
**OMB Report on Disaster Relief
Funding to the Committees on
Appropriations and the Budget of
the U.S. House of Representatives
and the Senate, 2018**



April 23, 2018

I. INTRODUCTION

Division O of the Consolidated Appropriations Act, 2018 (Public Law 115-141), the Wildfire Suppression Funding and Forest Management Activities Act, amended the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA) to redefine the calculation to determine the maximum annual amount (or "preview estimate") of the adjustment to discretionary spending limits for discretionary appropriations that the Congress designates as being for disaster relief in statute.

Prior to these amendments, the maximum amount was equal to the sum of the average funding provided for disaster relief over the previous ten years (excluding the highest and lowest years) and any unused amount for the previous fiscal year of the average calculated for that year. Under the new calculation, which takes effect beginning in fiscal year 2019, the maximum annual amount is the sum of three pieces: the same ten-year average as before, a change to the way unused amounts are incorporated in the calculation, and a portion of amounts designated as emergency requirements and provided for major disasters.

Specifically, the new calculation requires the addition of "five percent of the total appropriations provided after fiscal year 2011 or in the previous 10 years, whichever is less, net of any rescissions of budget authority enacted in the same period, with respect to amounts provided for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and designated by the Congress and the President as an emergency pursuant to subparagraph (A)(i) of this paragraph."

This report has been prepared pursuant to the requirement in section 251(b)(2)(D)(ii) of BBEDCA that the Office of Management and Budget (OMB) provide information to the Committees on Appropriations and Budget in each House on this new portion of the calculation.

II. CRITERIA

Section 251(b)(2)(D)(i)(II) of BBEDCA sets out the following conditions to determine if an appropriation should be included in the calculation under this section:

1. The appropriation must have been provided after fiscal year 2011 or in the previous 10 years, whichever is less.
2. The total should exclude any rescissions in that period.
3. The amount must be provided for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.
4. The amount must be designated by the Congress and the President as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA.

Certain decisions made when evaluating which appropriations met these criteria are worth mentioning explicitly. First, consistent with the treatment in the Appendix volume of the president's budget and with definitions in OMB Circular A-11, "rescissions" include reductions of budget authority enacted as a cancellation of funds, including cancellations pursuant to a

sequestration order. Second, because these criteria apply on a prospective basis as well as on a retrospective basis, and for the purposes of clarity and strict adherence to the requirements, only amounts for which the appropriations language explicitly specifies that they are provided for major disasters declared pursuant to the Stafford Act, and which the appropriations language designates as an emergency requirement pursuant to section 251(b)(2)(A)(i) of BBEDCA are included. Finally all budget authority is displayed on a pre-transfer basis. This is noteworthy for accounts like the Federal Emergency Management Agency’s Disaster Relief Fund, which reimburses many agencies for their respective disaster-related activities through mission assignments.

**SUMMARY OF BUDGET AUTHORITY PROVIDED FOR DISASTERS
DECLARED PURSUANT TO THE STAFFORD ACT AND DESIGNATED AS
EMERGENCY PURSUANT TO BBEDCA, 2012-2018**
(in millions of dollars)

Fiscal Year	Budget Authority	Five Percent
2012	0	0
2013	22,301	1,115
2014	0	0
2015	0	0
2016	0	0
2017	14,800	740
2018	88,821	4,441
Total	125,922	6,296

As a result of this analysis, OMB anticipates including five percent of the total appropriations meeting these criteria, or \$6.926 billion, in the calculation for the maximum adjustment for fiscal year 2019 in the *OMB Sequestration Update Report to the President and Congress for Fiscal Year 2019*, which will be transmitted in August pursuant to section 254(e) of BBEDCA. This amount would change, however, if legislation were enacted before the update report is released that either appropriates additional funding or rescinds funding that meets these criteria.

**DETAILED TABLE OF BUDGET AUTHORITY PROVIDED FOR DISASTERS DECLARED PURSUANT TO THE STAFFORD ACT
AND DESIGNATED AS EMERGENCY PURSUANT TO BBEDCA, 2012-2018**

(in millions of dollars)

	2012	2013	2014	2015	2016	2017	2018	2012-2018	Five Percent
DEPARTMENT OF AGRICULTURE									
Farm Service Agency, Emergency Conservation Activities (012-3316-0-1-453):									
Appropriation.....	---	218	---	---	---	---	---	218	11
Sequestration reduction.....	---	-11	---	---	---	---	---	-11	-1
Food and Nutrition Service, Commodity Assistance Program (012-3507-0-1-605):									
Appropriation.....	---	---	---	---	---	---	24	24	1
Subtotal, Department of Agriculture.....	---	207	---	---	---	---	24	231	12
DEPARTMENT OF COMMERCE									
Economic Development Administration, Economic Development Assistance Programs (013-2050-0-1-452):									
Appropriation.....	---	---	---	---	---	---	600	600	30
DEPARTMENT OF EDUCATION									
Hurricane Education Recovery (091-0013-0-1-500):									
Appropriation.....	---	---	---	---	---	---	2,700	2,700	135
DEPARTMENT OF HEALTH AND HUMAN SERVICES									
Departmental Management, Public Health and Social Services Emergency Fund (075-0140-0-1-551):									
Appropriation.....	---	800	---	---	---	---	---	800	40
Sequestration reduction.....	---	-41	---	---	---	---	---	-41	-2
Subtotal, Department of Health and Human Services..	---	759	---	---	---	---	---	759	38
DEPARTMENT OF HOMELAND SECURITY									
Federal Emergency Management Agency, Disaster Relief Fund (070-0702-0-1-453):									
Appropriation.....	---	6,109	---	---	---	7,400	42,170	55,679	2,784
Sequestration reduction.....	---	-306	---	---	---	---	---	-306	-15
Federal Emergency Management Agency, Disaster Assistance Direct Loan Program Account (070-0703-0-1-453):									
Appropriation.....	---	300	---	---	---	---	---	300	15
Sequestration reduction.....	---	-15	---	---	---	---	---	-15	-1
Subtotal, Department of Homeland Security.....	---	6,088	---	---	---	7,400	42,170	55,658	2,783
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT									
Community Planning and Development, Community Development Fund (086-0162-0-1-451):									
Appropriation.....	---	16,000	---	---	---	7,400	28,000	51,400	2,570
Sequestration reduction.....	---	-800	---	---	---	---	---	-800	-40
Subtotal, Department of Housing and Urban Developi	---	15,200	---	---	---	7,400	28,000	50,600	2,530
DEPARTMENT OF THE INTERIOR									
United States Geological Survey, Surveys, Investigations, and Research (014-0804-0-1-306):									
Appropriation.....	---	---	---	---	---	---	42	42	2
National Park Service, Historic Preservation Fund (014-5140-0-2-303):									
Appropriation.....	---	50	---	---	---	---	50	100	5
Sequestration reduction.....	---	-3	---	---	---	---	---	-3	---
Subtotal, Department of the Interior.....	---	47	---	---	---	---	92	139	7
DEPARTMENT OF LABOR									
Employment and Training Administration, Training and Employment Services (016-0174-0-1-504):									
Appropriation.....	---	---	---	---	---	---	100	100	5
CORPS OF ENGINEERS—CIVIL WORKS									
Investigations (096-3121-0-1-301):									
Appropriation.....	---	---	---	---	---	---	135	135	7
Construction (096-3122-0-1-301):									
Appropriation.....	---	---	---	---	---	---	15,000	15,000	750
Subtotal, Corps of Engineers - Civil Works.....	---	---	---	---	---	---	15,135	15,135	757
TOTAL.....	---	22,301	---	---	---	14,800	88,821	125,922	6,296