP (44 CFR 206.171) has both an Immediate Services Program and a Regular Services Program. It is administered by FEMA with consultation and technical assistance from the Center for Mental Health Services (CMHS) within the Department of Health and Human Services. FEMA's role is to provide data on the disaster and technical assistance on programmatic requirements. CMHS provides technical assistance to the state in organizing the disaster mental health response. In Oregon, both programs are managed by the Office of Mental Health and Addictive Services (OMHAS).

To activate these programs both a Presidential declaration of major disaster is required, as well as an application by the state. A needs assessment is part of the application; it helps FEMA and CMHS to determine whether to activate CCP in the state, and if so, to assist the state in developing a "plan of services" for implementation. In its application, the state identifies the areas within the Presidentially-declared disaster area for which services will be provided, and an estimate of the number of people to be served in each area. The areas designated are not required to be counties.

a. Immediate Services (IS) Program

The IS Program may fund up to 60 days of crisis counseling services from the date of the Presidential disaster declaration. Application must be made by the state to the Federal Coordinating Officer within 14 days of the declaration date. It can include individual crisis counseling, group counseling, education services, and referrals. It also has a training component so that the state can bolster the capability of mental health professionals and other human services workers in their knowledge of disaster mental health.

b. Regular Services (RS) Program

This part of CCP is for longer term crisis counseling services. It can fund up to nine months of services. The state can receive an extension on the IS Program until a funding decision has been made for RS. The RS Program application must be submitted to the FEMA Regional Director or Disaster Recovery Manager through the FEMA Individual Assistance Officer within 60 days of the declaration date.

3. **Disaster Unemployment Assistance (DUA)**

Disaster Unemployment Assistance may be available through the Oregon Employment Division, supported by the U.S. Department of Labor. DUA provides financial assistance to persons unemployed as a result of disaster. Assistance becomes available after a Presidential declaration of major disaster in the form of job placement, unemployment insurance benefits, and Disaster Unemployment Assistance.

The compensation received cannot exceed the maximum amount of payment allowed under the unemployment compensation rules of the State of Oregon. Assistance may be provided until an individual is re-employed, but no longer than 26 weeks after the date of the major disaster declaration. Application is made to the Employment Division at the local office.

4. **Consumer Aid**⁵

The Financial Fraud/Consumer Protection Section of the Department of Justice (Attorney General) enforces Oregon's *Unlawful Trade Practices Act*, and also: educates consumers and businesses about their rights and obligations under the law; represents the interests of Oregonians in multi-state, consumer-related enforcement actions; operates a hotline for consumers with questions or complaints about business practices; and assists local and state law enforcement agencies with consumer-related matters. People who need information about consumer-related matters may contact the Attorney General's Consumer Hotline from 8:30 a.m. to 4:30 p.m., Monday through Friday:

- < 503-378-4320 from Salem
- < 503-229-5576 from Portland (toll-free)
- < 1-877-877-9392 elsewhere in Oregon (toll-free)

Consumers may also choose between two online complaint forms. One is completed and submitted via email to the Financial Fraud/Consumer Protection Section. The other is in Adobe Acrobat's PDF format and can be completed on a computer, then printed and mailed.

5. **Other Programs**

a. **Food Aid**

Providing food assistance in the post-disaster environment is generally accomplished through the following two programs:

Food Distribution Program (Emergency Assistance)

This program provides commodities for the mass feeding of persons affected by natural disasters. Following a Presidentially declared disaster, this assistance can be provided by the Food and Nutrition Service, U.S. Department of Agriculture as coordinated by the Food and Agriculture Committee. The intent is to distribute food commodities for mass feeding purposes, but the distribution of food to families in locations in which commercial food sources have been disrupted can be approved by the Secretary of Agriculture.

⁵ The information below is from the Oregon Attorney General's Financial Fraud/Consumer Protection Section website...
<http://www.doj.state.or.us/FinFraud/welcome3.htm>

In non-declared disasters, or before a declaration is made, this assistance can be made available through the American Red Cross, Salvation Army, or other recognized disaster feeding organization, which has an established mechanism for accessing these commodities.

Food Stamp Program (Emergency Issue)

The Emergency Issue Food Stamp Program provides for the emergency issuance of food stamps under either the Temporary Emergency Plan or the Major Disaster Food Stamp Assistance Plan. The Food and Nutrition Service, U.S. Department of Agriculture, determines which program to implement depending on the nature of the disaster. The Major Disaster Food Stamp Assistance Plan is implemented when people in the affected area can return to their homes, and grocery stores are again operable.

The state implements this program through the Department of Human Resources branch office that normally serves the affected area. During a major disaster, the state may, with Food and Nutrition Service approval, authorize voluntary agencies to make eligibility determinations under branch office supervision.

b. Tax Assistance

Internal Revenue Service (IRS) staff at Disaster Recovery Centers (DRCs) or the IRS local office (taxpayer assistance center) can offer guidance, including assistance in the preparation of returns. Assistance is also provided in obtaining copies of prior year returns, when necessary, to file amended returns. Some disaster assistance grants are treated as non-taxable income.

For taxpayers who have suffered disaster losses, federal tax law administered by the IRS allows certain casualty losses to be deducted on federal income tax returns for the year of the loss or - if a Presidential declaration exists - possibly through an amendment to the previous year's return. From the point of view of the IRS, casualty is damage, destruction, or loss of property resulting from an identifiable event that is sudden, unexpected, or unusual.

For homes located in local jurisdictions declared by the President, if the local or state government requires that a home be demolished or relocated because it is no longer safe to live in (e.g., a home that suffered only minor damage, but must be moved or torn down for public safety reasons, such as ensuing mudslides or debris flows), the resulting loss in value is treated as a casualty loss from a disaster. For this to apply, the order from the local or state government must be issued within 120 days after the area is declared a disaster area by the President.

As of June 2003, Oregon follows federal law for losses to nonbusiness and business property due to a natural disaster. The loss amount is generally the difference in a property's fair market value before and after the casualty. For individuals, the deductible loss amount is subject to a \$100 floor and 10% of the individual's adjusted gross income limitation, and is deductible as an itemized deduction on federal Schedule A. Business losses are not subject to the personal limitations.

With respect to local taxes on real and personal property, state tax law allows for a "proration of tax for fire or an act of God." These adjustment requests are submitted via the county tax office.

c. Legal Services

Assistance can be provided to low-income individuals who need legal advice as a result of a major disaster. This service is provided after a Presidential declaration of major disaster by local bar associations and the Young Lawyers Division of the American Bar Association. This program may be made available via Disaster Recovery Centers. The Young Lawyers Division, through an agreement with FEMA, provides free legal advice regarding cases that will not produce a fee (i.e., those cases where attorneys are paid part of the settlement which is awarded by the court). Cases that may generate a fee are turned over to the local lawyer referral service.

d. Senior Citizens Assistance

Extra assistance and guidance can be provided to senior citizens who have been affected by a Presidentially declared disaster. Services are provided by the local senior citizen activity center, and are activated by FEMA as a normal function of establishing DRCs.

e. Social Security Assistance

Social Security Assistance is yet another type of assistance that can be made available via DRCs. This assistance is for recipients or survivors, such as death or disability benefits or monthly payments.

f. Veterans' Assistance

Veterans' Assistance such as death benefits, pensions, insurance settlements, and adjustments to home mortgages held by the Veterans' Administration for damaged homes can be offered at DRCs as well.

SECTION C: DISASTER RECOVERY CENTERS (DRCs)

Although not automatically established following a Presidential major disaster or emergency declaration, information and some assistance may be offered to affected families, individuals, and businesses through Disaster Recovery Centers. In order for DRCs to operate in disaster-affected areas, local officials must request them, and the SCO and FCO must agree that their use will be an appropriate and efficient way of reaching those affected. DRCs house representatives from local, state, federal, and voluntary agencies that may have assistance or guidance to offer people in the disaster area, including the U.S. Small Business Administration.⁶ Many agencies and organizations are placed in one structure so that families and individuals have access to all of them in one location. Depending on need and the size of the disaster area, more than one DRC may be appropriate. Also, in some cases, a "mobile DRC" may be dispatched to reach persons in areas without convenient access to the DRCs.

Facility selection for DRCs is done jointly with local officials making proposals for locations, OEM selecting from the locations proposed, and FEMA and the SBA ultimately deciding which facilities to use for one or more DRCs. Local officials typically provide the facility at no charge to the state or federal government. FEMA will do safety and security checks prior to approval of a facility. Responsibility for and the costs of providing ongoing security for the facility is worked-out between FEMA and the local officials offering the facility.

This process is facilitated when local officials have identified in advance ADA-accessible buildings with adequate space, tables, and chairs that might be obtained for use in DRCs. Heat, electricity, good lighting, potable water, rest rooms, adequate parking, etc., should also be available at the building. Sufficient power and incoming telephone lines are a must, either by means of existing capabilities or the option of pulling in new lines to support telephones, facsimile machines, computer/data lines, etc. Senior centers, fire stations, community centers, municipal buildings, and malls may be convenient locations to site a Disaster Recovery Center.

⁶ The SBA will establish Outreach Centers and hold public workshops regardless of whether FEMA and OEM decide to establish DRCs.

What Is a Disaster Recovery Center? *

A Disaster Recovery Center (DRC) is a readily accessible facility in or near the disaster area where families, individuals, and business owners may visit to receive information and referral assistance regarding:

- , Guidance for disaster recovery
- , FEMA and SBA staff to help clarify written correspondence they have received
- , Housing assistance and rental resources information
- , Answer questions, resolve problems, and refer them to the right people if DRC staff cannot fulfill their needs
- , Status of applications being processed by FEMA and the SBA
- , Referral toll-free numbers for additional help
- , SBA assistance completing loan applications
- , Hazard mitigation reconstruction information and general mitigation information
- , Register with FEMA via telephone to the National Processing Services Center (NPSC)
- , Communication link between the Disaster Field Office, NPSC-Call Center, and NPSC caseworkers.

State and federal agencies besides FEMA and SBA may also be present in a DRC. Agencies that may also be present/invited to participate in a DRC include, but are not limited to:

- , Oregon Employment Department to answer questions about Disaster Unemployment Assistance
- , Crisis counselors to talk with persons affected by the disaster
- , Farm Service Agency to discuss recovery options with local farmers
- , IRS representative
- , State Insurance Commissioner's representatives

DRC hours of operation are established jointly by FEMA, the SBA, and OEM, in consultation with local officials, and are adjusted over time to most efficiently meet the needs of people visiting for disaster assistance or information.

* Adapted from information provided by FEMA Region Ten

DRC management is shared jointly: each agency/organization present is responsible for his or her respective personnel, and a DRC users group is led by a FEMA representative, who has overall responsibility for management of the Disaster Recovery Center.

Local government participation in Disaster Recovery Centers is important. Among other things, representatives from the affected local jurisdictions are able to answer questions about debris removal, building codes in effect for repair work, permits and the possible waiver of permit fees, and any assistance being offered by local agencies. Assistance for farmers and agricultural businesses affected by the disaster may also be available at DRCs, including loan agents, information on emergency feed, technical assistance, and help with emergency conservation measures.

Media releases intended to provide the public with information about the DRCs are issued to local media outlets, and will be coordinated between appropriate local, state, federal, and volunteer agency Public Information Officers.

DRCs do not replace the toll-free application telephone numbers used for FEMA and SBA assistance. Application is always done by telephone first, but information and some case management may be done from DRCs when they are established.

Requirements for Disaster Recovery Centers that local governments should be prepared to provide, if possible, are shown on the *DRC Requirements Checklist* in the Checklists Appendix to this *Guidebook*.

Individuals and households who wish to apply for FEMA disaster assistance should call the following toll-free telephone numbers:

1-800-621-FEMA
TDD/TTY: 1-800-462-7585