



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

Sam Graves
Chairman

Rick Larsen
Ranking Member

Jack Ruddy, Staff Director

Katherine W. Dedrick, Democratic Staff Director

October 11, 2024

Hon. Deanne Criswell
Administrator
Federal Emergency Management Agency
U.S. Department of Homeland Security
500 C St. SW
Washington, D.C. 20472

Dear Administrator Criswell:

On September 26, 2024, Hurricane Helene made landfall on the Florida Gulf Coast and progressed up the East Coast as a Category 4 storm that devastated states and local communities in its path. To date, at least 227 Americans have lost their lives to Hurricane Helene as people continue to search for missing loved ones and local officials rebuild their towns and neighborhoods.¹ Less than two weeks later, on October 9, 2024, Hurricane Milton made landfall along the west coast of Florida.²

The Federal Emergency Management Agency (FEMA) is charged with leading the Nation's efforts to prepare for, protect against, respond to, recover from, and mitigate against the risk of natural disasters, acts of terrorism, and other man-made disasters.³ The Committee on Transportation and Infrastructure (Committee) is aware of troubling media reports of how FEMA, under your leadership, has failed to rise to the challenge and adequately respond to Hurricane Helene. Therefore, the Committee seeks to understand FEMA's preparation and strategies for response, as well as its capacity to provide relief for disaster victims.

On October 2, 2024, Department of Homeland Security (DHS) Secretary Alejandro Mayorkas told reporters that FEMA lacked sufficient funding to make it through the current

¹ Anna Betts, Aliya Uteuova, & Dharna Noor, *Hurricane Helene: more than 200 dead as search for missing people continues*, THE GUARDIAN (Oct. 3, 2024) available at <https://www.theguardian.com/us-news/2024/oct/03/hurricane-helene-death-toll-power-outages>.

² Leonara. LaPeter Anton and Brad Brooks, *Hurricane Milton kills four, destroys homes in Florida, but worst scenario avoided*, Reuters, (Oct. 10, 2024) available at <https://reuters.com/world/us/hurricane-milton-weakens-it-marches-across-central-florida-homes-destroyed-2024-10-10/>.

³ 6 U.S.C. § 313.

hurricane season as the agency works to support communities devastated by Hurricane Helene.⁴ Secretary Mayorkas's comments were made just weeks after Congress passed legislation that provided \$20 billion to the agency for disaster relief spending.⁵

In July 2022, concerns were raised with the use of FEMA's Emergency Food and Shelter Program (EFSP) to support the crisis at the Southern Border.⁶ Because of insufficient responses, another letter was sent on January 23, 2023, more broadly requesting information on FEMA's role in the crisis at the border and requesting documents related to FEMA's activities related to the border.⁷ In response, FEMA indicated that FEMA personnel, including a Regional Administrator, had been reassigned for a period of time to assist at the border.⁸ While FEMA has maintained that these diversions of resources were small in number, given FEMA's overall staffing shortage of approximately 6,200 personnel, any diversion of FEMA resources is concerning.⁹

One of the most troubling media reports has been from residents in North Carolina who have voiced complaints with the Federal response to Hurricane Helene, and in particular criticized FEMA's reaction pace to the storm.¹⁰ The New York Times reported that individuals in rural areas of North Carolina affected by the storm are skeptical of FEMA's ability to provide assistance and feel that they have been left to fend for themselves.¹¹ The Committee remains concerned by reports detailing FEMA's slow response and ability to provide aid to victims, as well as FEMA's interactions with non-Federal efforts to assist Americans in need.

In response to negative news coverage surrounding FEMA's response to Hurricane Helene, FEMA created a "Rumor Control" page specific to Hurricane Helene. Unfortunately, the information on that page, as well as FEMA social media postings, do little to provide disaster victims the help they need. For example, FEMA clarifies that \$750 is not the only assistance survivors may receive. However, the agency ignores the challenge survivors face with online applications, that survivors who have successfully applied have raised concerns about denials of aid, and the reality that \$750 in this economy with high inflation is not enough to cover the items FEMA claims the assistance can be used for – "food, water, baby formula, breastfeeding

⁴ *Mayorkas Warns FEMA Doesn't Have Enough Funding to Last Through Hurricane Season*, U.S. NEWS & WORLD REPORT (Oct. 2, 2024) available at <https://www.usnews.com/news/politics/articles/2024-10-02/mayorkas-warns-fema-doesnt-have-enough-funding-to-last-through-hurricane-season>.

⁵ *Id.*

⁶ Letter from Rep. Sam Graves, Ranking Member, H. Comm. on Transp. & Infrastructure, to Hon. Deanne Criswell, Administrator, FEMA (July 27, 2022).

⁷ Letter from Rep. Sam Graves, Chairman, H. Comm. on Transp. & Infrastructure, to Hon. Deanne Criswell, Administrator, FEMA, (Jan. 23, 2023) (on file Comm.).

⁸ E-mail from Deanne Criswell, Administrator, FEMA, to Alejandro Mayorkas, Secretary, Department of Homeland Security (March 17, 2022) (on file with Comm).

⁹ *The Impacts of FEMA's Strategic Plan of Disaster Preparedness and Response: Hearing Before the H. Comm. on Transp. and Infrastructure*, 118th Cong. (May 17, 2023) (statement of Chris Currie, Government Accountability Office).

¹⁰ Emily Cochrane, et al., *After Flooding, FEMA Aid is Arriving. But Some Are Still on Their Own.*, N.Y. TIMES (Oct. 2, 2024) available at <https://www.nytimes.com/2024/10/02/us/fema-floods-north-carolina.html>.

¹¹ *Id.*

supplies, medication and other supplies.”¹² The Committee is committed to ensuring that FEMA’s emphasis on messaging has not detracted from efforts to provide aid to victims.

Since Hurricane Helene, officials from the National Security Council (NSC) have participated in, and appeared to lead, some of the Congressional briefings on the response. The NSC has no statutory authority with respect to managing disasters, and its capabilities and expertise in emergency management is questionable and unclear. Under the *Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA)*, you are the Principal Advisor to the President during a disaster.¹³ In light of the questions surrounding the Federal Government’s response, the Committee seeks clarification about NSC’s role in the response and information to determine whether NSC created additional bureaucratic hurdles to providing relief.

We are seeking clarity as to the actions FEMA has taken in our efforts to assess FEMA’s preparedness and response to Hurricanes Helene and Milton. In order to assist the Committee with its investigation, please provide the requested documents and information by October 25, 2024:

1. Please provide specific details regarding the NSC’s involvement in response to Hurricanes Helene and Milton.
 - a. Has this involvement been the same as in previous disasters? Please explain.
 - b. What is the role of the NSC in managing disasters? Where does the NSC derive its statutory authority to support this role?
 - c. Is FEMA providing direct advice to the President on disaster response as required by law? Please describe the frequency and method of communications with the President on disaster advice.
 - d. Have you been advised to report to anyone other than the President in relation to the recent disasters? If so, to whom have you been instructed to report, and who gave that instruction?

2. Earlier this year, FEMA made significant changes to the Individual Assistance (IA) Program. These changes included implementing a Serious Needs Assistance program, which would provide individuals with cash payments of \$750.
 - a. Does FEMA characterize the implementation of the Serious Needs Assistance program as a success? Please explain.
 - b. Has there been any discussion about adjusting the amount of assistance provided to victims? If so, please describe.
 - c. There are reports that this assistance is not provided immediately and that some victims have even been denied.

¹² Federal Emergency Management Agency, *Hurricane Helene: Rumor Response*, available at <https://www.fema.gov/disaster/current/hurricane-helene/rumor-response>.

¹³ 6 U.S.C. § 313.

- i. What is the average period of time from application to the time the \$750 would be received by the applicant?
- ii. What are the eligibility requirements for FEMA's IA Program, and how are they communicated to disaster victims?
- iii. On what basis are people denied, and what does the appeal process entail?
- iv. Does FEMA's notification of denial provide clear information about the appeals process?
- v. How does FEMA ensure that victims without cellphone service or access to internet are able to apply for assistance? Can individuals apply outside of congregate housing shelters by working directly with FEMA officials?

3. Please provide details of the number, locations, and functions of FEMA personnel deployed for Hurricane Helene and Hurricane Milton.

- a. Does FEMA still have a staffing gap? If so, please detail the staffing gap.
- b. What percentage of FEMA's disaster personnel were called up for each Hurricane?
- c. What percentage of FEMA disaster personnel was unavailable for each Hurricane?
- d. Did FEMA have any challenges with deployments due to unavailable FEMA disaster personnel? Please explain.

4. Please provide details of shelters, distribution centers, and other resources for disaster victims, including locations and number of people served.

- a. Has FEMA been involved in efforts to redirect supplies, donations, and volunteer activities? Has FEMA's involvement included confiscating or refusing supplies or services?
- b. Does every FEMA operated facility have adequate signage and staffing from FEMA?

5. How has the Shelter and Services Program (SSP) impacted FEMA's ability to respond to Hurricanes Helene and Milton?

- a. Please provide a detailed breakdown of the resources that FEMA has allocated for SSP, including staffing and funding.
- b. Within the last six months, have any FEMA resources or personnel been diverted or reassigned to assist at the Southern Border or on migrant issues, generally? If so, please provide details.

6. On October 3, 2024, FEMA began publishing a "Hurricane Helene: Rumor Response" resource on its website. Please provide all documents and communications relating to FEMA's decision to establish the "Hurricane Helene: Rumor Response" webpage.

- a. The webpage clarifies that \$750 is not the only assistance an individual may be eligible to receive, yet ignores complaints about denials and whether the assistance is enough to cover basic needs. How does FEMA determine which "rumors" are included on the website and what questions the agency will respond to?

- b. How does FEMA determine what is a “rumor” or “misinformation”?
- c. Did any Biden-Harris Administration official, outside of FEMA, direct the agency to establish its “Hurricane Helene: Rumor Response” webpage?
- d. Has FEMA previously published an agency webpage to counter “misinformation” in the aftermath of a significant storm or natural disaster?

7. Please provide a detailed timeline and summary of the Federal response to Hurricane Helene, beginning from pre-positioning prior to the disaster to the present. Please include details on which Federal agencies and departments were activated, what assets and resources were deployed and where, and which Emergency Support Functions were activated.

8. On September 30, 2024, President Biden signed a Continuing Resolution into law which provided \$20 billion in funds to the Disaster Relief Fund (DRF), bringing an end to FEMA’s Immediate Needs Funding status. Days later, DHS Secretary Mayorkas stated that FEMA did not have sufficient funds to last through the Hurricane Season.

- a. What is the basis for the Secretary’s statement? When does FEMA estimate returning to INF status?
- b. What funding level did FEMA indicate to the House and Senate Appropriations Committees would be sufficient?
- c. Please provide a detailed accounting of FEMA’s project approvals since the last appropriation to the DRF. Specifically, include details showing the rate of project approvals leading up to and during INF.
- d. Please describe the amounts FEMA estimates obligating in response to Hurricanes Helene and Milton.

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, Staff Director, Subcommittee on Economic Development, Public Buildings, and Emergency Management, at [REDACTED]. Thank you for your prompt attention to this matter.

Administrator Criswell

October 11, 2024

Page 6 of 6

Sincerely,



Sam Graves
Chairman
Committee on Transportation
and Infrastructure



Scott Perry
Chairman
Subcommittee on Economic Development,
Public Buildings, and Emergency
Management

cc: The Honorable Rick Larsen, Ranking Member
Committee on Transportation and Infrastructure

Enclosure
Attachment A