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December 2, 2014

*Submitted electronically via [www.regulations.gov](http://www.regulations.gov)*

Brad J. Kieserman,  
Acting Assistant Administrator for Recovery  
Federal Emergency Management Agency  
U.S. Department of Homeland Security  
500 C Street SW  
Washington, DC 20472-3515

**RE: FEMA Public Assistance Policy on Insurance (Docket ID FEMA-2014-0029)**

Dear Mr. Kieserman,

On behalf of the National Association of Professional insurance Agents (PIA)<sup>1</sup>, I hereby submit the following comments in response to the FEMA Request for Comment on its proposed Public Assistance Policy on Insurance ( "PA policy"). Proper and diligent administration of the FEMA Public Assistance Grant Program is an important part of helping communities quickly respond to and recover from major disasters or emergencies and PIA appreciates the considerable effort that has gone into drafting this policy.

PIA is supportive of the Grant Program as a measured and responsible way to help communities recover from major disasters or emergencies. The goals of the program, as reflected in the Stafford Act, 42 U.S.C. § 5121 et seq., should be strongly reflected in the PA Policy. The PA Policy should encourage states, local governments, tribal governments, and private non-profit operators to obtain insurance coverage to supplement or replace federal assistance and encourage hazard mitigation and disaster preparedness measures.

While keeping in mind that the PA Policy is meant to serve as a guidance document, PIA has a general concern that the policy does not sufficiently convey how FEMA intends to monitor long-term adherence with the policy requirements, as well as the underlying laws and regulations on which the policy is based. PIA hopes that revisions will be made to the policy to provide clearer guidance on how FEMA

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<sup>1</sup> PIA is a national trade association founded in 1931 which represents member insurance agents in all 50 states, Puerto Rico, Guam and the District of Columbia. PIA members are insurance professionals who can be found across America, in small towns, big cities and everywhere in between. Since the National Flood Insurance Program's (NFIP) inception in 1968, PIA members have been actively engaged on flood insurance issues and many of PIA member agents and agencies sell flood insurance. PIA is also an active member of the Flood Insurance Producers National Committee (FIPNC).



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intends to ensure ongoing compliance with the program's insurance requirements, as permitted by the Stafford Act and other relevant laws and regulations.

In addition to the general comment offered above, please see below two specific comments and the sections they relate to:

- **Section VII, Part 1(B)(4)(d):** The section states that if an applicant relocates a facility outside of a Special Flood Hazard Area (SFHA), FEMA will not require the applicant to obtain and maintain flood insurance. PIA supports amending this section of the policy so that FEMA may require flood insurance for properties located outside an SFHA if based on the circumstances requiring flood insurance is reasonable and appropriate to protect against future losses.
- **Section VII, Part 1(G):** This section states that if an applicant fails to comply with the insurance requirements and the laws and regulations applicable to the program. FEMA may deny future assistance. PIA recommends amending the language of this section to more explicitly convey that FEMA will deny future assistance, unless the applicant is eligible to a waiver under the Stafford Act, 42 U.S.C. §§ 5154(a) and (b) and 5141.

It is our hope that these comments are helpful to FEMA in its effort to effectively administer the Public Assistance Grant Program. PIA is grateful for the opportunity to provide the independent insurance agent perspective. Please do not hesitate to contact me at [richiec@clementsins.com](mailto:richiec@clementsins.com) or (504) 279-0171 or PIA's Counsel & Director of Regulatory Affairs, Jennifer M. Webb at [jennwe@pianet.org](mailto:jennwe@pianet.org) or (703) 518-1344, if you have any questions or concerns.

Kind Regards,

Richard A. Clements (LA)  
PIA President / FIPNC Chair