



FEMA

November 21, 2006

Colonel Thomas Kirkpatrick
State Coordinating Officer
State of Louisiana
415 North 15th Street
Baton Rouge, LA 70802
RE: Permanent Repairs to Public Housing Authority Facilities

Dear Colonel Kirkpatrick:

This letter responds to the inquiry from local public housing authorities, including the Housing Authority of New Orleans that requested FEMA reimbursement for permanent repairs to housing units built and maintained under Section 9(k) of the Housing Act of 1937.

FEMA and HUD have a Memorandum of Understanding, outlined in FEMA Policy 9523.7, that delineates funding responsibilities in regard to public housing authorities. Under the agreement FEMA will, in its discretion, provide for essential assistance authorized under section 403 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (at 42 U.S.C. 5170b(3)). This assistance may include debris removal, demolition of unsafe structures, and any actions necessary to reduce an immediate threat to life, property, and public health and safety. This essential assistance is generally provided immediately following a disaster. HUD provides funding for permanent repairs to publicly subsidized housing facilities that were developed or modernized using funds provided under the Section 9(k) of the U.S. Housing Act of 1937, as amended. Therefore, FEMA does not fund permanent repairs on public housing facilities built and maintained under Section 9(k) of the Housing Act of 1937. Public Housing Authorities seeking funds for permanent repairs to housing units built and maintained under Section 9(k) of the Housing Act of 1937 would be advised to pursue funding through HUD.

It was not the intent of the MOU or this Policy to deny disaster assistance to otherwise eligible publicly-subsidized housing facilities. Therefore, publicly-subsidized housing facilities that do not qualify for disaster assistance from HUD may apply directly to FEMA for public assistance grants under any category of work, including Section 406 permanent repairs.

Please do not hesitate to call if you need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Stark", written over a horizontal line.

James W. Stark

Director

Louisiana Transitional Recovery Office

.. Chief Public Assistance Section