



**FEMA**

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# Q & A

## **QUESTIONS AND ANSWERS: RECOVERY INTERIM POLICY 1001 (HURRICANE/TYPHOON PRE-LANDFALL DECLARATION REQUESTS)**

WASHINGTON -- Following the extensive federal response to hurricanes Katrina and Rita, FEMA has issued interim policy guidance to clarify the circumstances for which a requesting state will be considered for a Presidential emergency declaration in advance of a hurricane or typhoon making landfall. This new interim policy also affords greater flexibility to Federal resources while outlining specific criteria necessary to engage those assets.

### **How does this differ from the previous policy?**

This new interim policy affords greater flexibility to Federal resources while outlining specific criteria necessary to engage those assets.

### **This is an interim policy; does that mean it will be permanent at some date?**

As with any document outlining the government's responsibilities and capabilities, the National Response Plan needs to be flexible enough to best manage resources at a time of crisis. It is a working document that may be adopted as permanent or revised through careful review following lessons learned from actual incidents.

### **Does this new policy mean that every approaching hurricane / typhoon could get pre-landfall declaration for federal relief?**

No. Certain criteria must be met in order for a pre-landfall disaster declaration to be considered. Such criteria include a state of emergency declared by the governor, and a projection by the National Weather Service that the state, or portion of it, will be threatened by a major hurricane. Other criteria to be met include *either*: (a) the state, or jurisdiction(s) thereof, has issued *mandatory* evacuation orders for three or more counties / parishes, or any geographical area with a combined population of more than 100,000 residents; *or* the declaration is necessary to provide operational Federal support (e.g., teams, equipment, supplies) to meet critical pre-positioning and readiness requirements which would overwhelm the capability or capacity of state resources.

### **Has there been a pre-landfall disaster declaration in the past?**

Yes, presidential emergency disaster declarations have been made to release federal assets to prepare for response to a known event. Most recently, emergency declarations were issued for Hurricanes Katrina and Rita in 2005.

**Does this force states to declare mandatory evacuations?**

No. Each state holds sole authority regarding evacuation of its population.

**Does this supersede or change the request for declaration process?**

No. The standard policy for requesting a declaration applies: The governor must declare a state of emergency and request of the President that a federal emergency declaration be issued. The President, upon advisement from FEMA / DHS will consider the request and act in accordance of the law.

**Does this mean that there is a Major Presidential Declaration?**

No. This policy provides for pre-landfall *emergency* declarations and federal assistance is limited to Category B of the FEMA Public Assistance Program for Emergency Protective Measures. This includes Direct Federal Assistance, which provides for the mission assignment of federal resources to lessen the burden on state responders.

**Will this Emergency declaration mean there will be a Major Presidential Declaration once landfall occurs?**

No. Only the President can decide to make Emergency and Major Disaster declarations. By making a pre-landfall emergency disaster declaration, the President is in no way obligated to either approve or disapprove any declaration request.

**What about the effects on states not in the path of the hurricane, especially as in regards to evacuations?**

States that activate shelters to support evacuees from a declared state that has issued mandatory evacuations may seek Federal reimbursement for eligible expenses from the supported state through established mutual aid protocols, but will not normally be considered for a separate emergency declaration. This means that a state that accepts out of state evacuees would bill the state from whence they came, and in turn, the originating state would bill FEMA.

**Would the federal government pay for the entire operation?**

Not necessarily. The Federal share for assistance won't be less than 75 percent of the eligible costs, with the recommendation that the state pay 25 percent of the cost share.

**Does this mean assistance will be available for individuals under the FEMA Individual Assistance Grant Program?**

No. This policy only activates Public Assistance Category B emergency protective measures.

*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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