

# United States Senate

WASHINGTON, DC 20510

May 12, 2021

The Honorable Michael E. Horowitz  
Chair  
Pandemic Response Accountability Committee  
441 G Street, NW, Suite 1517  
Washington, District of Columbia, 20548-0001

Dear Chair Horowitz,

On Monday, April 12, 2021, the Federal Emergency Management Agency (FEMA) announced the reintroduction of the Coronavirus Funeral Assistance Program (the Program). The Program was initially implemented according to the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and reauthorized by Section 4006 of the *American Rescue Plan Act*, which provided broad instruction for FEMA to “provide financial assistance to an individual or household to meet disaster-related funeral expenses under section 408(e)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(e)(1)).”<sup>[1]</sup> The statute instructed FEMA to provide a 100 percent federal cost share for such assistance.

We are concerned that the lack of congressional direction under this program, the high payment amounts of up to \$35,500 per applicant, and the resulting guidance issued by FEMA will result in the Program being one rampant with fraud. There are several reasons for our concern.

First, the Frequently-Asked-Questions section of the FEMA website provides guidance on how to amend a death certificate if “[t]he death certificate doesn’t attribute the death to COVID-19.”<sup>[2]</sup> The guidance provides instruction to potential applicants on amending a death certificate in the event that the certificate currently held by the applicant would not qualify. It is unclear what checks FEMA has in place to ensure that the death certificates submitted under the program are authentic, and have not been amended to report, falsely, a death which “may have been caused by” COVID-19.

---

<sup>[1]</sup> H.R. 1133, Consolidated Appropriations Act of 2021, Pub. L. No. : 116-260, Sec. 201.; H.R. 1319, American Rescue Plan Act of 2021, Pub. L. No. : 117-2, Stat 4.

<sup>[2]</sup> Funeral Assistance. FAQ.” FEMA.gov, Federal Emergency Management Agency, <https://www.fema.gov/disasters/coronavirus/economic/funeral-assistance/faq>, Accessed: April 14, 2021.

Second, the Program eligibility criteria issued on April 14 stated there is no requirement for the decedent to have been a U.S. citizen. While FEMA guidance indicates that payments under the program may be issued to qualified aliens and other foreign nationals as compliant with 8 U.S.C. §1641, it is concerning that FEMA's guidance does not prevent payments to be issued to cover ineligible entities, a blatant abuse of taxpayer dollars for improper payments.<sup>[3]</sup>

There is no question that the COVID-19 pandemic has taken a terrible human toll on the United States and the world. However, United States Centers for Disease Control and Prevention reports that there have been approximately 560,000 fatalities caused by the novel Coronavirus since it was first reported in the United States on January 21, 2020. FEMA's Program call center report indicates that many who contacted the FEMA helpline on the first day may be ineligible.<sup>[4]</sup> While a high demonstration of interest is not a problem in of itself, such interests, when paired with the broad eligibility criteria and high payment amounts, is an indication the Program may be ripe for fraud.

The Pandemic Response Accountability Committee (PRAC) serves a crucial role in providing oversight for funding disbursed to address the novel coronavirus. We respectfully ask for an audit or investigation into the FEMA's Funeral Assistance Program. Specifically, we ask that the relevant report include the following:

1. Statistical and biographical information of approved and applied decedents, including the number of applications received from each state, race, age, gender, income level and region.
2. As an attachment, all FEMA documents guidance, and communications that are cited in the report.
3. The actions FEMA took to deter fraud within the program.
4. The average amount of benefit provided.
5. The number of applicants that utilized amended death certificates and the states and localities they were from.
6. The number of decedents that did not have legal immigration status.

We are concerned that FEMA's guidance issued on April 12, 2021 creates a Program susceptible to fraudulent claims, and the unreasonably high interest demonstrated thus far provides further evidence. We appreciate PRAC's crucial oversight and responsible stewardship of taxpayer dollars and protect the integrity of the COVID-19 related assistance programs.

---

<sup>[3]</sup> "FAQ: Citizenship Status and Eligibility for Disaster Assistance." FEMA.gov, Federal Emergency Management Agency, <https://www.fema.gov/press-release/20210318/faq-citizenship-status-and-eligibility-disaster-assistance>. Accessed: April 23, 2021.

<sup>[4]</sup> "FEMA Advisory, FEMA COVID-19 Update." FEMA Congressional Affairs (April 14, 2021)(on file with staff)

So that appropriate Congressional oversight can take place, please provide Ethan Ashley of Senator Braun's staff at [Ethan\\_Ashley@Braun.Senate.Gov](mailto:Ethan_Ashley@Braun.Senate.Gov) and Sherry Kuntz of Senator Grassley's staff at [Sherry\\_Kuntz@Grassley.Senate.Gov](mailto:Sherry_Kuntz@Grassley.Senate.Gov) a response to these questions no later than June 1, 2021.

Sincerely,



Senator Mike Braun



Senator Chuck Grassley

cc:

The Honorable Joseph V. Cuffari

Inspector General

U.S. Department of Homeland Security, Office of Inspector General

245 Murray Lane S.W.

Washington, D.C. 20528-0305