



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

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Chairman

Rick Larsen  
Ranking Member

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September 7, 2023

The Honorable Deanne Criswell  
Administrator  
Federal Emergency Management Agency  
500 C Street SW  
Washington, DC 20024

Dear Administrator Criswell:

On August 8, 2023, Maui, Hawaii, experienced devastating, widespread fires resulting in destruction in Lahaina. On August 9, 2023, the President approved a Fire Management Assistance Grant (FMAG) to support firefighting efforts and on August 10, 2023, a Federal major disaster declaration was issued.<sup>1</sup> The Maui fire is one of the deadliest wildfires in the United States' history.<sup>2</sup> As of September 5, 2023, 115 individuals were reported as dead, and 110 individuals were reported as missing.<sup>3</sup>

The Committee on Transportation and Infrastructure (Committee) is conducting oversight related to the preparedness for, response to, and recovery from the recent fires in Maui, Hawaii. The Committee has jurisdiction over the Federal Emergency Management Agency (FEMA), the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (P.L. 100-707), as amended, and the Federal management of emergencies and disasters.<sup>4</sup> Therefore, the Committee seeks to understand the effectiveness of Federal disaster assistance programs and monitor the allocation of taxpayer resources in response to the fire, to ensure funds are used appropriately and efficiently to aid survivors.

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<sup>1</sup> See E-mail from Jason Nelson, Chief, Disaster Response & Recovery, Congressional Affairs Division, FEMA (Aug. 10, 2023, 9:20 a.m. EST) (on file with Comm.); FEMA Notification of a Major Disaster Declaration for the State of Hawaii (FEMA-4724-DR-HI) (Aug. 10, 2023) available at <https://www.fema.gov/disaster/4724>.

<sup>2</sup> Bill Hutchison, *Maui wildfire now ranks as the fifth-deadliest in US history*, ABCNEWS, (Aug. 22, 2023), available at <https://abcnews.go.com/US/maui-wildfire-now-ranks-deadliest-us-history/story?id=102249625>

<sup>3</sup> E-mail from Jessica Zanotti, Congressional Affairs Specialist, Congressional Affairs Division, FEMA (Sept. 5, 2023, 1:39 p.m. EST) (on file with Comm.).

<sup>4</sup> Pub. L. No. 100-707; see also United States House of Representatives Rule X(1)(r) (118<sup>th</sup> Cong.).

More than one thousand Federal personnel deployed to assist in the response efforts to this devastating fire.<sup>5</sup> These include representatives from search and rescue teams, FEMA's Disaster Survivors Assistance team, the United States Coast Guard, the United States Army Corps of Engineers, and several other Federal agencies.<sup>6</sup> In light of the multitude of Federal resources supporting response efforts, the President designated the FEMA Region Nine Administrator as the Chief Federal Response Coordinator for Maui.<sup>7</sup> In this role, the FEMA Region Nine Administrator will be responsible for overseeing the Federal Government's long-term recovery efforts.<sup>8</sup>

Considering the large and extended Federal response effort, the Committee will continue to monitor the allocation and effectiveness of Federal resources. This includes investigating concerns that arise with the use of Federal resources and assets during and after response and recovery efforts. For example, even as the fires in Maui were still burning, reports raised serious concerns related to alerting residents of the danger, evacuations from vulnerable areas, and access to resources, including water, to fight the fire.<sup>9</sup> Additionally, questions were raised related to the housing of FEMA and other Federal personnel, including the location of housing and cost to the taxpayer.<sup>10</sup>

While a governor leads the disaster response within their state, FEMA funding and assistance may be available so States can prepare for, mitigate against, and respond to disasters. For example, FEMA's Integrated Public Alert and Warning System (IPAWS) is made available to States to use to issue public alerts and warnings, FEMA's mitigation grant funding is available to States to mitigate against disasters, FEMA's Emergency Management Performance Grants (EMPG) helps to support State emergency management capacity, and the FMAG authorized for this disaster supports activities related to firefighting.<sup>11</sup> The Committee seeks to examine how

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<sup>5</sup> Fact Sheet, THE WHITE HOUSE, *Biden-Harris Administration's Latest Actions to Support Communities Impacted by Maui Wildfires*, (Aug. 23, 2023), available at [https://www.whitehouse.gov/briefing-room/statements-releases/2023/08/23/fact-sheet-biden-harris-administrations-latest-actions-to-support-communities-impacted-by-maui-wildfires-](https://www.whitehouse.gov/briefing-room/statements-releases/2023/08/23/fact-sheet-biden-harris-administrations-latest-actions-to-support-communities-impacted-by-maui-wildfires-3/#:~:text=The%20U.S.%20Department%20of%20Housing,homelessness%20by%20filling%20in%20federal.)

[3/#:~:text=The%20U.S.%20Department%20of%20Housing,homelessness%20by%20filling%20in%20federal.](https://www.whitehouse.gov/briefing-room/statements-releases/2023/08/23/fact-sheet-biden-harris-administrations-latest-actions-to-support-communities-impacted-by-maui-wildfires-3/#:~:text=The%20U.S.%20Department%20of%20Housing,homelessness%20by%20filling%20in%20federal.)

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> Erik Ortiz, Aria Bendix, Phil McCausland and Andrew Blankstein, *Hawaii's emergency warning sirens weren't activated to alert residents, agency says*, NBC NEWS, (Aug. 11, 2023), available at <https://www.nbcnews.com/news/us-news/hawaii-emergency-warning-sirens-werent-activated-alert-residents-agencrca99475>; Eddie Dowd, *Maui police chief responds to criticism over barricades that were up as Lahaina burned*, HAWAII NEWSNOW, (Aug. 27, 2023), available at <https://www.hawaiinewsnow.com/2023/08/27/mpd-responds-use-barricades-lahaina-fire/>; see also Mike Baker, *Kellen Browning and Nicolas Bogel-Burroughs, As Inferno Grew, Lahaina's Water System Collapsed*, N.Y. TIMES, (Aug. 13, 2023, updated Aug. 22, 2023), available at <https://www.nytimes.com/2023/08/13/us/lahaina-water-failure.html>.

<sup>10</sup> Jolanie Martinez, *Images of FEMA workers at luxury Maui hotels stir anger, but agency says it's there to do a job*, HAWAII NEWSNOW, (Aug. 24, 2023), available at <https://www.hawaiinewsnow.com/2023/08/24/anger-grows-fema-workers-stay-luxury-hotels-amid-maui-wildfires-disaster/>.

<sup>11</sup> See e.g. Pub. L. No. 114-143; 42 U.S.C. § 5170(c); 42 U.S.C. § 5133; 6 U.S.C. § 762; 42 U.S.C. § 5187.

Hawaii utilized FEMA's preparation, mitigation, and response resources to analyze the effectiveness of these programs.

To assist the Committee with its oversight and to better understand whether any reforms may be needed in any of these or other programs, please provide responses to the following questions, as soon as possible, but no later than 5:00 p.m. ET on September 21, 2023:

*Disaster Housing and Assistance*

1. How many individuals and families have registered with FEMA for Individual Assistance or assistance for housing and other needs? Of those individuals and families, how many are receiving vouchers to stay in hotels, "Airbnbs" or other short-term rentals in Maui, Oahu, and other locations in Hawaii because they cannot stay in their primary residences due to the wildfires?
2. Are there enough hotel rooms and rental units in Maui to house displaced survivors? Have survivors had to relocate from Maui to other parts of the State to find places to stay?
3. Have the State, FEMA, non-profit organizations, and other stakeholders identified any intermediate to long term solutions to house displaced residents of Maui? Are FEMA and the State considering a direct housing mission to house displaced survivors?
4. FEMA provided \$700 of assistance in the form of Critical Needs Assistance (CNA) to disaster survivors in Maui.<sup>12</sup>
  - a. How does FEMA determine the appropriate CNA award for each disaster. Can this amount be adjusted to account for disaster severity or local inflation?
  - b. How have the funds been dispersed to survivors?
  - c. Please provide the Committee any written information provided to a recipient upon receipt of these funds as well as a copy of any application or any document that FEMA may require to apply for the funds.
5. Preliminary reports suggest at least 1,800 homes were damaged or destroyed by the Lahaina fire.
  - a. What challenges does FEMA foresee to ensuring permanent housing solutions for survivors?
  - b. What existing authorities might FEMA leverage to support housing recovery?

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<sup>12</sup> Meryl Kornfield, *White House defends Biden's actions after criticism over Maui response*, WASH. POST, (Aug. 14, 2023), available at <https://www.washingtonpost.com/politics/2023/08/14/biden-maui-wildfires-comment/>.

- c. Explain the challenges Hawaii's high cost and remote location may pose to long-term recovery, and how FEMA might mitigate those challenges.
- d. Is FEMA partnering with other Federal agencies to develop plans for permanent housing solutions? If so, please provide a list of those Federal agencies and all communications with those Federal agencies.

#### *Housing for FEMA Personnel*

6. How many hotel rooms in Maui, Oahu, and other locations of Hawaii has FEMA contracted for to house Federal response officials?
  - a. Provide a breakdown of hotel rooms by location.
  - b. Provide a breakdown of hotel rooms by Federal agency and partner for which FEMA provided housing.
  - c. Provide a breakdown of room rates by location.
7. What is the total cost per day related to hotel rooms and housing FEMA and other Federal personnel?
  - a. What is the Federal per diem rate for Maui and Oahu? If that rate has changed during the response efforts, please provide each Federal per diem rate, and the time period for which it was effective.
  - b. Please provide all documents and communications related to any Federal per diem rate change.
8. Does FEMA have plans to find alternative housing solutions for Federal personnel and partners? If so, please describe.

#### *Alerts and Warnings*

9. In January 2018, the Hawaii Emergency Management Agency mistakenly issued an alert of an incoming ballistic missile using IPAWS.<sup>13</sup> During the recent wildfires, there were reports individuals did not receive public alerts and warnings.<sup>14</sup>
  - a. What steps did FEMA take to ensure Hawaii officials were appropriately trained to operate IPAWS?
  - b. Was there any Federal funding provided to Hawaii on IPAWS training or other activities related to ensure Hawaiian officials knew when and how to use IPAWS?

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<sup>13</sup> HNN Staff, *5 years ago today, a false missile alert threw Hawaii into a panic*, HAWAII NEWSNOW, (Jan. 13, 2023), available at <https://www.hawaiinewsnow.com/2023/01/13/its-been-5-years-since-hawaiis-false-missile-alert-that-caused-panic-statewide/>.

<sup>14</sup> Rebecca Boone, Heather Hollingsworth, Claudia Lauer, and Christopher L. Keller, *In deadly Maui fires, many had no warning and no way out. Those who dodges a barricade survived*, AP NEWS, (Aug. 24, 2023), available at <https://apnews.com/article/hawaii-fires-timeline-maui-lahaina-road-block-c8522222f6de587bd14b2da0020c40e9>.

- c. Please provide all documents and communications related to Hawaii IPAWS training.
10. Are there any Primary Entry Point (PEP) stations located in Hawaii?
  - a. If so, provide number and location.
  - b. If so, how much FEMA funding was provided to harden such station(s)?
  - c. If so, were those stations functioning during the Maui fires? If not, please explain.
11. Did Hawaii officials use IPAWS to send any alerts related to the recent Maui fires?
  - a. If so, were all methods of information dissemination used. If not, please explain.
  - b. Were the alerts effectively disseminated? If not, please explain.
12. According to the Hawaii Emergency Management Agency website Hawaii's All-Hazard Statewide Outdoor Warning Siren System is described as the "largest single integrated Outdoor Siren Warning System for Public Safety in the world."<sup>15</sup> The siren system is described as an "all-hazard siren system"<sup>16</sup> which can be used for a variety of both natural and human-caused events including "tsunamis, hurricanes, dam breaches, flooding, wildfires, volcanic eruptions, terrorist threats, hazardous material incidents, and more."<sup>17</sup> Was FEMA funding utilized in the development, deployment, and/or operation of this system? If so, please provide the amount of Federal funds allocated, the date distributed, and the purpose.

#### *Support for Preparedness and Resiliency*

13. Has the State of Hawaii received Federal funding related to mitigation and resiliency in the past five years through the Building Resilient Infrastructure and Communities (BRIC) program, the predecessor Pre-Disaster Mitigation (PDM) program, or Hazard Mitigation Grant Program (HMGP)?
  - a. If so, provide breakdowns of amounts, years, and descriptions and status of the projects funded.
  - b. How did FEMA measure wildfire risk in Hawaii prior to the event and how did FEMA apply its benefit cost analysis?
14. Has the State of Hawaii received any Emergency Management Performance Grants in the last five years? If so, provide the amounts, years, and descriptions of the purposes.

#### *Liability*

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<sup>15</sup> State of Hawaii, Hawaii Emergency Management Agency, *All-Hazard Statewide Outdoor Warning Siren System*, available at <https://dod.hawaii.gov/hiema/all-hazard-statewide-outdoor-warning-siren-system/>.

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

15. It has been reported that Maui County filed a lawsuit against Hawaiian Electric Company alleging negligence resulting in the wildfires.<sup>18</sup> Please describe what impact, if any, a finding of liability would have on FEMA disaster assistance?

Pursuant to House Rule X, clause 1(r), the Committee has jurisdiction over these issues and shall conduct appropriate oversight of these actions. This request and any documents created as a result of this request will be deemed Congressional documents of the Committee. An attachment contains additional instructions for responding to this request. When producing documents to the Committee, please deliver production sets to the Majority Staff in Room 2165 of the Rayburn House Office Building and the Minority Staff in Room 2164 of the Rayburn House Office Building.

If you have any questions about this request, please contact Johanna Hardy, with the Subcommittee on Economic Development, Public Buildings, and Emergency Management, Majority Staff, at [REDACTED] or [REDACTED] and Lauren Gros, Subcommittee on Economic Development, Public Buildings, and Emergency Management, Minority Staff, at [REDACTED] or [REDACTED]. Thank you for your prompt attention to this matter.

Sincerely,



Sam Graves  
Chairman  
Committee on Transportation  
and Infrastructure



Rick Larsen  
Ranking Member  
Committee on Transportation  
and Infrastructure

Enclosure

Attachment A – Requirements for Responding to the House Committee on Transportation and Infrastructure Records Requests in the 118<sup>th</sup> Congress.

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<sup>18</sup> Samantha Delouya and Kelly McCleary, *Maui government files lawsuit, accuses Hawaiian electric company of causing Lahaina wildfires*, CNN, (Aug. 25, 2023), available at <https://www.cnn.com/2023/08/24/business/maui-county-hawaiian-electric-company-lawsuit/index.html>.