

U.S. Department of Homeland Security
Louisiana Transitional Recovery Office
1250 Poydras Street, Box #43
New Orleans, LA 70113
(504) 762-2018 office
(504) 762-2899 fax



FEMA

October 21, 2008

Colonel Thomas Kirkpatrick
State Coordinating Officer
State of Louisiana
415 North 15th Street
Baton Rouge, Louisiana 70802

Re: Correction to Omnibus Bill 2008 Guidance
FEMA-1603/1607-DR-LA

Dear Colonel Kirkpatrick:

This is a clarification to my letter dated March 19, 2008 (attached), in which I provided you with an incorrect interpretation of a FEMA directive concerning the 2008 Omnibus Bill Section 552. That letter indicates both public and private-non-profit (PNP) educational applicants (K-12) are eligible for 100% of funding for Alternate Projects, and the mandatory NFIP insurance reduction for uninsured properties located in the floodplain would be limited to a single reduction per campus.

It has recently been brought to my attention that only the latter of these two disaster-specific program changes has been authorized for PNP schools through the 2008 Omnibus Bill. The Omnibus Bill Section 552 does not extend to PNP schools for Alternate Projects. PNP schools remain subject to the regulatory 25% reduction in funding for Alternate Projects.

I apologize for this misinformation. I did not intentionally mislead you as the Grantee or your subgrantees. In fact, I do not have the legal authority to alter the provisions of the Stafford Act or associated congressional legislations. Section 552 of the 2008 Omnibus Bill is correctly being applied in all other three declared States (Alabama, Mississippi, and Texas) and Louisiana will be no exception.

Fortunately, after review of the recovery efforts thus far, no PNP alternate projects have been obligated at the full 100% funding. With GOHSEP's support, FEMA will update this clarification with all educational PNPs of both 1603-DR and 1607-DR.

Colonel Kirkpatrick
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I assure you that FEMA has not reversed any funding approved to date as it relates to PNP alternate projects. I am hopeful that you will assist FEMA by expediting the transmittal of this clarification to all affected subgrantees.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Stark", with a long, sweeping horizontal stroke extending to the right.

Jim Stark
Director
Louisiana Transitional Recovery Office

Enclosures

cc: Mark S. Riley, Assistant Deputy Director, Disaster Recovery, GOHSEP
Paul Rainwater, Executive Director, Louisiana Recovery Authority