

Checklist for Requesting a Presidential Emergency or Major Disaster – States and Territories

Introduction

The following guidance is intended to aid state and territory government leadership and emergency management officials to understand and plan for the Stafford Act declaration process. This document serves as a guide for cases in which the incident reaches a level of severity and magnitude that exceeds state or territory capabilities to respond and/or recover from the incident, necessitating supplemental federal assistance. Federal disaster assistance falls under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended, 42 U.S.C. §§ 5121-5207 – “Stafford Act”).

Under the Stafford Act, a “state” also includes the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. Throughout the guide, any references to state(s) also apply to territory(ies), except where noted.

Proactive Approach

There are several actions a state may have already taken to prepare for a disaster. Completing this work before disaster strikes will save time and effort later and, in some cases, is a prerequisite for receiving disaster assistance. Pre-disaster activities include the following:

- Authorities (state resolutions, rules, and/or regulations) for the following:
 - Activating the state emergency management plan; and
 - Designation of the acting governor (in the absence or incapacity of the governor), the governor’s authorized representative (GAR), the alternate governor’s authorized representative (AGAR), and the state coordinating officer (SCO). (Note: The GAR and SCO can be the same individual).
- A process for securing the governor’s signature.
- A process for conducting initial damage assessments.
- A FEMA-approved or approvable hazard mitigation plan.
- A Public Assistance administrative plan.
- An Individual Assistance other needs assistance administrative option selection.
- A Hazard Mitigation Grant Program administrative plan.



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- Funding or a mechanism for securing funding to support the required cost share.
- Public infrastructure maintenance schedules and records of maintenance activities.
- An accounting of state population and/or service area(s), including special needs populations.
- Inventory of state-owned properties and assets, including public infrastructure insurance documents and/or insurance coverage provisions.
- Accounting or verification process for homes under Department of Housing and Urban Development (HUD) subsidy, by address or complex, and/or maintenance responsibility documents.
- Inventory of vacant but habitable housing units.
- Identification of state and local funding streams to support recovery, including housing repair, rehabilitation, and replacement program funding.

Figure 1 describes the declaration process.

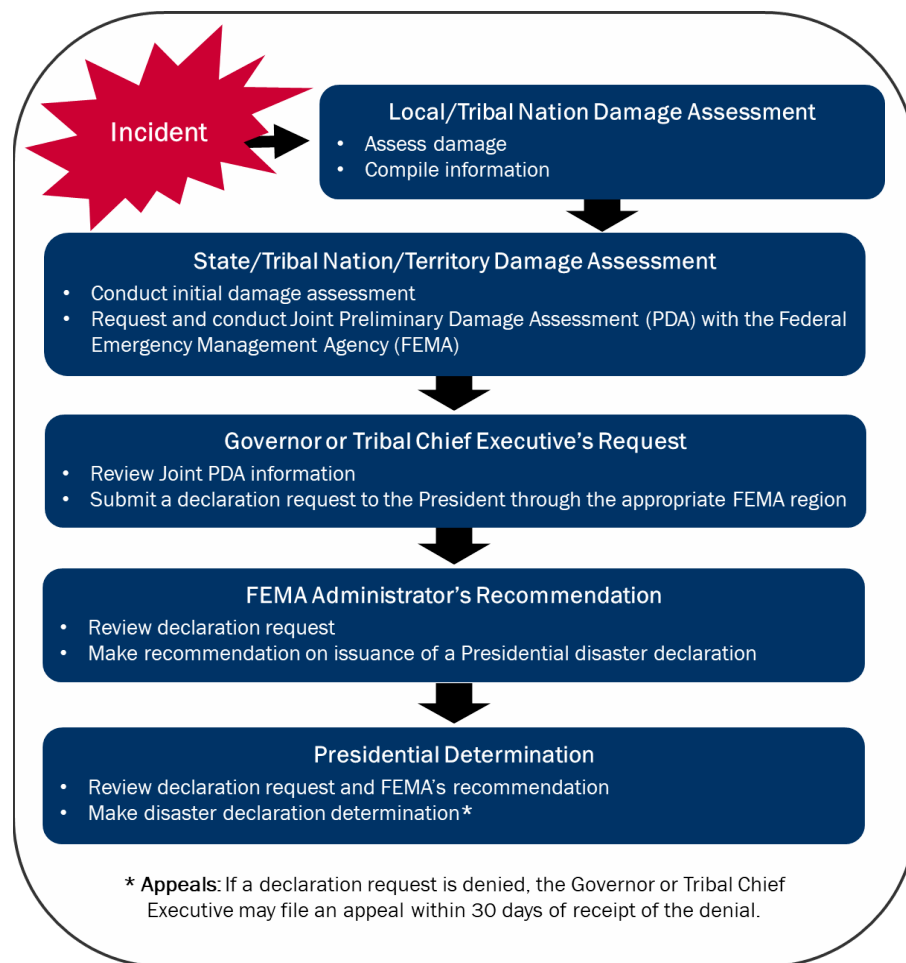


Figure 1: Declaration Process

Initial and Preparatory Actions

- Activate the state emergency management plan and, if provided for in state rules and regulations, declare a state of emergency. Note: Declaring a state of emergency is not required to request an emergency or major disaster declaration.
- Conduct, gather, and document as much pre-incident imagery, incident impacts, and initial damage assessment information as possible, including information about response and recovery resources (financial, manpower, and material, including partner assistance) that have been used.
- Send a daily email to the FEMA regional watch center or Mobile Emergency Response Support (MERS) Operations Center (MOC) when an incident is about to happen or has already happened. Describe the identified impacts (including counties or areas impacted, damage to uninsured homes; state facilities and infrastructure; utilities, such as power, water, and sewer systems; deaths; and injuries), conditions, and resources that have been utilized and known unmet needs. Include if a state of emergency has been issued and if the state emergency management plan has been activated. Indicate if federal disaster assistance may be required.
- Establish and maintain contact with the FEMA regional Recovery Division Director/Deputy Division Director or Regional Administrator (RA) to inform them about the situation, FEMA-state joint preliminary damage assessment (PDA) needs, and technical assistance needs in drafting the governor's declaration request.
- Provide the FEMA regional Recovery Division Director/Deputy Director and/or regional Individual Assistance and/or Public Assistance branch chiefs periodic updates or access to the state's initial damage assessment data if joint FEMA-state PDAs are being requested.
- Consult with FEMA regional recovery division leadership regarding which types of supplemental federal assistance are necessary to respond to and recover from the incident.

States can request an emergency or major disaster declaration based on need.



Pre-Disaster Emergency Declaration Request

An emergency declaration may be requested in advance of, or in anticipation of the imminent impact of, an incident that threatens destruction which could result in a major disaster. Such requests must meet all of the statutory and regulatory requirements for an emergency declaration request.



Emergency Declaration Request

Any occasion or instance for which, in the determination of the President, federal assistance is needed to supplement state and local efforts and capabilities to save lives and protect property, public health and safety, or to lessen or avert the threat of a disaster in any part of the United States.



Major Disaster Declaration Request

Any natural catastrophe (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, any fire, flood, or explosion in any part of the United States which, in the determination of the President, causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Stafford Act to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.



Expedited Major Disaster Declaration Request

An expedited major disaster declaration may be requested for catastrophes of unusual severity and magnitude when field damage assessments are not feasible or may not be necessary to determine the requirement for supplemental federal assistance. Such requests must meet all of the statutory and regulatory requirements for a major disaster declaration request.

Requirements and Processes for Use by States and Territories

This section provides a checklist of actions, information, and certifications that can be conducted and/or provided at the request of the governor for an emergency or major disaster declaration.

Requesting a Pre-Disaster Emergency Declaration

Requirements for a Pre-Disaster Emergency Declaration Request

Requests must demonstrate the existence of critical emergency protective measure needs in advance of, or in anticipation of the imminent impact of, an incident that are beyond the capability of the state and affected local governments and identify specific unmet emergency needs that require federal assistance and that may also be met through direct federal assistance (DFA). In addition, the request must include the following:

- Confirmation that the governor has taken appropriate action under state law and directed the execution of the state emergency management plan,
- A description of the efforts and resources utilized to address and alleviate the emergency,
- A description of other federal agency efforts and resources utilized in response to the emergency, and
- A description of the type or extent of additional federal assistance required.

- Monitor the weather and advise the FEMA regional watch center or MOC of all developments. When requesting a prolonged incident period, or if there is uncertainty on incident period duration, submit supporting information from the National Weather Service (NWS), United States Geological Survey (USGS), or other appropriate sources.
- Document emerging and potential impacts and the state resources used and to be used to respond to the incident from the following:
 - State and local emergency management and operations centers;
 - State sub-communities and governed neighborhoods;
 - Tribal Nations (if a Tribal Nation[s] has been affected and is included in the state declaration request);
 - Volunteer agency assistance (such as the American Red Cross);
 - Partnered emergency management agencies; and
 - Federal oversight agencies (i.e., Department of Transportation, Federal Highway Administration, Department of Housing and Urban Development, Small Business Administration, and United States Army Corps of Engineers).

- Recommend the governor or state emergency management director maintain strong coordination with the RA to ensure situational awareness of emergency activities and unmet needs.
- Establish and maintain contact at the appropriate level with the RA's office or regional Recovery Division Director/Deputy Division Director for any technical assistance needed in drafting the governor's declaration request.
- Prepare a draft declaration request package including a cover letter and a FEMA Form 010-0-13 with the required enclosures. It is recommended that the submitting state share the draft with FEMA regional staff for review to ensure any questions are resolved before the package is submitted.
- Finalize the declaration request package and obtain the governor's signature or, in the absence or unavailability of the governor, the individual who has the legal authority to officially act on behalf of the governor.
- Email the signed declaration request package to FEMA regional Recovery Division leadership for official acknowledgment.

Requesting an Emergency Declaration

Requirements for an Emergency Declaration Request

The governor must submit a request to the President, through the appropriate regional administrator, within 5 days after the need for assistance becomes apparent, but not longer than 30 days after the occurrence of the incident. The request must be based upon a finding that the situation is beyond the capability of the state and affected local governments and that supplemental federal emergency assistance is necessary to save lives and protect property, public health and safety, or to lessen or avert the threat of a disaster. In addition, the request must include the following:

- Confirmation that the governor has taken appropriate action under state law and directed the execution of the state emergency management plan,
- A description of the state or local government efforts and resources utilized to alleviate the emergency,
- A description of other federal agency efforts and resources utilized in response to the emergency, and
- A description of the type of extent of additional federal assistance required.

- Monitor the weather and advise the FEMA regional watch center or MOC of all developments. When requesting a prolonged incident period, or if there is uncertainty on incident period duration, submit supporting information from the NWS, USGS, or other appropriate sources.
- Document emerging and potential impacts and the state resources used to respond to the incident from the following:
 - State and local emergency management and operations centers;
 - State sub-communities and governed neighborhoods;
 - Tribal Nations (if a Tribal Nation[s] has been affected and is included in the state declaration request);
 - Volunteer agency assistance (such as the American Red Cross);
 - Partnered emergency management agencies; and
 - Federal oversight agencies (i.e., Department of Transportation, Federal Highway Administration, Department of Housing and Urban Development, Small Business Administration, and United States Army Corps of Engineers).
- Recommend the governor or state emergency management director maintain strong coordination with the RA to ensure situational awareness of emergency activities and unmet needs.
- Establish and maintain contact at the appropriate level with the RA's office or regional Recovery Division Director/Deputy Division Director for any technical assistance needed in drafting the governor's declaration request.

- Prepare the declaration request cover letter by reviewing and incorporating language concerning the following:
 - The activation of the state emergency management plan;
 - The state response and recovery resources used to manage the incident, including the quantity and cost of resources expended to date;
 - A written description of the geographic areas affected and the extent of damage; and
 - A summary of events that includes a narrative of impacts, including:
 - Number of power outages;
 - Number of damaged water control facilities;
 - Number of rescues;
 - Number of mandatory and voluntary evacuations;
 - Number of shelters open and populations;
 - Number of fatalities and injured;
 - Percentage of vulnerable populations; and
 - Disruptions to community infrastructure.
- Complete FEMA Form 010-0-13, Request for Presidential Disaster Declaration, Major or Emergency, and include required enclosures.
- Prepare a draft declaration request package including a cover letter and a FEMA Form 010-0-13 with the required enclosures. It is recommended that the submitting state share the draft with FEMA regional staff for review, to ensure any questions are resolved before the package is submitted.
- Finalize the declaration request package and obtain the governor's signature or, in the absence or unavailability of the governor, the individual who has the legal authority to officially act on behalf of the governor.
- Email the signed declaration request package to FEMA regional recovery division leadership for official acknowledgment.

Requesting a Major Disaster Declaration

Requirements for a Major Disaster Declaration Request

The governor must submit the request to the President through the appropriate regional administrator within 30 days of the occurrence of the incident or within 30 days of the end of the incident period, whichever is later. The request must be based upon a finding that the situation is beyond the capability of the state and affected local governments and that supplemental federal assistance is necessary. In addition, the request must include the following:

- Confirmation that the governor has taken appropriate action under state law and directed execution of the state emergency management plan,
- An estimate of the amount and severity of damage to the public and private sector,
- A description of the state and local government efforts and resources utilized to alleviate the disaster,
- Preliminary estimates of the type and amount of Stafford Act assistance needed, and
- Certification by the governor that state and local governments will comply with all applicable cost sharing requirements.

- Monitor the weather and advise the FEMA regional watch center or MOC of all developments. When requesting a prolonged incident period, or if there is uncertainty on incident period duration, submit supporting information from the NWS, USGS, or other appropriate sources.
- Notify the FEMA regional office when the state's emergency operations plan is activated. Document impacts and the state resources used to respond to the incident through initial damage assessments (IDA) from the following:
 - State and local emergency management and operations centers;
 - State sub-communities and governed neighborhoods;
 - Tribal Nations (if a Tribal Nation[s] has been affected and is included in the state declaration request);
 - Volunteer agency assistance (such as the American Red Cross);
 - Partnered emergency management agencies; and
 - Federal oversight agencies (i.e., Department of Transportation, Federal Highway Administration, Department of Housing and Urban Development, Small Business Administration, and United States Army Corps of Engineers).
- Recommend the governor or state emergency management director maintain strong coordination with the RA to ensure situational awareness of emergency activities and unmet needs.
- Governor or state emergency management director requests a joint FEMA-state PDA through the RA and shares the IDA results, if it is determined that the damages are beyond the state's

capability and resources to manage the response and recovery. This request may be transmitted by email, hard copy, or telephone (in the rare case of a verbal declaration request).

- Prepare the declaration request cover letter by reviewing and incorporating language concerning the following:
 - Activation of the state emergency management plan;
 - The state response and recovery resources used to manage the incident, including the quantity and cost of resources expended to date;
 - A written description of the geographic areas affected and the extent of damage; and
 - A summary of events that includes a narrative of impacts:
 - Number of power outages;
 - Number of damaged water control facilities;
 - Number of rescues;
 - Number of mandatory and voluntary evacuations;
 - Number of shelters open and populations;
 - Number of fatalities and injuries;
 - Percentage of vulnerable populations; and
 - Disruptions to community infrastructure.
 - Statistics on the affected areas, including the following:
 - Existing property insurance coverage;
 - Existing flood insurance coverage;
 - Sanctioned communities;
 - Estimate of the number of homes destroyed/damaged; and
 - Demographics, including the following:
 - › Total population;
 - › Unemployment rates;
 - › Percentage of low-income families;
 - › Owner/renter ratio; and
 - › Special needs populations.
- Complete FEMA Form 010-0-13, Request for Presidential Disaster Declaration, Major or Emergency, and include required enclosures.
- Prepare a draft declaration request package including a cover letter and a FEMA Form 010-0-13 with the required enclosures. It is recommended that the submitting state share the draft with FEMA regional staff for review, to ensure any questions are resolved before the package is submitted.
- Finalize the declaration request package and obtain the governor's signature or, in the absence or unavailability of the governor, the individual who has the legal authority to officially act on behalf of the governor.
- Email the signed declaration request package to FEMA regional recovery division leadership for official acknowledgment.

Requesting an Expedited Major Disaster Declaration

Requirements for an Expedited Major Disaster Declaration Request

For incidents of unusual severity and magnitude a governor can send an abbreviated written major disaster declaration request by the most expeditious means available. Expedited requests must still meet the minimum requirements for a declaration. FEMA may waive the requirement for a joint PDA and will assess damage through other means.

- Monitor the weather and advise the FEMA regional watch center or MOC of all developments. When requesting a prolonged incident period, or if there is uncertainty on incident period duration, submit supporting information from the NWS, USGS, or other appropriate sources.
- Document emerging and potential impacts and the state resources used and to be used to respond to the incident from the following:
 - State and local emergency management and operations centers;
 - State sub-communities and governed neighborhoods;
 - Tribal nations (if a Tribal Nation[s] has been affected and is included in the state declaration request);
 - Volunteer agency assistance (such as the American Red Cross);
 - Partnered emergency management agencies; and
 - Federal oversight agencies (i.e., Department of Transportation, Federal Highway Administration, Department of Housing and Urban Development, Small Business Administration, and United States Army Corps of Engineers).
- Recommend the governor or state emergency management director maintain strong coordination with the RA to ensure situational awareness of emergency activities and unmet needs.
- For an expedited major disaster declaration request, FEMA may waive the requirement for a joint PDA and will assess damage through other means. If that requirement is not waived, the governor or state emergency management director requests a joint FEMA-state PDA through the RA and shares the IDA results, if available. The PDA request may be transmitted by email, hard copy, or telephone (in the rare case of a verbal declaration request).
- Prepare the declaration request cover letter by reviewing and incorporating language concerning the following:
 - The activation of the state emergency management plan;
 - The state response and recovery resources used to manage the incident, including the quantity and cost of resources expended to date;
 - A written description of the geographic areas affected and the extent of damage; and
 - A summary of events that includes a narrative of impacts, including:
 - Number of power outages;

- Number of damaged water control facilities;
 - Number of rescues;
 - Number of mandatory and voluntary evacuations;
 - Number of shelters open and populations;
 - Number of fatalities and injuries;
 - Percentage of vulnerable populations; and
 - Disruptions to community infrastructure.
 - o Statistics on the affected areas, including the following:
 - Existing property insurance coverage;
 - Existing flood insurance coverage;
 - Sanctioned communities;
 - Estimate of the number of homes destroyed/damaged and
 - Demographics, including the following:
 - › Total population;
 - › Unemployment rates;
 - › Percentage of low-income families;
 - › Owner/renter ratio; and
 - › Special needs populations.
- Complete FEMA Form 010-0-13, Request for Presidential Disaster Declaration, Major or Emergency.
- Prepare a draft declaration request package including a cover letter and a FEMA Form 010-0-13 with the required enclosures. It is recommended that the submitting state share the draft with FEMA regional staff for review, to ensure any questions are resolved before the package is submitted
- Finalize the declaration request package and obtain the governor’s signature or, in the absence or unavailability of the governor, the individual who has the legal authority to officially act on behalf of the governor.
- Email the signed declaration request package to FEMA regional recovery division leadership for official acknowledgment.

Requesting a Verbal Declaration

Requirements for a Verbal Declaration Request

For incidents catastrophic or near catastrophic in nature, when a written request from a governor is impractical because of the exigency of the incident, a governor can request an emergency or major disaster declaration verbally. The regional administrator consults with the governor and completes a verbal request checklist. Verbal requests must still meet the minimum requirements for a declaration request; however, FEMA may waive the requirement for a joint PDA and will assess damage through other means.