

# United States Senate

WASHINGTON, DC 20510

May 15, 2018

The Honorable Ron Johnson  
Chairman  
Senate Committee on Homeland Security  
and Governmental Affairs  
340 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Claire McCaskill  
Ranking Member  
Senate Committee on Homeland Security  
and Governmental Affairs  
442 Hart Senate Office Building  
Washington, DC 20510

Dear Chairman Johnson and Ranking Member McCaskill:

We are writing to urge your Committee to consider measures that will bring more transparency and fairness to the formulas that the Federal Emergency Management Agency (FEMA) uses to declare a disaster eligible for federal assistance.

Currently, FEMA considers the estimated cost of a disaster in relation to state population when reviewing states' requests for federal assistance following a disaster. This puts highly populous states like Illinois at a disadvantage, relying on the false assumption that these states can absorb more of the recovery costs following a disaster.

Our colleagues in the Illinois Congressional Delegation, Representatives Rodney Davis and Cheri Bustos, introduced a bill to improve FEMA's disaster determination formula, the Disaster Declaration Improvement Act (H.R. 1665). This bill would require FEMA to give greater weight and consideration to the localized impact of a disaster when making a determination. This measure has now passed the House of Representatives three times, including once as part of the December 2017 House disaster supplemental bill, and recently as part of the FAA reauthorization bill last month. We are supportive of this measure's inclusion in the FAA reauthorization bill and its preservation within the Senate companion.

While we believe our colleagues' measure sheds light on the problem and is a step in the right direction, we believe additional action is needed to ultimately mitigate the issue. We introduced the Fairness in Federal Disaster Declarations Act (S. 600), which was referred to your committee in March 2017, to clarify the formulas that FEMA uses and prevent disfavoring of states with large urban areas, both for the Public Assistance Program and the Individual Assistance Program. In addition to state population, FEMA takes into account several other factors when determining the need for federal assistance, but there is no standard to determine which factor is more important than another. By assigning specific weight to each of the factors already used by FEMA, our bill would make clear and consistent FEMA's criteria for an emergency designation.

We urge the Committee to consider our bill to improve upon this formula and assist states both small and large in times of need, regardless of individual states' total population. We stand ready to work with you and other members of your Committee on any solution to make the

disaster declaration process more transparent and equitable among states that experience disasters.

Thank you for your attention to this important matter. Please feel free to contact Katrina Potts (4-2152) on Senator Durbin's staff should you have any further questions on this matter.

Sincerely,



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Richard J. Durbin  
United States Senator



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Tammy Duckworth  
United States Senator