

July 23, 2009

The Honorable W. Craig Fugate
Administrator
Federal Emergency Management Agency
Department of Homeland Security
Washington, D.C. 20472

Dear Administrator Fugate:

The highest priority for those of us serving in government is to ensure the safety and security of the American people. In our respective roles on the Homeland Security and Governmental Affairs Committee, we have spent many years trying to strengthen the Federal Emergency Management Agency (FEMA) to ensure that disaster assistance programs provide survivors support they need in a timely, safe, and effective manner.

The Department of Homeland Security's Office of Inspector General (DHS OIG) today released a report, *FEMA's Response to Formaldehyde in Trailers* (OIG-09-83), that takes an in-depth look into FEMA's handling of formaldehyde-related health concerns raised by survivors of Hurricanes Katrina and Rita who were housed temporarily in FEMA trailers. The report was required by an amendment that Senators Lieberman, McCaskill, Obama, Pryor, Landrieu, and Kerry cosponsored and which the Senate passed as part of the Fiscal Year 2008 Department of Homeland Security Appropriations bill. The reporting requirement was included in the explanatory statement accompanying the Consolidated Appropriations Act (P.L. 110-161).

The report is a disturbing testament of FEMA's missteps and delays that might well have had a detrimental effect on the health and safety of those living in the trailers. It found that FEMA officials acted neither quickly nor effectively to determine the extent of the formaldehyde problem once they were aware that such a problem might exist, resulting in an almost two-year lapse before reaching the conclusion that a problem, in fact, did exist.

The health and safety of disaster survivors is a top priority of emergency managers, and FEMA must work quickly to ensure the ability to protect the health and safety of future disaster survivors. We have been carefully monitoring FEMA's work in this area and although much work remains, we applaud the fact that since the time period covered by this report, FEMA has taken considerable steps to minimize the formaldehyde exposure of trailer occupants and to prevent health and safety issues from developing for future disaster victims, including by starting to address some problem areas identified by the report.

Although FEMA's performance following Hurricanes Katrina and Rita long preceded your tenure as FEMA Director, we must work together to ensure these same mistakes are not repeated. To that end, we request that you quickly implement the report's recommendations and report back to us within 90 days on the status of implementing the recommendations.

Additionally, we ask that within 30 days you provide us with the following information:

1. We are heartened that FEMA has been actively working to move disaster survivors out of the trailers. Please provide current information on the number of disaster survivors remaining in travel trailers which have potential or actual levels of formaldehyde that raise health and safety concerns. What is FEMA currently doing to try to find people alternative housing solutions?
2. Will FEMA test future housing units while *occupied* by future disaster victims in order to ensure that the housing units are reasonably safe for occupants? Has FEMA conducted any tests on temporary housing units that currently house survivors of other disasters?
3. What policies, procedures, and protocols has FEMA put in place to ensure that indications of potential health or safety problems for future disaster survivors are promptly addressed? What policies, procedures, and protocols has FEMA put in place to ensure that identification and analysis of potential health threats are undertaken in a timely manner and are not stopped or delayed unreasonably? When will any interim policies that have been put in place be finalized?
4. What system has been put in place or what plans are being made for tracking health and safety complaints?
5. Which FEMA officials will handle key responsibilities on health and safety issues and complaints? What duties and responsibilities will FEMA safety officers have? What measures have FEMA put in place to ensure that responsible program officials and managers have access to critical information and advice related to health and safety effects of all FEMA programs?
6. What role will FEMA's Office of the Chief Counsel play in any future health and safety issues that may arise? What role will DHS's Office of Health Affairs (OHA) play in any future issues that may arise regarding health and safety of disaster survivors?
7. What is the current status of the health registry and children's health study that FEMA and the Centers for Disaster Control and Prevention are working on to examine and monitor the health impacts of formaldehyde on disaster survivors? What is the design and scope of this study?

We look forward to your responses and continuing to work closely with you to advance the health and safety of disaster survivors.

Sincerely,

Joseph I. Lieberman
Chairman of the Homeland Security and
Governmental Affairs Committee

Susan M. Collins
Ranking Member of the Homeland Security
and Governmental Affairs Committee

Mary L. Landrieu
Chairman of the Ad Hoc Subcommittee
on Disaster Recovery

Claire McCaskill
Chairman of the Ad Hoc Subcommittee
On Contracting Oversight

Mark Pryor
Chairman of the Ad Hoc Subcommittee
on State, Local, and Private Sector
Preparedness and Integration