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NYU Study Finds Federal Disaster Relief Law Does Not Recognize Modern Threats or Provide Adequate Recovery Aid

Senators Lieberman and Landrieu Renew Their Calls for Reform

Without Reform, the Robert T. Stafford Act Sets Stage for another Katrina-Style Recovery, Requiring Costly Congressional Workarounds

(NEW YORK) – **October 11, 2007** – The cornerstone piece of Federal disaster relief legislation, the Robert T. Stafford Act, is dangerously out of date, and must be reformed to provide for rapid relief following a catastrophe, charges NYU **professor of urban policy and planning, Mitchell Moss, in a new report released today.**

Senator Joseph Lieberman (ID-CT), chair of the Senate Committee on Homeland Security and Government Affairs, and **Senator Mary Landrieu (D-LA)**, chair of the Subcommittee on Disaster Response, **agree with Professor Moss’s about the need for reform.**

Coinciding with the release of the report, Professor Moss has an editorial appearing today in *The Hill* summarizing the report’s findings.

Two years after Hurricane Katrina, and six years after the September 11 attacks, the **Federal government still lacks the legal authority to provide rapid financial assistance to residents, small businesses and municipal governments following a major disaster.**

Moss faults the Robert T Stafford Disaster Relief and Emergency Assistance Act for:

- **Not recognizing 21st century threats** like chemical, biological, nuclear or radiological attacks or accidents as legal grounds for a major disaster declaration by the President;
- **Failing to establish a difference between the scale of rural and urban disaster** – the Act offers the same level of aid for a blizzard in a rural community as it does for a major earthquake in a metropolis.

The Moss report recommends that Congress:

- **Amend the definition of a “major disaster”** to recognize 21st century threats such as

chemical, biological, radiological, and nuclear attacks and accidents;

- **Create a level of disaster specifically for “catastrophes”** to cover incidents like Hurricane Katrina and September 11 and provide increased levels of aid beyond that provided at the “major disaster” level
- **Eliminate the \$5 million cap on tax recovery assistance** for state and local governments;
- **Allow FEMA to pay, in part or in full, the salaries of public employees** in areas stricken by a catastrophe;
- **Expand coverage for utility providers** to include private and for profit corporations
- **Provide expedited micro grants and loans to small businesses** to help defer immediate costs;
- Following a catastrophe, **waive proof of insurance requirements** and provide immediate assistance to those in need, which can later be reimbursed to the government when insurance payments are made.

“It is time for Congress to strengthen the nation’s capacity to respond to the catastrophes that we face in the twenty-first century,” says Professor Moss. “We face serious threats of biological, chemical, radiological and nuclear attacks that require fundamental reform of the Stafford Act. The time for action is now; we must create a new set of policies that can protect the nation from the risks of the modern era.”

“The enormity of certain disasters, such as Katrina, underscores the need for a catastrophic declaration in the Stafford Act to ensure a better recovery,” said Senator Joseph Lieberman of Connecticut and Chair of Senate Committee on Homeland Security and Government Affairs. “I look forward to working closely with **Senator Landrieu** to make sure the mistakes of the past do not become the mistakes of the future. The Post- Katrina Act was an important step to build DHS and FEMA into agencies that are prepared for and can respond to catastrophes. Unfortunately, part of the original Senate bill dealing with recovery did not survive the House-Senate conference on the bill. **Reports like this from the CCPR help inform public officials of a path forward for a vigorous recovery from national catastrophes.”**

“The CCPR report released today highlights the pressing need for reform of the Stafford Act, and represents important research as we work to better prepare our nation for the next disaster, be it natural or manmade,” Senator Mary Landrieu of Louisiana said. “The report draws particular attention to a lesson made clear by Hurricanes Katrina and Rita and the levee breaks that followed –that the Stafford Act was crafted with smaller-scale disasters in mind. **When faced with a catastrophe of the magnitude we faced in 2005, the system begins to collapse under the weight of its own red tape.** Professor Moss has laid out some good steps forward on this front, and I commend him for this scholarly work. **My staff has been briefed on the report and is taking many of his recommendations into consideration as we work to develop critical Stafford Act reform legislation.”**

CCPR Director, K. Bradley Penuel, underscored the importance of Professor Moss’s work. “CCPR’s report is a significant contribution to the dialogue on making America safer in times of catastrophe, be it from a natural event or one derived from human actions. **I applaud the findings of this report and the role academia can play in understanding politically and socially complex issues like disaster preparedness and response.”**

Copies of the report are available at <http://www.nyu.edu/ccpr/>.

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Center for Catastrophe Preparedness and Response (CCPR) was founded in 2002 as a university-wide, cross-disciplinary center to improve preparedness and response capabilities to catastrophic events including terrorism, natural disasters, and public health emergencies. Drawing on resources from New York University's fourteen schools and engaging over sixty faculty and staff, CCPR facilitates research projects that address issues ranging from first responder capacities during crisis, to public health response, to legal issues relating to security, to private sector crisis management and business continuity. CCPR is a national resource with added focus on the unique issues related to emergency preparedness and response in the urban environment. More information about CCPR is available at www.nyu.edu/ccpr.

Founded in 1831, **New York University** is the largest private university in the United States. The University, which is composed of 14 schools, colleges, and divisions, occupies five major centers in Manhattan. It operates branch campus and research programs in other parts of the United States and abroad, as well as study abroad programs in more than 25 countries.

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