

# Congress of the United States

Washington, DC 20515

November 1, 2024

Director Jay Mitchell  
New Mexico Joint Recovery Office  
Federal Emergency Management Agency  
1711 Llano Street, Suite E  
Santa Fe, NM 87505

Director Michael Plostock  
Hermit's Peak/Calf Canyon Claims Office  
Federal Emergency Management Agency  
1711 Llano Street, Suite E  
Santa Fe, NM 87505

Dear Director Mitchell and Director Plostock,

As you both know well, the Hermit's Peak/Calf Canyon Fire destroyed hundreds of homes and businesses in New Mexico. The fire and subsequent flooding displaced thousands of our constituents for months, wiped away generations of history, and uprooted families from their communities. And yet, over two years later, many New Mexicans continue to wait for the relief and compensation they are owed by the federal government.

The Hermit's Peak/Calf Canyon Claims Office (Claims Office) must process claims faster, communicate with claimants on a regular and consistent basis, and pay fair compensation. We also ask that processes and formulas reflect unique aspects of New Mexico such as adobe, historic structures, and subsistence living where large cache of food are kept in freezers.

Created by the Hermit's Peak/Calf Canyon Fire Assistance Act in 2022, the Claims Office is responsible for processing New Mexicans' claims that arose from the wildfire. After a significant delay in getting the Claims Office fully staffed and operational, and after further delays in dispersing funds, improvements to the Claims Office's processes and best practices are still sorely needed. While we are encouraged by recent changes within the Claims Office, we have continued to hear concerns from our constituents about their experience with the process for receiving compensation from the Claims Office.

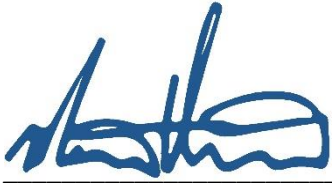
To address these concerns and ensure that victims of the fire have all the information and tools they need to get compensation from the Claims Office, we request that you answer the following questions:

- How is the Claims Office working to more consistently communicate with claimants through proactive communication and responding to claimant inquiries in a timely manner?

- How is the Claims Office working to speed up the review of total loss claims in a way that ensures these claimants receive full compensation for culturally and structurally unique buildings, such as adobe?
- How many claimants have total home losses? Of those, how many have been compensated to date (broken down between partial and full compensation)? And of those who lost homes, how many of those are living in a new home or are in the building process?
- What steps is the Claims Office taking to ensure that claimants who do not possess traditional mortgage documentation or property deeds receive compensation quickly?
- What are the policies and processes in place to ensure that claimants can retain their assigned navigator if they so choose?
- When using standard rate calculators and tools from the insurance industry, how is the Claims Office working to make changes and updates to maximize the amount of compensation claimants are awarded?
- How is the Claims Office working to reduce the amount of tax documentation required from claimants, rather than add to it, particularly in total loss, complex, and small business claims?
- How is the Claims Office ensuring equity in food loss payments? If changes to Claims Office compensation policy are needed, is the Claims Office committed to updating policy such that claimants are not paid less than they would have previously received, and is the Claims Office committed to updating previously closed claims with the adjusted increased compensation?
- How is the Claims Office ensuring equity in hourly labor rate reimbursement for repairs?
- How is the Claims Office working to help claimants understand the review decisions by Subject Matter Experts (SMEs)? Does the Claims Office include the SME reports with annotated decisions in Letter of Determination?
- How is the Claims Office working to reduce the number of separate assessments claimants are required to have on the same property?
- When will the erosion estimate process be finalized?
- How is the Claims Office working to ensure that business loss claimants can receive updates and work on their claims from any office location?

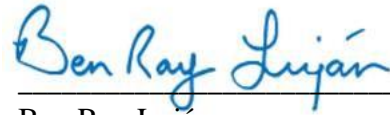
We look forward to your responses and urge you to do everything in your power to increase the speed, efficiency, and responsiveness of the Claims Office to our constituents.

Sincerely,



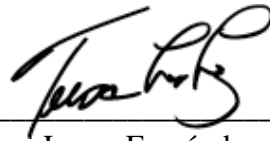
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Martin Heinrich  
United States Senator



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Ben Ray Lujan  
United States Senator



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Teresa Leger Fernández  
United States Representative

CC: FEMA Administrator Deanne Criswell