

Congress of the United States

Washington, DC 20515

June 5, 2002

The Honorable Joseph Allbaugh
Director, Federal Emergency Management Agency
500 C street, S.W.
Washington, DC 20472

Dear Director Allbaugh:

We write to express our appreciation for yesterday's announcement that FEMA has decided to provide the New York City Board of Education with approximately \$12 million for expenses incurred as a result of the September 11th terrorist attacks on the World Trade Center. This infusion of funds will be used to cover costs for expenses such as environmental air testing of schools in close proximity to Ground Zero, improved air filters and the purchase of replacement textbooks for students relocated from schools in the "Frozen Zone". We are very grateful for the progress that is being made by you and your staff in addressing the Board Education's needs after 9/11.

As you know, yesterday's news came during a conference call arranged by Brad Gair of your staff, with Congressional staff from the New York Delegation and officials of from the Board of Education. This provided an extremely useful forum for all involved as they discussed the school system's remaining reimbursement requests as well as FEMA's capacity to assist and respond to the school district. Unfortunately, there still appears to be uncertainty about FEMA's authority to assist the Board in some of these areas.

Costs to the City's school system that remain unapproved by FEMA and unresolved include:

- \$103 million for make-up school days needed because of lost instructional time following the disaster
- \$3 million in lost federal reimbursements the school system absorbed as a result of disruptions in cafeteria operations
- \$1.9 million in transportation services related to the movement of students after 9/11

It is our understanding that the Board will be submitting more detailed materials on each of these items within the next few days in response to your staff's request for additional information.

When we each spoke to you several weeks ago, you expressed your desire to help New York City Schools in these areas and assured us that if your agency lacked the statutory authority to provide assistance for these types of activities you would inform us of that fact. Could you please tell us as soon as possible if you believe FEMA has the authority under current law, or within the report language included in the Senate Committee Report 107-156, to address the items listed above? If not, we hope that you will move quickly to formally ask the Congress for the legislative changes needed to meet the Board's needs in these areas.

In other instances, we know that the administration has asked Congress to give FEMA greater flexibility to help those individuals who are in need. We hope that you can take a similar approach in this situation. Given that the conference committee on the FY 2002 Supplemental Spending bill is likely to occur in the immediate future, we are requesting a response to this letter by the end of this week.

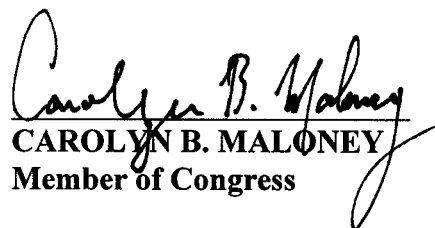
On a related matter, we watched with great interest your May 30 appearance on the NBC Today Show. In that interview, you described FEMA's efforts to reach out to the more than 200,000 middle and high school students in New York experiencing some kind of serious mental health problem as a result of this disaster.

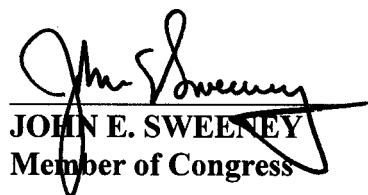
We were encouraged to hear you say that FEMA will be in New York for years to come helping these individuals and that the recent Project Liberty Grant of \$132 million represented a "down payment" on that commitment, and was the first of many grants for crisis counseling. The Board of Education is seeking \$40 million to expand current efforts aimed at addressing post 9-11 mental health needs of New York's students. Staff from your office recently told the Board of Education that its mental health proposal was appropriate and could be done under FEMA's existing authority. As you know, part of \$40 million is being funded within the \$132 million Project Liberty Grant. Under the advice of FEMA staff, the Board of Education has begun to work with the New York State Office of Mental Health on an amended application to FEMA to secure the difference between the district's \$40 million initiative and its award under the Project Liberty Grant. It is our understanding that a new application will be submitted to FEMA by the State in the near future and we hope that you will work with the applicants to ensure this critical assistance is approved as soon as possible thereafter.

Again we want to thank you and your staff for the great progress that has been made on these issues in the last few weeks. We hope that your staff will be able to continue to have the conference calls like the one the other day because we believe it will help facilitate the flow of information that you need in order to complete your work and provide the assistance to the Board that we know you want to provide.

Thank you for your timely consideration of this request. We look forward to hearing from your office at your earliest convenience.

Sincerely,


CAROLYN B. MALONEY
Member of Congress


JOHN E. SWEENEY
Member of Congress

cc. Chancellor Harold Levy
NYC OMB
Senator Clinton
Senator Schumer