

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

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September 1, 2021

The Honorable Deanne Criswell
Administrator
Federal Emergency Management Agency
500 C St. SW
Washington, DC 20472

Dear Administrator Criswell,

We are writing today with concerns about the current Individuals and Households Program (IHP) determination letters. As disaster survivors across the country, including in our home states of Michigan and Ohio, are recovering from devastating floods, landslides, and other extreme weather events, we have heard complaints from communities that the current IHP letters are unclear, confusing, and do not adequately convey the status of disaster survivors' applications. As FEMA undertakes its 2020-2021 IHP letter review process, we strongly urge you to ensure that determination letters are simplified and improved to provide all necessary information to disaster survivors and make clear that an "ineligible" determination does not necessarily mean denied.

FEMA's IHP provides financial and direct services to eligible individuals and households affected by a disaster, who have uninsured or under-insured necessary expenses and serious needs.^[1] These awards can act as a lifeline for families struggling after a disaster. However, the complexity of FEMA programs continues to act as a barrier for disaster survivors who are struggling to rebuild their lives— specifically FEMA's IHP determination letter.

The Government Accountability Office (GAO) and others have documented disaster survivors continued struggle to understand determination letters. In a 2020 report on FEMA's IHP program, GAO found that "[a]fter reading [a] short [introductory] paragraph, the applicant would then read the following phrases, 'ASSISTANCE NOT APPROVED,' and, 'You are not eligible for the following assistance because...'. While the letter includes instructions on how to appeal FEMA's determination, it does not explicitly state that the determination is not final."^[2] While a disaster survivor may receive a denial because FEMA requires additional information, the current determination letter does not make that clear and disaster survivors often mistakenly think they were denied assistance and do not go through the appeals process. This may be especially true for the most vulnerable disaster survivors, who may not have the capacity or time for lengthy engagements with FEMA when determination letters are unclear.

[1] Federal Emergency Management Agency, Individual and Households Program (<https://www.fema.gov/assistance/individual/program>) (accessed Aug. 31, 2021).

[2] Government Accountability Office, *DISASTER ASSISTANCE: Additional Actions Needed to Strengthen FEMA's Individuals and Households Program* (GAO-20-503) (Sep. 2020) (<https://www.gao.gov/assets/gao-20-503.pdf>).

Additionally, disaster survivors may be missing opportunities to appeal because of incomplete information on a determination letter. Currently, letters do not include important information, such as the amount of damages verified during the site inspection or a list of items that FEMA is providing funding to repair or replace.^[3] Having more specific descriptions about eligibility and award decisions could inform whether a disaster survivor should appeal their award based on incomplete or missing damage information. For instance, if a disaster survivor received an award that covers part of the damages they incurred, but does not include money for other damages sustained, the individual would not know to appeal the decision because they would be unaware of what items were covered by the IHP award. If FEMA included this information on a determination letter, it would ensure that disaster survivors are fully informed of their awards and better able to decide whether to submit an appeal to FEMA.

We appreciate all of the hard work FEMA employees have done to help people before, during, and after disasters. Yet, to meet FEMA's 2018-2022 Strategic Plan goal of reducing the complexity of FEMA^[4], determination letters must be revised to better serve disaster survivors. By making clear that an ineligible determination is not a denial, and providing more specific information to survivors, FEMA can better meet the needs of our most vulnerable citizens after a disaster.

We urge you to undertake the suggestions we have outlined during FEMA's current determination letter review process. We look forward to your response.

Sincerely,



Gary C. Peters
Chairman



Rob Portman
Ranking Member

^[3] *Id.*

^[4] Federal Emergency Management Agency, *2018-2022 Strategic Plan* (HQ-18-021) (Mar. 15, 2018) (https://www.fema.gov/sites/default/files/2020-03/fema-strategic-plan_2018-2022.pdf).