



FEMA

July 8, 2015

Dear Stakeholder:

FEMA remains committed to open communication and transparency with our National Flood Insurance Program (NFIP) stakeholders. Accordingly, FEMA will ensure that policyholders who want to review their Hurricane Sandy flood insurance claim file as part of their participation in the Sandy Claims Review (SCR) process have access to that information.

As part of the SCR that FEMA launched in May 2015, FEMA obtains a copy of the claim file from the insurer that issued and administered the flood insurance policy, i.e., either the NFIP's Direct Servicing Agent (DSA) or a participating private Write Your Own (WYO) insurance company that writes flood insurance on our behalf. FEMA uses this information, and any new or updated information received through the SCR, to determine whether policyholders received the correct compensation for their losses.

FEMA recognizes that some policyholders will want to review their flood insurance claim file and is putting in place a process to enable policyholders to request the claim file from FEMA during the SCR. The file production is subject to the federal Privacy Act, 5 U.S.C. § 552a, and as required by the Privacy Act, policyholders will need to certify their identity. If policyholders want FEMA to send the claim file to a third party (e.g., a relative or an advocate), they will need to provide FEMA with a written Privacy Act release authorizing FEMA to share their file with this third party. When FEMA receives such certification, we will immediately begin processing the request. As a Federal agency, FEMA must ensure compliance with the requirements of the Privacy Act and Freedom of Information Act (FOIA), so our process necessarily involves a review to remove any personally identifiable information not associated with the requesting party, or other categories of information exempt from release under Federal law.

FEMA is working internally to expedite SCR requests to minimize delay. The Privacy Act and FOIA apply across all Federal programs, not only to FEMA or the NFIP, and we have engaged our Agency experts in order to deliver on all requests in a timely manner.

Any policyholder may request their claim file through FEMA. Please note, however, that policyholders with flood insurance coverage from a WYO may choose instead to request their files directly from that company. Each WYO will handle these requests in accordance with their own established procedures, developed in accordance with state laws and regulations.

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As a final note, FEMA remains committed to improving the NFIP, and we value the concerns that all of our stakeholders shared with us over the last few months. Please continue to engage with us by calling (202) 646-2739 or emailing FEMA-AdvocacyLiaison@fema.dhs.gov.

Sincerely,



Roy E. Wright
Deputy Associate Administrator
for Insurance and Mitigation

cc:

The Honorable Robert Menendez
The Honorable Corey A. Booker
The Honorable Charles E. Schumer
The Honorable Kirsten Gillibrand