 FEMA

AUG 0 7 2014

Dan Wade, Esq.
Staff Attorney
United Policyholders
381 Bush Street, 8th Floor
San Francisco, California 94104

Re: **FEMA 2014-FEFO-00537**

Dear Mr. Wade:

This is the final response to your March 12, 2014, Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA). Your request was received in this office on March 13, 2014. You requested records regarding the National Flood Insurance Program (NFIP) appeals process. You specifically requested a copy of the following:

(1) "The total number of appeal requests the NFIP, FEMA and/or the Federal Insurance Administrator (FIA) has received since the appeals process was established in 2006;"

(2) The total number of instances since the appeal process was established in 2006 where FEMA and/or the FIA reversed, rejected, remanded, overruled or otherwise altered the determination(s) that gave rise to an appeal and where FEMA/FIA's action resulted in a re-adjustment or payment on the claim at issue;

(3) The total number of appeal requests the NFIP, FEMA and/or the FIA received prior to October 2012;

(4) The total number of appeal requests the NFIP, FEMA and/or the FIA have received since October 2012;

(5) The total number of appeals received by the NFIP since October 2012 that resulted in the issuance by the Federal Insurance Administrator of a letter to a policyholder requesting more information;

(6) The total number of appeals received since October 2012 that resulted in the FIA requesting a re-inspection of the subject property;

(7) The total number of appeals processed since October 2012 of claims administered by WYO carriers in which the FIA reversed, rejected, remanded, overruled or otherwise altered the determination(s) that gave rise to the appeal;

(8) The total number of appeals received since October 2012 of claims administered by NFIP Direct that resulted in a decision by the FIA that reversed, rejected, remanded, overruled or otherwise altered the determination(s) that gave rise to the appeal;

(9) The total number of appeals processed by the NFIP since October 2012 of claims processed by a WYO carrier where the FIA agreed with or otherwise upheld the determination(s) that gave rise to the appeal;

(10) The total number of appeals processed by the NFIP since October 2012 of claims processed by NFIP direct where the FIA agreed with or otherwise upheld the determination(s) that gave rise to the appeal; and

(11) Any FEMA/FIA internal guidance, memoranda, or white paper interpretation of the procedures set forth in 44 C.F.R. §62.20."

We conducted a comprehensive search of FEMA's Federal Insurance and Mitigation Administration (FIMA) for documents responsive to your request. The search produced a total of 26 pages. After carefully reviewing the responsive documents pursuant to the FOIA, Title 5 U.S.C. § 552, as amended, and DHS' implementing regulations, 6 C.F.R. Chapter I and Part 5, we have determined the documents are appropriate for release. The documents are enclosed in their entirety; no deletions or exemptions have been claimed.

Please be advised that the FOIA does not require federal agencies to answer inquiries or create records in response to a FOIA request, but rather is limited to requiring agencies to provide access to reasonably described, nonexempt records. NLRB v. Sears, Roebuck & Co., 421 U.S. 132, 162 (1975); Zemansky v. EPA, 767 F.2d 569, 574 (9th Cir. 1985).

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the $14 minimum, there is no charge.

If you have any questions or would like to discuss this matter, please contact this office at (202) 646-5797 or electronically at Disclosure-Unit-TeamC@fema.dhs.gov and refer to **FEMA 2014-FEFO-00537.**

Sincerely,

Terry Cochran
Chief, Disclosure Branch
Records Management Division
Mission Support Bureau

Enclosure(s): Responsive documents, (26 pages)