

**ARE WE READY? RECOVERING FROM 2017 DISAS-
TERS AND PREPARING FOR THE 2018 HURRI-
CANE SEASON**

(115-49)

HEARING
BEFORE THE
SUBCOMMITTEE ON
ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND
EMERGENCY MANAGEMENT
OF THE
COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES
ONE HUNDRED FIFTEENTH CONGRESS
SECOND SESSION

JULY 18, 2018

Printed for the use of the
Committee on Transportation and Infrastructure



Available online at: [https://www.govinfo.gov/committee/house-transportation?path=/
browsecommittee/chamber/house/committee/transportation](https://www.govinfo.gov/committee/house-transportation?path=/browsecommittee/chamber/house/committee/transportation)

U.S. GOVERNMENT PUBLISHING OFFICE

38-032 PDF

WASHINGTON : 2019

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

BILL SHUSTER, Pennsylvania, *Chairman*

| | |
|-----------------------------------|---------------------------------------|
| DON YOUNG, Alaska | PETER A. DeFAZIO, Oregon |
| JOHN J. DUNCAN, JR., Tennessee, | ELEANOR HOLMES NORTON, District of |
| <i>Vice Chair</i> | Columbia |
| FRANK A. LoBIONDO, New Jersey | EDDIE BERNICE JOHNSON, Texas |
| SAM GRAVES, Missouri | ELIJAH E. CUMMINGS, Maryland |
| DUNCAN HUNTER, California | RICK LARSEN, Washington |
| ERIC A. "RICK" CRAWFORD, Arkansas | MICHAEL E. CAPUANO, Massachusetts |
| LOU BARLETTA, Pennsylvania | GRACE F. NAPOLITANO, California |
| BOB GIBBS, Ohio | DANIEL LIPINSKI, Illinois |
| DANIEL WEBSTER, Florida | STEVE COHEN, Tennessee |
| JEFF DENHAM, California | ALBIO SIRES, New Jersey |
| THOMAS MASSIE, Kentucky | JOHN GARAMENDI, California |
| MARK MEADOWS, North Carolina | HENRY C. "HANK" JOHNSON, JR., Georgia |
| SCOTT PERRY, Pennsylvania | ANDRÉ CARSON, Indiana |
| RODNEY DAVIS, Illinois | RICHARD M. NOLAN, Minnesota |
| MARK SANFORD, South Carolina | DINA TITUS, Nevada |
| ROB WOODALL, Georgia | SEAN PATRICK MALONEY, New York |
| TODD ROKITA, Indiana | ELIZABETH H. ESTY, Connecticut, Vice |
| JOHN KATKO, New York | Ranking Member |
| BRIAN BABIN, Texas | LOIS FRANKEL, Florida |
| GARRET GRAVES, Louisiana | CHERI BUSTOS, Illinois |
| BARBARA COMSTOCK, Virginia | JARED HUFFMAN, California |
| DAVID ROUZER, North Carolina | JULIA BROWNLEY, California |
| MIKE BOST, Illinois | FREDERICA S. WILSON, Florida |
| RANDY K. WEBER, SR., Texas | DONALD M. PAYNE, JR., New Jersey |
| DOUG LaMALFA, California | ALAN S. LOWENTHAL, California |
| BRUCE WESTERMAN, Arkansas | BRENDA L. LAWRENCE, Michigan |
| LLOYD SMUCKER, Pennsylvania | MARK DeSAULNIER, California |
| PAUL MITCHELL, Michigan | STACEY E. PLASKETT, Virgin Islands |
| JOHN J. FASO, New York | |
| A. DREW FERGUSON IV, Georgia | |
| BRIAN J. MAST, Florida | |
| JASON LEWIS, Minnesota | |
| MIKE GALLAGHER, Wisconsin | |

SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

LOU BARLETTA, Pennsylvania, *Chairman*

| | |
|--|--|
| ERIC A. "RICK" CRAWFORD, Arkansas | DINA TITUS, Nevada |
| BARBARA COMSTOCK, Virginia | HENRY C. "HANK" JOHNSON, JR., Georgia |
| MIKE BOST, Illinois | ELEANOR HOLMES NORTON, District of |
| JOHN J. FASO, New York | Columbia |
| A. DREW FERGUSON IV, Georgia, | ALBIO SIRES, New Jersey |
| <i>Vice Chair</i> | STACEY E. PLASKETT, Virgin Islands |
| BRIAN J. MAST, Florida | PETER A. DeFAZIO, Oregon (<i>Ex Officio</i>) |
| MIKE GALLAGHER, Wisconsin | |
| BILL SHUSTER, Pennsylvania (<i>Ex Officio</i>) | |

CONTENTS

| | Page |
|---|------|
| Summary of Subject Matter | iv |
| WITNESSES | |
| Jeffrey Byard, Associate Administrator, Office of Response and Recovery, Federal Emergency Management Agency: | |
| Testimony | 6 |
| Prepared statement | 36 |
| Responses to questions for the record from the following Representatives: | |
| Hon. Lou Barletta of Pennsylvania | 43 |
| Hon. Peter A. DeFazio of Oregon | 51 |
| Hon. Eric A. “Rick” Crawford of Arkansas | 73 |
| Hon. Stacey E. Plaskett of the Virgin Islands | 76 |
| Hon. Garret Graves of Louisiana | 82 |
| Hon. Nydia M. Velázquez of New York | 88 |
| Charles R. Alexander, Jr., Director of Contingency Operations and Homeland Security, U.S. Army Corps of Engineers: | |
| Testimony | 6 |
| Prepared statement | 91 |
| Responses to questions for the record from the following Representatives: | |
| Hon. Lou Barletta of Pennsylvania | 97 |
| Hon. Peter A. DeFazio of Oregon | 98 |
| Hon. Brian J. Mast of Florida | 102 |
| Hon. Nydia M. Velázquez of New York | 104 |
| Patrick Sheehan, Director, Tennessee Emergency Management Agency, on behalf of the National Emergency Management Association: | |
| Testimony | 6 |
| Prepared statement | 105 |
| Mistie Gardner, CEM, Emergency Management Coordinator, city of Richard- son, Texas, on behalf of the U.S. Council of the International Association of Emergency Managers: | |
| Testimony | 6 |
| Prepared statement | 115 |
| Hon. Robert David Paulison, Former Administrator, Federal Emergency Man- agement Agency, on behalf of the BuildStrong Coalition: | |
| Testimony | 6 |
| Prepared statement | 121 |
| Questions for the record for Mr. Paulison from Hon. Stacey E. Plaskett of the Virgin Islands | 128 |
| SUBMISSIONS FOR THE RECORD | |
| “Rollover of Disaster Management Costs: Increasing Capability and Responsi- bility in Managing Disaster Declarations,” submitted by Patrick Sheehan, Director, Tennessee Emergency Management Agency, on behalf of the Na- tional Emergency Management Association | 114 |
| Letter of April 20, 2018, from Kenneth E. Mapp, Governor of the U.S. Virgin Islands, to Hon. William “Brock” Long, Administrator, Federal Emergency Management Agency, submitted by Hon. Stacey E. Plaskett of the U.S. Virgin Islands | 129 |
| ADDITIONS TO THE RECORD | |
| Letter of July 18, 2018, from the North American Concrete Alliance, to Hon. Bill Shuster, Chairman, Committee on Transportation and Infrastruc- ture et al., submitted by Hon. Lou Barletta of Pennsylvania | 135 |



**Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515**

Bill Shuster
Chairman

Christopher W. Veenoh, Staff Director

Peter A. DeFazio
Ranking Member

Katherine W. Dedrick, Democratic Staff Director

July 13, 2018

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Economic Development, Public Buildings, and
Emergency Management
FROM: Staff, Subcommittee on Economic Development, Public Buildings, and
Emergency Management
RE: Subcommittee Hearing on “Are We Ready? Recovering from 2017 Disasters and
Preparing for the 2018 Hurricane Season”

PURPOSE

On Wednesday, July 18, 2018, at 10:00 a.m. in 2167 Rayburn House Office Building, Members of the Subcommittee on Economic Development, Public Buildings, and Emergency Management will meet for a hearing titled “Are We Ready? Recovering from 2017 Disasters and Preparing for the 2018 Hurricane Season.” The purpose of this hearing is to understand the status of the recovery from the 2017 disaster season, including hurricanes and wildfires, and efforts to prepare for the 2018 Hurricane Season which began on June 1, 2018.

Witnesses include the Associate Administrator of Response and Recovery from the Federal Emergency Management Agency (FEMA), representatives of state and local emergency managers, and the private sector.

BACKGROUND

Overview of the 2017 Hurricane and Wildfire Seasons

The 2017 hurricane season produced several devastating storms and hurricanes. Ten hurricanes were recorded in the Atlantic alone, including six major hurricanes (Category 3, 4 or 5), which devastated parts of Texas, Florida, and the Caribbean.¹ The season also brought over

¹ National Oceanic and Atmospheric Administration, “Extremely active 2017 Atlantic hurricane season finally ends.” November 30, 2017.

\$368.66 billion in damages, due mostly to the season's three most destructive hurricanes.² In the Texas area, Hurricane Harvey dropped over 51 inches of rain, resulting in at least 83 deaths, displacement of over 30,000 people and over 17,000 rescues.³ Hurricane Harvey was one of the most costly hurricanes in U.S. history, with damage estimates reaching \$200 billion.⁴ Following Hurricane Harvey in Texas, Hurricane Irma hit Florida and parts of the Caribbean, causing 47 total direct deaths.⁵ In addition to the loss of these lives, about \$50 billion in damages were recorded in the United States.⁶ Hurricane Maria, another major hurricane, hit Puerto Rico and other parts of the Caribbean shortly after Hurricane Irma. Hurricane Maria caused numerous deaths with the actual death toll in Puerto Rico highly uncertain,⁷ and about \$90 billion in damages in Puerto Rico and the U.S. Virgin Islands.⁸

Hurricane Harvey broke record rainfall statistics with 51.88 inches in parts of Texas.⁹ Hurricane Maria also broke a record by becoming the most intense cyclone to strike U.S. territories.¹⁰ Hurricane Irma was able to sustain 185 mph winds for 37 hours, which is another record for the highest mph winds for the longest time period.¹¹ All the damages from these hurricanes and other smaller ones made the 2017 hurricane season the costliest season ever recorded and one of the most active.

In addition to having one of the most destructive and active hurricane seasons ever recorded, 2017 also included one of the worst wildfire seasons in United States history. Nationwide, over 66,000 wildfires burned over 9.7 million acres of land.¹² In California, over 7,000 wildfires burned through over a half million acres of land.¹³ Strong Santa Ana winds, dry brush, and dead trees fueled the start of most of the fires. The 2017 wildfires set ablaze a significant portion of the state of California – spreading as far north as the Oregon border and as far south as San Diego, California. The wildfires spread across the Western United States, hitting 10 states in total including parts of Arizona, Oregon, Montana, Nevada, and Washington.¹⁴

² National Oceanic and Atmospheric Administration "Hurricane Season - 2017." Available at: <https://sos.noaa.gov/datasets/hurricane-season-2017/>.

³ National Oceanic and Atmospheric Administration, "Hurricane Harvey: Clouds with Precipitation – 2017." Available at: <https://sos.noaa.gov/datasets/hurricane-harvey-clouds-with-precipitation-2017/>.

⁴ Id.

⁵ Statistics provided by NHC, available at https://www.nhc.noaa.gov/data/tcr/AL112017_Irma.pdf

⁶ Id.

⁷ Statistics provided by NHC, available at https://www.nhc.noaa.gov/data/tcr/AL152017_Maria.pdf, stating "... that hundreds of additional indirect deaths in Puerto Rico may eventually be attributed to Maria's aftermath pending the results of an official government review."

⁸ Id.

⁹ National Oceanic and Atmospheric Administration "Hurricane Season - 2017." Available at: <https://sos.noaa.gov/datasets/hurricane-season-2017/>.

¹⁰ Id.

¹¹ Id.

¹² <https://www.ncdc.noaa.gov/sotc/fire/201713>.

¹³ Statistics provided by CalFire, available at http://cdfdata.fire.ca.gov/incidents/incidents_statsevents.

¹⁴ "Statistics" from the National Interagency Fire Center, available at https://www.nifc.gov/fireInfo/fireInfo_statistics.html (Accessed March 14, 2018).

These hurricanes and wildfires were among the 59 major disasters declared under the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Stafford Act, P.L. 100-707), (42 U.S.C. 5121 et seq.) in 2017.¹⁵ In addition to these disasters, flooding was also a problem in 2017. California had its wettest winter on record, which included the Oroville Dam crisis.¹⁶ Fourteen places across Oklahoma, Missouri, and Arkansas reported record-high water levels during floods in April.¹⁷ Requests for federal disaster aid jumped tenfold compared to 2016, with 4.7 million people registering with FEMA.¹⁸

Outstanding Issues from 2017

Nearly a year later since these record breaking disasters, the United States continues to grapple with issues of recovery and the rebuilding of its infrastructure: including housing, emergency work, reimbursements, community disaster loans and administrative costs. Processes can be slow, cumbersome and confusing for individuals and communities trying to recover from disasters, and numerous federal agencies are involved.

Federal Assistance for Disasters

FEMA is the federal government's lead agency in preparing for, mitigating against, responding to, and recovering from disasters and emergencies related to all hazards – whether natural or man-made. FEMA's primary authority in carrying out these functions stems from the Stafford Act. The Stafford Act authorizes three types of declarations: (1) major disaster declarations; (2) emergency declarations; and (3) fire management grant (FMAG) declarations.

Presidentially Declared Major Disaster

When state and local resources are overwhelmed and the “disaster is of such severity and magnitude that effective response is beyond the capabilities of the state and the affected local governments,”¹⁹ the Governor of the affected state may request the President to declare a major disaster. FEMA's primary Stafford Act programs for disaster response and recovery in the aftermath of a major disaster are in the Public Assistance Program and the Individual Assistance Program. As part of each major disaster, FEMA also provides Hazard Mitigation Grant Program (HMGP) funds.

¹⁵ Federal Emergency Management Agency, “FEMA Reflects on Historic Year,” December 29, 2017. Available at <https://www.fema.gov/news-release/2017/12/29/fema-reflects-historic-year>

¹⁶ National Oceanic and Atmospheric Administration, “Very wet 2017 water year ends in California.” Available at: <https://www.climate.gov/news-features/featured-images/very-wet-2017-water-year-ends-california>.

¹⁷ National Weather Service, “Historic Flooding Event—28-30 April 2017.” Available at: <https://www.weather.gov/sgf/28-30AprilHistoricFloodingEvent>.

¹⁸ Achenbach, Joel, “Federal aid claims jump tenfold in 2017, after series of record-breaking natural disasters.” Washington Post, November 18, 2017. Available at: https://www.washingtonpost.com/national/federal-aid-claims-jump-tenfold-in-2017-after-series-of-record-breaking-natural-disasters/2017/11/18/662887ce-bd8d-11e7-8444-a0d4f04b89eb_story.html?utm_term=.f02c0e6838bd

The Public Assistance Program, authorized primarily by Sections 403, 406, and 407 of the Stafford Act, reimburses state, tribal, and local emergency response costs and provides grants to state and local governments, as well as certain private non-profits to rebuild facilities. The Public Assistance Program generally does not provide direct services to citizens.

The Individual Assistance Program, authorized primarily by Section 408 of the Stafford Act and also known as the Individuals and Households Program, provides assistance to families and individuals impacted by disasters, including housing assistance. Housing assistance includes money for repair, rental assistance, or “direct assistance,” such as the provision of temporary housing.

Section 404 of the Stafford Act authorizes HMGP, which provides grants to state and local governments to rebuild after a disaster in ways that: (1) are cost effective; and (2) reduce the risk of future damage, hardship, and loss from natural hazards. The central purpose of this grant program is to enact practical mitigation measures that effectively reduce the risk of loss of life and property from future disasters. FEMA provides grants to states under HMGP so that they may assist families in reducing the risk to their homes from natural disasters. In the case of wildfires, mitigation measures covered by HMGP include, but are not limited to: establishing defensible space measures around buildings; using fire-resistant building materials; and regularly clearing combustibles that could serve as fuel for a wildfire. FEMA provides up to 75 percent of the funds for mitigation projects under HMGP and the remaining 25 percent can come from a variety of sources (i.e., a cash payment from the state or local government).¹⁹

Fire Management Assistance Grant Program

Section 420 of the Stafford Act authorizes FEMA to provide fire management assistance to state, local, and tribal governments for the mitigation, management, and control of any fires burning on publicly or privately owned forests or grasslands that threatens such destruction as would constitute a major disaster. FMAG funding may be used for equipment and supplies, labor costs, emergency work, pre-positioning of resources, and temporary repair of damage caused by work directly related to firefighting activities associated with the declared fire.²⁰

Committee Leadership on Disaster Policy Reform

The Disaster Recovery Reform Act (DRRA)

On November 30, 2017, the Committee on Transportation and Infrastructure unanimously approved DRRA. The House added the DRRA policy proposals to the third

¹⁹ “Hazard Mitigation Grant Program,” Federal Emergency Management Agency, *Fema.gov*. (Accessed March 14, 2018).

²⁰ “Fire Management Assistance Grant Program,” Federal Emergency Management Agency *Fema.gov*. (Accessed March 14, 2018).

disaster supplemental appropriations bill, H.R. 4667, which was passed by the House on December 12, 2017, but these policy provisions were not included in the final bill that was signed into law. DRRRA was also added to H.R. 4, the FAA Reauthorization Act of 2018, which passed the House on April 27, 2018. On June 13, 2018, the Senate Homeland Security and Governmental Affairs Committee introduced and reported their own version of DRRRA.

DRRA places greater emphasis on pre-disaster mitigation, and incentivizes states to invest in stronger mitigation measures and resilient rebuilding to ensure that our communities are well-equipped to better prepare for and withstand disasters of all kinds. For every one dollar spent on mitigation activities, six dollars is saved²¹. DRRRA deals directly with wildfire prevention by permanently amending the Stafford Act to allow HMGP funds to be generated from fire management assistance grants.

CONCLUSION

Last year was a year of unprecedented disasters that affected more than 25 million Americans (almost eight percent of the U.S. population).²² These disasters demonstrate the importance of mitigating risks and preparing for the next disaster. These efforts have shown to reduce disaster costs and losses and increase resilience so that individuals and communities can get back to normal as quickly as possible after being impacted by a disaster.

²¹ “National Institute of Building Sciences Issues New Report on the Value of Mitigation,” National Institute of Building Sciences. Available at: <https://www.nibs.org/news/news.asp?id=381874>

²² Federal Emergency Management Agency, “FEMA REFLECTS ON HISTORIC YEAR.” Available at: <https://www.fema.gov/news-release/2017/12/29/fema-reflects-historic-year>.

WITNESS LIST

Mr. Jeffrey Byard
Associate Administrator
Office of Response and Recovery
Federal Emergency Management Agency

Mr. Charles "Ray" Alexander
Director of Contingency Operations and Chief of the Office of Homeland Security
United States Army Corps Of Engineers

Mr. Patrick Sheehan
Director
Tennessee Emergency Management Agency
On behalf of the National Emergency Management Association

Ms. Mistie Gardner, CEM
Emergency Management Coordinator
City of Richardson, Texas
On behalf of the U.S. Council of the International Association of Emergency Managers

The Honorable R. David Paulison
Former Administrator
Federal Emergency Management Agency
On behalf of the BuildStrong Coalition

ARE WE READY? RECOVERING FROM 2017 DISASTERS AND PREPARING FOR THE 2018 HURRICANE SEASON

WEDNESDAY, JULY 18, 2018

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ECONOMIC DEVELOPMENT,
PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

The subcommittee met, pursuant to call, at 10 a.m., in room 2167, Rayburn House Office Building, Hon. Lou Barletta (Chairman of the subcommittee) presiding.

Mr. BARLETTA. The committee will come to order. Without objection, the Chair is authorized to declare a recess at any time.

Before we begin, I ask unanimous consent that Members not on the subcommittee be permitted to sit with the subcommittee at today's hearing and ask questions.

Without objection, so ordered.

From hurricanes to floods and wildfires, no region of our country was immune from the impacts of last year's disasters. Last year we saw 10 hurricanes in the Atlanta region alone, including Hurricanes Harvey, Irma, and Maria, which devastated parts of Texas, Florida, Puerto Rico, and the U.S. Virgin Islands.

We also had one of the worst wildfire seasons on record with over 66,000 wildfires that burned nearly 10 million acres of land. Disasters caused an estimated \$370 billion in damages in 2017. The purpose of today's hearing is to determine where we are in recovering from these devastating disasters, including challenges to recovery and suggestions on how we can overcome those challenges.

We also want to understand State, local, and Federal efforts to prepare for and respond to the 2018 hurricane season, which began on June 1st. Additionally, we will discuss reforms that are needed to incentivize and encourage mitigation and the reduction of disaster costs and losses across the country.

The 2017 disaster season not only devastated many communities, but also highlighted challenges in how we respond to and recover from disasters. We have a ways to go in rebuilding, especially in Puerto Rico and the U.S. Virgin Islands. And it is critical, we do what we can to help communities rebuild smarter and better. In November, this committee came together to craft bipartisan legislation, the Disaster Recovery Reform Act, which would allow communities to rebuild in a way that would minimize future disaster costs and save lives.

This legislation includes reforms that will change FEMA's [Federal Emergency Management Agency's] disaster recovery programs to make them more effective and efficient, and encourage and facilitate mitigation projects that reduce disaster risks and increase resiliency against disasters. This legislation has now overwhelmingly passed the House twice, including in H.R. 4, the FAA Reauthorization Act, which has yet to be taken up by the Senate.

There are communities impacted by the 2017 disasters, and preparing for future disasters, that would benefit today from the reforms in DRRRA [Disaster Recovery Reform Act]. Some reforms were signed into law as part of the Bipartisan Budget Act of 2018. Those reforms allow FEMA to create incentives for State and local governments to implement mitigation. But we need the other critical reforms, including, key wildfire mitigation provisions and additional resources to State and local governments for cost-effective mitigation projects.

Various studies by Federal agencies, academia, and the private sector have shown that for every \$1 of Federal investment in mitigation, there is a \$4 to \$8 return in avoided disaster damages. Mitigation projects, particularly predisaster, are a wise investment of Federal dollars, and the only way we, as a Nation, will be able to change the direction of rising disaster costs and losses. It makes no sense for us to continue to rebuild the same way, disaster after disaster.

I look forward to hearing from our witnesses today on where we are in the recovery from the 2017 disaster season, where we are in preparing for the 2018 hurricane season, and the recommendations for changes that need to be made to make our communities stronger and better able to recover from disasters of any kind.

Thank you all for being here.

I now recognize the ranking member of the full committee, Mr. DeFazio.

Mr. DEFAZIO. Thank you, Mr. Chairman. Thanks for holding this important hearing on recovery efforts from 2017 and looking forward to the 2018 season. We already have fires burning in the West, and it is going to be another bad fire year, and we don't know what will happen with hurricanes.

On Friday, we finally got FEMA's "After-Action Report" on 2017. They admitted in that report what everyone knew, the Agency's response was inadequate, to put it mildly, and in the case of Puerto Rico and the Virgin Islands, outrageously inadequate. They admit that they did not pre-position enough commodities, such as food, water, generators, before Irma and Maria struck the Virgin Islands and Puerto Rico. They acknowledged they experienced delays in delivering supplies to territories, despite the fact that in 2014 they led a national level exercise indicating that delays could be a problem during a disaster and should be addressed. That is 3 years before these disasters.

President Trump, living in a different reality, ignored the obvious failures in the response efforts occurring on the ground. He called it fake news. And then he went to Puerto Rico and bragged about what a great job they had done and threw paper towels at people. He put lives at risk and people died after his visit, who should have been receiving assistance. That his boorish behavior went be-

yond to attacking a mayor of San Juan who was representing her people who were suffering horribly.

And then the FEMA Administrator, to his discredit, Brock Long, did the same thing, although later he admitted that that was inappropriate. Trump never did admit that. FEMA acknowledged its failures, but it was also, as it was acknowledging its failures, it had other people on staff busy eradicating any trace of any consideration of climate change in its strategic planning. Now, that is going to work out real well, isn't it? So we got to pay attention to things that are important.

Then FEMA found, you know, that it also needs to collaborate more with State, Tribal, Territorial, local governments, but President Trump proposed cutting five preparedness grants in his budget by \$471 million, or 29 percent, and proposed reducing funding for education, training, and exercises by \$129 million, or 47 percent. What is going on here? Are we going to take this seriously or not?

And throughout the "After-Action Report," FEMA discussed the need to make the Nation more resilient to disasters, however, the administration again rescinded an existing Executive order, because Obama did it, establishing a Federal flood risk management standard, i.e., we are not going to build any federally funded facility in a flood-prone area. Or if we do build in those areas, special construction techniques would be used to protect the structure, the contents, and the personnel.

Now, that has been eliminated. We are not going to consider those sorts of thing because we don't believe in climate change, and I guess we don't even believe in natural disasters or 100-year floods anymore. And then FEMA also mentioned the importance of predisaster mitigation, while the President proposed cutting funding for predisaster mitigation by 61 percent, down from an inadequate \$100 million to an absolutely pathetic \$39 million, which could probably be spent in any one potentially targeted city in terms of hurricanes, very well, and mitigate a lot of loss.

So while FEMA's "After-Action Report" identifies specific improvements needed, including the need for more preparedness, mitigation, resilient rebuilding, the President in his budget says, no, none of that, we don't want that. So we, here in Congress, have a responsibility to move forward, and as the chairman mentioned, we have in a bipartisan way. We are moving forward in ways that deal with disasters and potential disasters more thoughtfully.

We took up a bill in the House this week, I was a cosponsor of, to say that we are not going to rebuild someone's house 20 times or 30 times. It is, you know, a very small percentage of the buildings out there cost 4 percent of—cost 25 percent—is it 4 percent or 2 percent? Never mind. Anyway, a very small percentage. I had the numbers before me, then cost about one-quarter of FEMA's budget. And FEMA, of course, our flood insurance program is bankrupt.

So we passed a bill to get a study to see if entering into agreements with people, in structures that have been repeatedly destroyed, to agree to pay them full market value the next time it is destroyed, and reducing their flood insurance risk program will

save money. I think it is a no-brainer, it will. I mean, some people have been rebuilt multiple, multiple times.

So we need to do better. We need to act smarter. We need to do actually all these things that have been enumerated, and Congress is the only hope that we have on delivering on that reality.

Mr. BARLETTA. Thank you. Right now I recognize the ranking member of the subcommittee, Ms. Titus, for an opening statement.

Ms. TITUS. Thank you, Mr. Chairman. And I apologize for keeping you and the committee and our witnesses waiting. I won't make a habit of that, I assure you. I also thank you for holding this important hearing. As you have heard, the hurricane season began on June 1 and already we have had two hurricanes form in the Atlantic Ocean.

Hurricane Beryl was downgraded to a tropical storm by the time it hit the U.S. Virgin Islands and Puerto Rico, where they were pummeled with strong winds and rain. And even though at that point it was no longer considered a hurricane, Tropical Storm Beryl caused over 40,000 homes and businesses to lose power temporarily in Puerto Rico, which highlights the fragile state of recovery.

Also, in the midst of hurricane season, we see that numerous homes in both Puerto Rico and in the Virgin Islands still have blue plastic tarps as roofs, due to damage that was caused by last year's hurricane. Now, the intended lifespan of these tarps is 30 days, so you can imagine the condition they are in.

The territories aren't the only ones in the midst of recovery from the 2017 disasters, and much work remains to be done to solve those problems as well as prepare for 2018.

So in addition to the ongoing recovery issues and preparedness, right in the middle of all this, FEMA has released its 2017 hurricane season "After-Action Report." In it, they noted several failures, as you have heard mentioned in their preparedness efforts for 2017, including inadequate staffing, lack of sufficient commodities in place, and logistical failures. At least they recognize what some of the problems are.

In this "After-Action Report," FEMA noted it had exhausted its predisaster contracts for commodities, such as food, water, and generators, which should have been in place to give FEMA a head start on its disaster response efforts. The Post-Katrina Emergency Management Reform Act requires that FEMA have contracts in place for recurring disaster response requirements before the disaster strikes. Yet, over the years, FEMA has failed to procure new contracts or renew existing contracts for such commodities in advance of the disaster, therefore, contributing to the state of unreadiness.

Last fall, the Puerto Rico Electric Power Authority, PREPA, entered into two separate contracts, one with Whitefish Energy Holdings and the other with Cobra Acquisitions. Both contracts contained terms that limited proper Federal oversight. Although FEMA denies these claims, both contractors indicated that FEMA approved the contract terms.

Now, I understand that the Office of Inspector General is investigating these contracts to determine the accuracy of the allegations. But I want to be clear, FEMA should never approve contracts that purport to limit any oversight over disaster funds. Now, by

oversight, let's be clear what oversight means, it doesn't mean exercise undue influence. For example, just last May, PREPA entered into a new \$900 million contract with Cobra Acquisitions to complete restoration of the electrical transmission system. Now, we have heard since then a potential interjection by FEMA into that contracting process.

While FEMA needs to be diligent in ensuring that the grantees comply with Federal laws when they are competing for a contract, and that the terms are consistent with Federal requirements, that does not mean that FEMA should improperly interfere in the local contracting process, including the selection of the winning bidders. FEMA's "After-Action Report" also notes shortages of staff that hindered the response to disasters. FEMA needs to address this and the other problems listed in the report in a comprehensive manner, and I look forward to hearing about your plans.

Finally, FEMA acknowledges the need to invest in mitigation and better prepare for future disasters. Yet, in its 2018 to 2022 strategic plan, you remove all references to climate change. As long as FEMA engages in this type of contradictory behavior, the Nation and FEMA will fall behind in its preparedness effort. So as we talk about natural disasters, I think we have to be realistic.

Finally, I would just mention that pets are something that are missing from our report and from our plans, and I would like to see some discussion of the Pet Emergency Transparency and Accountability in Disasters Act that we have introduced, because if you take care of pets that often makes it easier to take care of the people who are engaged.

So I thank you, Mr. Chairman. And I look forward to the discussion.

Mr. BARLETTA. Thank you, Ms. Titus. Today, we are joined by Mr. Jeffrey Byard, Associate Administrator, Office of Response and Recovery, Federal Emergency Management Agency.

Mr. Ray Alexander, Director of Contingency Operations and Homeland Security, U.S. Army Corps of Engineers.

Mr. Patrick Sheehan, director, Tennessee Emergency Management Agency, testifying on behalf of the National Emergency Management Association, which represents State emergency managers.

Mistie Gardner, emergency management coordinator, city of Richardson, Texas, testifying on behalf of local emergency managers, and the U.S. Council of the International Association of Emergency Managers.

And the Honorable Dave Paulison, who served as FEMA Administrator from 2005 until January 2009, testifying on behalf of the BuildStrong Coalition.

I ask unanimous consent that our witnesses' full statements be included in the record.

Without objection, so ordered.

For our witnesses, since your written testimony has been made a part of the record, the subcommittee would request that you limit your oral testimony to 5 minutes.

And, Mr. Byard, you may proceed.

TESTIMONY OF JEFFREY BYARD, ASSOCIATE ADMINISTRATOR, OFFICE OF RESPONSE AND RECOVERY, FEDERAL EMERGENCY MANAGEMENT AGENCY; CHARLES R. ALEXANDER, JR., DIRECTOR OF CONTINGENCY OPERATIONS AND HOMELAND SECURITY, U.S. ARMY CORPS OF ENGINEERS; PATRICK SHEEHAN, DIRECTOR, TENNESSEE EMERGENCY MANAGEMENT AGENCY, ON BEHALF OF THE NATIONAL EMERGENCY MANAGEMENT ASSOCIATION; MISTIE GARDNER, CEM, EMERGENCY MANAGEMENT COORDINATOR, CITY OF RICHARDSON, TEXAS, ON BEHALF OF THE U.S. COUNCIL OF THE INTERNATIONAL ASSOCIATION OF EMERGENCY MANAGERS; AND HON. ROBERT DAVID PAULISON, FORMER ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, ON BEHALF OF THE BUILDSTRONG COALITION

Mr. BYARD. Chairman Barletta, Ranking Member Titus, and members of the subcommittee, good morning. My name is Jeff Byard, I am the Associate Administrator for the Office of Response and Recovery for FEMA. On behalf of the Secretary Nelson and Administrator Long, thank you for the opportunity to discuss lessons learned from the 2017 historic hurricane season and our ongoing progress made under, one, FEMA strategic plan; and two, our preparations for the current 2018 hurricane season.

As mentioned, Hurricanes Harvey, Irma, and Maria devastated a Nation at a time when FEMA was already supporting dozens of open federally declared disasters across our country. During the response to the three catastrophic hurricanes, FEMA also responded to historic wildfires in California. An estimated 47 million Americans were affected by last year's hurricanes and wildfires. That is approximately 15 percent of the entire U.S. population.

Following the 2017 hurricanes, we have reviewed preparations for the immediate response and initial recovery operations with a goal of identifying lessons learned, which collectively benefit future emergency management operations at all levels, both local, State, Federal, nonprofit, and the private sector.

Last week we released our 2017 hurricane season "After-Action Report." The report examines the Agency's performance during the record-breaking season and captures transformative insights that will help FEMA, the emergency management community, and the Nation chart a path into the future. The report identified key findings across five focus areas, and offered targeted recommendations for us to improve, as well as broader lessons for partners throughout the emergency management community.

You know, we took a hard look at ourselves, we pointed our finger at ourselves, and we released that report. You know, we hear terms like failure, we hear terms like admission. We look at that as leadership. That not only helps our Agency, it helps Director Sheehan, Director Gardner, and many others. In the minute we stop looking at ourselves and taking that hard look because of what we may fear others may say, we have lost the ball, we have lost the leadership.

Aligned with key focus areas in the "After-Action Report," FEMA's strategic plan builds on the existing best practices, identifies new initiatives geared towards achieving three overarching goals. The three main goals to our strategic plan are to build a cul-

tural preparedness, ready the Nation for catastrophic disasters, and reduce the complexity of FEMA. These three goals are overarching and they are all hazards. They are not applied to a specific hazard, they are not applied to a specific cause. They are how we react and how we stabilize our country in the event that something bad may happen.

As part of the initiative to ready the Nation for catastrophic disasters, we are emphasizing the stabilization of critical lifelines and coordination across critical infrastructure sectors. This is a new terminology in emergency management as we have always focused on State and locals, and we continue to focus on State and locals. We have to broaden our horizons. We have to bring people more under our tent.

Lifelines provide indispensable services that enable the continuous operation of critical business and Government functions, and if not properly restored, they risk health and safety, and they also can risk national economic security. Solutions to stabilize lifelines, as we found out in 2017, do not fit in a single construct, like our existing emergency support functions. So we must provide cross-sector coordination to effectively stabilize critical lifelines.

For example, the critical lifeline of food, water, and sheltering crosses many agencies, community partners, and emergency support functions. But we must address holistically in order to support the community, focusing on lifelines and related impacts will allow decisionmakers at all levels to move rapidly, and will allow better utilization of limited resources toward restoration of critical infrastructure.

As we look at 2017, we are taking immediate steps in 2018. For example, we have updated our plans, annexes, and procedures. We made logistical improvements, specifically in the Commonwealth and our island States and territories. We have increased from thousands of bottles of water to millions. Thousands of MREs to millions. Where we had one warehouse in the Commonwealth, we now have five. We have redefined our tactical and long-haul disaster communications.

We have had coordinated exercises and training with many multiple partners to include the Commonwealth and the territory. And we are modernizing our housing inspection. I would like to take a moment to highlight one of our initiatives. What we clearly learned is we have to increase our stocks hourly, our OCONUS [outside the continental United States] locations. That gives us better time to coordinate with the private sector when we have limited shipping, limited air, and limited receiving capabilities. What we know now is we can coordinate better with the private sector when we have that. So establishing larger footprints in the Caribbean will allow us days and not hours to establish that and better serve our citizens.

I am pleased to be here today to represent the dedicated men and women of FEMA. I am pleased to be with the partners on this panel. And I am happy to take any questions the committee may have. Thank you.

Mr. BARLETTA. Thank you, Mr. Byard, for your testimony. Mr. Alexander, please proceed.

Mr. ALEXANDER. Chairman Barletta, Ranking Member Titus, distinguished members of the subcommittee, good morning. I am honored to testify before you today and discuss the authorities and responsibilities of the U.S. Army Corps of Engineers during disaster response and recovery operations, lessons learned from the 2017 storm season, and actions taken to ensure readiness for 2018.

The Corps conducts its emergency response and recovery activities under two basic authorities, the Stafford Act and Public Law 84–99. Under the Stafford Act and the National Response Framework, the Corps works under the direction of FEMA, serving as the lead Federal coordinating agency for Emergency Support Function 3, Public Works and Engineering.

For recovery missions, the Corps serves as the lead coordinating agency for the Infrastructure Systems Recovery Support Function under the National Disaster Recovery Framework. Public Law 84–99 provides a separate source of authority for the Corps to prepare for and respond to floods, hurricanes, and other natural disasters.

Under these authorities, the Corps maintains more than 50 specially trained response teams supported by emergency and pre-awarded contracts to perform the wide range of public works and engineering-related missions. The 2017 hurricane season was historic, and we continue to identify lessons learned in an effort to sustain and improve our performance.

The extraordinary impacts of Hurricanes Harvey, Irma, and Maria, resulted in this unprecedented response. For Harvey, FEMA issued the Corps 23 mission assignments, totaling over \$140 million. At its peak, nearly 1,000 Corps employees deployed, and 40 employees remain engaged today, supporting 11 active recovery mission assignments.

In response to Hurricanes Irma and Maria, FEMA issued 49 mission assignments, totaling over \$3.3 billion for Puerto Rico and the U.S. Virgin Islands. We deployed thousands of personnel, and today 369 Corps employees remain engaged executing recovery operations. Additionally, we received 43 mission assignments in Florida and Georgia, totaling approximately \$45 million.

Detailed in my written testimony, mission assignments encompassed a range of activities including removal of debris, installation of generators to provide temporary emergency power, and the construction of temporary “blue roofs,” which enable impacted residents to move out of emergency shelters and back into their home.

In response to Irma and Maria, the Corps was tasked to assist in the repair of segments of the Puerto Rican power grid. The collaboration of responders, which includes the Corps and Federal agency partners, the utility industry, and the Puerto Rico Electric Power Authority, have now restored over 99.9 percent of the nearly 1½ million customers who had power before the storms.

Including these three major hurricanes, the Corps responded in total to 32 events in 2017. Among these disasters was the October 2017 wildfires across northern California. FEMA issued seven mission assignments, totaling \$1.2 billion for debris management and technical assistance. Additional wildfires in late December of 2017 in Ventura and Santa Barbara Counties precipitated into deadly mudslides in Santa Barbara County after significant rainfall in January of this year.

In response, FEMA issued two additional mission assignments totaling \$110 million for the removal of mudslide debris from 11 basins and natural channels. Other events the Corps assisted during 2017, including the central U.S. blizzard, the Bighorn River ice jam, and numerous flooding and other severe weather events.

The Bipartisan Budget Act of 2018 appropriated over \$17 billion for the Corps to repair and rehabilitate projects across the Nation damaged by natural disasters, to construct flood and storm damage reduction projects, and to complete flood and coastal storm damage reduction studies. We recently identified specific projects that will receive these funds and are working as quickly as possible to complete this work.

Combining the lessons learned and best practices from 2017, we have taken immediate actions to prepare for 2018. We completed several hurricane exercises, along with Federal, State, local, and territory partners, the gulf, and east coast, as well as for Puerto Rico, and this week, in the U.S. Virgin Islands. We participated in FEMA's 2018 intergovernmental and private-sector national level exercise, and we too have updated our hurricane plans, annexes, and our standard operating procedures.

Based on lessons learned, we have worked with FEMA to update and refine 34 prescribed mission assignments which include new cells for logistic support, command and control integration, and planning. We are developing an acquisition center of excellence to create a robust and agile contracting capability to support large complex missions that involve debris, temporary power, and roofing, as nonstandard contingency support requirements emerge.

In addition to our involvement in these and future response and recovery missions, the Corps remains fully committed and capable of executing our other civil works activities across the Nation.

This concludes my testimony. I look forward to answering any questions you may have. Thank you.

Mr. BARLETTA. Thank you for your testimony, Mr. Alexander. And, Mr. Sheehan, you may proceed.

Mr. SHEEHAN. Thank you, Chairman Barletta, Ranking Member Titus, and distinguished members of the subcommittee for holding this hearing.

In my statement for the record, I explain in detail the hard work of my agency and our partners in Tennessee during the 2016 response to wildfires, and the drought that extended across the State ultimately destroying thousands of acres, more than 2,600 buildings, injuring more than 134, and resulting in 14 deaths.

But these fires were merely a precursor to a year in which the Nation saw tremendous damage and losses from drought, wildfires, and of course the incredible destruction caused by Hurricanes Harvey, Irma, and Maria. This made 2017 the costliest disaster year in our history. Emergency managers constantly review our actions and work toward making continuous improvements, building learning organizations, and diffusing knowledge is incredibly important to our profession, and to the emergency management enterprise.

In the 2017 disaster season and preparations being made for 2018, we must remember that all the various policies, processes, and programs of emergency management are interwoven with each

other, and extend far beyond what we see happening at FEMA or in the headlines every day.

Much of what happens to prepare the Nation happens every day in the States, counties, and cities of our Nation. For example, beyond any of the federally declared disasters in 2017, State emergency managers handled an additional 22,552 events. Local governments managed another 12,557 events. FEMA is not a first responder during disasters or otherwise. So with without a thriving State and local emergency management system, many of these 35,109 events likely would not have received the type of response that they needed.

A culture of preparedness and timely response capabilities are vitally important to States and local communities. We create this thriving emergency management system by fostering a culture of preparedness to address threats and risks; building capacity and capabilities; and creating the basis by which States are empowered to assist one another.

Beyond specific preparedness programs that may strengthen people or policies, mitigation strengthens our infrastructure. This committee, this subcommittee, has taken bold steps toward fostering a culture of preparedness. The National Public Infrastructure Predisaster Hazard Mitigation program, included in the Disaster Recovery Reform Act, will fundamentally change how we prioritize and manage mitigation in this Nation.

The ability to utilize 6 percent of the total disaster costs in a year to put toward mitigation projects will fundamentally shift the preparedness paradigm and drive down future disaster costs. Studies continue to show the value of investment in mitigation and the alleviation of potential suffering is apparent.

NEMA [National Emergency Management Association] is also pleased to support the DRRRA provision, increasing the overall amount available for management costs. The increase from 3 percent to 12 percent will allow States and local governments to assume more responsibility in this emerging environment of collaborative disaster management. Any increase, however, must be tied to the flexibility to roll over these costs from one disaster to the next.

NEMA and IAEM [International Association of Emergency Managers] developed a proposal explaining this concept, which has been submitted to FEMA, and was submitted for the record with my testimony. One of the other ways in which emergency managers build capacity is through programs such as the EMPG [Emergency Management Performance Grant], which is truly a Federal, State, and local partnership. For every Federal dollar invested in the EMPG, at least that much is matched by State and local governments.

NEMA and IAEM come together every year to voluntarily submit a report to Congress on EMPG's return on investment. This report demonstrates the hard work that goes into supporting these 35,109 events I mentioned earlier. Yet despite the continued growth of disaster activity across the Nation, EMPG funding has remained stagnant since 2012, and that is why NEMA and IAEM call on Congress to approve a 5-percent inflationary increase for the program in the 2018 omnibus. While we were not successful in 2018, we re-

peat that request again for the 2019 omnibus and trust Congress will find a way to prioritize this program.

The effects of programs like EMPG and efforts to increase management costs can be multiplied several times over when States are empowered to assist one other. The best way we do this is through the Emergency Management Assistance Compact or EMAC. From August 2017 to July of this year, a total of 19,196 personnel deployed through EMAC. Capacity built throughout the system is capacity able to be shared across the country, and the National Guard is a vital part of that capability as well.

The emergency managers and our partners continue to work on improving the speed and availability of this system. As we examine the 2017 disaster year and look ahead to the rest of 2018, remember that even when FEMA is not actively responding to a disaster, State and local emergency managers are still recovering from the last event, and conducting the planning, building the capacity, and setting the stage for the next storm to approach, all while working diligently to implement and manage sometimes complicated Federal programs.

Chairman Barletta and Ranking Member Titus, and distinguished Members, thank you for your continued support and keeping attention on needed capabilities and policy discussions that need to be had. Your leadership and persistent support are appreciated, and I am happy to take any of your questions.

Mr. BARLETTA. Thank you for your testimony. Ms. Gardner, you may proceed.

Ms. GARDNER. Good morning, Chairman Barletta, Ranking Member Titus, and members of the subcommittee. Thank you for this opportunity to testify on lessons learned from the historic 2017 hurricane season. My name is Mistie Gardner, I am the emergency management coordinator for the city of Richardson, Texas. I have worked in public safety for 23 years, and 10 of which I have been a Certified Emergency Manager.

I appear before you today as a representative of the U.S. Council of the International Association of Emergency Managers, an advocacy organization for the profession dedicated to protecting America's local communities from all hazards and threats. Local governments serve as our Nation's first line of defense. When disasters strike and immediately following a disaster, emergency managers play a role in coordinating local response and recovery efforts, working to mitigate further damage from the disaster.

But the most consequential work local emergency managers do actually happens before the disaster. Emergency managers wake up thinking about, planning for, and mitigating for all types of emergencies because we don't have the benefit of knowing what may occur next. A public health emergency, a hurricane, tornado, active shooter, the list goes on. And, unfortunately, most of those things happen with little to no warning.

Every day, emergency managers are hard at work behind the scenes at all levels of Government, coordinating with partners from all sectors of the Nation, helping our communities become better prepared.

Mr. Chairman, with the 2018 hurricane season already upon us and numerous disasters have already struck our Nation this year,

I want to take a moment to look back at lessons learned from last year's unprecedented disaster impacts. By sharing these observations, I hope to contribute to the discussions Congress and FEMA are having about reforming our Nation's disaster recovery systems.

Ultimately, it is the hope of IAEM that Congress will pass the Disaster Recovery Reform Act. As a demonstration of your commitment to supporting predisaster mitigation, and helping to develop a culture of preparedness in which we are all more resilient to the impacts of disaster.

From August through October of 2017, I worked on three deployments in response to Hurricane Harvey. First, I served as the emergency operations center manager for the city of Dallas in an effort to shelter more than 5,000 Texas citizens. From there I was called to work in the State Operations Center to help coordinate public works resources statewide. Finally, I was deployed as part of a recovery assistance team, supporting seven heavily impacted coastal jurisdictions.

Mr. Chairman, as a matter of practice, emergency managers continually evaluate what works well, while actively seeking opportunities to improve future response and recovery efforts. Our success hinges on having the courage to make the changes associated with these lessons learned. In my written testimony, submitted to the subcommittee, I outlined some of the lessons learned during Hurricane Harvey experiences. I would like to highlight a few of those key points for your consideration.

First, information sharing challenges were an issue yet again. Simply, emergency managers cannot adequately communicate with the public and coordinate an effective recovery if we do not have access to key information, that the nonprofits and the Federal partners, that we invite in to assist, have. The right to know must specifically include emergency managers through Federal policy.

Second, the lack of available personnel resources sufficiently trained in recovery and mitigation processes challenged impacted jurisdictions greatly. Thirdly, we lack adequate shelter capacity to meet the needs. Revising the Stafford Act to allow utilization of spaces which are not considered congregate shelters would have a tremendous impact. But allowing locals to partner and utilize predisaster mitigation funds to build shelters closer to the their communities, even though the cost-benefit analysis may not meet the current threshold, that builds resiliency.

The cost-benefit analysis alone does not adequately represent the world's environmental and role social impacts play. As the funding with the most potential to make exponential strides toward resiliency, we must allow for inclusion of multiple factors when determining project eligibility.

Lastly, I urge Congress to show its commitment to disaster readiness and resiliency by authorizing more predisaster mitigation funding. To compare, in 2017, predisaster mitigation for the entire Nation was \$90 million, but for Harvey alone, the State of Texas has been allocated \$1 billion. Doesn't it make more sense to invest in predisaster mitigation efforts, working to avoid such massive post-disaster expenses?

On behalf of IAEM and all local government emergency management professionals across the country, I sincerely appreciate this

opportunity to share my Hurricane Harvey experiences. I hope my testimony fosters further discussion as we strive to improve the way we as a Nation frame disaster resiliency.

Use the opportunities in 2017, those lessons learned. Help us build a generation of Americans who anticipate needs and resolve to take action before disaster, empowering themselves to be more resilient to disasters in the future.

Thank you, Chairman Barletta. I look forward to any questions the members of the subcommittee have for me.

Mr. BARLETTA. Thank you for your testimony, Ms. Gardner. Administrator Paulison, you may proceed.

Mr. PAULISON. Chairman Barletta, Ranking Member Titus, and members of this subcommittee. I want to thank you for holding this important hearing today. As communities around the Nation continue to recover in the wake of last year's devastating catastrophes, I remain grateful for the leadership demonstrated by this committee, the chairman, and the ranking member, and for the opportunity to share my expertise with the committee on the behalf of the BuildStrong Coalition.

The BuildStrong Coalition is a group of firefighters, emergency responders, insurers, engineers, architects, contractors, and manufacturers, as well as consumer organizations, code specialists, and many others, committing to build a more resilient America. During my 40 years' experience dealing with natural disasters at the Federal, State, and local levels, I have gained a deep appreciation for the tremendous service of our Nation's first responders and emergency management officials.

In my career, which began in 1971 as a rescue firefighter, I served as Administrator of FEMA from 2005 to 2009, Administrator to the U.S. Fire Administration from 2001 to 2005, Director of Preparedness for FEMA from 2003 to 2004, and fire chief of Miami-Dade Fire and Rescue Department from 1992 to 2001. Maybe it looks like I can't hold a job, huh?

Responding to many major hurricanes, including Hurricane Andrew in 1992, and Katrina in 2005, has provided me with a unique understanding of how we can better position FEMA to respond when disaster strikes. As we all know, last year was a particularly devastating one for disasters with 17 storms during the Atlantic hurricane season responsible for over \$200 billion in damages, and a death toll in the thousands, according to most estimates. These are astounding and horrifying numbers. And our focus should remain on helping those who lost so much.

Having sat in his chair, I know well the challenge Administrator Long and his entire team face. While we are helping those in need, it is beyond time to give serious consideration to why we continue to leave lives, homes, communities vulnerable. The evidence is simply overwhelming. Better land use, modern construction standards, and increased mitigation can dramatically reduce the devastation brought by these disasters.

We must incentivize and reward communities who invest in resiliency and stronger building codes. As lives are on the line, we must provide incentives for States to promote fire sprinklers, and insist that fire code officials get the nonflammable and seismic standards right the first time and make sure they are enforced. The cost

share provision included in the Bipartisan Budget Act, signed by President Trump just earlier this year as part of the Disaster Recovery Reform Act, passed by this very committee, represents a major step for creating these incentives. And the work of this subcommittee, including you, Mr. Chairman, as well as the work of other leaders, such as Chairman Shuster and Denham, deserve a tremendous amount of credit. Thank you for that.

With another busier than expected hurricane season ahead, it is more urgent than ever that Congress send the entire Disaster Recovery Reform Act to the President's desk. One provision would dramatically boost the size of the Nation's predisaster mitigation account, arming communities all over the Nation with new tools to mitigate against the risk of wind damage, flooding, and wildfires.

Also, before us is FEMA's task in implementing the cost share adjustment provision, if passed into law. Let me make it clear that I applaud FEMA for embracing this challenging task, and I would like to offer four specific recommendations that I believe, based on my experience, will help ensure the incentive is implemented in a way that will protect homes, lives from future storms.

First, the cost share incentive should be established as a FEMA pilot program to ensure maximum flexibility and speed of enactment.

Second, a minimum standard should be established such that in order to be eligible for any enhanced Federal cost share, a State must have a statewide building code within an enforcement mechanism—a strong enforcement mechanism.

Third, the State must have a working mitigation plan that identifies top vulnerabilities and the steps the State must take to reduce those vulnerabilities. In order to receive any funding above 75 percent minimum amount, States must implement action identified in this plan.

Finally, it would be critical to push for incentives offered to the House under State mitigation plans and building codes that can achieve significant impact. This would mean the adoption of the most recent recommended code and maintaining a model code no older than 6 years, and implementing changes to State and local building codes that address key vulnerabilities.

As the 2018 Atlantic hurricane season gets underway, the time is now to put predisaster mitigation at the forefront and protect our Nation and communities from the next storm. There is a critical piece of unfinished business from the disaster legislation passed by this committee in the House of Representatives this year. A key provision puts 6 percent of all annual disaster spending on the budget for predisaster mitigation.

This provision is critical and must be passed by this Congress. Without preventative mitigation spending, people are left vulnerable and losing their lives, property being destroyed, and it simply doesn't have to be this way.

So I want to thank you again for holding this important hearing, and I look forward to hearing your questions.

Mr. BARLETTA. Thank you for your testimony, Administrator Paulison.

And I will now begin the first round of questions, limited to 5 minutes for each Member. If there are additional questions fol-

lowing the first round, we will have additional rounds of questions as needed.

And, first, I was glad to hear Ranking Member Titus mention the importance of the needs of pets during a disaster, a topic of great importance to me. We included a very important provision in the DRRRA that authorizes FEMA to set up a veterinarian pilot program that will help communities get the help they need in setting up shelters that include facilities for pets. So thank you for bringing that up.

And I will begin. Twice this Congress—the House has overwhelmingly passed the Disaster Recovery Reform Act, which includes key provisions that will help speed disaster recovery and mitigate disaster risks. The legislative changes in authorities in DRRRA will save lives, property and taxpayer dollars. And the Senate has yet to act on this important legislation.

To all witnesses here, how important do you think it is that Congress enact the provisions contained in the Disaster Recovery Reform Act?

Mr. Byard, you may start.

Mr. BYARD. Yes, sir. We appreciate the committee's commitment to improving our Nation's resilience and response to disasters. You know, the DRRRA will incentivize that investment in predisaster mitigation very, you know, similar to what Administrator Paulison just laid out. Building a Nation of resilience—building a culture of resilience is one of the Administrator's top strategic goals. Thank you.

Mr. ALEXANDER. The Corps of Engineers certainly supports any effort to increase the resilience of the Nation's infrastructure and to promote life, health, safety measures. We also support, you know, investments and mitigation upfront. We are working on the Mitigation Framework Leadership Group with our Federal agency partners on the development of a National Mitigation Investment Strategy.

If you take a look at the dollar amounts associated with the supplementals of storms since Hurricane Katrina, if you took a fraction of that amount and invested it in mitigation, perhaps we would be able to mitigate the damages that we see today in our response and recovery operations. Thank you.

Mr. SHEEHAN. The National Emergency Management Association supports this legislation and remains active in helping work towards its passage. The key provisions that are most important for us are the National Public Infrastructure Predisaster Hazard Mitigation, the provision to take 6 percent of the disaster funding and makes it available for predisaster mitigation, is I think a game changer in terms of our Nation's resilience.

We also support the increase in management costs. This provision gives the ability to change that current level of funding from 3.34 percent to 12 percent, split 7 percent to the State and 5 percent to local governments. If that happens, if we are ever able to implement that, Administrator Long's vision for FEMA, for the emergency management enterprise, and the Nation in creating a more collaborative disaster management process will be realized. That allows us to fund that capability and build a more collaborative emergency management system.

The National Emergency Management Association opposes the duplication of benefits provision there. We think that the ability to waive some of these things could lead to other agencies trying to reach into the disaster relief fund and that that could create potential problems in funding streams for funding the Nation's disaster readiness.

Ms. GARDNER. Building on Mr. Sheehan's discussion there, the International Association of Emergency Managers also supports. And we urge everyone to remember that this policy—it is written policy, but it saves lives. And if it is not saving a life, it is impacting quality of life. And for those that are less willing to look at passing such legislation, remember, it may be your family that is dealing with this legislation and policy in the future, and make sure that you can live with whatever that comes up to be.

Incentives for States and locals are imperative, it helps us to continue to drive mitigation as a culture in our own communities so that we can teach that culture to citizens that live in our communities. But consider the possibilities of additionally adding the benefit and incentives to the local citizen, the private-sector partners we have, the nonprofits, and the other nongovernmental agencies within those jurisdictions. How can those incentives also be directly applied so that the culture can be continued to be built.

Mr. PAULISON. As you are sitting here listening and you see that almost every agency that responds to disasters recognizes very clearly, very clearly that predisaster mitigation works, it does save lives, it saves property. We saw very—after Hurricane Andrew, we made significant changes in our building code. You saw Hurricane Irma go through the Keys. The houses that were built to the new code were still there, they are doing fine. Some of them didn't even lose their roof tiles. It went across the top of my house in south Florida, and no damage at all.

If you look at last year's disaster spending, over \$200 billion spent on disasters. Taking 6 percent of that and applying to predisaster mitigation, can you imagine the impact this will have across this entire country as far as building resiliency in our system. So back to you, I know you are over your 5 minutes.

But, look, Mr. Barletta, the question that you asked, will it have an impact? Of course it would, and a very, very positive impact. And I think it is extremely important that we push this very hard to get it not only through here but also through the Senate. Thank you for the question.

Mr. BARLETTA. The Chair now recognizes Ms. Titus for 5 minutes.

Mr. TITUS. Thank you, Mr. Chairman. A big part of the recovery after a disaster is contracting with the private sector to get assistance with some of the efforts. So I would like to ask you, Mr. Byard, about some disaster contracting with FEMA.

In October of 2017, the Puerto Rico Electric Power Authority awarded a small company with just two full time employees, located in Montana, the Whitefish Energy Holdings Company, a \$300 million contract to restore electricity on the island in the aftermath of Hurricane Maria.

According to the Washington Post, before the White House—I mean, before Whitefish—you can see where I might get the two

confused—Whitefish received the \$300 million contract. The only thing that they had done was a small effort in Arizona to repair a 4.8-mile transmission line for a \$1.3 million deal. Now, they have eventually canceled their contract with Whitefish, but so far they received a payment of over \$30 million to work in Puerto Rico. And Whitefish claims that Puerto Rico owes them an additional \$100 million.

I would like to ask you what role FEMA played in the awarding of that contract? Did they request any guidance from you before making the award? Are you planning to reimburse them for their expenses related to the contract?

I wonder if you are cooperating with the probe, I understand that the Department of Homeland Security, Office of the Inspector General, is conducting. And can you provide to the subcommittee kind of a detailed justification or the project worksheet for what was actually done to merit this kind of payment of taxpayer dollars?

Mr. BYARD. Yes, ma'am. So we have to look at the context of where we were. So we have a devastating disaster, and I believe it was in October of 2017, when PREPA, who is the legal, responsible entity, to restore power for the Commonwealth. Just as most of our co-ops, cooperatives around our Nation, just as our private electric providers are around our Nation, PREPA was the entity that was tasked and has the responsibility to provide power to the citizens of the Commonwealth.

As with many storms prior to that and many different disasters prior to that, standard practice within the industry is mutual aid crews will come in to assist. That did not occur at that time. So PREPA elected to do a contract. FEMA does not get involved in the contracts between legal applicants, necessarily, and who they contract with. We have Federal procurement rules and regulations that are required to be followed in order to get reimbursement for contracts at large.

The Public Assistance Program does give the ability for FEMA to reimburse eligible applicants for eligible work. So any reimbursement done under the Whitefish contract or any other contract has gone through eligibility requirements as set forth in the Stafford Act for reimbursement. So—and you had a list of questions, but I am just going to give an overview of how that works.

So at the time, you know, we had to make some very quick and crisis action planning decisions on the ground, some of which we have not been faced with in any disaster. For example, the actual generation and distribution power of the Commonwealth was devastated. And in most terms and in most cases we turn to the Corps of Engineers, which is a vital partner to what we do for emergency power restoration, and that is generally done through generators. At this time we knew that we had to have more than that. So we asked the Corps to step up—

Ms. TITUS. I am not interested in the Corps. I want to get back to the Whitefish arrangement.

Mr. BYARD. Ma'am, as far as the Whitefish, that is a PREPA question. What we would do is reimburse eligible applicants across the Nation for eligible work done.

Ms. TITUS. And do you not think that FEMA should have in place some greater checks on the contracts that are issued before

you just pay out this kind of money to a company that you—even I, and I am not an expert in this area, would have some reservations about contracting with—for such a major job, and over time it has shown that they weren't up to the job.

Mr. BYARD. Right. So——

Mr. TITUS. You don't think that is your responsibility?

Mr. BYARD. No, ma'am, I don't. I think the responsibility is always best if it is locally executed, State-managed, and federally supported.

So, you know, as you heard the esteemed colleagues on the panel, all disasters begin and end locally. So, you know, what are we asking FEMA to do? Do we support the locals in one hand, and then, you know, manage, oversee, and dictate how they contract in the other?

Ms. TITUS. I'm not asking you to dictate——

Mr. BYARD. Now we have many checks and balances in place——

Ms. TITUS [continuing]. I am asking you to provide some oversight for all this amount of money——

Mr. BYARD. Yes, ma'am.

Ms. TITUS [continuing]. For all this amount of money of \$30 million of taxpayers.

Mr. BYARD. Right. And I believe the total bill was over \$300 million. So I feel very certain we have very strict oversight on what the taxpayers' dollars are going to. We want to build back better.

So, you know, there are oversight measures in place with Whitefish and any other contract.

Ms. TITUS. Is that part of your after-disaster report to have greater oversight on these kind of contracts and you don't think it should be?

Mr. BYARD. No, ma'am, I never said I didn't think it should be. I said we have current oversight and current policies and procedures in place to ensure that Federal dollars are spent wisely and that they are spent for the allocations set forth in the Stafford Act as—we also have contract teams that will go out and assist local governments. They have done that in Texas and Florida and others. So I believe we have adequate oversight in place.

Ms. TITUS. Thank you, Mr. Chairman.

Mr. BARLETTA. The Chair now recognizes Mr. Crawford for 5 minutes.

Mr. CRAWFORD. Thank you, Mr. Chairman.

Mr. Byard, are you aware what percentage of homes flooded by Hurricane Harvey had flood insurance policies?

Mr. BYARD. Sir, I don't know the percentage. I can definitely get that back to the committee. I would hate to guess or estimate.

Mr. CRAWFORD. All right. Well, I am looking at a Washington Post report on an analysis of FEMA data that shows only 17 percent of homeowners in the eight most affected counties had flood insurance. Does that sound accurate to you?

Mr. BYARD. You know, sir, I don't want to, you know, judge the accuracy of the Washington Post, but what I will say is, you know, insurance is the first and best line of defense.

Mr. CRAWFORD. OK.

Mr. BYARD. So if 17 percent is what they had, I would say that would be low in that area.

Mr. CRAWFORD. OK. Let me ask you this: Are you aware that FEMA is legally required to assess the accuracy and need to update a flood map covering an area every 5 years?

Mr. BYARD. What I can do is get you information on the National Flood Insurance Program. It is not under my purview.

Mr. CRAWFORD. It is not?

Mr. BYARD. No, sir. I am under response recovery. I handle Stafford Act programs. But I can definitely get you information and would be happy to provide any and everything on the National Flood Insurance Program.

Mr. CRAWFORD. Well—

Mr. BYARD. I don't want to overspeak. I would hate to do that to you in the fine committee.

Mr. CRAWFORD. Well, that said, probably the line of questioning that I have is probably better directed for somebody else in your Agency. So you don't have any issues with flood control, or flood mapping, per se?

Mr. BYARD. No, sir, it is not under—again, it is not under my responsibility, as laid out by the Administrator.

Mr. CRAWFORD. OK.

Mr. BYARD. But, again, we will be happy to work with you. I don't want to come across like I am dodging the question. I just—

Mr. CRAWFORD. Sure. I understand. Do you have any knowledge of that 5-year requirement, though? Is that, in fact, accurate, that you have to update every 5 years?

Mr. BYARD. You know, and I hate to look to my left, but our State and locals may have a better understanding of the mapping requirements. And, again, I don't want to put them on the spot, but—

Mr. CRAWFORD. Well, let me ask Ms. Gardner, because I think you were in the area affected, correct?

Ms. GARDNER. I was not.

Mr. CRAWFORD. You were not?

Ms. GARDNER. No. I actually am in north Texas.

Mr. CRAWFORD. Oh, you are not. OK.

Ms. GARDNER. I responded to the area to support.

Mr. CRAWFORD. OK. But you were down there and so you kind of—OK.

Ms. GARDNER. Yes, sir.

Mr. CRAWFORD. I guess I am asking you to speculate here, but I have got some concerns about the accuracy of the FEMA flood mapping, and how current they are. I am just wondering if you could opine on whether or not you think FEMA is the best agency to, in fact, engage in flood mapping.

Ms. GARDNER. I will give you my opinion, based on my experience. But yes, that would be a lot of speculation. I have not personally looked at the flood maps for that impacted area, so that is another piece that I am not aware of.

I will tell you that FEMA has played an active role, and they engage actively other partners, such as the National Weather Service and other partners that deal with flooding on a regular basis. And because they are used to doing that, I don't see a reason to change that process, because we have seen it, and it has worked in our communities. We do not flood in the city of Richardson, because of

mitigation efforts that we have taken in the past. Not to say we never will, but we do not see the same flooding issues and we have used those maps.

Mr. CRAWFORD. Let me ask Mr. Paulison, because you have been a former FEMA Administrator, correct?

Mr. PAULISON. Yes, sir.

Mr. CRAWFORD. So would you be able to speak to whether or not statutorily every 5 years that is required by FEMA to update flood maps?

Mr. PAULISON. Yeah. I can't speak about the 5-year. I know that when I was the FEMA Administrator, we had started doing LIDAR [light detection and ranging] flood mapping. We started in the eastern part of the United States, and I know North Carolina was one of the first States we started. I am not sure how far they got, how far they have gotten so far, but I know that FEMA had started that process of trying to do the entire country to get more accurate flood maps.

Mr. CRAWFORD. OK. Well, I appreciate you all being here today. And I think I am probably going to have to submit my questions for the record for someone else in your Agency to be able to answer, but I appreciate your cooperation. Thank you.

Mr. BYARD. Yes, sir.

Mr. BARLETTA. Thank you, Mr. Crawford. The Chair recognizes Mr. DeFazio for 5 minutes.

Mr. DEFAZIO. Thanks, Mr. Chairman.

Just back to the line of questioning by the subcommittee ranking member. I had asked similar questions at an earlier hearing. And what we have is a contradiction here. The two contractors claim that FEMA reviewed the contracts, and actually signed off on excluding oversight. That has been denied by FEMA, and again today.

And so, actually, the inspector general is going to try and get to the bottom of this, how these rather fishy contracts were entered into and what role FEMA played. But we can't resolve that today until we have the IG report. So let's go to some issues we might be able to resolve.

Mr. Byard, Ranking Member Titus and I just recently sent the Administrator a letter expressing concern about your personnel, your reservists for emergencies. Your own standards say that you should have 10,928 reservists. You had 6,749 on call last year, and you still have 2,383 deployed. So that seems to leave us with something around 4,300 reservists. How are you going to deal with that issue this year?

Mr. BYARD. You know, sir, that is a very good question. And as we outlined in our after action, we faced, you know, personnel shortages in 2017. You know, if you go back, the Agency faced personnel shortages in 2016, 2015, 2014, 2013, 2012, 2010. You can go back. And we are going to face personnel shortages in 2019. So how do we do that? How do we accomplish our mission without coming and saying, we need more FEMA employees?

Several things that we are doing in the recommendation that affect us. First of all, is changing our national-level doctrine and revising the National Response Framework. What that would do for us as a country, it puts more players at the table so that the re-

sources and the personnel we have, we can better utilize those, by including the private sector in what we do daily, in our deliberate planning, in our operational planning, by incorporating our critical infrastructure nodes, our 16 critical infrastructure nodes, and then cross-sector planning with those so that, you know, if a problem hits, we don't hit one bucket. We task organize around the problem.

Now, we are hiring in critical areas. We are hiring in logistics. Also, as the report identified, we had issues with the last-mile logistics, specifically in the Commonwealth of Puerto Rico. So we will have teams that can get on the ground anywhere, not just in the Commonwealth, and help in the last-mile logistics. For example, in Texas, very robust capabilities on that end from the State and local side of the thing, so we didn't have that same issue.

The other thing we have got to do is as you look to the left or right, our best emergency managers, they don't wear a FEMA shirt. They are our State and local partners. We have the system, as you probably are aware of, the Emergency Management Assistance Compact, and from the State, I am from State emergency management, I have done that, I have assisted States and I have brought in States.

But when we talk about a national catastrophe and similar to what we saw in 2017, we need the ability to also rally those resources, those well-trained professionals, and put those resources to use. So that will increase our staffing also. And we are doing that through what we call the National Qualification System. And we feel like we are going to have great buy-in from our State and local partners.

I personally did that in 2012 when Hurricane Sandy hit. FEMA contacted me, and I led a team of eight from the State of Alabama under FEMA's direction to help out the efforts in New York City. Not only does that benefit us at the Federal level, you bring those lessons learned back to your State and local jurisdictions so you better the Nation.

So we have to look at—you know, in a perfect world, I would love to have 20,000 reservists ready to go right now. And every other Federal agency that is probably sitting in front of you would say they would love to have, you know, X amount of people.

But the reality of it is we have to look outside our traditional means. You know, we talk about State and local governments, and we talk about mitigation, but that is not working. So how do we do things better? We have got to—

Mr. DEFAZIO. Wasn't there concern, and particularly in the case of Puerto Rico, about reimbursement to the State and locals if they provided mutual aid?

Mr. BYARD. You know, there may have been. Again, but how does FEMA get involved in that? Let me tell you how we did get involved in that. We expedited what we call category B under the public assistance that would reimburse the Commonwealth to do that type of payment. We expedited that. That was our priority, at the time, obligation to the Commonwealth. So there were concerns, but, again, that is a question better asked to the Commonwealth or to others.

To combat that, though, what we have done in 2018, we have hired over 1,500 local hires on the island. And they are FEMA employees. They are going through the National Qualification System now. We have had very robust exercises. We have over 4,600 staff on the ground. We have people embedded with every municipality.

We have done a tremendous amount of effort from 2017, response-wise, into 2018; and we put that to the test, as I believe somebody mentioned, with Tropical Storm Beryl, where we could take that recovery operation and quickly turn that machine into a response organization in about 14 hours.

We have increased a number of commodities fivefold in water and MREs. Generators are currently still connected to critical infrastructure. We know we are going to lose power in the storm, but we will be able to power emergency power to those critical facilities.

Mr. DEFAZIO. OK. Well, thank you. My time has expired. I was going to ask the Corps regarding the removal of the very large generators that they delivered, if I could, Mr. Chairman. I don't know if they have actually been removed or just planning to remove them. I guess I would question why you would do that now with the beginning of the hurricane season, since their grid still seems somewhat fragile.

Mr. ALEXANDER. Sir, there were three what we call mega-generators rented and brought to the territory, two in Palo Seco, to help stabilize the grid there. They remain in operation today. There are no plans for immediate demobilization.

Mr. DEFAZIO. OK, good. That may have been bad information we received.

Mr. ALEXANDER. But there is one, sir, in the community of Yabucoa that will be demobilized effective midnight tomorrow. And that is a decision that was reached, based upon assessment by PREPA of the status of the grid in that area, and it was concurred. That decision to demobilize was collaborated and concurred by the Unified Coordination Group, which has a representative from the Governor's office there who concurred with that.

Mr. DEFAZIO. OK. Well, hopefully PREPA is better managed now than it was before.

Thank you, Mr. Chairman.

Mr. BARLETTA. Thank you.

The Chair recognizes Mr. Mast for 5 minutes.

Mr. MAST. Thank you, Chairman.

Thank you, Mr. Alexander, for representing the Corps of Engineers at this hearing on hurricane preparedness. My community dreads hurricane season, not just because of impending storms, but because year after year, as a result of the risk management that surrounds hurricane preparedness, through the Corps of Engineers water is discharged out of Lake Okeechobee, hundreds of billions of gallons of water, often laden with microcystin algae, cyanobacteria, blue-green algae. Right now, the water being released from Lake Okeechobee into my community has 15 times greater the level of microcystin algae, which leads to a number of human health hazards, 15 times greater than what any human being should be exposed to. This is all in the aim of risk management for the dike surrounding Lake Okeechobee.

So I want to ask you some pointed questions on the risk management of the water levels of Lake Okeechobee, the risk management of the dike, the potentially failing dike around Lake Okeechobee.

What is the level of water in inches, feet, that Lake Okeechobee should be at going into hurricane season so that there is not a risk of dike failure?

Mr. ALEXANDER. Mr. Mast, thank you for the question. Going into the beginning of wet season, we strive to maintain a lake level approximately 12½ feet.

Mr. MAST. Twelve and a half feet is the maximum level that you want going into hurricane season?

Mr. ALEXANDER. Yes, sir. And then up to 15½ feet beginning of the dry season.

Mr. MAST. And is that for strictly the purpose of risk management, or are you keeping that 12 to 15½ feet on the lake for other purposes?

Mr. ALEXANDER. That is a combination of trying to meet other purposes and balance the needs associated with environmental, you know, water—

Mr. MAST. Then you gave me an answer to a question I didn't ask. I asked you what is the level on the lake for that lake, that dike to be safe from dike failure? Not for other concerns, not for drinking water, not for agricultural irrigation, not for agreements with the Tribes around the lake. What level do you need the lake at so there is no risk of dike failure with the Herbert Hoover Dike?

Mr. ALEXANDER. As I said, we go into hurricane season attempting to reach a level no less than 12½ feet.

Mr. MAST. Now, getting into those other concerns—I know I sent you these questions in advance so that I would have the answers given to me on this—how much water do you keep on the lake for these other concerns that you talked about? How much water in inches or feet is kept on Lake Okeechobee for the purpose of agreements with the Tribes?

Mr. ALEXANDER. I will give you the bottom line upfront. Lake Okeechobee is not managed like a Corps flood control reservoir. The Herbert Hoover Dike, essentially, it is a levee system that encompasses and contains a prior free-flowing lake. The specific question on inches of water is not applicable in the management of Lake Okeechobee.

Mr. MAST. Sir, Lake Okeechobee and the Corps of Engineers absolutely keep track of every inch of water that goes on Lake Okeechobee. Earlier in the season, the Caloosahatchee municipalities were requesting 1,000 cubic feet per second for several months, hoping to get about an inch of water off Lake Okeechobee, because they needed that for the ecology of their waterway. They were denied.

The Corps of Engineers has a call every single week where they pay attention to exactly the amount of inches or quarter inches of level of change on Lake Okeechobee. So absolutely, Lake Okeechobee is managed and regulated in that way.

So let me ask you a different one. How much water is kept on Lake Okeechobee, in the form of what is requested by consumptive use permits for agriculture? How many inches, how many feet of water are kept on Lake Okeechobee for that purpose?

Mr. ALEXANDER. Well, I would like to state that the Corps of Engineers does keep track of probably every inch of water in that reservoir. That being said, though, we don't have specific allocations for those specific purposes in the consumptive use agreements. Again, it is a balance between this 12½ and 15½ feet. And it is managed as a system along with some other, I guess, laws that exist down there with respect to the consumptive use, the Lake Okeechobee Surface Area water input rules. So we have to balance the multiple purposes and potential uses—

Mr. MAST. So in balancing those purposes, sir, I had a conversation just a couple weeks back with the South Florida Water Management District. I asked them about the ecology of the lake. They said the optimum level of the lake for its ecology is, at minimum, 11 feet. And I asked them, OK, if the water level on the lake should not be below 11 feet, if irrigation, or those that need water, agricultural irrigation or those that need drinking water or somebody else needed water for those concerns, if the lake was at 11 feet, would you still send the water to the irrigation canals for agriculture? The answer was yes. If it was at 10 feet, would you still send the water to the canals for agricultural irrigation? The answer was yes. If it was at 9 feet? The answer is yes. If the lake was at 8 feet, a dangerously low level, the answer was yes, they would still get their water for those purposes.

So is it right that you keep the water at this higher level when my community is destroyed because this water is at that higher level when you are still going to send the water to these other areas for their purposes, even if the water is down as low as 8 feet on Lake Okeechobee?

Mr. ALEXANDER. Sir, I have not been privy to any of those conversations that you have had. What I will say is I know that our Jacksonville District is engaged with the community, is very engaged with you.

I am not an expert on Lake Okeechobee and the releases. But what I will offer is an engagement of you, Colonel Jason Kirk, the district commander, and anybody from his staff or here at headquarters who could walk you through in detail how we manage the lake and then what the risks are at the various levels.

Mr. MAST. Thank you for the answers to your question.

Mr. Chairman, I yield back and I do request a second round of questioning.

Mr. BARLETTA. Thank you.

The Chair recognizes Ms. Plaskett for 5 minutes.

Ms. PLASKETT. Thank you very much, Mr. Chairman, and thank the ranking member for having this hearing.

This is, of course, very important to me, representing the Virgin Islands, after we have gone through the 2017 hurricane season, are beginning the 2018 hurricane season, and are still looking to ways in which not just to recover, but to begin the rebuilding.

As some of you are probably unaware, for this entire school year, children in the Virgin Islands have operated on a 4-hour shift system, because so many of our public schools were compromised. So the children had to share facilities and only participated in school curricular activities for 4 hours during the day.

Most of our dialysis and inpatient individuals are still off island, because our hospitals have been compromised so much from the hurricane that they have been unable to be at home for those services. But I want to thank FEMA and the Army Corps, Coast Guard, and so many other Federal agencies that were there on the ground and are providing assistance.

I know that this action report really provides a blueprint on how to have improvements and make things better, and I am trusting that FEMA and the other agencies are really taking those things to heart. You know, the sign of maturity is recognizing when you have done things wrong and learning from them and just moving forward.

But one of the things I wanted to ask these individuals about, in particular, were some of the issues that we still have. On April 20th, the Governor of the Virgin Islands, Kenneth Mapp, sent a letter to Administrator Brock Long, which I'd ask unanimous consent to submit into the record, requesting support of some of the issues that we have.

Without objection, can that be admitted into the record?

Mr. BARLETTA. Yes, it may.

[The letter is on pages 129-134.]

Ms. PLASKETT. Thank you.

One of the things we are concerned about that I would like to bring to your attention, Mr. Byard, as well as Mr. Alexander, if you can assist in answering this question, is with regard to debris removal. The U.S. Army Corps is working under FEMA mission assignment to remove all of the vegetative C&D and marine debris from the territory. This work will be completed in September. However, large stockpiles of debris remaining, with hurricane season almost upon us again, is very concerning. I know that there has been some discussion about bidding this out and ensuring where it can be kept.

We were given an extension of the local share on this, but due to the Army Corps, a bid protest that was done to the Army Corps, which they believe will be overcome, debris will not be removed until the end of December. If no extension that long, the Government of the Virgin Islands will be hit with a 10 percent local cost share.

So my question is, Mr. Byard, will FEMA support 100 percent Federal share extension, since the delay is not in the control of the Government of the Virgin Islands?

Mr. BYARD. Ma'am, that is a good question. As you know, debris has been, you know, a difficult task in the Virgin Islands. I was down probably a month or so back. And you are right, there is still a lot of work to do there.

What we will do is definitely work with the Governor and, you know, once—and if we have received a request, I don't want to sound ignorant to that, it will be working itself out. If we have not received a request, I will be definitely looking on that. I spoke to Bill Vogel yesterday, the FCO, Federal Coordinating Officer.

Ms. PLASKETT. Right.

Mr. BYARD. And I spoke to also Mike Byrne, who will be going over to work—

Ms. PLASKETT. So you will work with the Governor and try and do that if it is necessary, because this is outside of our control and, of course, you know, any cost share for us is really a great burden.

Mr. BYARD. Yes, ma'am.

Ms. PLASKETT. The second question I have is with regard to the STEP [Sheltering and Temporary Essential Power] program. You know, the STEP program is one which can be supportive of individuals. This is the program that allows temporary repair of homes in the Virgin Islands.

I know that there was some back-and-forth with regard to the STEP program, because the limit initially for the STEP program was \$20,000. However, the Blue Roof program we know ran an average about \$25,000 per roof. We understand that that has been increased. The STEP is now at \$25,000. I know that the Governor of the Virgin Islands has a request in for \$35,000 per home. Are you willing to support that request at this time?

Mr. BYARD. Well, what I do know is that we have authorized the use of the STEP program for any home in the territory with a "blue roof."

Ms. PLASKETT. OK. And would that include—there is one thing that is really important to us. You did allow—the STEP was used for rental properties in New York City after Hurricane Sandy.

Mr. BYARD. Yes, ma'am.

Ms. PLASKETT. But to date, you have refused to allow that for low-income renters in the Virgin Islands. And some of those do, in fact, have "blue roofs" on them. Will you be willing to reconsider that?

Mr. BYARD. What I would like to do is get back to you, Representative. And the reason I say that is we have the Multi-Family Lease and Repair program under the Individual Assistance Program. I would like to see where that program is when it deals with multifamily facilities, and also the STEP.

So I will have my staff definitely take that for action, and if it is OK with you to get back with you, because I want to make sure I give you a comprehensive answer on that.

Ms. PLASKETT. Well, I have run out of time, but since you have said you are going to get back with me on the record, I am going to hold you to come into my office.

Mr. BYARD. Yes, ma'am.

Ms. PLASKETT. It has been difficult to get FEMA. Bill Vogel has been really good about being there on the ground and answering any questions that we have, but I have had a little difficulty in getting individuals from here at headquarters to come into my office and have conversations.

I know we all have the same interest in mind. And I am not trying to be, you know, the bad guy all the time. I really do want to see how we can work together and make this better, particularly as we are preparing people in the Virgin Islands for this new hurricane season.

And also, I know my time is out, but, Mr. Alexander, I want to thank the Army Corps of Engineers for really extending themselves and committing to having biweekly meetings with me, giving me an update of what they are doing. That has been really helpful,

and I am very happy for the cooperation and the relationship that our office has with them.

Thank you. I yield back.

Mr. BARLETTA. Thank you, Ms. Plaskett.

Mr. Gallagher.

Mr. GALLAGHER. Thank you.

I apologize for being late. I hope we are going not to rehash ground or go over ground that has already been tread. But in FEMA's "After-Action Report"—this is a question for Mr. Byard—of the 2017 hurricane season released last week, the delivery of food and commodities to Puerto Rico and the Virgin Islands was recognized as a major challenge, due to staffing shortages and logistical failures.

Could you explain what happened with regards to commodities in 2017, and what adjustments you have made in 2018, particularly to address the potential needs of the territories should there be another hurricane?

Mr. BYARD. Yes, sir, I will be happy to. So your first question was, you know, the 2017 issue. So, you know—and, again, as we pointed out in the report, all of our national planning, all the deliberate planning we do is built around, you know, a three-legged stool, if you will. You have local, you have State, and you have Federal Government support, specifically when you talk about logistical movements of commodities.

What we quickly found in the Commonwealth is two of those legs were not there. And I don't mean that to be disparaging. What I mean is, you know, we had a lot of impacted first responders were survivors on the Commonwealth.

So we had the ability to get the commodities to, and there were commodities always on the island. We accomplished that. It was taking it from the port, for example, and getting it out to the more difficult terrain municipalities. We did incident action/crisis action planning on the ground. You always do that to assess the needs, task, organize and move out. That was accomplished. So what are we doing in 2018? As I mentioned earlier, you know, one of our targeted hiring initiatives is in our logistics. Everything we do is about logistics.

And so we are hiring more teams or more individuals that will staff teams called incident support teams that we can send downrange to further expand our footprint for the last-mile logistics. Now currently, in the Caribbean, we have about 4,600 staff, FEMA staff that are doing the recovery mission. They are dual-trained to do response.

So we have staff in each municipality; we have communications satellites communication in each municipality; we have backup generators already installed in critical facilities to include communication towers; we have also done logistical exercises, where we had one warehouse going into 2017, we have five on the island now. Where we had thousands of commodities and maybe in water and MREs, we have millions now.

We have also done exercises with the municipalities where we actually moved commodities from the distribution centers out into the more rural or difficult terrain municipalities. We did that to exercise the movement, but we didn't take the commodities back.

They are safe, secured, and stored. So we are well-positioned from that standpoint in 2018 than we were in 2017.

Mr. GALLAGHER. I appreciate that.

Administrator Paulison, you have extensive experience as a firefighter and a former U.S. Fire Administrator. What do you think is the most important thing we can do as a Nation to curb devastating wildfires like the ones we have experienced in 2017?

Mr. PAULISON. Thank you for that question. I think it goes along with the mitigation that we talked about earlier about setting aside moneys to—because mitigating from wildfires is not any different than mitigating from any other type of disaster. It is looking what are the issues, what are the risks, and then having enough funding to deal with those risks.

So I think that we need to—I encourage this committee to look very clearly at that 6 percent of predisaster mitigation. States like your State of California, all the Western States out there are having a very, very difficult time. I mean, we have lost so many homes. We have had fatalities out there. We have had infrastructure destroyed. We have had water systems destroyed, because of wildfires out there and not having the right types of materials in place to withstand those types of disasters.

So a State having enough money with predisaster mitigation to deal with those types of things, I think, will go a long way toward resolving a lot of the issue you just talked about, protecting our homes and our businesses from these wildfires.

Mr. GALLAGHER. Thank you.

And I yield the balance of my time.

Mr. BARLETTA. Thank you. The Chair recognizes Ms. Norton for 5 minutes.

Ms. NORTON. Thank you very much. Mr. Chairman, this is a very timely hearing and I will tell you why in a moment.

This is a question I suppose best addressed to Mr. Byard, but also Mr. Alexander, because the question I am asking implicates very deeply the Federal presence. With the climate change throughout the country, we are seeing increasing flooding, that has been alluded to already in this hearing. There was sufficient concern about flooding here in the Nation's Capital that we have a levee on the mall, that I think, Mr. Alexander, the Corps of Engineers was involved with as well, to protect the Federal presence.

Yet in real time, yesterday we had a disastrous flood in this region. And nobody who lives here or was here, unless you were in the Capitol and didn't have to go out, could have missed what happened. And it seems to me it raises questions in real time about flood preparedness, even in the area of the Nation's Capital.

A portion of the George Washington Parkway was closed in both directions, and to show you just how close or how implicated the Capitol is, water poured into at least one Metro stop, and that happened to have been Capitol South, the one closest to the Capitol of the United States. Everybody, it seems to me, ought to wonder if anybody protected in the United States if that close to the Capitol itself we could have had such a flood.

So my question really goes to a real test. In the District of Columbia, we are very proud. We have built on both waterfronts, the southeast waterfront and the southwest waterfront. Many, many

areas, of course, build on their waterfronts. So this question implicates New York and many other areas of the United States, because the waterfront is a very ripe area for revenue.

By the way, if you go to the southwest waterfront, we call it the Wharf, we finished phase 1, but we are still—and it looks like the whole thing is finished, but phase 2 is yet to come. We are building on the southeast waterfront called Capitol River. And, again, that is ongoing. There will be another 10 years of building.

So I have to ask you, is it safe to build on waterfronts? What does FEMA require? What does the Corps of Engineers require? What have they required of those who are building on the waterfront, to make sure that those areas are not flooded with a huge waste to the jurisdictions involved, not to mention to the private sector? Can anybody just build on the waterfront? What do you have to do to build on a waterfront in the United States today? I mean, I am not—the waterfront, I have no information that the waterfront was implicated, but I would be a fool to sit here and say that everything is fine unless you tell me that there are either regulations or safeguards that have been required, or are required, for all who build on the waterfront. And I would like to hear from both of you, since the Federal presence is involved. Mr. Byard.

Mr. BYARD. Yes, ma'am. You know, a majority of our population, as you well know, lives on a waterfront. You know, when I was with the State of Alabama, the Governor asked me at the time, you know, how do we help hurricane evacuations? And I jokingly said, you know, ban air conditioning 50 miles from the coast and people will stop coming. Obviously, the economic impacts are very, very good.

Ms. NORTON. You have to build on a waterfront.

Mr. BYARD. Exactly. So from a FEMA perspective, I would first look at initiatives that were passed by the committee, you know, the incentive to build stronger and, excuse me, the bipartisan—

Ms. NORTON. So you are telling me that when building occurs on the waterfront—I don't know what you mean by incentives—those who build understand either that they are required or there are economic incentives to do so?

Mr. BYARD. So what I am saying, and let me rephrase that, part of the authorities that were granted in the Bipartisan Budget Act that was passed was the incentive to build at a more resilient rate. FEMA has no authority necessarily over what is built. That is a local and State issue.

I would also, you know, as we have a working group, just look at—

Ms. NORTON. Of course, you have mitigation authority.

Mr. BYARD. We have mitigation authority, again, working with an eligible applicant. There is not mitigation authority that we can direct or tell, you know, a local business how to build. You know, we would work with the district in that case to see what are the local codes of the district. I don't know that. You know, FEMA is not in the position to know that. But, you know, I would—and I will let the Corps talk about—

Ms. NORTON. Mr. Alexander.

Mr. ALEXANDER. Yes, ma'am. I will be quick. You know, as Mr. Byard just said, I mean, the Corps has no authority and oversight on the District or any State or territory.

Ms. NORTON. I can't hear you, sir.

Mr. ALEXANDER. As Mr. Byard just said, the Corps also has no authority under which it can direct the District or any State or locality on what they can build or what they cannot build. But the Corps does urge local governments to, you know, enforce their zoning, and certainly enforce building to established codes.

And if you are going to build, you know, on the waterfront, whether it is riverine or coastal, you know, ensure you are out of the flood plain. You may have to do that by a standoff or through elevation. It is the major reason that we do shore protection projects along the Nation's beaches. It is not primarily for recreation; it is for the protection of infrastructure and the economy.

Ms. NORTON. Thank you very much, Mr. Chairman.

Mr. BARLETTA. Thank you.

We will now begin a second round of questions. I would like to remind all Members, today is the annual hot dog lunch in Rayburn, so we will hold everyone strictly to 5 minutes.

In February, as part of the Bipartisan Budget Act of 2018, Congress enacted a provision that will allow FEMA to incentivize mitigation through the increase of the Federal cost share of disaster assistance.

Mr. Byard, what is the status of FEMA's implementation of these provisions?

Mr. BYARD. Yes, sir. We have got a working group that is currently convened. It is looking at how do we best implement. And as you heard Administrator Paulison, you know, say earlier, you know, we need to look at a pilot program, so it will allow us flexibility on how we do that.

We want to take full advantage of the authority that Congress, you know, granted us in that provision. It fits the Administrator's strategic plan. So, you know, definitely we are looking at that. But we want to do it right to start with so that we have the intent of the provision as laid out by the act.

Mr. BARLETTA. Thank you.

Administrator Paulison, what principles do you think should be driving FEMA's development of these mitigation incentives?

Mr. PAULISON. Thank you. I think the most important thing is it is not a giveaway program, that the States have to do certain things to qualify for that extra money; have a statewide building plan in place; have a rock-solid mitigation plan; have done an assessment of the risk and put those mitigation dollars towards alleviating those risks.

I think we need to make sure that we are not wasting these taxpayer dollars, but we are actually giving the dollars to States who have done things to reduce cost. You know, we had \$200 billion last year. If we have put strong mitigation in place for 2018, perhaps next year it won't be \$200 billion with the same amount of storm.

So, you know, our conversation with FEMA is, you know, they are doing a great job putting this thing, getting this thing going, but let's make sure that the States do what is necessary to mitigate the disaster cost. Otherwise, we are just wasting our money.

Mr. BARLETTA. Mr. Sheehan and Ms. Gardner, what do you think are the greatest challenges facing State and local governments related to a cost share adjustment program designed to incentivize mitigation?

Mr. SHEEHAN. Predictability of funding streams, I think, is a kind of complicating factor for us. So as we look to incentivize mitigation programs or projects, we need to be able to plan. Mitigation measures take a long time to put into place. And I think anything—I know one of Administrator Long's priorities is to simplify or take the complexity out of FEMA. Anything that we can do to reduce the complexity and build predictability into funding streams will help us to be better mitigators.

Ms. GARDNER. And to build on that, we definitely share that same concept. The actions that Mr. Paulison and Mr. Sheehan discussed are all challenges that we face; but from the State and local perspective, the more you do in policy to add incentives, it just helps us to reiterate the importance of those mitigation steps, and it gives us the leverage we need to do those mitigation steps, even though they are lengthy and even though they are costly, because there are other things to spend that money on. And the more incentives that are there at all levels and, as I mentioned earlier, directly to private-sector partners and citizens would also be a benefit. The more incentives that are there just gives us more leverage to back up those mitigation projects, and hopefully do more in the future.

Mr. BARLETTA. Thank you.

The Chair recognizes Ms. Titus for 5 minutes.

Ms. TITUS. Thank you, Mr. Chairman.

I would just like to go back to some questions I was asking earlier. As you noted in your kind of generalized answer, I had some specific questions. I want to ask you one more for the record.

Can you, very specifically, provide to the subcommittee a detailed justification or the project worksheets under which PREPA is requesting reimbursement for power restoration in Puerto Rico? Can you give us that information?

Mr. BYARD. So I just want to make sure. You are asking for the project worksheets that FEMA is working with PREPA on for the remaining category B work for that?

Ms. TITUS. For all of it, for the prior and the remaining. You can give us the—

Mr. BYARD. The remaining, you know, as we close on the emergency work, you know, the permanent restoration work, which is two different categories of work, as you well know, I am sure, is done under a different authority, under the Stafford Act, but under section 428. So the estimates are not there. We are not there for the—you know, there is no forward project worksheet, if you will, for the remaining work, you know.

Ms. TITUS. Can you give us an accounting for what they did that you are paying them back for? Very simple, commonsense terms, things people understand, can you give us that? Will you give us that?

Mr. BYARD. Of course. Yes.

Ms. TITUS. When will we be getting it?

Mr. BYARD. I will check with our counsel to make sure, but we have nothing to hide. We are transparent.

Ms. TITUS. It should be public record, I would think.

Mr. BYARD. It should be, yes, ma'am.

Ms. TITUS. OK, great. Thank you. We will look forward to getting it.

Then I would like to go back to Mr. Alexander to continue a question that was asked by Mr. DeFazio. I guess we have contradictory information, but in a letter that we got from FEMA that was dated last night, it says that the two mega-generators at the Palo Seco Power Plant will be demobilized on August 18. Is that not accurate?

Mr. ALEXANDER. Ma'am, we are working with FEMA to extend the mission assignment for several months, I believe through, potentially, mid-October. It is the Yabucoa Power Plant that will be demobilized tomorrow evening.

Ms. TITUS. And that was to go offline July 18, but you are trying to extend the other two. You didn't make that very clear in your answer to Mr. DeFazio.

Mr. ALEXANDER. I apologize if I didn't. There are three mega-generators we brought in, two at Palo Seco, gas turbine engines. The intent now is they currently are to—that mission assignment ends, I believe it is 18 August. Right now on the island, the Federal Coordinating Officer is working with the Corps and Puerto Rico on potentially extending that mission assignment for several more months into the fall.

Ms. TITUS. OK. But if that doesn't work out, then the deadline is August 18, right?

Mr. ALEXANDER. That would not be our decision, ma'am. The current mission assignment ends 18 August for Palo Seco. The Yabucoa generator will be demobilized tomorrow evening at midnight.

Ms. TITUS. OK. I just wanted to be sure that was clear, because it sounded like you weren't going to demobilize the other two, that there wasn't any question about it.

Also, I would now like to go back to the point we were making about animals. We know that people are much more likely to leave a disaster area if they can take their pets, or they know what is going to happen to them. But we saw in the last disaster, I think it is Harvey, pet shelters—Ms. Gardner, I am sure you are well aware of this—all over Texas were taking in rescued animals. They used FEMA resources to do that, yet there is little or no reporting on how those funds were used.

That is why Mrs. Comstock and I introduced a bipartisan bill called the PET AID [Pet Emergency Transparency and Accountability in Disasters] Act, just to do minimum reporting back to FEMA about how resources are used, how pets are reunited, how they are cared for. It just seems common sense.

I would ask the local and the State emergency management folks what they think about that bill, if they have any suggestions for it, if they can help us work to get that passed, wouldn't it make their job easier and also be more accountability? Ms. Gardner or Mr. Sheehan?

Ms. GARDNER. At the local level, it would help with the accountability and would also help, again, just like the other, with leveraging and helping us to reiterate the need, because apathy is the biggest challenge that we have with all citizens. It takes about seven warning messages to get a person to actually take an action to protect themselves. And animals just accentuate that problem, because they are not going to leave their animals behind.

So the more we can do on the front end to explain what is going to happen, what that process is going to look like and that their animals will be taken care of, the more willing they are going to be to actually evacuate when they are asked to and do those things proactively instead of waiting until they are already impacted.

Mr. SHEEHAN. Ma'am, we do know that people are less likely to evacuate or there are additional complications if people aren't able to take their pets with them. It does present a logistical challenge when people bring pets. You know, our idea of pets usually is dogs, cats, and perhaps birds, but other people, our countrymen sometimes have other ideas on what are pets and those things require special attention.

But I do think we have a lack of data around this, and that reporting would be helpful for us in helping to manage it. So if we are going to continue to manage it—we need to so that people can evacuate—then we need the data.

Ms. TITUS. That would be great. Thank you.

Mr. BARLETTA. The Chair recognizes Mr. Mast for 5 minutes.

Mr. MAST. Thank you, Chairman.

Mr. Alexander, let's get back to risk management of Lake Okeechobee during hurricane season. The Corps of Engineers recently said when they were announcing the releases of water to the Treasure Coast of Florida from Lake Okeechobee, that in their risk calculation was the threat of life to 36,000 people south of Lake Okeechobee. That is something that goes into that risk assessment matrix. Knowing the situation there, 1 inch of water, 6 inches of water, 1 foot of water, that can be the difference of failure or not failure on the 730-square-mile Lake Okeechobee during a storm.

So, again, I point out the Corps of Engineers absolutely manages and pays attention to every inch of water that flows into Lake Okeechobee, sits on Lake Okeechobee, evaporates off of Lake Okeechobee, or is discharged out of Lake Okeechobee into some other body of water that it probably has no business being in. The Corps of Engineers pays attention to it.

Now, I want to ask again, you do not have the numbers for how much water is maintained on Lake Okeechobee for the purpose of drinking water?

Mr. ALEXANDER. Sir, I do not believe I ever said that the Corps doesn't manage it and knows exactly how much water is in the lake itself. That being said, again, Lake Okeechobee is not managed like our flood control multipurpose reservoir. We work on a balance, again, between 12½ and 15½ feet. And that balance is to meet multiple purposes, environmental, water supply, water control, flood, navigation. But at the end of the day, you know, we have to place a premium on risk.

Mr. MAST. At the end of the day, it is risk. And if you are keeping more water on the lake than what should be on there, then

that puts at risk, according to the Corps of Engineers, 36,000 people south of Lake Okeechobee.

So I am formally requesting from the Corps of Engineers that you do tell me exactly how much water you keep, in terms of inches or feet, on Lake Okeechobee, or in terms of gallons, for the purpose of agricultural irrigation, for the purpose of drinking water in the communities, for the purpose of the agreements with the Tribes. What are the amounts, through those consumptive use permits, that is kept on the lake? Because the Corps of Engineers needs to manage how much water is on the lake, through your own admittance, for all of those purposes, in addition to risk management, in addition to a number of other things. How much water for each of those? I am making a formal request to the Corps of Engineers to get those answers to me.

I want to move to one other question here before my time is expired. I recently sent a letter to the Corps of Engineers asking, in the name of hurricane preparation and risk management, this water that is being released into my community out of Lake Okeechobee, the Corps does have discretion based upon pollution concerns that could be in the water, and I asked a specific question: What level of pollution or toxins of water in Lake Okeechobee would be considered too great of a level where the Corps of Engineers would say, we cannot discharge water to these epicenters of human population, the Treasure Coast of Florida or the west coast of Florida? What level of toxin in the water would be considered too great? And the answer was entirely avoided.

So I want to ask you, if there was cyanide in the water, would the Corps of Engineers cease discharging water to these epicenters of human population?

Mr. ALEXANDER. Sir, I am not avoiding a question. I don't have the answer. You know, again, I am offering an engagement, whether it is here in DC or down in your district with the district leadership, with experts here at headquarters, Army Corps, and to discuss these matters. I am not an expert in Lake Okeechobee.

I did receive your questions in advance, and if I had specifics as to how many inches for this or that, I would have provided it today.

Mr. MAST. If there were lead in the water, would the Corps of Engineers cease discharging water to these epicenters of human population?

Mr. ALEXANDER. Sir, I cannot answer that. I don't know what the tolerable levels are.

Mr. MAST. If there were arsenic in the water, would the Corps of Engineers cease discharging water to my community, an epicenter of human population that is not naturally connected to Lake Okeechobee?

The Corps of Engineers is discharging the water as a result of risk management, hurricane preparedness; that if they are discharging water right now, clearly enough water was not discharged earlier in the season.

Mr. ALEXANDER. Again, sir, I don't have the specific answers. I have to believe, though, that, you know, there are other regulating agencies who do pay attention to what those toxic levels are, and I am confident that they work hand in hand with the Corps as we look at those releases.

But, again, I would offer a detailed laydown with you to discuss these matters, and it probably needs to involve officials beyond the Corps itself.

Mr. MAST. Thank you for the second round of questioning, Mr. Chairman. I yield back.

Mr. BARLETTA. Thank you. And thank you all for your testimony. Your comments have been helpful to today's discussion. If there are no further questions, I would ask unanimous consent that the record of today's hearing remain open until such time as witnesses have provided answers to any questions that may be submitted to them in writing, and unanimous consent that the record remain open for 15 days for any additional comments and information submitted by Members or witnesses to be included in the record of today's hearing. Without objection, so ordered.

I would like to thank our witnesses, again, for their testimony today. If no other Members have anything to add, the subcommittee stands adjourned.

[Whereupon, at 11:51 a.m., the subcommittee was adjourned.]

36

STATEMENT

OF

JEFFREY BYARD
ASSOCIATE ADMINISTRATOR FOR THE OFFICE OF RESPONSE AND RECOVERY
FEDERAL EMERGENCY MANAGEMENT AGENCY
U.S. DEPARTMENT OF HOMELAND SECURITY

BEFORE
THE

TRANSPORTATION AND INFRASTRUCTURE COMMITTEE
SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND
EMERGENCY MANAGEMENT
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

“Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane
Season”

Submitted

By

Federal Emergency Management Agency
500 C Street SW
Washington, D.C. 20472

July 18, 2018

Introduction

Good morning, Chairman Barletta, Ranking Member Titus, and Members of the subcommittee. My name is Jeff Byard, and I am the Associate Administrator for the Office of Response and Recovery for the Federal Emergency Management Agency (FEMA). On behalf of U.S. Department of Homeland Security Secretary Nielsen and FEMA Administrator Long, I'd like to thank you for the opportunity to discuss the lessons learned from the 2017 historic hurricane season and the ongoing progress made under FEMA's strategic plan, including our preparations for the 2018 hurricane season.

I am proud to continue to be part of an agency that, every day, helps communities before, during and after disasters. Last year's historic hurricane season was a true test of the Nation's ability to respond to and recover from multiple concurrent disasters.

More than ten months later, FEMA remains steadfast in its commitment to support the needs of survivors of these disasters. We continue to work tirelessly to support state, local, tribal and territorial (SLTT) partners to respond to and recover from disasters, and to mitigate against future disasters. We overcame many challenges and we have gained invaluable knowledge which we have incorporated into our strategy going forward, but we are not finished. We will continue to adapt and expand our understanding of emergency management to ensure that we can best support our partners' ability to build more resilient communities, lessen the impacts of disasters, and ultimately help individuals get back on their feet quickly.

2017 Hurricane Season: Key Themes & Lessons Learned

Hurricanes Harvey, Irma, and Maria caused a combined \$265 billion in damage and were each, individually, among the top five costliest hurricanes on record. In response, FEMA coordinated large deployments of federal personnel, both before and after the hurricanes' landfalls, to support response and initial recovery efforts across 270,000 square miles. These deployments included more than 17,000 FEMA and federal Surge Capacity Force personnel, and nearly 14,000 personnel from various offices of the Department of Defense. FEMA facilitated logistics missions that moved more than \$2 billion worth of commodities across several states and territories, using multiple modes of transportation. FEMA Urban Search and Rescue Task Forces, comprised of state and local emergency responders, saved or assisted nearly 9,500 lives across the three hurricanes. In total, the hurricanes and California wildfires affected more than 47 million people—nearly 15 percent of the nation's population. FEMA registered nearly 4.8 million households for assistance.

The unprecedented scale, scope, and impacts of the complex combination of disasters, tested the improved capabilities that were developed and as a result of lessons learned from Hurricanes Katrina and Sandy.

Following the 2017 hurricanes, FEMA thoroughly reviewed preparations for the immediate response, and initial recovery operations with the goal of identifying lessons learned which collectively benefit future operations undertaken by FEMA, the emergency management community, and the nation. Key themes which emerged include:

- **Sustained Whole Community Logistics Operations:** The scale and duration of life-saving and sustainment operations showed that FEMA must be ready to support logistics missions that span weeks or months, particularly in remote locations where commodities and equipment are transported by non-traditional methods. Plans and procedures for resource movement and transportation logistics, including the last mile of delivery, must be effectively coordinated with other government agencies, non-profit organizations, and the private sector supply chain.
- **Federally Supported, State Managed, Locally Executed:** FEMA's ability to provide support in disasters builds on, and is subject to, the capacity of SLTT governments. If these governments are well resourced, well trained, and well organized, the effectiveness of FEMA's assistance is enhanced. If the SLTT government's ability to respond—for example, the ability to provide law enforcement, medical support, or commodity distribution—is diminished, then FEMA and its partners must find ways to deliver and support these critical services. FEMA is not traditionally a first responder but had to play a more direct response role following Hurricane Maria.
- **Staffing for Concurrent, Complex Incidents:** When Hurricane Harvey made landfall in Texas, FEMA had staff deployed to 32 presidentially declared disasters across 19 field offices. By the time Maria made landfall, following Harvey and Irma, decisions regarding personnel made in support of one incident had impact to ongoing disaster operations. FEMA and our federal government partners rapidly surged and deployed personnel to support immediate response operations. FEMA also relied on mission assignments and the Surge Capacity Force to supplement our existing disaster workforce, pulling resources and personnel from across federal government departments and agencies.
- **Survivable and Redundant Communications:** Following Hurricane Maria, Puerto Rico's communications infrastructure was so completely devastated that assessing the needs and the capability of the Commonwealth and its municipalities proved extremely difficult. FEMA provided satellite phones to each of the 78 municipalities in Puerto Rico to gather information on municipality impacts and critical needs. However, this short term solution had limited success in addressing overall communications challenges. The private sector played a key role in restoring communications, including cell towers and allowing open roaming services, and remains a critical partner for restoration of communications.
- **Responding during Long-Term Infrastructure Outages:** Too often, we assume the loss of power, communications, and water infrastructure following disasters will be limited in duration. The extreme degradation of critical infrastructure in Puerto Rico and the U.S. Virgin Islands created significant challenges. We need to be prepared for long-term outages of these critical systems, while our SLTT and private sector partners work to mitigate future damages to these vital systems.
- **Land Use Planning:** In Texas, we saw the importance of land use planning and local building codes. New development should be built away from high-hazard areas and

existing structures should be relocated to safer areas when possible to minimize impacts from hazards. It's both how we build and where we build that affect local and regional risk. Land use regulations are a vital resilience tool for local governments and FEMA encourages regional coordination to help make decisions that best reduce risk. Codes and standards are also only as good as the mechanisms in place to enforce them.

- **Disaster Sheltering and Housing:** Providing housing for survivors following the 2017 hurricanes was a challenge, especially when a disaster devastates a community that already had limited affordable housing. Regardless of the readiness of an SLTT government, when dealing with the displacement of tens of thousands of survivors from their homes, there is no easy or one-size-fits-all solution. FEMA has authorities to provide sheltering options including the Transitional Sheltering Assistance (TSA) program that provides assistance to SLTT governments for survivors to stay in hotel rooms, as well as a program that provides for basic and temporary home repairs to make a home safe and habitable while the survivor makes arrangements for more permanent repairs.

Any sheltering option is, by design, a temporary, short-term solution, designed to be a bridge to middle- and longer-term solutions. We have other programs and authorities that assist with housing, including rental assistance, repair assistance, multi-family lease and repair program, and manufactured housing units. With all of these options, we partner with our SLTT stakeholders to identify the sheltering and housing solutions that make the most sense for each state, each event, each community, and each survivor.

The State of Texas, for example, is taking a very hands-on approach to managing housing solutions for their residents after Hurricane Harvey. States have a much better familiarity with the needs of their residents, the local laws and ordinances that can impact some of the FEMA housing options, and are better situated to design and administer to the survivors in their communities. Regardless of the tools we are able to provide, however, permanent housing solutions and full recovery needs are best addressed by insurance. FEMA assistance programs are not designed to return a survivor's home to its pre-disaster condition. As we know, though, there are too many people in our nation that are underinsured or not insured at all.

FEMA's 2018-2022 Strategic Plan

Incorporating the knowledge gained from last hurricane season, FEMA's new strategic plan builds on existing best practices and identifies new initiatives geared toward achieving three overarching goals. The three main goals of the FEMA's Strategic Plan are to: 1) Build a Culture of Preparedness; 2) Ready the Nation for Catastrophic Disasters; and 3) Reduce the Complexity of FEMA.

Build a Culture of Preparedness

FEMA is just one part of the team. During a disaster, citizens in the impacted communities also become the first responders. Do they know how to shut off water and gas? Do they check on their neighbors? Do they know CPR? Are they financially prepared to deal with the impacts of disasters in their communities, including having the right insurance for the specific threats they

face, including flooding, earthquakes, and tornadoes? Do they have some modest level of savings to allow them to miss a few days of work without ending up in financial ruin? We need to empower individuals with life skills to help speed the response and recovery efforts.

Developing resilient communities before an incident occurs reduces loss of life and economic disruption. When communities are impacted, they should ensure that they rebuild infrastructure better, tougher, and stronger to protect taxpayer investment and promote economic stability. FEMA is exploring ways to encourage additional investments in mitigation that reduce risk, including pre-disaster mitigation, to help reduce disaster costs at all levels.

While we will never be able to eliminate all risk, we must mitigate the known risks as much as possible. FEMA will work with communities and insurers to close the insurance gap across the nation. Managing risk through insurance, including the National Flood Insurance Program, helps communities to recover faster following disasters and reduces overall costs for taxpayers.

Ready the Nation for Catastrophic Disasters

As this past year has shown, communities must increase their capacity to respond to smaller-scale disasters on a local level. We continue to work with our SLTT partners to increase their capacities to respond to and recover from smaller-scale disasters so FEMA and its federal partners can focus more on readiness and support for catastrophic events.

No level of government can continue to plan, train and exercise for what is easy. We need to prepare for catastrophic events that stress our capabilities. Last year, Administrator Long announced his intent to embed FEMA staff within SLTT partner offices to help provide a continuous and more coordinated FEMA presence to improve customer service and provide targeted technical assistance to help build capacity and address capability gaps. The first FEMA Integration Team was placed in North Carolina this year and the scalable, flexible concept will continue to roll out to other states to help meet their resiliency goals.

As part of FEMA's initiative to ready the nation for catastrophic events, FEMA is emphasizing the stabilization of critical lifelines and coordination across critical infrastructure sectors. Lifelines provide indispensable services that enable the continuous operation of critical business and government functions, and that would risk health and safety or national economic security if not promptly restored. Solutions to stabilize lifelines do not fit within a single construct (i.e. an Emergency Support Function [ESF] or Recovery Support Function), so we must provide cross-sector coordination to effectively stabilize critical lifelines. For example, the critical lifeline of food, water, and sheltering crosses many agencies, community partners, and ESFs, but must be addressed holistically in order to support a community's recovery. Focusing on these lifelines and related impacts will allow decision-makers to move rapidly and will allow better utilization of limited resources to target towards the restoration of critical functions.

Reduce the Complexity of FEMA

FEMA is committed to simplifying our processes and putting survivors first. We are looking at ways we can streamline our assistance programs to make FEMA's programs as clear and easy as possible for survivors and grantees to navigate.

Reducing administrative and bureaucratic burdens will allow survivors and communities to receive federal assistance quicker. Throughout the federal government, there are a number of programs that offer assistance to survivors. We are working with our partners to improve some of these activities to ensure survivors can better navigate these various programs. For example, FEMA is consolidating and updating all FEMA Individual Assistance (IA) policies and program guidance to simplify and streamline information about IA programs.

FEMA employees must have transparency and clarity in the processes and resources they deal with. We cannot implement any of these priorities and initiatives without ensuring that they meet the needs of our survivors. We also need to make sure that we continue to capture lessons learned by FEMA and our partners to meet the needs of survivors with disabilities and others with access and functional needs.

These are the priorities and vision of this Agency. As we examine and further develop these initiatives, we will find that some can be accomplished by existing authorities Congress has already provided to us. There will be some challenges that cannot be solved by administrative action alone. As we identify these challenges, we will work with this subcommittee and the rest of Congress to ensure we move forward in close partnership. I look forward to working with you on our shared goal to help people before, during, and after disasters.

Preparing for the 2018 Hurricane Season & Ongoing Initiatives

As we continue with recovery operations, FEMA is also focused on making sure we are as prepared as possible for the upcoming hurricane season. Combining the lessons learned from 2017, as well as the goals outlined in FEMA's Strategic Plan, the Agency has already taken immediate actions to prepare for the 2018 hurricane season. These steps include:

- ***Updating Plans*** - FEMA has updated hurricane plans, annexes, and procedures for the states and territories.
- ***Staff Movement Prior to & During Responses*** – To improve staffing for incidents, FEMA created Standard Operating Procedures for a Personnel Mobilization Center (PMC), a central location for equipping and training staff prior to disaster deployments. To support the PMC, FEMA is also establishing three permanent PMC core teams in its Field Operations Directorate, and training regional personnel on PMC operations.
- ***Logistical Improvements*** - FEMA made improvements in logistics operations in preparation for the 2018 hurricane season, including increasing planning factors and disaster supplies for the Caribbean such as meals, water, tarps, sheeting, cots, blankets, infant and toddler kits, durable medical kits, consumable medical kits, and generators. FEMA is also adding 300 new emergency generators to the inventory.
- ***National Level Contracts*** - FEMA updated high priority national level contracts, including the National Evacuation Contract, Caribbean Transportation Contract, and National Ambulance Contract.

- ***Disaster Communications*** - FEMA disaster communications is refining tactical and long haul communications, from land mobile radios to satellite communications.
- ***Housing Inspection Process*** - FEMA will modernize housing inspections to improve the survivor experience and streamline the process to lessen the inspection burden for the disaster survivor and better leverage similar efforts across the federal government.
- ***Exercises and Training*** - In May, FEMA sponsored National Level Exercise (NLE) 2018, based on a scenario of a Category 4 hurricane on the mid-Atlantic coast. This exercise brought together more than 12,000 individuals across the whole community to examine the ability of all levels of government, private industry, and non-governmental organizations while testing and validating plans and initial lessons learned from last year. FEMA also coordinated with the Commonwealth of Puerto Rico on a series of workshops, seminars, and functional exercises in June to prepare for this hurricane season.

Conclusion

The 2017 hurricane and wildfire season was and is historic, and continues to shape the future of FEMA and emergency management. By utilizing best practices, adopting new response concepts, and planning and training all emergency management partners to the same standards, we can achieve the goals of building a culture of preparedness and readying the nation for catastrophic disasters. Thank you for the opportunity to testify, and I look forward to any questions you may have.

| | |
|-------------------|--|
| Question#: | 1 |
| Topic: | Reducing Disaster Losses |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Lou Barletta |
| Committee: | TRANSPORTATION (HOUSE) |

Question: What additional steps can Congress take to encourage smart practices and creative initiatives that will reduce disaster losses across the country?

Response: The FEMA 2018-2022 Strategic Plan sets out three overarching goals: Building a Culture of Preparedness, Ready the Nation for Catastrophic Events, and Reducing the Complexity of FEMA. To implement Goal 1 - Building a culture of preparedness, every segment of our society, from individual to government, industry to philanthropy, must be encouraged and empowered with the information it needs to prepare for the inevitable impacts of future disasters. Expanding mitigation actions and closing the insurance gap is an effective way to improve natural hazards risk resiliency.

The National Flood Insurance Program (NFIP) is an important piece of this resilience formula. Through the NFIP, we help identify flood risks, help communities and individuals do what's possible to reduce their flood risks, and help property owners insure for their flood risks which can't be reduced. The NFIP is also a critical part of community and personal flood resilience. We know that without the NFIP and community involvement in actions like managing their floodplains, millions of Americans would be at a much higher risk from floods. We also know that residential flood insurance, the bulk of which is provided by the NFIP, is the best financial protection against a major destroyer of homes. Building on individual and community preparedness through sound floodplain management practices and securing flood insurance, the nation's resilience is bolstered even more through our collective readiness to manage catastrophic events.

As affected communities continue recovering from the devastating impacts of the 2017 hurricanes and the nation prepares for the peak of the 2018 Atlantic hurricane season, a NFIP multi-year reauthorization is critical for insured survivors and businesses. NFIP policyholders need confidence not only that FEMA can pay flood insurance claims, but also that it will have the ability to sell and renew policies to help them protect against future flooding. In its Statement of Administration Policy, the Administration supported extension of the NFIP through November 30, 2018, and stated that it continues to strongly support reforms to the program to ensure its long-term viability. In the SAP, the Administration noted that "As currently structured, the NFIP cannot handle catastrophic losses like those caused by the devastating hurricanes in 2017. In October 2017, the Administration proposed a number of common-sense reforms to put the program on a sound financial footing while ensuring that affordable rates are maintained for low-income policyholders. NFIP reform would expand the private insurance market, strengthen the financial outlook of the NFIP, make certain flood risk and claims data publicly available, require property owners to disclose a property's history of flooding, and encourage better risk

| | |
|-------------------|--|
| Question#: | 1 |
| Topic: | Reducing Disaster Losses |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Lou Barletta |
| Committee: | TRANSPORTATION (HOUSE) |

management through incremental phase-out of certain subsidized policies. Congress and program stakeholders continue to debate broad public policy questions around flood insurance affordability, continued development in flood-prone areas, the soundness of the NFIP's financial framework, greater private sector participation in flood insurance markets, properties with multiple flood losses, and low rates of flood insurance coverage.

FEMA is already undertaking projects and activities under our existing authorities. Through education, partnerships, and innovations we have increased NFIP uptake by almost 5% nationally in 2018. FEMA has provided targeted marketing to the public and specified training to insurance agents as a way to reach the right audiences; enhanced partnerships with lenders and realtors to engage individuals at the point of sale; and has started product redesigns that can better explain risk and provide greater flexibility to consumers.

Recognizing that flood insurance plays an important role in the recovery of individuals, businesses, and communities; other types of insurance also support recovery post disaster. Increasing the understanding and uptake in other types of insurance such as renters and earthquake insurance will also help communities recover faster from disasters and reduce the need for federal aid.

Financial Management:

The level of damage from the 2017 Hurricanes Harvey, Irma, and Maria makes it abundantly clear that the Federal Government needs a holistic and-reliable plan for managing the cost of catastrophic flooding under the NFIP. Even if the NFIP collected revenue sufficient to meet long-term expected losses, the magnitude, volatility, and geographic concentration of flood risk means that truly catastrophic events like the 2017 hurricanes will occur that exceed the capacity of the NFIP without relying on assistance from Congress. NFIP reauthorization is an opportunity to give the NFIP a robust set of tools to holistically manage the NFIP's risk exposure and create a foundation for responsible financial management. Such a plan could address the following:

- **Actuarial rates:** there is no greater risk communication tool than a pricing signal. Policyholders should pay rates for flood insurance that reflect the risk that comes with living in a floodplain.
- **Repetitive loss:** One aspect of the NFIP's financial exposure is properties insured by the program that have experienced multiple losses, indicating a high risk of future flooding. The risk posed by multiple loss properties has a broader impact on the Nation as well. Families living in areas that repeatedly flood face life, health, and safety issues. By reducing risk exposure on these properties by elevating structures or removing them (buy-outs), the NFIP

| | |
|-------------------|--|
| Question#: | 1 |
| Topic: | Reducing Disaster Losses |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Lou Barletta |
| Committee: | TRANSPORTATION (HOUSE) |

could ensure that these families and their communities are more able to recover quickly and safely following a flood event. The NFIP currently includes limited financial incentives for communities and property owners to take action to mitigate the flood risk of RL and SRL properties, thereby reducing the program's future financial exposure. Congress should consider giving FEMA additional tools to address the financial exposure posed by multiple loss properties. In particular, Congress could create a new "extreme repetitive loss" category to address some 1400 historically insured properties that have cost the NFIP roughly \$1.3 billion in losses over the program's history, an average of approximately \$1 million per structure. The NFIP still insures over 950 properties that would be considered extreme repetitive loss. Congress could give FEMA the authority to discontinue NFIP coverage for extreme repetitive loss properties following their next flood loss after enactment of the act if it is not in the best interest of the National Flood Insurance Fund to renew the policy or make an offer of mitigation.

- **Affordability:** While evaluating subsidy phase-outs, Congress should work to ensure basic coverage remains within reach of low-income households. As mandated by BW-12 and HFIAA, in April 2018, FEMA released an Affordability Framework for the NFIP, which provides data-driven analysis of the cost burden borne by flood insurance policyholders and potential policyholders and identifies the populations most adversely impacted by the cost of flood insurance. The Affordability Framework also proposes several options based on income and offers descriptive models of the cost of each option. This framework provides us the opportunity to understand the constraints of both homeowners and renters that aren't buying flood insurance. FEMA estimates that there are just over 6 million residential structures in the SFHA. FEMA insures 2 million of them, 2 million meet the Department of Housing and Urban Development (HUD) low income definitions, and 2 million are neither insured nor low income. On May 30, 2018, the Administration submitted to Congress a legislative proposal for a means-tested affordability program. This program would allow FEMA to slow annual rate increases for low income policyholders with existing discounts or cross-subsidies under current law and practice. To determine eligibility, the NFIP would use HUD's definition of "low income" as households earning 80% or less of Area Median Income (AMI). This proposal is an important first step in creating a true affordability program.

Expanded Coverage:

FEMA estimates that there are just over 6 million residential structures located in Special Flood Hazard Areas (SFHAs) and as few as one third of these properties carry flood insurance backed by the NFIP. The Administration supports efforts to expand flood insurance coverage, particularly in SFHAs, through expanded private market participation. Congress should consider

| | |
|-------------------|--|
| Question#: | 1 |
| Topic: | Reducing Disaster Losses |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Lou Barletta |
| Committee: | TRANSPORTATION (HOUSE) |

creating conditions that would expand the private market for flood insurance policies and remove barriers to customers switching between the NFIP and private flood insurance policies.

Flood Mitigation:

According to the *Natural Hazard Mitigation Saves: 2017 Interim Report* prepared by National Institute of Building Sciences, Federal mitigation grants provided by FEMA, the Economic Development Administration, and HUD, resulted in a national benefit of \$6 for every \$1 invested. Congress has recognized the importance of pre-disaster mitigation, evidenced in the proposed Disaster Recovery Reform Act (DRRA).

| | |
|-------------------|--|
| Question#: | 2 |
| Topic: | Building Up Resilience |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Lou Barletta |
| Committee: | TRANSPORTATION (HOUSE) |

Question: How can we encourage and incentivize individuals, states and local governments to be proactive in their mitigation efforts to build up their resilience to storms and other disasters?

Response: FEMA's largest mitigation assistance program, Hazard Mitigation Grant Program (HMGP), provides a significant and valuable resource to reduce losses, however this funding is available only after a disaster.

FEMA believes that it is critical to focus on investing in mitigation before a disaster strikes. Building more resilient communities and developing resilient capacity ahead of an incident is the best way to reduce risks to people, property, and taxpayer dollars. FEMA has been considering what changes it could make in its current mitigation programs to advance this objective.

In our new Strategic Plan, FEMA has established "Build a Culture of Preparedness" as our first goal for the nation. We want to work to ensure every segment of our society, from individual to government, industry to philanthropy, is encouraged and empowered with the information it needs to prepare for the inevitable impacts of future disasters. Being prepared includes our first priority to "Incentivize Investments that Reduce Risk, Including Pre-Disaster Mitigation, and Reduce Disaster Costs at All Levels." We have set this as a national objective to continue to change our culture to be more prepared before a disaster. This includes bringing resilient mitigation investments forward to help pull back the increasing cost of disaster recovery. Buying down the risk prior to a disaster pays off – either by lowering the cost of the disaster or eliminating the need for a presidentially-declared disaster altogether because of the lessened impact. FEMA plays a critical role in enabling and incentivizing investments that reduce risk and increase pre-disaster mitigation.

FEMA's Pre-Disaster Mitigation (PDM) program is a national, competitive grant program for hazard mitigation projects. PDM is oversubscribed annually which means States submit applications for mitigation projects that exceed the available funding and FEMA must choose which applications to award. FEMA's HMGP is a disaster-based grant program, which means that States that have received a major disaster declaration may receive funding for hazard mitigation projects based on a percentage of the estimated amount of total grants that will be awarded for that disaster. The source of HMGP funding is the Disaster Relief Fund (DRF). HMGP funding is typically greater

| | |
|-------------------|--|
| Question#: | 2 |
| Topic: | Building Up Resilience |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Lou Barletta |
| Committee: | TRANSPORTATION (HOUSE) |

than what a State might expect to receive under PDM, but varies as it is contingent on a disaster declaration and often difficult for a state to manage in addition to disaster recovery. Flood Mitigation Assistance (FMA) grant funds may be used before and after flooding happens. It is also oversubscribed annually. One of its main objectives is to reduce the risk of flood damage to residential properties insured under the National Flood Insurance Act, and reduce costs to the National Flood Insurance Fund. PDM and FMA receive annual appropriations from Congress.

FEMA has been working with its other Federal Partners in the Mitigation Framework Leadership Group to develop a National Mitigation Investment Strategy. The draft Strategy provides a national approach to investments in mitigation activities and risk management across federal, state, local, tribal and territorial governments and the private and non-profit sectors. FEMA will continue to leverage these partnerships and our own disaster assistance programs to drive mitigation investments.

FEMA will also work with private and public stakeholders to develop strategies within state and local jurisdictions that encourage pre-disaster mitigation and investment, such as resilience bonds.

| | |
|-------------------|--|
| Question#: | 3 |
| Topic: | Harmonizing Disaster Programs |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Lou Barletta |
| Committee: | TRANSPORTATION (HOUSE) |

Question: We continue to see new disaster aid programs emerge in reaction to disasters. They all seem to have different rules and requirements. The Federal Emergency Management Association's (FEMA) programs contain explicit eligibility, use and cost effectiveness requirements. No other programs require the same level of risk reduction and cost effectiveness.

As we look to be the best stewards of taxpayer dollars, what actions can Congress and the federal agencies take to better harmonize these varying disaster programs so that they are accountable and coordinated for seamless delivery of disaster assistance and that they remove unnecessary barriers to recovery?

Response: In terms of action, we recommend Congress consider supplemental appropriations that support existing, proven programs to the extent feasible. That noted, it is essential that the federal government continually improve the delivery and results of disaster assistance programs for survivors and impacted communities. We are committed to working with our key partner agencies to review our programs and adjust our delivery approaches to the extent feasible to improve the outcomes for communities and survivors.

One mechanism for this is our partnerships under the National Disaster Recovery Framework (NDRF). It provides a structure and guidelines for how federal, state, local, tribal, and territorial recovery leaders manage recovery. The document was updated and streamlined in 2016 (2nd edition), more clearly linking recovery capabilities and guiding principles to the National Preparedness Goal. The advantage of having such a framework is that it is a common point-of-departure for stakeholders supporting disaster recovery. It provides context for how people work together to restore, redevelop, and revitalize the infrastructure, health and social, economic, natural and cultural, and environmental fabric of communities impacted by disaster.

FEMA coordinates more than 30 organizations, departments, and agencies to work together in the Recovery Support Function Leadership Group (RSFLG) under the NDRF. The RSFLG is not a division or branch of FEMA but rather an interagency body chaired by FEMA created to improve unity of effort as well as enhance federal support and decision-making before and after an incident by addressing operational and policy challenges. RSFLG membership consists of senior officials representing each NDRF coordinating, primary, and supporting Federal agency; FEMA Headquarters and FEMA Regional offices; as well as selected national nongovernmental partners. While the

| | |
|-------------------|--|
| Question#: | 3 |
| Topic: | Harmonizing Disaster Programs |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Lou Barletta |
| Committee: | TRANSPORTATION (HOUSE) |

majority of the RSFLG's focus over the last year has been the recovery, it has an ongoing responsibility to enhance preparedness efforts of the RSFLG departments and agencies for future disasters.

| | |
|-------------------|--|
| Question#: | 4 |
| Topic: | Alternative Staffing Methods |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

Question: In response to the 2017 hurricane season, FEMA's After-Action Report indicates that in order to respond to staffing shortages, the organization had to implement alternative staffing methods, such as finding alternate ways for reservists to meet qualification requirements.

Looking ahead to the 2018 hurricane season, will FEMA be keeping any of these new methods in place? If so, which ones will FEMA keep and how will they change the outlook of FEMA's workforce for future hurricane seasons?

Response: During the 2017 Hurricane Season, FEMA used several alternative staffing methods to augment the FEMA incident workforce. This included deploying Tier 3 and Tier 4 DHS Surge Capacity Force (Tier 4 for the first time), transitioning JFO operations to the Regions, extending deployment periods for full-time equivalent (FTE) and Surge Capacity Force (SCF) members, canceling Pre-Approved Non-Availability for Reservists, deploying State and local emergency managers, and centralizing the deployment process. All of these staffing options are available for future response operations, and FEMA is working to expand several of these initiatives, including the deployment of State and local emergency managers. For 2018 and beyond, FEMA is working to contract State and local emergency managers in coordination with ensuring qualification through the development and implementation of the National Qualification System (NQS). The Agency is also working to incorporate lessons learned and best practices from the SCF deployments in order to ensure that these personnel are utilized as efficiently and effectively as possible.

In addition to staffing augmentation, FEMA has worked to improve staffing training and qualification by ensuring that employees deployed to support operations in 2017 are progressing toward qualification in FQS positions. FEMA has implemented a revised Coach-Evaluator program and is conducting trainings as open events to ensure that trainees and candidates are paired with a Coach-and-Evaluator during current deployments. Through the Incident Specific Qualification initiative, the Agency is working with Cadre Certifying Authorities to carefully review employees who successfully performed the mission they were assigned on during the extreme Level I incident operations of 2017 and, if warranted, grant qualification even if required classroom training remains.

| | |
|-------------------|--|
| Question#: | 5 |
| Topic: | Climate Change |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

Question: On July 12th, FEMA released its After-Action Report on the 2017 hurricanes and discussed the need to mitigate against future disasters. Not only does FEMA's 2018-2022 Strategic Plan fail to mention climate change but it also removes references to climate change that were included in the 2014-2018 Strategic Plan.

How can we as a Nation prepare for catastrophic disasters if FEMA, through its 2018-2022 Strategic Plan, refuses to acknowledge climate change as a significant driving factor in disasters?

Response: FEMA has one of the most important missions in the Federal Government: to be ready every day for any risk or threat that the nation may face. Our 2018-2022 Strategic Plan is focused on creating a culture of preparedness across the Nation that includes mitigating future disaster risks, helping to build national disaster resilience as a backbone of emergency management.

In April 2018, the Administrator testified before the Senate Homeland Security and Government Affairs Committee, stating clearly that he believed the climate is changing and that the ocean is rising. Regardless of cause, he agrees that it is happening. FEMA's efforts to plan and prepare for the impacts of climate change reflect this.

FEMA is aware of the increasing risks to coastal communities, noting in the 2018-2022 Strategic Plan that U.S. shoreline populations have increased 40 percent from 1970 – 2010, that 30 percent of the U.S. population lives in coastal areas, and that this population will continue to increase. This is why FEMA is stressing the need to work with partners in building future disaster resilience through actions such as advocating for the adoption and enforcement of modern building and property codes and the promotion of all-hazard insurance to help close the insurance gap that exists across U.S. communities, including focusing on expanding the number of properties covered by flood insurance. FEMA is also being proactive in working with our partners to reduce risk and future disaster costs by investing more in mitigation before disasters occur.

| | |
|-------------------|--|
| Question#: | 6 |
| Topic: | FEMA Adjusted |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

Question: Mr. Byard, your testimony notes that the FEMA was unprepared to handle the scale and duration of the 2017 disasters, in part because FEMA underestimated the complete devastation of communications infrastructure in Puerto Rico. How has FEMA adjusted its approach to natural disasters response to address the possible lack of communications in future disasters?

Response: The experience of Puerto Rico highlighted the challenges associated with the complete failure of communications infrastructure, which resulted in the inability to gain and maintain adequate situational awareness, compromised local continuity of government, and prevented effective command and control for emergency managers and first responders. Recognizing the importance of improving resilient communications capabilities, Objective 2.4 of FEMA's 2018-2022 Strategic Plan is *Improve Continuity and Resilient Communications Capabilities*.

It is important for state and local governments to maintain continuity plans and resilient communications capabilities to prevent or minimize any disruption to the ability of emergency response and local officials to communicate in the immediate aftermath of a disaster. To promote the importance of continuity and resilient communications, FEMA is leveraging the congressionally-mandated Regional Emergency Communications Coordination Working Groups (RECCWGs) to promote these concepts to state, local, territorial, tribal, and private sector partners. FEMA's grant programs provide a funding mechanism for state and local governments to procure critical preparedness equipment, and could be used to build organic contingency communications capabilities for the state and local governments and first responders.

The majority of the public communications infrastructure is owned and operated by the private sector. As such, the owners and operators are responsible for maintenance and hardening of their networks and infrastructure. FEMA promotes the importance of protection and mitigation in preparing for and reducing the impacts of future storms. However, the Department of Homeland Security's National Protection and Programs Directorate leads the federal effort to protect and enhance the resilience of the Nation's physical and cyber infrastructure across all sixteen Critical Infrastructure/Key Resource (CIKR) sectors. The Sector-Specific Agency for the Communications Sector under the National Infrastructure Protection Plan is the DHS Office of Cybersecurity and Communications (CS&C). FEMA defers to DHS CS&C for specific information on the role of the federal government in supporting the hardening of communications networks.

| | |
|-------------------|--|
| Question#: | 6 |
| Topic: | FEMA Adjusted |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

When protection, mitigation, and preparedness falls short, Mobile Emergency Response Support (MERS) detachments remain prepared to deploy to support Federal teams and state and local governments and responders with command, control, and communications capabilities in the aftermath of a disaster when communications infrastructure is compromised. FEMA's Response Directorate, Disaster Emergency Communications (DEC) Division will maintain and build response-level tactical communications capabilities by continuously monitoring the evolving technology landscape and modernizing its MERS detachments by incorporating emerging communications solutions that complement private sector capabilities and by replacing legacy assets and obsolete technologies, ensuring that FEMA's MERS teams have the equipment needed to support communities and survivors in response to significant impact to communications infrastructure.

| | |
|-------------------|--|
| Question#: | 7 |
| Topic: | Grant Distribution |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

Question: Will the lessons learned from the 2017 disasters affect FEMA's distribution of preparedness grants? How, if at all, will the lessons learned affect the type of information FEMA collects from the states in their State Preparedness Reports?

Response: Lessons learned from recent major disasters, unplanned events, and full-scale exercises have identified a need for greater coordination of emergency communications among senior elected officials, emergency management agencies, and first responders at all levels of government. FEMA recognizes that this lack of operability and interoperability between Federal, state, local, tribal, and territorial agencies – further complicated by problems with communications survivability and resilience – has hindered the ability to share critical information, which can compromise the unity-of-effort required for an effective incident response. Beginning in Fiscal Year 2018, FEMA provided enhanced guidance, through the Notice(s) of Funding Opportunity, regarding emergency communications and continuity projects, including a requirement that all communications projects align to the Statewide Communication Interoperability Plan (SCIP). Entities planning to use grant funding for communications investments were encouraged to work with State Emergency Management Agencies, Statewide Interoperability Coordinators, State Interoperability Governing Body, and appropriate stakeholders at the regional, state, local, territorial, and tribal level to:

- Establish robust, resilient, reliable, and interoperable communications capabilities,
- Ensure mission-related communications are adequately planned for and understood,
- Ensure critical communication systems connectivity among key government leadership internal elements, other supporting organizations, and the public under all condition,
- Ensure all communications systems/networks are traced from end to end to identify all Single Points of Failure.
- Ensure key communication systems resiliency through:
 - Ensuring availability of backup systems;
 - Ensuring diversity of network element components and touring;
 - Ensuring geographic separation of primary and alternate transmission media;
 - Ensuring availability of back-up power sources;

| | |
|-------------------|--|
| Question#: | 7 |
| Topic: | Grant Distribution |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

- Ensuring availability and access to systems that are not dependent on commercial infrastructure;
- Maintain spares for designated critical communication systems; and
- Work with commercial suppliers to remediate communication Single Points of Failure.

FEMA is also utilizing the *2017 Hurricane Season FEMA After-Action Report* to identify potential new requirements to address lessons learned that may be included in the FY 2019 Emergency Management Performance Grant Program and Homeland Security Grant Program.

The lessons learned from the 2017 hurricane season response and recovery efforts also reinforce the importance of having preparedness data that is comprehensive, informative and operational. For 2018, FEMA updated the methodology for the Threat and Hazard Identification and Risk Assessment (THIRA) and the Stakeholder Preparedness Review (SPR, formerly State Preparedness Report). Beginning in 2018, FEMA will require both a THIRA and SPR from all states, territories, tribes and urban areas receiving Homeland Security Grant Program (HSGP), including State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI), and Tribal Homeland Security Grant Program (THSGP) grant funding. Previously, all grant recipients had to complete the THIRA, but only states and territories had to complete the SPR.

Communities, including states, territories, urban areas, and tribes, use the THIRA/SPR process to assess risk, set preparedness goals, determine gaps, and identify approaches for addressing those gaps. In the updated methodology, communities now use common, standardized language for setting preparedness goals and estimating their current capabilities that is familiar to response officials, making it easier to integrate into response efforts. This methodology also captures what capability a community built, sustained, and lost over the previous year. Communities are also required to include strategies they can use to address any existing gaps in capability. States, territories, tribes, and urban areas use lessons learned information from recent real world events, including the 2017 disasters where applicable, and exercises to inform their THIRA/ SPR assessments. Having this amount of available data puts FEMA in a better position to continue to provide clear and useful analysis that can be used to inform response/recovery efforts, alike.

| | |
|-------------------|--|
| Question#: | 8 |
| Topic: | Grant Management System |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

Question: Since FEMA is not planning to implement a new grant management system until 2020 (or beyond), are there any additional steps that can be taken to immediately improve coordination among FEMA's preparedness grant programs until a new system is in place?

Response: FEMA is taking several steps to improve coordination and reduce the complexity of FEMA's preparedness grant programs. As an initial step, FEMA conducted listening sessions during the Summer of 2018 to implement the FEMA 2018-2022 Strategic Plan, Strategic Goal #3: *Reduce the Complexity of FEMA*. FEMA met with stakeholders within the preparedness grants community in an effort to increase communication and partnerships between FEMA and grant recipients, and determine best practices for improving coordination and communications.

FEMA is currently developing recommendations based on the participants' feedback and will work with FEMA leadership to implement the recommendations. The recommendations are separated into three focus areas: communications, technical assistance, and grant administration/effectiveness.

Additionally, in an effort to further reduce the complexity of FEMA, the Notices of Funding Opportunity for each preparedness grant program will be reviewed for potential streamlining and to the extent possible, incorporate consistent terms, conditions, and other language to improve coordination among grant programs.

| | |
|-------------------|--|
| Question#: | 9 |
| Topic: | National Preparedness |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

Question: The 2017 disasters highlighted the need for federal preparedness and response coordination. In particular, FEMA, in coordination with other federal departments and agencies, is responsible for assessing federal emergency preparedness and coordinating preparedness efforts among federal departments and agencies to ensure that overall federal preparedness actions are unified, complete, and synchronized. FEMA's efforts to conduct such an assessment as part of its annual National Preparedness Report have generally been limited to anecdotal case study examples of other federal agencies' preparedness efforts.

While federal departments are responsible for implementing their own recommended corrective actions when response capability gaps are identified (from national-level exercises or real-world disasters), are there are steps FEMA could take to work with those agencies to more comprehensively and concretely assess national preparedness?

What lessons from the 2017 disasters are or will be applied to future preparedness activities? What if any policy/legislative changes may be needed to more effectively prepare and respond to future disasters?

Response: FEMA is coordinating with other federal departments and agencies to develop a methodology to assess the risks facing the nation, and the capabilities that exist across federal departments and agencies for addressing those risks. Once this methodology is finalized and implemented, FEMA will have a more quantitative understanding of response and recovery capability gaps across the federal government and be able to more comprehensively and concretely assess national preparedness.

In the aftermath of the 2017 Hurricane Season, FEMA has taken steps to ensure that the lessons transform the way FEMA and the emergency management community responds to and recovers from future disasters. FEMA's 2018-2022 Strategic Plan, especially the first two goals to build a culture of preparedness and ready the nation for catastrophic disasters, builds on the lessons from 2017 and points the way forward for the agency and the emergency management community.

Additionally, the agency is taking actions based on the findings from the 2017 Hurricane Season FEMA After-Action Report. FEMA has already begun collaborating with federal partners and the White House to revise the National Response Framework to emphasize the stabilization of critical lifelines and coordination across critical infrastructure sectors.

| | |
|-------------------|--|
| Question#: | 9 |
| Topic: | National Preparedness |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

The agency also has already taken immediate actions based on the findings from the After-Action Report including updated hurricane plans, annexes, and procedures for states and territories; increased planning factors for the Caribbean and disaster supplies; and updated high priority national-level contracts, including the National Evacuation Contract, Caribbean Transportation Contract, and National Ambulance Contract. The Agency is also working with Congress on prioritizing mitigation prior to disasters to increase the Nation's resilience to future events.

| | |
|-------------------|--|
| Question#: | 10 |
| Topic: | Puerto Rico and Virgin Islands Weaknesses |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

Question: Throughout the After-Action Report, FEMA notes the need for the Nation to be better prepared for future disasters. The 2017 hurricanes stressed FEMA's capacity to respond to state and local response needs. In the case of Puerto Rico and the U.S. Virgin Islands, to what extent has FEMA identified shortcomings in local response capabilities? What steps has FEMA taken to shore-up these shortcomings?

If a catastrophic hurricane were to strike Puerto Rico and the U.S. Virgin Islands today, how confident is FEMA in knowing any weaknesses in the territories' response capabilities? Is FEMA prepared to back-fill these weaknesses? What contingency plans does FEMA have in place to do so?

If FEMA, or Puerto Rico or the U.S. Virgin Islands in conjunction with FEMA, has made changes to the hurricane response annex for either Puerto Rico or the U.S. Virgin Islands, please specify in detail the changes made?

Response: Following the 2017 hurricane season, FEMA conducted an After-Action Review of the Agency's preparation for, immediate response to, and initial recovery operations for hurricanes Harvey, Irma, and Maria.

- On July 12th, we identified 18 key findings across five focus areas and offers targeted recommendations for improvements as well as broader lessons for partners throughout the emergency management community.
- The findings and recommendations outlined in the 2017 Hurricane Season FEMA After-Action Report are also represented in FEMA's 2018-2022 Strategic Plan, released in March 2018. Recommendations support 10 of the Agency's 12 strategic objectives.
- Although the 2018-2022 Strategic Plan outlines the way forward for FEMA and catalyzes change for the community, improving outcomes for disaster survivors and affected communities requires a commitment from the entire federal family, from whole community partners, and from state, local, tribal, and territorial governments.

Puerto Rico's Economic and Disaster Recovery Plan:

| | |
|-------------------|--|
| Question#: | 10 |
| Topic: | Puerto Rico and Virgin Islands Weaknesses |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

Summary of Puerto Rico's Plan

- The Government of Puerto Rico developed a plan for long-term recovery after the devastation caused in 2017.
- The plan was submitted to Congress August 8, 2018, as required by the Bipartisan Budget Act of 2018, identifies damage, needs and priorities for recovery; potential courses of action; costs and potential funding sources.
- The plan has four goals:
 - Promote a society that is educated, healthy and sustainable.
 - Enhance Puerto Rico's ability to withstand and recover from future disasters through individual, business and community preparedness; redundant systems; continuity of operations; and improved codes and standards.
 - Ensure rebuilding and restoration efforts promote sustainable economic growth and social transformation, and contribute to a more vibrant and competitive economy that can provide opportunities for job growth; and promote personal advancement that produces benefits for Puerto Rico's residents for generations to come.
 - Strengthen Puerto Rico's critical infrastructure by rethinking its design and reconstruction to be more modern, sustainable and resilient than before the hurricanes, and to effectively support people, industry, and the economy.

Rebuilding Puerto Rico by Sectors:

- FEMA Public Assistance funding will cover a significant portion of the rebuilding and mitigation projects. Puerto Rico also will require funding from the U.S. Department of Housing and Urban Development (HUD), the U.S. Department of Transportation, the U.S. Army Corps of Engineers (USACE), and other federal agencies.
- Personnel from federal agencies and the Government of Puerto Rico will develop recovery solutions for the critical sectors of energy, water, transportation, housing, education, communications, municipalities, public buildings, health and social services, the economy, natural and cultural resources, and capacity building.
- PREPA, with the support of its contractors and FEMA, will begin permanent work to make the power grid more resilient.
- To date, FEMA has obligated \$1.5 billion to PREPA for power restoration.

| | |
|-------------------|--|
| Question#: | 10 |
| Topic: | Puerto Rico and Virgin Islands Weaknesses |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

- Power has been restored for 99.99 percent of PREPA customers able to receive electric connection. PREPA and the Commonwealth continue to focus on the remaining few customers without power and completing final repairs to the transmission system.

Actions FEMA Has Taken to Prepare for the Next Storm

In preparation for the upcoming 2018 Hurricane season FEMA has:

- **Updated hurricane plans, annexes, and procedures for states and territories.**
- **Improved staffing** for incidents includes the creation of a **Standard Operating Procedure for a Personnel Mobilization Center (PMC)**, a central location for equipping and training staff prior to disaster deployments. To support the PMC, FEMA also established three permanent PMC core teams in its Field Operations Directorate, and trained regional personnel on PMC operations.
- **Improvements in logistics operation**, including increasing planning factors and disaster supplies for the Caribbean such as meals, water, tarps, sheeting, cots, blankets, infant and toddler kits, durable medical kits, consumable medical kits, and generators. FEMA also added 300 new emergency generators to our inventory.
- **Updated high-priority, national-level contracts**, including the National Evacuation Contract, Caribbean Transportation Contract, and National Ambulance Contract.
- **Refined tactical and long-haul communications**, from land mobile radios to satellite communications.
- **The agency will modernize housing inspections** to improve the survivor experience and streamline the process to lessen the inspection burden for the disaster survivor and better leverage similar efforts across the federal government.

The amount of federal assistance in the response and recovery of Hurricane Maria tells a compelling story. Yet it is but the initial step in rebuilding a stronger and more resilient Puerto Rico, so that its residents are better able to withstand the future storms that will eventually traverse through the Caribbean.

| | |
|-------------------|--|
| Question#: | 11 |
| Topic: | Structural Flood Protection Measures |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

Question: The Association of State Floodplain Managers (ASFPM) has suggested that Congress and the administration adopt a policy that the 500-year level of protection is the minimal design standard for all structural flood protection measures for the purposes of flood insurance and other federal investment. What are the potential benefits and challenges associated with this recommendation?

Response: Structural flood protection measures are those actions which reduce flood hazards by controlling the flow of water in rivers and streams. Structural flood protection includes flood control dams, levee systems, and smaller projects such as flood attenuation wetlands or other methods of water storage.

Structural flood protection measures are seen as alternatives to non-structural methods such as the “avoidance” of flood-prone areas or “minimization” of flood risks through floodplain management regulations which require elevation of buildings.

ASFPM has observed that development and construction in areas behind a levee or floodwall, or in the failure zone below dams, can proceed as if no flood risk exists. Then, when a flood event occurs that exceeds the “protection” level provided, structures are flooded—sometimes to depths greater than would have been the case had the levee, floodwall or dam never been built. This can be due to entrapment of the water within the overtopped or breached levee or floodwall and/or that no other mitigation, such as elevation above ground level, is performed. A higher design standard would result in fewer events that exceed the structure’s design level and fewer incidents of flooding to buildings and infrastructure protected by these structures.

The appropriate level of flood risk reduction provided by a flood control system, however, can vary and should not be prescribed using a one-size-fits-all approach. Levee systems or dams in agricultural areas may serve different purposes than flood control structures in urban areas and the level of protection should be based on the corresponding infrastructure and investments behind that system. It may be beneficial to design flood risk reduction structures in urban areas to provide a higher level of risk reduction to help reduce the risk of flooding for infrastructure and investments, and avoid the associated disaster response and recovery costs. However, building these structures in agricultural areas can incentivize more development in flood-prone areas while reducing the natural and beneficial functions of floodplains, which in turn can increase

| | |
|-------------------|--|
| Question#: | 11 |
| Topic: | Structural Flood Protection Measures |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

the frequency and severity of flooding. In these situations, levees increase flood risk instead of decreasing it.

Although flood risk reduction structures may serve as a critical part of our nation's infrastructure, they do not eliminate flood risk. Therefore, flood risk should be assessed, managed and communicated in a holistic manner that builds the public's awareness of flood risk and facilitates risk-informed decision-making.

| | |
|-------------------|--|
| Question#: | 12 |
| Topic: | Coordination Between Headquarters and Regional Staff |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

Question: In February 2016, the Government Accountability Office (GAO) found that coordination challenges between FEMA headquarters and regional staff in managing preparedness grants continue to create inefficiencies. GAO recommended that FEMA develop a plan with timeframes, goals, metrics and milestones on how it will resolve longstanding challenges with its grants management model, which divides responsibilities between regional and headquarters staff. FEMA did not concur with GAO's recommendation.

What is your view of the effectiveness of coordination between FEMA headquarters and regional staff in managing preparedness grants?

What information and experiences have informed your views in this area?

Response: In its 2016 Management Response Letter, FEMA noted the following to GAO in response to the report issued:

FEMA agrees that a robust, transparent and collaborative relationship among headquarters elements and Regional offices is important for the effective and efficient delivery of programs to state and local grant recipients. However, the recommendation as written (i.e. *to resolve longstanding challenges associated with its existing hybrid grants management model*) does not provide a sufficiently objective outcome against which to gauge the success of any response. Nor does the report accurately reflect the current state of coordination and collaboration among headquarters and regional grants staff. FEMA therefore does not concur with the recommendation as written.

FEMA engages in close and collaborative working relationships between its Headquarters and Regional grants and program management staff. Formal biweekly coordination calls take place between grants management staff, and regular in-person meetings are conducted to ensure effective coordination and transparency between all parties. Joint financial and programmatic monitoring is strongly encouraged and, during peak award seasons, communication between Headquarters and Regional grants management staff occurs on a daily basis. Typically, FEMA's regional grants management staff are responsible for financial management and monitoring of all awards

| | |
|-------------------|--|
| Question#: | 12 |
| Topic: | Coordination Between Headquarters and Regional Staff |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

(disaster and non-disaster) while Headquarters staff are responsible for developing overarching policies and procedures in the execution of its suite of preparedness grant programs. Headquarters staff are typically responsible for programmatic monitoring of preparedness grant awards. While there are select and limited deviations from these norms, risks are minimized through the implementation of robust communications and coordination between Headquarters and Regional grants management and preparedness program management staff.

In February 2018, FEMA established a Grants Executive Steering Group (ESG), comprised of Senior Executive Schedule (SES) representatives from all program offices, Regional Administrators, and select supporting offices. The ESG is chaired by the FEMA Deputy Administrator and coordination is facilitated through the Chief Financial Officer. Meetings are monthly and focus on ensuring executive-level coordination in order to ensure consistency in Agency-wide implementation and management of grant programs and awards. Focus areas have ranged from the development of a grants roadmap; implementation of FEMA's 2018-2022 Strategic Plan (Goal 3, Objective 3.4 focuses specifically on grants improvement efficiencies); and consistent adoption of the Agency's recently-issued Grants Management Manual, among other subjects.

| | |
|-------------------|--|
| Question#: | 13 |
| Topic: | Whitefish Contract |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

Question: In October of 2017, the Puerto Rico Electric Power Authority (PREPA) awarded a small company with two full-time employees in Montana, Whitefish Energy Holdings (Whitefish), a \$300 million contract to restore electricity on the island in the aftermath of Hurricane Maria. According to the Washington Post, before Whitefish received the \$300 million contract from PREPA, a \$1.3 million deal to replace and upgrade parts of a 4.8-mile transmission line in Arizona was the largest contract the company had received. PREPA eventually cancelled its contract with Whitefish but so far, Whitefish has received payment for over \$30 million for work in Puerto Rico and Whitefish claims Puerto Rico owes it an additional \$100 million for work performed

What role did FEMA play in the award of this contract? Did anyone at FEMA approve the contract or imply, verbally or in writing, to PREPA that FEMA would approve the contract? Please provide copies of any correspondence or documents related to FEMA's participation or role in the selection of the contractor and the awarding of this contract. Did PREPA request any guidance from FEMA before making the award? Please provide copies of any correspondence between PREPA and FEMA related to any guidance requested by PREPA or provided by FEMA.

Is FEMA planning to reimburse PREPA for its expenditures related to the Whitefish contract? Has PREPA or anyone from the Governor's office requested reimbursement from FEMA, whether through a Project Worksheet or other form of communication, related to the PREPA/Whitefish contract, including reimbursement for any subcontractors? If so, please provide copies of the request for reimbursement and FEMA's response, if any, to the request. Can you provide to the Subcommittee a detailed justification or the Project Worksheets under which PREPA is requesting reimbursement for power restoration in Puerto Rico?

During your oral testimony, you indicated that FEMA has oversight measures in place with respect to the Whitefish and other contracts. Please describe in detail the oversight process and measures FEMA has in place for grantee and subgrantee contracts.

Response: While FEMA grants federal assistance awards to recipients, consistent with the federal procurement under grant regulations, FEMA is not involved in the procurement process or the selection of any contractor to do work under a grant, and it is not a party to the resulting contract. Rather, the recipient (or subrecipient, if there is a subaward) is responsible for conducting the procurement and selecting the contractor in

| | |
|-------------------|--|
| Question#: | 13 |
| Topic: | Whitefish Contract |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

accordance with applicable federal procurement requirements. 2 C.F.R. §§ 200.317-326. Accordingly, FEMA is not a party to any agreement between Whitefish Energy and PREPA. Nor did FEMA have any involvement in PREPA's procurement process nor its selection of any contractor, including Whitefish. Further, FEMA did not approve or endorse PREPA's selection of Whitefish or any contract between PREPA and Whitefish. To the extent PREPA awarded a contract to Whitefish in October 2017, PREPA did not inform FEMA in advance that it was awarding the contract to Whitefish or seek any guidance from FEMA before making the award. Questions regarding the awarding of the contract should be directed to PREPA.

Any language in any contract between PREPA and Whitefish that states FEMA approved the contract is inaccurate. Indeed, when FEMA was alerted of a contract between PREPA and Whitefish, FEMA verbally requested that PREPA remove a provision of the contract stating FEMA approved the contract. Shortly thereafter, to FEMA's knowledge PREPA terminated this Whitefish contract.

FEMA has not provided any reimbursement to the Commonwealth of Puerto Rico to date for any PREPA contract with Whitefish. While PREPA submitted a request to FEMA for reimbursement related to a Whitefish contract in September 2018, PREPA has since withdrawn that request, which it stated it would resubmit at a later date. As such, FEMA is not in a position to develop a scope of work, validate eligible costs and determine any reimbursement under a Public Assistance project worksheet until it receives a request for reimbursement from PREPA accompanied by all required documentation. We expect to receive a package of information from PREPA through Central Recovery and Reconstruction Office of Puerto Rico (COR3) in the coming days. Once the package is received, FEMA will review the documents for applicable procurement under grant compliance, cost reasonableness, and eligibility as we do all reimbursement submissions.

It is important for all applicants for FEMA Public Assistance to understand and abide by federal requirements for procurement under grants found at 2 C.F.R. Part 200. Applicants who fail to abide by these requirements risk not being reimbursed by FEMA for their disaster costs.

As a general matter, it is important for Non-Federal Entities (NFEs) to maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. A NFE should maintain adequate technical capacity to comply with the procurement under grant standards at 2 C.F.R. §§ 200.317 to 326. If a NFE lacks qualified personnel (force account labor) within its

| | |
|-------------------|--|
| Question#: | 13 |
| Topic: | Whitefish Contract |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

organization to undertake the various tasks (such as evaluating contractors, drafting specifications, overseeing contract performance), then the NFE generally acquires through the procurement process the necessary services from sources outside the NFE's organization. Such procurements for services by the NFE to conduct eligible work under a FEMA award are subject to the federal procurement under grant requirements.

FEMA Public Assistance, with the assistance of the Procurement Disaster Assistance Team (PDAT), reviews, as appropriate, procurements by recipients and subrecipients for compliance with applicable procurement under grant standards. Depending on the timing of such reviews, FEMA may identify potential noncompliance issues and communicate those to the recipient or subrecipient. It is the recipient or subrecipient's responsibility to address the issues identified by FEMA and to bring the procurement into compliance. There have been many questions about whether PREPA's procurement process to acquire the services of Whitefish complied with 2 C.F.R. Part 200. However, FEMA cannot determine compliance until PREPA submits a complete package of documentation requesting FEMA Public Assistance reimbursement.

| | |
|-------------------|--|
| Question#: | 14 |
| Topic: | Contract Audits |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

Question: In addition to the concern about the size and scope of the contract between PREPA and Whitefish, there were also concerns about a provision in that Whitefish contract that proposed limiting the ability of government officials to audit the contract.

Can you discuss whether it is ever appropriate to include terms in a government contract that makes terms of the contract unreviewable by government auditors?

Does FEMA have a policy on contract riders that call for aspects of a response or recovery effort not to be reviewed by government auditors?

What guidance has FEMA provided to PREPA and other government entities in Puerto Rico going forward on appropriate contract terms?

Response: It would not be appropriate for Non-Federal Entities (NFEs) to include terms in their contracts that restrict government auditor review of contracts or any other related documents. The regulation at 2 C.F.R. § 200.336(a) states that, “[t]he Federal awarding agency, Inspectors General, the Comptroller General of the United States, and the pass-through entity, or any of their authorized representatives, must have the right of access to any documents, papers, or other records of the non-Federal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the non-Federal entity's personnel for the purpose of interview and discussion related to such documents.”

FEMA provided PREPA and other government entities in Puerto Rico with the “Required Contract Provisions Template” which includes required and recommended contract provisions. The regulation at 2 C.F.R. § 200.326 requires that certain provisions be included in the contract. Those provisions are found in Appendix II to 2 C.F.R. Part 200. In this document, FEMA provides additional detail about the required contract provisions and recommends that other provisions be included in the contract, including for access to records.

FEMA recommends that NFEs include the following contract provision: “Access to Records. (1) The contractor agrees to provide (insert name of state agency or local or Indian tribal government), (insert name of recipient), the FEMA Administrator, the Comptroller General of the United States, or any of their authorized representatives access to any books, documents, papers, and records of the Contractor which are directly

| | |
|-------------------|--|
| Question#: | 14 |
| Topic: | Contract Audits |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

pertinent to this contract for the purposes of making audits, examinations, excerpts, and transcriptions. (2) The Contractor agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed. (3) The contractor agrees to provide the FEMA Administrator or his authorized representatives' access to construction or other work sites pertaining to the work being completed under the contract."

| | |
|-------------------|--|
| Question#: | 15 |
| Topic: | Advance Contracting |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Peter A. DeFazio |
| Committee: | TRANSPORTATION (HOUSE) |

Question: As of February 21, 2018, federal agencies had obligated \$6.9 billion dollars in response to Hurricanes Harvey, Irma, and Maria-\$3.8 billion from FEMA contracts and \$2.2 billion from the United States Army Corps of Engineers (Corps). In addition to these three major disasters, federal agencies have been responding to wildfires and other disasters across the country.

What advance contracting actions has FEMA taken to prepare for the upcoming hurricane season?

Response: FEMA regularly assesses its pre-positioned commodities to continually strengthen the agency's ability to respond to, and mitigate disasters. FEMA had 54 prepositioned contracts in place at the beginning of the 2017 hurricane season. FEMA has awarded 27 additional prepositioned contracts since August 25, 2017. Additionally, FEMA has increased its capabilities to respond to the shipping needs of Puerto Rico and the U.S. Virgin Islands by awarding a contract that will provide a full suite of shipping and cross docking services for the islands. FEMA is in the process of defining the requirements to provide shipping services to Hawaii and Alaska.

| | |
|-------------------|--|
| Question#: | 16 |
| Topic: | Flood Insurance Policies |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Rick Crawford |
| Committee: | TRANSPORTATION (HOUSE) |

Question: Is FEMA aware of what percentage of homes that were flooded by Hurricane Harvey had flood insurance policies?

According to the Washington Post, on an analysis of FEMA's data, only 17 percent of homeowners in the eight most affected counties had flood insurance. Does that number sound correct to you?

Response: Nearly 80% of households impacted by Harvey did not have flood insurance. We also know through our own preliminary analysis that only about 30% of residential structures located in a Special Flood Hazard Area have NFIP flood insurance nationwide. Only about 4% of all residential structures in the United States (including those located in an SFHA) have NFIP flood insurance coverage.

| | |
|-------------------|--|
| Question#: | 17 |
| Topic: | Flood Map Update |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Rick Crawford |
| Committee: | TRANSPORTATION (HOUSE) |

Question: Are you aware that FEMA is legally required to assess the accuracy and need to update a flood map covering an area every five years?

Do you know if FEMA assessed the accuracy of the maps covering the Houston, Texas metropolitan area in the five years before Hurricane Harvey?

Response: Yes. We are aware that the National Flood Insurance Act was amended in 1994 in P.L. 103-325 to include the requirement that FEMA review all floodplain areas once every five years to assess the need to revise and update the maps relating to those areas. *See* 42 U.S.C. § 4101(e). As a general matter, that obligation is met through FEMA's Coordinated Needs Management Strategy (CNMS). Information relating to the CNMS, which FEMA uses to identify the Nation's flood hazard mapping needs, is available at <https://www.fema.gov/coordinated-needs-management-strategy>.

FEMA completed a county-wide update for Harris County under map modernization in 2007, with subsequent revisions since that time. The most current Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Harris County, Texas and Incorporated Areas became effective on January 6, 2017. FEMA developed the flood hazard information for Harris County and its communities in cooperation with the Harris County Flood Control District (HCFCD) and through coordination with local community officials.

HCFCD and FEMA have worked together to maintain the county's flood mapping, including analyzing the effects of the many infrastructure projects that have been constructed throughout the county to reduce risk to residents. FEMA and the HCFCD also coordinate annually to identify upcoming flood hazard updates, and the HCFCD provides FEMA with a 5-year mapping plan update each March.

Flood maps for the City of Houston in particular have been revised multiple times since 2007, including updates in 2013, 2014, and 2017. In addition to flood study updates there have been dozens of smaller map revisions incorporated through the Letter of Map Revision process by HCFCD. FEMA and HCFCD are undertaking an update to the county's FIRMs, starting with new engineering data initiating this fall of 2018. The update will be staged in phases and is anticipated to take several years to complete.

| | |
|-------------------|--|
| Question#: | 17 |
| Topic: | Flood Map Update |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Rick Crawford |
| Committee: | TRANSPORTATION (HOUSE) |

The Harris County FIRMs, including the City of Houston, reflects the most accurate information and data available at the time the studies of the affected areas were undertaken. These studies were performed in accordance with current rigorous FEMA flood hazard and mapping standards. It is important to note that many areas of Houston have been affected by rainfall rates that are greater than the discharges used to delineate the 1-percent-annual-chance flood on the effective FIRM, and these rates may significantly affect future map updates. This recent event will provide an additional data point to include in the historic and statistical flood hazard analysis. The information will need to be analyzed before we can determine its effect on the current estimates for rainfall in these areas.

| | |
|-------------------|--|
| Question#: | 18 |
| Topic: | Community Disaster Loans |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Stacey Plaskett |
| Committee: | TRANSPORTATION (HOUSE) |

Question: As you know, one of the key FEMA programs assisting the U.S. Virgin Islands is FEMA's Community Disaster Loan program. In H.R. 4008, the Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017, (Act) Congress authorized FEMA to provide Community Disaster Loans, as was also done after Hurricanes Katrina and Hurricane Sandy. Specifically, the Act allows multiple loans to be made to the U.S. Virgin Islands and Puerto Rico, and allows the loans to be calculated "based on the projected loss of tax and other revenues and on projected cash outlays not previously budgeted..."

Despite the clear intent of Congress for both of these factors to be used in the sizing of these Community Disaster Loans, the Community Disaster Loans provided to U.S. Virgin Islands to date have only been calculated on loss of tax and other revenues, and not projected cash outlays not previously budgeted.

Notwithstanding numerous requests from the Government of the U.S. Virgin Islands for an explanation as to how FEMA intends interpret and implement the "projected cash outlays not previously budgeted" language in calculating the size of Community Disaster Loans to the U.S. Virgin Islands, no explanation has been provided. FEMA has pointed to "Unreimbursed Disaster Related Expenses" (UDRE). However, UDRE is a different term, which Congress chose not to use in this instance, and it is my understanding that UDRE is based on provisions in the Stafford Act and FEMA regulations that specifically relate to cancellation of Community Disaster Loans, not to the calculation of Community Disaster Loan size.

What makes this matter even more urgent is that FEMA has informed the Government of the Virgin Islands that no more Community Disaster Loans will be issued after August 31, 2018. So, further delay in response is no longer tenable.

In light of what I have described, please provide the Committee on Transportation and Infrastructure and my office answers to these questions within two weeks:

How does FEMA intend to implement the second paragraph in title I of the Act, under the heading "Federal Emergency Management Agency-Disaster Relief Fund" (as amended by the Bipartisan Budget Act of 2018 (P.L. 115-123), to issue Community Disaster Loans prior to August 31, 2018?

| | |
|-------------------|--|
| Question#: | 18 |
| Topic: | Community Disaster Loans |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Stacey Plaskett |
| Committee: | TRANSPORTATION (HOUSE) |

How does FEMA intend to apply "projected cash outlays not previously budgeted" to calculations of Community Disaster Loans for the U.S. Virgin Islands?

What is the specific basis for the August 31, 2018 deadline, and what discretion does FEMA have to extend or waive that deadline?

Response: Since the Second Supplemental Appropriation (Public Law 115-172) was authorized and later amended by Public Law 115-123, loans issued to the U.S. Virgin Islands (USVI) are sized "based on the projected loss of tax and other revenues and on projected cash outlays not previously budgeted for a period not to exceed 365 days from the date of the major disaster..."

On August 8, 2018, FEMA provided USVI with the Cash Outlays Policy. When requesting financial documentation, FEMA asked that USVI also submit their projected cash outlays. However, none have been submitted as of September 10, 2018.

During conversations and email communications with USVI's Government, FEMA reiterated that the period to obtain further loans remains open and does not close on August 31, 2018.

| | |
|-------------------|--|
| Question#: | 19 |
| Topic: | Critical Services |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Stacey Plaskett |
| Committee: | TRANSPORTATION (HOUSE) |

Question: Section 20601 of the Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018, sometimes referred to as the "resiliency provision," allows FEMA to provide additional grant assistance for infrastructure repair and replacement projects (permanent work) that will enable certain facilities and infrastructure systems in the U.S. Virgin Islands and Puerto Rico to be rebuilt to incorporate resilient design and features.

Under this section, FEMA is authorized to ignore whether evident damage to facilities or infrastructure systems was the result of the pre-disaster condition of the infrastructure, or caused by Hurricane Irma or Hurricane Maria. FEMA is also authorized to provide assistance to restore or replace components of facilities and infrastructure systems that were not damaged by Hurricanes Irma or Maria if doing so would restore the function of the facility or system to industry standards.

This assistance applies to "critical services," as such term is defined in Section 406 of the Stafford Act, and the grantee or subgrantee must utilize the Public Assistance Alternative Procedures under Section 428 of the Stafford Act.

FEMA has not issued guidance on the implementation of this section.

Is such guidance under development? If not, why not?

Will FEMA interpret "critical services" to include facilities and infrastructure systems like transportation infrastructure and public housing?

Would you support legislation specifying that infrastructure systems such as roads, bridges, ports, and airports, and facilities such as public housing and public buildings may be eligible to benefit from this assistance to maximize the resilience of the islands as they rebuild and recover from Hurricanes Irma and Maria, and to minimize the need for future taxpayer investments in recovery?

Response: FEMA issued guidance on September 14, 2018, to clarify the policy details and requirements for this special Bipartisan Budget Act authority to ensure consistent and appropriate implementation. Critical services includes power, water, sewer, wastewater treatment, communications, education, and emergency services (fire, rescue, and medical care). It does not include transportation or public housing.

| | |
|-------------------|--|
| Question#: | 20 |
| Topic: | STEP Program Cap |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Stacey Plaskett |
| Committee: | TRANSPORTATION (HOUSE) |

Question: FEMA has capped the Sheltering and Temporary Essential Power (STEP) program in the Virgin Islands at \$25,000 per home. Yet, for the Blue Roof program in the U.S. Virgin Islands, FEMA was paying \$25,000 per home merely to put blue tarps on each house.

FEMA also has its own home construction repair program that was capped at \$75,000 per home, but then raised to \$125,000 per home because \$75,000 was too low.

There is no good reason why FEMA's own home construction repairs (which the agency runs on its own and for which it runs its own contracts) should be capped at \$125,000 per home, while the STEP program carried out by the Government of the U.S. Virgin Islands is capped at \$25,000 per home.

Will FEMA agree to raise the cap on the STEP program in the U.S. Virgin Islands to at least \$35,000, as the Governor of the Virgin Islands has requested?

Response: No, FEMA will not raise the cap on the STEP program. The per property program cap for construction costs related to eligible STEP properties was initially set at \$20,000 for USVI. The cost estimate for the cap was based on a property that would require all eligible types of emergency work under STEP in order to be suitable for sheltering. In all previous iterations of STEP, the vast majority of eligible properties did not require all eligible types of emergency work, and the average per property costs for most STEP iterations remained consistently under the established cap as a result. For example, the current average for STEP repairs in USVI is less than half of the established cap.

FEMA authorized an increase in the per property cap for construction costs to \$25,000 to account for increased costs associated with the delivery of materials to the island. It is also important to note that additional costs for implementing STEP are eligible and not subject to the cap; these include costs associated with program management, processing applications, messaging and outreach, site inspections, and eligible administrative costs. When calculated together, the aggregate eligible costs of implementing STEP are higher than \$35,000. Additionally, the policy provides the FCO waiver authority to the cap on a per property basis if associated costs exceed the cap and the FCO deems those costs to be necessary and reasonable for the purpose of STEP.

| | |
|-------------------|--|
| Question#: | 21 |
| Topic: | Waive Local Matching Funds |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Stacey Plaskett |
| Committee: | TRANSPORTATION (HOUSE) |

Question: FEMA has denied waiver of non-federal cost sharing for Public Assistance permanent work under Category F (Utilities).

Under Insular Areas Act, the administering authority of any federal department or agency, at its discretion, may "waive any requirement for matching funds otherwise required by law to be provided by the Insular Area involved..." and the term "Insular Area" is defined to include the Virgin Islands. This statutory waiver authority extends to FEMA as a federal agency.

There is ample precedent for federal agencies to waive local matching funds otherwise required by law for participation in federal grant programs, pursuant to the Insular Areas Act and other authorities as well. The Insular Areas Act has been invoked for such purposes numerous times over the last 25 years, including for the Virgin Islands. Local cost sharing was waived for the territory following Hurricane Hugo in 1989, severe flooding in 2004, and Tropical Storm Jeanne in 2005, including for the Public Assistance Grant Program.

Since the U.S. Virgin Islands has exhausted its local financial resources and reached the limit of its borrowing capacity, it cannot shoulder the burden of the local share for federal disaster-related funding programs. Demanding that the U.S. Virgin Islands contribute money it does not have could further delay necessary aid from reaching affected citizens.

Will FEMA reconsider its refusal to exercise its statutory discretion to waive local matching funds otherwise required for Public Assistance Program permanent work, under Categories C through G, in the Virgin Islands for the consequences of Hurricanes Irma and Maria?

Response: The Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207 (Stafford Act), authorizes a cost share adjustment for Public Assistance; however, it does not authorize an increase in Federal funding above a 75 percent Federal share for the Hazard Mitigation Grant Program or Other Needs Assistance. However, under 48 U.S.C. § 1469a(d), insular areas, including the U.S. Virgin Islands are entitled to a mandatory waiver of non-Federal cost shares under \$200,000 and discretionary waiver for non-Federal cost shares of \$200,000 or greater. This provision allows FEMA to adjust the cost share for Public Assistance, Hazard Mitigation, and the Other Needs Assistance under Section 408 of the Stafford Act.

| | |
|-------------------|--|
| Question#: | 21 |
| Topic: | Waive Local Matching Funds |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Stacey Plaskett |
| Committee: | TRANSPORTATION (HOUSE) |

Under the major disaster declarations for Hurricanes Irma and Maria, the estimated non-Federal cost shares for Public Assistance, Hazard Mitigation, and Other Needs Assistance are in excess of \$200,000; therefore, waiver of the non-Federal cost share for each of the programs is discretionary. The President has the sole discretion to make any such adjustments to the non-Federal cost share.

As a matter of policy for insular areas, FEMA generally uses the statewide per capita indicator for cost share adjustments set in 44 CFR 206.47 to guide its discretion in making recommendations to the President for adjustments to the cost share arrangement for Public Assistance, Hazard Mitigation, and Other Needs Assistance. As such, when the actual obligations for a disaster meet or exceed that threshold, FEMA will generally recommend adjusting the Federal share to 90 percent for Public Assistance, Hazard Mitigation, and Other Needs Assistance. The President approved 90 percent adjustments for the major disasters declared for Hurricanes Marilyn, Bertha, Georges, and Lenny.

For Hurricane Hugo, Federal funds for Public Assistance were set at 75 percent of total eligible costs up to \$10 per capita, and 100 percent for eligible costs exceeding \$10 per capita. The non-Federal cost share for the Hazard Mitigation Grant Program was under \$200,000 for Tropical Storm Jeanne and the severe flooding in 2004; therefore, a mandatory waiver was granted for Hazard Mitigation. The cost share for Public Assistance remained at 75 percent Federal for those two declarations.

Due to the enormous impact caused by Hurricanes Irma and Maria, President Trump has approved a waiver of the cost share for debris removal for 360 days, emergency protective measures for 240 days, with an additional 120 days for Sheltering and Temporary Essential Power (STEP); a waiver of the entire non-Federal share for the Hazard Mitigation Grant Program; and a 90 percent cost share adjustment for Other Needs Assistance and all categories of Public Assistance, except for assistance already approved at 100 percent.

FEMA believes that the Virgin Islands needs to be a partner in recovery and by having a financial stake helps ensure costs are appropriately considered and the Territory is fully involved in the recovery process.

| | |
|-------------------|--|
| Question#: | 22 |
| Topic: | HMGP Flexibility |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Garret Graves |
| Committee: | TRANSPORTATION (HOUSE) |

Question: How does giving states and local governments the flexibility to utilize Hazard Mitigation Grant dollars to address most significant mitigation vulnerabilities, drain the Disaster Relief Fund?

Response: The amount of Hazard Mitigation Grant Program (HMGP) funding available to a declared State is based on a percentage of the total Federal assistance provided by FEMA for disaster recovery, which is funded out of the Disaster Relief Fund. All projects funded under the HMGP must be consistent with the FEMA-approved State, local, and tribal hazard mitigation plans, which address the range of hazards and vulnerabilities across the jurisdictions. By investing in mitigation projects, FEMA aims to use available funds in proven, effective, and economic ways, while reducing disaster costs and increasing national, state, tribal, and local resiliency.

| | |
|-------------------|--|
| Question#: | 23 |
| Topic: | HMGP Funds |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Garret Graves |
| Committee: | TRANSPORTATION (HOUSE) |

Question: From environmental, economic, public interest and technical perspectives, Corps projects are some of the most scrutinized in the federal government. Why do you believe Hazard Mitigation Grant Program (HMGP) funds should continue to be prohibited from progressing these projects when they otherwise meet FEMA criteria and other federal funds are unavailable?

Response: Consistent with fiscal law principles prohibiting augmentation of appropriations, FEMA is prohibited from using HMGP funds as a substitute or replacement to fund projects or programs that are available under other Federal authorities (which FEMA calls “duplication of programs”) unless, in a post-disaster situation, there is an extraordinary threat to lives, public health or safety, or improved property (44 CFR Section 206.434(f)); (HMA Guidance (2015) Part III, D.4 Duplication of Programs).

| | |
|-------------------|--|
| Question#: | 24 |
| Topic: | Flexibility with CDBG-DR Dollars |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Garret Graves |
| Committee: | TRANSPORTATION (HOUSE) |

Question: How does giving states and local governments the flexibility to provide Community Development Block Grant Disaster Recovery (CDBG-DR) dollars to disaster victims, in compliance with current Housing and Urban Development (HUD) eligibility requirements, and recognizing that a loan is not duplicative of a grant, a drain on the Disaster Relief Fund?

Response: Neither HUD CDBG-DR or SBA disaster loans are funded out of the Disaster Relief Fund. FEMA defers to HUD and SBA on the appropriate level of flexibility in CDBG-DR and whether or not an SBA loan may duplicate a CDBG-DR grant.

| | |
|-------------------|--|
| Question#: | 26 |
| Topic: | Presidential Waiver |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Garret Graves |
| Committee: | TRANSPORTATION (HOUSE) |

Question: When answering this question in the hearing, were you aware that the only way a grant could be provided to a Small Business Administration (SBA) loan recipient is if the Governor of such disaster state requested a waiver from the President?

Response: At the time of my testimony, I was not familiar with how HUD made the determination that CDBG-DR funding could not be used toward SBA loans.

| | |
|-------------------|--|
| Question#: | 27 |
| Topic: | Displaced |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Garret Graves |
| Committee: | TRANSPORTATION (HOUSE) |

Question: Have you ever been a disaster victim or displaced from your home?

Response: No. Serving in several different capacities for the State of Alabama and now in my role as the Associate Administrator of Response and Recovery at FEMA, I have seen firsthand the challenges that individual disaster survivors, families, and communities face on their worst day. I am dedicated to working with the entire federal interagency to provide relief and meet any unmet needs

| | |
|-------------------|--|
| Question#: | 28 |
| Topic: | Incentivizing Disaster Victims |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Garret Graves |
| Committee: | TRANSPORTATION (HOUSE) |

Question: By allowing a disaster victim to repay a SBA loan with a CDBG-DR grant as provided for in DRRRA (should they become available later), you eliminate the "financial risk" or inequitable treatment of disaster victims between those that rebuild immediately versus those that wait to see if grants are available. Do you realize that current federal disaster policy (duplication of benefits) results in greater expenditure of federal funding by incentivizing disaster victims to remain in federally-funded temporary housing rather than incentivizing disaster victims to rebuild faster and expedited community recovery?

Why do you believe it is better to spend more federal funds by maintaining a federal disaster policy that incentivizes a disaster victim to rely on a federally-funded hotel for longer periods of time and not rebuild their home since only SBA loans are available rather than being able to then repay with CDBG-DR dollars if later become available?

Response: FEMA defers to HUD on the most appropriate use of its funding. However, in general the Administration is focused on providing targeted Federal disaster assistance that does not result in waste, fraud, or abuse.

| | |
|-------------------|--|
| Question#: | 29 |
| Topic: | Death Toll |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Nydia M. Velazquez |
| Committee: | TRANSPORTATION (HOUSE) |

Question: Please indicate the process FEMA undertakes to verify a state/local entity's post-disaster death count.

If FEMA does not believe in the accuracy of a state/local death toll, how does that affect the approval or denial of FEMA assistance?

Under what death toll count has FEMA been operating?

Under what conditions would you be required to investigate the veracity of numbers officially provided?

Response: Quantifying mortality and attributing causes of death after a disaster are functions of State, Local, Tribal, and Territorial (SLTT) jurisdictions. SLTT Medical Examiners are legally responsible for reporting mortality data. With respect to SLTT authorities, FEMA operates under the death toll count established by the impacted SLTT government.

FEMA defers to each SLTT government to determine the number of deaths cause by and attributed to a disaster pursuant to each SLTT governments laws and medical guidance.

The Department of Health and Human Services (HHS) is the coordinating agency for Emergency Support Function (ESF)-8: Public Health and Medical Services under the National Response Framework. ESF-8 provides federal assistance to supplement SLTT resources in response to a public health and medical disaster, potential or actual incidents requiring a coordinated federal response, and/or during a developing potential health and medical emergency. ESF-8 may assist jurisdictional medicolegal authorities in carrying out fatality management responsibilities by providing specialized teams and equipment to conduct victim identification, grief counseling and consultation, and reunification of human remains and effects to authorized person(s).

FEMA defers to HHS for additional information regarding their authorities and capabilities to assist an impacted SLTT government with mortuary affairs.

After a federally-declared disaster for Individual Assistance, FEMA may provide financial assistance for expenses related to a death or disinterment attributed directly or indirectly to the disaster through the Individuals and Households Program's Funeral

| | |
|-------------------|--|
| Question#: | 29 |
| Topic: | Death Toll |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Nydia M. Velazquez |
| Committee: | TRANSPORTATION (HOUSE) |

Assistance. As part of the eligibility review for this assistance, applicants must submit documentation from the appropriate licensed medical official (medical examiner or coroner) clearly indicating that the death or disinterment was caused by the disaster, either directly or indirectly. The Centers for Disease Control and Prevention has established reporting guidance to assist medical officials regarding death certifications in the event of disasters. This guidance can be found at: <https://www.cdc.gov/nchs/data/nvss/vsrg/vsrg01.pdf>. FEMA updated its Funeral Assistance policy for consistency with this guidance for all disasters from Hurricane Harvey (DR-4322-Texas) forward.

To be eligible for Funeral Assistance, applicants must meet the following requirements:

- The applicant must be a U.S. citizen, non-citizen national, or qualified alien.
- FEMA must be able to verify the applicant's identity.
- Burial insurance or other forms of assistance, such as charities, donations, voluntary agencies, or other government programs, cannot meet the disaster-caused needs.
- The applicant's necessary expenses and serious needs must be caused by a declared disaster, either directly or indirectly.
- The applicant must provide to FEMA the required documentation reflecting financial responsibility, disaster-caused needs, and incurred funeral expenses.

There are a variety of reasons why a death directly or indirectly attributed to a disaster would not receive FEMA assistance, such as the deceased had burial insurance that addressed their loss. FEMA reviews Funeral Assistance requests for deaths or disinterment manually to ensure all policy requirements are met. If the death or disinterment or any of the costs are not eligible under FEMA's Funeral Assistance policy, the applicant will receive a denial or payment for only eligible costs, respectively.

| | |
|-------------------|--|
| Question#: | 30 |
| Topic: | Causes of Death |
| Hearing: | Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season |
| Primary: | The Honorable Nydia M. Velazquez |
| Committee: | TRANSPORTATION (HOUSE) |

Question: What is FEMA's current guidance on quantifying mortality and attributing causes of deaths after a major disaster?

To what extent does FEMA collaborate with state and local emergency management agencies with regard to post-disaster mortality and attributing causes of death post-emergencies?

Response: Under the National Response Framework, the Department of Health and Human Services (HHS) is the coordinating agency for Emergency Support Function (ESF)-8: Public Health and Medical Services. ESF-8 provides federal assistance to supplement State, Tribal, Territorial and Local (SLTT) resources in response to a public health and medical disaster, potential or actual incidents requiring a coordinated federal response, and/or during a developing potential health and medical emergency. ESF-8 may assist jurisdictional medicolegal authorities in carrying out fatality management responsibilities by providing specialized teams and equipment to conduct victim identification, grief counseling and consultation, and reunification of human remains and effects to authorized person(s). However, quantifying mortality and attributing causes of death after a disaster are functions of the affected state, tribal, territorial and local governments. Generally, the Medical Examiners, or equivalent officials, of those jurisdictions are legally responsible for reporting mortality data.

FEMA defers to HHS for additional information regarding their authorities and capabilities to assist an impacted SLTT government with mortuary affairs. FEMA defers to each SLTT government to determine the number of deaths cause by and attributed to a disaster pursuant to each SLTT governments laws and medical guidance.

DEPARTMENT OF THE ARMY CORPS OF ENGINEERS

COMPLETE STATEMENT OF

CHARLES R. ALEXANDER, JR.

**DIRECTOR, CONTINGENCY OPERATIONS AND
HOMELAND SECURITY**

BEFORE

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

**SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC
BUILDINGS AND EMERGENCY MANAGEMENT**

UNITED STATES HOUSE OF REPRESENTATIVES

**Are We Ready? Recovering from the 2017 Disasters and Preparing for
the 2018 Hurricane Season**

JULY 18, 2018

Chairman Barletta, Ranking Member Titus and distinguished members of the Subcommittee:

I am honored to testify before you today to discuss the authorities and responsibilities of the U.S. Army Corps of Engineers (Corps) during disaster response and recovery operations and lessons learned during the 2017 disasters. I am Ray Alexander, Director of Contingency Operations and Homeland Security, U.S. Army Corps of Engineers (Corps).

The Corps conducts its emergency response and recovery activities under two basic authorities: the Stafford Disaster and Emergency Assistance Act (Stafford Act); and Public Law 84-99, as amended (PL 84-99), 33 U.S.C. § 701n. Under the Stafford Act, we and other Federal agencies work under the direction of the Federal Emergency Management Agency (FEMA). PL 84-99 provides a separate source of authority for the Corps to prepare for and respond to floods, hurricanes, and other natural disasters, and to support emergency operations in response to such disasters.

Under the Stafford Act:

- As provided in the National Response Framework, the Corps serves as the lead Federal coordinating agency for Emergency Support Function 3 (ESF-3) (Public Works and Engineering); and
- As provided in National Disaster Recovery Framework, the Corps serves as the lead Federal coordinating agency for Recovery Support Function (RSF) – Infrastructure Systems.

In both of these capacities, the Corps assists the overall Federal effort, working with other Federal agencies as directed by FEMA.

ESF-3 provides temporary emergency power, debris management, and emergency infrastructure assessment. The Corps is also positioned to support other Emergency Support Functions with temporary housing, temporary roofs (Blue Roof program), critical public facility restoration as well as structural specialists to support Urban Search and Rescue missions. The Infrastructure Systems RSF works to efficiently facilitate the restoration of infrastructure systems and services to support a viable, sustainable community and improves resilience to and protection from future hazards.

Under PL 84-99, we prepare for flood, hurricane, and other natural disasters through planning, coordination, and training with local, state, Federal partners. The Corps can also assist state and local entities at their request in flood fight operations or through implementation of advance measures to prevent/reduce storm incident damages. After a major flood, PL 84-99 authorizes the Corps to repair damage to authorized Corps projects, and work with states/municipalities to rehabilitate and restore eligible non-Federal flood infrastructure to pre-storm conditions.

When disasters occur, Corps teams are able to mobilize from across the country to assist the local Corps districts that are responding to the incident. As part of this mission, the Corps has more than 50 specially trained response teams, supported by emergency contracts, to perform the wide range of public works and engineering-related support missions I just described. Additionally, the Corps uses pre-awarded contracts that can be quickly activated for missions such as debris removal, temporary roofing, generator installation, and dredging.

2017 Hurricane Season - The 2017 Hurricane Season was historic and the Corps continues to identify lessons learned in an effort to sustain and improve its emergency response performance.

Hurricanes Irma and Maria - Category 5 Hurricane Irma made landfall over the U.S. Virgin Islands on September 6, 2017, while also impacting Puerto Rico with Category 2 winds, 12 foot storm surge and up to 20 inches of rain. Hurricane Irma made landfall in southern Florida/Florida Keys on September 9, 2017. Soon thereafter, Category 5 Hurricane Maria made landfall over Puerto Rico on September 20, 2017, causing major damage to critical infrastructure and homes. The historic nature of the impacts of Hurricanes Irma and Maria on the U.S. Virgin Islands and Puerto Rico, in addition to affecting states within the continental U.S., resulted in an unprecedented response by FEMA and the family of Federal responders. FEMA identified 49 mission assignments for the Corps to assist in Hurricanes Irma and Maria response and recovery, totaling \$3.34 billion for Puerto Rico and the U.S. Virgin Islands. The Corps deployed thousands of dedicated civil servant and military personnel to support the people of Puerto Rico and the U.S. Virgin Islands and still has 369 employees engaged executing recovery operations today. Additionally, the Corps received 43 mission assignments in Florida and in Georgia, for a total of \$45 million.

Debris Management: Across the areas impacted by these two storms, these missions resulted in over 5.03 million cubic yards of debris removed, allowing for the freedom of movement by responders and the people impacted by these storms. In Florida and Georgia, the Corps debris subject matter experts also provided technical assistance to many counties.

Temporary Emergency Power: Our temporary power teams installed over 1,350 generators providing emergency power to critical life preserving services like water, medical, energy, communications, and public safety sectors.

Temporary Roofing: Across U.S. Virgin Islands and Puerto Rico, Corps teams installed over 63,000 temporary roofing systems "Blue Roofs" allowing the impacted people the opportunity to leave emergency shelters and return to their homes. The Corps completed over 13,000 blue roof installations in Florida.

Power Mission: The Corps assembled a team of Corps employees, who volunteered to assist in the repair of segments of the Puerto Rico power grid. Working with the Department of Energy, FEMA, the Puerto Rico Electric Power Authority (PREPA), the

Edison Electric Institute, and industry utility companies, they were part of a multi-agency team, which has now, based on PREPA's reporting, restored power in Puerto Rico to 99.93% of the 1,471,960 customers who had power before the storms.

Hurricane Harvey – Hurricane Harvey made landfall along the central Texas gulf coast near Rockport, Texas as a Category-4 hurricane on August 25, 2017. Harvey delivered an unprecedented amount of rain across the greater Houston metropolitan area and southeast Texas, with upwards of 60 inches of rain in some areas resulting in record flooding. During the week of August 25, 2017, the Corps increased the stockpile of flood fight materials in south Texas in anticipation of Tropical Storm Harvey being upgraded to Hurricane Harvey – from 500,000 to 2 million sandbags and 1,500 feet HESCO barriers. The Corps provided over one million of these sandbags to local/state government.

FEMA identified 23 mission assignments totaling \$140 million for the Corps to assist in Hurricane Harvey response and recovery. Nearly 1,000 Corps personnel deployed to support response and recovery efforts. Currently, 40 Corps employees are deployed supporting 11 active recovery mission assignments.

In the Bipartisan Budget Act of 2018, Congress appropriated over \$17 billion for the Corps to repair and rehabilitate projects across the Nation damaged by natural disasters, to construct flood and storm damage reduction projects, and to complete flood and coastal storm damage reduction studies in multiple states and territories. The Corps has identified specific projects that will receive those supplemental funds and is working to move as quickly as possible to complete the planned work.

California Wildfires and Other Disasters – In response to October 2017 wildfires across northern California, FEMA issued seven mission assignments to the Corps totaling \$1.2 billion ESF-3 coordination, debris management and technical assistance missions. Additionally, wildfires in late December 2017 in Ventura and Santa Barbara counties led to an altered and denuded watershed. Rainstorms and flash flooding in the first week of January precipitated into deadly mudslides in Santa Barbara County. In response to those disasters, FEMA issued two additional Corps mission assignments totaling \$110 million for the removal of mudslide debris from 11 debris basins and 11 natural channels.

Debris Management: The Direct Federal Assistance (DFA) Debris Mission was the most costly in California history (\$956,000,000). The Corps engaged contractors to execute Private Property Debris Removal (PPDR) across Sonoma, Napa, Mendocino and Lake Counties. Because of the requirement to remove foundations due to excessive heat and coupled with environmental ash hazards and contaminated soil, the emergency response was complex and incorporated the expertise of several Federal and State partners, including the Environmental Protection Agency and State of California emergency management and environmental agencies. Debris removal operations began November 2017 and physically ended in early June 2018. Over 2.2 million tons

of debris were removed from over 4,500 properties so that homeowners could rebuild safely.

Temporary Housing: The Corps provided access and use of the Corps Kyen Campground in Mendocino County in order for FEMA to provide wildfire survivors with temporary housing (RVs). Over 900 civilian from the Corps and partnering agencies (such as the Department of Interior's Bureau of Reclamation) volunteered to perform Quality Assurance of debris removal.

Other Disasters – The Corps responded in total to 32 events in 2017. Events outside of the hurricane and wildfire response include the Central U.S. Blizzard, the Bighorn River Ice Jam, numerous flooding events throughout the Nation as well as Lake Ontario High Water and other severe weather events.

Preparing for the 2018 Hurricane Season

The Corps continues with 2017 Hurricane Season recovery operations in Texas, Florida, the U.S. Virgin Islands and Puerto Rico as we focus on making sure we will be able to respond in the upcoming hurricane season and any other natural disasters. Combining the lessons learned and best practices from 2017, the Corps has already taken immediate actions to prepare for the 2018 hurricane season to include:

- Exercises – the Corps has completed hurricane exercises along with its Federal, state, local and territory partners for the gulf and east coasts as well as Puerto Rico. The exercise for the USVI is occurring at this time (July 17-20).
- Real Life Drill – Tropical Storm Beryl provided an opportunity for real life planning and preparations as the Corps postured teams and resources for potential impacts.
- National Level Exercise – the Corps participated in FEMA's intergovernmental and private sector National Level Exercise 2018. This exercise focused on a hypothetical major hurricane scenario, making landfall near Hampton Roads, Virginia.
- Plans – the Corps has updated its hurricane plans, annexes and standard operating procedures.
- Workshops – the Corps conducted workshops to prepare for its ESF-3 responsibilities for temporary emergency power, debris and infrastructure assessments as well as ESF-6 support responsibilities for temporary housing and temporary roofing.
- Pre-scripted Mission Assignments - the Corps worked with FEMA to update and refine 34 ESF-3 Corps Pre-scripted Mission Assignments from 2017 lessons learned, including three newly created ones for Logistic Support, Command and Control Integration and Planning Cells.

- Acquisition Center of Expertise - the Corps is developing an Acquisition Center of Expertise to create a robust, rapid and agile contracting capability to support large, complex missions that involve debris, temporary power, and roofing as well as non-standard contingency support requirements.
- Adjustments to Teams and Resources - the Corps is refitting and resetting teams and personnel (all volunteers) that have deployed extensively over the past 11 months with emphasis on ensuring that it has a ready reserve of personnel ready and trained to respond as necessary.

The Corps also remains fully committed and capable of executing its other Civil Works activities across the Nation – our commercial navigation, flood and coastal storm damage reduction, and aquatic ecosystem restoration missions – in addition to our involvement in these and future response and recovery missions. This concludes my testimony and I look forward to answering any questions you might have. Thank you.

“Are We Ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season”
Subcommittee on Economic Development, Public Buildings, and
Emergency Management Hearing
Wednesday, July 18, 2018, 10:00 a.m.
2167 Rayburn House Office Building
Washington, D.C.

Questions for the Record for Charles R. Alexander, Jr., Director of Contingency Operations and Homeland Security, U.S. Army Corps of Engineers

Submitted on behalf of Chairman Lou Barletta (PA-11)

1. What additional steps can Congress take to encourage smart practices and creative initiatives that will reduce disaster losses across the country?

Answer: I can offer two observations. First, I believe we need to rethink our assumption(s) that the loss of power, communications, and water infrastructure following disasters will be of limited duration. The cascading impacts to the critical infrastructure in Puerto Rico and the U.S. Virgin Islands caused by the wind and rain effects of the hurricanes created significant challenges. State, Local, Tribal and Territorial, and private sector partners are primarily responsible for this infrastructure and need to be prepared for long-term outages of these critical systems and evaluate ways to mitigate future damages to these vital systems.

Second, sharing information on ways to improve land use planning at the State and local levels could help to reduce damages from future natural disasters. Codes and standards are also only as good as the mechanisms in place to enforce them.

The Corps provides local communities with technical and planning assistance on nonstructural approaches to manage and reduce their flood risks. For example, our Flood Plain Management Services (FPMS) program offers a full range of technical services and planning guidance to support effective floodplain management. Some of our FPMS funds support interagency efforts that encourage integrated solutions to flood management, with particular emphasis on nonstructural alternatives.

2. How can we encourage and incentivize individuals, states and local governments to be proactive in their mitigation efforts to build up their resilience to storms and other disasters?

Answer: The Corps provides local communities with technical and planning assistance on nonstructural approaches to manage and reduce their flood risks. For example, our Flood Plain Management Services (FPMS) program offers a full range of technical services and planning guidance to support effective floodplain management. Through this program, the Corps enables state and local officials to identify opportunities to reduce their flood risk, in ways that align with greater resiliency. Under the FPMS Program, the Corps compiles and disseminates information on floods and flood damages, including identification of areas subject to inundation by floods, general criteria for use of floodplain areas, and advice for planning to ameliorate flood hazards.

Some of our FPMS funds support interagency efforts that encourage integrated solutions to flood management, with particular emphasis on nonstructural alternatives.

3. We continue to see new disaster aid programs emerge in reaction to disasters. They all seem to have different rules and requirements. The Federal Emergency Management Association's (FEMA) programs contain explicit eligibility, use and cost effectiveness requirements. No other programs require the same level of risk reduction and cost effectiveness.

As we look to be the best stewards of taxpayer dollars, what actions can Congress and the federal agencies take to better harmonize these varying disaster programs so that they are accountable and coordinated for seamless delivery of disaster assistance and that they remove unnecessary barriers to recovery?

Answer: Through the Mitigation Framework Leadership Group (MitFLG), a number of federal agencies, including the Corps, are developing a National Mitigation Investment Strategy (NMIS) to inform investment in mitigation activities. The intent of this strategy is to identify opportunities for the federal, state, local, tribal, and territorial agencies that are involved in flood risk management to identify ways to enable more resilient communities. While not focused specifically on disaster assistance and recovery, improvements identified through this working group could lead to improvements throughout the disaster life-cycle.

Submitted on behalf of Ranking Member Peter A. DeFazio (OR-04)

1. FEMA mission assigned the Corps to lead the repair efforts of Puerto Rico's power grid. Given that this was one of the first such mission assignments of this kind, what types of challenges did the Corps face with repairing a completely damaged power grid and how were they resolved?

Answer: Power grid restoration is not a core competency for the Corps of Engineers. Initially it took time and effort to work with the Department of Energy and industry partners to produce personnel to successfully execute the grid restoration mission. Additionally, FEMA assigned the Corps with the central responsibility for purchase and distribution of all bill of materials (BOM) for the entire grid restoration mission.

During the early stages of the response, the entire island was challenged to get supplies because of the 1000+ mile geographical separation from the mainland, and because of the limited port capacity. Also, due to other natural disasters in Texas, Florida and California, there was a shortage of supplies across the United States. Manufacturers were fabricating supplies as quickly as possible and we expedited the delivery of materials to Puerto Rico, however there was still a significant lag time from ordering to delivery. The Corps and the Puerto Rico Electric Power Authority (PREPA) utilized partnerships with industry to order supplies and get supplies as quickly as possible.

The primary source for materials was U.S. suppliers. All acquisitions were conducted and evaluated in accordance with applicable domestic sourcing restrictions to include the Trade Agreements Act (TAA) and Buy American Act. The Defense Logistics Agency (DLA) acquired material, in support of the Corps' BOM mission, from all readily available sources and those

offering the shortest production or delivery lead times. Accordingly, all material contracts were subject to the TAA, meaning all products listed on DLA Material Contracts must be manufactured or “substantially transformed” in the United States or a TAA “designated country.” This further limited the available supplies of electrical materials.

A unified approach to restoration was developed and led by FEMA and enabled FEMA, the Department of Energy, PREPA, and the power industry to build upon each of their strengths. A Unified Command Group (UCG) was established to coordinate and prioritize all the reconstruction efforts and utilize each of the groups expertise. Issues were immediately elevated to the UCG and quickly resolved allowing for grid restoration work to be completed as fast as possible using resources available.

Likewise, due to the condition of the pre-storm grid as well as the steep terrain in central Puerto Rico, it was very difficult to access many damaged areas. Some of these sites had roads that were closed due to storm damage or even no roads or access points at all. It took a while to access these areas just to assess the damage, and the Corps needed to build roads to some of the areas. Also, bringing poles and materials to these sites were costly or time intensive with some sites accessible only through helicopter.

Leveraging the knowledge of the 249th Engineer Prime Power Battalion, and in close coordination with PREPA, the Corps was able to establish nine micro-grids across the island, to include one on Vieques and one on Culebra. Installation of micro-grids initially got power to communities faster, and it allowed permanent power to be restored more quickly because distribution lines within the community were already in place.

2. FEMA released its After-Action Report on the 2017 hurricanes last week. When will the U.S. Army Corps of Engineers release its own After-Action Report on the Corps’ response to the 2017 disasters?

Answer: The Army Corps is currently working on its After-Action Report. The Corps provided comments and lessons learned that were incorporated into the After-Action Report compiled by the Department of Defense. However, the Corps After-Action-Report will capture the roles, missions, and challenges faced by the Army Corps of Engineers during last year’s hurricane season.

3. Did the U.S. Army Corps of Engineers note any challenges to the mission assignment process used by FEMA? Does the Corps have any comments or thoughts on how to improve the mission assignment process with FEMA?

Answer: No. The Corps and FEMA have been in partnership with each other since FEMA’s inception in 1979. During this time, we have responded to a number of catastrophic disasters. After each of these, and after other less destructive storms, the Corps and FEMA conducted After-Action Reviews to consider in the effectiveness of our response, look for areas to improve, and evaluate business processes to speed our collective response to the disaster impacts.

One of the solutions (best practices) developed from these reviews was the creation and development of Pre-Scripted Mission Assignments (PSMAs). FEMA uses the Mission Assignment process to task and reimburse other federal departments and agencies to provide direct assistance during emergencies and disasters. To accelerate this process, FEMA and its Federal partners developed PSMAs, prepared in advance of a disaster, to facilitate a more rapid response and standardize the process of developing and executing routine mission assignments. The Department of Defense has delegated approving authority for all Corps PSMAs to the Chief of Engineers. After each disaster year, following formal PSMA coordination, the Chief of Engineers sends the new or updated PSMAs to FEMA for FEMA internal coordination and inclusion into FEMA's master PSMA library.

4. FEMA identified in its After-Action Report that FEMA was understaffed and not sufficiently trained to respond to the 2017 hurricanes. Reflecting back on the 2017 hurricane season, did the Corps experience staffing challenges similar to those identified by FEMA?

Answer: The Corps also experienced a shortage of trained personnel during the 2017 hurricane season, due to the need to respond to multiple large storms at the same time across a geographically wide area (Harvey, Irma, and Maria).

5. The U.S. Army Corps of Engineers installed three mega backup generators to serve as backup power systems if future storms damage Puerto Rico's power grid and to power water pumps in San Juan, if necessary. During the Subcommittee's hearing, the Corps indicated that if FEMA does not extend its mission assignment for the mega-generators, the generators will be removed in August 2018.

- a. Do you think it is a good idea to remove the generators during hurricane season?

Answer: The purpose of the three mega-generators was to provide additional stability to the electrical grid until PREPA determines there is sufficient power generation and/or transmission. The demobilization of the three mega-generators is a positive step in the ongoing recovery process in Puerto Rico.

- b. Has the Corps or FEMA conducted a cost-benefit analysis that includes the time and cost to de-mobilize the generators and to re-install them if necessary? If so, please provide the Committee with a copy of the report.

Answer: The Corps has not conducted a cost benefit analysis to de-mobilize and possibly re-install generators if a future event requires such action.

- c. Recently FEMA indicated that it added 600 generators to the supply warehouses on Puerto Rico. This is good news but it seems to indicate a belief that the power grid is extremely vulnerable. Would it not be wise to keep the backup generators in place as an insurance policy for future disasters until permanent restoration of the grid occurs?

Answer: In total 630 generators will remain on the island to support potential future emergency operations during the 2018 hurricane season. Keeping the 630 generators staged in supply

warehouses on Puerto Rico also greatly reduces the time it would take to bring them into service if needed.

As part of a unified effort between FEMA, PREPA, and the Corps, a de-installation process was jointly agreed upon. After permanent grid power was restored to a facility for seven days, a de-installation task force would assess the facilities needs or communities powered by temporary generators. Only after this assessment and all parties agreeing, would the generator be de-installed. By keeping the generators at a central warehouse, it increases the capability for FEMA to conduct maintenance and services and also decreases costs when not in use or needed. It also allows them to be deployed to areas of greatest needed after a disaster.

- d. How quickly can the Corps bring the generators back to Puerto Rico and stand them back up in the event of another grid failure?

Answer: As soon as a disaster is imminent, Corps temporary emergency power experts would begin to coordinate with FEMA to best determine how to position materials, including generators, to respond as soon as it is safe. Keeping the 630 generators staged in supply warehouses on Puerto Rico also greatly reduces the time it would take to bring them into service.

- e. What will happen to the back-up generators once they are removed?

Answer: In total 630 generators will remain on the island to support potential future emergency operations during the 2018 hurricane season. Keeping the 630 generators staged in supply warehouses on Puerto Rico greatly reduces the time it would take to bring them into service if needed.

6. In your written testimony you explain that the Corps has updated its hurricane plans, annexes, and standard operating procedures to adjust for mistakes that were made in 2017.

- a. What changes did the Corps make to the plans and how will they help the Corps with responding to another destructive hurricane season?

Answer: The Corps is working with FEMA to improve existing Pre-Scripted Mission Assignments to better support disaster response specific to island disasters.

- b. Can you explain some of the actions taken in Florida, Texas, the U.S. Virgin Islands, and Puerto Rico to prepare these already damaged communities for the 2018 hurricane season?

Answer: Combining the lessons learned and best practices from 2017, the Corps is taking actions to prepare for the 2018 hurricane season to include:

- Exercises – the Corps completed hurricane exercises along with its Federal, state, local and territory partners for the gulf and east coasts, Puerto Rico and the USVI. In the past five months, the Corps conducted five hurricane tabletop exercises; three of them in Corps Divisions (Mississippi Valley, South Atlantic and Southwestern) and one each in Puerto Rico and the USVI. The goal was to review lessons learned from our response to hurricanes

Harvey, Irma and Maria, educate new leaders and personnel on our roles and missions in support of FEMA and our own statutory authorities, and for the exercises in Puerto Rico and USVI, and to anticipate needs for the 2018 hurricane season.

- Real Operations – the Corps planned for and postured teams and resources in preparation for potential impacts from Tropical Storm Beryl, Hurricane Lane and Tropical Storm Gordon. The Corps monitored the development of potential storms and, as those weather events matured, postured our forces and equipment to be able to respond if required.
- National Level Exercise – the Corps participated in FEMA’s intergovernmental and private sector National Level Exercise 2018. This exercise focused on a hypothetical major hurricane scenario, making landfall near Hampton Roads, Virginia. Each year, the Nation conducts National Level Exercises under FEMA’s direction to evaluate and improve Federal departments and agencies ability to respond to natural disasters. This year’s scenario focused on a major hurricane strike along the mid-Atlantic States, moving further inland into the National Capital Region.
- Plans – the Corps has updated its hurricane plans, annexes and standard operating procedures. The Corps routinely evaluates its disaster plans and standing operating procedures after every major disaster and conducts after action reviews at the district and division levels.
- Workshops – the Corps conducted workshops to prepare for its ESF-3 responsibilities for temporary emergency power, debris and infrastructure assessments as well as ESF-6 support responsibilities for temporary housing and temporary roofing. These missions are spelled out in the National Response Framework (NRF) which serves as the guide for federal disaster response. The Corps maintains Planning and Response Teams (PRTs) for a variety of missions with the most common being those for temporary emergency power, debris removal, temporary housing and temporary roofing.
- Pre-scripted Mission Assignments - the Army Corps of Engineers worked with FEMA to update and refine 34 ESF-3 Pre-scripted Mission Assignments from 2017 lessons learned, including three newly created ones for Logistic Support, Command and Control Integration and Planning Cells.
- Adjustments to Teams and Resources - The Corps is refitting and resetting its volunteer teams and personnel who have deployed extensively over the past 11 months with emphasis on ensuring it has a ready reserve of personnel ready and trained to respond as necessary.

Submitted on behalf of Congressman Brian Mast (FL-18)

1. The Corps is party to several Consumptive Use Permits that direct certain water levels are maintained on the lake. Please tell us, how many inches of water are maintained on Lake Okeechobee:
 - a. For ecology of the lake?

Answer: The Corps of Engineers is not a signatory to any Consumptive Use Permits at Lake Okeechobee. The State of Florida, through the South Florida Water Management District (SFWMD) regulates Consumptive Use permits and administers Water Shortage allocations per SFWMD rules for Lake Okeechobee. Although water supply is one of many authorized purposes of the Central and Southern (C&SF) Project, Lake Okeechobee is not a reservoir and as such, does not reserve water for specific uses such as water supply. Instead, the Herbert Hoover Dike is a levee system that encompasses and constrains a prior naturally flowing lake. The Lake Okeechobee Regulation Schedule (LORS) is designed to balance multiple, and often competing, project purposes and objectives (e.g., environmental, water supply, flood risk management to prevent loss of life and devastating flooding, and navigation). Managing for optimization of one objective often lessens the effectiveness of the performance of competing objectives. Under LORS, water elevation levels vary at different times of the year to balance the needs for the various objectives.

b. To satisfy agreements with the Seminole and Miccosukee Tribes?

Answer: The Corps does not have any agreements with the Seminole Tribe of Florida or the Miccosukee Tribe regarding withdrawals or use of water from Lake Okeechobee and does not reserve any specific quantity of water storage in Lake Okeechobee specifically for either tribe.

c. For the agriculture use?

Answer: The Corps does not have any agreements for use of water storage from Lake Okeechobee for agricultural purposes. The Corps does not manage releases specifically for agricultural use but, since water supply is one of the project purposes, water supply releases may be made to meet downstream demands that may include agricultural needs, municipal and industrial needs, and estuary and other environmental water supply needs.

2. Army Corps pre-emptively discharges from Lake Okeechobee during hurricane season. Do you take samples and test the water toxicity before the Corps' discharges?

Answer: The Corps does not take samples nor test the water before releasing water pursuant to LORS for authorized, statutory purposes. The quality of the water that enters and leaves Lake Okeechobee is solely the responsibility of the State of Florida pursuant to the Clean Water Act, and the Corps relies on the State, Florida Department of Environmental Protection and the SFWMD working together and sometimes working with local governments, to collect and analyze water samples.

3. The current Lake Okeechobee Regulation Schedule, Section 7-13a, explains the emergency circumstances under which Army Corps will deviate from standard procedures of water maintenance on the lake. Examples of emergencies that warrant a change in water management include: "chemical spills, treatment plant failures and other temporary pollution problems." Can you identify scenarios where the water in Lake Okeechobee is too polluted, dirty or toxic to discharge into the St. Lucie River?

Answer: The Corps has an extremely limited ability to make system operational changes based on water quality because, while releases may be delayed, they may not be indefinitely postponed

due to other considerations, such as the integrity of the Herbert Hoover Dike (e.g., to respond to storm-induced effects). As an example of an emergency action taken by the Corps there was a fuel spill incident in 2017, when diesel fuel was leaking from a barge. To minimize adverse impacts, the Corps closed a Lake Okeechobee control structure to allow Florida Department of Environmental Protection response staff to contain the fuel spill. Examples of decisions responding to other water quality issues occurred in 2016 and 2018. Though not a deviation, the Corps acted within the existing operational flexibilities of the LORS and temporarily suspended releases due to the algal bloom and associated concerns. Another scenario in which the Corps uses its operational flexibility within LORS is when the Corps has implemented pulse releases to mimic the natural hydrology following rainfall events in an effort to minimize impacts to the coastal estuaries. As highlighted by these specific examples, the Corps considers water quality when making decisions related to holding water in the lake versus discharges and, when determined appropriate, uses the limited operational flexibility that exists in the system to delay or adjust releases to minimize any adverse environmental effects due to the quality of the water that will be released.

Submitted on behalf of Congresswoman Nydia M. Velazquez (NY-07) by Ranking Member Peter A. DeFazio (OR-04)

1. To what extent does FEMA collaborate with state and local emergency management agencies with regard to post-disaster mortality and attributing causes of death post-emergencies?

Answer: This question is best answered by FEMA. The Corps does not work with state and local emergency management agencies with regard to post-disaster mortality calculations.

Mr. Patrick Sheehan

Director, Tennessee Emergency Management Agency

STATEMENT FOR THE RECORD

**On behalf of the
National Emergency Management Association**

**Submitted to the House Transportation & Infrastructure Committee
Subcommittee on Economic Development, Public Buildings, and Emergency Management**

“Are we ready? Recovering from the 2017 Disasters and Preparing for the 2018 Hurricane Season”

July 18, 2018

National Emergency Management Association
444 N Capitol Street, NW, Suite 401
Washington, D.C. 20001
202-624-5459

Introduction

Thank you, Chairman Barletta, Ranking Member Titus, and distinguished members of the Committee for allowing me to testify before you today.

I am Patrick Sheehan, Director of the Tennessee Emergency Management Agency, and am proud to be here today representing the National Emergency Management Association (NEMA) where I serve on the Board of Directors as the Vice-President for the southeastern states. NEMA represents the state emergency management directors of all 50 states, territories, and the District of Columbia. On behalf of my colleagues in state emergency management, we thank you for holding a positive discussion on the 2017 disaster season while also looking forward to preparedness for 2018 and beyond.

Even though Tennessee did not experience impacts of the same severity from the disasters of last year, every state, whether directly or indirectly, is involved in the response and recovery efforts related to hurricanes, flooding, wildfires and other events across the country in 2017 and we are eager to discuss how this experience can inform next steps.

The 2017 Disaster Season

While the 2017 disaster season ended with headline-grabbing events, the year began with many states still recovering from disasters that struck in 2016, including extreme drought and a series of fires that caused tremendous damage and losses in eastern Tennessee. Shortly after my June 2016 appointment to direct the Tennessee Emergency Management Agency, an extreme drought began and hundreds of fires, some small and some large, started burning throughout much of the state. Tennessee ended up receiving four Fire Management Assistance Grants (FMAG) for some of the most complex and damaging of those fires, Tennessee's first FMAGs in more than 15 years, and including the most notable fire that began on the Chimney Tops of the Great Smoky Mountains National Park on Wednesday, November 23. By Monday, November 28, winds of 80 miles per hour pushed the fires into the Sevier County and into the cities of Gatlinburg and Pigeon Forge. The winds pushed the flames down the mountains, creating various spot-fires miles away and snapped power poles and power lines causing additional fires. Entire subdivisions were destroyed, pumping stations were burned causing hydrants to dry out, and the 911 system in Gatlinburg was overloaded. Ultimately, 14 people died, 134 were injured, 17,904 acres of land were burned, and 2,600 buildings were destroyed. These Great Smoky Mountains wildfires were considered the deadliest wildfires in the Eastern United States since 1947.

This disaster, however, presented numerous opportunities for TEMA to work with other departments and organizations and to engage with non-traditional partners. Utilizing Geographic Information System (GIS) Mapping Technology and damage analysis we more efficiently assessed the damage of the affected areas of southeast Tennessee. We used the geospatial analysis to determine how many residential and commercial buildings were destroyed, and how

to classify the buildings as well. We, local, state, and federal agencies, released our data on Sevier County to the public in the form of an interactive map that citizens could use to seek information about the damage in their communities.

One lesson from this disaster was learning how to better engage with partner agencies and organizations. This was crucial to gaining the GIS information, but also for our agency's response in general. From the U.S. National Parks Service to the Tennessee Housing Development Agency, we sought support from dozens of federal and state entities. So, whether a massive hurricane sailing through the Gulf of Mexico, or fires cascading from the hills of Tennessee and California, each disaster provides a new glimpse into how we respond to these hazards of Mother Nature.

Emergency managers judge the size and scope of a disaster season based on the numbers of disaster and extent of the damage. By those metrics, 2017 was a significant year for us. Overall, emergency managers dealt with 59 major disaster declarations, 15 emergency declarations, and 63 fire management assistance declarations last year. These disasters impacted 33 states and two territories, bringing the overall total to 137 declarations, the most since 2011.

According to the National Oceanic and Atmospheric Administration (NOAA) "Billion-Dollar Weather and Climate Disasters: Overview"¹, the U.S. had 16 disasters last year with damage exceeding a billion dollars. Hurricane Harvey was the strongest hurricane to hit the coast since Hurricane Wilma in 2005 and the fiercest to strike southeast Texas since 1961. According to NOAA, the nation spent \$125 billion on Harvey, second only to Hurricane Katrina of 2005. Just a few weeks later, Hurricane Irma, the most intense Atlantic storm since Katrina, impacted Florida and many islands in the Caribbean, including Puerto Rico and the U.S. Virgin Islands. This storm cost the nation \$50 billion. Weeks after Irma, Hurricane Maria delivered a devastating second punch to Puerto Rico, the Virgin Islands, and elsewhere, with an estimated cost of \$90 billion.

The year also brought more than a dozen western wildfires, which ravaged tens of thousands of acres across Northern California. In December, the massive Thomas fire in Southern California ranked as the state's largest-ever wildfire, scorching more than 280,000 acres, or 440 square miles. These wildfires added \$18 billion in damage, triple the previous wildfire record in the United States.

To top off the year, 2017 was also the third hottest year for the lower 48 states in U.S. records, which date back to 1895. Only 2012 and 2016 recorded higher temperatures. This was the third

¹ Smith, A. B. (2018, January 08). 2017 U.S. billion-dollar weather and climate disasters: A historic year in context | NOAA Climate.gov. Retrieved July 19, 2018, from <https://www.climate.gov/news-features/blogs/beyond-data/2017-us-billion-dollar-weather-and-climate-disasters-historic-year>

straight year that all 50 states had above average temperatures for the year. Five states, including Arizona, Georgia, North Carolina, South Carolina and New Mexico, had their warmest year ever.

After every disaster and every year, we embrace the opportunity to reflect on what went well and those areas requiring improvement. As you look across the disaster landscape in 2017, overall the system worked, but some obstacles, some familiar and some new, had to be overcome:

- **Setting Expectations.** Citizens across the country as well as political leadership must understand the roles and responsibilities in responding to and recovering from disasters. The Federal Emergency Management Agency (FEMA) is not a first responder, and the Governor maintains ultimate authority over managing the disaster, but without robust local emergency management, the execution of programs and projects will falter. Furthermore, we must set expectations in what federal programs can, cannot, should, and should not be able to accomplish.
- **Alerts & Warnings.** In addition to the physical disasters which swept the nation, we saw several examples of missteps in utilizing alert and warning systems. The management of these systems, however, varies from state to state, so Congress should carefully consider any broad, sweeping changes as any issues may be isolated to specific instances.
- **Ensuring Public Certainty.** One of the most sensitive issues post-disaster is managing housing programs. In 2017 we saw states such as Texas take bold steps in managing their own housing programs. Unfortunately, we also saw some areas for improvements in national housing programs and sheltering. Even if the programs are found to be satisfactory, we must consider how best to communicate and manage the relocation of thousands of citizens, and carefully explain the intent of assistance programs which aim for ultimate repatriation.

Empowering States to Assist One Another

A critical part of response and recovery to disasters is the Emergency Management Assistance Compact (EMAC). Through EMAC, states share resources with one another for all hazards and all disciplines – leveraging federal grant dollars invested into building capabilities by utilizing them for national response efforts and taking those experiences back home to improve their own plans and procedures.

Since EMAC's ratification by Congress in 1996 (Public Law 104-321), the Compact has grown to include all 50 states, the District of Columbia, the U.S. Virgin Islands, Puerto Rico, and Guam. States rely on EMAC for swift response during emergencies and disasters, using pre-established plans and procedures to implement the system.

When Hurricane Harvey hit Texas, the state emergency management agency, responsible for implementing EMAC in each Member State on behalf of their Governor, brought in 4,895

personnel from a variety of disciplines to assist. My own state, Tennessee, sent Search and Rescue and animal response resources. Other states sent incident management teams, volunteer and donations management specialists, public health and medical resources, search and rescue and law enforcement. Alabama, Arizona, Arkansas, Colorado, Delaware, Georgia, Iowa, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Mississippi, New Jersey, New Mexico, Nebraska, Nevada, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Utah, and Vermont and Virginia deployed National Guard through EMAC for critical support of search and rescue, evacuation, transportation, shelter support and hazmat response.

Even when managing the response to a disaster the size of Harvey, Texas found innovative solutions to existing processes. To ensure assisting states received reimbursement quickly, Texas took a bold step in managing EMAC reimbursements by offering a 75 percent advance of reimbursement to the assisting state. This significantly shortened the length of time assisting states waited to receive reimbursement. Texas' pre-planning and preparedness put the state on a strong footing for the event as they had pre-identified the resources needed and the states that would provide the resources for immediate response.

Weeks later when Hurricane Irma caused billions of dollars of damage to Florida and the U.S. Virgin Islands, states again sent resources from a multitude of disciplines providing assistance through EMAC. In addition to the types of resources deployed for Hurricane Harvey, Florida received Water and Wastewater Agency Response Network assets from South Carolina, Tennessee, and North Carolina to restore water lines destroyed in the Florida Keys. Pennsylvania provided public assistance expertise. Georgia and South Carolina who had received EMAC teams prior to the storm based upon the predictions turned into assisting states, providing incident management teams, telecommunications personnel, public health and nursing support for shelters, and National Guard assets. A total of 5,631 personnel with equipment mobilized in response to Hurricane Irma.

While the response was initially delayed due to communications and the initial logistics of moving resources across an ocean, states provided a robust response through EMAC to support resource requests from the U.S. Virgin Islands and Puerto Rico. Illinois deployed National Guard teams to be self-sufficient with sleeping bags and MRE rations knowing the inhospitable environment in which they were deploying. While missions are still ongoing today in the U.S. Virgin Islands with the deployment of EMS from Arkansas and the joint deployment of a mobile medical hospital between North Carolina and New Jersey, in total, states sent 359 personnel and equipment to the U.S. Virgin Islands and 5,706 personnel and equipment to Puerto Rico in response to Hurricane Maria. New York leads the Puerto Rico response with the deployment of over 2,800 personnel and equipment.

States also sent teams to FEMA's National Response Coordination Center and the Regional Response Coordination Centers to coordinate the state response through EMAC with the federal response. The first team to stand up the EMAC liaison desk was from the District of Columbia.

These teams worked with FEMA to garner critical support for transportation to both the U.S. Virgin Islands and Puerto Rico as well as housing for first responders.

At the same time states were responding to Hurricane Harvey, Irma, and Maria they also sent resources to Oregon, Montana, Nevada, California, Virginia, Kansas and Colorado in support of cyber-response, wildfires, the Las Vegas shooter incident and other events. Today, states are currently supporting lava events in Hawaii and flooding in Maryland.

In total, 19,196 personnel deployed through the EMAC from August 2017 to July 2018. Of those, 16,606 were in response to the 2017 Hurricanes. The stories coming out of these events are truly humbling. Teams sleeping in hotels without hot water or electricity so they can help to bring in resources. Law enforcement working long shifts to maintaining order. A team deployed into Puerto Rico with the ability to identify a critical agriculture issue and write an application that would yield a \$12 million grant to Puerto Rico from the United States Department of Agriculture (USDA). Medical, public health, and EMS personnel deployed into challenging situations able to overcome obstacles to save lives. Search and rescue resources conducted house-to-house operations to save lives.

EMAC is a testament to states helping states and the successes of continual improvements to plans and procedures. In May, NEMA conducted an after-action conference from the EMAC events of 2017. While the report is still being drafted, we will share a copy to the Committee as soon as it becomes available which we expect to be in the next month or so. Even though the report is not yet done, as we move into the 2018 hurricane season, states continue integrating lessons learned into future planning and preparing to help one another once again when the need arises.

Building Capacity for 2018 and Beyond

When considering how best to prepare for the next disaster season, any changes to policy, statute, or processes must be done with an eye toward comprehensive solutions. For example, efforts such as the Disaster Recovery Reform Act (DRRA), introduced by this Committee, and now passed twice by the House of Representatives, presents a clear roadmap of reforms to strengthen the emergency management community. Several key provisions of the DRRA stand-out in helping emergency managers take the next step in ensuring resilience.

- **Management Costs.** The legislation raises the amount currently available for management costs from 3.34 percent to 12 percent. This critical increase will allow states and locals to take on more responsibility, but as that shift occurs, the roles and responsibilities between federal, state, and local emergency managers must be well-defined. Furthermore, for this shift toward collaborative disaster management to be truly effective, FEMA should conduct a rulemaking to allow for management costs to roll-over from one disaster to another.

- **Pre-disaster Mitigation.** The commitment to pre-disaster mitigation in the DRRA is encouraging. By allowing six percent of disaster costs to go toward pre-disaster mitigation through the National Public Infrastructure Pre-disaster Hazard Mitigation Program, this nation will fundamentally shift the preparedness paradigm and drive down the long-term costs of disasters. Especially when coupled with the new finding that mitigation saved \$6 for every \$1 of investment, this provision will have long-lasting impacts.
- **Mitigation for Wildfire Prevention.** Since first included in the FY15 Appropriations bill, NEMA remains supportive of allowing FEMA to award Hazard Mitigation Grant Program (HMGP) funds to Fire Management Assistance Grant awards.

We appreciate the time and effort Members of the Committee and their staff dedicate to working with us in making small changes to some provisions as well, and look forward to finalizing those as the bill continues moving through conference this summer.

While we embrace much of what the DRRA offers, Members of Congress can also point to existing programs as ways in which the nation supports a culture of preparedness. Preparedness capabilities are critical to state, local, and tribal level emergency management systems. The inclusion of “preparedness” as a goal in the FEMA strategic plan is promising but does not match with the Administration’s budget proposal to cut grants to states and locals that would aid in building preparedness capabilities.

Beyond the 2017 federally declared disasters, 22,552 events required state assets, while local assets supported 12,557 additional local and tribal events. FEMA is not a first responder during disasters, so without a thriving state and local emergency management system, many of these 35,109 events would likely have required costly federal support. Furthermore, strong capacity at the state and local levels allows FEMA to achieve the stated goal of disasters being “locally executed, state managed, and federally supported.”

One of the key ways in which emergency managers build capacity is through programs such as the Emergency Management Performance Grant (EMPG). With a one-to-one matching requirement at the local and state levels, this program represents one of the best values in federal spending. EMPG continues as a critical driver of progress and success made across the country in preparing for, responding to, and recovering from all hazards. The program’s success is shared by all levels of government and relies heavily on the continued, and decades-long, commitment of Congress.

In 2017, the federal investment in EMPG was \$350 million — a little more than \$1 per citizen — and with the match requirement and additional state and local investment, the return on investment exceeded \$700 million and was felt in communities from Maine to California. Every investment the federal government makes is matched dollar-for-dollar and, in most cases, states,

locals, and tribes match even more, illustrating that any cuts to EMPG funding will have far-reaching and long-term impacts on readiness. In almost every category of positive community impacts the EMPG creates, emergency managers at the state and local level report improvements since last year's programmatic data.

For these reasons in FY19, NEMA joined with colleagues of the International Association of Emergency Managers (IAEM), representing local emergency management, in requesting a modest five percent inflationary increase for EMPG to \$368 million. Given the matching requirement of EMPG, many of which states and locals far exceed, this \$18 million increase will have a combined impact totaling at least \$36 million nationwide. Few other federal programs can demonstrate that rate of return. While Congress did not act on this request in the FY18 Omnibus, we continue to emphasize the importance of this program and the need for additional funding in FY19.

While we will continue to advocate for an increase in this important program, small changes can also be made through regulation to allow states and locals to build more emergency management capacity.

When managing disaster declarations, states and locals coordinate billions of dollars in Federal grants through FEMA. To help offset administrative requirements of these grants, FEMA regulations allow recipients to utilize a percentage for management costs. These management costs, however, are limited to each specific disaster and regulations do not allow grantees to economize by managing workloads across all open disasters. FEMA should allow grantees to utilize management costs across all open disasters which will ensure the building recovery and mitigation capacity; incentivize disaster close-out; and drive down the costs of disasters.

In June, NEMA and IAEM came together and submitted a proposal to FEMA on implementing this change, a copy of which is being included with this statement for the record. While this could be done administratively, Congressional persuasion often goes a long way toward affecting change, so we would appreciate any such support the Committee would be willing to provide.

Conclusion

On behalf of the state emergency managers, thank you again for holding this hearing and drawing attention to the needs of our community. Often in the wake of a major disaster or series of disasters; judgment is cast on federal programs and perceived successes or failures sometimes even before the flood waters retreat. As you examine the response to events such as those in 2017 and look to make changes to federal programs, before criticizing the response to an event, remember we are all in positions of trust, placed here by the people we serve. While it may be convenient to look to FEMA and heap praise or condemnation, even when they are not actively responding to a disaster, state and local emergency managers are still recovering from the last

event and conducting the planning, building the capacity, and setting the stage for the next storm to approach, all while working diligently to implement and manage complicated federal programs.



**Rollover of Disaster Management Costs:
Increasing Capability and Responsibility in
Managing Disaster Declarations**



Executive Summary. When managing disaster declarations, states and locals coordinate billions of dollars in Federal grants through the Federal Emergency Management Agency (FEMA). To help offset administrative requirements of these grants, FEMA regulations allow recipients to utilize a percentage for management costs. These management costs, however, are limited to each specific disaster and regulations do not allow grantees to economize by managing workloads across all open disasters. FEMA should allow grantees to utilize management costs across all open disasters which will ensure the building recovery and mitigation capacity; incentivize disaster close-out; and drive down the costs of disasters.

Background. One of the fundamental requirements of creating a strong and nationwide emergency management system is to build recovery and mitigation capacity which can range from developing plans, coordinating effective mutual aid, and the assets to manage the consequences of myriad potential hazards. FEMA continues to encourage states and local to manage “less than catastrophic” disaster declarations thereby reducing the Federal burden disaster costs nationally. The resources FEMA utilizes to achieve these goals are found primarily in 44 C.F.R. Part 207 – Management Costs. This regulation provides the Grantee 3.34 percent of the projected Federal program costs of public assistance and 4.89 percent of projected Federal program costs of Section 404 Hazard Mitigation.

States have long argued that the management costs percentages are low, compared to the percentages allowed under other Federal grants and the amount FEMA utilizes to administer the same disaster declaration. NEMA supports efforts such as the *Disaster Recovery Reform Act* (DRRA) being considered by Congress and the current FEMA administration in increasing these percentages to as high as 12 percent. Beyond the funding percentage, however, the lack of flexibility within the grant consumes time and resources of emergency management organizations which could be better-utilized to manage response and recovery activities.

With each disaster declaration comes an allowance for management costs to administer Public Assistance and Hazard Mitigation grants. Despite administering numerous open disasters, each declaration has a locked-in amount for management costs. Throughout the management of the grant, all associated personnel costs must be tied to a specific declaration, program, and project. While simple in theory, this administrative over-kill limits flexibility and detracts from a program designed to provide disaster assistance, build recovery and mitigation capacity, and empower states to reduce dependency on FEMA. For example, a project inspector working an eight-hour day may visit multiple sites across a region of a state. Since those sites may be associated with more than one disaster, all associated travel, incidental costs, and personnel time must be parceled-out to possibly dozens of open grants.

This dynamic is particularly problematic in declarations with limited damages. While management costs may be minimal, the process and manpower required is equal to that of larger declarations. Management costs for declarations with less damage are quickly exhausted and state funds must be utilized to complete the administration of the Federal grant. Likewise, during close-out of declarations with large damages, remaining funds create the unintended consequence of encouraging declarations remain open for extended periods of time to ensure the expenditure of all eligible costs. This runs contrary to the preferences of all involved at the Federal, state, and local levels to close-out disasters expeditiously.

The Solution. FEMA should immediately begin the process of amending 44 C.F.R. Part 207 to:

- Provide each state an unfunded grant for both the Public Assistance Program and Hazard Mitigation Grant Program. As disasters are declared, management costs will continue to be obligated under current regulations, but deposited into the generic program accounts.
- Allow remaining funds after the close-out of a disaster to be available to build recovery and mitigation capacity at the state and local levels, close-out remaining disasters which may be more complicated, and build resilience for the next disaster.

Taking these actions will allow states with more robust recovery and mitigation capacity to assist states with infrequent declarations and therefore less capacity (i.e. EMAC); manage the smaller declarations; and allow FEMA to focus on catastrophic events. The nation would realize an overall reduction of administrative costs and increased capability and responsibility at the state and local levels.



Written Statement for the Record

Mistie Gardner, CEM
Emergency Management Coordinator
City of Richardson, Texas

On behalf of the U.S. Council of the
International Association of Emergency Managers (IAEM)

For the hearing:
"Are We Ready? Recovering from the 2017 Disasters and
Preparing for the 2018 Hurricane Season"

Before the Committee on Transportation and Infrastructure's
Subcommittee on Economic Development, Public Buildings, and Emergency Management
U.S. House of Representatives

July 18, 2018
Washington, D.C.

Thank you, Chairman Barletta, Ranking Member Johnson, and members of the U.S. House of Representatives' Committee on Transportation and Infrastructure's Subcommittee on Economic Development, Public Buildings, and Emergency Management for this opportunity to testify on lessons learned from the historic 2017 disaster season to help guide our readiness for 2018 and into the future.

My name is Mistie Gardner, Emergency Management Coordinator for the City of Richardson, Texas. I have worked in public safety for 23 years, and I have been a Certified Emergency Manager for 10 years. I appear before you today as a representative of the U.S. Council of the International Association of Emergency Managers.

The International Association of Emergency Managers (IAEM), comprised of more than 6,000 emergency management professionals worldwide, is a non-profit educational organization dedicated to promoting the "Principles of Emergency Management" and representing THE profession dedicated to protecting America's local communities from all hazards and threats, natural and man-made.

Local governments serve as our nation's first line of defense when disasters strike. Immediately following a disaster, local responders, including emergency managers, are first on the scene and play a key role in coordinating local response and recovery efforts, working to mitigate further damage from disasters. In the aftermath of disasters, we coordinate and help fund clean-up, recovery, and rebuilding so our residents can return to their lives as quickly as possible. All disasters begin and end locally.

But, the most consequential work of local emergency managers actually happens BEFORE a disaster strikes. Emergency managers wake up every day thinking about and planning for the next disaster because hurricanes, public health emergencies, earthquakes, active shooters, floods, tornadoes, and technological hazards are going to happen, and usually with little-to-no notice. During times when we aren't responding to an emergency, emergency managers are hard at work behind the scenes, every day and in all levels of government and in all sectors of the nation, to help our communities become better prepared.

The 2018 hurricane season is already upon us, and numerous disasters have already struck the nation. I want to take a moment to look back at lessons learned during last year's epic hurricane season. I hope to contribute to the discussions Congress and FEMA are having about reforming our Nation's systems of disaster recovery. Ultimately, it is the hope of IAEM that Congress will pass the Disaster Recovery Reform Act (DRRA) as a demonstration of the federal government's commitment to supporting pre-disaster mitigation and helping to develop a culture of preparedness in which we are all more resilient to the impacts of disaster.

From August through October 2017, in response to Hurricane Harvey, I worked on a variety of different missions. On my first deployment, I served as the Emergency Operations Center Manager for the City of Dallas to help coordinate the sheltering of approximately 5,000 evacuees. During my second deployment, as a member of the Texas Emergency Management

Assistance Team (TEMAT), I worked in the State Operations Center to coordinate Public Works resources from around the State including 188 personnel to 28 impacted locations. I also helped process 450+ Memoranda of Understanding (MOUs) for response personnel statewide including 60 emergency management personnel deploying to 16 impacted jurisdictions. And, finally, I was deployed to the Victoria Disaster District as part of a Recovery Assistance Team supporting the recovery needs of 7 jurisdictions, including help with Public Assistance, Debris Management, and Damage Assessment. Based on my experiences, I offer the following thoughts to help provide context to the Subcommittee's deliberations and for the good of all emergency management stakeholders.

Information Sharing During a Disaster

Several information-sharing challenges have presented themselves from prior disasters and were again experienced during Hurricane Harvey. The "right to know" clause in many of the overarching policies needs to automatically include emergency management personnel. For instance,

- Local jurisdictions are responsible for providing safety for patrons at a public shelter. However, if jurisdictions utilize non-governmental assistance such as the American Red Cross (ARC), the assisting organization cannot share the registration information with the local government. Thus, the local law enforcement agency does not have adequate information by which to check criminal history, warrant information, or even the sex offender database of those staying in shelters meaning there is no visibility for local officials to protect shelter residents from violent offenders.
- Granting the Federal Emergency Management Agency (FEMA) flexibility to provide information to local governments related to the programs FEMA is offering in assistance and housing programs would alleviate a lot of confusion and frustration. Due to Federal Privacy Act (1974) restrictions, FEMA is not allowed to provide information to local jurisdictions about FEMA applicants unless a written consent is given. While this waiver could be obtained, it isn't routinely done resulting in FEMA staff who are not afforded the latitude to share this information with local emergency managers. Without knowledge of services FEMA is providing, emergency managers have NO ground truth about the remaining impacts on our citizens and what services that local governments COULD provide to address the gaps in FEMA assistance.
- No requirement exists for communication service providers to share information with local governments for the sole purpose of emergency/disaster warning communications. While many jurisdictions have systems in place to warn the public and provide emergency information, the only information we can ascertain directly is "land line" information. This does not include cellular telephone numbers, satellite or Voice Over Internet Protocol products. The existing laws allowing the sharing of emergency number information has not kept up with the technology. In my jurisdiction alone, we

are losing 1,000 numbers per year on average due to citizens' migration from the "land line" service, to virtual and cell service only options. We do not have a way to access this data directly and most service providers see it as proprietary. As a result, citizens must register their numbers with us in order to receive life-saving emergency information. We work to educate the public regarding this fact but competing messaging and systems cause confusion for the public. While the Integrated Public Alert and Warning System (IPAWS) specifically fills a gap for widespread disasters and provides life-saving information of its own, the extensive nature of how warnings are distributed through the system causes confusion for the public because IPAWS messages cannot be limited to a geographic area. Thus, local governments cannot use IPAWS for localized warning information and especially for pre-disaster or preemptive messaging. In this context, if a local government uses IPAWS for a localized emergency it can easily cause citizen confusion, frustration as well as the unintended consequence of warning apathy. Truth be known, depending in which state one resides, many local governments do not have the authority or mechanism to directly activate IPAWS due to these limiting factors. All the while, IPAWS public service announcements rightly promote the use of the system for public warning and reference local governments' ability to activate the system for this purpose. The result, citizens are confused about the need to register for local notification systems. In the end, systems which are all meant to serve the public are inadvertently working against one another. We could mitigate these challenges if emergency managers are afforded direct access to public communication information for emergency messaging purposes.

FEMA Intermittent and Contract Recovery Employees:

Because of the intermittent nature of disasters requiring FEMA disaster recovery assistance, FEMA utilizes personnel who are temporary employees or contracted employees. These FEMA representatives sometimes provide misinformation to local governments contradicting the published Public Assistance guidance requirements. In prior disasters, locals have paid the price for taking guidance/instructions from the federal and state contract personnel who are sent to them as "experts." This has resulted in attempts to recover funds from a local jurisdiction that were applied for in good faith and on the guidance of good-intentioned contract staff. A change in the Stafford Act could remedy this unexpected hardship on locals from recoupment of funds if the jurisdiction were allowed to provide written evidence of erroneous guidance provided by contracted recovery staff.

Adequate Shelter Facility:

Local jurisdictions who are inland that support coastal evacuations do not have essential resources to shelter evacuees in a timely manner. A mechanism to improve this condition would be allowing local governments to utilize mitigation funds to build shelter capacity inland. Revision to the Stafford Act to allow local jurisdictions to house evacuees in all available shelter options is necessary. Currently, we are prohibited by federal statute from housing evacuees in

anything other than congregate shelters. Allowing the flexibility to house in church camps, dorms, camping cabins and other private or semi-private locations and still be eligible for Public Assistance reimbursement would build shelter capacity significantly.

Environmental and Historic Preservation (EHP) Process:

While this process is valuable and beneficial, the current method of use is ineffective and wasteful. Local, state, and federal staff waste time and money due to the extent to which these are currently required. For example, once we complete the next grant project, we will have completed 6 EHPs for the same location, our local Emergency Operations Center (EOC). The first one was obviously important when we were building the facility and grant dollars were going toward the capabilities within the structure. However, once a structure is built, thought should be given to limiting the types of work that require an EHP. We have had to do full EHPs for things such as installing a replacement display on an existing wall and installing an AV component into an existing AV Rack within a server room. I do not believe the intent of this policy was to require this type of review, but the interpretation of the policy is forcing this issue. Thus, updates and clarifications of policy can prevent this type of over-use and would be helpful, saving time and money at all levels of government.

Public Assistance vs. Mitigation Projects:

Public Assistance allows for a damaged structure to be repaired to “pre-disaster” condition, taking into consideration current building code requirements. Then, the jurisdiction may apply for Section 406 funding to take sustained actions to reduce or eliminate long-term risk to human life/property from a hazard event. While it is allowable to combine the two, it typically adds significant delays to the repair of a critical facility. If the process could be streamlined for 406 mitigation funds to work more efficiently with general PA projects, this issue could be alleviated and the rebuilding process would be more efficient for the locals as well as the State and FEMA who are trying to administer the funds. Additionally, it would make significant impacts toward local mitigation efforts if part of the Program Delivery Manager’s scope was to provide clear guidance on the benefits and best way to leverage 404 versus 406 Mitigation funds. Opportunities are not fully realized if locals are not aware of the potential for mitigation projects. This would save money in the future by preventing duplication of efforts and allow more strategic use of funding to shorten timelines to create resiliency and positively impact mitigation efforts.

Cost/Benefit Analysis:

The current Cost/Benefit Analysis (CBA) does not evaluate to the extent needed, impacts to either environmental or social areas. These areas, admittedly difficult to measure, play an important part in both mitigation and recovery. FEMA has a precedent for including multiple factors to determine assistance, such as the factors for Individual Assistance. A similar process could be employed beyond a limiting numeric measure with the CBA. The integration of a multi-criteria benefit analysis could help to identify a broader range of potential mitigation

measures and look beyond the CBA to other factors to positively impact an areas' ability to protect against future hazards and threats. As a start, a provision in 406 and PDM to allow for a preference for multi-jurisdictional hazard reduction regardless of the CBA would be helpful. For instance, a flood control project spanning an entire stream over multiple jurisdictions versus a single larger, more populated jurisdiction making improvements to only one small section of that same stream has farther-reaching improvements even though the CBA may not be as high.

Increase in Pre-Disaster Mitigation Grants: Congress should increase its commitment to disaster readiness and resiliency by authorizing and appropriating more funding for pre-disaster mitigation as well as by increasing the range of projects in which jurisdictions can apply and use that mitigation funding. The more jurisdictions are able to do ahead of a disaster, the stronger the resiliency after a disaster. To compare, in 2017 PDM for the **Nation** was \$90 million. For Harvey alone, the State of **Texas** has been allocated \$1 billion, with \$500 million up front. Given Harvey's unprecedented nature, the post disaster mitigation funding is crucial without a doubt. However, if Congress would increase pre-disaster mitigation funding each year, the cost of disaster mitigation funding after the fact would undoubtedly be lessened. Jurisdictions typically know the appropriate and most cost-effective pre-disaster projects to undertake. These projects could have exponential mitigation benefits ahead of a disaster with more time to plan and implement protection elements before citizens are hurt by disaster. Unfortunately, with the currently limited nature of pre-disaster mitigation funding, they often must wait for post disaster funding to support completion of these projects.

In closing, I sincerely appreciate your giving me the opportunity to share my thoughts about the response to Hurricane Harvey. Some of the suggestions I provided may not be directly applicable to the work you are doing in drafting the Disaster Recovery Reform Act, but I hope my testimony will help foster a discussion among all emergency management stakeholders as we all strive to improve the way we, as a Nation, respond to disasters. It is my hope that we will learn from the lessons of 2017 in order to make our communities safer and more resilient in 2018 and beyond.

Thank you, Chairman Barletta, Ranking Member DeFazio, and to all members of this Subcommittee.

Written Testimony of Robert David Paulison
Former Administrator, Federal Emergency Management Agency

On behalf of

The BuildStrong Coalition

before the

**U.S. House of Representatives Committee on Transportation &
Infrastructure**
**Subcommittee on Economic Development, Public Buildings, and
Emergency Management**

Wednesday, July 18, 2018, 10:00 AM

2167 Rayburn House Office Building

Chairman Barletta, Ranking Member Titus, and distinguished members of the Committee, I would like to thank you for holding this important hearing today assessing the recovery from last year's litany of disasters and preparing for the upcoming Atlantic Hurricane Season. I continue to be grateful for the leadership demonstrated by the Chairman and Ranking Member and for the opportunity to share my expertise with the Committee on behalf of the BuildStrong Coalition.

I have over 40 years of experience dealing with natural disasters at the federal, state, and local levels. During my career, I served as Administrator of FEMA from 2005 to 2009, Administrator of the U.S. Fire Administration from 2001 to 2005, Director of Preparedness at FEMA from 2003 to 2004, and Fire Chief of the Miami-Dade Fire and Rescue Department from 1992 to 2001. I spent the 21 years prior to that rising through the ranks of the Miami-Dade Fire Department, beginning my career as a rescue firefighter in 1971. I have a deep appreciation for the tremendous service of our nation's first responders and emergency management officials.

I have previously shared with members of this Committee my experience with the devastation caused by major hurricanes like Andrew in 1992 and Katrina in 2005. These experiences I provided me with a unique understanding of the inherent problems with our nation's disaster preparedness and response system and how we can better position FEMA to respond when a disaster strikes. Last year was a particularly devastating one for disasters, with seventeen named storms during the Atlantic hurricane season totaling over \$200B in damages and a death toll in the thousands according to some estimates.

I would like to congratulate FEMA on their performance in 2017 in response to these disasters. Having sat in the Administrator's chair, I know well the challenge Administrator Long and his entire team faced. In total, the hurricanes and California wildfires affected more than 47 million people — almost 15 percent of the nation's population. FEMA registered nearly 4.8 million households for assistance, an impressive performance. I also know that disaster recovery, no matter how well executed, is only part of the solution.

These are astounding numbers, and our focus should remain on helping those who have lost so much. But it is beyond time to give serious consideration to why we continue to leave lives, homes, and communities vulnerable. The evidence is overwhelming. Better land use, modern science applied to home construction, and increased mitigation measures can dramatically reduce the devastation brought by these disasters. We must find a way to incentivize and reward with the appropriate level of funding communities who invest in resiliency and stronger building codes, and who make smart pre-disaster mitigation efforts.

The cost-share provision included in the Bipartisan Budget Reform Act signed into law by President Trump earlier this year — as part of the Disaster Recovery Reform Act passed by this very committee — represents a major step forward in creating these incentives. However, this measure should only be the beginning.

With another busier-than-expected hurricane season ahead, we have our work cut out for us. Looking ahead, members of Congress should have a great deal of urgency in getting the entire Disaster Recovery Reform Act, include the helpful measures not passed into law, to the

President's desk. Also before us, however, is FEMA's task in effectively and efficiently implementing the aforementioned cost share adjustment provision passed into law.

Let me make clear that I applaud FEMA for their serious consideration of this measure and their willingness to embrace challenging task in ensuring its implementation. With that in mind, I believe it is important for those in charge to weigh a few key considerations.

While perhaps obvious, the purpose of the cost share incentive — that the extra payment beyond the existing federal cost share should reward states that take measures that will reduce their exposures to vulnerabilities identified in their mitigation plan — should help inform any future decisions.

It will also be important to examine whether the actions taken by states actually had an impact on reducing future disaster losses. After all, if states are to be rewarded with extra disaster funding, the criteria by which they receive those funds must be based on actions that will directly impact disaster losses.

Further, the task of establishing what the actual baseline standard should be for states to receive the minimum 75% cost share from FEMA will be crucial. Any extra funds received as part of the additional 10% outlined in the incentive provision should go to states that take action beyond this agreed-upon base standard.

Taking these core considerations into account, I would like to offer four specific recommendations that, based on my experience, I believe would be effective in informing FEMA as they work to implement this provision and begin the process of reversing our current backward approach to disaster mitigation.

1. **Establishing a Pilot Program.** The cost share incentive should be established as a FEMA pilot program to ensure maximum flexibility and speed of enactment. This program should not be subject to full federal rule making procedures that will delay its deployment.

A minimum standard should be established such that, in order to be eligible for enhanced federal cost share, a state must have a statewide building code with an enforcement mechanism. FEMA should develop a score to measure the effectiveness of the code, which states would have to meet at a minimum level. This would exist as a simple "yes" or "no" answer for any consideration of additional funds (i.e. if "yes," then proceed to the next step; if "no," then there will not be any consideration for additional funds).

While not part of the current measure, I propose consideration that in the future, a "no" answer could lead to a reduction of the 75% baseline share.

2. **Requiring a State Mitigation Plan.** A state must have a working mitigation plan that identifies top vulnerabilities and the steps a state must take to reduce these vulnerabilities. Having such a plan would be in the minimum requirement category and one of the previously-mentioned "yes"/"no" answers for consideration of additional funds.

3. **Taking Action on Loss Reductions.** In order to receive any funding above the 75% minimum amount, states must implement actions identified in their state mitigation plan and building code. These states would have to demonstrate concrete actions taken toward mitigation future disaster losses in order to earn the additional funds, but they would not have to take *all* actions identified in order to achieve added disaster funding. States could earn these funds even if they did not have all aspects of the current recommended code as long as the extra measures adopted are deemed impactful to mitigate against loss of life or property. While it would be encouraged and rewarded for states to take every step available, I understand that only so much is achievable for certain communities. Those unable to do so should not be punished if they are able to hit some milestones but not others.

Another important caveat is that all extra funds received by a state must be used for mitigation purposes, not for response and/or recovery efforts. Allowing as much would be a regression to the increasingly ineffective system already in place.

These identified actions would be assigned a weighted system that could use a measure such as the Insurance Service Office (ISO) Build Code Effectiveness Grading Schedule, also known as BCEGS, in addition to other credit calculation tools.

This overall incentive structure should include the following criteria:

- i. **Building Codes:** Adoption of the most recent recommended building code and maintaining a model code no older than 6 years; Implementing changes to state and local building codes that address key vulnerabilities identified in a state's mitigation plan.
- ii. **Life Safety:** Adding life safety code enhancements such as a residential sprinkler requirement, other fire suppression measures, non-flammable standards, and other life safety requirements to building codes. As lives are on the line, we must also provide incentives for states to promote fire sprinklers and insist that that code officials get the nonflammable and seismic standards right and that they are enforced.
- iii. **Infrastructure:** Assessing the necessary public/private infrastructure protection measures for flammable, seismic, and other resilient and life safety code requirements for pre-disaster prevention and a faster recovery post-disaster, in addition to any steps taken to implement those protections.
- iv. **Tax Credits:** Providing tax credits or other tax incentive programs to encourage consumers or states to take actions to strengthen property against vulnerabilities identified in a state mitigation plan for both existing properties and new construction.
- v. **Education:** Educating contractors and consumers on actions they can take to strengthen properties.
- vi. **Post-Disaster Assessment:** Providing a method for determining how a state will handle an increased need for building code enforcement resources following a disaster.

- vii. Public Building Insurance: Insurance coverage for public facilities, assets, and infrastructure.
- viii. Building Code Effectiveness Grading Schedule: Local and state participation in the BCEGS standard.

4. **Focusing on Achieving Significant Impact.** Finally, it will be critical to push for incentives offered to be housed in state mitigation plans and building codes that can achieve a significant impact as scored by BCEGS or a similar system as previously mentioned. This would mean the adoption of the most recent recommended code and maintaining a model code no older than the last six years. It would also mean implementing changes to state and local building codes that address key vulnerabilities identified in a state's mitigation plan.

The passage of the cost share adjustment provision in Disaster Recovery Reform Act is a major accomplishment. The work of this Subcommittee — including that of you, Mr. Chairman — as well as the work of other leaders, such as Chairmen Shuster and Denham, should not be overlooked. However, I urge you to continue your tireless efforts on this issue and apply them toward passing the outstanding provisions in that bill, including the measure that would boost the Pre-Disaster Mitigation Fund by 6% of the money doled out through the Disaster Relief Fund. This would be a true game-changer for the future of our disaster policy approach.

It will take us years to recover from the destruction caused during 2017. Some families and communities affected may never make it all the way back. As the 2018 Atlantic Hurricane Season gets underway, time is of the essence to ensure that we do everything we can in this country to protect ourselves against disasters. How different would the damage caused in recent years look if we had the cost share incentive measure included in the Disaster Recovery Reform Act in place? How different could our future look if additional measures, such as the PDM provision, are implemented? These may be difficult questions to ask, but if recent history is any indication, they are certainly deserving of serious consideration.

I encourage the Committee to pursue reforms to federal disaster spending that put pre-disaster mitigation at the forefront and position FEMA on the edge of the effort to rebuild our infrastructure in a way that is fortified against natural disasters.

Chairman Barletta and Ranking Member Titus, thank you for convening this hearing and raising these important issues. I look forward to answering your questions.

Appendix: Recommended Criteria for Cost Share Adjustment Provision on behalf of the BuildStrong Coalition

The following represents the BuildStrong Coalition's suggested criteria in response to the Disaster Recovery Reform Act federal cost share adjustment provision in the Bipartisan Budget Act of 2018 (H.R.1892), which establishes a critical mechanism for the federal government to incentivize states and localities to adopt enhanced mitigation measures.

- **Establishing a Pilot Program.** The cost share incentive should be established as a FEMA pilot program to ensure maximum flexibility and speed of enactment. This program should not be subject to full federal rule making procedures that will delay its deployment. A minimum standard should be established such that, in order to be eligible for enhanced federal cost share, a state must have a statewide building code with an enforcement mechanism. FEMA should develop a score to measure the effectiveness of the code, which states would have to meet at a minimum level. This would exist as a simple "yes" or "no" answer for any consideration of additional funds (i.e. if "yes," then proceed to the next step; if "no," then there will not be any consideration for additional funds). In the future, a "no" answer could lead to a reduction of the 75% baseline share.
- **Requiring a State Mitigation Plan.** A state must have a working mitigation plan that identifies top vulnerabilities and the steps a state must take to reduce these vulnerabilities. Having such a plan would be in the minimum requirement category and one of the previously-mentioned "yes"/"no" answers for consideration of additional funds.
- **Taking Action on Loss Reductions.** In order to receive any funding above the 75% minimum amount, states must implement actions identified in their state mitigation plan and building code. These states would have to demonstrate concrete actions taken toward mitigation future disaster losses in order to earn the additional funds, but they would not have to take *all* actions identified in order to achieve added disaster funding. States could earn these funds even if they did not have all aspects of the current recommended code as long as the extra measures adopted are deemed impactful to mitigate against loss of life or property. All extra funds received by a state must be used for mitigation purposes, not for response and/or recovery efforts. These identified actions would be assigned a weighted system that could use a measure such as the Insurance Service Office (ISO) Build Code Effectiveness Grading Schedule, also known as BCEGS, in addition to other credit calculation tools.

This overall incentive structure should include the following criteria:

- Building Codes: Adoption of the most recent recommended building code and maintaining a model code no older than 6 years; Implementing changes to state and local building codes that address key vulnerabilities identified in a state's mitigation plan.
- Life Safety: Adding life safety code enhancements such as a residential sprinkler requirement, other fire suppression measures, non-flammable standards, and other life safety requirements to building codes.

- Infrastructure: Assessing the necessary public/private infrastructure protection measures for flammable, seismic, and other resilient and life safety code requirements for pre-disaster prevention and a faster recovery post-disaster, in addition to any steps taken to implement those protections.
 - Tax Credits: Providing tax credits or other tax incentive programs to encourage consumers or states to take actions to strengthen property against vulnerabilities identified in a state mitigation plan for both existing properties and new construction.
 - Education: Educating contractors and consumers on actions they can take to strengthen properties.
 - Post-Disaster Assessment: Providing a method for determining how a state will handle an increased need for building code enforcement resources following a disaster.
 - Public Building Insurance: Insurance coverage for public facilities, assets, and infrastructure.
 - Building Code Effectiveness Grading Schedule: Local and state participation in the BCEGS standard.
- **Focusing on Achieving Significant Impact.** Encourage incentives offered to be housed in state mitigation plans and building codes that can achieve a significant impact as scored by BCEGS or a similar system as previously indicated.

**“Are We Ready?”
Recovering From 2017 Disasters and Preparing for the 2018 Hurricane Season”
Wednesday, July 18, 2018, 10:00 a.m.
2167 Rayburn House Office Building
Washington, D.C.**

**Question for the Record for Hon. Robert David Paulison, Former Administrator, Federal
Emergency Management Agency, on behalf of the BuildStrong Coalition**

Submitted on behalf of Delegate Stacey E. Plaskett, Virgin Islands:

1. Would you support legislation specifying that infrastructure systems such as roads, bridges, ports, and airports, and facilities such as public housing and public buildings, may be eligible to benefit from Section 20601 of the *Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018*, a section that is sometimes referred to as the “resiliency provision,” to maximize the resilience of infrastructure in the Virgin Islands and Puerto Rico as they rebuild and recover from Hurricanes Irma and Maria, and to minimize the need for future taxpayer investments in recovery?

Response was not received at the time of publication.



THE UNITED STATES VIRGIN ISLANDS

OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE

Charlotte Amalie, V.I. 00802
340-774-0001

April 20, 2018

The Honorable William "Brock" Long
Administrator
Federal Emergency Management Agency
500 C Street, SW
Washington, DC 20472

Dear Administrator Long:

Thank you very much for meeting with my team last week during our visit to Washington, D.C. As our recovery continues to make significant progress, I am confident that with your continued support, we can make the U.S. Virgin Islands (USVI) a model of success for recoveries from future largescale disasters.

I am writing today to follow up on several specific requests we discussed which, if granted, would have a substantive and positive impact on our ability to recover expeditiously and completely and to provide for a more resilient Territory in the future.

Extension of 100% federal share for FEMA Public Assistance Categories A & B through September 30th. While most of the Emergency Work has now been completed in the USVI, there are still three primary areas that will require months to finish, as a result of—at least in part—federal decisions and actions and conditions otherwise beyond the Territory's control:

- **Debris Removal (Category A)**: The U.S. Army Corps of Engineers (USACE) is working under a FEMA Mission Assignment to remove all vegetative, C&D, and marine debris from the Territory. According to the USACE, this work will be completed in September. However, the large stockpiles of debris remaining with hurricane season almost upon us again is very concerning, and we would appreciate all efforts to expedite removal of the debris.

- **STEP Temporary Housing (Category B)**: Nearly 7,000 have applied for STEP temporary housing, with almost a month of registration time remaining. While our program is now in full swing, we are still waiting for an approved STEP Project Worksheet. This delay and resulting financial uncertainty has forced us to be cautious in our implementation schedule. As a result, we project that we will need until the August 15, 2018 deadline set by FEMA.

*Letter to The Honorable William Brock Long
April 20, 2018
Page 2*

- Temporary Facilities and Repairs for Schools, Hospitals, and other Government Buildings (Category B): FEMA has agreed that the USVI needs 139 modular structures across 16 school campuses and can make temporary repairs to another seven schools prior to school opening in September in order to eliminate the need for split sessions. Unfortunately, it took numerous rounds of site visits continuing until the last week of March for FEMA to agree with our plan, which has delayed our ability to order these structures and initiate the repairs. In addition, we are still awaiting a \$98M Project Worksheet for the modular facilities. In spite of delays, we now have procurements underway that will enable us to complete this emergency work before school opens in early September.

We have a similar situation for temporary hospitals. As you know, all of our critical healthcare facilities were severely damaged by the hurricanes, and the USACE under FEMA Mission Assignment only finished its damage assessment of the hospitals in late March. Procurement is underway for the temporary hospital structures on St. Croix and St. Thomas, but the targeted completion dates are late summer, assuming that we can get all FEMA approvals in time.

Tutu High Rise Demolition (Category B): Although the first FEMA damage assessments were completed by late 2017 and FEMA has had a draft Project Worksheet under review since mid-February, we were advised in early April that FEMA intends to start over with damage assessments by a new team. Those damage assessments were completed last week, and we are still awaiting the results, after which a multi-week Project Worksheet process is likely to be initiated. In the meantime, we have already selected a winning bid for demolition of the first five Tutu buildings that the original FEMA team told us qualified; however, we cannot issue a Notice to Proceed until the new FEMA team verifies the results of its damage assessment. If we get the approval from FEMA to begin demolition by the end of April, we should be able to complete this work by the end of August.

Consideration of other relief from other FEMA matching requirements. While we understand the reluctance of the federal government to waive all non-federal matching requirements, we would be truly appreciative of your consideration of some of the options afforded to you by the Insular Areas Act and the Stafford Act Section 428 Alternative Procedures.

- Waive the non-federal share for the Hazard Mitigation Grant Program (HMGP). As recently as Tropical Storm Jeanne, FEMA used its Insular Areas Act authority to waive the 25% non-federal share on HMGP. In light of the federal government's strongly stated commitment to building resilience and to the Insular Areas, this would give us at least another \$80M to work with, based upon the 6-month lock-in amount for HMGP.

- Waive the non-federal share for Other Needs Assistance (Individual Assistance). Even the \$5M+ that the waiver of the non-federal 25% share of ONA would generate would help us.

*Letter to The Honorable William Brock Long
April 20, 2018
Page 3*

- **Waive the non-federal share for Category F (Public Assistance).** We were surprised and dismayed that HUD used FEMA's Disaster Projection Report (DPR)—Category F estimates to allocate the \$2B that Congress set aside for improvement and enhancement of the electric grids for Hurricane Maria disasters. As a result, HUD is proposing to only provide the USVI with \$67M of these funds.

Based upon informal discussions with you and your team, it appears that the coordination between HUD and FEMA on use of this data was not ideal. Furthermore, we do not know if use of DPR data achieves the HUD-mandated standard of "best available data," since the methodologies used and results derived may not have been consistent between the two territories. We are petitioning HUD for reconsideration, but absent of that, your concurrence in waiving the non-federal share of Category F Permanent Work would help by enabling us to invest as much as \$100M more for the grid resilience.

- **Collaboratively devise an innovative matching approach using Sectors, Section 428 Alternative Procedures, and Grant Consolidation (FEMA Public Assistance, FEMA Hazard Mitigation Grant Program, HUD CDBG-DR).** We believe that we can uniquely leverage FEMA and HUD funding by instituting a pilot project combining the Stafford Act Section 428 Alternative Procedures authorities with the Insular Areas Act grant consolidation authorities and integrating FEMA's new "Sectors" approach in order to:

- Significantly reduce the administrative burden on the federal government and the USVI;
- Demonstrate a new model for efficient and cost-effective delivery of disaster assistance; and
- Achieve the intent of cost-sharing through an innovative approach.

It is our understanding that your national Director of Public Assistance will be visiting the territories very soon. We would like to invite him to meet with me and my team to work through this unique opportunity.

Empower the USVI to maximize use of FEMA's Section 408 and STEP authorities and funding. We share your vision that FEMA is not well-suited to managing a temporary housing mission or, for that matter, Permanent Housing Construction; nevertheless, there are thousands of Virgin Islands families still desperately in need of home repairs and reconstruction. We are asking if we can partner with you to collaboratively address this situation by using the Section 408(c)(4) authority that gives FEMA wide latitude in providing financial or direct assistance for permanent housing construction "in insular areas outside the continental United States and in other locations in cases in which - (A) no alternative housing resources are available; and (B) the types of temporary housing assistance described in paragraph (1) are unavailable, infeasible, or not cost-effective."

*Letter to The Honorable William Brock Long
April 20, 2018
Page 4*

More than seven months after the hurricanes, the need for sheltering, temporary housing, and permanent housing construction remains urgent in the USVI; therefore, we propose to address this essential need with federal funding assistance as follows:

- Raise the cap on STEP from \$25,000 to \$35,000. Based upon thousands of STEP eligible homes that we have already assessed, we now know that we can address more than 80% of the essential sheltering repairs with \$35,000 of hard construction costs. (We are grateful that FEMA has now agreed to cover the higher costs of construction in the Virgin Islands as an additional cost outside of the cap). This includes necessary roof repairs for homes with interim Blue Roofs that have now exceeded their recommended lifespan. We are also thankful that the FEMA Region II Caribbean Area Division has supported a STEP policy amendment for the territories to allow all Blue Roof homes to participate in STEP regardless of the condition of the tarpaulins, and now we just need a little extra funding per home to be able to make these repairs. In protecting the expenditures of these federal funds; we strongly suggest and ask that all roof replacements conducted under the STEP program be implemented to building code standards and made permanent. Implementing this provision will prevent the discarding of the roofs replacements under STEP and curtail the need for additional federal expenditures under other permanent sheltering programs. Why do it twice?

- Allow the USVI to expand the STEP program to include management of FEMA's Permanent Housing Construction (Repair and New Construction) programs. We understand that this will require careful coordination and accounting because the work would be done under separate Stafford Act authorities. However, we have four major homebuilders already under contract for STEP who could easily expand their scopes of work to handle this extra construction. This would be a far more cost-effective approach than for FEMA to mobilize a new set of contractors to undertake the work. We commit to working closely with FEMA to modify its current policy guidance for Permanent Housing Construction which has disqualified an unreasonable number of homes. Again, why spend twice to provide relief for the same citizens?

We fully understand your view that, in most instances, HUD CDBG-DR funding should be used for permanent home construction. However, based upon HUD's current timetable, the bulk of the funds necessary for home construction will not come available until near the end of the 2018 hurricane season, and we cannot afford to have our residents exposed to these hazards unnecessarily. We therefore urge you to use your Section 408 authorities specific to the Insular Areas for permanent home construction.

- Allow the USVI to extend STEP to meet the needs of low income renters. We would be very grateful for your reconsideration of my request of February 23rd that we be allowed to make STEP repairs to properties of small landlords who are willing to either accept HUD housing vouchers or lock-in affordable rents during recovery. In denying my request, you did not offer any alternatives for addressing the housing needs of the hundreds of displaced renters who have no place to relocate to, including more than 200 families from the Tutu High Rise alone that will need to be moved out in the coming months.

*Letter to The Honorable William Brock Long
April 20, 2018
Page 5*

Maximize the benefits of the expanded Stafford Act Section 428 authorities provided in the Bipartisan Budget Act of 2018. FEMA and Congress clearly recognized the importance of building back more resilient after the 2017 hurricane season by including provisions in the Bipartisan Budget Act of 2018 allowing FEMA to expand its Section 428 alternative procedures for the territories to “replace and restore” critical infrastructure “without regard to the pre-disaster condition” and components “not damaged by the disaster” in order to restore the facilities and systems to “industry standards.”

While this “pre-disaster waiver” is a tremendous opportunity for the territories, FEMA has not yet issued guidance to implement this provision. Assuming that this guidance is still under development, we offer the following suggestions based upon our assessment of the situation in the USVI:

- **Interpret the definition of “critical services” as used in the Bipartisan Budget Act of 2018 (P.L. 115-123) to include Transportation and Public Housing.** Section 20601 of the Bipartisan Budget Act references the definition of “critical services” in Stafford Section 406 in describing the types of projects in the territories that qualify for the “pre-disaster waiver.” Section 406 explicitly provides FEMA (with authority delegated by the President) discretion as to how to define “critical services.” (See Stafford Act § 406(a)(3)(A)(i) (“... critical services (as defined by the President) ...”).) We respectfully urge you to exercise this authority to allow us to maximize resilience of our roads, bridges, ports, airports, and public housing as we build back, recover, and minimize the need for future taxpayer investments in recovery.

- **Include pre-disaster damage costs and the cost of work to meet industry standards in the calculation of the 50% rule for repair vs. replacement.** Our schools and hospitals provide critical services to our most precious and most vulnerable populations, and we are absolutely committed to rightsizing and hardening these facilities during the rebuilding process. We want to have three smaller and more resilient critical healthcare facilities and fewer and more disaster resistant schools, which will also serve as disaster shelters. FEMA has not yet shared with us its assessments of the hospitals or schools using the 50% rule. We are hopeful that by including the pre-disaster condition and causation waivers in these calculations, we can rebuild our key facilities and achieve the intent of Congress in passing the landmark Bipartisan Budget Act of 2018.

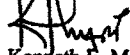
Expedited processing of our Project Worksheets. While we fully appreciate the need for due diligence in reviewing Project Worksheets over \$1M – we do this as well – we have more than \$1B of projects waiting in the various FEMA queues. These include STEP, temporary school facilities and repairs, temporary hospitals, and many other important projects. As you know, the U.S. Virgin Islands is in a strained financial position after the hurricanes, and your efforts to assist our cash flow by obligating these Project Worksheets as quickly as possible would be a huge benefit to us. Please let me know if there is anything we can do on our end to help facilitate processing the Project Worksheets.

* * *

Letter to The Honorable William Brock Long
April 20, 2018
Page 6

Brock, thank you so much for everything that FEMA is doing for the U.S. Virgin Islands, and for your personal involvement and commitment to our full and complete recovery. Since I have covered a number of topics in this letter that will require substantive discussion, follow-up, and collaboration by our teams, I am appointing my GAR, Commissioner Val Collens, and Mr. Brad Gair from Witt O'Brien's to serve as my primary points of contact for your staff. Please ask your staff to work through these issues with us as soon as possible.

Sincerely,



Kenneth E. Mapp
Governor

cc: Mr. William L. Vogel, Federal Coordinating Officer, FEMA Region II
The Honorable Stacey Plaskett, Member of Congress



North American Concrete Alliance

July 18, 2018

The Honorable Bill Shuster
Chairman
Transportation and Infrastructure Committee
2165 Rayburn H.O.B.
Washington, D.C. 20515

The Honorable Peter DeFazio
Ranking Member
Transportation and Infrastructure Committee
2164 Rayburn H.O.B.
Washington, D.C. 20515

The Honorable Lou Barletta
Chairman
Transportation and Infrastructure
Subcommittee on Economic Development,
Public Buildings, and Emergency Management
2165 Rayburn H.O.B.
Washington, D.C. 20515

The Honorable Dina Titus
Ranking Member
Transportation and Infrastructure
Subcommittee on Economic Development,
Public Buildings, and Emergency Management
2164 Rayburn H.O.B.
Washington, D.C. 20515

Dear Chairmen and Ranking Members,

The North American Concrete Alliance (NACA) commends the Transportation & Infrastructure Subcommittee on Economic Development, Public Buildings, and Emergency Management for holding the hearing, *Are We Ready? Recovering from 2017 Disasters and Preparing for the 2018 Hurricane Season*. NACA supports the Disaster Recovery Reform Act (DRRA), in particular its approach to improve disaster mitigation by encouraging the use of resilient building materials.

Formed in 2004, NACA is a coalition of twelve concrete and cement-related associations dedicated to addressing industry-wide priorities in the areas of research, safety, education, economic recovery and government affairs. Cement and concrete product manufacturing directly and indirectly employs approximately half a million people; our collective industries contribute approximately \$100 billion to the economy. Our member Associations represent businesses and talented workers in all fifty states.

We urge Congress to adopt disaster resilient construction programs to protect public health and safety, to control federal disaster costs, and to strengthen the resilient building stock on which America's economic vitality depends. NACA supported the provisions in the Bipartisan Budget Act incentivizing states to invest in disaster-resilient construction by allowing a state's post-disaster federal cost-share to be increased, based on:

- The adoption of a mitigation plan
- Investments in disaster relief, insurance, and emergency management programs
- Encouraging the adoption and enforcement of the latest building codes
- Facilitating participation in the Community Rating System
- Funding mitigation projects or giving tax incentives to projects that reduce risk

We believe this represents a significant shift in the disaster mitigation landscape and lays the groundwork for essential reforms in the future.

Our member associations support resilient construction to prepare for and adapt to changing conditions and to withstand and recover rapidly from disruptions. Resilience includes the ability to withstand and recover from deliberate attacks, accidents, or naturally occurring threats or incidents. Further, the National Institute of Building Sciences has found that the economic impact of pre-disaster mitigation programs for the built environment reduces “on average, future losses...by about six dollars for every one dollar spent on those projects.”

The North American Concrete Alliance stands ready to help communities better resist disasters and reduce the potential financial impact on the government should a disaster occur. NACA looks forward to working with Congress to address our nation's disaster recovery needs now and in the future.

Respectfully,

American Concrete Pavement Association
American Concrete Pipe Association
American Concrete Pressure Pipe Association
American Concrete Pumping Association
Concrete Reinforcing Steel Institute
Concrete Foundations Association

National Concrete Masonry Association
National Precast Concrete Association
National Ready Mixed Concrete Association
Portland Cement Association
Precast/Prestressed Concrete Institute
Tilt-Up Concrete Association