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### ***A GUIDE TO FEDERAL DISASTER ASSISTANCE***

Local and State governments share the responsibility for protecting their citizens from disasters, and for helping them to recover when a disaster strikes. In some cases, a disaster is beyond the capabilities of the State and local government to respond. The *Disaster Relief and Emergency Assistance Act* was enacted to support State and local governments and their citizens when disasters overwhelm them. This law establishes a process for requesting and obtaining a Presidential disaster declaration, defines the type and scope of assistance available from the Federal government, and sets the conditions for obtaining that assistance. The Federal Emergency Management Agency (FEMA), part of the Department of Homeland Security, is tasked with coordinating the response.

**The general information in this packet is not a comprehensive list of all disaster assistance programs offered by the federal government. The information that follows is simply an overview. Please contact our District offices for more information. Case workers are in Fishkill and Goshen ready to aid you in dealing with the federal agencies depending on your needs. Please call (845) 206-4600 if you have questions or need assistance. For any other information, visit [hayworth.house.gov](http://hayworth.house.gov).**

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## ASSISTANCE AVAILABLE

FEMA disaster assistance falls into three general categories:

- **Individual Assistance** — aid to individuals and households;
- **Public Assistance** — aid to public (and certain private non-profit) entities for certain emergency services and the repair or replacement of disaster-damaged public facilities;
- **Hazard Mitigation Assistance** — funding for measures designed to reduce future losses to public and private property.

## INDIVIDUAL ASSISTANCE

### INDIVIDUAL AND HOUSEHOLD PROGRAM

The Individuals and Households Program (IHP) is a combined FEMA and State program. When a disaster occurs, this program provides grant money and services to people in the declared area whose property has been damaged or destroyed and whose losses are not covered by insurance. In every case, the disaster victim must register for assistance and establish eligibility. The toll-free telephone registration number is 1-800-621-FEMA (or TTY 1-800-462-7585 for the hearing or speech impaired). The applicant may also register online on [www.fema.gov](http://www.fema.gov). FEMA (or the providing agency) will verify eligibility and need before assistance is offered.

### What Types of Assistance Are Provided?

The IHP - Housing Assistance assures that people whose homes are damaged by disaster have a safe place to live. The IHP - Other Needs Assistance (ONA) provides financial assistance to individuals and households who have other disaster-related necessary expenses or serious needs and do not qualify for a low interest loan from Small Business Administration (SBA). These programs are designed to provide funds for expenses that are not covered by insurance. They are available only to homeowners and renters who are United States citizens, non-citizen nationals, or qualified aliens affected by the disaster. The following is a list of the types of assistance available through this program and what each provides.

**Temporary Housing** - homeowners and renters receive funds to rent a different place to live or a temporary housing unit when rental properties are not available.

**Repair** - homeowners receive grants to repair damage from the disaster that is not covered by insurance. The goal is to make the damaged home safe and sanitary.

**Replacement** - under rare conditions, homeowners receive limited funds to replace their disaster damaged home.

**Semi-Permanent or Permanent Housing Construction** - homeowners and renters receive direct assistance or a grant for the construction of a new home. This type of assistance occurs only in very unusual situations, in locations specified by FEMA, where no other type of housing is possible.

**Other Needs Assistance (ONA)** - applicants receive grants for necessary and serious needs caused by the disaster. This includes medical, dental, funeral, personal property, transportation, moving and storage,

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and other expenses that FEMA approves. The homeowner may need to apply for a SBA loan before receiving assistance.

### **Small Business Administration Disaster Loans**

The U.S. Small Business Administration (SBA) can make federally subsidized loans to repair or replace homes, personal property or businesses that sustained damages not covered by insurance. The SBA's low-interest disaster loan program is the primary source of federal funds for long-term recovery for uninsured damages caused by a declared disaster. The SBA can provide three types of disaster loans to qualified homeowners and businesses:

- (1) **Home Disaster Loans** to homeowners and renters to repair or replace disaster-related damages to home or personal property,
- (2) **Business Physical Disaster Loans** to business owners to repair or replace disaster-damaged property, including inventory, and supplies; and
- (3) **Economic Injury Disaster Loans**, which provide capital to small businesses and to small agricultural cooperatives to assist them through the disaster recovery period.
- (4) **Military Reservists Economic Injury Loans**, to help an eligible small business meet ordinary and necessary operating expenses that it could have met, but is unable to meet, because an essential employee was called-up to active duty in their role as a military reservist.

For many individuals the SBA disaster loan program is the primary form of disaster assistance.

Disaster loans up to \$200,000 are available to homeowners to repair or replace disaster damaged or destroyed real estate. Homeowners and renters are eligible up to \$40,000 to repair or replace disaster damaged or destroyed personal property. Businesses and private non-profit organizations of any size may borrow up to \$2 million for physical losses and working capital needs. Interest rates are as low as 2.5 percent for homeowners and renters, 3 percent for non-profit organizations and 4 percent for businesses with terms up to 30 years.

### **Disaster Unemployment Assistance**

The Disaster Unemployment Assistance (DUA) program provides unemployment benefits and re-employment services to individuals who have become unemployed because of major disasters. Benefits begin with the date the individual was unemployed due to the disaster incident and can extend up to 26 weeks after the Presidential declaration date. These benefits are made available to individuals not covered by other unemployment compensation programs, such as self-employed, farmers, migrant and seasonal workers, and those who have insufficient quarters to qualify for other unemployment compensation.

All unemployed individuals must register with the State's employment services office before they can receive DUA benefits. However, although most States have a provision that an individual must be able and available to accept employment opportunities comparable to the employment the individual held before the disaster, not all States require an individual to search for work.

### **Legal Services**

When the President declares a disaster, FEMA, through an agreement with the Young Lawyers Division of the American Bar Association, provides free legal assistance to disaster victims. Legal advice is limited

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to cases that will not produce a fee (i.e., these attorneys work without payment). Cases that may generate a fee are turned over to the local lawyer referral service.

The assistance that participating lawyers provide typically includes:

- Assistance with insurance claims (life, medical, property, etc.)
- Counseling on landlord/tenant problems
- Assisting in consumer protection matters, remedies, and procedures
- Replacement of wills and other important legal documents destroyed in a major disaster

Disaster legal services are provided to low-income individuals who, prior to or because of the disaster, are unable to secure legal services adequate to meet their needs as a consequence of a major disaster.

### Special Tax Considerations

Taxpayers who have sustained a casualty loss from a declared disaster may deduct that loss on the federal income tax return for the year in which the casualty actually occurred, or elect to deduct the loss on the tax return for the preceding tax year. The National Disaster Relief Act provides the following tax benefits:

- Allows all taxpayers, not just those who itemize, to claim the casualty loss deduction regardless of the taxpayer's adjusted gross income level;
- Increases the amount by which all individual taxpayers must reduce their personal casualty losses from each casualty from \$100 to \$500 for taxable years beginning after Dec. 31, 2008. The reduction amount returns to \$100 for taxable years beginning after Dec. 31, 2009;

If the loss was sustained from a federally declared disaster, the taxpayer may choose which of those two tax years provides the better tax advantage.

The Internal Revenue Service (IRS) can expedite refunds due to taxpayers in a federally declared disaster area. An expedited refund can be a relatively quick source of cash, does not need to be repaid, and does not need an Individual Assistance declaration. It is available to any taxpayer in a federally declared disaster area.

### Crisis Counseling

The Crisis Counseling Assistance and Training Program (CCP), authorized by §416 of the Stafford Act, is designed to provide supplemental funding to States for short-term crisis counseling services to people affected in Presidentially declared disasters. There are two separate portions of the CCP that can be funded: immediate services and regular services. A State may request either or both types of funding.

The **immediate services** program is intended to enable the State or local agency to respond to the immediate mental health needs with screening, diagnostic, and counseling techniques, as well as outreach services such as public information and community networking.

The **regular services** program is designed to provide up to nine months of crisis counseling, community outreach, and consultation and education services to people affected by a Presidentially declared disaster. Funding for this program is separate from the immediate services grant.

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To be eligible for crisis counseling services funded by this program, the person must be a resident of the designated area or must have been located in the area at the time the disaster occurred. The person must also have a mental health problem which was caused by or aggravated by the disaster or its aftermath, or he or she must benefit from services provided by the program.

### **PUBLIC ASSISTANCE**

Public Assistance, oriented to public entities, can fund the repair, restoration, reconstruction, or replacement of a public facility or infrastructure, which is damaged or destroyed by a disaster.

Eligible applicants include State governments, local governments and any other political subdivision of the State, Native American tribes and Alaska Native Villages. Certain private nonprofit (PNP) organizations may also receive assistance. Eligible PNPs include educational, utility, irrigation, emergency, medical, rehabilitation, and temporary or permanent custodial care facilities (including those for the aged and disabled), and other PNP facilities that provide essential services of a governmental nature to the general public. PNPs that provide "critical services" (power, water--including water provided by an irrigation organization or facility, sewer, wastewater treatment, communications, educational facilities and emergency medical care) may apply directly to FEMA for a disaster grant. All other PNPs must first apply to the Small Business Administration (SBA) for a disaster loan. If the PNP is declined for a SBA loan or the loan does not cover all eligible damages, the applicant may re-apply for FEMA assistance.

## **USDA Disaster Assistance Programs**

### **Nutrition Assistance**

USDA's Food and Nutrition Service (FNS) provides food assistance to those in need in areas affected by a disaster. This Federal assistance is in addition to that provided by State and local governments.

### **Landowners, Farmers, Ranchers and Producers Assistance**

Emergency Conservation Program (ECP) - ECP provides funding for farmers and ranchers to rehabilitate farmland damaged by wind erosion, floods, hurricanes, or other natural disasters, and for carrying out emergency water conservation measures during periods of severe drought.

Emergency Watershed Protection Program (EWP) - The NRCS EWP program helps protect lives and property threatened by natural disasters such as floods, hurricanes, tornadoes, and wildfires. The program provides technical and financial assistance to preserve life and property threatened by excessive erosion and flooding. Owners, managers, and users of public, private, or tribal lands are eligible for EWP assistance if their watershed area has been damaged by a natural disaster.

### Emergency Watershed Protection Program – Floodplain Easements - The NRCS

Emergency Watershed Protection Program Floodplain Easements provides for the purchase of floodplain easements as an emergency measure. Floodplain easements restore, protect, maintain, and enhance the functions of the floodplain; conserve natural values including fish and wildlife habitat, water quality, flood water retention, ground water recharge, and open space; reduce long-term federal disaster assistance; and safeguard lives and property from floods, drought, and the products of erosion.

Noninsured Crop Disaster Assistance Program (NAP) - NAP provides financial assistance to eligible producers affected by drought, flood, hurricane, or other natural disasters. NAP covers noninsurable crop losses and planting prevented by disasters. Landowners, tenants, or sharecroppers who share in the risk of producing an eligible crop are eligible. Eligible crops include commercial crops and other agricultural commodities produced for food, including livestock feed or fiber for which the catastrophic level of crop insurance is unavailable. Also eligible for NAP coverage are controlled-environment crops (mushroom and floriculture), specialty crops (honey and maple sap), and value loss crops (aquaculture, Christmas trees, ginseng, ornamental nursery, and turf grass sod).

Emergency Loan Program (ELP) - FSA provides emergency loans to help producers recover from production and physical losses due to drought, flooding, other natural disasters, or quarantine. Emergency loans may be made to farmers and ranchers who own or operate land located in a county declared by the President as a disaster area or designated by the Secretary of Agriculture as a disaster area or quarantine area (for physical losses only, the FSA Administrator may authorize emergency loan assistance). Emergency loan funds may be used to: restore or replace essential property; pay all or part of production costs associated with the disaster year; pay essential family living expenses; reorganize the farming operation; and refinance certain debts.

### **Housing Assistance**

In areas affected by natural disasters USDA's Rural Development can help existing Rural Development borrowers who are affected by a disaster.

## TIPS FOR INSURANCE CLAIMS

### Things to Know...

- Most homeowner insurance policies do **NOT** cover damage from flooding; however, flood damage may be covered by separate flood insurance policies.
- Most homeowner policies **DO** provide coverage for damage resulting from wind.
- Damage from fallen trees is typically covered and tree removal may also be covered.
- Some homeowner insurance policies have higher deductibles for hurricane damage. Note that Irene was downgraded to a tropical storm before hitting New York, so hurricane deductibles may not apply.

### Tips for Filing a Claim...

- Contact your insurance company representative as soon as possible.
- Carefully document and take photographs/video of any and all damage.

### Temporary or Immediate Repairs...

- You may make temporary or immediate repairs to prevent further damage.
- Save all receipts for any expenses incurred in making repairs.
- Do **NOT** make permanent repairs before contacting your insurance company.
- Check with the Better Business Bureau to check on contractors who may assist you with repairs.

### Who to Contact...

- For emergencies call 911. For urgent needs or disaster assistance information, contact your county Emergency Operations Center.
- If you have specific questions about your policy, contact your insurance company. If you need further help or feel you are being treated unfairly, contact the New York Department of Insurance Disaster Hotline at 1-800-339-1759.
- If your home is damaged to the extent that you cannot live there, ask your insurance company or insurance agent if you have coverage for additional living expenses.
- Ask what documents, forms and data you will need to file the claim. Keep a diary of all conversations you have with the insurance company and your insurance agent, including names, times and dates of the calls or visits and contact details.
- Be certain to give your insurance company all the information it needs. Incorrect or incomplete information may cause a delay in processing your claim.
- If the first offer made by the insurance company does not meet your expectations, be prepared to negotiate. If there is a disagreement about the claim, ask the company for the specific language in the policy in question and determine why you and the company interpret your policy differently. If you believe you are being treated unfairly, contact the Insurance Department at [www.ins.state.ny.us](http://www.ins.state.ny.us). You can file a complaint about an insurance company at <http://www.ins.state.ny.us/complhow.htm>.
- Consumers should contact their insurance company, agent or broker to get answers to specific questions about their policies. Consumers who need further help should feel free to contact the New York State Insurance Department's Consumer Services Bureau at 800-342-3736 which operates Monday through Friday, from 9:00 AM to 4:30 PM. Disaster related calls only should go to the Departments disaster hotline at 800-339-1759 between 8:00 AM and 8:00 PM. This hotline was implemented following Hurricane Irene and will remain open for as long as needed.



## Applying for Federal Assistance

The first step to getting your home restored is to contact your insurance company and/or agent with your policy number and other relevant information. Your policy might require that you make this notification within a certain time frame. Even if a claim cannot be approved under a policy, the insurance company's written denial may be required for individuals and businesses to process requests for FEMA assistance.

FEMA disaster assistance may be available to both insured and uninsured individuals and businesses. It is also designed to help individuals and businesses when insurance settlements are delayed or in situations when settlements are insufficient to meet disaster-related needs. Homeowners have 60 days to apply for FEMA assistance, which can include both grants, which do not have to be repaid, and low-interest loans.

- FEMA also offers help to homeowners, renters and business owners who have suffered damage to their homes or businesses.
- People can qualify for FEMA assistance even if they have insurance or if their insurance does not cover the full cost of the damage.
- Reporting your damage to local officials does not qualify you for FEMA aid. You must contact FEMA directly and sign up. You can register online at [www.DisasterAssistance.gov](http://www.DisasterAssistance.gov), or by call 1-800-621-FEMA (3362).
- FEMA aid is not taxable.

**[DisasterAssistance.gov](http://DisasterAssistance.gov):** This website serves as a one-stop disaster assistance page where you can: obtain information for preparing for a disaster; review all the agencies and disaster programs that they offer; take a pre-screen questionnaire for an accurate list of programs for which you may qualify; apply for federal disaster assistance; review the status of a submitted application.

### **Federal Emergency Management Association (FEMA):**

FEMA asks that you have the following information ready when you contact them: your Social Security number; a description of your losses that were caused by the disaster; insurance information; directions to your damaged property; a telephone number where you can be reached; and Electronic Funds Transfer (EFT) Direct Deposit Information (optional) if you prefer that funds be transferred to your account.

After you apply, an inspector will contact you within 10–14 days to schedule a time to meet you at your damaged home. In areas where access is still severely limited, it may take longer for an inspection. Approximately 10 days after the inspection, FEMA will decide if you qualify for assistance.

**U.S. Department of Agriculture (USDA):** USDA provides assistance in a number of different ways through the Farm Service Agency; the Rural Development office; National Resources Conservation Service; and the Food and Nutrition Service. Visit [www.usda.gov/disaster](http://www.usda.gov/disaster) or call 202-720-3467 for more information.

**U.S. Small Business Administration (SBA):** The SBA provides low interest disaster loans to homeowners, renters, businesses of all sizes and private, non-profit organizations. For more information, visit [www.sba.gov](http://www.sba.gov) or call the SBA customer service center at 1-800-659-2955.

## DISASTER RECOVERY CENTERS

The centers will be staffed with disaster-recovery specialists who can provide information and answer questions about storm-related assistance, according to FEMA. Operating hours will be 8:00 am to 8:00 pm seven days a week until further notice.

Before stopping by at the recovery center, people seeking assistance are strongly urged to register with FEMA first. Having spoken with or otherwise having contacted state or local officials does not count. You must register with FEMA in order to apply for help.

Registration is quick and simple. By phone, call the FEMA Hotline at 800-621-FEMA (3362). For those with speech or hearing disabilities, use the TTY number, 800-462-7585. Applicants can also register online at [www.DisasterAssistance.gov](http://www.DisasterAssistance.gov) or with any PDA device at m.fema.gov.

Information needed when registering with FEMA includes the address of the damaged property, names of those living in the household, a general description of the damage, the Social Security Account number of any family member living in the home, the extent of insurance coverage and certain other information needed to expedite the process.

Also on hand at the Disaster Recovery Center will be representatives from the Small Business Administration who can explain the low-interest loan packages available to individuals, nonprofits and businesses of any size. These loans are for the repair or replacement of real estate and/or personal property damaged by the storm and related flooding, officials said. People who register with FEMA will be sent a loan application from the SBA. **No one is obligated to take out a loan, according to the SBA. Applicants have six months after approval to decide whether to accept the loan.**

FEMA's temporary housing assistance and grants for public transportation, medical and dental, and funeral and burial expenses do not require individuals to apply for an SBA loan. But applicants who receive SBA loan applications must submit them to SBA to be eligible for assistance that covers personal property, vehicle repair or replacement and moving and storage expenses.

### Local Disaster Recovery Centers:

Disaster Recovery Centers will be established in counties included in a major disaster declaration. To find the nearest DRC near you, visit <http://www.fema.gov/disaster-recovery-centers>, or call our local Congressional office at 845-206-4600.

## RECOVERY SERVICES CONTACT INFORMATION

**Federal Emergency Management Agency (FEMA)** Disaster assistance for individuals, families and businesses in an area whose property has been damaged or destroyed.

[www.fema.gov/assistance](http://www.fema.gov/assistance)

800-621-FEMA (800-621-3362)

**Disaster Assistance** Resources from 17 federal agencies to reduce the application process for disaster assistance.

[www.DisasterAssistance.gov](http://www.DisasterAssistance.gov)

FEMA Disaster Help Desk: 800-621-FEMA (800-621-3362)

Apply via mobile phone: m.fema.gov

**U.S. Department of Housing and Urban Development (HUD)** Offers a variety of home loan programs for disaster victims including special loan servicing and underwriting requirements.

[www.hud.gov](http://www.hud.gov)

800-CALL-FHA (800-225-5342)

**U.S. Small Business Administration (SBA)** Low-interest disaster loans for businesses to repair or replace destroyed or damaged businesses, inventory or equipment.

[www.sba.gov](http://www.sba.gov)

Apply online: <https://disasterloan.sba.gov/ela/>

Disaster Loans: 800-659-2955

SBA Customer Service Center: 800-659-2955 (800-877-8339 for the deaf and hard-of-hearing)

[disastercustomerservice@sba.gov](mailto:disastercustomerservice@sba.gov)

**Small Business Development Center (SBDC) Network in New York**

Certified business consultants from the SBDC network who are trained on the SBA disaster loan program are available to assist businesses in completing their disaster loan applications at no cost.

NY SBDC: 1-800-732-SBDC

[www.nyssbdc.org](http://www.nyssbdc.org)

**U.S. Department of Agriculture (USDA)** Emergency loans may be available to farmers for actual losses to essential property and/or production capacity, debris removal, repairs, and fencing.

[www.usda.gov](http://www.usda.gov)

202-720-3467

USDA New York Office:

(315) 477-6400

[www.rurdev.usda.gov/ny/](http://www.rurdev.usda.gov/ny/)

**Internal Revenue Service (IRS)** Special tax relief may be available to individuals and businesses located in a declared disaster area.

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[www.irs.gov](http://www.irs.gov) or IRS hotline: 866-562-5227

**American Red Cross** Hard assistance provides material items and may include feeding, shelter, clean-up kits, comfort kits and financial assistance. Soft assistance minimizes immediate disaster-caused suffering through listening, guidance, advocacy, and counseling.

[www.redcross.org](http://www.redcross.org)

800-RED-CROSS (800-733-2767)

**New York Farm Bureau**

518-436-8495 or 1-800-342-4143

<http://www.nyfb.org>

**NYS Bar Association (NYSBA)**

<http://www.nysba.org>

**The Bar Association of the City of New York**

212-626-7373 (for Spanish-language: 212-626-7374)

<http://www.abcny.org> or [www.LawHelp.org/ny](http://www.LawHelp.org/ny).

**NY State Emergency Management Office** Assists local governments, voluntary organizations, and private industry through a variety of emergency management programs including disaster recovery assistance.

[www.dhSES.ny.gov/oem](http://www.dhSES.ny.gov/oem)

**Dutchess County - Department of Emergency Response**

[www.co.dutchess.ny.us](http://www.co.dutchess.ny.us)

845-486-2080

**Orange County - Department of Emergency Services**

<http://www.co.orange.ny.us/>

845-615-0400

**Rockland County - Office of Fire and Emergency Services**

[www.co.rockland.ny.us](http://www.co.rockland.ny.us)

845-364-8800

**Westchester County - Office of Emergency Management**

[www.emergencyservices.westchestergov.com](http://www.emergencyservices.westchestergov.com)

914-231-1850

**Putnam County - Department of Emergency Services**

[www.pcbes.org](http://www.pcbes.org)

845-808-4000

