

# Congressional Considerations Related to Hurricanes Harvey and Irma

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This Insight provides a short overview of issues Congress may consider in relation to Hurricanes Harvey and Irma. It is *not* intended to provide up-to-date information on unfolding events. For storm-related updates and the current status of response efforts, see official government sources (e.g., [Federal Emergency Management Agency \(FEMA\)](#) and [National Weather Service](#)), congressional advisories from government sources, and/or news media. For additional support, please contact available [CRS experts](#) in disaster-related issue areas.

## Federal Declarations and Response

As of noon on September 8, in response to Hurricanes Harvey and Irma, President Trump has issued major disaster declarations for [Texas](#) and the [U.S. Virgin Islands](#), and emergency declarations for [Florida](#), [Louisiana](#), [Puerto Rico](#), and [South Carolina](#) through the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the [Stafford Act](#)).

Depending on future consequences, major disaster declarations could yet be made for those areas that have already received emergency declarations. These declarations can also be further amended, as has happened for the [Texas](#) declaration, to add counties and types of assistance as warranted. The President has also [amended](#) the Texas declaration to decrease the state [cost share requirements](#) for some of FEMA's [Public Assistance \(PA\) grants](#) being provided through the Stafford Act.

The Department of Health and Human Services (HHS) has [deployed several medical assets](#) to the affected regions. The HHS Secretary has also determined there to be a [public health emergency](#) under Section 319 of the Public Health Service Act for Texas and Louisiana (Hurricane Harvey), and for Puerto Rico, the U.S. Virgin Islands, and Florida (Hurricane Irma). This has allowed the Secretary to [waive or modify](#) some requirements of the Medicare, Medicaid, and CHIP programs for the counties named in the Stafford Act declarations.

There are many [deployable federal assets](#) responding to Harvey and Irma, such as Urban Search and Rescue Task Forces and assets from the U.S. Coast Guard, which are funded and authorized by Congress through many different methods. The [U.S. Army Corps of Engineers \(USACE\)](#) conducts flood fighting and emergency operations at its projects (e.g., [Lake Okeechobee](#), FL). It also may perform recovery actions for emergency power, navigation channels, structural safety and demolition, and some debris management. For information on USACE's response to hurricanes in 2017, see [CRS Insight IN10764](#).

Given the widespread damage from Hurricane Harvey and potential for such damage from Hurricane Irma, there is expected to be extensive need for temporary housing and sheltering. FEMA, working alongside critical voluntary organization partners like the American Red Cross and local governments, plays an active role in the disaster housing mission through the [Individuals and Households Program](#). The disaster housing response is likely to involve the use of [manufactured housing units \(MHUs\)](#) owned by FEMA.

### Funding Federal Response and Recovery

Special attention may be paid to the remaining balance of the [Disaster Relief Fund \(DRF\)](#) that pays for most of the immediate response activities supported by the federal government, primarily through [emergency work grant assistance and direct federal assistance](#). Before Hurricane Harvey made landfall, the DRF had roughly \$3.5 billion in total unobligated resources available. According to FEMA, as of the morning of September 5, the DRF had \$1.01 billion in total unobligated resources. In order to conserve resources needed for response to Hurricane Harvey and Hurricane Irma, and other time-sensitive disaster assistance, since August 28, FEMA has implemented "immediate needs funding restrictions," which delays funding for all longer-term projects until additional resources are available.

Though the funding status of the DRF is perhaps most critical during the response phase, many other federal programs and accounts have provided support in the past. After Hurricane Sandy, [P.L. 113-2](#) provided supplemental funding to over [66 different accounts and programs](#), including the Department of Housing and Urban Development (HUD)'s Community Development Block Grant (CDBG) program, the Department of Transportation's Emergency Relief Programs, and the [civil works program of USACE](#).

On September 1, the Trump Administration [requested](#) \$7.85 billion in supplemental funding for FY2018. The Administration requested \$7.4 billion for the DRF and \$450 million for Small Business Administration (SBA) disaster loans for FY2017, and signaled support for faster-than-usual apportionment of DRF funds under a possible FY2018 continuing resolution.

On September 6, the House passed the relief package requested by the Administration as an amendment to [H.R. 601](#). On September 7, the Senate [passed](#) an amended version, which included the House-passed funding as well as an additional \$7.4 billion for disaster relief through HUD's Community Development Fund, a short term increase to the debt limit, and a short term continuing resolution that would fund government operations through December 8, 2017. The House [passed](#) the Senate amended version of the bill on September 8, 2017.

Congress may also be interested in flood resilience requirements for federally funded projects. For more on federal flood resilience policy, see [CRS Insight IN10768](#).

### National Flood Insurance Program (NFIP)

Flood insurance claims made through the [NFIP](#) will be an important source of financial assistance to policyholders in the affected regions. However, [past data](#) on participation (i.e., penetration) rates suggest that many properties in the [special flood hazard areas \(SFHAs\)](#) that have been and could be affected by the hurricanes may not have flood insurance. By law, [federal assistance](#) to the owners of these properties is more restricted than properties with insurance or those living outside the SFHA. Given the potential severity of the hurricanes, the NFIP may need to borrow from the U.S. Treasury to pay future claims. As of August 27, FEMA reported that the NFIP had \$1.799 billion in available funds to pay claims, which did not include additional resources that a recent [reinsurance contract](#) may provide. The NFIP currently owes [\\$24.6 billion in debt to the U.S. Treasury](#), leaving \$5.825 billion out of the total authorized [\\$30.425 billion](#) in borrowing authority. It is possible that this borrowing limit could be reached, in which case Congress may consider increasing it, as was done most recently following Hurricane Sandy ([P.L. 113-1](#)). In the Texas counties

designated under the major disaster declaration, the NFIP has [implemented temporary changes](#) to the claims process to make it possible for policyholders to receive funds more quickly.

[Key provisions](#) of the NFIP will be extended from September 30, 2017, through December 8, 2017, if the President signs [H.R. 601](#) as amended.