



National Association of Housing and Redevelopment Officials

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August 29, 2008

The Honorable Steve Preston
Secretary of Housing and Urban Development
U.S. Department of Housing and Urban Development
Room 10000
451 Seventh Street, SW
Washington, D.C. 20410

Re: Reconstruction of Public Housing Damaged or Destroyed in Natural Disasters

Dear Secretary Preston:

The aftermath of Hurricanes Katrina and Rita, which damaged or destroyed considerable numbers of public housing units along the Gulf Coast, brought into focus certain impediments to funding the rehabilitation or reconstruction of public housing following natural disasters.

In early 2001, HUD entered into a Memorandum of Understanding (MOU) with the Federal Emergency Management Agency (FEMA) to clarify their respective roles in response to disasters. The MOU does not rule out the use of Stafford Act funding for the reconstruction of public housing, but provides that HUD and FEMA will first look to funding available under section 9(k) of the U.S. Housing act or similar statutory authority before resorting to FEMA funding for such purposes. Significantly, a 2003 FEMA memorandum clarifying the 2001 MOU stated that FEMA had generally funded "the repair of disaster-damaged PHA facilities" in the past.

However, even though section 9(k) has not been funded by Congress since 2000, Gulf Coast public housing agencies were unable to obtain FEMA assistance for rebuilding units damaged or destroyed by Hurricanes Katrina and Rita. While the reasons for this remain obscure, FEMA officials cited the MOU as the reason Stafford Act funding could not be made available. HUD officials, on the other hand, took the position, in line with the 2003 FEMA memorandum, that PHAs could access Stafford Act funding for permanent reconstruction.

President, **Renée Rooker**, SPHM; **Akinola Popoola**, PHM, Senior Vice President; **Richard Herrington, Jr.**, PHM, Vice President-Professional Development; **Bill Pluta**, Vice President-Community Revitalization & Development; **Gail Monahan**, Vice President-Member Services; **Dianne Hovdestad**, Vice President-Housing; **Carl S. Richie, Jr.**, Vice President-Commissioners; **Jane C.W. Vincent**, Vice President-International; **Saul N. Ramirez, Jr.**, Executive Director

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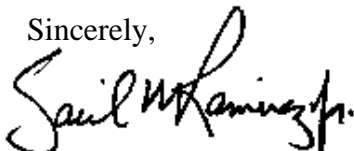
We were pleased when the Department last year proposed a new Memorandum of Agreement to FEMA. However, FEMA has yet to accept it. In the meantime, in order to remove any perceived impediment to Stafford Act funding posed by the existence of section 9(k), Congress has repealed that section in the Public Housing Disaster Relief Act of 2008, enacted as part of the Housing and Economic Recovery Act of 2008. Hopefully, this expression of congressional intent will stimulate action by FEMA.

In any event, NAHRO respectfully requests that the Department renew its efforts to bring about the revision of its interagency agreement with FEMA in the form proposed and we stand ready to assist that effort in any way requested.

I have attached to this letter a white paper prepared by Jeff Falcusan of the NAHRO staff providing a more detailed explanation of this matter, its history, and preferred solutions. Hopefully you and your staff will find it useful.

Thank you for your consideration. Of course, Mr. Falcusan and I will be happy to answer any questions you may have concerning this matter.

Sincerely,

A handwritten signature in black ink that reads "Saul N. Ramirez, Jr." The signature is written in a cursive, flowing style.

Saul N. Ramirez, Jr.
Executive Director

Cc: Paula Blunt
Hon. Barney Frank

Encl: Memorandum, *Reforming Public Housing Disaster Relief Policy*