

October 20, 2004

Michael D. Brown  
Under Secretary of Homeland Security  
For Emergency Preparedness and Response  
FEMA  
500 C Street, SW  
Washington, D.C. 20472

Re: Misinformation Provided by FEMA  
To Florida Flood Victims

Dear Mr. Brown:

I am writing with concerns regarding an article from this morning's Sun-Sentinel, a Florida newspaper with a circulation of more than 300,000 readers.

According to the article and the author, the following statement was made by your mitigation director Todd Davison:

*For instance, people whose coastal homes are built on stilts but have enclosed space underneath their home make claims on damage to that enclosed space and its contents, but those aren't covered by a flood policy, Davison said.*

This is precisely the misinformation and oversimplification which lead to the wrongful denial of Isabel claims in North Carolina. It also lead to the wrongful denial of benefits to Rachel Zammitt in Ft. Myers Beach, Florida. You may recall she is the victim I brought to the attention of Florida officials and wrote to you about on September 1<sup>st</sup>. In Rachel's case, her initial offer of one thousand dollars (less her thousand dollar deductible) climbed to more than twenty-two thousand dollars within hours of my writing to you. Her first floor, for several reasons, was in fact covered.

Beth Midgett and I worked through the first floor issues with Mac Plaxico, Jim Shortley and others in your group months ago. As a result, Mr. Plaxico issued an email attempting to clarify the matter on April 9, 2004. Inasmuch as the email was largely ignored by the industry, Beth and I brought the matter to FEMA's attention again. In response, FEMA issued a bulletin on July 8, 2004 regarding a memo dated June 30. The memo read in part, "The fact that pilings may extend beyond the lowest floor raised above the ground does not have any impact on eligibility for coverage."

At this time I am respectfully requesting you direct FEMA to inform the Sun-Sentinel of the actual first floor coverage such that readers will be properly apprised of their policy benefits.

Lastly, despite repeated requests for a meeting regarding more than a thousand victims which remain homeless as a result of the failed review process, I have yet to hear from you.

More than a hundred victims would like to meet with you, as a group, at FEMA. They wish to travel to DC. Please let me know if you will make arrangements to meet with these homeless victims, and victims with special needs, when they arrive.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Steven J. Kanstoroom". The signature is written in a cursive, flowing style.

Steven J. Kanstoroom

Cc: Secretary Tom Ridge c/o the White House  
Senator Susan Collins, Chair, Governmental Affairs  
Senator Elizabeth Dole  
Senator John Edwards  
Senator Bob Graham  
Senator Joseph Lieberman, Ranking Member, Governmental Affairs  
Senator Barbara Mikulski  
Senator Bill Nelson  
Senator Paul Sarbanes  
Governor Robert Ehrlich  
Governor Jeb Bush  
Senator Sharon Grosfeld  
Florida CFO Tom Gallagher  
The Honorable James T. Smith  
Charles Plaxico  
James Shortley  
Bernice Meyer, Hurricane Victims Group  
Beth Midgett, Hurricane Victims Group

Attachments: Mac Plaxico April 9<sup>th</sup> Email  
July 8<sup>th</sup> Bulletin, Dated June 30