

2017-K32

Assembly Resolution No. 32

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URGING the New York State Congressional delegation to support the passage of H.R. 4107, Flood Insurance Transparency and Accountability Act of 2015

WHEREAS, After Superstorm Sandy victims faced an extensive, burdensome and fraud-ridden flood insurance claims process; U.S. Senator Kirsten Gillibrand and U.S. Representative Kathleen Rice have announced their push for new bipartisan legislation to require more transparency and accountability from the Federal Emergency Management Agency (FEMA) so that home and property owners who carry flood insurance policies are better protected in the event of another storm; and

WHEREAS, Senator Gillibrand and Congresswoman Rice also renewed their push for FEMA to expedite its review of insurance claims, a process that began only after the revelation that insurance companies underpaid potentially thousands of claims; and

WHEREAS, Senator Gillibrand states that over three years after Superstorm Sandy tore through New York, communities are still rebuilding and families are still fighting to put their lives back together; she further states that it is unacceptable that some New Yorkers were forced to face a burdensome and fraud-ridden flood insurance claims process; and

WHEREAS, The system needs to be reformed and requires more transparency to hold FEMA accountable so homeowners are protected when the next storm hits; and

WHEREAS, This new bipartisan legislation would create unprecedented oversight over FEMA and hold them accountable; legitimate claims were denied or underpaid because of fraudulent engineering reports, and homeowners who paid for flood insurance were left feeling cheated by a program they trusted to be there when they needed it most; and

WHEREAS, H.R. 4107 is a critical first step that will reform the National Flood Insurance Program to make it more transparent, more accountable, and more focused on victims' needs; the passage of this vital bill will help to ensure that victims get the support and funding they need to fully recover from natural disasters; and

WHEREAS, Many New Yorkers feel they were severely underpaid after paying years, even decades of flood insurance premiums, only to find themselves denied for things such as earth movement, vast amounts of red tape and accusations of fraud, believed to have led to these underpayments; and

WHEREAS, It is essential that residents have flood insurance that is affordable, reliable and is there to support their needs, not create an adversarial situation that takes them years to collect their rightful awards; and

WHEREAS, According to court records and extensive news reports, including a devastating months-long investigation by "60 Minutes,"

private insurance companies appeared to have denied flood insurance claims of countless homeowners affected by Superstorm Sandy based on

fraudulently altered engineering reports; and

WHEREAS, While more than three years have passed since the storm hit, more than 17,000 claims are still under review; the Flood Insurance Transparency and Accountability Act of 2015 would require more transparency so property owners have access to the documents related to their insurance claims case, including draft reports; it would also demand accountability from FEMA in its oversight of the NFIP and the contractors hired to run it; and

WHEREAS, Specifically, the legislation would do the following: make documents related to the basis for deciding flood insurance claims transparent for homeowners; create a direct point of contact at FEMA for homeowners who have filed appeals with FEMA for claims that have been initially denied; require FEMA to conduct yearly reviews of the "Write Your Own" insurance companies and other private entities working with flood insurance claims; require FEMA to publish claims data online; remove the "earth movement" exclusion; reform the claim appeals process; change the statute of limitations on all flood insurance claims; and require FEMA and Homeland Security to report to Congress; now, therefore, be it

RESOLVED, That the New York State Congressional delegation be and hereby is respectfully memorialized by this Legislative Body to support the passage of H.R. 4107, Flood Insurance Transparency and Accountability Act of 2015; and be it further

RESOLVED, That copies of this Resolution, suitably engrossed, be transmitted to each member of the Congressional delegation from the State of New York.