

# Main federal disaster relief law has fallen behind modern threat levels, study finds

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In new research published in the *Journal of Homeland Security and Emergency Management*, New York University Professor Mitchell Moss explains that the cornerstone Federal disaster relief legislation, the Robert T. Stafford Act, is dangerously out of date, and must be reformed to provide for rapid relief after a catastrophe.

Two years after Hurricane Katrina, and six years after the September 11 attacks, the Federal government still lacks the legal authority to provide rapid financial assistance to residents, small businesses and municipal governments following a [major disaster](#), according to the Journal article (Vol. 6 : Issue 1, Article 13, January 2009).

Moss, professor of [urban policy](#) and planning at the Robert F. Wagner Graduate School of Public Service at NYU, faults the Robert T. Stafford [Disaster Relief](#) and [Emergency Assistance Act](#) for:

- Not recognizing 21st century threats such as chemical, biological, nuclear or radiological attacks or accidents as legal grounds for a major disaster declaration by the President;
- Failing to establish a difference between the scale of rural and urban disaster - the Stafford Act offers the same level of aid for a blizzard in a rural community as it does for a major earthquake in a metropolis.

Moss recommends that Congress:

- Amend the definition of a "major disaster" to recognize 21st century threats such as chemical, biological, radiological, and nuclear attacks and accidents;
- Create a level of disaster specifically for "catastrophes" to cover incidents such as Hurricane Katrina and September 11 and to provide increased levels of aid beyond that provided at the "major disaster" level;
- Eliminate the \$5 million cap on tax recovery assistance for state and local governments;
- Allow FEMA to pay, in part or in full, the salaries of public employees in areas stricken by a catastrophe, and expand coverage for utility providers to include private and for profit corporations;
- Provide expedited micro grants and loans to small businesses to help defer immediate costs;
- Following a catastrophe, waive proof of insurance requirements and provide immediate assistance to those in need, which can later be reimbursed to the government when insurance payments are made.

"It is time for Congress to strengthen the nation's capacity to respond to the catastrophes that we face in the twenty-first century," writes Professor Moss. "We face serious threats of biological, chemical, radiological and nuclear attacks that require fundamental reform of the Stafford Act. The time for action is now; we must create a new set of policies that can protect the nation from the risks of the modern era."

The research was conducted under the auspices of New York University's Center for Catastrophe Preparedness and Response (CCPR).

CCPR Director Brad Penuel underscored the importance of Professor

Moss' work.

"CCPR's report is a significant contribution to the dialogue on making America safer in times of catastrophe, be it from a natural event or one derived from human actions. I applaud the findings of this report and Professor Moss for highlighting the role academia can play in understanding politically and socially complex issues like disaster preparedness and response," he said.

More information: The full report is available at [www.nyu.edu/ccpr/](http://www.nyu.edu/ccpr/) .

Source: New York University ([news](#) : [web](#))

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