

Filing a FEMA appeal (continued)

If someone other than you or the co-applicant is submitting your appeal or requesting a copy of your file, then the request also must contain a statement from you giving that person your authorization to request this information.

Questions?

Contact the American Samoa Bar Association's Disaster Legal Services Clinic at (684) 258-9830.



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Disaster Legal Services (684) 258-9830 FEMA Issues

What is FEMA?

FEMA is the "Federal Emergency Management Agency," which steps in to manage and coordinate many government assistance programs after the President declares a federal disaster area. When the President declares a "major disaster" in the United States or its territories, federal assistance is made available, pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act ("Stafford Act"), 42 U.S.C. § 5121 et seq., to supplement the efforts and resources of state and local governments and voluntary relief organizations. FEMA is the federal agency (a part of the U.S. Department of Homeland Security) that is responsible for coordinating federal disaster relief and assistance.

On September 30, 2009, President Barack Obama declared American Samoa a federal disaster area.

What does FEMA do?

FEMA is the starting point for the Disaster Housing Assistance Program (which includes the Housing Assistance and Home Repair Assistance programs), special loans from the Small Business Administration or the Farm Service Agency, special grants from the Cora Brown Fund, or assistance from many other

Disaster Legal Services

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FEMA Issues

What FEMA does (continued)

government-run organizations, including those under the umbrella of the Other Needs Assistance (“ONA”) Program. FEMA also sponsors crisis counseling; disaster legal services; income tax assistance for filing casualty losses; advisory assistance for veteran’s benefits and Social Security matters; and disaster unemployment assistance.

How long does it take to get help from FEMA?

If you have damage to your home or its contents and you are uninsured, or you have suffered damage that is not covered by insurance, a FEMA inspector should contact you within 14 days of applying to set up an appointment to assess your damage.

Typically, within about 10 days after the inspection, if FEMA determines that you qualify for help, you will receive a direct deposit to your bank account or a check in the mail. If FEMA denies your application, you will receive a letter explaining why you were turned down and will be given a chance to appeal the decision. If you were referred to the SBA, you will receive an SBA application, which you must fill out and return in order to be considered for a loan, as well as other types of assistance. If the SBA approves you for a loan, they will contact you. If the SBA finds that you cannot afford a loan, they will automatically refer you to FEMA’s Individuals and Households Program for help and FEMA will contact you.

If I have questions about my application or need to change some of the information provided, what should I do?

Call the FEMA Disaster Helpline at (800) 621-FEMA (3362) (hearing/speech impaired only: (800) 462-7585). You can also ask to speak to a FEMA representative at the Disaster Recovery Center (the H. Rex Lee Auditorium in Utulei).

If it has been more than 12 days since the FEMA inspector’s visit and there has been no word from FEMA, what should the applicant do?

Call the FEMA Disaster Helpline at (800) 621-FEMA (3362) (hearing/speech impaired only: (800) 462- 7585) to ask about your application. You may also inquire at the Disaster Recovery Center (the H. Rex Lee Auditorium in Utulei) about your application.

What can I do if I disagree with a decision issued by FEMA?

You may appeal any decision by FEMA. Appeals may relate to your eligibility, the amount or type of help provided to you, late applications, requests to return money, or questions regarding continuing help. When you appeal a decision, you are asking IHP to review your case again.

How do I file an appeal of a FEMA decision?

(1) Explain in writing why you think the decision about the amount or type of assistance you received is not correct. This is done in letter format.

When submitting your letter, please include your full name, date and place of birth, and address. In addition, your letter must be either notarized, include a copy of a state issued identification card, or include the following statement, “I hereby declare under penalty of perjury that the foregoing is true and correct.” You must sign the letter.

If someone other than you or the co-applicant is writing the letter, then a statement must be included saying that that person may act for you.

(2) Include the FEMA application # and disaster # (shown at the top of your decision letter) in your letter of appeal.

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(3) Mail or fax your appeal letter to:

FEMA
National Processing Service Center
P.O. Box 10055
Hyattsville, MD 20782-7055

Fax Number: (800) 827-8112
Attention: FEMA

(4) **IMPORTANT:** To be considered by IHP, your appeal letter must be postmarked within 60 days of the date of the individual or household decision letter’s date. Remember to date your letters.

How can I get a copy of my FEMA file?

If you need information about your case, you or the co-applicant on your application may request a copy of the information in your file by writing to:

FEMA – Records Management
National Processing Service Center
P.O. Box 10055
Hyattsville, MD 20782-7055

To help protect the privacy of your personal information, whenever you write an appeal or request letter to FEMA you should include your full name, date and place of birth, damaged dwelling address, FEMA application number, and disaster number. In addition, your letter must be either notarized, include a copy of a state issued identification card, or include the following statement, “I hereby declare under penalty of perjury that the foregoing is true and correct.” You must sign the letter.