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NRES Special Studies Division

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OFFICE OF MANAGEMENT AND BUDGET

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TO Chris Edley	Take necessary action ☐
T.J. Glauthier	Approval or signature ☐
cc: Steve Redburn	Comment ☐
Bruce Long	Prepare reply ☐
	Discuss with me ☐
	For your information ☐
	See remarks below ☒
FROM Kevin Neyland <i>KFN</i>	DATE 9/28/93

REMARKS

re: Missouri DFO's (Earth City) Draft Hazard Mitigation Plan

For your information, attached is a copy of the DFO's draft recommendations for flood hazard mitigation in the state of Missouri. This was written by people who are "on the ground" in Missouri so it is very useful for getting a sense of the scope, current problems and possible approaches for hazard mitigation (note especially the issues and recommendations on pp. 10-16).

attachments



Federal Emergency Management Agency
Disaster Field Office
4080 Wedgeway Court
Earth City, Missouri 63045



Declaration: FEMA-995-DR-MO

September 25, 1993

Dear Interagency Hazard Mitigation Team Member:

Re: Draft Interagency Hazard Mitigation Team Report

Enclosed is the DRAFT Interagency Hazard Mitigation Team (IHMT) Report developed from the Team meeting held in Jefferson City on September 14, 1993 at the National Guard Headquarters. The issues, background and recommendations in this draft also incorporate the ideas developed at the June IHMT. The final report will serve as guidance for the update of the State Hazard Mitigation (409) Plan.

Please review the enclosed draft and fax or telephone your comments/edits and additional background information to us by Monday, October 4 at (314) 770-6657 (fax) or (314) 770-0149 (phone). We would like to finalize the report, decide on layout and format, and publish it as quickly as possible. Also check the IHMT list at the back of the report for proper spelling of your name, correct address, telephone and fax numbers.

We will be advising you about the follow-up meeting of the IHMT scheduled for October 19th. There are a few options we are considering, so we will be in touch with you later about those arrangements.

Thank you for your input at the team meeting(s) and for your continued participation on the Team.

Sincerely,

A handwritten signature in cursive script, reading "John Carleton", is positioned above the typed name.

John Carleton
FEMA-995 Hazard Mitigation Officer

Interagency Hazard Mitigation Team Report

**for the Flood of '93
State of Missouri**

**FEMA-989, declared May 11, 1993
and
FEMA-995, declared July 9, 1993**

FEMA-989: Counties of Jefferson, Lincoln, Marion, Pike, St. Charles, Ste. Genevieve, and St. Louis.

FEMA-995: 85 counties & 3 cities: Adair, Andrew, Atchison, Audrain, Barry, Barton, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Camden, Cape Girardeau, Carroll, Cass, Chariton, Clark, Clay, Clinton, Cole, Cooper, Crawford, Daviess, Dekalb, Franklin, Gasconade, Gentry, Grundy, Harrison, Henry, Hickory, Holt, Howard, Jackson, Jasper, Jefferson, Johnson, Knox, Lafayette, Lewis, Lincoln, Linn, Livingston, Macon, Maries, Marion, McDonald, Mercer, Miller, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Newton, Nodaway, Osage, Pemiscot, Perry, Pettis, Pike, Platte, Pulaski, Putnam, Ralls, Randolph, Ray, St. Charles, St. Clair, St. Francois, St. Louis, Ste. Genevieve, Saline, Schuyler, Scotland, Scott, Shelby, Stoddard, Stone, Sullivan, Warren, Wayne, Worth, and the Cities of Jefferson City, Kansas City, and St. Louis.

Report Date: October, 1993

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[TO BE ADDED]

EXECUTIVE SUMMARY

[TO BE ADDED]

INTRODUCTION

Disaster Declaration

During 1993, the State of Missouri has endured an ongoing flood that has produced floods of record breaking levels and duration.

On May 11, 1993, President Clinton declared parts of Missouri to be a major disaster area as a result of severe flooding damage. The disaster declaration was for individual assistance only, and covered seven counties: Jefferson, Lincoln, Marion, Pike, St. Charles, Ste. Genevieve, and St. Louis.

On July 9, 1993, as a result of further flooding, President Clinton declared 5 counties to be major disaster areas, eligible for individual assistance. On July 10, 54 counties and 1 city were added for individual assistance. With further additions, a total of 85 counties and 1 city have been declared for individual assistance, including 71 counties and 3 cities that were also declared eligible for public assistance: Adair, Andrew, Atchison, Audrain, Barry, Barton, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Camden, Cape Girardeau, Carroll, Cass, Chariton, Clark, Clay, Clinton, Cole, Cooper, Crawford, Daviess, Dekalb, Franklin, Gasconade, Gentry, Grundy, Harrison, Henry, Hickory, Holt, Howard, Jackson, Jasper, Jefferson, Johnson, Knox, Lafayette, Lewis, Lincoln, Linn, Livingston, Macon, Maries, Marion, McDonald, Mercer, Miller, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Newton, Nodaway, Osage, Pemiscot, Perry, Pettis, Pike, Platte, Pulaski, Putnam, Ralls, Randolph, Ray, St. Charles, St. Clair, St. Francois, St. Louis, Ste. Genevieve, Saline, Schuyler, Scotland, Scott, Shelby, Stoddard, Stone, Sullivan, Warren, Wayne, Worth, and the Cities of Jefferson City, Kansas City, and St. Louis. Maps showing the FEMA-989 and FEMA-995 declared counties are provided as Figures 1 and 2.

Origin and Purpose of this Report

When the severity of an emergency exceeds the response capabilities of a state, the Governor can request the President of the United States to declare the event a "major disaster." Upon declaration, sections of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended, also known as the Stafford Act) take effect, and provide the framework for the implementation of federal disaster assistance programs.

Section 409 of the Stafford Act requires state governments to plan and implement hazard mitigation measures to reduce damage and suffering from future disasters. Regulations implementing the Stafford Act (44 CFR, Part 206) call for the formation of an Interagency

Hazard Mitigation Team (Team) following each flood disaster, comprised of representatives from federal, state and local agencies. The Team's primary function is to identify practical measures that can be taken to reduce vulnerability to similar disasters in the future.

In response to the May 11 declaration, staff from FEMA and the Missouri State Emergency Management Agency (SEMA) convened a meeting of the Team on June 24, 1993. Due to the ongoing and worsening flooding throughout the summer, the first report remained in draft stage. A hazard mitigation issues paper was developed by FEMA hazard mitigation staff in August, building on the problems and recommendations identified in June, and identifying three major topic areas: levees, recovery/rebuilding, and hazardous materials. The paper was distributed for review by the Team.

On September 14, a second meeting of the Team was held to discuss the paper and to identify additional issues raised by the continuing flooding and new disaster declaration of July 9. During the course of the meeting, Team members concluded that a state floodplain management program was essential in order to prioritize and implement any other hazard mitigation recommendations.

The eight recommendations in the Hazard Mitigation Recommendations Section of this report combine the problems and recommendations identified at both Team meetings. They offer strategies that can be pursued to develop legal tools, supporting research, and public education to influence private and public actions in the floodplain.

The final section covers issues raised in the Team meetings that either did not result in specific recommendations, were not fully discussed by the entire team, or which ranged beyond the primary hazard mitigation focus of the report.

This report transmits the Team's recommendations to the Regional Director of the Federal Emergency Management Agency, the Governor of Missouri, federal, state and local agencies, and other interested parties. A list of Team members, including all those who attended meetings or commented on the report, is provided in Appendix F.

State Hazard Mitigation Plan

The Stafford Act requires States to update their State Hazard Mitigation Plan within 180 days following each disaster declaration. This report is intended to assist the State of Missouri with this process. A meeting of the Team to continue work on the Plan is scheduled for October 19, 1993.

FEMA will monitor implementation of the State's Hazard Mitigation Plan. Progress by the State in implementing its Hazard Mitigation Plan may be considered by the federal government when determining the extent and availability of federal assistance for future disasters.

Hazard Mitigation Grant Program

One source of funding to implement hazard mitigation recommendations is the Hazard Mitigation Grant Program (HMGP), authorized by Section 404 of the Stafford Act. The purpose of the HMGP is to provide up to 50% funding for cost effective projects that will substantially reduce the risk of future damage or loss from natural disasters.

The program is available after a Presidential declaration of a major disaster requiring public assistance (Section 406 of the Stafford Act). The grant funds shall not exceed 10% of the estimated federal spending on permanent restorative work on public facilities following the disaster. As of this writing, the estimated federal share available for Missouri is \$9 million.

Eligible applicants include state agencies, Indian tribes, local governments, and certain private non-profit organizations which provide essential government services. The State of Missouri has announced a November 1, 1993 deadline for the receipt of HMGP applications. Any questions regarding Missouri's HMGP should be directed to: Dale Schmutzler, State Hazard Mitigation Officer, State Emergency Management Agency, P.O. Box 116, Jefferson City, MO, 65102, (314) 526-9579.

DESCRIPTION OF THE DISASTER

Although this report focuses on Missouri, the great flood of 1993 caused widespread losses and resulted in federal disaster declarations in eight other states: Illinois, Iowa, Kansas, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin.

This section includes some of the significant effects of the 1993 floods in Missouri, but cannot be a comprehensive record of this epic event. Special thanks are due to the *St. Louis Post-Dispatch*, whose reports provided important background for this section.

The Disaster Area

The State of Missouri has a population of about 5 million people and encompasses 45 million acres (70,000 sq. miles). In non-flooding times, this area includes about 480,000 acres (750 sq. miles) of inland waterways. In 1993, the USDA estimated total agricultural land area at 29 million acres, of which about 17 million acres were planted with crops.

Missouri contains two great river systems: the Missouri and the upper Mississippi. Within the State, the Missouri River meanders 535 miles from the State's Nebraska/Iowa border until it joins the Mississippi River in St. Louis. The Mississippi River winds just under 500 miles in Missouri from the Illinois/Iowa border in the north to the Tennessee/Arkansas border in the south. The rivers have numerous significant tributaries which contributed to this year's flooding.

Missouri's Flood of 1993

The flooding of 1993 along the Missouri and upper Mississippi river basins resulted from nearly constant above-average rainfall from November, 1992, through July, 1993. River levels began rising above flood stage in Missouri in April, 1993. Record high flood stages occurred during the ensuing months. At the time of this writing (September, 1993), many areas along the Mississippi River in Missouri remain above flood stage. A summary of record river levels is provided in Table 1.

Table 1. Record High Water Stages in Missouri During the 1993 Flood (in feet)			
Mississippi River	1993 High Water Level	Previous Record	Flood Stage
Hannibal	32	29	16
St. Louis	49	43	30
Cape Girardeau	48	46	32
Missouri River			
St. Joseph	33	27	17
Kansas City	49	46	32
Jefferson City	39	34	23
Hermann	36	36	21
St. Charles	39	37	25
Source: U.S. Army Corps of Engineers, 8/31/93			

The U.S. Geological Survey (USGS) issued a report *Flood Discharges in the Upper Mississippi River Basin 1993* [Appendix B], which includes information on the magnitude and frequency of peak discharges. Figure 4 on page 6 of the report shows the large number of streamflow-gaging stations with recurrence intervals that are greater than the 100-year-flood.

Summary of Damages

According to State officials, the total damages estimate for the state of Missouri is \$4 billion, which includes public and private damages, insured and uninsured. About half this figure is agricultural loss.

As of this writing, at least 28 deaths in Missouri have been attributed to the flood, including thirteen people killed in car accidents, four boys and two adults killed when waters rose as they were exploring a cave, two people electrocuted, one person killed as her home was swept away, and nine others drowned while walking, bicycling or boating.

As of September 21, 1993, the Federal Emergency Management Agency (FEMA) estimates total damages to public facilities at \$125,000,000 (not including most damage to levees). A breakdown of this estimate by category is shown in Table 2.

Table 2. FEMA Public Assistance Damage Estimates (as of Sep. 21, 1993)	
A. Debris Removal	\$ 10,000,000
B. Protective Measures	\$ 25,000,000
C. Roads & Bridges	\$ 48,000,000
D. Water Control Facilities	\$ 2,000,000
E. Public Buildings	\$ 15,000,000
F. Public Utilities	\$ 20,000,000
G. Other	\$ 5,000,000
TOTAL:	\$125,000,000

As of August 18th, the US Department of Agriculture estimated that the flood had inundated about 2 million acres of cropland, representing about 10% of the State's planted acreage. Banks and channels of many rivers were severely eroded, and sediment was deposited over large areas of the Mississippi River Basin floodplain.

The extent and duration of the flooding caused numerous levees to fail. As of September 21, the US Army Corps of Engineers estimates that 840 of the more than 1300 public and private levees in Missouri were damaged by the flood.

Seventy-five drinking water systems were affected during the July and August flooding. Eight of the nine water plants flooded had complete water outages for a period of time. A partial water outage due to broken supply lines or portions of service areas inundated was experienced by ten supplies. The City of St. Joseph water treatment plant was flooded out for seven days, leaving 96,000 people without water. Twenty-nine boil water notices due to actual or suspected system contamination were issued, and boil orders continue in some communities to date. At the peak of the flooding 95 wastewater treatment systems were flooded or threatened.

Numerous highways, county and city roads, and wooden bridges were flooded or rendered inaccessible by flooding. Flooding created large holes in gravel roads, washed out culverts, and cracked some concrete bridges and low water spans. Other bridges collapsed. [What about federal highways?]

The prolonged flooding led to the closing of the Mississippi River to barge traffic from St. Louis, north. The *St. Louis Post-Dispatch* reported estimates that 2,000 grain barges were stranded by the river closing, along with hundreds of other barges carrying coal, liquid fuel, chemicals and other products.

Industrial and agricultural areas were inundated, which caused concern about the transport and fate of industrial chemicals, sewage effluent, and agricultural chemicals in the floodwaters. On September 15th, the U.S. Environmental Protection Agency reported that they had recovered 247 large storage tanks, 1178 smaller tanks, 3740 drums (over 15 gallons), and 5731 smaller containers that were displaced by the flood in Missouri. On July 30, floodwaters caused leaks in Phillips 66 liquid propane tanks storage facility near the mouth of River Des Peres in St. Louis. Fearing the possibility of an explosion, authorities evacuated over 10,000 people from the area.

Recovery Assistance Programs

As flooding displaced people from their homes in May, the American Red Cross activated their Mass Care feeding program and set up two shelters. The ARC housed 32 people in their temporary facilities and served more than 30,621 meals. There were 109 families placed into hotels/motels and 59 into monthly rentals. Following the July 9 declaration, the ARC mass shelters housed 5,201 individuals, placed 1,449 families into motels/hotels and 2076 into monthly rentals. There were 1,166,166 meals served.

Immediately following the federal disaster declarations, telephone hotlines enabled residents to obtain information about assistance programs. Following the May 11 declaration, ??? Disaster Application Centers (DACs) opened in the seven declared counties. After the July 9 declaration, 33 DACs opened in locations throughout Missouri. This number includes two mobile DACs that revisited areas throughout the State.

As of September 16, 1993, approximately 30,000 individuals and families had registered by telephone or at DAC locations to request disaster assistance. More than \$25 million had been disbursed to homeowners by the Disaster Housing Program to perform emergency repairs on their residences or to assist displaced families with temporary housing. Nearly \$6 million had been approved by the Individual and Family Grant Program to help meet immediate needs of victims. More than \$93 million in low-interest loans had been approved by the Small Business Administration to cover disaster-related losses to homeowners and businesses.

FLOODING AND FLOODPLAIN MANAGEMENT IN MISSOURI

Missouri has received eight presidential flood disaster declarations in the last 20 years [1973, 1979, 1982, 1984, 1986, 1990, May 1993 and June 1993]. The state has also experienced floods which have not warranted a presidential disaster declaration, such as those which occurred in 1983, 1985, and the spring of 1986. Although the level and extent of damages vary, damages reoccur at frequent intervals to cities, towns and rural residents located within the floodplain. A list of the declared counties since 1984 is provided in Appendix A.

Local Land Use Regulations and Participation in the National Flood Insurance Program

As of March 8, 1993, the Missouri Association of Counties estimated that of the 114 counties in Missouri, 10 have planning and 27 have planning and zoning authority. First and second class counties can issue building permits without planning and zoning authority, but third class counties cannot. Chapter 89, Municipal Planning and Zoning, gives all cities and villages planning and zoning authority and the right to issue building permits. Among Missouri's municipal jurisdictions, most larger jurisdictions exert zoning authority, but many smaller ones do not.

Missouri's 1982 Executive Order 82-19 designates the Director of the Missouri Department of Natural Resources to be the State Coordinator for the National Flood Insurance Program (NFIP). It also assigns the responsibility to design and oversee all State construction planned in floodplains to the Office of Administration, Division of Design and Construction. This Executive Order provides the minimum framework required to allow the State to participate in the NFIP.

Local jurisdictions may exercise discretion as to whether they wish to participate in the NFIP. Sixty-five of the 114 counties in Missouri participate in the NFIP. All of the counties along the Mississippi and Missouri Rivers participate, incorporating the bulk of the land area, floodplain and population of Missouri. In 1993 alone, four new counties joined the program before the major flooding occurred. However, Missouri has 544 communities: 108 are either sanctioned, suspended, or non-participants in the NFIP.

Even in jurisdictions that participate in the NFIP, only approximately 9% of the 169,000 structures in the floodplain have NFIP policies in force. Although flood insurance is required on structures backed by federally-backed mortgages, many lending institutions have not fulfilled their responsibility to enforce the insurance requirement. A recent FEMA/FIA-sponsored study of 2,000 SBA applications submitted from the multistate 1993 Midwest flooding produced the following information:

1. Of those individuals who have applied for assistance, some 40% were not in the 100-year floodplain
2. Of the remaining 60%, only about half those people carried a mortgage
3. Even if there were 100% lender compliance with the mandatory purchase requirement on federally backed mortgages, only about half the mortgages issued would require purchase of flood insurance.

Officials representing FEMA/FIA recognize the need for increased marketing of flood insurance and compliance required for purchase of flood policies for people who obtain federally regulated and insured mortgages. Proposed legislation before Congress would tighten procedures to ensure that lenders enforce mandatory flood insurance purchase provisions.

Removing Repetitively Flooded Residences

Some houses damaged in these floods have been repeatedly flooded in the past. Among the limited percentage of structures that have flood insurance, the NFIP has identified 2,518 insured properties in 29 jurisdictions that have had two or more flood loss claims since 1978. A breakdown is provided in Appendix E.

Each flooding event leads to distress and costs for residents, as well as potential response and recovery expenses and lost tax revenues for local, state and federal governments. Many flood victims and their communities have recently expressed interest in acquiring repeatedly flooded properties and converting them to permanent open space uses.

Many federal programs are available to assist local communities in putting together acquisition programs. These include:

1. NFIP Section 1362
2. FEMA Hazard Mitigation Grant Program
3. Community Development Block Grant
4. Small Business Administration loans

FEMA sponsored 14 "Relocate, Rebuild & Buyout" workshops for local government officials during the first two weeks in September, 1993. These workshops advised officials about their responsibilities in federally assisted buyouts, and specific steps to begin the application process.

National efforts are underway to provide further help to jurisdictions to plan and carry out buyouts of floodplain properties. Proposed legislation before Congress would increase the assistance available for buyouts, providing the following:

1. Planning grants to help communities deal with repetitive loss properties
2. Grants for removal of properties from the floodplain
3. Additional insurance coverage to include mitigation, which could cover elevation or relocation

Ongoing NFIP enforcement activities

As part of continuing efforts to assess local enforcement of the NFIP, FEMA Region VII and the State of Missouri conduct "community assistance visits" (CAVs). Visits are planned over the next year to monitor local compliance with NFIP standards during rebuilding after the ongoing flooding. FEMA Region VII NFIP staff are also planning to conduct a CAV to state agencies for the purpose of determining State compliance with NFIP regulations.

HAZARD MITIGATION RECOMMENDATIONS

The recommendations included in this section offer strategies that can be pursued to develop legal tools, supporting research, and public education to influence private and public actions in the floodplain.

These recommendations have been developed from discussions held by the Team in June and September, 1993. Additional concerns raised by the Team are discussed in the next section of this report.

The agenda for the September 14 Team meeting was organized around three topical areas: Flood Control Infrastructure, Residential Structures and Hazardous Materials. A recurring theme of both the June and September Team meetings was the absence of effective floodplain management by the State and local communities. This issue was perceived to have an impact on each of the other problem areas under discussion. Team members at the September 14 meeting concluded that a state floodplain management strategy was essential in order to prioritize and implement any other hazard mitigation recommendations. The recommendations have been organized to reflect that focus.

ISSUE: Statewide Floodplain Management

Background: Many local jurisdictions do not participate in the National Flood Insurance Program (NFIP) and have no floodplain management guidelines. Other local jurisdictions and state agencies have floodplain management regulations on the books but lack staff to enforce them. Only one jurisdiction in Missouri, the City of Arnold, participates in the NFIP's Community Rating System (CRS). The CRS encourages communities to exceed minimum NFIP management guidelines and thereby obtain lower flood insurance rates for their residents. Most of the Team agreed on the need for the State to establish a strong floodplain management policy that would set baseline floodplain management standards for all jurisdictions in Missouri, encourage jurisdictions to participate in the CRS, and assist jurisdictions with floodplain management enforcement.

Missouri's Executive Order 82-19 was issued in 1982 to provide a framework for the creation of floodplain management policy, but has yet to be enforced. The State Hazard Mitigation Team, convened in response to the federal disaster declarations, provides a forum for recommending changes in state floodplain management policy and enforcement mechanisms.

Recommendation 1. Strengthen state floodplain management guidelines and implementation practices. This should follow two tracks:

- 1A. Review, update, and rewrite the Governor's Executive Order 82-19, which provides a framework for the creation and enforcement of a State Floodplain Management Plan. [Note: This recommendation was also included in the Team Report following the 1986 flood disaster declaration].

DRAFT, September 25, 1993

- 1B. Develop draft floodplain management legislation. This process will start by exploring options presented in the Model State Legislation for floodplain management, including basic regulations, statutes, innovative techniques, etc., developed by the Association of State Floodplain Managers.

Lead Agency: Missouri Department of Natural Resources

Support Agencies: FEMA, the State Emergency Management Agency, other State Hazard Mitigation Team participants, the State Legislature and the Office of the Governor.

Funding: 1A) FEMA Community Assistance Program/State Support Services Element, 1B) FEMA Hazard Mitigation Assistance Funding. [Any state funding??]

Schedule: Prepare draft legislation for introduction in the 1994 legislative session.

ISSUE: Defining Market Value

Background: Under NFIP regulations, when a building is "substantially improved," the building's lowest floor must be elevated to or above the 100-year "base flood elevation" in the repair process. "Substantial improvement" is defined by regulations as "any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the 'start of construction' of the improvement. This term includes structures which have incurred 'substantial damage,' regardless of the value of or actual cost of repair work performed." Different areas of the country have used different ways to estimate the market value, including variations on pre-flood assessed values and replacement cost.

FEMA has decided not to dictate specific guidelines on this issue. A September 3, 1993 FEMA policy statement allows communities to choose their own methods for calculating "market value," unless State regulations mandate one method.

In Missouri, the assessed value is often considerably less than the replacement cost of structures. Using replacement cost as the basis for determining "market value" would cause many fewer damaged structures to trigger elevation requirements of the NFIP than using most variations on pre-flood assessed values.

There is no Missouri state law establishing a method for communities to determine "market value." Accordingly, each local jurisdiction has been forced to make a difficult decision as to which method to use. This has made the rebuilding process more complex for residents who must wait for their communities to reach a decision on whether they must elevate or not. A state law establishing a set method for determining "market value" would make it easier to train local jurisdictions in the process of enforcing NFIP regulations during rebuilding, which would result in greater enforcement and compliance with those regulations.

Recommendation 2. Create a State "market value" definition. The State of Missouri should establish by State law how local jurisdictions should define "market value" of structures for the purpose of compliance with NFIP regulations.

ISSUE: Tracking Floodplain Uses

Background: Many local jurisdictions do not keep track of the use and development of land in the floodplain. Such data would be useful for providing data on the history of flood damage on each parcel, which could help set priorities for flood hazard mitigation planning at a local level, including acquisition programs.

The problem of enforcing use restrictions in the floodplains is also present in state and federal lands. For example, the U.S. Army Corps of Engineers allowed structures to remain on leased land in designated floodplains on condition that the structures would not be used as primary residences and that leaseholders acknowledged that flooding could occur and that they would not be eligible for compensation for flood losses. Despite these explicit lease restrictions, many such properties were used as primary residences, resulting in major losses to families when flooding occurred. Besides raising questions about eligibility for disaster assistance, this illustrates that any future program to acquire properties in the floodplain and deed land to open space uses must include monitoring to ensure that use restrictions are observed.

St. Charles County has begun implementing administrative procedures to track building permits and elevation certificates within its "density floodway."

Recommendation 3. Improve floodplain use tracking systems. The State should provide assistance to counties and cities to develop or improve their floodplain use tracking systems. Each lot in the floodplain should have a county file that keeps track of permits and certificates relating to it. Such tracking systems should also be maintained for State and federal lands.

Lead Agency: Missouri Office of Administration/Department of Natural Resources (???)

Support Agency: State Legislature

Schedule: FY 1994

Funding: Legislative appropriation

ISSUE: NFIP Training

Background: Enforcement of NFIP floodplain management regulations that will prevent future flood losses requires knowledgeable local enforcement officials. The Missouri Department of Natural Resources (DNR) sponsors workshops on the NFIP for local officials three to four times per year. Following the flood crests in August, FEMA and DNR mounted a special outreach program to explain and answer questions on NFIP regulations.

Despite these efforts, a large number of communities lack staff who have been trained in NFIP compliance procedures. In some cases, there was confusion about the respective roles played by local officials to determine substantial damage, and loss verifiers from disaster assistance programs and insurers.

Team members were concerned that flood victims who receive loans, grants and insurance settlements to repair flood damage may begin rebuilding without obtaining information on potential elevation and other code requirements. Some members suggested that all repair settlements be withheld until building permits are issued, but others felt this would create unacceptable delays in the delivery of insurance settlements and disaster relief. Team members agreed that the ultimate objective should be to improve code enforcement capabilities at the local level.

Expanded NFIP training efforts could also help communities participate in optional NFIP programs, such as the Community Rating System (CRS) and the Section 1362 buyout program. As noted in Recommendation #1, the CRS system provides incentives to communities to adopt more than the minimum floodplain management requirements of the NFIP. Through Section 1362 of the NFIP, FEMA can purchase previously flood-damaged property and provide property owners the opportunity to relocate in areas not prone to flooding. To be eligible the property owner must have a flood insurance policy in force when the damage occurs and meet one of three other program criteria. In addition, the community must agree to accept title to the property and manage it for open space. Property owners are offered a settlement based on pre-flood fair market value less the amount of the claim settlement.

One way to expand the reach of FEMA and DNR training efforts is to develop videotapes and other training materials on the NFIP for year-round training and for distribution to community officials immediately following a major flood.

Recommendation 4. Expand NFIP education efforts. FEMA and the State of Missouri should increase ongoing NFIP education efforts for local floodplain management officials. FEMA and the State should evaluate existing training materials and consider developing new videotapes and publications that could be disseminated to local officials to refresh or strengthen their knowledge of NFIP compliance procedures.

Lead Agencies: FEMA/DNR

Funding: May be eligible for partial funding from FEMA's Hazard Mitigation Grant Program or Disaster Preparedness Improvement Grant Program

Schedule: Begin as soon as possible

ISSUE: Hydrology Maps

Background: In view of the major flooding that has occurred on both the Mississippi and Missouri Rivers, it is important to evaluate both the existing hydrology and profiles for these rivers. [Need more background information to tie into the recommendation, which was made at the June Team meeting.]

Recommendation 5. Remap Mississippi/Missouri River hydrology. The FEMA Federal Insurance Administration (FEMA/FIA), in conjunction with the US Army Corps of Engineers (USACE), should review existing studies of the Mississippi and Missouri Rivers with respect to the stages which have occurred and update published reports if necessary.

Lead Agency: FEMA/FIA, USACE???

Support Agency: Missouri DNR???

Funding: Existing budgets???

Schedule: 1994???

ISSUE: Defining Floodways

Background: The existing uncoordinated levee system does not provide for adequate floodways. The political and economic realities that dictate emergency repair of existing levees often preclude alternative strategies that might allow for increases in floodway capacity. Such strategies might include set-back levees, purchase of flood easements, etc. Any new planning effort could build on the 1950s-era "Pick Sloan" floodway plan for the Missouri River, which authorized a 5,000 ft. flow-way from Kansas City, Missouri to St. Louis. [Jerry Brabander, more specifics???].

Recommendation 6. Develop long-term floodway plan. The Missouri Department of Natural Resources (DNR) should develop a long-term floodway plan for the Mississippi and Missouri Rivers that would study ways to modify the current levee system and increase floodway capacity, thereby reducing flood damages. This should be coordinated with multi-state watershed planning efforts.

Lead Agency: Missouri DNR

Support Agency: USACE

Funding: USACE Section 22

Schedule: To be determined

ISSUE: Defining Flood Risk Behind Levees

Background: Under current regulations, communities that build levees to federal standards to protect an "A-zone" floodplain may petition the FIA to redesignate the area as no longer constituting an "A-zone." As a result, people obtaining federally-backed loans for development behind the levee are no longer required to carry flood insurance. In addition, removing the A-zone designation from areas behind levees may provide a false impression to people that there is no longer any risk of flooding.

As became painfully clear during this flood, even levees designed to federal standards do not offer a 100% guarantee of protection against flooding. Maintaining a special A-zone designation behind levees would be one vehicle for informing people of the residual risk of construction behind levees. In addition, the insurance coverage that would be purchased due to the A-zone designation would help limit economic distress and disaster aid requirements when levee breaks occur in the future.

Recommendation 7. Create special A-zone designation behind levees. The Flood Insurance Administration (FIA) should create a special A-zone designation for floodplains protected by

levees meeting federal standards. This A-levee designation would probably have lower premiums than regular A-zones (reflecting lower actuarial risks), but would still carry a mandatory purchase requirement for properties with federally-backed mortgages.

Lead Agency: FEMA/FIA

Funding: Existing budgets

Schedule: Ongoing???

ISSUE: Hazardous Materials

Background: Hazardous materials are stored in floodplains without adequate containment for preventing them from being released during floods. One notable case occurred on the River Des Peres in St. Louis, where flooding caused propane tanks at the Phillips Petroleum facility to dislodge from their base and start leaking. The risk of explosion caused authorities to evacuate more than 10,000 people immediately. Fortunately, no explosions occurred.

According to the St. Louis Fire Chief, if five-30,000 gallon propane tanks had broken loose and released their contents, a propane cloud 3,000 feet in diameter and 12 feet thick would have formed. Since propane vapor is heavier than air, it would have traveled along the ground, like a fog bank, until it reached an ignition site. Additionally, if five tanks had exploded, they would have destroyed walls and roofs up to one mile and caused window damage up to two miles. An initial explosion would have had a disastrous effect on the remaining 46 propane tanks.

The U.S. Environmental Protection Agency (USEPA) reports that as of September 15th, they had recovered 247 large storage tanks, 1178 smaller tanks, 3740 drums (over 15 gallons), and 5731 smaller containers that were displaced by the flood in Missouri.

Numerous straps securing chemical and gas storage tanks were apparently broken by the power of the flood. Some facilities managed to prevent tanks from breaking away by emptying residual product and refilling the tanks with water to eliminate buoyancy during the flood.

Concerns have also been expressed that hazardous materials stored in flooded residences may cause contamination problems.

Recommendation 8. Enforce hazardous materials containment/relocation standards. Develop a program at the local and State level to enforce secondary containment standards for storage of hazardous materials or to relocate hazardous materials located in the floodplain. Use the information on hazardous materials storage compiled by the US EPA Protection Agency under the provisions of SARA Title III (Community Right-to-Know) to publish inventories of hazardous materials stored in flood hazard zones, and prioritize inspections.

Lead Agency: Missouri DNR

Support Agencies: Local Fire Districts, Local Emergency Planning Commissions, USEPA, SEMA

Funding: To be determined

Schedule: Begin as soon as possible in industrialized areas

OTHER ISSUES

This section includes issues raised in Team meetings that either did not result in specific recommendations, were not fully discussed by the entire team, or ranged beyond the primary hazard mitigation focus of this report.

National Weather Service Weather Wire: National Weather Service representatives recommended that more agencies should subscribe to their "weather wire," which automatically distributes current weather information. During the 1993 flooding event, weather service staff found themselves having to fax daily weather information separately to FEMA/Kansas City, SEMA, the FAA and others because those offices did not subscribe to the National Weather Service Weather Wire. Lease of equipment for this service is \$130/month.

NFIP commercial flood insurance limits: The Federal Insurance Administration (FIA) limits commercial coverage to a maximum of \$250,000 for buildings and \$300,000 for contents. Businesses traditionally purchase excess line coverage from private insurers to meet their additional needs. Currently, the insurance industry has limited the availability of supplemental coverage, or restricted their coverage to policies with large deductibles, considerably in excess of the NFIP coverage. The result is that business and industry have suffered major uninsured losses. The Team discussed recommending that the FIA raise the NFIP commercial coverage limits. Since the Team meeting, a bill has been introduced in the Missouri Legislature for the State to create a commercial flood insurance pool to cover the gap between maximum NFIP coverage and the common private insurance deductible of \$1 million. Some Team members were concerned that expanding publicly provided or mandated commercial coverage beyond current limits could result in further incentives for unwise commercial development in floodplains, unless the coverage were contingent upon floodplain management regulation.

Damp grain: Damp grain salvaged from the flood may be contaminated with mold and aflatoxin. Some team members were concerned that this grain could have been sold for animal feed, and possibly end up in the milk supply. There has not been sufficient testing to determine how serious a problem this has been during this flood event. Grain contaminated with aflatoxin may be distilled into alcoholic beverages or alcohol gasoline additives. However, the residue from such processes may remain contaminated with aflatoxin and should not be used for animal feed. The State Department of Health is considering a study to determine the extent of aflatoxin contamination in damp grain.

List of Appendices

Appendix A: Missouri Disaster Declarations Since 1984

Appendix B: *Flood Discharges in the Upper Mississippi River Basin 1993*, U.S. Geological Survey Circular 1120-A

Appendix C: "The River Floodway Concept," U.S. Fish & Wildlife Service.

Appendix D: Missouri Communities Sanctioned or Not Participating in the National Flood Insurance Program, as of September 8, 1993.

Appendix E: List of NFIP repetitive losses, by jurisdiction

Appendix F: FEMA-989 and FEMA-995 Interagency Hazard Mitigation Team Participants

APPENDIX A
Missouri Disaster Declarations Since 1984

July 1993 Flood Declaration (FEMA-995)

85 counties & 3 cities: Adair, Andrew, Atchison, Audrain, Barry, Barton, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Camden, Cape Girardeau, Carroll, Cass, Chariton, Clark, Clay, Clinton, Cole, Cooper, Crawford, Daviess, DeKalb, Franklin, Gasconade, Gentry, Grundy, Harrison, Henry, Hickory, Holt, Howard, Jackson, Jasper, Jefferson, Johnson, Knox, Lafayette, Lewis, Lincoln, Linn, Livingston, Macon, Maries, Marion, McDonald, Mercer, Miller, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Newton, Nodaway, Osage, Pemiscot, Perry, Pettis, Pike, Platte, Pulaski, Putnam, Ralls, Randolph, Ray, St. Charles, St. Clair, St. Francois, St. Louis, Ste. Genevieve, Saline, Schuyler, Scotland, Scott, Shelby, Stoddard, Stone, Sullivan, Warren, Wayne, Worth, and the Cities of Jefferson City, Kansas City, and St. Louis.

May 1993 Flood Declaration (FEMA-989)

7 counties: Jefferson, Lincoln, Marion, Pike, St. Charles, Ste. Genevieve, St. Louis

May 1990 Flood Declaration (FEMA-867)

1 county: Jackson County

October 1986 Flood Declaration (FEMA-779)

29 counties: Bates, Benton, Boone, Callaway, Cass, Clark, Cole, Cooper, Franklin, Gasconade, Henry, Howard, Johnson, Lewis McDonald, Miller, Moniteau, Montgomery, Morgan, Osage, Pettis, Ralls, St. Charles, St. Clair, St. Louis, Saline, Scotland, Shelby, Vernon, Warren.

June 1984 Flood Declaration (FEMA-713)

12 counties: Andrew, Atchison, Buchanan, Caldwell, Clinton, DeKalb, Gentry, Holt, Knox, Platte, Worth

[INSERT FIGURES]

APPENDIX F

FEMA-989 and FEMA-995 Interagency Hazard Mitigation Team

(Note: Combined list of people who participated one or both of the Team meetings in St. Louis on June 24, 1993 and in Jefferson City on September 14, 1993, or who provided comments on the draft report)

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American Red Cross
Dennis Dura
10195 Corporate Square
St. Louis, MO 63132
(314) 997-1631

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516 Fifth Street
St. Charles, MO 63301
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IHMT REPORT EDITORS
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Office of Management and Budget
NRES Special Studies Division

.....

Number of Pages: 5
(excluding cover sheet)

Date: 10-13-93
Time: 5:15 pm

.....

To: KATHI WAY

Office Number: () _____

Agency: _____

Fax Number: () 7028

.....

From: KEVIN NEYLAND

Office Number: () 3700

Fax Number: (202) 395-5094

Fax Verification Numbers:
(202) 395-3040/3700

.....

~~Special Instructions:~~

RESPONSE TO STATE OF MINNESOTA'S QUESTIONS.

Office of Management and Budget
NRES Special Studies Division

Number of Pages: _____
(excluding cover sheet)

Date: 10-13-93
Time: 5:30

To: KATHI WAY

Office Number: () _____

Agency: _____

Fax Number: () _____

From: KEVIN NEYLAND

Office Number: () _____

Fax Number: (202) 395-5094

Fax Verification Numbers:
(202) 395-3040/3700

Special Instructions:

FLOOD RESPONSE GROUPS

Kathi 9-29-93

Per your request, here
is some background
on mandatory coss.

Devi



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

September 21, 1993

MEMORANDUM TO: PROGRAM DEPUTY ASSOCIATE DIRECTORS
FROM: Susanne D. Lind^{SL}
SUBJECT: Mandatory Caps Under EO 12857

Attached, for your information, are the following materials on the mandatory cap:

- (A) A table showing the initial caps, and OMB and CBO current estimates of the cap universe,
- (B) A brief description of how the cap works,
- (C) A copy of the executive order implementing the cap,
- (D) A copy of the letter that set the initial caps,
- (E) A table showing CBO beneficiary projections for major programs (the list now includes student loans), and
- (F) A computer run showing the account level detail that supports the initial cap estimates compared with the Mid-Session policy estimates (updated CBO economics) for programs in your area. The Mid-Session policy estimates have been adjusted to reflect anticipated category changes for CCC disaster payments, NRC fees, and income verification for subsidized housing.

Items A, B, and F are new. Items C, D, and E were also part of an earlier distribution. If you have any questions on the attached material, please contact Ellen Balis at X4574.

cc (without attachment F):
Martha Foley
Bob Damus
BRD SES
BAB Staff

ATTACHMENT A

MANDATORY CAPS (In billions of dollars)

09/21/93
03:14 PM

	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>
Initial levels 1/.....	746.4	784.7	823.7	887.7
OMB policy estimates of programs under the cap:				
CBO updated economics.....	743.5	781.8	827.4	889.0
CEA economics.....	744.0	785.5	836.3	904.6
OMB current law estimates of programs under the cap: 2/				
CBO updated economics.....	743.4	782.0	825.9	888.7
CEA economics.....	744.0	785.7	834.9	904.3
CBO current law estimates of programs under the cap:				
September economics.....	740.2	780.3	824.5	889.6

1/ Based on budget resolution economic and technical assumptions.

2/ Difference between policy and current law is largely the effect of the President's pay raise proposal on agency contributions for employee retirement and extension of DoD's voluntary separation incentive. Both OMB and the Budget Committees included these items as achieved in the deficit reduction package.

EXECUTIVE ORDER 12857: BUDGET CONTROL

This document briefly describes the procedures to control mandatory spending established by Executive Order 12857 (see attachment C). The procedures parallel those included in the House-passed version of the Omnibus Budget Reconciliation Act of 1993. Largely because of concerns with the Byrd rule, the provisions were not included in the final version of reconciliation.

Initial Caps

The executive order establishes caps on mandatory spending for 1994 through 1997. Consistent with language in the order, the initial caps used the economic and technical assumptions used in preparing the budget resolution for 1994. The caps cover all mandatory spending, as defined under the Budget Enforcement Act, except deposit insurance. The initial caps were established in a letter to the Congressional leadership on September 3, 1993 (see attachment D). The caps were based on the budget resolution adjusted for Budget Committee estimates of actual action on the reconciliation bill.

Adjustments to the Caps

The executive order provides for four types of adjustments to the mandatory caps. First, the caps are adjusted for increases in program beneficiaries. Decreases in beneficiaries are ignored. Unlike mandatory caps proposed in the Bush administration, the year to year growth in beneficiaries is not a factor in adjusting the caps. Rather the initial cap levels are adjusted to the extent that current estimates of beneficiaries are different than the estimates of beneficiaries at the time when the last cap adjustment was made. Estimated outlays for each program consistent with the previous cap are adjusted by the percentage increase in the estimate of beneficiaries. Adjustments are made annually with the transmittal of the budget, beginning with the 1995 Budget.

Second, there is recognition of "emergency" legislation. This adjustment, similar to that made for the discretionary caps, increases the mandatory cap to allow for spending that has been designated as emergency by the Congress and the President. Third, there are adjustments for enacted revenue legislation. The cap is increased for enacted increases in revenues and decreased for enacted reductions in revenues. Thus, the enforcement procedure allows for tradeoffs between revenues increases and mandatory spending. Finally, the caps are adjusted for changes in the caps resulting from passage of a reconciliation bill enacted in response to overages in mandatory spending, as discussed below under enforcement.

Enforcement

The Budgets for 1995 through 1997 must include a report indicating the adjustments made to the mandatory caps and provide information on the projected levels of mandatory spending and revenues. If current projected mandatory spending exceeds the cap in the current year or the budget year, or if (beginning in 1996) actual spending exceeds the cap for the prior year, the President must make recommendations for how to address the overage. (If the overage is less than one-half of 1 percent of the direct spending target for that year, the President is not required to make a recommendation.)

The President's recommendations may include specific revenue or direct spending changes or reductions in the discretionary caps. The savings to remove the total overage in the prior, current, and budget years can be achieved over the six year period covering the current year through four years beyond the budget year. The President also has the option to recommend breaching the targets because of economic conditions or other specific reasons.

The President's recommendations are to be sent to the Congress in the form of a "special message". The message is to include a resolution implementing the President's recommendations through reconciliation directives to the appropriate committees. In addition, the order requires that a provision be included in the President's recommendation requiring that net savings from the reconciliation bill to eliminate the overage not be counted on the pay-as-you-go scorecard.

Consistent with the executive order, the House has instituted new rules to expedite response to the President's special message. Within 10 days after submission of the special message, the Chairman of the House Budget Committee is required to introduce it without revision as a concurrent resolution. The resolution is then referred to the Budget Committee. The Budget Committee is to report a resolution by April 15. The resolution must include a separate title including reconciliation directives to committees requiring savings or a statement that no legislative changes are recommended. The savings in this title are, in total, to equal or exceed the reductions recommended by the President, up to the amount of the overage. If the instructions require less than the total savings needed to eliminate the entire overage, the resolution must include a directive to the Committee on Government Operations to report legislation increasing the mandatory cap targets. Under these circumstances, the House could not consider the budget resolution until it had passed the resolution directing the increase in the targets.

After enactment of a reconciliation bill in response to the President's recommendations, the mandatory caps are adjusted to (1) increase the caps as specified in the reconciliation bill (i. if the Congress determines that a breach in the caps is

appropriate) or (2) to decrease the caps for the amounts of savings achieved in the bill. The second adjustment is designed to allow savings to be credited only once. For example, savings enacted to compensate for an overage in the prior year can not be used to help meet the outyear targets.

New Reporting Requirements

The President is required to present an annual review to the Congress on the mandatory cap and to produce a "special message" as discussed above if current projections are above the levels of the caps. In these documents, information on adjustments to the caps, total mandatory spending, and major categories of receipts must be presented. The reports must include a comparison of current revenue projections with those as of the date of enactment of OBRA93 as well as an analysis of the variance in direct spending over the adjusted spending targets. These explanations are likely to be produced centrally at an aggregate level, with specific discussions focused on major changes.

Executive Order 12857—Budget Control

August 4, 1993

By the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, including section 1105 of title 31, United States Code, it is hereby ordered as follows:

Section 1. Purpose. The purpose of this order is to create a mechanism to monitor total costs of direct spending programs, and, in the event that actual or projected costs exceed targeted levels, to require that the budget address adjustments in direct spending.

Sec. 2. Establishment of Direct Spending Targets. (a) *In General.* The initial direct spending targets for each of fiscal years 1994 through 1997 shall equal total outlays for all direct spending except net interest and deposit insurance as determined by the Director of the Office of Management and Budget (Director) under subsection (b).

(b) *Initial Report by Director.* (1) Not later than 30 days after the date of enactment of the Omnibus Budget Reconciliation Act of 1993 (OBRA), the Director shall submit a report to the Congress setting forth projected direct spending targets for each of fiscal years 1994 through 1997.

(2) The Director's projections shall be based on legislation enacted as of 5 days before the report is submitted under paragraph

(1). To the extent feasible, the Director shall use the same economic and technical assumptions used in preparing the concurrent resolution on the budget for fiscal year 1994 (H. Con. Res. 64).

(c) *Adjustments.* Direct spending targets shall be subsequently adjusted by the Director under Section 6.

Sec. 3. Annual Review of Direct Spending and Receipts by President. As part of each budget submitted under section 1105(a) of title 31, United States Code, the Director shall provide an annual review of direct spending and receipts, which shall include (1) information supporting the adjustment of direct spending targets pursuant to Section 6, (2) information on total outlays for programs covered by the direct spending targets, including actual outlays for the prior fiscal year and projected outlays for the current fiscal year and the 5 succeeding fiscal years, and (3) information on the major categories of Federal receipts, including a comparison between the levels of those receipts and the levels projected as of the date of enactment of OBRA.

Sec. 4. Special Direct Spending Message by President. (a) *Trigger.* In the event that the information submitted under Section 3 indicates—

(1) that actual outlays for direct spending in the prior fiscal year exceeded the applicable direct spending target, or

(2) that outlays for direct spending for the current or budget year are projected to exceed the applicable direct spending targets, the Director shall include in the budget a special direct spending message meeting the requirements of subsection (b) of this Section.

(b) *Contents.* (1) The special direct spending message shall include:

(A) An explanation of any adjustments to the direct spending targets pursuant to Section 6.

(B) An analysis of the variance in direct spending over the adjusted direct spending targets.

(C) The President's recommendations for addressing the direct spending overages, if any, in the prior, current, or budget year.

(2) The recommendations may consist of any of the following:

(A) Proposed legislative changes to reduce outlays, increase revenues, or both, in order to recoup or eliminate the overage for the prior, current, and budget years in the current year, the budget year, and the 4 out-years.

(B) Proposed legislative changes to reduce outlays, increase revenues, or both, in order to recoup or eliminate part of the overage for the prior, current, and budget year in the current year, the budget year, and the 4 out-years, accompanied by a finding by the President that, because of economic conditions or for other specified reasons, only some of the overage should be recouped or eliminated by outlay reductions or revenue increases, or both.

(C) A proposal to make no legislative changes to recoup or eliminate any overage, accompanied by a finding by the President that, because of economic conditions or for other specified reasons, no legislative changes are warranted.

(3) Any proposed legislative change under paragraph (2) to reduce outlays may include reductions in direct spending or in the discretionary spending limits under section 601 of the Congressional Budget Act of 1974.

Sec. 5. Proposed Special Direct Spending Resolution. If the President recommends reductions consistent with subsection 4(b)(2)(A) or (B), the special direct spending message shall include the text of a special direct spending resolution implementing the President's recommendations through reconciliation directives instructing the appropriate committees of the House of Representatives and Senate to determine and recommend changes in laws within their jurisdictions to reduce outlays or increase revenues by specified amounts. If the President recommends no reductions pursuant to Section 4(b)(2)(C), the special direct spending message shall include the text of a special resolution concurring in the President's recommendation of no legislative action.

Sec. 6. Adjustments To Direct Spending Targets. (a) *Required Annual Adjustments.* Prior to the submission of the President's budget for each of fiscal years 1995 through 1997, the Director shall adjust the direct spending targets in accordance with this Section. Any such adjustments shall be reflected

in the targets used in the report under Section 3 and message (if any) under Section 4.

(b) *Adjustment for Increases in Beneficiaries.* (1) The Director shall adjust the direct spending targets for increases (if any) in actual or projected numbers of beneficiaries under direct spending programs for which the number of beneficiaries is a variable in determining costs.

(2) The adjustment shall be made by—

(A) computing, for each program under paragraph (1), the percentage change between (i) the annual average number of beneficiaries under that program (including actual numbers of beneficiaries for the prior fiscal year and projections for the budget and subsequent fiscal years) to be used in the President's budget with which the adjustments will be submitted, and (ii) the annual average number of beneficiaries used in the adjustments made by the Director in the previous year (or, in the case of adjustments made in 1994, the annual average number of beneficiaries used in the Director's initial report under Section 2(b));

(B) applying the percentages computed under subparagraph (A) to the projected levels of outlays for each program consistent with the direct spending targets in effect immediately prior to the adjustment; and

(C) adding the results of the calculations required by subparagraph (B) to the direct spending targets in effect immediately prior to the adjustment.

(3) No adjustment shall be made for any program for a fiscal year in which the percentage increase computed under paragraph (2)(A) is less than or equal to zero.

(c) *Adjustments for Revenue Legislation.* The Director shall adjust the targets as follows:

(1) they shall be increased by the amount of any increase in receipts; or

(2) they shall be decreased by the amount of any decrease in receipts, resulting from receipts legislation enacted after the date of enactment of OBRA, except legislation enacted in response to the message transmitted under Section 4.

(d) *Adjustments To Reflect Congressional Decisions.* Upon enactment of a reconciliation bill enacted in response to a message

submitted under Section 4, the Director shall adjust direct spending targets for the current year, the budget year, and each outyear through 1997 by—

(1) increasing the target for the current year and the budget year by the amount stated for that year in that reconciliation bill (but if a separate vote was required by Congressional rules, only if that vote has occurred); and

(2) decreasing the target for the current, budget, and outyears through 1997 by the amount of reductions in direct spending enacted in that reconciliation bill.

(e) *Designated Emergencies.* The Director shall adjust the targets to reflect the costs of legislation that is designated as an emergency by Congress and the President under section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 7. Relationship to Balanced Budget and Emergency Deficit Control Act. Recommendations pursuant to Section 4 shall include a provision specifying that reductions in outlays or increases in receipts resulting from that legislation shall not be taken into account for purposes of any budget enforcement procedures under the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 8. Estimating Margin. For any fiscal year for which the overage is less than one-half of 1 percent of the direct spending target for that year, the procedures set forth in Section 4 shall not apply.

Sec. 9. Means-Tested Programs. In making recommendations under Section 4, the Director shall seriously consider all other alternatives before proposing reductions in means-tested programs.

Sec. 10. Effective Date. This order shall take effect upon enactment of OBRA. This order shall apply to direct spending targets for fiscal years 1994 through 1997 and shall expire at the end of fiscal year 1997.

William J. Clinton



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

ATTACHMENT D

September 3, 1993

THE DIRECTOR

Honorable Albert Gore, Jr.
President of the Senate
Washington, D.C. 20510

Dear Mr. President:

In accordance with Executive Order 12857, I am hereby submitting the Office of Management and Budget projections of the direct spending targets for fiscal years 1994 through 1997.

The Executive Order implements the direct spending review that was included in the House-passed reconciliation bill. The direct spending targets will be used to monitor the costs of direct spending programs. In the event that actual or projected costs exceed these targets, the budget will include the President's recommendations for dealing with the overage. These could include proposed legislative changes to reduce outlays, increase revenues, or both to recoup all or part of the overage. The House of Representatives has approved a change to its rules that requires it to take action on the President's recommendations.

The direct spending targets are based on the budget resolution (H.Con.Res. 64) baseline estimates, adjusted for budget committee estimates of the savings in the deficit reduction package and all other legislation enacted as of August 28, 1993.

DIRECT SPENDING TARGETS, 1994-1997
(In billions of dollars)

<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>
746.4	784.7	823.7	887.7

These estimates will be adjusted annually for unanticipated increases in the number of beneficiaries beginning with the submission of the President's budget for fiscal year 1995.

Sincerely,



Leon E. Panetta
Director

Identical Letter Sent to The Speaker of the House of Representatives

BENEFICIARIES (in thousands, by fiscal year)**07-Sep-93**

	1994	1995	1996	1997	1998
Social Security:					
OASI	37,029	37,425	37,795	38,137	38,451
DI	5,279	5,547	5,796	6,039	6,292
Medicare:					
HI	85,800	86,400	87,000	87,500	88,000
SMI	84,900	85,500	86,000	86,500	86,900
Medicaid	85,600	86,500	87,500	88,500	89,300
Federal employee retirement:					
Civil service retirement	2,267	2,297	2,327	2,365	2,406
Military retirement	1,720	1,750	1,770	1,790	1,820
Unemployment insurance a\	10,000	9,000	9,000	9,000	9,000
Food stamps	25,800	25,000	24,600	24,600	24,600
Supplemental security income	5,579	5,896	6,190	6,450	6,724
AFDC (families)	5,210	5,250	5,330	5,410	5,500
Earned income tax credit b\	16,000	17,000	17,000	17,000	17,000
Veterans programs:					
Veterans compensation	2,487	2,487	2,490	2,495	2,503
Veterans pensions	832	778	729	683	640
Child nutrition:					
National school lunch	25,500	25,700	25,900	26,000	26,200
School breakfast	5,800	6,200	6,500	6,700	6,900
Child and adult care food program	2,300	2,500	2,600	2,800	3,000
Summer food program	2,200	2,300	2,400	2,500	2,700
Railroad retirement	817	796	774	751	728
Student loans	5,800	6,400	6,500	6,800	7,100

a\ Includes Regular Unemployment Compensation (UC), Extended UC, and Emergency UC.
b\ Outlay portion of EITC only.

Source: Congressional Budget Office March 1993 Baseline, with adjustments for legislation through August 1993.

EXECUTIVE OFFICE OF THE PRESIDENT

25-Sep-1993 12:59pm

TO: (See Below)

FROM: Francis S. Redburn
Office of Mgmt and Budget, EGSS

SUBJECT: Flood Task Force Chairpersons Meeting

Oleta Fitzgerald chaired a meeting of the chairs of the several flood task forces at USDA yesterday afternoon. Kathi Way and Dick Krimm of FEMA participated.

A primary purpose of the meeting was to identify issues/problems that cut across task forces/agencies and any communication gaps that may be delaying solution or causing confusion.

Kathi Way suggested the development of a problem tracking report in a matrix format. This could be updated regularly by the task forces and maintained by USDA. Perhaps the format could be developed by Kevin, working with others at OMB and with Kathi and Oleta. For each problem/issue, I think it would be useful to show: the current status - nature/scale of problem, critical dates/milestones, new developments/progress, response to date (\$s obligated or to be obligated this FY, other resources, service measures), barriers to be addressed (regulatory, statutory, resource, communications), task force lead, agencies/programs involved, key contact(s). [If, per Edley suggestion, the disaster funds are tracked by function as well as agency/major program, then the two tracking process might be linked -- but that may be too ambitious and complicated.]

Issues requiring cross-agency or cross-task force resolution. The following cross-cutting problems were described:

Environmental health: 7 anthrax cases, well recontamination (and hint of possible aquifer contamination), need to develop long-term monitoring system and data analysis capability, mental health problems (PHS, EPA, USGS) [NOTE: Frank Young of PHS repeated his pitch for release of the HHS contingency; Dick Krimm tactfully noted that the documentation is not yet there for this request.]

Water treatment plant repairs: whether repairs should include upgrade to new, higher standards, who pays? (EPA, FEMA, EDA,

USDA, HUD)

Housing relocation/buyouts/repairs: differing agency policies (espec. re. buyouts) (HUD, SBA, USDA, et al.)

Railroad reconstruction/economic development: one case cited (DOT, EDA)

Indirect economic impacts on small businesses outside the flood area (EDA, SBA).

Town hall meetings. Oleta announced that 9 town hall meetings are being planned in the 9 states in late Oct./early Nov. Espy wants to go to as many as possible; other cabinet secretaries will be invited. Purposes are to maintain Federal visibility in Midwest, not as windshield tourists but talking to people about their problems, and to allow people to vent and get a response ("mental health"). These are to be repeated periodically.

USDA also reported that it is shifting its public affairs strategy to emphasize more hard programmatic information. Noted that regional coverage was becoming less favorable. Planning a series of PSAs in the flood region, now developing messages to include health and winter weather advisories, program information. USDA Information Center in HQ opening next week; will invite other agency public affairs offices to participate.

EDA flood coordinators. Wilbur Hawkins and Sec. Espy have discussed using 27 of the 70 EDA coordinators to collect and analyze information on needs, especially housing needs other than relocation. Some confusion about whether this can be done under EDA funding terms, because States received the funds and are hiring the coordinators.

College Work-study. DoEd is reallocating \$8 million + of college work-study program funds to flood States, to pay kids helping with cleanup or at hospitals. This is a national service (Americorps?) pilot. There is a 25 percent matching requirement that could be paid from some Federal sources.

Distribution:

TO: Kevin F. Neyland
TO: Christopher F. Edley, Jr
TO: T J Glauthier

CC: Kenneth F. Ryder, Jr.
CC: Ronald M. Cogswell
CC: Christopher Heiser
CC: Joseph Firschein
CC: Margaret R. Shaw
CC: Kathryn J. Way

Office of Management and Budget
NRES Special Studies Division

Number of Pages: _____
(excluding cover sheet)

Date: 10-4-
Time: 6:45

To: KATHI WAY

Office Number: () _____

Agency: _____

Fax Number: () 456-7028

From: KEVIN NEYLAND

Office Number: () 3700

Fax Number: (202) 395-5094

Fax Verification Numbers:
(202) 395-3040/3700

Special Instructions:

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

ROUTE SLIP

TO	KATHI WAY	Take necessary action	☐
		Approval or signature	☐
		Comment	☐
		Prepare reply	☐
		Discuss with me	☐
		For your information	☐
		See remarks below	☐
FROM	Kevin Neyland	DATE	10/04/93

REMARKS

re: Natural Disaster Assistance Tracking
Bulletin

The Bulletin was signed out by the Director
on September 30th. Attached is a copy of the
final version for your files.

attachment



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

September 30, 1993

BULLETIN NO. 93-20

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Information on Major Natural Disaster Assistance

1. Purpose. This Bulletin provides instructions for submitting monthly reports on the budgetary resources available for major disaster assistance programs and the associated obligations. This information is needed to ensure that there is accurate accounting of the assistance provided to States in connection with natural disasters.
2. Coverage. This Bulletin applies to all Federal agencies that provide disaster assistance as specified below.
3. General policies and requirements. This monthly reporting requirement is designed to provide reliable State-by-State data on major natural disaster assistance. Currently, the reporting will be limited to disaster assistance provided in connection with the floods in the Midwest and Hurricanes Andrew, Iniki, and Omar. OMB will notify agencies if additional requirements occur.

Agencies that provide disaster assistance covered by this Bulletin will submit monthly reports in the format of Attachment A. Separate reports are required for each major disaster. Currently, that means separate reports for flood assistance and for hurricane assistance. Within each report, all the programs that provide disaster assistance will be listed separately. In some instances, a single budget account may contain multiple programs. An agency contact (name and phone number) must be provided for each program.

The reports will indicate the budgetary resources available for disaster assistance and the associated obligations. For these purposes, disaster assistance will include amounts spent by Federal agencies for the repair of damaged Federal facilities.

PC spreadsheets (in Lotus 1-2-3 format) for use in preparing the monthly reports will be provided separately by the agency's OMB budget examiner. Hard-copies of the report will be submitted to OMB. In addition, budget examiners may require Lotus files on disk. All amounts will be reported in millions of dollars. The reports will contain the information described below. Attachment B provides detailed instructions on the reporting requirements.

A. Budgetary resources. The reports will indicate the amount of budget authority provided in supplemental appropriations and any additional amounts for assistance derived from base appropriations. Unreleased contingent appropriations will be shown separately. This section of the report will also indicate the percentage of non-Federal cost share required, if any.

For loan programs, the loan level and subsidy budget authority (BA) will be shown separately. The subsidy BA will be a non-add item. Obligational data will be reported for both the program (loan) level and the subsidy BA.

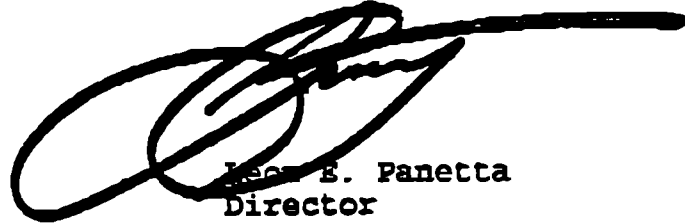
B. Obligations by fiscal year. The reports will indicate the amounts expected to be obligated in fiscal years 1992, 1993, 1994, and 1995, as appropriate, for each disaster assistance program.

C. Obligations by State. Agencies will report for each State receiving disaster assistance:

- 1) Cumulative obligations.--The cumulative amount obligated on behalf of the State as of the last day of the past month (e.g., the report due November 15, 1993 will show the total amount of obligations incurred through October 31, 1993). Amounts will include funds obligated during fiscal years 1992 and 1993; and
- 2) Projected obligations through FY 1994.--The total amount estimated to be obligated on behalf of the State by the end of fiscal year 1994. This will include amounts obligated during fiscal years 1992 and 1993.

4. Effective date. The provisions of this Bulletin are effective immediately. The requested data on major disaster assistance will be submitted to the agency's OMB budget examiner by the 15th of each month and will provide information on funding and obligations through the end of the preceding month. The first report, which will cover funding and estimated obligations as of September 30, 1993, is due no later than October 15, 1993.

5. Inquiries. Questions concerning these reporting requirements should be addressed to Cameron Leuthy, Budget Review and Concepts Division, telephone (202) 395-3821. Questions concerning specific disaster assistance programs should be addressed to the OMB budget examiner responsible for the program.



Leon S. Panetta
Director

Attachments

Major Disaster Tracking

Disaster: _____
(In millions of dollars)

[Column 1]	[Column 2]	[Column 3]	[Column 4]	[Column 5]	[Column 6]	[Columns 7 - 10]			
Agency/Program	Budgetary Resources					Projected Obligations by Year			
	BA provided in P.L. () /1	Contingency Appropriations Not released	Addit. Disaster Assist. from Base Appropriations	Total Resources Available	Non-federal Cost Share Percent Required	FY 1992	FY 1993	FY 1994	FY 1995
Agency									
Agency Contact:									
#:									
I Program/Account									
Loan Level									
Subsidy BA									
Grant Program/Account									
S & E/Admin Account									
Subtotal by Agencies									

/1 Excludes \$ million in unreleased contingency funds for the following programs:

08/27/93
Major Disaster Tracking
Disaster: _____
 (in millions of dollars)
 Obligations by State
 [Columns 11 - 20]

[Column 1]

Agency/Program

Cumulative Obligations to Date

	(State)	(State)	(State)	(State)	(State)	(State)	(State)	(State)	(State)	Total
--	---------	---------	---------	---------	---------	---------	---------	---------	---------	-------

Agency
Agency Contact:
 #:

Loan Program/Account
Loan Level
Subsidy BA

Grant Program/Account

S & E/Admin Account

Subtotal by Agencies

09/27/93
Major Disaster Tracking
Disaster: _____

(in millions of dollars)
Obligations by State

[Columns 21 - 30]

[Column 1]

Agency/Program

Total Projected Obligations through Sept. 30, 1994

(State)	(State)	(State)	(State)	(State)	(State)	(State)	(State)	(State)	Total
---------	---------	---------	---------	---------	---------	---------	---------	---------	-------

Agency
 / Contact:
 #:

I Program/Account
 Loan Level
 Subdty BA

Grant Program/Account

S & E/Admin Account

Subtotal by Agencies

ATTACHMENT B
OMB Bulletin No. 93-20

INSTRUCTIONS FOR REPORTS ON MAJOR NATURAL DISASTER ASSISTANCE

Reports (hard copy) will be submitted to OMB by the 15th of each month. The reports will be prepared in the format of Attachment A, using the Lotus 1-2-3 shell provided by OMB. All amounts will be entered in millions of dollars.

Separate reports are required for each major disaster. Currently, separate reports will be submitted for flood assistance (related to the floods in the Midwest) and for hurricane assistance (related to Hurricanes Andrew, Iniki, and Omar). Within each report, all the programs that provide disaster assistance will be listed separately, and the required information will be provided for each program.

Agency/Program (column 1)

This column lists each program that provides disaster assistance for which reporting is required. Applicable programs have been identified and entered in this column by OMB. In some instances, multiple program breaks within a single budget account are required. If programs are missing or should be combined, please advise the OMB budget examiner responsible for the program.

An agency contact (name and phone number) must be provided who can respond to questions on the information reported. Separate agency contacts may be listed for each program, if necessary.

For loan programs, both the loan level and subsidy budget authority (BA) will be shown, and obligations will be reported for each.

BA Provided in Emergency Supplemental Appropriations (column 2)

This column shows the amount of budget authority provided in emergency supplemental appropriations. Amounts have been entered by OMB. If there any questions regarding the derivation of these amounts, contact the OMB budget examiner.

Contingency Appropriations Not Released (column 3)

Unreleased contingent appropriations will be shown in this column and will be excluded from the amounts reported in columns 2 and 4. To the extent that contingent appropriations are released, the amounts should be deducted from this column and included in columns 2 and 4, as appropriate. Amounts have been entered by OMB. If these amounts are not consistent with agency records, please advise your OMB budget examiner.

Additional Assistance from Base Appropriations (column 4)

Report the additional amounts for assistance derived from base appropriations. Amounts should be reported only if the agency specifically earmarked regular funds for disaster usage.

Total Resources Available (column 5)

Enter the sum of columns 2, 3, and 4.

Non-Federal Cost Share Percent Required (column 6)

Report the percentage of non-Federal cost share required, if any. If no cost sharing is required, enter "none".

FY 1992, 1993, 1994, and 1995 Obligations (columns 7 - 10)

Report the total amount expected to be obligated during fiscal years 1992, 1993, 1994, and 1995. Amounts should not be reported on a cumulative basis. Note: Information on FY 1992 obligations is applicable only to hurricane assistance.

Cumulative Obligations by State (columns 11 - 20)

Columns headings have been provided by OMB for each State that may receive disaster assistance covered by these reporting requirements. Report the cumulative amount obligated for each State through the last day of the past month (e.g., the report due November 15, 1993 will show total obligations through October 31, 1993). A total (for all States) will also be provided. Include amounts obligated in fiscal years 1992, 1993, and 1994. If no assistance was provided to a particular State, leave the column blank. Do not delete any columns.

Total Obligations Projected through FY 1994 (columns 21 -30)

Columns headings have been provided by OMB for each State that may receive disaster assistance covered by these reporting requirements. Report the cumulative amount projected to be obligated for each State by the end of fiscal year 1994. A total (for all States) will also be provided. Include amounts obligated in fiscal years 1992 and 1993. If no assistance will be provided to a particular State, leave the column blank. Do not delete any columns.

EXECUTIVE OFFICE OF THE PRESIDENT

29-Sep-1993 03:30pm

TO: (See Below)

FROM: Christine B. Ellertson
Office of Mgmt and Budget, HIMD

SUBJECT: Much Ado About LIHEAP

Agencies' Request Contingency Release

HHS/Dept. of Energy sent a letter to Director Panetta asking that a portion of the FY94(?) \$600m Low Income Home Energy Assistance Program (LIHEAP) contingency be released to aid Midwestern flood-affected States. (It's not clear from the letter whether they refer to the FY93 contingency or the potential FY94 contingency. Note that the House L/HHS appropriations did not include a \$600 m contingency, although Senate L/HHS appropriations did).

The request proposes that LIHEAP contingency funds be used to replace wet insulation, repair/replace furnaces and hot water pipes, for weatherization, etc. Generally, LIHEAP's energy crisis funds are used for immediate needs that can be addressed in 18-48 hours, such as the need for bottled gas, furnace repair in the dead of winter. The flood-related needs outlined in HHS/DoE's letter appear to require longer-term solutions and are less directly related to severely hot or cold weather.

OMB's Response to a Similar Request

In mid-September, the Director responded, on behalf of the President, to a similar request from Sen. Harkin to release the FY93 contingency. His response, based on the General Counsel's preliminary reading of statute, was that a release of the contingency would target funds to all LIHEAP eligible States, not just the flood-affected ones. HHS tells me that their General Counsel informally concurred in this opinion (despite an information memo HHS sent to States which said that it was possible to release a portion of the contingency). Given LIHEAP's inability to target under current law, the Director stated that FEMA assistance was a preferable alternative source for aid.

HHS staff say they have draft language, which we have not yet seen, that would amend the contingency appropriation to permit targetting of a portion of the LIHEAP contingency to the

flood-affected States. However, the concern still remains that States may have standing to sue for their portion of the contingency if it is not all released. Also, the Administration may want to take the stand in a Statement of Administration Position (SAP) that the LIHEAP contingency, in general, is unneeded. This position has been taken in past SAPs since LIHEAP's program requirements can be reasonably estimated in advance and regular appropriations have sufficed. Supporting the release of a portion of the contingency may foreclose the option of opposing a FY94 contingency.

Distribution:

TO: Keith J. Fontenot
TO: Barbara S. Selfridge
TO: Isabel Sawhill

CC: Sara B. Walters
CC: Steven D. Aitken
CC: Rosalyn J. Rettman
CC: Elizabeth L. Rossman
CC: Kevin F. Neyland

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

ROUTE SLIP

TO Kathi Way	Take necessary action ☐
	Approval or signature ☐
	Comment ☐
	Prepare reply ☐
	Discuss with me ☐
	For your information ☐
	See remarks below ☐
FROM <i>KIN</i> Kevin Neyland/Chris Neiser <i>VA</i>	DATE 10/08/93

REMARKS

re: FEMA Paper on Weatherization Assistance

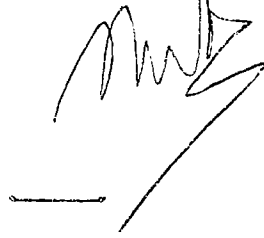
Attached is FEMA's second draft of the paper
-- recast as Qs and As. It looks pretty good
and useable by those outside the Federal
government.

Please let me know if it needs to be changed.

Thanks

attachment

Can be sent
to NGA reps
if you want.

A stylized handwritten signature, possibly reading 'M. J.', with a horizontal line underneath.

Does FEMA provide funds for home repairs for damaged heating systems, water heaters and insulation?

Home repair awards include funds needed to repair or replace damaged heating systems, water heaters, and for replacement of insulation.

Could you please describe this program?

Home repair assistance is provided to owner-occupants whose home can be restored to livable condition within approximately 30 days and for less than \$5,000. If repairs exceed \$5,000 but are less than \$10,000, a waiver of the \$5,000 limitation is usually granted provided there is a scarcity of vacant rental housing in the area.

Where do people go to apply?

Applications for disaster housing and other disaster related programs are available at Disaster Application Centers (DAC). DAC's are established in various locations throughout the disaster area and their locations and hours of operation are widely advertised on television, radio, and in local newspapers. People may also apply by phone to FEMA's toll free registration center, 1-800-462-9029.

How long does it take to get a response after applying?

Most applicants will receive a letter from FEMA in seven to ten days after submitting their application. The letter will inform them of their eligibility or ineligibility for the program and how to obtain additional information.

Who sets up the damage inspection, FEMA or the applicant?

FEMA's inspectors will contact the applicant to arrange a mutually convenient time to inspect and record damages.

What price is used for the repairs?

Repair and replacement prices are based on prevailing rates in the area for the same or similar services. FEMA uses both industry standard pricing guidelines and local market surveys to establish fair and equitable average prices.

Is payment up-front or on a reimbursable basis?

Both. FEMA's award is based on average material and labor costs. Applicants may submit itemized invoices, however FEMA will only reimburse for the items eligible under the program and then only up the maximum grant of \$5,000.

Does the grant cover all repair costs?

FEMA's grant is based on the average cost for labor and materials in the area and it is not possible to reimburse to the penny. In addition, a homeowner may decide to upgrade the quality of replacement materials which would not be eligible for reimbursement. Generally, applicants use the FEMA grant for emergency repairs or combine it with funds from other sources to complete the project.

Is there a requirement for State or local governments to financially contribute to this program?

With the exception of construction of mobile home group sites, the disaster housing program is 100% federally funded.

Are there other limitations?

FEMA does not award grants or reimburse for any item covered by insurance. However, if there is going to be a significant delay in receiving a settlement, the insured may apply to FEMA for home repair assistance. The applicant must reimburse FEMA for the assistance provided when the insurance settlement is received.

Who can be called if applicants don't get a quick response?

Each disaster operation establishes information hot-lines. The numbers are widely published in all media forms throughout the disaster area, on the applicant's copy of their registration form, and in all correspondence from FEMA.

How has information on this program been distributed to eligible communities?

In each disaster operation, FEMA activates a community outreach team. In addition to television, radio, and the print media, the outreach specialists meet with local civic groups, distribute fliers, and respond to any reports of isolated pockets of individuals who may not have otherwise heard of the various assistance programs.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

The President

The White House

Submitted for your consideration is a request to make available emergency appropriations for the Department of Health and Human Services. This request would make available previously appropriated funds to the Public Health and Social Services Emergency Fund to address public health and social service needs resulting from the flooding along the Mississippi River and its tributaries, particularly in the Upper Midwest.

The funds proposed to be made available were appropriated in P.L. 103-75, the Emergency Supplemental Appropriations Act of 1993. These funds were made available contingent upon the President submitting a budget request to the Congress and designating the amount requested as an emergency requirement. Of the \$75 million appropriated for this purpose, no funds have yet been designated as an emergency requirement and made available. Forwarding this request to the Congress will automatically make \$65 million available. No further Congressional action will be required. These funds may only be used to support services which have been specifically requested by the State, and may not be used to support the Office of Emergency Preparedness.

I recommend that you designate this request as an emergency funding requirement in accordance with applicable provisions of the Budget Enforcement Act.

I have carefully reviewed this proposal and am satisfied that it is necessary at this time. Therefore, I join the Secretary of Health and Human Services in recommending that you make the funds requested available by signing the enclosed letter to the Speaker of the House of Representatives.

Sincerely,

Leon E. Panetta
Director

Enclosure

THE WHITE HOUSE

WASHINGTON

The Speaker of the
House of Representatives

Sir:

In accordance with provisions of P.L. 103-75, the Emergency Supplemental Appropriations Act of 1993, I hereby make available appropriations of \$65,000,000 in budget authority for the Department of Health and Human Services. These funds will support public health and social services provided in response to the flooding along the Mississippi River and its tributaries. I designate the amount made available as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The details of this request are set forth in the enclosed letter from the Director of the Office of Management and Budget. I concur with his comments and observations.

Sincerely,

Enclosure

PHS Emergency Contingency

- o Nancy-Ann Min (x5178) Program Associate Director for Health.
- o \$65 million may only be used to support services that States have requested.
 - questions about justification.
 - questions about overlap with other programs (e.g., FEMA).
- o Background:

~ \$ 22M
Community and Social Services: fund community services block grant to assist low income flood victims with: home repair, relocation assistance, emergency services (e.g., supplies food, medical and shelter) information referral, outreach services, cleanup activities, transitional housing payments, crisis counseling, transportation, weatherization services and furnace replacement and repair; and fund social services block grant to support services such as child care, support homeless/displaced, elderly services, domestic abuse counseling, and family and elderly counseling.

~ \$ 20M
Mental Health and Substance Abuse Services: Address mental illness symptoms of family violence, depression, and suicide prevention, crisis counseling, support treatment for diagnosed conditions and outreach services. Programs for outreach, community education, employee assistance, volunteer networks and identify, assess and treat persons who have relapsed or begun to abuse substances such as alcohol.

~ \$ 8M
Primary Health Care: For Missouri: flood hot line, primary care services for flood victims; for Kansas, nurses for outreach to migrant population; for Iowa, outreach and services to homeless and nurse home visits for families, health facility repair, maternal and child care clinics and family planning services, dental care, equipment replacement and a flood health services assistant; for Nebraska and Wisconsin, primary care coordination and health services.

~ \$ 7M
Aging Services: Advocacy and outreach services to ensure elderly have opportunity and assistance necessary to utilize disaster services. Will address special needs of elderly population not addressed by other programs.

~ \$ 9M
Center for Disease Control: Disease Surveillance for potential water borne and respiratory spread diseases; Environmental health to address drinking water quality deterioration, indoor hazards from wet and moist environments causing molds, bacteria and fungi growth and lead hazards from remodeling and repainting; Vector Borne Disease identification, tracking and prevention (e.g., mosquito-borne encephalitis); and Public Info Program.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

The President

The White House

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The funds proposed to be made available were appropriated in P.L. 103-75, the Emergency Supplemental Appropriations Act of 1993. These funds were made available contingent upon the President submitting a budget request to the Congress and designating the amount requested as an emergency requirement. Of the \$75 million appropriated for this purpose, no funds have yet been designated as an emergency requirement and made available. Forwarding this request to the Congress will automatically make \$65 million available. No further Congressional action will be required. These funds may only be used to support services which have been specifically requested by the State, and may not be used to support the Office of Emergency Preparedness.

I recommend that you designate this request as an emergency funding requirement in accordance with applicable provisions of the Budget Enforcement Act.

I have carefully reviewed this proposal and am satisfied that it is necessary at this time. Therefore, I join the Secretary of Health and Human Services in recommending that you make the funds requested available by signing the enclosed letter to the Speaker of the House of Representatives.

Sincerely,

Leon E. Panetta
Director

Enclosure

THE WHITE HOUSE

WASHINGTON

The Speaker of the

House of Representatives

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The details of this request are set forth in the enclosed letter from the Director of the Office of Management and Budget. I concur with his comments and observations.

Sincerely,

Enclosure

**FY 1993 EMERGENCY APPROPRIATIONS: AMOUNTS PREVIOUSLY
APPROPRIATED MADE AVAILABLE BY THE PRESIDENT**

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF THE SECRETARY:

Public Health and Social Services Emergency Fund.....	\$65,000,000
--	--------------

Public Law 103-75, the Emergency Supplemental Appropriations Act of 1993, which was enacted into law on August 12, 1993, provided \$75 million for the Public Health and Social Services Emergency Fund. The availability of these funds was made contingent upon transmittal to the Congress of an official budget request by the President designating the entire amount of the request as an emergency. Of the \$75 million appropriated for this purpose, \$65 million now available will support public health and social services provided in response to flooding along the Mississippi River and its tributaries. These funds may only be used to support services which have been specifically requested by the State, and may not be used to support the Office of Emergency Preparedness.

PRESS RELEASE

The President today made available \$65 million in emergency funding for the Department Health and Human Services. These funds will be used by the Department of Health and Human Services to address public health and social service needs arising from flooding along the Mississippi River and its tributaries, particularly in the Upper Midwest.

The funds made available were appropriated in P.L. 103-75, the Emergency Supplemental Appropriations Act of 1993. These funds were made available contingent upon the President submitting a budget request to the Congress and designating the amount requested as an emergency requirement. Of the \$75 million appropriated for this purpose, \$65 million is now available with no further Congressional action required.