

Congress of the United States
Washington, DC 20515

April 14, 2020

The Honorable Peter Gaynor
Administrator
Federal Emergency Management Agency
500 C Street S.W.
Washington, D.C. 20472

Dear Administrator Gaynor:

We write today to thank you for all your hard work in supporting New York's battle against the coronavirus disease 2019 (COVID-19) outbreak, and to urge you to approve the Individual Assistance still listed as under review by the Federal Emergency Management Agency (FEMA) Major Disaster Declaration announcement. Specifically, we request you grant New Yorkers access to and flexibility under the Individuals and Households Program, including Other Needs Assistance and Disaster Funeral Assistance. Access and flexibility in implementation of these programs will help alleviate the burden families are facing during these times.

Our state represents the epicenter of the COVID-19 outbreak here in the United States, in the number of cases and number of deaths. As of April 13, New York State Department of Health reported over 195,000 confirmed cases of COVID-19 in New York, with over 106,000 in New York City alone. Tragically, at least 10,056 people have perished in our home state because of this outbreak. These estimates are unfortunately projected to be undercounts of what the true impact COVID-19 has had on our state.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207 (the Stafford Act) authorizes the President to grant a Major Disaster Declaration for any natural catastrophe that the president determines has caused damage of sufficient severity and magnitude. On March 20, the President granted the nation's first Major Disaster Declaration in response to the COVID-19 outbreak right here in New York. We deeply appreciate the diligent work of FEMA in helping New York combat the COVID-19 outbreak, but in the month since the original declaration, the situation in New York has evolved and we need additional assistance.

In its original application, New York State requested Individual Assistance for all New Yorkers through the Individuals and Households Program (IHP). We strongly support New York's request for this program to be activated. Within the IHP, FEMA can provide Financial Housing Assistance, including lodging expense reimbursement for those who must quarantine away from their loved ones, as well as access to the catch-all category Other Needs Assistance. 44 CFR § 206.119 outlines the qualifying expenses under the Other Needs Assistance provision, and while some of these are dependent on an applicant requesting and being rejected for a Small Business Administration (SBA) disaster loan, such as transportation assistance, we see a particular need for the non-SBA dependent types of Other Needs Assistance. Paramount among these is access to the Disaster Funeral Assistance program.

As the tragic number of deaths from COVID-19 continues to rise in New York, individuals who are facing incredible loss are also being saddled with an additional financial burden. This comes at a time of record unemployment, almost 16 million people were able to file for unemployment insurance over the past three weeks, according to the Department of Labor, though these figures are likely an undercount. Disaster Funeral Assistance would help individuals and households cover unexpected and uninsured expenses associated with the death of an immediate family member. These expenses include: cost of the casket, mortuary services, death certificates, and cremation or interment. We also ask for maximum flexibility in implementation and the application process for individuals, as the rate of deaths and high spread of COVID-19 has made it extremely difficult to maintain normal operating procedures of the death certification and burial process.

In addition to Disaster Funeral Assistance, individuals and households would be eligible to apply for Disaster Medical Assistance. This program would help cover the medical costs people face when diagnosed with COVID-19, including medications and insurance co-payments. Other Needs Assistance also covers childcare costs, up to eight cumulative weeks, and a provision to reimburse for eligible miscellaneous items to assist with an applicant's disaster recovery as defined by state, territorial, and tribal governments.

While we understand that granting New York access to the IHP may inspire other states to seek the same declaration, no other state has experienced such a severe and disproportionate impact from COVID-19 like New York. New York is the epicenter of the COVID-19 outbreak, with more than a third of all cases in the United States and almost half of all recorded deaths in the United States, and so New York deserves special consideration from FEMA in granting additional categories of Individual Assistance, like the Individuals and Households Program. Granting access to the IHP and Other Needs Assistance is also not an unprecedented move following major disasters. For instance, following the unprecedented Hurricane Sandy, FEMA provided over \$1.6 billion in IHP assistance.

While we appreciate all you and people of FEMA have done to assist New York during this difficult and tragic time, we urge you to provide additional support to New York State as expeditiously as possible.

Thank you for your time and attention to this matter, if you have questions please do not hesitate to contact our staff.

Sincerely,



Charles E. Schumer
United States Senator



Alexandria Ocasio-Cortez
Member of Congress

CC:

The Honorable Mike Pence, Vice President of the United States of America
The Honorable Peter Gaynor, Administrator of the US Federal Emergency Management Agency
The Honorable Thomas Von Essen, Regional Administrator of FEMA Region 2
The Honorable Andrew Cuomo, Governor of New York State