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# EMERGING FROM ISABEL: A REVIEW OF FEMA'S PREPARATION FOR AND RESPONSE TO AFFECTED AREAS IN THE HAMPTON ROADS REGION

## HEARINGS

BEFORE THE

## COMMITTEE ON GOVERNMENT REFORM

## HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

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# EMERGING FROM ISABEL: A REVIEW OF FEMA'S PREPARATION FOR AND RESPONSE TO AFFECTED AREAS IN THE HAMPTON ROADS REGION

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**FRIDAY, OCTOBER 10, 2003**

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
*Norfolk, VA.*

The committee met, pursuant to notice, at 9:06 a.m., in the Hampton-Newport News Room, Webb University Center, Old Dominion University, Norfolk, VA, Hon. Tom Davis (chairman of the committee) presiding.

Present: Representatives Tom Davis, Schrock, Forbes, and Scott.

Staff present: Allyson Blandford, office manager; David Marin, communications director; Edward Kidd, professional staff member; Teresa Austin, chief clerk; John Hunter, counsel; and John Cuaderes, senior professional staff member.

Chairman TOM DAVIS. A quorum being present, the Committee on Government Reform will come to order.

We are conducting a field hearing in Norfolk today at the request of Mr. Schrock. We have one this afternoon in Chesapeake as well at the request of Mr. Forbes. We are assessing the post-Hurricane Isabel damage and the state of emergency preparedness in the Norfolk region.

My colleague and good friend, Congressman Ed Schrock, requested that this committee of the U.S. Congress actually come down here to witness firsthand the adequacy of the Federal, State and local governments' response to the devastation inflicted by one of the worst storms in history to hit the region and to evaluate the state of cooperation among the responsible government agencies for emergency preparedness. These are vital concerns to our committee and indeed to the entire country in the post-September 11 world. It is for these reasons that we decided to come to Norfolk this morning and hold this important hearing.

I do not need to remind everyone here that Hurricane Isabel inflicted death, injury and severe economic damage on this entire region. You continue to feel the direct effects of this horrific storm. One of the most glaring adverse impacts on virtually everyone living or doing business in this area is the flooding and closure of the Midtown Tunnel.

The Government Reform Committee has a vital interest in the government's response to the damage caused by Hurricane Isabel in the Hampton Roads region. It is critical that the Federal, State

and local governments plan and act in a coordinated, efficient manner, not only in response to future national disasters, but also to potential terrorist attacks. The Federal Government, the Commonwealth of Virginia and local jurisdictions have taken a number of actions to improve coordination of emergency preparedness efforts. Since the private sector owns most of the critical infrastructure in the Hampton Roads region and across the country, it is important for the private and public sector to work closely together to protect the region's infrastructure.

The hurricane and our response to it mark an important opportunity to reassess this region's readiness and assure that plans are workable and will meet the needs of all those involved. I hope this hearing will give us an accurate picture of the cleanup efforts in the Norfolk area, what was learned from the devastation of Hurricane Isabel and the progress made in developing an effective emergency preparedness program. Also, the committee hopes to find out what actions have been taken by the Federal Government and local jurisdictions to improve coordination of emergency preparedness efforts. We will also find out what, if anything, has been learned concerning the critical infrastructure the private sector owns and what can be done to keep it online during a disaster.

We have assembled an impressive group of witnesses for this morning's hearing. We will hear from the Federal Emergency Management Agency, the Virginia Department of Public Safety and the cities of Hampton, Norfolk and Virginia Beach.

I want to thank all of our witnesses for appearing before the committee. I look forward to your testimony and I would now yield to Mr. Schrock for his opening statement.

[The prepared statement of Chairman Tom Davis follows:]

**Opening Statement of Chairman Tom Davis**
**Committee on Government Reform**
**Hearing on "Emerging from Isabel:**
**A Review of FEMA's Preparation for and Response to Affected Areas in the Hampton Roads Region"**
**October 10, 2003**
**9:00 am**
**Old Dominion University**
**Norfolk, Virginia**

We are conducting this field hearing in Norfolk today to assess the post-Hurricane Isabel damage and the state of emergency preparedness in the Norfolk region. My colleague and good friend, Congressman Ed Schrock, requested that this committee of the U.S. Congress actually come down here to witness first-hand the adequacy of the federal, state and local governments' response to the devastation inflicted by one of the worst storms in history to hit this region, and to evaluate the state of cooperation among the responsible government agencies for emergency preparedness. These are vital areas of concern to the Government Reform Committee, and indeed to the entire nation, in the post-September 11th world. It is for these reasons that we decided to come to Norfolk this morning and hold this important hearing.

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The Government Reform Committee has a vital interest in the government's response to the damage caused by Hurricane Isabel to the Hampton Roads region. It is critical that the federal, state and local governments plan and act in a coordinated, efficient manner, not only in response to future natural disasters, but also to potential terrorist acts. The federal government, the Commonwealth of Virginia and local jurisdictions have taken a number of actions to improve coordination of emergency preparedness efforts. Since the private sector owns most of the critical infrastructure in the Hampton Roads region and across the country, it is important for the private and public sector to work closely to protect the region's infrastructure.

The hurricane and our response to it mark an important opportunity to reassess this region's readiness and assure that plans are workable and will meet the needs of all those involved. I hope that this hearing will give us an accurate picture of the clean-up efforts in the Norfolk area, what was learned from the devastation of Hurricane Isabel, and the progress made in developing an effective emergency preparedness program. Also, the Committee hopes to find out what actions have been taken by the federal government and local jurisdictions to improve coordination of emergency preparedness efforts. We will

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I would like to thank all of our witnesses for appearing before the Committee, and I look forward to their testimony.

Mr. SCHROCK. Well, thank you, Mr. Chairman, and thank you all for being here this morning to examine the Federal, State and local preparation and response for Hurricane Isabel and the impact it had on our entire community here in Hampton Roads.

Let me thank the chairman of the House Government Reform Committee, Congressman Tom Davis from northern Virginia, for conducting this hearing. The area of Virginia he represents was also hit hard by Isabel and I appreciate his interest in the recovery efforts in Hampton Roads and for him and his staff being here today.

A drive through Hampton Roads clearly reveals the scars that Isabel left on our community. Trees still need clearing, thousands of homes still need repairing and our creeks, bays and rivers are full of debris left by Isabel in her wake. We all pray that a disaster of this intensity never comes here again. The reality is that hurricanes, floods and tornadoes will undoubtedly return to the East Coast in the future. We must take this opportunity to see how we can improve our preparation and our response.

Let me say that I think our local, State and Federal officials performed well during very difficult circumstances. Hampton Roads has not been the victim of a disaster of this magnitude for a long time, but we saw assistance pretty much get where it was needed and we saw thousands of residents helping one another and especially those among us who were the hardest hit. We owe a debt of gratitude to the charitable groups and the thousands of people from throughout Virginia and across America who came here to help us—FEMA workers, Red Cross volunteers, utility workers and volunteers from numerous relief groups who came to Hampton Roads to help; and believe me, help they did. With that said, it is important to note that the recovery from Isabel is far from over. Homeowners and business owners are in the process of applying for loans and there is much more to be completed to rebuild our communities to its pre-hurricane state.

There are many lessons to be learned from this disaster about how we can improve our response in the future. Vital communication lines between the localities, the State and FEMA broke down on occasion, resulting in needs not being fulfilled, followed by a lot of finger pointing to assign blame. Localities must know what is reasonable to expect from the State and Federal Governments and when it is reasonable to expect it. It is equally important that the public be aware of what to expect, so they do not set expectations too high. We saw many examples of the public setting the bar far too high for what to expect from FEMA, from Virginia and from the local officials, and we are all to blame for not getting that message out clearly.

In disaster situations, communications breaking down means that vital facilities do not get generators, communities do not get the water and ice that is available and frustrations among the public grow. Planning for ways to improve future disaster response is already underway, and today's hearing will be an important part of that planning process. It is never too early to begin planning and preparing for future crises.

That being said, let me say thank you to the witnesses, all of you, for being here today. I look forward to a very positive dialog

as we learn how to improve lessons from response to disasters. The goal today is simple—to ensure that when we are in this situation again, our residents are better prepared and better informed and receive relief as soon as possible. Again, Mr. Chairman, thank you very much and thank you all for being here as well.

[The prepared statement of Hon. Edward L. Schrock follows:]

Thank you all for being here today to examine the federal, state, and local preparation and response for Hurricane Isabel and the disaster she brought to our community.

I would like to begin by thanking Chairman Davis for conducting this hearing. The area of Virginia that he represents was also hit hard by this storm, and I appreciate his interest in the recovery efforts in Hampton Roads.

A drive through Hampton Roads quickly reveals the scars that Isabel left on our community. Trees still need clearing, thousands of homes still need repairing, and our creeks, bays and rivers have grown even more full of the debris that Isabel left in her wake.

It is important to note that I think our local, state and federal officials performed admirably during these difficult circumstances. Hampton Roads has not seen a disaster of this size in many years, but we saw assistance generally get where it needed to go and we saw thousands of residents helping their neighbors and those who were the hardest hit. We owe a debt of gratitude to the many charitable groups and the thousands of people from other corners of Virginia and across the country to help out as FEMA workers, Red Cross volunteers, utility workers and volunteers to numerous relief groups to help those in need.

Though we all pray that a disaster of this size does not revisit our area, hurricanes, floods and tornadoes will no doubt return to the East Coast in the coming years, and we must take this opportunity to see how we can improve our preparation and response.

The goal of what we are trying to achieve today is simple—to ensure that when we are in this situation again, that our residents are better prepared and better informed and receive relief as soon as possible.

Unfortunately, there was a lot we learned from this disaster about how we can improve our response in the future. The vital communication lines between the localities, the state and FEMA broke down on occasion, resulting in needs not being fulfilled and a great deal of finger pointing as to who was to blame.

Localities must know what is reasonable to expect from the state and federal governments and when it is reasonable to expect it. It is equally important that the public be aware of what to expect so as not to set irrational expectations. We saw many examples of the public setting the bar too high for what to expect from FEMA, from Virginia, and from the city government, but we are all to blame for not getting that message out. In disaster situations, communications lines breaking down means that vital facilities do not get generators, communities do not get water and ice that is available, and frustrations among the public grow.

Planning for how to improve future disaster responses is already underway, and today's hearing will be an important part of that planning process. Our community has suffered, and we are still in the process of recovering, but it is never to early to begin planning and preparing for similar future crises.

I look forward to a productive hearing today. Thank you also to the witnesses who are joining us today. I look forward to a positive dialogue examining how we can improve responses to future disasters.

Chairman TOM DAVIS. Thank you very much.

Mr. Scott.

Mr. SCOTT. Thank you, Mr. Chairman, and I want to add my voice of appreciation for you holding this hearing in Hampton Roads and it is a pleasure to join my colleagues Ed Schrock and Randy Forbes. Our colleague Jo Ann Davis wanted to be here, but she had a longstanding commitment that she could not get out of. She did participate in an earlier hearing with another committee.

I want to thank you for holding this hearing on FEMA's response to Hurricane Isabel. I would like to thank you for inviting the local officials to testify about what they experienced. They not only were our first responders, but they were on the front line throughout the challenging problems that occurred during the hurricane disaster.

Although Isabel was officially ranked when it came here as a Category 1 hurricane, she caused unprecedented damage. For example, the loss of power, probably more loss of power than any time in Virginia Power's history, 1.8 million households were without power. Over half of these were without power for a whole week. Hundreds of thousands were without power for almost 2 weeks. More trees down than anyone can remember, even the Midtown Tunnel flooded and this is the first time that I remember that we had a tunnel flooded in the Hampton Roads. I don't know if this ever happened before.

The fact that we had such unprecedented damage caused by a hurricane designated as Category 1 suggests that we may need to look at another part of the category system. There were elements of this storm, such as the width of the storm, which may not be factored into the categorization system. Top winds were blowing for 4 to 6 hours, some high winds for 10 to 14 hours. Right now, the main component is the speed of the winds and we need to explore whether other elements need to be considered, so that we will have a better measure of the expected damage.

Because of the unprecedented damage that was caused, people had a variety of needs that had to be met. For example, the loss of power for many days meant that we developed a food crisis. No power meant critical shortages of water and ice. No power meant shortages in products which would have increased the quality of life such as battery operated devices and small appliances, but those things were hard to run because you could not find C and D batteries to run them. No power meant few gas stations could pump gas. And because the damage covered such an extensive area, neighboring jurisdictions were not able to help each other as they normally would because they were in just as bad shape as their neighbors.

Nonetheless, there were a few things that did go right. For example, there was an unprecedented number of examples of neighbors helping neighbors. Communities that we visited had neighbors helping neighbors with trees and other activities. Communities pulled together, private businesses—and I have to mention grocery stores like Harris Teeter and the Seafood Industrial Park at the south end of Jefferson Avenue in Newport News—who were extremely helpful and generous, even giving away ice. Virginia Power restored power at a record rate of over 100,000 customers a day.

However, since you had 1.8 million, many had to go without power for many days.

But we will also hear local elected officials detail things that did not go right. It took an excruciating amount of time to get water, ice, food, generators, and equipment. The administration of disaster food stamps I think was, frankly, dysfunctional although the social service employees worked long hours and were extremely effective. There were so many people who had to stand in line for hours to get services that should have taken just a few minutes. Localities and individuals did not know what to expect from FEMA, different jurisdictions were applying different standards; for example, clearing trees off private property was handled differently in the various jurisdictions. For many services, additional clerical help would have been helpful. And products and services that were in very short supply were not coordinated in getting them from other areas.

My office facilitated help for a number of cities and counties in obtaining needed services that arose under this unpredictable situation. We were able to get help in a number of jurisdictions in obtaining services when their requests tended to get lost in the shuffle. The Coast Guard was extremely helpful. Because the Midtown Tunnel was closed, people had to depend on other routes, for example, the Downtown Tunnel. And the first day of this situation with the backup, ships went under the bridge and had to be lifted several times in the middle of rush hour traffic. We communicated this problem to the Coast Guard and they changed the schedule to make sure that no ships would be going through during the rush hour areas. And I can tell you that made a profound difference in traffic for tens of thousands of commuters who were extremely appreciative for this adjustment.

No one could have known what was going to be needed and, therefore, FEMA's flexibility was crucial. We need to consider whether FEMA was able to respond in this situation to the needs of the people better as a member of the Homeland Security Department, better than they did when they were an independent agency. When they were an independent agency, the President could give a directive to the FEMA Director and that was it. Now the President has to go through the Secretary of Homeland Security who goes to the Under Secretary who initiates the action. This might not be bad in normal circumstances, but it just adds a layer of aggravation in an emergency. Communication problems and timely execution of orders were what we kept hearing were the problems, and we have to consider whether we would be better off if FEMA were again an independent agency.

I would like to thank you again, Mr. Chairman, for holding today's hearing. Hopefully, with the insights from those on the front line, we will be able to go forward from today with better ideas on how to deal with emergency situations in the future.

Thank you.

Chairman TOM DAVIS. Mr. Forbes.

Mr. FORBES. Thank you, Mr. Chairman. And Mr. Chairman, I would like to echo what both Congressman Schrock and Congressman Scott have said, in terms of thanking you for being down here. I think many times we do not realize how rare it is to have the

chairman of a full committee come down to a locality to conduct a hearing like this, and we just appreciate you taking the time to do that.

I also want to thank Congressman Scott for his work, both throughout the storm and even now in trying to forge solutions to where we need to go and answers that we need to have to some of the concerns. And also to commend Congressman Schrock for his work, especially in helping our military bases with the damage that they had sustained there, which I believe the figures to the Navy alone was about $100 million in this particular storm.

Mr. Chairman, I have a written statement I would like to put in the record, but one of the things that I would like to just characterize about this storm is that to me the story after the storm is going to be what Congressman Scott alluded to, and that is, first of all, the incredible community spirit and patriotism that we saw from volunteers all across our communities that were getting out and clearing streets and helping disabled individuals to make sure they had their medicines, the things that they really needed. Without them, we just could not have gotten the job done. The second thing that I saw that impressed me dramatically was the effort that local government had in this particular situation. I know, like many of the other Members of Congress, I visited just about all of my local governments the day after the storm and the days after that. I was just enormously impressed with the coordinating ability they had, with the preparation they had. I cannot give them enough kudos for the job that they did; I think it was just exemplary. And the other thing is, to Dominion Power, I think they did just a fantastic job. In looking back, if you did not have your power on, you could kick and scream and wish that something could be done differently, but there is nothing that you could look at from a management perspective and say that they just did not do everything that they needed to do.

If you look at our State and Federal response, there are a lot of wonderful things that they did and we could spend a lot of time talking about the wonderful things. But what we are here for is to try to fix any of the problems that existed. And my assessment was that days after the storm, now, the Federal and State response is a pretty good response. But in those critical days during the storm, we had some enormous gaps that we need to work on and we need to address and we need to fill. It was a true divide between haves and have nots. If you were getting ice, if you were getting water, if you were getting the resources that you needed, it was easy to come out and say "Oh, I think FEMA and I think the State is doing a wonderful job." But for those localities who were sitting there being promised things and were not getting it, that was very, very frustrating.

One of the concerns that you always have in a situation like this, you can easily say let us not finger point, but if that means let us not ask tough questions, then I think we make a huge mistake. On September 11, for example, there were a lot of heroic deeds done by a lot of people, especially at the World Trade Center and the Pentagon, but we learned a huge lesson by asking tough questions. The lesson we learned was that our communication between our first responders was not what we wanted it to be. Some of them

had different communications systems, devices, frequencies, and we corrected that problem. That is what I hope we can get out of this series of hearings.

And Mr. Chairman, let me just finish by saying two things. The first one is that I hope that we can develop some objective criteria for when we are delivering services, and some of the responses that we are making, so it does not become like obscenity where you just know it when you see it, because that creates all kinds of frustrations among localities. And one of the things that I think we have to do in asking these tough questions is to begin to find out what kind of expectations we can give our localities, because throughout this process and even to today, we should not even have to have this hearing; we ought to be able to get a lot of these questions without coming to a formal hearing. But there are still some questions that I know a lot of us have not been able to get, a lot of our localities have not been able to get through today.

So I hope, Mr. Chairman, that we will be able to answer some tough questions and hopefully make a better response for our citizens and I will just close by saying this. I am not as concerned about a hurricane; this was inconvenient, this was costly, this was devastating to people, but what absolutely frightens me is what response we would have had if we had a Category 3 hurricane or if we had a terrorist response. And that is why it is so important for us to fix these problems before that situation occurs.

Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you very much. And before we hear our first witness, let me just say it is my 9th year in the House, first year chairing this committee, but I do not think you will find any delegation in the country that works as well together as the Virginia delegation. We really—partisanship is put aside, we meet every month, we do not steal each other's press releases. When you go out around the country and see what is going on in Texas right now, some of these other States where they are at each other's throats all the time, even delegations that are all one party or the other many times are at each other's throats. We work together pretty well on these issues and I want to thank the Federal Government, State government, local governments for cooperating with us as well. We are really all on the same team here, just to better understand and let the public understand what happened here, how we can improve. Every time we respond to a crisis, we learn things. It does not mean everybody makes a mistake, but you just learn things and we need to build on what happened here so that next time we can be even better.

Our first witness today is Eric Tolbert, who is the Director of the Response Division of the Federal Emergency Management Agency from the U.S. Department of Homeland Security. I want to thank you for taking the time to be here, Mr. Tolbert. It is a policy of the committee that we swear in all witnesses before they testify so if you would stand with me.

[Witness sworn.]

Chairman TOM DAVIS. Thank you very much. You can speak. We have a timer here. Your whole statement is in the record. When it turns orange, that means 4 minutes are up and you have a

minute to summarize. We have all read it, so we are ready to get to the questions. Thank you very much.

**STATEMENT OF ERIC TOLBERT, DIRECTOR, RESPONSE DIVISION, FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY**

Mr. TOLBERT. Thank you, Mr. Chairman, members of the committee.

It is a pleasure to come out and provide our input into the response and ongoing recovery efforts related to Hurricane Isabel. I have submitted my statement for the record and I have opted to abort from simply reading that statement. I have made some notes that I would like to hopefully generate some questions and provide some insight into the method of operations, the system as it exists today.

I think it is also worthwhile for me to say that I have been in this business for 20 years. I have been a local emergency manager in North Carolina, I have been a State regional emergency manager, I have been a State assistant director in North Carolina, an assistant director in Florida after Hurricane Andrew and finally back to North Carolina after Hurricane Franz struck North Carolina, as the State director. I have been in FEMA for a year and a half, I have been in this position for 6 months.

I agree with the comments that have been made by the Members that at this juncture there is great value in identifying the lessons learned and identifying strategic objectives for correcting the difficulties that occurred. I do not think there is any value in assigning specific blame and looking for people to assign penalties to, and Mr. Forbes, I appreciate your comments. I think there is great value in dissecting this response and looking for areas for improvement.

And let me say upfront that FEMA and the members of FEMA are very committed to working with the State and the local governments, all of the State and local governments that are affected by this disaster to look at refinements and to improve our plans and procedures to ensure that future responses are enhanced. This emergency management system is a bottom up approach and we all share in the full responsibilities of protecting ourselves first, protecting our neighbors, protecting our communities, and protecting our constituents. In many ways, it is a convoluted system in that it is a bottom up approach, with local governments having the prime responsibilities typically under State law for taking the initial response efforts and we have seen emergencies and disasters around the country and indeed in Isabel where there was exemplary actions. Then the second method is for the State to provide assistance and that generally requires specific identification of capabilities that are needed. And I would say from past experience that many of the items, many of the requirements identified in the throes of this emergency were foreseeable, based on past experience. In fact, I have not learned a lot of new lessons from this disaster, I have learned more about our system and our capabilities, but many of the lessons learned are repeated in disaster after disaster.

Preparedness does begin at home, I think it is a critical element that we continue to put our resources into family preparedness, into community preparedness. Regardless of the capabilities we put in place at all levels of government, it will never replace the family and community orientation providing initial response resources, initial assistance, because as we saw in Isabel, with roads under water, with roads having trees across them, it is impossible, regardless of all the planning and resources we apply to get into every community, penetrate into every neighborhood and to be able to help every victim in the first few days following a disaster.

Our doctrine is, and it is based on the Stafford Act, that we use a bottom up approach with local government applying their resources, applying their plans, their procedures, their contractual capabilities. When it is beyond their capability, the State then is asked for help and when it is beyond the State's capability and the President authorizes disaster relief, then we are authorized to provide supplemental Federal assistance.

Our logistics concept is one of pull versus a push methodology. The prime reason for that is under the Stafford Act, there is a cost share requirement that the State incurs when they ask for Federal assistance, so there is a 25 percent cost share and that causes us to go into a pull logistics methodology in which the State asks for help, we define what those costs are and the State has the option to accept or reject those costs and look for alternative methods. So in many ways in the throes of an emergency or disaster, that does appear very convoluted, it is in some ways difficult and if you have not had a lot of experience, it is somewhat difficult.

Let me identify just a few shortcomings that I think we have to keep in mind as we proceed through this discussion. I was again amazed by the vulnerability of our critical infrastructure and the failures. Even today, we have about 45 water systems in the Commonwealth of Virginia that remain on boiled water orders. I think this is an area that requires our immediate attention and look for resolution on ways to shore up our critical infrastructure, especially potable water, to ensure that those systems are going to survive future events.

Sir, I realize the red light has come on, but I would just like to note that in disasters, I have seen it time after time, that because of the time involved pre-event in the evacuation phase, by the time you get to what we call D-Day, there is typically a great exhaustion on the part of personnel because they have already invested huge resources, and then the real hard work begins, which is providing the resources, providing the assistance. And in this case, the workers themselves were disaster victims. When I visited the State Emergency Operation Center and local EOCs, I talked to person after person who still had trees on their homes, they knew their families were safe, but they still did not have power and they were living in the same environment, so I think it is a tribute to the personnel that were involved at all levels in responding to this.

[The prepared statement of Mr. Tolbert follows:]

**Statement of Eric Tolbert**
**Director of the Response Division**
**Federal Emergency Management Agency**
**Department of Homeland Security**

**Committee on Government Reform**
**U.S. House of Representatives**
**October 10, 2003**

Chairman Davis and Members of the Committee, I am Eric Tolbert, Director of the Response Division of the Federal Emergency Management Agency (FEMA), which is part of the Department of Homeland Security (DHS). On behalf of Secretary of Homeland Security Tom Ridge and Under Secretary for Emergency Preparedness and Response Michael Brown, I appreciate the opportunity to testify before you today on the operations of the Department of Homeland Security and FEMA in response to Hurricane Isabel.

Recovery from the disaster is ongoing and I can assure you that President Bush is committed to providing assistance to help all of the affected States and local jurisdictions from North Carolina to Pennsylvania get back on their feet. DHS and FEMA will be there as long as needed.

Hurricane Isabel will not be forgotten anytime soon because of the widespread hardships so many people had to endure, including the loss of loved ones, homes, possessions, power, and water. In many respects, I believe Isabel was a wakeup call for a lot of people who had forgotten or didn't realize how powerful a hurricane and tropical storm could really be.

Having been involved in emergency response and management for all of my professional life, I am always deeply impressed by the countless heroic and unselfish efforts of our emergency responders from the police, fire, and emergency medical communities. Without hesitation, they placed themselves in harm's way to help protect others. I am grateful to them for their ultimate sacrifice and bravery. I am also proud of our own FEMA disaster response employees for their dedication in helping others in need. Many of them were also disaster victims themselves and had the added burden of worrying about their own families and loved ones and property as they carried out the response to Isabel. The level of cooperation and professionalism exhibited by all of the local, State, and Federal personnel, emergency responders, volunteers, and private sector responders has been outstanding. The American people can be proud of the work they are doing to help the region recover. And I would be remiss if I did not acknowledge the hard work and long hours put in by the utility crews to restore power.

Our response to Hurricane Isabel at FEMA and DHS demonstrates our steady improvement in coordinating and leading Federal, State and local response efforts to protect life and property in times of disaster. The seamless collaboration of the response

elements in DHS with those in other Federal departments and agencies made possible a rapid pre-positioning of disaster assets and capabilities throughout the eastern United States. This helped to ensure an effective and rapid response in assisting States and communities protect the lives and property of their citizens.

**Federal Response to Disasters**

Since becoming part of the Emergency Preparedness and Response Directorate (EP&R) of DHS, FEMA has continued its traditional role of preparing for, mitigating against, responding to, and recovering from disasters caused by all hazards. Since March 1st, FEMA has provided disaster relief in over 60 Presidentially-declared disasters and emergencies from Alaska to New York to American Samoa. These disasters include such events as the President's Day snowstorm and the devastating tornadoes that struck the Midwest and South in May. Most recently, of course, we have been dealing with Hurricane Isabel.

Our success in responding to disasters has always depended on our ability to organize and lead a community of local, State, and Federal agencies and volunteer organizations in providing relief. Experience has taught us over the years who to bring to the table and what questions to ask, and this experience has allowed us to improve over time in managing a wide range of emergencies. Since its inception in 1992, the Federal Response Plan (FRP) has provided the organizational framework and process that has enabled the Federal government to respond as a cohesive team to a wide range of natural and manmade disasters and catastrophes. This team is made up of 26 Federal departments and agencies, as well as the American Red Cross. It is organized based on the authorities and expertise of the members, and the needs of our counterparts at the State and local level.

The formation of DHS has provided us with the opportunity to further integrate and enhance the capacity of Federal response efforts. On February 28, 2003, the President directed the Secretary to establish a single, comprehensive national incident management system with the National Incident Management System (NIMS) and to integrate separate Federal response plans into a single all-discipline, all-hazards National Response Plan (NRP). FEMA has been actively participating in these efforts. We are also a co-facilitator and have regional participation on the State, tribal and local NIMS/NRP workgroup, which is an intergovernmental advisory group assembled to provide State and local input, guidance and expertise to the NRP/NIMS revision efforts.

The evidence of strong State and local preparations and response to Hurricane Isabel can also be attributed to our long-standing efforts in support of building State and local response capabilities. Ongoing FEMA preparedness initiatives include approximately $165 million in FY 2003 in Emergency Management Performance Grants (EMPG) for State and local government all hazards preparedness and emergency management activities. The EMPG has been critical in improving the effectiveness of State and local emergency management and first responder organizations through

planning, training, exercises, and support of operational facilities in sustaining response operations. The EMPG has also been key in supporting mitigation program activities designed to reduce the vulnerability of communities to all hazards.

In addition, training has played a very important role in preparing our firefighters, law enforcement, emergency managers, healthcare workers, public works, and state and local officials. Both the Emergency Management Institute (EMI) and the National Fire Academy (NFA) offer a wide variety of training programs to promote the professional development of command level firefighters, emergency managers, emergency responders and technical staff, with the very skills used in preparing for and responding to Hurricane Isabel. In FY 2003, EMI provided critical emergency management training for over 8,000 students and over 185,000 individuals completed independent study courses. The NFA provided either residential or training through outreach, regional or direct deliveries, and distance learning efforts to over 95,000 students. Both EMI and NFA expect to increase course offerings and number of students trained for FY04.

All of our efforts to sustain and enhance Federal, State, and local preparedness and response capabilities paid off in our response to Hurricane Isabel.

**Hurricane Isabel Response**

Tropical Storm Isabel developed September 6, 2003, some 600 miles west of the Southern Cape Verde Islands. The next day the storm was upgraded to a hurricane and on September 11, 2003, Isabel was upgraded to the first Category 5 Hurricane in the Atlantic basin since Hurricane Mitch in 1998.

Our efforts to place greater emphasis on being more proactive and forward-looking in our preparedness and response operations, with added focus on situational awareness, helped us significantly in preparations for the landfall of Hurricane Isabel. We recognized early on that Isabel would evolve into a significant multi-regional response so we issued an Operations Order on September 15, 2003, four days before landfall, to step up coordination and action planning activities in advance of the predicted landfall. My intent was to make FEMA totally prepared and in the best possible position to rapidly and effectively execute disaster response operations, as directed by the President, in support of State and local jurisdictions.

Operations at our National Emergency Operations Center (NEOC) were augmented with activation of the Emergency Support Team (EST) on September 15, 2003, to help coordinate preparation for and response to the disaster. At that time, advance elements of the Emergency Response Team-National (ERT N) were dispatched to FEMA Regions III and IV, and regular schedule of video-teleconferences were initiated with all of the East Coast States from Florida to New England that we anticipated could potentially be impacted by the hurricane. The purpose of the video-teleconferences was to provide storm information and predictions and to facilitate coordination, action planning, and preparations among the States and the District of

Columbia, DHS and FEMA Headquarters elements, the White House, the Hurricane Liaison Team at the National Hurricane Center, our Regional Operations Centers (ROC) in FEMA Regions I, II, III, and IV, the FEMA Mobilization Centers, and the Emergency Support Function (ESF) departments and agencies.

The Hurricane Liaison Team, which operated around the clock, was invaluable in coordinating real time meteorological updates and predictions from the National Hurricane Center, the Hydrometeorological Prediction Center, the Southeast River Forecast Center, the Mid-Atlantic Forecast Center, and other National Oceanic and Atmospheric Administration components. Beginning September 15th and continuing through the post disaster period, video-teleconferences were conducted at least twice daily to give the affected States and the District of Columbia an open line of communications and the opportunity to raise questions, express concerns, coordinate information, and most importantly, request assistance and resources to respond to the disaster. Advanced elements of our Emergency Response Teams and State Liaisons were dispatched before the storm to the affected States and the District of Columbia to coordinate disaster response activities. Our proactive stance allowed us to largely complete our preparedness activities for the storm, including pre-positioning assets, by Wednesday, September 17th.

Action planning was initiated prior to and continued after landfall of the hurricane. Our priorities focused on developing contingency plans for life support and mass care including sheltering, feeding, and medical care, especially for isolated communities; providing ice, water, generators, and electrical power for critical facilities; arranging mobile feeding sites; establishing Disaster Field Offices and Disaster Recovery Centers; implementing individual and public assistance activities; and removing potential sunken vessels and assessing coastal erosion.

In preparation for the disaster, FEMA Logistics continuously monitored the availability of supplies to ensure that levels on hand would be adequate to meet immediate response requirements. Before Isabel made landfall, FEMA pre-positioned hundreds of tons of emergency disaster supplies in mobilization centers in the disaster areas. Five "Advanced Initial Response Resources Deployment (AID) Packages" were available and three were pre-positioned. Each AID package consisted of 10 trailers containing cots, blankets, emergency meals, portable toilets, plastic sheeting, bottled water and generators. Our Mobile Emergency Response Support (MERS) capabilities played a critical role in supporting the disaster response mission: MERS assets from Thomasville, Georgia were deployed to support activities in North Carolina; and the Denver, Colorado and Denton, Texas MERS supported activities in Virginia.

We established mobilization centers at Ft. Bragg, North Carolina, and Edison, New Jersey, and staging areas at Ft. A.P. Hill, Virginia, and Columbus, Ohio. Ft. A.P. Hill was subsequently converted to a mobilization center and when operations were discontinued there a mobilization center was established at Ft. Eustis, Virginia to continue operations. Many of the other assets which we pre-positioned came from throughout the eastern United States and were also critical to launching an effective

response including: Rapid Needs Assessment Teams; the National Disaster Medical System (NDMS) Disaster Medical Assistance Teams; Urban Search and Rescue Task Forces; Environmental Protection Agency (EPA) Hazardous Materials Teams; U.S. Army Corps of Engineers, U.S. Forest Service, General Services Administration (GSA), Department of Energy, and Department of Health and Human Services (HHS) Teams; and other assets.

In addition to all of the pre-positioned assets mentioned above, we provided a FEMA liaison, an EPA Hazardous Materials Team, five HHS Teams, a Regional Emergency Transportation Coordinator Team, five U.S. Forest Service Teams, a Department of Energy Team, and multiple GSA assets to support Washington, D.C. Two EPA Hazardous Materials Teams were pre-positioned at the Maryland State EOC in Reisterstown, Maryland, along with FEMA liaisons and elements of FEMA's Emergency Response Team and a Rapid Needs Assessment Team. Three EPA Hazardous Materials Teams, two HHS Teams, a U.S. Forest Service Team, a Department of Energy Team, and seven U.S. Army Corps of Engineers Teams were dispatched to Richmond, Virginia, to support the Commonwealth of Virginia.

DHS, through FEMA, the Coast Guard, and other emergency response elements, coordinated a massive Federal response to millions of citizens throughout the mid-Atlantic region impacted by Hurricane Isabel. The greatest need in this disaster was for power, ice, and water. The response demonstrates our successful integration of numerous assets, once used for a specific, more narrowly defined mission, for an all-hazards purpose. The Hurricane Isabel response illustrates that the asset integration and coordination has improved the Department's ability to protect the American people in time of crisis. For example:

- The U.S. Coast Guard supported FEMA and State and local agencies with aircraft, boats, and personnel flying missions in support of recovery efforts. Vessels and aircraft assessed aids to navigation and damage to ports and waterways, and were used to detect and respond to pollution incidents.

- The DHS Bureau of Immigration and Customs Enforcement (BICE) provided imaging support through its surveillance planes that enabled us to survey the extent of damage, and better plan for and target the restoration in heavily damaged areas. For example, the NC Highway 12 breach was identified. The BICE Office of Air and Marine Interdiction provided airplanes for aerial remote sensing and infrared imaging damage assessment missions in the Outer Banks area immediately following the hurricane. This allowed a quick assessment of isolated populations and facilitated our life saving and safety missions and our assessment of damages/breaches to the barrier islands, property, and infrastructure. Having access to the BICE and Coast Guard capabilities gave us for the first time ever management planning and support for air operations.

- Four Urban Search and Rescue (US&R) Task Forces were deployed as "Type III" Light Task Forces with 28 personnel each, designed for rapid deployment to a

hurricane-impacted area. Task Forces from Ohio and Indiana were pre-positioned in Gettysburg, Pennsylvania, and Task Forces from Tennessee and Missouri were pre-positioned at Ft. A.P. Hill in Virginia. One of three USAR Incident Support Teams deployed to Gettysburg, Pennsylvania and USAR Rapid Needs Assessment liaisons were dispatched to the North Carolina State Emergency Operations Center in Raleigh, North Carolina, and the Virginia State Emergency Operations Center in Richmond, Virginia.

- As part of the NEOC operations, DHS officials continuously monitored 15 sector-specific Information Sharing and Analysis Centers, including the most vulnerable critical infrastructures such as electricity, telecommunications, water, and transportation and supported private sector efforts to resume critical power and water services in all the impacted areas.

- The U. S. Department of Agriculture's Food and Nutrition Service supplied food to disaster relief organizations such as the American Red Cross and the Salvation Army.

- In coordination with FEMA, the HHS emergency response teams deployed to damaged areas to assist State and local officials evaluate the status and accessibility of hospitals, check water and sanitation quality, and monitor public health needs. FEMA's National Disaster Medical System teams provided critical medical assistance to isolated populations on the Outer Banks.

When Hurricane Isabel made landfall on North Carolina's Outer Banks on the morning of September 18, 2003, it was a very powerful Category 2 hurricane. The storm packed winds close to 100 mph accompanied by heavy rain and storm surges of up to 11 feet above normal tidal levels. The winds, rain, and storm surge from Isabel created a huge area of destruction that includes extensive coastal flooding and lowland flooding, more than a million customers without power, damaged homes and businesses and tens of thousands of displaced residents. Forty deaths have been attributed to the Hurricane.

As a result of Hurricane Isabel, President Bush has issued seven major disaster declarations for areas along the mid-Atlantic Coast, from North Carolina to Pennsylvania. In the National Capital Region, the President signed disaster declarations for Virginia, Maryland and the District of Columbia in a matter of hours after they had been requested by the Governors and the Mayor.

These declarations not only ensured that Federal resources at the disposal of the Federal government could be utilized to support State and local efforts to respond to Hurricane Isabel, but also authorized a wide array of recovery programs to help States, communities, and individuals recover. While FEMA's Recovery programs cannot make a disaster victim whole, nor duplicate insurance proceeds, it can assist individuals and families with funds to safely house them and cover necessary expenses and serious needs such as medical, dental, or funeral costs. Combined assistance under the program cannot exceed $25,000. In addition to being able to provide businesses with low-interest loans, the Small Business Administration can also provide low-interest home loans to

homeowners to help return a damaged dwelling to its pre-disaster condition. In order to make the application process for Federal assistance for disaster victims as simple as possible, the FEMA toll free number [1-800-621-FEMA (3362)] can be used to initially access SBA loans as well as provide a host of referral information for other kinds of needs in addition to our own programs.

In the first ten days after Hurricane Isabel hit the Atlantic Coast, we received a total of 49,702 applications in the National Capital Region: 40,068 in Virginia; 8,965 in Maryland; and 669 in the District of Columbia. Within two weeks from the date of the first disaster declaration for Hurricane Isabel, a total of over $17.4 million in disaster assistance was already out on the street: $8.6 million in Virginia; $8.6 million in Maryland; and $200,000 in the District of Columbia. The average turnaround time from application to delivery of assistance is 7-10 days, although $2.5 million dollars was on the street in less than a week from the first disaster declaration. We were able to accomplish through the use of over 1,400 agents to take and process applications and over 500 inspectors in the field to inspect damaged dwellings. Also multiple fixed and mobile Disaster Recovery Centers have been established with the States and the District of Columbia for disaster victims to visit in person, ask questions, and check on the status of their application. While a lot has been accomplished in a short period of time, there is still much to be done.

The Crisis Counseling and Training Program is available to provide supplemental short-term crisis counseling services to those States that may be overwhelmed from helping those affected by the disaster. With technical assistance provided by the Center for Mental Health Services, within HHS, applications for crisis counseling are evaluated and, if approved, can provide for services to alleviate mental health problems caused or aggravated by the disaster.

One of the questions that disaster victims will be asked when applying for assistance through our toll free number is whether or not they are out of work due to the disaster. Depending on the information collected, the State will determine whether or not they would like to request activation of the Disaster Unemployment Assistance (DUA) Program. The DUA Program provides unemployment benefits and re-employment services to individuals, including self-employed individuals, who were living or working in the affected areas at the time of the disaster, who are unemployed as a result of the disaster, and who are not covered by the State's existing Unemployment Insurance Program. Maryland has received an initial funding amount of $115,000 and the District of Columbia has received an initial payment of $30,360. The State of Virginia has expressed an interest in activating the DUA Program.

FEMA's Public Assistance program can provide cost-shared reimbursement for the repair or replacement of public damaged facilities, such as roads, bridges, waste-water treatment plants, public utilities, or, for example a county courthouse. It also provides for reimbursement for eligible debris removal and emergency protective measure costs that can be sizable in such events as Hurricane Isabel. In fact, in less than two weeks we obligated over $4 million in Virginia alone to remove debris and to help

defray the increased costs for protecting public safety during the first hours of the storm. FEMA continues to work with the States and the District of Columbia to assess damages and determine eligibility for repair or replacement projects.

During the rebuilding process, FEMA can consider some mitigation measures to be incorporated that would lessen the impact of future disasters, thereby protecting life and property from future disasters. It is important to note that by law, FEMA cannot duplicate insurance coverage that is available to the property owner. But the overall help FEMA can provide under Stafford Act authorities can play a significant role in the long-term recovery of a State and its communities.

FEMA is also coordinating a long term recovery working group of Federal agencies that can assist States and communities to recover from disasters. The working group will support State efforts to: 1) assess potential long term impacts from the hurricane; 2) consider opportunities to reduce future disaster damages and meet other community planning goals as they plan for restoration of damaged infrastructure, services, housing, and commercial areas; and 3) coordinate among agencies and programs to maximize resources to support recovery.

FEMA has already met with representatives from the Virginia Departments of Emergency Management and Housing and Community Development to discuss an approach and objectives for long term recovery planning in Virginia. The Governor of Virginia plans to establish a State task force on long term recovery. FEMA is contacting other States affected by Isabel to assess need and interest in Federal support for coordinating long term recovery. In addition, FEMA is utilizing this effort as an opportunity to develop a more systematic long term recovery planning and coordination process for future disaster events, which is a concept we plan to incorporate into the NRP.

As in all disasters, we will learn valuable lessons from the Hurricane Isabel response. The key to our continued improvement will be to take these lessons and incorporate them into our preparedness, planning, doctrine, and procedures so that we do even better next time. We will be working with the Congress, other Federal partners, State and local leaders, and other affected stakeholders to continue to enhance our ability to respond effectively to all types of disasters.

Again, I appreciate the opportunity to testify before you today, and would be glad to answer any questions that you have.

Chairman TOM DAVIS. Thank you very much.

I have a quick question to followup on Mr. Scott's concern that he expressed in his opening statement. In the past, FEMA was an independent agency and it was a direct line to the President. As part of our realignment in the Department of Homeland Security, we made it part of a larger bureaucracy. You have worked in this area for a number of years and you know the procedures back and forth. What is your observation? Is the fact that you are put in a larger department now, do you need more clearances before you get the money? Do you think it has hampered this at all? What is your observation?

Mr. TOLBERT. Mr. Chairman, I have given a lot of thought to this, and I was involved in the transition phase.

Chairman TOM DAVIS. I understand you have a company line on this too.

Mr. TOLBERT. No, sir, I do not. I can speak because there is no conflict. In this case, I did observe the commitment on the part of our department.

Chairman TOM DAVIS. We will give you a full pardon, you can say what you want. [Laughter.]

Mr. TOLBERT. And you swore me in, so I will tell the truth. In this case, it did add tremendous value. You cited the case of the U.S. Coast Guard and its commitment. I can tell you that the Coast Guard was the most committed I have ever seen the Coast Guard in an emergency, and that is a result of being under the same boss. The Borders and Immigration and Customs Enforcement [BICE], organization committed their resources in advance because we knew there were shortcomings in aviation support. Because of National Guard deployments, we anticipated there would be rotary wing aircraft shortfalls and they committed their aircraft, provided significant intelligence back in short order, specifically in North Carolina, as to the impacts out there. It did add some additional reporting requirements, but I can tell you that it did not interrupt the flow and the assistance far overweighed any additional requirements.

Chairman TOM DAVIS. Basically you are saying you really can bring more resources to bear as a result of this?

Mr. TOLBERT. In a much more timely manner.

Chairman TOM DAVIS. But there are more reporting requirements, but those were fairly insignificant in this case, is your observation of this.

Mr. TOLBERT. That is correct, sir.

Chairman TOM DAVIS. Mr. Schrock.

Mr. SCHROCK. Thank you, Mr. Chairman.

Mr. Tolbert, I agree completely with what you said about the Coast Guard, they flew me to Tangier Island to look at the disaster there, and I think the Coast Guard has come into their own finally for the first time. I think people are realizing the value they have always had but none more so than now since we have this war on terror.

I agree completely with what Mr. Forbes said about fear. My fear is that if we have a terrorist attack, we will not have rehearsed for it. When the military does exercises, that is all they do, they practice, they rehearse, they do lessons learned. They do that now with

the Army, the Air Force, the Marine Corps, and the Coast Guard. Is there a process in place that you can do that or do you do that so you exercise, exercise, exercise, so none of these things would happen in the event the balloon goes up? You mentioned one thing that struck me, you said—maybe I misunderstood you, you said you have not learned any lessons from this. You have to help me through that one.

Mr. TOLBERT. What I said was I have not learned any new lessons. I have been through so many hurricanes, so many disasters in my years, that the consequences that occurred as a result of this disaster, the failures of critical infrastructure, the requirements for specific types of supplies and commodities and equipment are, in general—there was nothing new, it was pretty much the same types of requirements that are identified disaster after disaster, which really resulted in our prepositioning of some of the known commodities and equipment that we expected would be required.

The coordination difficulties are very similar to what I have seen in other disasters, so what I also stated was that what we have identified is what in fact our capabilities are, so we have validated some of our capabilities and frankly we identified some capabilities that failed, which will lead us into—has already led us into new planning processes and new contracting processes to fix those items.

Mr. SCHROCK. We had plenty of ice I guess but no refrigerated trucks. I would have thought that would have been a lesson learned from a long, long time ago. You know, when I bring ice home, I put it in the freezer. Call me stupid, but that is what I do. Why would they not have the trucks to refrigerate the ice?

Mr. TOLBERT. The traditional requirement for ice is for supporting mass care, and in advance of the landfall, just in Virginia, we did preposition 16 tractor trailer loads of ice that were here. Again, the prime mission is—because people are evacuated, the prime expectation of those requirements is to support the mass care operation. And for that reason, we did bring in those commodities. This one escalated into a more long-term power situation and in fact, the requirements from a Federal standpoint were not identified early enough to shore up the capabilities.

As I said, it is a bottom up approach and it is not unusual for local governments to have contracts in place for those types of commodities, for States to have contracts in place for those commodities and typically we are the resource of last resort providing those types of capabilities. So what it is going to require is more definitive planning as to who, which level of government, is going to perform specific types of services so that there is clear delineation and we will know going into the next operation that in fact we are required to provide that full scope of services. There is great risk in relying on the Federal Government, I will say up front.

Mr. SCHROCK. You can say that again.

Mr. TOLBERT. And that is that——

Mr. SCHROCK. In all areas.

Mr. TOLBERT. In all areas. First of all, our personnel do not know the State as well, they may not even know where they are going. That is especially a problem after a wind event because often the

signs are gone and if you are relying on a map, you may not be able to find your way around.

More importantly though is the Stafford Act—and for smaller scale disasters, the Stafford Act may not be activated for days after impact and in fact, with most disasters, declarations occur 2, 3, 4, 5 days after the impact at which time we, in conjunction with the State and local governments, have determined that the damage is of such significance that it will require Federal financial assistance. And in most cases, the assistance is purely financial.

Mr. SCHROCK. OK, do you do—as I was talking about, the exercise thing, do you exercise with the people like Greg Cade, the fire chief for Virginia Beach or Ron Keys who is with Norfolk, so that you have this thing down pat so that nothing is going to fall through the cracks and you have a lessons learned chapter of that exercise so you will not make those same mistakes again? So when you exercise again, you make sure that is all implemented. Do you do that?

Mr. TOLBERT. The vast majority of our exercises are with States. There are certain exceptions to that, and I would say that the Congress has done an exceptional job of funding, especially terrorism exercises. There has been a significant increase in funding to support that activity and I can say that we do routinely participate in State and local exercises related to terrorism because that is where the bulk of the funding is. Again, the bulk of our exercising is in collaboration with States—and local governments, we generally, in advance of a storm and even during a storm, do not have direct communication with local governments. That is mostly in the recovery phase.

Mr. SCHROCK. I am going to ask the same question of you, Secretary, and Ron and Greg as well. Just let me ask one real quick question. A lot of the concerns we had were that people were not getting the messages you were sending out. People had no power, had no TV—I do not know how people dealt with no TV—they had no e-mail, they had no nothing. How do you communicate with those people to let them know what they need to do and where they need to go to get help? It almost seems like a "you cannot get there from here" scenario. How do you do that?

Mr. TOLBERT. Public communication and specific instructions to the public is normally a local and State function, predominantly a local function because that is where they can actually receive services. They can give them definitive locations on where to receive help. From that, when there are State regional activities, as you have seen with the disaster recovery centers, those are generally done collaboratively between the State and the Federal Government. But the bulk of public communication, especially emergency information, is distributed by local and State officials.

Mr. SCHROCK. I see I have the red light, so I yield back. Thank you.

Chairman TOM DAVIS. Mr. Scott.

Mr. SCOTT. Thank you, Mr. Chairman.

Mr. Tolbert, your position is Director of Response Division?

Mr. TOLBERT. Yes, sir.

Mr. SCOTT. Who actually heads FEMA?

Mr. TOLBERT. Michael Brown is the Under Secretary for Emergency Preparedness and Response and I report to him.

Mr. SCOTT. OK. Now you indicated within the secretariat, within the department, communications go well. How would you communicate with HHS or HUD, social services or HUD? You would have to go up the line to Michael Brown to Ridge, to Thompson, and then back down?

Mr. TOLBERT. No, the Federal Government operates for disasters under the Federal response plan and our organization includes what we call an Emergency Support Team. So again, in advance of this landfall, we brought together the Federal agencies that have been assigned duties and responsibilities under the Federal response plan. And those are empowered people on behalf of—representing those departments to apply their own resources. And we have a pretty well-refined system of assigning mission assignments once the President declares a disaster, assigning a mission assignment to those agencies. And they are then required to move forward and implement those. So it is direct face-to-face communications in the National Emergency Operation Center in FEMA headquarters.

Mr. SCOTT. Now do you have a summary of that operation that we could review?

Mr. TOLBERT. We have very detailed mission assignments——

Mr. SCOTT. I do not want the detailed version, I want the summary version.

Mr. TOLBERT. Yes, sir, we can give you a summary; yes, sir.

Chairman TOM DAVIS. If you get that, we will put it in the record for the hearing.

Mr. SCOTT. Thank you.

Mr. Tolbert, did anybody predict that 1.8 million people would be out of power?

Mr. TOLBERT. Mr. Scott, days in advance of the landfall, we were conducting—in fact, a week before landfall—we were conducting, two times a day, video teleconferences with all of the at-risk States. And throughout, the elements of the National Oceanic and Atmospheric Administration, and specifically the National Hurricane Center, provided an excellent forecast in this case. It is almost unprecedented the forecast and the accuracy of that forecast and days in advance, sir, they were in fact predicting millions of people without power.

Mr. SCOTT. You had been asked at the last hearing to comment on a question that Congresswoman Davis asked about ice that was at A.P. Hill and no one apparently had the authority to release it. Without going into what should have happened, have we solved that problem so it will not happen again?

Mr. TOLBERT. It was not a question of who could release it, it was an issue of how to distribute it. As you know, the President did declare—under the Stafford Act—did declare the area a disaster area, typically within hours of the request of the Governor. That released us from any legal constraint to provide the assistance. Until that occurs, we cannot employ any of the resources that we may have prepositioned. That is the reason I mentioned earlier that depending on the Federal Government for assistance may not be the best option, because there may be days before we are de-

clared and therefore, we could not release those resources. There was never a question as to who could release the resources, there was a question as to the methodology for distribution down from there.

Mr. SCOTT. Let me ask the question again. Ice was sitting up there and was not being released. Have we solved that problem or are we still working on it?

Mr. TOLBERT. Ice was released as it was requested.

Mr. SCOTT. By who?

Mr. TOLBERT. The State; the State has the responsibility for giving us—it is called a request for Federal assistance. And from that request for Federal assistance, again at that point, once it is approved by the State, then we are authorized to release those resources.

Mr. SCOTT. Do you have an agreement with the State that is not going to happen again? I mean do you have assurances that ice is not going to sit up there and requests will not be—I do not want to go into whose fault it was, I just want to make sure that it will not happen again. Do we have that assurance?

Mr. TOLBERT. You have our assurance that we are—I am not trying to dodge a question. Again, the procedure is that the State signs a request for Federal assistance and defines the type and where they want that assistance provided. Once that is given to us, then we begin the implementation of the mission, and we did that in this case.

Mr. SCOTT. Now one of the problems we had was people did not know really what to expect from FEMA. You have workshops, and one was described I think by the Sheriff from Gloucester that apparently was very effective. I assume you will be available if the State calls on you to help make sure that people in disaster areas know what to expect beforehand, so when the emergency occurs we can respond a little bit better than we did this time.

Mr. TOLBERT. Yes, sir, we are fully committed to that.

Mr. SCOTT. Thank you. Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you.

Mr. Forbes.

Mr. FORBES. Mr. Tolbert, first of all, let me thank you for being here. I am going to talk quickly because I do not have much time and forgive me if I ask a question that seems like it is piercing, because I could also spend an hour talking about the wonderful things FEMA did.

Let me start by saying one of the best things you did, and I just compliment you for doing this: throughout all of the frustration, the FEMA folks never stopped talking to us. We could pick up the phone and call you and you would take our calls. And I just appreciate that because if you do not get the information and we do not have the dialog, you cannot work out the problems. So right down the line, the FEMA folks, they were wonderful about doing that.

The second thing is, Congressman Scott raised the unpredictability of this storm. Two days before the storm, I was coming back from Iraq, I was in Germany and every newscast I got said this was going to be one of the worst storms in the history of Virginia, that it might be a Category 5 storm. So it was not a surprise to

me in Germany, I am sure it was not a surprise to us here in Virginia, that this was going to be a bad storm.

And I want to just walk through, but the first thing is, we hear people talking about resources. Does FEMA have enough resources? And I want to just make clear because I have a letter here from Michael Brown, the Director, who said we have enough resources and we had enough resources for this emergency. So resources was not our big question, is that accurate?

Mr. TOLBERT. There was a shortfall in—there was an order placed on Saturday that the contractor was not capable of providing fully beginning on Monday. The order was—in anticipation of a State request, the order was placed on Saturday and there was a shortfall in, specifically, ice. That was the only commodity that we really ran short on because there were no requests coming and, therefore, we did not continue to ramp up in anticipation.

Mr. FORBES. Well, let me go there. First of all, in your statement you tell us that your priorities both before the hurricane and after the hurricane, among other things, were ice, water, generators, and establishment of recovery centers, that was in a list of priorities that you had. You had prepositioned assets, as I understand it but answer this for me, because this is a big question that eludes us. It is my understanding that with all the prepositioned assets and the resources that you have, that you statutorily cannot move those assets until the State requests or gives you the authority to move it. Now am I right on that, or am I wrong on that?

Mr. TOLBERT. You are correct.

Mr. FORBES. So it does not matter how much money we had put, it does not matter where those assets were prepositioned. Until the State authorizes you, you cannot, regardless of who wants to, you could not release those assets, is that true?

Mr. TOLBERT. That is correct.

Mr. FORBES. Now tell me this: when was the first day that the State gave you the authority or requested the assistance for those assets, after the storm?

Mr. TOLBERT. The first request for ice, according to our records—and I have gone back since our last hearing and conducted further research—the first specific request for ice, and these were strategic capabilities, was for 70 truckloads on Monday, the 22nd.

Mr. FORBES. Now this is Monday after the storm on Thursday.

Mr. TOLBERT. Correct.

Mr. FORBES. We are 4 days out.

Mr. TOLBERT. Correct.

Mr. FORBES. Is that the first request that you have a record for here today from the State for assistance?

Mr. TOLBERT. Specifically for ice, yes, sir.

Mr. FORBES. Well, you tell me any other, how about generators or how about water?

Mr. TOLBERT. I have in front of me the ice mission.

Mr. FORBES. Will you provide for this committee the first request the State made? And again, this is not to finger point, but I also want you to provide for me or if you know it now, when was the first request that the State of North Carolina made of FEMA, how many days after the storm?

Mr. TOLBERT. I do not have the North Carolina information.

Mr. FORBES. Let me suggest to you when you get it, it is going to be the day after the storm. And one of the gaps that we have to find, and maybe Mr. Marshall can answer that question for us, is how we went from the hurricane to plus 4 days before we get a request. Now what I want to look at statutorily is, do you have any statutory mechanism that could allow you to override the State and to put those resources some place until that request is made of you?

Mr. TOLBERT. We can preposition resources.

Mr. FORBES. I am not talking about prepositioning, I am talking about getting the ice, the water, whatever resources are there, to the people who need it. Can you do that without the State's request to do it?

Mr. TOLBERT. We do not have the authority to do that.

Mr. FORBES. Do we not need some statutory ability for you to do that? Because if you are talking about 4 days. Now maybe we find out that is not factually accurate, maybe the requests were made sooner. But if we talk about a 4-day gap before you have any authority to put any assets in the field—and I am not talking fingers, it could be Utah tomorrow or New Mexico—but it looks like to me we have to find some mechanism if we have prepositioned assets, to get those assets to the folks that need them if we are not getting the request from the State. And that concerns me, that big gap. But if you would—my time is out now too, but I would like for you to provide for this committee when those specific requests were made for Virginia and for North Carolina in this particular situation so we can analyze whether we are going to make a statutory change there.

Mr. TOLBERT. I will be happy to do that, sir, and again, it is tied to the cost share requirement. That is the limiting factor. So one of the discussions that we are having internally is looking for a—even potentially a waiver process of that cost share requirement, which would remove the limiting factor of being able to move.

Mr. FORBES. But it is money, there may be a money question, but FEMA cannot—whether we put more dollars there, whether we put you in a different agency, right now you have the same statutory requirement that you had before, that you cannot move on the ground until the State tells you you can move; is that not correct?

Mr. TOLBERT. That is correct.

Mr. FORBES. OK.

Mr. TOLBERT. And that is by design, to ensure that we are not, first of all, duplicating effort because I cannot speak to what the States or the local governments were doing in advance of recognition that there was a requirement——

Mr. FORBES. I understand. I just want to know who to scream at if the ice is not moving, you know, and where we need to fix that problem.

Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you very much. Any other questions for this panel?

Mr. SCHROCK. Yes, Mr. Chairman. I am going to continue that same line of questioning, because that is a big concern of mine too. If it is a cost share thing, why in the name of common sense is that not determined 5, 6, 7 days before the storm? Why are you waiting

until after the storm and why do you not have an agreement with Secretary Marshall in the State that this thing—you know, if the thing happens, you have authorization to do that? Because if you are going to try to find somebody on the telephone, you can forget it. The phone lines are done. What is the process of getting—that is why I am saying if you exercise and do exercise after exercise after exercise, we would not be having this discussion. But we have to get a plan in place so the minute to balloon goes up, these guys can act without having to get permission.

Mr. FORBES. Mr. Chairman, if Congressman Schrock would just yield because I appreciate his line of questioning.

Mr. SCHROCK. Sure.

Mr. FORBES. That is statutorily there.

Mr. SCHROCK. Yes.

Mr. FORBES. And so every State has the same response ability. The question, as I understand it, and if we are not factually accurate, Mr. Marshall needs to correct us or you need to correct us, but every State knows going into an emergency what that cost share is going to be. North Carolina knew, Virginia knew, it is just a matter of whether the State pulls the switch and releases FEMA to go do it and realizes they are going to start picking up that cost.

Mr. SCHROCK. And yes, it is a money thing. And let me—I am quoting from a newspaper article, sometimes they are not always accurate, but I am quoting you as saying—this involves truck shortage, "Just imagine how awful it would have been if we had been all ready for a major disaster that did not materialize and we were left sitting on a lot of supplies." Frankly, I would rather have 5,000 percent more supplies than you need, if we need 5 percent, you have to make sure they are in place and not wait until afterwards to say, "now that the disaster has happened, where do we get the stuff from?" To me that is a lesson learned, that you could have determined in some sort of an exercise process. And if you are working with just the State, frankly it is the local responders that are going to be the first ones on the scene—the fire chiefs, Ron Keys, they are the first ones that are going to be jumping into the breach, the State comes after and the Federal after that. They need to be at the top of the heap when you are doing the planning process, when you are doing the exercise process, because they are the first guys out there.

I rode around with the Virginia Beach Police the first night, they were the guys who knew exactly where to take me because they had been there. That has to be resolved. I am going to ask everybody else the same question too, so be prepared for that. Yeah, cost share, I understand that, but if you have 10 times more than you need, to me that is better than having 1 percent less than you need.

Chairman TOM DAVIS. You get second-guessed, whatever you do.

Mr. SCHROCK. Yeah, I understand that.

Chairman TOM DAVIS. I'd rather have you second guess on the side of having too much.

Mr. SCHROCK. Err on the side of having too much than too little.

Mr. TOLBERT. May I respond?

Chairman TOM DAVIS. Sure, please.

Mr. TOLBERT. Congressman Schrock, I would like to say that I was highly offended when I read that article because, as your records will indicate, that was not my quote and in fact they did not put quotes around that statement.

Mr. SCHROCK. I am used to people being misquoted, so——

Mr. TOLBERT. I did talk about the division of responsibility and how we are cautious to not overkill in a response, because again, if local governments and State governments are implementing those measures, if they are acquiring bottled water, ice, all of those costs are reimbursable under the Stafford Act program. So they are just as authorized to perform those missions as we are. It's not a unique Federal capability.

Mr. SCHROCK. I understand that, but I look at Virginia Power and the response they had. We knew days and days and days in advance how many people they were going to have come in here, and believe me when the balloon went up, they were in here. They even had French Canadians in here who could not even speak English and we had to have translators for them so they could repair the lines. That is how prepared they were. To me that is the tip of the spear and that is what the State, the Federal and the local people—of course, I think the local people did. You can probably learn a lesson from the playbook of those guys.

I yield back.

Chairman TOM DAVIS. Any other questions of this panel?

[No response.]

Chairman TOM DAVIS. Well, thank you very much, Mr. Tolbert, we appreciate you being here and we will move to our second panel.

Mr. TOLBERT. Thank you.

Chairman TOM DAVIS. I want to welcome John Marshall, who is the Secretary of Public Safety for the Commonwealth of Virginia and I might add originally from the Mason District in Fairfax County, my home area. You testified once before in Washington and we are happy to have you back here. It is our policy to swear you in, so if you would rise with me.

[Witness sworn.]

Chairman TOM DAVIS. Thanks a lot for being with us today. I think you know the rules. Try to keep it to 5 minutes; your total statement is in the record. I just want to thank you for being with us again.

## STATEMENT OF JOHN MARSHALL, SECRETARY OF PUBLIC SAFETY, COMMONWEALTH OF VIRGINIA

Mr. MARSHALL. Thank you, Mr. Chairman. I will try to do better this time on the time. I am John Marshall and I serve in the Cabinet of Governor Warner as Secretary of Public Safety and maintain oversight of 11 of our State public safety agencies to include the National Guard, the State police and the Virginia Department of Emergency Management which currently is coordinating our recovery activities at the State level in the aftermath of Hurricane Isabel. Mr. Chairman, you and the committee have my formal written testimony in which I describe actions which we took at the State level in preparing for and responding to the hurricane. I would like

to take this opportunity to briefly go over some of what we did prior to the arrival of the storm.

First, Governor Warner declared a state of emergency on Monday, September 15, 3 days in advance of the hurricane. That same day, the Governor held a conference call with local elected officials to advise them of our preparations at the State level and to personally answer their questions. On Wednesday, September 17, 30 hours prior to the expected arrival of the storm, the Governor authorized mandatory evacuations of coastal and low-lying regions. Quite possibly this resulted in saving hundreds of lives. In addition, on that same day, 150 members of FEMA's emergency response element arrived in Richmond and were operational the next day. The Governor requested an expedited Presidential Federal Declaration on September 18, the day of the storm, and President Bush authorized that within a few hours.

At this point, I would like to look at the hurricane and our preparation, response and recovery in a somewhat different context and focus on what we have been hearing over the last couple of weeks. Ultimately, we are talking about people, we are talking about committed public servants at the local, State and Federal levels. We are talking about our Department of Emergency Management staff and employees representing 30 State agencies that make up our emergency response team who spent countless hours and days in our Emergency Operation Center processing over 18,000 requests for assistance. We are talking about employees at the local EOCs who spent countless hours and days responding to their citizens. We are talking about hundreds of our Federal partners, FEMA employees from all over the country, who have been on the ground with us from day 1 working those same countless hours and days. We are talking about our first responders, our police officers and our fire and rescue personnel. We are talking about State troopers who used their personal chain saws to cut back trees blocking their paths so that they could respond to calls during the storm. We are talking about State troopers who had to be ordered to park their cruisers when the winds became so strong that it was not safe to drive, but they were still out there. We are talking about our National Guard soldiers and airmen who took on one hurricane-related mission after another, leaving their families and civilian jobs behind. We are talking about, as Congressman Schrock and Congressman Forbes mentioned, hundreds of volunteers from organizations like the Red Cross, Southern Baptists and the Salvation Army who staffed over 99 fixed and mobile feeding stations and have served over 1.4 million meals. We are talking about our VDOT employees and Department of Forestry chain saw crews tasked with clearing our roads. We are talking about Dominion Power employees from all over the country who worked tirelessly to restore power and at times risked their lives during the actual hurricane. We are talking about our public servants and volunteers who also were out there risking their lives.

I would like to tell this one story about two State troopers and a volunteer fire fighter on the Isle of Wight. On the night of the storm, a tractor trailer driver drove off the road and ended up in an area where the water was rising quickly. He called on his cellular phone for assistance because he could not swim. Two troopers

and a volunteer fire fighter arrived. Luckily one of the troopers was trained in water rescues. He used a rope to secure himself while the other two held the other end of the rope and he literally had to swim across a median to get to this truck driver, who now was on the top of the cab of his truck. He gave him a life vest and they were able to safely pull him back cross the road. There are these kind of stories that were happening all over the State. And as mentioned by Director Tolbert, we need to keep in mind that all these people, they too had homes damaged and were dealing with the same sorts of adversity as many of our citizens.

Most importantly though, and heartwarming for all of us, as mentioned, are the citizens of Virginia who once again showed their strength and resilience. As Congressman Scott mentioned, there is one story after another about communities coming together, localities coming together and neighbors coming together. And we are talking about Congressman Scott, who held many cookouts and literally fed hundreds of his constituents.

Having said all that, we certainly realize that as can reasonably be expected with an operation of this magnitude and the level of devastation caused by Hurricane Isabel, there will also be lessons learned. We understand the frustration of our citizens and our local elected officials and our congressional delegation. We can always do better.

Governor Warner is committed to having an independent review of government performance in response to this storm. He is committed to filling in those gaps that are identified by such a review. Governor Warner will expect such a review to result in recommendations that will allow us to build on those things that went well while also improving ways in which State and local governments prepare for and respond to natural disasters and other emergencies. Our goal is to improve in our readiness, preparedness and response and Governor Warner and his administration are committed to doing just that. And you can expect an announcement within the next few days about the formation of this assessment panel.

I thank you, Mr. Chairman and committee members for the opportunity to appear and I will do my best to answer any questions you may have.

[The prepared statement of Mr. Marshall follows:]

Testimony of
The Honorable John Marshall
Virginia's Secretary of Public Safety
Before The
House Committee on Government Reform
(Field Hearings)
Old Dominion University, Norfolk, Virginia
Chesapeake, Virginia
October 10, 2003

Mr. Chairman, Ranking Member, members of the Committee. Thank you for the opportunity to appear today. I am John Marshall and I serve in the Cabinet of Governor Mark Warner as Virginia's Secretary of Public Safety. I work in close collaboration with our Office of Commonwealth Preparedness and maintain oversight of 11 public safety agencies, including the State Police, National Guard and Emergency Management. Our Virginia Department of Emergency Management (VDEM) continues to coordinate overall statewide response and recovery activities related to Hurricane Isabel between federal, state and local authorities as well as citizens.

The impact of Hurricane Isabel continues to be felt across the Commonwealth. Individuals and communities are confronted with the monumental task of cleaning up debris and repairing and rebuilding homes, businesses and public facilities. More than 6.6 million pounds of ice and 1.4 million gallons of water have been distributed by state and federal agencies and that is on top of resources secured directly by localities. There remains a long process to restore a sense of normalcy to affected individuals and communities.

Hurricane Isabel entered Virginia September 18 after making landfall along the North Carolina Outer Banks. The Commonwealth experienced sustained winds near 100 mph and tropical storm force winds for 29 hours. The hurricane produced storm surge of 5 to 8 feet along the coast and in the Chesapeake Bay and its tributaries. Rainfall totals ranged between 2 and 11 inches along its track. Damages due to wind, rain, and storm surge resulted in flooding, electrical outages, debris, damaged homes and businesses, and interruption of transportation and other routine daily activities.

At the height of the incident approximately 18,618 residents were housed in 158 shelters. Local officials report that more than 32,000 Virginians were evacuated from their homes, and curfews were imposed in many jurisdictions. Ninety-nine of the Commonwealth's 134 cities and counties declared local emergencies. Tragically, 28 people died in the Commonwealth as a result of Hurricane Isabel, with the majority of deaths occurring in the days after the storm had cleared the state.

Further damages occurred when a series of thunderstorms and tornados came through parts of the already impacted areas on September 23.

Hurricane Isabel's assault on Virginia has left an indelible mark on the landscape and in the minds of our citizens. Governor Warner and his administration remain focused and committed to ensuring that all that can be done is being done to address the needs of our citizens in the aftermath of this event. However, you can be assured that a complete assessment of both our readiness and performance at the local, state and federal levels as well as within the private sector will be conducted in the very near future.

Governor Warner took a proactive approach to the impending hurricane by declaring a State of Emergency in the Commonwealth on September 15, 2003, three days prior to the expected arrival of the storm. The State Emergency Operations Center was augmented beginning on September 16, 2003 by representatives from critical state agencies as well as the American Red Cross, FEMA liaisons and others.

In addition, on September 17, over 24 hours in advance of the storm, the Governor authorized mandatory evacuation of designated coastal jurisdictions in low-lying areas. These actions may have saved hundreds of lives.

The Governor held the first of four conference calls with local officials on September 15, and made subsequent calls on September 17, September 18 and September 22, 2003. Also, VDEM conducted two conference calls per day, from September 15 through September 29, 2003, with local emergency management coordinators. During that same time period VDEM held daily conference calls with state agencies involved with our preparation, response and recovery efforts.

Governor Warner requested an Expedited Major Presidential Disaster Declaration (FEMA-1491-DR-VA) that was granted to Virginia on September 18, 2003. (See Attachment 1 for disaster assistance designations). Local officials report that more than 8,000 homes and nearly 300 businesses suffered major damage or were destroyed, coupled with an estimated $31 million in agricultural damage. Assessment efforts continue.

As a result of the Governor's State of Emergency Declaration, the following types of actions were taken at the state level in advance of the arrival of the storm:

- The Virginia National Guard mobilized 175 soldiers and airmen for State Active Duty. Guardsmen were pre-positioned in Petersburg, Norfolk, Fort Pickett and on the Eastern Shore. In addition, specialized equipment, to include bulldozers, and other heavy equipment were staged at several locations.

- The Virginia Department of Transportation activated its Hurricane Readiness Plan, which resulted in 4,000 VDOT personnel being in full ready status. In addition, VDOT coordinated with Dominion Power, Verizon and other utility companies in order to most effectively work together when clearing roads with power and utility line debris.

- The Virginia State Police deployed 75 Troopers, 5 Sergeants and 4 Dispatchers to the Tidewater area. Of this total, 15 Troopers, 1 Sergeant and 2 Dispatchers were staged on the Eastern Shore. In addition, one Mobile Command Post was staged on the Eastern Shore, and a second was positioned in Franklin County.

- The Department of Forestry pre-positioned chainsaw/Hummer crews in the Eastern Shore and Hampton Roads area.

At the Federal level, approximately 150 members of the Federal Emergency Management Agency (FEMA) Emergency Response Team – Advanced Element arrived in Richmond on September 17, 2003 and they were operational the following day. Our VDEM personnel continue to work in partnership with FEMA to address the needs of our citizens in the aftermath of the hurricane.

While it is too early to provide an accurate assessment of our performance at the state and federal level, we must keep in mind the challenges posed by weather-related events. With hurricanes and other severe weather there is the unpredictability of what will actually occur in relation to a forecast, and what problems will actually be generated as a result of the storm. In that regard, we can say that, while for the most part local, state and federal agencies, along with the utility companies were prepared, what we ended up with was a storm of wider breadth and greater magnitude than perhaps anyone anticipated. In light of the widespread power disruption that effected drinking water systems and perishable food supplies, we must continue to assess our critical infrastructures. Examining our water, power, telecommunications, and transportation networks, and their interdependency on other systems, is critical to understanding our vulnerabilities. In this case it was Mother Nature who provided the impetus. We recognize in the post September 11th environment that it could have been terrorists.

As can be expected in an operation of the scope and magnitude of the one we are dealing with, it is reasonable to assume that we will identify shortcomings with our preparedness, response and recovery actions. You can be assured that at the state level we will work tirelessly to close any such gaps. Sustaining focus, commitment and funding is the key to better preparedness for future events. We need not react and reorganize. Rather we must rededicate our commitment to continuing enhancements to our Commonwealth preparedness efforts.

Thank you for the opportunity to appear today and I am happy to answer questions.

## Attachment 1 – Designated Counties Table

| Declaration Date: 09/18/2003 | | | Incident Period: 09/18/2003 & Continuing | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| NUMBER OF COUNTIES, INDEPENDENT CITIES & TRIBAL AREAS DESIGNATED | | | | | | | | | |
| Indiv. Assist | 99 | Pub Assist | 99 | | Tribal Nations | | 0 | | |
| DECLARATION INFORMATION | | | | | | | | | |
| Jurisdiction | AFFECTED Not FEMA Designated | Declaration Dates | | | | | | | |
| | | IA | Public Assistance | | | | | | |
| | | | A | B | C | D | E | F | G |
| Accomack | | 09/18 | 09/18 | 09/18 | | | | | |
| Albemarle | | 09/22 | 09/22 | 09/22 | | | | | |
| Amelia | | 09/22 | 09/22 | 09/22 | | | | | |
| Amherst | | 09/22 | 09/22 | 09/22 | | | | | |
| Appomattox | | 09/22 | 09/22 | 09/22 | | | | | |
| Arlington | | 09/20 | 09/20 | 09/20 | | | | | |
| Augusta | | 09/20 | 09/20 | 09/20 | | | | | |
| Bedford | | 09/22 | 09/22 | 09/22 | | | | | |
| Brunswick | | 09/20 | 09/20 | 09/20 | | | | | |
| Buckingham | | 09/22 | 09/22 | 09/22 | | | | | |
| Campbell | | 09/22 | 09/22 | 09/22 | | | | | |
| Caroline | | 09/20 | 09/20 | 09/20 | | | | | |
| Charlotte | | 09/22 | 09/22 | 09/22 | | | | | |
| Chesterfield | | 09/20 | 09/20 | 09/20 | | | | | |
| Charles City | | 09/18 | 09/18 | 09/18 | 9/24 | 9/24 | 9/24 | 9/24 | 9/24 |
| Clarke | | 09/22 | 09/22 | 09/22 | | | | | |
| Culpeper | | 09/22 | 09/22 | 09/22 | | | | | |
| Cumberland | | 09/22 | 09/22 | 09/22 | | | | | |
| Dinwiddie | | 09/22 | 09/22 | 09/22 | | | | | |
| Essex | | 09/20 | 09/20 | 09/20 | | | | | |
| Fairfax | | 09/20 | 09/20 | 09/20 | | | | | |
| Fauquier | | 09/22 | 09/22 | 09/22 | | | | | |
| Fluvanna | | 09/20 | 09/20 | 09/20 | | | | | |
| Frederick | | 09/22 | 09/22 | 09/22 | | | | | |
| Gloucester | | 09/18 | 09/18 | 09/18 | 9/24 | 9/24 | 9/24 | 9/24 | 9/24 |
| Goochland | | 09/20 | 09/20 | 09/20 | | | | | |
| Greene | | 09/22 | 09/22 | 09/22 | | | | | |
| Greensville | | 09/18 | 09/18 | 09/18 | | | | | |
| Halifax | | 09/22 | 09/22 | 09/22 | | | | | |
| Hanover | | 09/22 | 09/22 | 09/22 | | | | | |
| Henrico | | 09/20 | 09/20 | 09/20 | | | | | |
| Isle of Wight | | 09/18 | 09/18 | 09/18 | | | | | |
| James City | | 09/18 | 09/18 | 09/18 | | | | | |
| King and Queen | | 09/22 | 09/22 | 09/22 | | | | | |
| King George | | 09/22 | 09/22 | 09/22 | | | | | |
| King William | | 09/22 | 09/22 | 09/22 | | | | | |
| Lancaster | | 09/18 | 09/18 | 09/18 | 9/24 | 9/24 | 9/24 | 9/24 | 9/24 |
| Louisa | | 09/22 | 09/22 | 09/22 | | | | | |
| Loudoun | | 09/22 | 09/22 | 09/22 | | | | | |
| Lunenburg | | 09/22 | 09/22 | 09/22 | | | | | |
| Madison | | 09/22 | 09/22 | 09/22 | | | | | |
| Mathews | | 09/18 | 09/18 | 09/18 | 9/24 | 9/24 | 9/24 | 9/24 | 9/24 |
| Mecklenburg | | 09/20 | 09/20 | 09/20 | | | | | |
| Middlesex | | 09/18 | 09/18 | 09/18 | 9/24 | 9/24 | 9/24 | 9/24 | 9/24 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Nelson | | 09/22 | 09/22 | 09/22 | | | | | |
| New Kent | | 09/22 | 09/22 | 09/22 | | | | | |
| Northampton | | 09/18 | 09/18 | 09/18 | | | | | |
| Northumberland | | 09/18 | 09/18 | 09/18 | 9/24 | 9/24 | 9/24 | 9/24 | 9/24 |
| Nottoway | | 09/22 | 09/22 | 09/22 | | | | | |
| Orange | | 09/20 | 09/20 | 09/20 | | | | | |
| Page | | 09/20 | 09/20 | 09/20 | | | | | |
| Pittsylvania | | 09/22 | 09/22 | 09/22 | | | | | |
| Powhatan | | 09/22 | 09/22 | 09/22 | | | | | |
| Prince Edward | | 09/22 | 09/22 | 09/22 | | | | | |
| Prince George | | 09/18 | 09/18 | 09/18 | 9/24 | 9/24 | 9/24 | 9/24 | 9/24 |
| Prince William | | 09/20 | 09/20 | 09/20 | | | | | |
| Rappahannock | | 09/22 | 09/22 | 09/22 | | | | | |
| Richmond | | 09/18 | 09/18 | 09/18 | 9/24 | 9/24 | 9/24 | 9/24 | 9/24 |
| Rockbridge | | 09/20 | 09/20 | 09/20 | | | | | |
| Rockingham | | 09/22 | 09/22 | 09/22 | | | | | |
| Shenandoah | | 09/22 | 09/22 | 09/22 | | | | | |
| Southampton | | 09/18 | 09/18 | 09/18 | | | | | |
| Spotsylvania | | 09/20 | 09/20 | 09/20 | | | | | |
| Stafford | | 09/20 | 09/20 | 09/20 | | | | | |
| Surry | | 09/18 | 09/18 | 09/18 | | | | | |
| Sussex | | 09/18 | 09/18 | 09/18 | | | | | |
| Warren | | 09/22 | 09/22 | 09/22 | | | | | |
| Westmoreland | | 09/18 | 09/18 | 09/18 | 9/24 | 9/24 | 9/24 | 9/24 | 9/24 |
| York | | 09/18 | 09/18 | 09/18 | | | | | |
| Alexandria – Independent City | | 09/18 | 09/18 | 09/18 | | | | | |
| Bedford – Independent City | | 09/22 | 09/22 | 09/22 | | | | | |
| Buena Vista – Independent City | | 09/22 | 09/22 | 09/22 | | | | | |
| Charlottesville – Independent City | | 09/22 | 09/22 | 09/22 | | | | | |
| Chesapeake – Independent City | | 09/18 | 09/18 | 09/18 | | | | | |
| Colonial Heights – Independent City | | 09/20 | 09/20 | 09/20 | | | | | |
| Danville – Independent City | | 09/20 | 09/20 | 09/20 | | | | | |
| Emporia – independent City | | 09/18 | 09/18 | 09/18 | | | | | |
| Fairfax – Independent City | | 09/20 | 09/20 | 09/20 | | | | | |
| Falls Church – Independent City | | 09/20 | 09/20 | 09/20 | | | | | |
| Franklin – Independent City | | 09/18 | 09/18 | 09/18 | | | | | |
| Fredericksburg – Independent City | | 09/22 | 09/22 | 09/22 | | | | | |
| Hampton – Independent City | | 09/18 | 09/18 | 09/18 | | | | | |
| Harrisonburg – Independent City | | 09/22 | 09/22 | 09/22 | | | | | |
| Hopewell – Independent City | | 09/18 | 09/18 | 09/18 | 9/24 | 9/24 | 9/24 | 9/24 | 9/24 |
| Lynchburg – Independent City | | 09/22 | 09/22 | 09/22 | | | | | |
| Manassas – Independent City | | 09/22 | 09/22 | 09/22 | | | | | |
| Manassas Park – Independent City | | 09/22 | 09/22 | 09/22 | | | | | |
| Newport News – Independent City | | 09/18 | 09/18 | 09/18 | | | | | |
| Norfolk – Independent City | | 9/18 | 9/18 | 9/18 | 9/24 | 9/24 | 9/24 | 9/24 | 9/24 |
| Petersburg – Independent City | | 9/20 | 9/20 | 9/20 | | | | | |
| Poquoson – Independent City | | 9/18 | 9/18 | 9/18 | | | | | |
| Portsmouth – Independent City | | 9/18 | 9/18 | 9/18 | | | | | |
| Richmond – independent City | | 9/20 | 9/20 | 9/20 | | | | | |
| Staunton – Independent City | | 9/20 | 9/20 | 9/20 | | | | | |
| Suffolk – Independent City | | 9/18 | 9/18 | 9/18 | | | | | |
| Virginia Beach – Independent City | | 9/18 | 9/18 | 9/18 | 9/24 | 9/24 | 9/24 | 9/24 | 9/24 |
| Waynesboro – Independent City | | 9/20 | 9/20 | 9/20 | | | | | |
| Williamsburg – Independent City | | 9/18 | 9/18 | 9/18 | | | | | |
| Winchester – Independent City | | 09/22 | 09/22 | 09/22 | | | | | |

CATEGORY KEY

A: Debris removal

B: Emergency protective measures

C: Road systems and bridges

D: Water control facilities

E: Public buildings and contents

F: Public utilities

G: Parks, recreational and other

Chairman TOM DAVIS. Thank you. Let me start by saying how proud I am that you come from the same area, you are just a couple of neighborhoods over from where I grew up over there in the Lake Barcroft area, and your commitment to public service.

I think this storm was unlike anything we have seen before in our generation. And, obviously, we did a lot of things right and you learn a lot when you go through it—the enormity of this storm, the fact that it did not treat every area equally. As the State deployed forces for example—the National Guard, VDOT, State police, Department of Forestry—how was the Hampton Roads area hit and how do you deploy that versus northern Virginia versus other areas? Can you give me an idea?

Mr. MARSHALL. Well, quite frankly, as far as our prepositioning, the focus was based on the forecast which was for the eastern part of the State, the coastal regions, low-lying areas. What we did was to actually send a group of troopers along with a mobile communications center over to the Eastern Shore, realizing that probably they would not be able to get there after the storm, so they were prepositioned there. We also had a large contingent of troopers that we stationed in Suffolk. As far as the Guard, they had soldiers on location in Petersburg and in various other locations also toward the Eastern Shore to be able to respond quickly. And they also prepositioned some of their soldiers and heavy equipment on the Eastern Shore.

Chairman TOM DAVIS. What leaps out at you that in retrospect we could have done differently on a State or Federal level? In retrospect, if you had to do it over again, what might be done differently?

Mr. MARSHALL. Well, I would probably say in particular we need to, once we receive a forecast, we need for a storm to be maybe twice, two or three times as bad as the information we are getting. As was mentioned several times, I think we cannot be too prepared and we cannot have too many resources and supplies ready to go. So certainly——

Chairman TOM DAVIS. You understand you will have some panels screaming at you for getting too much stuff the next time, when you overdo it.

Mr. MARSHALL. I think that——

Chairman TOM DAVIS. Were you surprised by the enormity of this in some areas and how bad——

Mr. MARSHALL. We were surprised, I think, by the width of the storm, the magnitude of it. We knew pretty much the force it was going to be bringing, but really the width of the storm was something that we had not been hearing in the forecast. So that certainly—the impact on northern Virginia, we did not think was going to be as strong as it was.

Chairman TOM DAVIS. Let me just pick up on something Mr. Forbes asked—and he will probably want to elaborate on it—the ordering of the ice. In retrospect when you look at this, do you remember when we first—do you have in your records when we first asked for the ice? Had this been anticipated, that we would have so much power down that this would be a problem? Can you shed any light on that?

Mr. MARSHALL. Just let me say at the beginning, as with ice, water and power, if you are one of the people out there, as was mentioned, that needs it, it cannot be too soon. And you know, hours and days can seem endless.

According to our records, we verbally made the request to FEMA on September 19, the day after the storm, for water and ice. At that time—and once again, they are on the ground with us working through this event—it was our understanding because of the large number of requests that we had, that in our conversations with FEMA they made the determination they did not have enough trucks to be able to make those deliveries direct to localities and that we would need to set up staging areas. Once we set up those staging areas, then the RFAs were actually put in designating those eight staging areas and that was in the request, specific request——

Chairman TOM DAVIS. Written request.

Mr. MARSHALL [continuing]. For those deliveries to be made to the staging areas; but we could not put in the written requests until we had determined the staging areas. So we made the verbal request, they told us they would not be able to act on that because of the sheer number of them, to create staging areas and then put in our formal request so that they can then act on.

Chairman TOM DAVIS. So just because of the mere width of this storm as it came through you need ice and all of a sudden, logistically, they say, "all right, we have it, but how are we going to get it there;" and obviously we did not have a plan, you had no idea exactly where it was going to go at that point. Is that a fair comment?

Mr. MARSHALL. Right. We determined the staging areas based on the——

Chairman TOM DAVIS. You could not do it until after the storm hit.

Mr. MARSHALL. You certainly could, but then you would run the risk of having to change that. But that certainly, I think, is something that will be looked at in the assessment and that certainly would have saved time; you know, if we were fortunate enough to have made the right calls in anticipating where we would need those staging areas.

Chairman TOM DAVIS. Thank you. Mr. Schrock.

Mr. SCHROCK. Thank you, Mr. Chairman.

Mr. Secretary, I agree with you that people are the key to this, but they are only as good as the training they get. Obviously you do that and you mentioned you had lessons learned. Who do you share those with? Do you share them with the local responders and the national people or are they kept at the State level?

Mr. MARSHALL. Well, you know, we have training exercises. As was mentioned by Director Tolbert, in the aftermath of September 11, the majority of those exercises are dealing with terrorism events because that is where the majority of the funding is. We certainly have those exercises, we regularly have exercises with regard to our nuclear power plants. So we are in constant communication with localities.

This was my first disaster—natural disaster, let me put it that way—you know, at the State level that I have been involved in.

And as I started participating on those conference calls with the localities, it was evident to me that we were not starting to communicate, they were on first name basis, they have those established lines of communication open. Clearly our emergency management personnel have those relationships with the local emergency managers and they do share lessons learned and I am sure that after the assessment is done of this operation, they will be a big part of that assessment process and certainly that report that will come out will be a public report, but we anticipate heavy involvement of the locals in determining how we did at the State level.

Mr. SCHROCK. Am I correct in assuming that the State did not request help, Federal help, for 4 days after the storm?

Mr. MARSHALL. Are we talking ice and water?

Chairman TOM DAVIS. Just the ice.

Mr. SCHROCK. No, anything.

Mr. MARSHALL. No, sir. We made requests for, in particular the ice and water, on Friday, the 19th, the day after the storm.

Mr. SCHROCK. Well, now FEMA has said that they had 61 generators that they were waiting to distribute and all they were waiting for was for the request to come from the State. What requests are filled at the State level and which ones depend on getting FEMA approval? I heard one case—the person did not tell me this directly, but in Hampton there were trees on houses and they wanted to take the trees off but they said they could not do it until FEMA gave their approval or looked at the job that needed to be done. Well, my God, if they do that, they are going to be there until Kingdom Come. How does that process work? Can the State automatically go in and say, "get those trees off of there," or does FEMA have to actually say, "yes, you can go in and do that?"

Mr. MARSHALL. Well you know, obviously, if it is a safety issue the trees are going to need to be removed. As far as if people are going for reimbursement, if they are going to be reaching out to FEMA, it is my understanding that FEMA needs to send some of their housing inspectors to go to each location. And they have hundreds of these people on the ground, you know, in order to make that approval, but that is part of the Federal process.

Mr. SCHROCK. But that could still mean people would still have trees on their houses because if you look at some parts of Hampton, almost every house had some semblance of a tree on it. It seems like it would take forever. What is the State role in helping the localities know of FEMA's capacity to assist in a situation like this?

Mr. MARSHALL. Well, I think we certainly share in the responsibility of getting information out to the localities and that is done——

Mr. SCHROCK. Are you the key person, you are the key person in the Cabinet on that, in the administration?

Mr. MARSHALL. That would fall under my secretariat, yes, sir. And also, you know, I work in close coordination with the Governor's Assistant for Commonwealth Preparedness, former Lieutenant Governor Hager. So it is a joint effort because this is all about preparedness.

Mr. SCHROCK. Yes.

Mr. MARSHALL. So between the two of us, we work closely with the localities. We have conferences, we have stakeholder meetings and that is when that type of information is shared.

Mr. SCHROCK. The comment I made to Mr. Tolbert about doing the joint exercises—and by joint I mean State, Federal and local—do you do much of that, and if not, do you think we need to do something like that on a continuing basis, like every quarter, every—you know, semi-annually?

Mr. MARSHALL. From my State police background, I spent a lot of time in training and so, just as you Congressman, I cannot say enough about the value of training. And yes, we do training exercises. As I mentioned, we regularly do training exercises dealing with our nuclear power plants and we also do terrorism-related exercises. Our last hurricane exercise—it has been a few years.

Mr. SCHROCK. In conjunction with the localities?

Mr. MARSHALL. Yes.

Mr. SCHROCK. And the national authorities?

Mr. MARSHALL. Yes, sir. It has been a few years since we have done specifically a hurricane-related exercise.

Mr. SCHROCK. Help me understand. Mr. Tolbert is not here I guess, but he said he has not learned a lot of lessons. Sounds to me like some of the things we are hearing here, there are a lot of lessons to have been learned. What is your spin on that? Remember, you are under oath. [Laughter.]

Mr. MARSHALL. I certainly keep that in mind.

Mr. SCHROCK. We will not hold it against you.

Mr. MARSHALL. You know, I think really at this time it is difficult to say specifically, as far as lessons learned. Clearly there are areas of concern that we need to look into, but I think as far as, you know clearly the things—the actions that were taken prior to the storm, and from what I heard during the panel earlier this week and from my local responders, we got it right as far as our preparation and leading up to the storm. I think as Congressman Forbes mentioned, it is during the storm and immediately thereafter where we have the concerns. And that is an area we will need to focus on.

Mr. SCHROCK. And you do an after action report that you share with, of course, people at the State level, the local level and Federal?

Mr. MARSHALL. Yes. Literally within days, the Governor will be announcing an independent assessment team who will be doing just that.

Mr. SCHROCK. Great. Mr. Chairman, my time has expired, thank you.

Chairman TOM DAVIS. Thank you. Mr. Scott.

Mr. SCOTT. Thank you, Mr. Chairman.

Secretary Marshall, did the Commonwealth of Virginia predict that millions of people would be without power for many days?

Mr. MARSHALL. My recollection on that, Congressman, is the predictions were anywhere from 500,000 to a million, is what I recall from the meetings I was involved in.

Mr. SCOTT. Did you anticipate that hundreds of thousands of people would be without power for over a week, many for 2 weeks? Was that part of the prediction?

Mr. MARSHALL. No, the information that we had from our early meetings with Dominion Power was to expect a multi-day event, which I did not interpret to mean a week or more.

Mr. SCOTT. You interpreted it as 2 or 3, maybe 4 days?

Mr. MARSHALL. Yes, sir.

Mr. SCOTT. The challenges in a 2 to 3 day outage in terms of food, water and things are not on the same magnitude as the challenges when people are going to be out of power for a week, many for 2 weeks.

Mr. MARSHALL. No, sir.

Mr. SCOTT. I understand from your testimony that the Governor is going to go through a review process to find out what went wrong, what went right, what needs to be done. Will that include information sharing so that—I think one of the challenges was that people did not know what to expect from FEMA; they would ask for things that FEMA was not going to provide. In fact, at the last hearing we heard people suggest they would have been just as well off if they had been told right off the bat that FEMA was not going to do anything and then they would have known that they were left to their own devices rather than ask FEMA for something that was not going to be provided. Is part of that review an assessment as to what can reasonably be expected from FEMA so we do not expect more than is coming and take full advantage of what will be coming?

Mr. MARSHALL. Yes, I think as Congressman Schrock mentioned, expectations—you know, it is important that expectations be at the proper level and we will certainly at the State-level work with FEMA, to take a role in helping to get that information out. I think it is important, and once we have an event, usually then it is too late because all those normal lines of communication are not available. So getting the information out there early, yes sir, I am sure that will be part of the assessment.

Mr. SCOTT. Will part of the assessment be to ascertain what the unmet needs were? A lot of people did not have food, you could not buy C and D batteries anywhere in Hampton Roads.

Mr. MARSHALL. Or Richmond.

Mr. SCOTT. Or Richmond.

Chairman TOM DAVIS. You could not buy them in Fairfax either.

Mr. SCOTT. I mean it seems to me if you get caught and did not expect it, somebody should have been able to get some batteries from Chicago or Detroit or Los Angeles and have them—you can get them trucked from Chicago overnight. That coordination did not take place. Will we assess what services and products were not available and have a—figure out a way to get them here on a timely basis next time we are without generators, batteries and things like that?

Mr. MARSHALL. Yes sir, without a doubt we have to do better next time and certainly that will be part of the assessment.

Mr. SCOTT. No tunnel to my knowledge had ever been flooded. The Midtown Tunnel was flooded as part of this emergency. Without going into what happened, can we be assured that it is not going to happen again?

Mr. MARSHALL. Well, as I am sure the panel knows, we are expected to open the tunnel back up on the 18th and the floodgate

will be fully tested prior to opening that tunnel back up, and at this point it does not look as if there is any structural damage to the tunnel. They have most of the electricity restored so certainly those tests will be done, yes sir.

Mr. SCOTT. I quite imagine that people did not expect as much of an emergency with what was at that point a Category 1 hurricane. We suffered a lot more than that in the last 40 or 50 years that we have had tunnels, so I can imagine that there was not any feeling of an emergency. Now we know better and we just want to make sure it is not going to happen again.

Mr. MARSHALL. That will certainly be one of the lessons learned, yes sir, Congressman.

Mr. SCOTT. Now you had Michael and David from the State and Federal Government together side by side virtually from before the hurricane all the way through.

Mr. MARSHALL. To this day, yes sir.

Mr. SCOTT. You suggested that a request was made on Friday. Apparently, the Federal Government did not understand the request until Monday. Will the Governor's review look at that line of communication to make sure that when a request is made, that it is actually received?

Mr. MARSHALL. Yes sir, the key to the success of any exercise is going to be communication. As I said, according to our records we made that verbal request on that Friday the 19th.

Mr. SCOTT. And that would include fixing whatever happened to the ice in A.P. Hill, to make sure that communication is made?

Mr. MARSHALL. Yes sir, Congressman.

Mr. SCOTT. Thank you. Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you very much, Mr. Scott. Mr. Forbes.

Mr. FORBES. Thank you, Mr. Chairman.

Mr. Marshall, thank you for being here. My questions are posed more to the system than to you. You just happen to be the person sitting there.

Most of your testimony was about State troopers, National Guard, State employees and volunteers, and all of us applaud them and that is off the table. So what we are trying to do is see what the problems were with the system.

To me, there is a huge gap between your testimony and the testimony of Mr. Tolbert regarding the request that was made by the State to the Federal Government. The reason that is significant is because, as I understand the statute, the FEMA people cannot move until the State makes the request. I would like to ask you this today as Public Safety Secretary. Do you know what the statute says as to whether or not a request can be made verbally or does it have to be in writing?

Mr. MARSHALL. Well, for instance on the State level, as far as the situation we are dealing with, we have, as Congressman Scott mentioned, we have the FEMA person, David Fukutomi, on the ground with our emergency management coordinator, Michael Cline. On Friday, we got a huge number of requests from the localities for water and ice. That was communicated to FEMA verbally and at that point, they do an assessment and they say, "that is a large

number, we are not going to be able to get it directly to the localities, come up with staging areas at a number that we can handle."

Mr. FORBES. Let me just ask you this, and I want you to have plenty of time to testify, but this is important, that is not my question. As you know, this is a huge issue because it shifts dollars where the State has to start picking up 25 percent of the cost. And my question for you is, does the State of Virginia today know, can that request be made verbally or does it have to be in writing, because we are talking about millions of dollars. Is it OK if the request can be made verbally, that the Federal Government can come back later and say now we are going to tag you with all these millions of dollars because somebody made a verbal request, or does it have to be made in writing? And we are not talking about finger pointing, we are talking about we need to know this for the next time. Do we know today—do you know, does your department, does the emergency operations for the State of Virginia know—whether the statute requires that it be verbal or in writing?

Mr. MARSHALL. It needs to be in writing.

Mr. FORBES. Then if it needs to be in writing, did you not know that on Friday, the day after the hurricane?

Mr. MARSHALL. We certainly did, Congressman, but maybe I have not done a very good job of explaining it. The guidance we were given by FEMA was to not put those in writing until we came up with the eight staging areas.

Mr. FORBES. Mr. Marshall, your testimony then is today that FEMA told you not to make a written request for ice?

Mr. MARSHALL. Until we developed the staging areas.

Mr. FORBES. Did they say anything about water?

Mr. MARSHALL. Water and ice.

Mr. FORBES. Did they say anything about generators?

Mr. MARSHALL. Generators, I do not have the figures, the dates, the specifics on the generator issue.

Mr. FORBES. Would it be fair to say that no request for generators was made until after Monday, after the storm?

Mr. MARSHALL. I cannot accurately answer that one way or the other, Congressman.

Mr. FORBES. Could I ask you this? Would you find out for us and submit that to us?

Mr. MARSHALL. Yes.

Mr. FORBES. Because let me just tell you this, Mr. Marshall, and if I am wrong I am going to come back and just say I am wrong, but it is my understanding that the State of North Carolina knew the request needed to be made in writing and made the request the day after the storm and that Virginia waited until Monday after the storm, 4 days after the storm. And the reason that is significant is because FEMA could not, if they wanted to, even if they had said, "we understand you want this request, we love Virginia, we want to help you," legally they could not have done it until that request was in writing any more than they could have declared a declaration of emergency status if it was not in writing.

Now the other question that I would like to ask you is this: when you were making decisions about locating recovery centers, is it your understanding that Virginia has to tell FEMA where to locate the recovery centers?

Mr. MARSHALL. We do that, yes sir.

Mr. FORBES. Do you have any objective criteria as to where you are going to locate a recovery center?

Mr. MARSHALL. It is through communication with the localities in those affected regions.

Mr. FORBES. If it is with communication what do you base it upon, the fact that the locality requested it?

Mr. MARSHALL. Well obviously that is—you know, if a locality is willing to host a recovery center they need to have an appropriate location.

Mr. FORBES. When does the State determine it is going to locate the recovery center there? What is the objective criteria that you are looking for to locate a recovery center anywhere?

Mr. MARSHALL. The number of people in that proximity, the amount of damage to the area.

Mr. FORBES. And how do you measure damage, the number of claims?

Mr. MARSHALL. It is really from guidance provided from the local emergency managers.

Mr. FORBES. OK, Mr. Chairman, I know my time is up but this is an important line of questioning and if I could just——

Chairman TOM DAVIS. Go ahead with your questions.

Mr. FORBES. Mr. Marshall, the concern I have is this: we have asked your office and we have asked FEMA about damage assessments throughout and you have told us, and I think correctly so, that for the period of time after the storm, some time, those damage assessments are very unpredictable, almost guesses. So my question in locating a recovery center is, is it based upon those guesses of dollar amounts of damage or is it based on the number of claims? What are the criteria for determining where you are going to put a recovery center?

Mr. MARSHALL. I would say certainly all of those come into play.

Mr. FORBES. Do you look at proximity to where the residents are?

Mr. MARSHALL. Yes.

Mr. FORBES. Do you look at the number of claims made?

Mr. MARSHALL. Yes.

Mr. FORBES. Do you look at the track of the storm?

Mr. MARSHALL. I am not sure——

Mr. FORBES. Would it make sense to have recovery centers closer to the track of the storm or is that even a criteria?

Mr. MARSHALL. Well the storm has already come through, we do not determine those recovery centers——

Mr. FORBES. But your recovery centers are not located until after the storm.

Mr. MARSHALL. That is correct.

Mr. FORBES. Do you look at where the track of the storm was?

Mr. MARSHALL. Certainly.

Mr. FORBES. And do you consider that in locating the recovery centers?

Mr. MARSHALL. Certainly.

Mr. FORBES. What other objective criteria do you look at?

Mr. MARSHALL. Once again, accessibility and the number of people that—to be able to best serve the greatest number of people in that area.

Mr. FORBES. Good. Now I am going to explore this in some depth in our hearing in Chesapeake, but the last thing I want to ask you is this question: how do you make a determination as to who is going to get water, who is going to get generators or who is going to get ice? Do you have any objective criteria for determining that?

Mr. MARSHALL. No, we rely heavily on the localities and the requests they make. Now with regard to generators, we do have some questions we need to ask.

Mr. FORBES. Let us take ice.

Mr. MARSHALL. Ice, basically we take what the locality is requesting and we act on that and we try to meet that.

Mr. FORBES. Once you have made a decision and FEMA cannot send the ice until you have told them send it to this location, correct?

Mr. MARSHALL. Correct.

Mr. FORBES. Once you have told them to go to a location, who has the authority to divert those resources going to that location and send them to another location?

Mr. MARSHALL. We can do that.

Mr. FORBES. What is the criteria for diverting those resources?

Mr. MARSHALL. Well, you know, some of the circumstances could be if we have possibly—let us say we are anticipating getting X number of loads in of ice, 10 loads of ice to go to location A and 5 loads to go to location B. But then we find out that we are only getting a total of five loads total. So we are going to have to not send all five to location B or send all five to location A, we are going to have to divert some from A to B in order to try and get it out as fairly as we can.

Mr. FORBES. I am going to stop my questioning, but I am going to ask you between now and our hearing that is going to take place later this afternoon if you would find for me the criteria of why resources were diverted from the city of Chesapeake and sent elsewhere by the State—ice and water that was diverted from that city to another locality. If you would tell me how that decision was made and what criteria that was based upon and why they were on the way there and they were diverted to another locality. If you could just find out for us before that hearing, so you could tell us what those objective criteria were.

Mr. MARSHALL. I will certainly do my best, yes sir, Congressman.

Mr. FORBES. Thank you. Thank you, Mr. Chairman.

Chairman TOM DAVIS. Any other questions?

Mr. SCHROCK. Mr. Chairman. John, it would seem that if you knew where the storm was going to go, even if it was 10, 20 miles on either side, you could have set those staging areas up so they could have been in place. I do not understand why that could not have been done.

And as far as I am concerned, as far as the Midtown Tunnel, that was the greatest example of gross incompetency I have ever seen. It looks to me, or appears to me, or we are led to believe that they did not test that door there for a long time, and in fact the plate that needed to be removed so you could lock the door in there had been welded shut. Now certainly somebody should have thought a couple of hours, or 2 or 3 hours before, that they should have checked that thing and by the time they did it was too late.

How in the name of comet if things are exercised and things are actually tested when they are supposed to be, how could that possibly happen?

Mr. MARSHALL. Congressman, I wish I could answer that question about the tunnel. That is obviously a very significant and critical issue that VDOT is taking a look at. But I am not aware that they have come up with any particular evaluations yet as far as actions taken prior to the storm with the tunnel.

Mr. SCHROCK. So that is VDOT, hit VDOT on that, huh?

Mr. MARSHALL. I can tell you they are looking at it, yes sir.

Mr. SCHROCK. Thank you, Mr. Chairman.

Chairman TOM DAVIS. Let me just followup. This is the first time in history that the Midtown Tunnel has been flooded, is that right?

Mr. MARSHALL. That is my understanding; yes, sir.

Mr. SCOTT. Mr. Chairman, will you yield on that?

Chairman TOM DAVIS. I will be happy to.

Mr. SCOTT. Do we know of any tunnel in the area that has ever been flooded?

Mr. MARSHALL. Not to my knowledge, Congressman.

Chairman TOM DAVIS. We do now.

Mr. SCOTT. Well, yeah, but we have assurances that this is not going to happen in the future.

Mr. MARSHALL. Well, if we find out that there is something that was not done properly, as far as on the human element side of it, I can guarantee you it will be corrected.

Chairman TOM DAVIS. I guess the question is, I mean in retrospect, knowing what we know now, could we have done things—there had been no history of this, I think there were some safeguards in place that did not work given this storm, and in retrospect, what could we do so it does not happen again; I guess that is the question. But this is the first time in history it happened, and I think there were safeguards, as I understand it, and they just did not function correctly.

Mr. SCHROCK. And it should be not if we find out. We have found out. I would rather had that thing closed 12 hours before the storm hit than 1 minute after, because 1 minute after was too late and now we are paying the price and it has been a nightmare around here.

Chairman TOM DAVIS. Well, let me just say this, I guess to give you a perspective—and Mr. Marshall was there at our hearing in Washington on this—Metro closed early to avert the kind of disasters they had in the snowstorm when they had trains stalled out there and everything else; and they were criticized from members for closing too early. These are no-win situations for the people involved, but obviously in retrospect when you take a look at the damage that was done, we cannot allow that to happen.

Mr. SCHROCK. Mr. Chairman, in the case of a tunnel, it could have been open the next day and traffic could have gone through and now we do not open until the 18th.

Chairman TOM DAVIS. I do not think there is any question about that.

Mr. FORBES. And Mr. Chairman, one other thing we have to look at. These things should not be, again like obscenity, that we just know them when we see them. We ought to have some objective

protocols, and in this situation the question to me is simply, were there objective protocols with the policy that we needed to have and did we follow the policy? If there were, then we should not have any fault with that. But if we do not have these policies in effect, we need to have them.

And I just echo what Congressman Schrock said: it looks like to me we had testing that was supposed to be done on these gates that was not done. We made the decision to close them, that was not the question. It was that they were welded shut and they could not get closed.

Chairman TOM DAVIS. I agree with you. As I said, we have to build on the mistakes that were made and clearly, in retrospect things should have been done differently, and the result is the region suffers, but we cannot let it happen again. Not your fault, but I am just saying this happened in this case and this region——

Mr. SCHROCK. Suffered big time.

Chairman TOM DAVIS [continuing]. Suffered as a result of that. These were very tough calls that you made during that time. This was a huge storm and obviously nothing worked perfectly. That is why we are here to find out and make sure that it does not happen again.

Any other questions for this panel?

[No response.]

Chairman TOM DAVIS. Thank you again for being with us, we appreciate it.

Mr. MARSHALL. Thank you, Mr. Chairman; thank you, committee members.

Chairman TOM DAVIS. We have our third panel. Ed, do you want to introduce our third panel? I am going to let Mr. Schrock introduce our third panel.

Mr. SCHROCK. I want to welcome you all here. I want to welcome Gregory—it says here Gregory—Greg Cade, who is the fire chief and emergency management coordinator for the city of Virginia Beach; Ron Keys who is the director of emergency services for the city of Norfolk; and Curt Shaffer, who is the director of plans, analysis and emergency operations of the police division for the city of Hampton. I thank you all for being here.

Are you going to swear them in? It is the policy to swear you in, so the chairman will swear you in.

Chairman TOM DAVIS. Raise your right hands.

[Witnesses sworn.]

Chairman TOM DAVIS. This committee is a committee that swears everybody in because we are the major investigative committee in the House, so that is just our protocol. I just add that a couple of times we reminded the witnesses they were under oath just so they feel free to state—we are not worried about the police chief saying anything wrong here——

Mr. KEYS. Fire chief.

Chairman TOM DAVIS. Or fire chief or anybody else, right. But I will say this, I once had Coach Wes Unseld from the Washington—the Bullets in those days—before me and I asked him under oath if the Bullets were going to have a winning season the next year and he came back and he said, "I can just promise you we will have exciting basketball." [Laughter.]

After the season was over, we thought about bringing him back up here on charges, but we let it slide because the intention was a good one.

Chief, thanks for being with us.

**STATEMENTS OF GREGORY CADE, FIRE CHIEF/EMERGENCY MANAGEMENT COORDINATOR, CITY OF VIRGINIA BEACH; RON KEYS, DIRECTOR OF EMERGENCY SERVICES, CITY OF NORFOLK; AND CURT SHAFFER, DIRECTOR, PLANS, ANALYSIS AND EMERGENCY OPERATIONS BRANCH, POLICE DIVISION, CITY OF HAMPTON**

Mr. CADE. Thank you, sir. Mr. Chairman and other members of the committee, I want to thank you for giving us the to opportunity to come here today. I already submitted my prepared remarks so I will try and be brief, which I think is always a good thing.

We certainly were fortunate that Hurricane Isabel dropped from a Category 5 to a Category 1 when it finally hit landfall. The city of Virginia Beach took what it thought was the appropriate level of concern prior to the hurricane coming. As an example, the Fire Department brought in a full shift a day early so that it actually had two full shifts working along with the Police Department which did the same thing; so we were clearly taking the hurricane seriously and trying to make sure that we had prepositioned sufficient assets to deal with it. Even with that, it certainly was an interesting hurricane.

For the first time in my 35 years in the fire service, we stopped responding to calls for 3 hours because of the wind speeds. Kind of a stressful situation, not only for our citizens who needed us, but for all of us who are long-term public safety employees; to have to sit there and not do anything was extremely stressful for our people.

We certainly appreciated the fact that the President made a very quick disaster declaration; it helped us to tap into some additional assets. Certainly, Congressman Schrock's earlier statement that people need a better, realistic expectation of what to expect from their government; they think that we are there to make them whole, we have not been able to successfully convince them that is not what is going to happen. I was interested to hear Mr. Tolbert speak of the Federal Government assuming its role is one of pull rather than push. The State certainly has some other options. I will assure you that at the local level we did not have any options; the expectations of our citizens were that we in fact were going to be out there, we were going to take care of whatever their issue may be and that certainly created some problems for us. I would say to Congressman Forbes, I still have my insurance forms as well as the FEMA forms sitting in my briefcase, I have not had the opportunity to be able to fill those out.

We certainly learned a lot of lessons out of the aftermath of this event. It is obviously clear to us now that we need to do a better job of prepositioning some additional assets. We anticipated things were going to show up a lot sooner than they did. We did not realize, quite frankly, until today, listening to some of the testimony, the time lag between what we thought was going to take place versus what actually happened.

I was asked—and I do not have the actual documents here with me—but I was asked to be one of the regional coordinating centers for the distribution of ice and water and I cannot remember if the actual request was Friday or Saturday, because I signed the liability papers one of those 2 days. I can get you the exact date, but I did not bring the paperwork with me, to set that up. In hindsight, I probably will not ever agree to be a regional distributionsite again because I ended up expending an awful lot of resources on chasing down ice and water issues. At one point I wondered, standing in my kitchen at 2 Saturday morning, how I had agreed to be Gunga Din in this process.

The expectation certainly of FEMA in helping us deal with some of the aftermath of this was different from what we had anticipated. Setting up the disaster assistance center for the citizens of the city of Virginia Beach was a lengthy process; it took us almost 7 days to be able to finally get that up and open. Certainly, as citizens watched the TV and saw other disaster recovery centers or disaster assistance centers being set up, they wanted to know why the one was not open in Virginia Beach. Part of that is due to the expectation that FEMA had that we would provide the space. We do not have 2,500 square feet of space sitting around in the city of Virginia Beach that belongs to the government; they are used each and every day. So it took us awhile and we finally ended up renting space because we just figured we had to do something quicker.

I know they talked about the evacuation of our area. We figured at best we were going to get 15 percent of the citizens of Virginia Beach to leave; they just do not believe a hurricane is going to be as bad as what it is; 15 percent of the 450,000 permanent residents leaves an awful lot of people in harm's way.

We need to certainly work on improving the process of dealing with human services such as mass care issues. The issues of ice and water clearly were a problem for us. We made verbal requests, we followed them up in writing. We did not realize the process. We were making a request to the State, we assumed that the State was turning around right away and making the request to the Federal Government. Obviously that does not work quite as well as we thought it was going to.

I do want to compliment the Governor. He had daily briefings with the mayor and elected officials. That was very helpful, if for nothing else to let them know that he certainly was concerned about what was going on and was there to help.

In closing, let me say that certainly there are better ways to be more efficient and effective than what we are doing. The city needs some additional feedback from the State and FEMA to help us be able to rectify some of these situations. Training, exercise and planning are paramount to what we need to do.

And I would be remiss if I did not thank our military partners here in the area. They certainly were a great help to us. We are very fortunate in Virginia Beach with the four military bases that we have. We have a daily close working relationship and probably

we were able to get access to assets that other communities could not, and all of the volunteers who truly helped out.

Thank you very much.

Chairman TOM DAVIS. Thank you very much. Captain Keys, thanks for being with us.

[The prepared statement of Mr. Cade follows:]

Congressional Hearing on Hurricane Isabel
10/10/03
Testimony of Chief Gregory B. Cade, Virginia Beach Fire Department

***Good morning Ladies and Gentlemen***:

We were quite fortunate that the speed and intensity of Hurricane Isabel dropped from a Category 5 storm to just barely reaching a Category I Hurricane when it hit landfall and grazed Virginia Beach.

Although not anticipating the grand scale of power outages, and damage from falling debris, overall I feel Virginia Beach faired quite well. This is due to the quick emergency presidential declaration that made funding available for public safety issues and debris removal, as well as the effective execution of our Emergency Operation Plan.

Hurricane Isabel has taught us many lessons. Lessons that helped us identify some of our weaknesses. We are going to use those lessons with the help and guidance of FEMA, Federal legislators and the State in evaluating the overall effectiveness. This should lead to improved planning, training, equipment and financial support so we will be better prepared for the next emergency. We will then be able to provide a more efficient response, recovery and quality service to our citizenry.

It became quite apparent early on in the storm that a major problem was developing with 320 of 360 sewer pump stations shutting down due to loss of power. We knew this would have an impact on the health and environment of our community. Our need to obtain generators to get vital pump stations up and running was of utmost urgency. Although we understand the need for checks and balances, the request and delivery of these generators did not go as well or as quickly as we had hoped for. We feel there needs to be a more efficient way of recognizing, planning, analyzing and processing emergency requests.

The expectations from FEMA in setting up the individual assistance processes would have been helpful. As an example, the need for a 2500 square foot donated space to set up the Disaster Assistance Center could have been discussed ahead of time. The City does not have that kind of vacant space available without disrupting on going city services. Finding rental space that meet the needs of FEMA took several days adding to the frustration of our citizens.

In addition, we need an improved process dealing with human services such as mass care and how these services interact from the Federal to Local level. The efficiency of dealing with distribution of ice, water and

food stamps indicates that additional work needs to be done so a more coordinated effort by Federal, State and City agencies can be achieved. We understand the FEMA model of using paraprofessionals for crisis counseling. However, FEMA's funding requirements for crisis counseling grants, which include a short time span for turning in these applications, is not practical from the local level and needs to be reviewed.

The twice a day briefings and status reports were helpful to understand the depth of the problems facing our region. It would be beneficial for the future to be able to have smaller conference capability between adjacent jurisdictions to coordinate response and recovery issues.

To help ensure that issues like this are handled more efficiently and effectively, the city needs feedback from the State and FEMA on how logistical requests were analyzed and guidance on how we can help to improve the process in the future when we make requests, to ensure compliance thereby expediting recovery efforts.

In conclusion, the overall response by FEMA and the State to the city's needs have been positive. However, further exercises, training and planning to support the logistical function in a major emergency is needed to

increase efficiency of the system. This way we ensure we have an immediate and positive impact on service needs provided to the citizenry.

Thank you.

Gregory B. Cade

Fire Chief

Mr. KEYS. Thank you. Good morning, Chairman Davis and members of the committee. I am Ron Keys, director of emergency services for the city of Norfolk, and I am grateful for the opportunity to appear before this committee to discuss Norfolk's preparation for and response to Hurricane Isabel. My remarks are focused on three specific areas: How Norfolk prepared for the hurricane; the actual impact of the storm; and lessons learned.

It is important to note that Norfolk's preparation and mobilization began well in advance of Hurricane Isabel. After September 11, the city made a commitment to educate the community on how to prepare for and respond to both man-made and natural disasters.

Norfolk had learned a valuable lesson in 1998 during Hurricane Bonnie, when the water treatment operations suffered a power loss. For Isabel, the city was prepared, having upgraded its water treatment plant and leased three generators just prior to the hurricane. This preparation resulted in Norfolk having an uninterrupted supply of drinking water for all of our residents and the people that we provide water to.

Several months prior to the hurricane season, Norfolk's emergency shelter program was reviewed by the American Red Cross and over 500 city employees were recertified in shelter management. The weekend prior—it just happened that way—Norfolk hosted a hurricane public safety exposition in downtown Norfolk which attracted several thousand people just on hurricane preparedness.

The preparation process accelerated when the hurricane was several hundred miles in the western Atlantic. A decision was made early to implement our emergency action plan based on the National Weather Service forecast that Isabel would make landfall on the East Coast. We were extremely pleased with the Weather Service and the accurate forecasts that they gave us.

Chairman TOM DAVIS. You did not like the forecast, but you liked the accuracy.

Mr. KEYS. The accuracy of the forecast.

Chairman TOM DAVIS. Make that clear.

Mr. KEYS. A mandatory evacuation was ordered for the residents of the low-lying areas and they were advised to seek higher ground. Norfolk prepositioned sandbags around shelters prior to landfall and all emergency generators, vehicles and operational equipment was tested and fueled off just to make sure everything was working correctly and fueled before the hurricane. We participated in several conference calls with the State EOC, the National Weather Service and regional partners sharing information, resources and strategies for the hurricane.

Hurricane Isabel was the most devastating natural disaster to hit Norfolk in a generation. Fortunately, Norfolk was relatively successful in weathering this event. We benefited from both good luck—and I underline good luck—and preparation by the public and private sector in advance of the storm. Nevertheless, we had over 98 percent of the city without power, 90 percent of our traffic signals were out, 1,250 people were in shelters, and we had over a million cubic yards of debris on the ground.

Although most of the city was without power, drinking water pumping stations and wastewater stations remained on line with bypass pumps and generators without any noticeable interruption of service. The EOC worked tirelessly with Dominion Power on electrical outages estimates and priority for restoration. We had an active running count of outages every few hours as a planning basis for passing out requirements for the State EOC.

Under lessons learned, we found that early action by the State and local officials and the National Weather Service to warn the public about the approaching storm allowed the residents to prepare. And luckily, most of our citizens heeded the warning by stocking up on water, food, flashlights, and batteries. The early evacuation of low lying areas possibly saved hundreds of lives and more importantly, we prepositioned their cars in city garages to prevent further damage to their personal property.

Conference calls prior, during and after the storm were extremely helpful in coordinating actions regarding everything from school closings to meeting the needs of local jurisdictions. These calls were informative to decisionmakers and vital to emergency managers during the recovery phase.

Hurricane Isabel and the power outage it caused clearly pointed out the need to assess our critical infrastructure and the vulnerability of our communications systems, ice and water distributionsites and even the inability to get fuel for emergency generators. Finally, localities need more help from the State and Federal agencies respectively in reducing the logistics timeframe for the delivery of resources. At least one State or regional all-hazards exercise should be conducted annually with emphasis placed on the challenges of logistics.

In conclusion, I thank you for the opportunity to appear today and I am happy to answer your questions.

Chairman TOM DAVIS. Thank you very much. Mr. Shaffer, thanks for being with us.

[The prepared statement of Mr. Keys follows:]

**City of Norfolk**

**Testimony**

**Committee on Government Reform**
**United States House of Representatives**

**Impact of Hurricane Isabel on the City of Norfolk**

**Friday, October 10, 2003**

Good morning Chairman Davis and members of the Committee. I am Ronald Keys, Director of Emergency Services for the City of Norfolk, and I am grateful for the opportunity to appear before this committee to discuss Norfolk's preparation for and response to Hurricane Isabel. My remarks are focused on three specific areas:

- How Norfolk prepared for Hurricane Isabel
- The actual impact of the storm
- Lessons learned and recommendations for the future

Preparations for the Storm

It is important to note that Norfolk's preparations and mobilization began well in advance of Hurricane Isabel. For example:

After 9-11 the City made a commitment to educate the community on how to prepare for and respond to both man made and natural disasters. The public sector, the private sector and the residents of the Hampton Roads community took that preparation seriously. In partnership with the local media, several TV weather specials were produced and aired as we entered the hurricane season. The City also used its publications, public service channel and web page to ensure the preparation message was constantly before the public's eye.

Norfolk had learned a lesson in 1998, during Hurricane Bonnie, when water treatment operations suffered a power outage. For Isabel, the City was prepared having upgraded its water treatment facility generators and leasing three generators to provide alternative power at Moore's Bridges, where upgrades will be complete in December. When the power went off, these generators allowed treatment of over 27 million gallons from Moore's Bridges and 28 million gallons from the 37th Street plant. Water service was seamless.

Norfolk involved universities and schools, the businesses community, civic leagues, and individual citizens in our preparedness plan and outreach activities. When Isabel struck, we had open lines of communications with all of these stakeholders to let them know how to prepare and what to expect from the storm.

Several months prior to the hurricane season, Norfolk's Emergency Shelter Program was reviewed to ensure the agreement between the City, the Norfolk Public School system and the American Red Cross was current and met shelter requirements. All shelters received a vulnerability assessment and the Southeastern Virginia Chapter of the American Red Cross recertified over 500 city employees in shelter management.

The weekend prior to the hurricane, Norfolk worked closely with the surrounding Hampton Roads Emergency Operation Centers, the state EOC and local community organizations to host a hurricane/public safety exposition in downtown Norfolk. Several thousand residents and visitors were in attendance.

The preparation process accelerated when the hurricane was several hundred miles away in the western Atlantic Ocean. A decision was made early to implement our emergency action plan based on the National Weather Service forecast that Isabel would make landfall on the east coast.

A Declaration of Local Emergency for Norfolk was declared at 8:00 a.m. on Tuesday September 16, 2003, to ensure that all of the State's resources would be available to respond to the aftermath of Isabel as well as paving the way for potential federal assistance, and, after several conference calls that included the Governor's office, State EOC and regional school systems, the Norfolk Emergency Operations Center (EOC) activated partial staffing.

The Emergency Operations Center was fully activated on Wednesday, September 17, 2003, at 11:00 a.m. and was closely followed by the opening of our first emergency shelter.

A mandatory evacuation order was issued for residents of low-lying areas and those residents were advised to be in a safe location prior to 11:00 a.m. Thursday morning, September 18, 2003.

Public affairs and other management staffed telephone banks, implemented the Emergency Website, provided all media with consistently updated weather and safety information, and responded to media queries to help keep residents informed.

Procurement was on hand to help secure equipment, services or other purchases that may have been required on an emergency basis.

Information Technology installed and maintained computer and communications equipment required to monitor facilities, communicate with field operations centers and the State's EOC.

Norfolk pre-positioned sand bags around our shelters prior to Isabel's landfall and all emergency generators and vehicles were operationally tested and topped off with fuel.

We focused heavily on interagency coordination and tested communications with our partners in the public and private sectors.

We participated in daily conference calls with the State EOC, FEMA, the National Weather Service and our regional partners sharing information about resources and strategies.

We prepared and distributed updated lists of essential personnel contact information.

Operational departments distributed emergency duty schedules/deployment plans and pre-positioned materials and equipment for effective response.

Impact of the Storm

Hurricane Isabel was the most devastating natural disaster to hit Norfolk in a generation. Fortunately, Norfolk was relatively successful in weathering this event -- we benefited from both good fortune and appropriate preparation by public and private sectors in advance of the storm.

During the height of the storm, from mid-day until late Thursday evening, we hunkered down in the EOC and monitored events as the storm's fury passed. As soon as the winds diminished to a permissible level, we began assessing the storm's impact and were pleased to note no immediate loss of life. Nevertheless:

- Over 98% of the city was without power
- 90% of traffic signal were out
- 1,250 people were in Norfolk shelters
- Over 1,400 trees were down
- Midtown Tunnel was flooded
- Three of four acute care hospitals were on generator power
- All 54 Schools would be closed for 7 days due to loss of power
- Damage assessment was in excess of $84 million
- 1,000,000 cubic yards of debris required removal
- 1,642 buildings sustained structural damage and17 were a total loss

On Thursday, approximately three inches of rain fell and tidal flooding resulted for several days. The Chesapeake Bay and its' surrounding tributaries reached a peak level of 8.32 feet on Thursday September 18th. Downtown Norfolk flooded at 7 feet.

Electrical power was lost to over 98% of the City; however drinking water and pumping stations remained online with backup generators. Personnel were placed at the facility for continuous operation until the power was restored - there was no reported interruption of service

Although power was lost to 126 wastewater pumping stations, generators and bypass pumps kept sewage overflows to a minimum.

The EOC worked tirelessly to coordinate with Dominion Power on the electrical outage estimates and priorities for restoration. We had an active running count of outages every few hours as a planning basis for passing our requirements to the State's EOC.

A large amount of damage resulted from fallen trees and storm debris. We tracked the removal of 1400 downed trees that were impacting Norfolk in one way or another. Some trees blocked access and others impeded power restoration. Our Public Works, Department of Neighborhood & Leisure Services and the Department of Planning closely coordinated the priorities for debris removal in support of our overall action plan.

Police provided traffic control shortly after the storm and manned traffic lights that were rendered inoperable by the loss of electricity and fallen trees. Dominion Power worked round the clock to get the lights back in operation.

Lessons learned and recommendation for the future

Early action by state and local officials and the National Weather Service to warn the public about the approaching storm allowed the residents time to prepare. Luckily, many of our citizens heeded that early warning by stocking up on water, food, flashlight and battery operated radios.

The early evacuation of low-lying areas possibly saved several lives

Conference calls prior, during and after the storm were extremely helpful to coordinate actions regarding everything from school closings to meeting the needs of the local jurisdictions. These calls were informative to the decision makers and vital to the emergency managers during the recovery phase.

Hurricane Isabel and the power outages it caused clearly pointed out the need to assess our critical infrastructure and the vulnerability of our communications systems, food and water distribution sites and even the inability to get diesel fuel for our emergency generators.

City provided relocation sites in city parking garages for approximately 8,000 vehicles of residents of low lying areas.

The localities need more help from the state and federal agencies respectively in reducing the logistics timeline for the delivery of resources. At least one state/regional all hazards exercise should be conducted annually with emphasis on the challenges of logistics.

The print media did an outstanding job in pre-storm checklist preparedness and keeping residents informed during periods without power. Overall, the media did their very best to keep the public updated on the approach of the storm and assisted the EOC in passing the latest information on everything from school opening to ice distribution sites.

The storm confirmed many of the vulnerabilities identified after September 11, 2001. Federal funds provided to reinforce security at water distribution facilities and to improve public safety communications were instrumental in our response to Isabel.

As a result of hurricane Isabel the loss of sand has put waterfront structures in danger; the problem has now reached a critical level. We urgently need federal funds for shoreline protection to avoid a catastrophe if another storm hits the Hampton Roads area.

In conclusion, I thank you for the opportunity to appear today and I am happy to answer questions.

Mr. SHAFFER. Good morning. On behalf of the Hampton City Council, our mayor, the Honorable Dr. Mamie Locke, and our city manager, Mr. George Wallace, I would like to thank this committee for the opportunity to participate.

Hampton's response to Isabel was nothing short of outstanding and many, many city employees, businesses and citizens of Hampton deserve to be commended for their service to the community before, during and after Isabel. I would also like to thank our military personnel at Langley Air Force Base and Fort Monroe for their tremendous support in the days and weeks since Isabel.

Mr. Wallace could not be at this hearing this morning. He and I have collaborated on the city of Hampton's written submission for these proceedings. Given the time constraints, I will not attempt to address each and every item in our written submission but focus primarily on the issues before this committee.

I must also make you aware that responding to an emergency such as Isabel creates a tremendous demand on operational resources. Everything accelerates and a great deal of information passes by quickly without time for analysis and reflection. Every story has at least two sides and Hampton has not had an opportunity to debrief any of these issues with the State or Federal officials.

Having said that, let me begin. My testimony includes five areas of focus: Hurricane Isabel's impact on Hampton; observations concerning Hampton's response to Isabel; observations concerning the State response to this disaster; observations concerning the Federal response; and finally, Hampton's expectations as a local government regarding State and Federal response.

Key points in my testimony concerning the impact of Hurricane Isabel on Hampton: 30 percent of our city was flooded; 10 percent of our housing stock received significant damage from Isabel; we estimate over 5,000 trees went down as a result of the storm, resulting in over 1 million cubic yards of debris; we had tremendous erosion along our waterfront and beaches; the prolonged 100 percent power outage created challenges in Hampton that were not predicted; no one died during or after the storm in Hampton.

Key points in my testimony concerning our local response: The city of Hampton has a great emergency operations plan and this plan was exercised, implemented and followed; mandatory evacuation saved lives; the city of Hampton and Dominion Power worked well together in the days immediately after the storm to clear downed wires and trees from our roads; we implemented our debris removal contract the day after the storm and contract debris removal started on Sunday, September 22, augmenting the city's efforts up to that point; Hampton identified emergency hazards very early and coordinated with FEMA to put in place a process concerning our entry onto private property to mitigate these hazards; providing emergency and public information was a tremendous challenge with the total loss of power and the widespread loss of telephone service.

Key points in my testimony regarding the State response: The early declaration of a state of emergency and the mandatory evacuation issued by the Governor were very beneficial to Hampton; coordination with the State EOC was difficult due to the widespread

impact of Hurricane Isabel and our loss of critical communication links to the State; the process for requesting resources from the State EOC was very problematic for the city of Hampton and has caused a great deal of frustration and drawn the concern of our elected officials and citizens; interagency and jurisdictional coordination concerning requests for Statewide mutual aid between the State EOC, the mutual aid recipient and the mutual aid provider was filled with misinformation and delay.

Key points in my testimony regarding the Federal response: The National Weather Service forecast office in Wakefield is to be commended for the service they provided before, during and after the storm; FEMA is to be commended for obtaining the almost immediate Presidential disaster declaration that started the process toward recovery; the FEMA-initiated ice and water distribution plan created more problems than it solved for Hampton. We hosted a regional distributionsite at the Hampton Coliseum and our main EOC number was provided for every Federal employee and truck driver involved in ice and water distribution in Virginia. Delivery schedules were not reliable and it appeared that distribution was influenced by informal contacts and political demands; FEMA's reliance on the tele-registration process for individual assistance using the 1–800 number was problematic for our citizens due to the widespread power and communications losses; FEMA was responsive in establishing a disaster assistance center in our community and the face-to-face coordination with our citizens has been very well received; Hampton's questions regarding the public assistance process remain largely unanswered. We are not scheduled to have our PA kickoff meeting until October 14, which is the upcoming Tuesday.

Local government expectations regarding State and Federal response: The State and Federal Government response should add structure and organization to the chaos created by the disaster. Never should State and Federal officials add to the chaos and confusion; 72 hours has historically been the advertised time before State and Federal help arrives. Hampton's experience with Isabel was 6 days; State and Federal officials should be able to answer programmatic questions posed by local government and citizens; Federal employees should include local officials when hosting meetings with neighborhood commissioners, civic associations and similar organizations; State and Federal officials who visit localities repeatedly failed to follow through with requests for information and assistance; local government requests for assistance need to be very closely coordinated. Local governments can accept that resources may not be available but we need to know that in advance so we can adjust.

That concludes my comments and I am glad to be here today to answer your questions.

[The prepared statement of Mr. Shaffer follows:]

Testimony Detail
Submitted October 7, 2003
Government Reform Committee Hearing – October 10, 2003
Curtis J. Shaffer
City of Hampton, Virginia

# City of Hampton

1. Impact of Hurricane Isabel on the City of Hampton
   - 10% of housing stock significantly damaged by Hurricane Isabel, 1% or 403 homes received major damage or were destroyed. Another 3,630 homes were damaged by flood, wind, and trees. Hampton has experienced $37 million in private property damage. Public property damage is estimated at $10 million. Debris removal costs in Hampton are estimated at $17 million.
   - Flooding – As much as 30% of the City was flooded by storm surge and many homes were damaged by flood waters
   - Wind Damage – Over 5,000 trees down, many into houses and power lines; 500 imminent danger trees, trees that are leaning but not yet fallen, have been identified in the days and weeks after the storm.
   - Beach Erosion – 4 ft of vertical sand displaced from the beachfront.
   - Impact of 100% Power Loss – Hospital services were severely disrupted. Special Needs facilities struggled to provide for their populations, 100% of our sewer pump stations lost power, 100% of our traffic signals lost power, and all of our schools lost power.

2. Observations Concerning Local Response
   - City of Hampton EOC is located on the top floor of City Hall. On September 15 and 16, 2003, the City developed a plan for the contingency that we may not be able to stay in our EOC for Isabel. Hampton's EOC is not safe in winds in excess of 100 mph.
   - Evacuation Order – State ordered mandatory evacuation of low lying areas and trailer parks. Hampton implemented early and communicated to the public. 25,000 estimated to have evacuated out of harms way.
   - Sheltering Operations – 3 shelters opened; 1,500 sheltered; Special needs populations were problematic but manageable.
   - Key Asset Protection – Police, Fire, and Public Works assets successfully relocated within Hampton to protect from Isabel's winds and flood waters.
   - Debris Removal – Emergency Crews cleared downed trees during storm, keeping roads open for emergency response; City of Hampton and Dominion Power worked cooperatively on "Cut and Clear" operations Thursday through Sunday to clear main arterials of trees and power lines; enacted debris removal contract on Friday and contract debris removal began on Sunday September 21.
   - Emergency Health and Welfare Actions – Identified need to remove imminent danger trees and requested an early decision by FEMA on "Right of Entry". Process was identified by FEMA and actions to protect the public health and safety immediately initiated. Requested additional authority from state and FEMA to address other storm related debris on private property.
   - Public Information Challenge – Telephone and power loss required City to utilize numerous workers to hand out paper flyers and bulletins. The City Manager, Assistant City Manager, and available department heads passed out information to our citizens during the first weekend after Isabel. When the City nonessential workforce returned on Monday, additional staff canvassed neighborhoods providing information to neighborhoods without power.

**OFFICE OF EMERGENCY MANAGEMENT**
**40 LINCOLN STREET, HAMPTON, VIRGINIA 23669**

3. Observations Concerning State Response
   - State Emergency Declaration - Early decision by Governor was beneficial to local governments in preparing for Isabel.
   - Mandatory Evacuation Decision - Early decision by Governor to mandate evacuation of coastal and low lying areas saved lives.
   - State EOC Coordination – Large scale impact of Hurricane Isabel on the Commonwealth of Virginia exceeded local and state command, control, and response capabilities.
   - Resource Request Process – Hampton's internet and email capability to the state was down for 5 days after Isabel and Hampton utilized multiple methods to request resources to include conference calls, situation reports, resource request forms, and direct telephone requests. It is clear from our experience that the resource request process needs improvement regarding the any/all requests made to the state EOC.
   - Interagency Coordination - Hampton requested mutual aid/statewide mutual aid support for 10 Codes Inspectors and mosquito control assistance through the State EOC. We also coordinated directly with the City of Roanoke for generator support and knuckleboom trucks for debris removal. It is clear from our direct discussions with Roanoke that information relayed from the State EOC to Roanoke was not consistent with the needs Hampton identified.

4. Observations Concerning Federal Response
   - Weather Forecast Information - NWS Wakefield Forecast Office support of localities before, during, and after the storm was tremendous. Forecasts were very accurate.
   - Presidential Disaster Declaration – FEMA was very responsive in obtaining an immediate declaration from the President.
   - FEMA Regional Distribution Site for Ice and Water – Hampton Coliseum was requested for use as a Regional Ice and Water Distribution Site. Upon approval, setup by Virginia National Guard was immediate. Water and ice began to arrive much later than the opening distributions site. The local water supply was certified as safe prior to the arrival of bottled water. Ice distribution was problematic as the supply did not initially support the local demand for ice. Distribution of ice to affected localities appeared to be influenced by informal contacts and political demand, not need.
   - Individual Assistance/Disaster Assistance Center – Use of the teleregistration number was initially impacted by the loss of electricity and communications but over time, as power and telephone has been restored, more of the public has been able to teleregister. FEMA was responsive in establishing a Disaster Assistance Center at the Northampton Community Center on Todds Lane.
   - Public Assistance – Kickoff meeting is not scheduled until October 14, 2003. As such, some of our local PA questions have not been addressed, particularly beach front related questions.
   - FEMA Site Visits to City of Hampton
     - Rapid Needs Assessment (10) (9/19)
     - FCO Sandy Coachman; Pete Cote; Mike Jones (9/22)
     - FEMA Community Outreach Liaison (multiple)
     - FCO (Regional Distribution Visit) (9/25)
     - Preliminary Damage Assessment Team (2) (9/26)
     - Repetitive Flooding Team (2)
     - Disaster Assistance Center (established 9/27)
     - Debris Management Site (Multiple visits)
     - Telephone contacts with John Connelly (Multiple)
     - Public Assistance Briefing (Oct 14)

5. Local Government Expectations Regarding State and Federal Response/Recovery
   - The State and Federal government response should add structure and organization to the chaos created by the disaster. Never should state and federal officials add to the chaos and confusion.
   - 72 hours has historically been the advertised period of time before state and federal help arrives. Hampton's experience with Isabel was 6 days.
   - State and Federal officials should be able to answer programmatic questions posed by local government and citizens. Federal employees should include local officials when hosting meetings with Neighborhood Commissioners, civic associations, and similar organizations.
   - State and Federal officials who visit localities repeatedly failed to follow through with requests for information and assistance. We call these folks the one appearance wonders. You saw them once and they were gone.
   - Local government requests for assistance need to be very closely coordinated. Local governments can accept that a resource may not be available through State or Federal channels, but we need to know that so we can adjust. There was a tremendous amount of confusion regarding resource requests.

Attachments
1. City of Hampton Resource Request Summary
2. City of Hampton Memo to File re Leighty
3. City of Hampton Memo to File re Fukotomi
4. City of Hampton Memo to File re Bahamonde
5. Correspondence from Mr. Wallace to Congressman Schrock dtd October 9, 2003

CITY OF HAMPTON
RESOURCE REQUESTS TO THE STATE EOC
AS OF 1800 23 SEPTEMBER 2003

SUMMARY OF RESOURCE REQUESTS SUBMITTED BY THE CITY OF HAMPTON TO THE STATE EOC

| RESOURCE | SIZE | AMOUNT | LOCATION | TYPE | DATE SUBMITTED | SOURCE OF REQUEST |
|---|---|---|---|---|---|---|
| Offered for use as a DFO or DRC the vacant Gateway Building | 450,000 sq ft | 1 | 2000 Gateway Blvd | NA | 1600 18 Sep 03 Not Filled | Phone and Sitrep |
| Four 5 ton ARNG trucks to assist with high water evacuation. Needed nlt than 0600 18 Sep | 5ton | 5 | 22 Lincoln Street, Hampton, VA 23669 | NLT 0600 18 Sep 2003 | 1411 17 Sep 03 Not Filled Until 1800 on 18 Sep | Phone and Sitrep |
| Civil Air Patrol overflight for 19 Sep 03 to video damage areas and assess needs. | Na | Na | City of Hampton | Immediate | 2330 18 Sep 03 Filled | Phone and Sitrep |
| Chainsaws - Gas Powered Stihl. | 18 – 24 inch bars | 50 | Hampton Public Works 419 S. Armistead Ave Hampton, VA 23669 POC Ted Henefin 757.727.6020 | Immediate | 2330 18 Sep 03 1930 19 Sep 03 Not Filled | Phone and Sitrep Sitrep |
| Manufactured trailer/office space to house City of Hampton Facilities Management | 20 x 40 foot | 1 | Hampton Public Works 419 S. Armistead Ave Hampton, VA 23669 POC Ted Henefin 757.727.6020 | Immediate | 2330 18 Sep 03 1930 19 Sep 03 Not Filled | Phone and Sitrep Sitrep |
| Statewide Mutual Aid request for codes/permit/inspectors – electrical, | people | 10 | Hampton Codes Compliance Department 22 Lincoln Street, Hampton, VA 23669 POC Steve Shapiro 757.727.6021 | Immediate | 2330 18 Sep 03 Not Filled | Phone and Sitrep |
| Pure Water for use in Dialysis – pure water request | Gallons | 2,000 | Sentara Careplex Hospital 4000 Coliseum Drive Hampton, VA 23666 POC Bryan Johnson 757.475.7067 | Immediate | 0820 20 Sep 03 1930 19 Sep 03 Not Filled | Phone Sitrep |
| Resupply of Propane Fuel for Hampton Public Safety 800 Mhz Radio System Emergency Generators | 100 Lb Tanks | 2 | Bluebird Gap Farm 60 Pine Chapel Road Hampton, VA 23666 POC Lt Dave Ellis Hampton Police 911 757-727-6111 | Immediate | 1800 20 Sep 03 Not Filled | Fax |

| | | | | | | |
|---|---|---|---|---|---|---|
| National Guard or State Police for Assignments for Traffic Control | Person | 80 | Hampton Police Division<br>40 Lincoln Street<br>Hampton, VA 23669<br>POC Chief Tom Townsend<br>757-727-6111 | Immediate | 1800 20 Sep 03<br>Partially Filled | Fax |
| BAG ICE – 32,000 bags daily | TRUCK LOAD - 4000 BAGS OF ICE PER LOAD | 8 TRUCKS PER DAY UNTIL VAEOC HEARS OTHERWISE | FEMA REGIONAL DISTRIBUTION CENTER<br>HAMPTON COLISEUM<br>1000 COLISEUM DRIVE<br>HAMPTON, VA 23664 | Immediate | 1600 20 Sep 03<br>2330 22 Sep 03<br>Partially Filled | Phone<br>Fax |
| Mosquito Contol Biologists to evaluate threat of Eastern Equine Encephalitis and technicians for trapping and identifying species to pinpoint control needs. (Suggest use of Southern Governor's Compact as all mosquito control assets in Virginia are in the disaster area and unavailable for this mission. Delaware, Maryland, New Jersey or South Carolina) | Team | 3 or 4 staff | City of Hampton<br>Department of Public Works<br>22 Lincoln Street<br>Hampton, VA 23669<br>POC Ted Henefin<br>757.727.6020 | Immediate | 2330 22 Sep 03<br>Not Filled | Fax |
| Request Plan of Action for addressing the many unsafe standing trees the pose a public safety hazard | 1 | Removal Protocol | City of Hampton<br>Department of Public Works<br>22 Lincoln Street<br>Hampton, VA 23669<br>POC Ted Henefin<br>757.727.6020 | Immediate | 1930 21 Sep 03<br>Filled | Sitrep |
| Request Early FEMA approval for "Right of Entry" program to allow removal of storm debris from private property as discussed in phone conversation with State Coordinator | 1 | Policy Decision | City of Hampton<br>Department of Public Works<br>22 Lincoln Street<br>Hampton, VA 23669<br>POC Ted Henefin<br>757.727.6020 | Immediate | 1930 21 Sep 03<br>Filled | Sitrep |
| Statewide Mutual Aid Request to Roanoke City – Knucklebooms and tandem dump trucks and crews; 2-3 codes inspectors; Sewage Pump Station generators | Various | Personnel and Equipment | City of Hampton<br>City Manager's Office<br>22 Lincoln Street<br>Hampton, VA 23669<br>POC George Wallace<br>757.727.6392 | Immediate | 20 Sept 03<br>Filled | Letter of Transmittal |

MEMO TO FILE

Mr. Wallace had a telephone call with Bill Leighty, Governor Warner's Chief of Staff at approximately 2:45 p.m. on Friday, September 26, 2003. The primary purpose of the call was to ask Mr. Wallace to serve on the Governor's Task Force to examine the state and federal response to Hurricane Isabel. Mr. Wallace agreed.

Mr. Wallace also used the opportunity to ask Mr. Leighty about some Hampton concerns. Mr. Wallace asked about the State process for getting localities monies approved by FEMA for public assistance, specifically whether the State was going to require a specific form or contract to turn the money over to the City. Mr. Leighty indicated that there would be no new forms needed to release funds. Mr. Wallace also discussed a city concern that federal monies might be held by the State for a protracted period and Mr. Leighty indicated that this would not be the case, that monies would be released immediately. Mr. Wallace also asked whether the State had determined the match rate for FEMA funds yet. Mr. Leighty indicated that he though the match structure might be 75% federal; 20% state and 5% local.

Mr. Wallace also raised our concern about the EEE mosquito control issue and the lack of a state response to our request for specialists/technical assistance. Mr. Leighty indicated that he would work on it.

MEMO TO FILE

Mr. Wallace met with David Fukutomi, Federal Coordinating Office, Office of Director, FEMA on Thursday, September 25, 2003 at the Hampton Coliseum at approximately 10:00 a.m. Mr. Wallace discussed the list of unfilled needs that had been filed with the State Department of Emergency Management and/or FEMA. They also discussed the adequacy of FEMA public assistance funds. Mr. Fukutomi indicated that there were adequate funds to help localities and that no additional federal appropriation was required and that allegations to the contrary were merely rumor.

Mr. Fukutomi accompanied Mr. Wallace and Mayor Locke to the Hampton High School water/ice distribution site. Mr. Fukutomi and Mayor Locke then distributed water/ice to Hampton residents.

MEMO TO FILE

Received a call from Marty Bahamonde, Deputy Director of External Affairs for FEMA; 202-841-7750; returned call at 4:35 p.m. on Friday, September 26, 2003.

Mr. Bahamonde was calling regarding the list of public assistance requests the City made through the State Department of Emergency Management. Mr. Wallace had given this list to Mr. David Fukutomi, Federal Coordinating Officer, Office of the Director, FEMA on Thursday, September 25, 2003. That list is attached.

Mr. Bahamonde indicated that the only one of the requests that was received was for ice. He asked about the continued need for fulfillment of the items and Mr. Wallace indicated that we had fulfilled the all of the needs on our own with the exception of the entomologist. Mr. Bahamonde indicated that we would seek assistance on our behalf for that matter.

October 9, 2003

The Honorable Ed Schrock
Congressman
322 Cannon House Office Bldg.
Washington, DC 20515

Dear Congressman Schrock:

I am writing to request your assistance in getting FEMA authorization to proceed with debris removal from private property where there is a public interest and/or public safety concern as a result of Hurricane Isabel. FEMA officials are publicly stating that there is no authority to do so. However, we are aware of several states where such authority was previously granted. In fact, we have obtained a copy of FEMA-1465-DR-OK (Guidance for Debris Removal from Private Property) dated May 10, 2003 in which this authority is clearly delineated.

Based on conversations with John Connelly, with FEMA, we began the removal of imminent danger trees – those that were very likely to fall on homes, right of way or utility lines with additional winds and/or rain – immediately following the storm. Our conversation with Mr. Connelly confirmed our right to do so but did not include assurance that FEMA reimbursement would be forthcoming. We took the chance because of public safety concerns. We would like assurance, however, as soon as possible.

We also have very serious public safety concerns with regard to the huge trees that are on residential property (but not housing structures) as well as stumps left behind after the imminent danger trees were removed. The likelihood of some diseases such as eastern equestrian encephalitis increases the longer the trees remain, not to mention the increased potential for rodents. We are also seeking approval to expand the scope of our current debris removal activities to include these types of problems.

Please review this material – which establishes FEMA ability to authorize both of the above outlined situations – and let us know how you might help us expedite such authority for localities in Virginia. Virginia localities expect the same opportunities previously granted to other States.

I can be reached at 757-727-6392 or via email at gwallace@hampton.gov.

Sincerely,

George E. Wallace
City Manager

**CITY OF HAMPTON (757) 727-6392 FAX (757) 728-3037**
**22 LINCOLN STREET, HAMPTON, VIRGINIA 23669**

*"Oldest Continuous English-Speaking Settlement in America - 1610"*

# FEMA-1465-DR-OK
# GUIDANCE FOR DEBRIS REMOVAL FROM PRIVATE PROPERTY
May 10, 2003

Authority – 44 CFR 206.244(b): *Debris removal from private property.* When it is in the public interest for an eligible applicant to remove debris from private property in urban, suburban and rural areas, including large lots, clearance of the living, recreational, and working area is eligible except those areas used for crops and livestock or unused areas.

Guidance: FEMA will pay for the removal of debris from private property when the public health, safety, or economic recovery of the community is threatened and a senior state health official has determined that a health and safety hazard exists. A locally designated person must identify and approve specific sites or areas for this activity. FEMA will act upon receipt of a written request from the local jurisdiction through the Oklahoma Department of Civil Emergency Management (ODCEM). A right-of-entry (inclusive of hold harmless and insurance reimbursement clauses) will be completed and signed by the property owner or his duly authorized agent to remove debris from the property beyond the public right-of-way. In the event of rental property, a separate authorization must be obtained to remove personal property of the renter. Examples of health and safety hazards include:

- All debris within 100 feet of the pre-disaster residence and ingress/egress routes.
- Downed trees that threaten homes or impede safe passage of emergency vehicles; and leaning trees with exposed roots. Trees will be removed along with the stump and the resulting hole leveled. Those without exposed roots will be sawed off flush with the ground.
- Structures which have been deemed unsafe by local jurisdictions. Prior to demolition of an unsafe structure, the applicant or Federal agency charged with the demolition must comply with all applicable local, state and federal environmental requirements.
- Hazardous materials and substances deposited by or resulting from the disaster event. Removal of hazardous materials, dead animals and other substances outside the living, recreational, and working area may be deemed eligible for reimbursement when specifically designated as a threat to health or safety by an official duly authorized by the Subgrantee. The State of Oklahoma will coordinate requests for debris removal outside the living, recreational and working areas.
- Slabs and foundations are not eligible, but may be considered on a case-by-case basis if they pose a serious health and safety threat.

**Guidance for Debris Removal from Private Property**

Insurance Considerations: Regardless of the mechanism used for removal of debris from private property (US Army Corps of Engineers' contractor, local jurisdiction contractor, or local force account labor), the eligible work will only be performed on property where the owner has not and will not receive adequate private insurance compensation for debris removal. If the property owner receives insurance proceeds for such debris removal, the property owner must agree in writing to reimburse that amount to the local jurisdiction for offset against total Public Assistance Program costs.

Demolition of Historic Structures by Eligible Public Assistance Applicants: The local jurisdiction will notify the FEMA Environmental Liaison Officer when a historic structure is scheduled for demolition. Before demolition can occur to a standing structure (home, business, or public structure) that is 50 years of age or older, the structure must be evaluated under Section 106 of the National Historic Preservation Act. FEMA will initiate the historic review process by contacting the State Historic Preservation Officer (SHPO). If eligible for the National Register of Historic Places, FEMA will coordinate recordation prior to demolition.

Demolition of Historic Structures by U. S. Army Corps of Engineers (USACE) or other Federal Agencies: The USACE will coordinate all historic preservation and environmental compliance requirements when a historic structure is scheduled for demolition. Before demolition can occur to a standing structure (home, business, or public structure) that is 50 years of age or older, the structure must be evaluated under Section 106 of the National Historic Preservation Act. FEMA will initiate the historic review process by contacting the State Historic Preservation Officer (SHPO). If eligible for the National Register of Historic Places, FEMA will coordinate recordation prior to demolition. Prior to demolition of an unsafe structure, the USACE or other Federal entity must comply with all applicable local, state and federal environmental requirements.

Attachment A: "Public Assistance Debris Removal from Private Property" outlines the process that will be used for removal of debris from private property.

Attachment B: Sample Request Form

CONCURRENCE:

| | |
|---|---|
| Justin DeMello<br>Federal Coordinating Officer<br>FEMA-1465-DR-OK | Larry Culp<br>State Coordinating Officer<br>FEMA-1465-DR-OK |

# PUBLIC ASSISTANCE
# DEBRIS REMOVAL FROM PRIVATE PROPERTY
# FEMA-1465-DR-OK

## PROCESS
*17 June 2003*

The following outlines the process for the removal of debris from private property and making it eligible for reimbursement through the Public Assistance (PA) Program. The removal can be done by the local communities, either with their in-house forces or by contract, or by FEMA authorizing the U.S. Army Corps of Engineers under a Mission Assignment.

1. The property has to be located in a declared area and has to have suffered storm related damage.

2. Actions must be initiated at the local level.

3. The property/facility/building must be declared a "Public Health or Safety Hazard" by a person authorized to perform this function. This should be for specific buildings and closely defined areas. The building/facility must be owned by the person requesting removal of debris from the specific property.

4. The local community decides whether they want to take on the task themselves by (1) using in-house resources or contracting, or (2) asking the State for assistance through FEMA and the U.S. Army Corps of Engineers.

5. If the local community decides to take on the task themselves by contracting with a private contractor and intends to seek reimbursement under the PA Program, they must:

   - Follow their standard procurement practices.
   - Ensure all FEMA documentation requirements are met.
   - Meet all NEPA requirements.

   The local community is also encouraged to do the following to help ensure that they get reimbursement with minimal problems:

   - Coordinate with their State Public Assistance Officer.
   - Coordinate with their FEMA Public Assistance Coordinator.

6. If the local community decides to have the work done by the U.S. Army Corps of Engineers the following steps must be taken:

   - Make their request to their State Public Assistance Officer.
   - The State Public Assistance Officer advises ESF-3, Corps of Engineers.

- ESF-3 tasks the U.S. Army Corps of Engineers contractor.
- The contractor removes the debris in accordance with the FEMA guidance.

7. Before the contractor or public workers can go on private property the individual landowners must be contacted and permission obtained. The following is required:

   - A right-of-Entry Permit
   - An Insurance Statement
   - A Hold Harmless Agreement

   It is recommended that the property owner be present, if possible, during the debris removal operation for consultation, if needed.

   Obtaining these documents is the responsibility of the local community; however, the local community may ask the contractor who is actually doing the work to make contact with the property owners to obtain the documents.

8. The contractor or public workers remove the debris from specifically defined areas that have been identified as a public health or safety hazard. The public health or safety hazard and debris removal must be in the immediate vicinity of the facility/building and may include large concentrations or piles of debris staged for removal. Concrete slabs and foundations are not eligible for removal, unless they constitute a serious public health or safety issue and are approved on a case-by-case basis.

Chairman TOM DAVIS. Thank you. Mr. Schrock.

Mr. SCHROCK. PA kickoff, public assistance?

Mr. SHAFFER. Public assistance.

Mr. SCHROCK. OK, I was trying to figure that out.

Chairman TOM DAVIS. Let me just ask, what has this, just in terms of local dollars, cost each jurisdiction? Do you know, Mr. Shaffer, how much this is going to cost the city of Hampton?

Mr. SHAFFER. That is a piece of the puzzle that is still in question. For Hampton right now, of the eligible expenses for reimbursement, the Federal Government will pick up 75 percent. Hampton, due to their fiscal stress indicators, will get 23 cents from the State and we will pick up 2 cents of the cost of the recovery that is eligible. It is our expectation that there will be a great deal of cost borne by local government that will not be eligible for reimbursement.

Chairman TOM DAVIS. I think I would be interested as a committee chairman to get a report from you, if you do not mind sending it to us, or through Mr. Schrock or Mr. Scott, what the ineligible costs are, just so we understand how the law works. And maybe there are some things that ought to be there that are not there and the like. And I know what kind of fiscal stress localities are under—I spent 15 years in local government before I went to the House—and an emergency like this just throws your whole budget out of kilter, but you have to react to it.

Mr. SHAFFER. Right.

Chairman TOM DAVIS. How about for Norfolk; any idea what it will cost the city?

Mr. KEYS. We are still looking at the numbers but our fiscal stress level is 25 percent, so——

Mr. SCOTT. Say that again?

Mr. KEYS. For Norfolk, our fiscal stress is 25 percent.

Chairman TOM DAVIS. So under reimbursable expenses, it should not cost you anything.

Mr. KEYS. It should not cost us anything, but we are——

Chairman TOM DAVIS. You are going to have non-reimbursable expenses though.

Mr. KEYS. There are quite a bit of non-reimbursable costs that we are looking at right now. We are going through that list now.

Chairman TOM DAVIS. Again, I think if you could get us what those are, I think we would be interested in knowing what they are and taking a look at the law and seeing if we are including everything we need to. A disaster like this, I know what it can do to a locality's budget; it just turns it upside down.

How about Virginia Beach, Chief?

Mr. CADE. We will pick up 5 percent of the cost, of the eligible costs for reimbursement. And I think that is an operative key word because we are probably going to bear 100 percent of the cost, whether or not we get reimbursed for everything is kind of the issue that none of us really are confident. Some things are pretty straightforward, we know we are going to get reimbursed for. Some of the comments that we have gotten out of FEMA are, "Well, go ahead and do it."

Chairman TOM DAVIS. You might get some back.

Mr. CADE. Yeah. And in some cases, as in Hurricane Bonnie, it took us 2 years, when the audit was done, and ended up having to——

Chairman TOM DAVIS. Here is the reason I am asking what is eligible and what is not. No. 1, some of this may be arguable, you know, we may be arguing that. Again, with your congressional delegation, we can work on that and help you any way we can and I think we would like to do that.

Second, there may be things in the law that ought to be eligible that at least this committee has not had an opportunity to look at. And we have some jurisdiction over that and we would be interested in knowing what that is.

Mr. SHAFFER. I can provide some immediate observations from Hampton's perspective.

Chairman TOM DAVIS. Sure.

Mr. SHAFFER. A great deal of concern over the debris in the waterways has been raised and that has not, at this point, been made clear to us that is reimbursable. Piers, docks, waterfront erosion appears not to be reimbursable to a large extent.

Chairman TOM DAVIS. That is where you look for the earmarks in the Corps of Engineers' budget.

Mr. SHAFFER. Private property debris removal is borne by the property owner. However, in this particular storm the large root balls that exist are beyond any reasonable expectation that a property owner can even begin to deal with those and that presents health and safety concerns down the road for fires, mosquitos, things like that, in those holes that the root balls create. So that is where our questions at this immediate time have been focused, on non-reimbursable expenses.

Mr. KEYS. For Norfolk, one of the items that really concerns us is the waterfront property. We have lost quite a bit of the dunes and natural protection and in that we are worrying about the next storm that comes through, if and when that next storm comes through. There is no protection for those homes and businesses along the beach right now, because the dunes were completely wiped out by Hurricane Isabel.

Chairman TOM DAVIS. What is the cost for overtime for fire and police? And you had to rent buildings in the case of Virginia Beach. Now do you get any reimbursement for that at all?

Mr. CADE. We are assuming that it is a reimbursable cost for the overtime expenses and for the rental. That is the approach that we are taking, that it is at least reimbursable up to 75 percent level from the Federal Government, 20 percent from the State, and we anticipate having to——

Chairman TOM DAVIS. The State has a hole in its budget too.

Mr. CADE. Well, yes. At least the early indication is that those are the numbers, and certainly we have the concerns about the waterfront property. Probably, the city of Virginia Beach is a little bit different than my colleagues here in the fact that we do have two Corps of Engineers—engineered beaches and our assumption is that, since they were advertising how great those two projects worked, they in fact will help us with the reimbursement and repair of those beaches. We estimate that damage alone to probably be around $9.5 million. We are not sure yet, obviously because it

takes as I understand it—and I am no beach replenishment person—about 6 weeks for the wave action to finish putting back as much as it is going to.

Chairman TOM DAVIS. Is it fair that probably the worst hit for the region was the flooding of the tunnel?

Mr. CADE. Yes.

Chairman TOM DAVIS. It affected the most people for the widest period of time. And I have not read all of the articles leading up to that but, in retrospect could this have been prevented?

Mr. KEYS. I cannot really speak for the tunnel, but I can speak in terms of an emergency manager. You look at a good checklist—and I think Norfolk is just like the other communities and Hampton Roads—the emergency managers got together, we have checklists, we use those checklists and I think that prevented a lot of the disaster.

Chairman TOM DAVIS. But not for the tunnel, in other areas.

Mr. KEYS. Yes.

Mr. SCHROCK. In Portsmouth and Norfolk's defense, it was not their responsibility to do the tunnel.

Chairman TOM DAVIS. Absolutely. That is why I can ask them and get a straight answer. [Laughter.]

This is something that was completely unanticipated, I gather. Nobody ever thought this could happen. And they did have safeguards in addition, is that fair to say? They just did not work.

Mr. CADE. It certainly raises some concern on our part because of the Bay Bridge Tunnel going the other direction, as to whether or not that is in fact being exercised on a regular basis. So that is something that we are following up on.

Chairman TOM DAVIS. Well, you live and learn. These are not all bad in this instance. Maybe we can prevent a worse disaster next time.

Mr. CADE. There were lots of good things that happened, no doubt about that.

Chairman TOM DAVIS. A lot of good things happened. Look, whenever something like this happens not everything runs perfectly. You have to make snap decisions and sometimes you have to make choices with limited resources. So this is really not finger-pointing, but it is a learning experience in terms of what is going on. In retrospect—you know, on Monday morning—you can always call a better game than you did Sunday afternoon. And that is kind of where we are, but you learn from that.

Mr. Schrock.

Mr. SCHROCK. Thank you very much. Yeah, I think you are absolutely right that the first responders are the folks in our cities, your cities, and I think they did an incredibly good job.

And Captain, I am going to ask you—you may not hear this as a tunnel thing, that is a big issue as you can imagine around here. I heard the top VDOT official say at a briefing we attended at the tunnel that in order to close that tunnel, they had to get written permission from the mayors of Norfolk and Portsmouth. The mayor of Portsmouth made it really clear to me that was absolute nonsense. Do you agree with that?

Mr. KEYS. We had never heard that.

Mr. SCHROCK. Never heard of that, yeah. It is called "buck passing."

Chairman TOM DAVIS. Yeah.

Mr. KEYS. And now EOC was manned the entire time with the city manager and everyone else. So if that had come through, I am sure we would have known it.

Mr. SCHROCK. Your comments, your "all hands," I know exactly where you are coming from on that. Your "all hands" exercises are just a great idea, and I keep harping on that, that is the only way we are going to solve most of these problems is to exercise. You know, you did it for your whole career and I think that is the only way we are going to get these things resolved.

Mr. Shaffer, you talked about debriefs. You obviously are ready to debrief the State and Federal Government. Is there a process in place to make that happen in a timely manner?

Mr. SHAFFER. Absolutely. In fact, yesterday afternoon we had our initial after action comment review for the city and we collected numerous, numerous comments from city departments and of course the process of administratively putting that together into a document is down range, but we are well on our way to looking at those actions.

Mr. SCHROCK. You made a comment about the promises the State and Federal made and you said the followup was not good. Can you please help me understand that?

Mr. SHAFFER. What I am referring to with that comment is, we had a parade of FEMA officials come in the days and weeks following. Some of those folks have been very, very professional, very, very helpful to Hampton local government. Some of those folks came in and offered to do things and upon their departure from the city were never seen or heard from again, never answered the question that they said they would get answered.

Mr. SCHROCK. Good photo op.

Mr. SHAFFER. I think these were lower level than photo op individuals.

The other observation that I have relative to those folks is—and it primarily occurs at our debris operation—we have had an incessant parade of different Federal officials come through there and the level of expertise is obviously different. Some people will provide guidance that is countermanded the following day, it is contrary to what was given the preceding day and, you know, you measure a cubic yard of debris the same way in Virginia Beach as you do in Florida as you do in Hampton as you do in Texas.

Mr. SCHROCK. A cubic yard is a cubic yard is a cubic yard.

Mr. SHAFFER. A cubic yard is a cubic yard, and it is not rocket science.

Mr. SCHROCK. For the Federal Government, maybe it is. Did you have the same experience with the follow-through?

Mr. KEYS. In terms of?

Mr. SCHROCK. Officials coming to your city and saying they are going to do this and do that, you know, and then walk away and nothing happens.

Mr. KEYS. Exactly. We had several representatives come in and I was just trying to find out who was the one FEMA point of contact. If I had a question, I would love to be able to go to one person

to get an answer, and that was the biggest thing for me. I would have people coming in talking about assistance centers and someone else talking about other things, but I would like to see one person——

Mr. SCHROCK. One point of contact.

Mr. KEYS [continuing]. One point of contact who could provide the information.

Mr. CADE. We had the same experience, Congressman. We had FEMA officials in very, very quickly after the hurricane had gone through, which was very nice, but then trying to followup with questions, it took us days to find out who was the right person in the FEMA scheme of things to be able to talk to, and in saying FEMA, it is probably somewhat of a misnomer because in the housing issues, you had to talk to the person under the Secretary of Housing and Urban Development office and find that person and who it was. So yes, while it is all under the Federal response plan, it is certainly different agencies within the Federal Government. Part of it is just structural problems. We sent requests up to the State. You put in the submitter's name, it does not allow you to put in the point of contact's name, so the administrative assistant who typed all that stuff started getting a whole lot of phone calls and obviously she was outstanding the right person within the city of Virginia Beach. So it took us awhile to get those answers. The problem was our citizens were hitting us with those questions. It took us 3 or 4 days to find out who the right person was that we could all go to, to get that answer.

Mr. SCHROCK. I know my time is up, but let me share one thing with the chairman. Several years ago, Virginia Beach invested in what we call a hurricane protection wall at the oceanfront, and I can assure you, it paid for itself this last time, so that was money very well spent.

Mr. CADE. In fact, the Corps of Engineers' press release right after the hurricane I think, credits that project with saving at least $50 million worth of property damage, and that is probably a low estimate.

Mr. SCHROCK. My dream would be to have the same thing in Oceanview and Willoughby, but that is for another decade, I guess.

Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you very much. Mr. Scott.

Mr. SCOTT. Thank you, Mr. Chairman.

We have had different answers to this question. Let me see what kind of answers we can get on this: How much power outage did you think you were going to have to suffer through? Did anybody expect that most of the people in your jurisdictions would be out of power for at least a week, many for 2 weeks?

Mr. KEYS. In Norfolk, early on when the storm was a Category 5, we were expecting heavy damage, but the last forecast that we got that the hurricane was going to come across as a Category 1, we were relieved. We expected some damage, some power outage, but nothing on the scale that we saw.

Mr. SCOTT. You are talking a day, two, maybe three?

Mr. KEYS. I was talking maybe—exactly, just 2 to 3 days. But when you go into a week or whatever, Norfolk never expected that.

Mr. SCOTT. Mr. Shaffer.

Mr. SHAFFER. I think in Hampton, 70 percent of our power lines are overhead in Hampton and certainly we knew that there was going to be tree damage and significant power outage. I think what we were most shocked at was that for our commercial districts, our hospital, some of our critical facilities, it took as long as it did to restore power. And getting that information from Dominion Power was a little bit problematic in the early going. But I think they did a herculean job in getting power restored.

My personal assessment was probably 4 weeks for the city of Hampton for power restoration and we were basically 100 percent by the end of the second week. But to answer your question, were we surprised at the amount of power outage? Yes, particularly in our areas that do have underground utilities, and the length of time that it took to restore those.

Mr. SCOTT. Mr. Cade.

Mr. CADE. Certainly in Virginia Beach our expectation, based on our experience in Hurricane Bonnie which was a Category 1 hurricane 5 years ago, it took us only a few days to have probably 99 percent of the city back up. And so when they said it was going to be a Category 1 hurricane, our expectation was 2, 3 days and everything was going to be fine. Dominion Power did an excellent job, we cannot complain about that, but we certainly—it took a lot longer than we had anticipated.

Mr. SCOTT. Now we have had comments about when assistance was requested from FEMA. I recall from your testimony that on Friday, you thought you had asked FEMA for a lot of services, products, ice, water—you thought the request had been made, is that right?

Mr. KEYS. Yes. After the hurricane, we had conference calls with the State EOC. And part of that conference call was (1) to give your assessment of your city and what you needed and every city went down the line from Accomack to Williamsburg voicing those requests over the conference call.

Mr. SCOTT. You were doing that Thursday and Friday.

Mr. KEYS. That started Thursday.

Mr. SCOTT. OK, now what needs were you articulating and were they met? I assume you had ice and water.

Mr. KEYS. The main things that we heard from the majority of the people responding on the conference call were ice, water and generators.

Mr. SCOTT. What about food after a couple of days?

Mr. KEYS. The early part. Thursday, you did not hear food, but as we got later into the process, you did hear food.

Mr. SCOTT. And after everyone had articulated these needs to whoever was on the conference call, how were those needs met, how well were they met? Well, let me ask it another way, at another hearing we heard that some felt they would have been better off if FEMA had said right from the beginning, "we are not going to do anything, you are left to your own devices." Would that have been helpful compared to what you got?

Mr. CADE. At least for the city of Virginia Beach, I guess one of the confusions we had was once a Presidential Declaration was done, which was done very early, we assumed that greased the wheels for everything to begin to start taking shape. After the con-

ference calls when our needs were articulated, we followed them up through the e-mail request system. We assumed, I guess mistakenly we found out, that those requests were going to be acted on in a fairly timely manner. I will be very honest with you; for the future, we have already started making contingencies. We are not going to rely on waiting on——

Mr. SCOTT. So you would have been better off had you known from the beginning—if FEMA had told you from the beginning, we are not going to do anything, you would have been better off.

Mr. CADE. If they would have told us it was going to be 5 days before they showed up, we would have put things in place for 5 days.

Mr. SCOTT. Mr. Shaffer.

Mr. SHAFFER. I had indicated previously that we were fairly frustrated and I know that you have heard what Mr. Wallace had to say about the request process. Basically, I think the process really needs to be dissected, evaluated and rebuilt. The process provided no feedback to local government as to what the status of requests were. We saw a great deal of confusion because we had telephoned requests, we had faxed in requests, we had situation reports where requests were made, only to find later that maybe the State did not have a record that the request was made or they did not act on it through any of those channels.

Mr. SCOTT. And many of those things, you could have, had you known that was going to happen, you could have taken the matter into your own hands and done certainly no worse a job.

Mr. SHAFFER. Absolutely. In other cases, we made requests only to have the request 24, 36 hours later pointed back to the local government with the name of a vendor that the local government was to contact to obtain the resource. Certainly we could find a vendor much more quickly than 24 to 36 hours to obtain generators, chain saws and things like that.

Mr. SCOTT. And so finally, Mr. Chairman, I think the point is, if we know what FEMA is going to do and what they are not going to do right off the bat, that would be extremely helpful.

Mr. SHAFFER. Absolutely.

Mr. SCOTT. Thank you, Mr. Chairman.

Chairman TOM DAVIS. Yes, sir. Mr. Forbes.

Mr. FORBES. Mr. Chairman, I could not agree with Congressman Scott more. The only thing we do have to recognize is the law is the law and, good or bad, the four of us up here helped write these laws and statutorily FEMA cannot do anything, whether we want them to, whether you want them to, whether they want to, until the State has made that request. Did any of you on the panel know that the State had not made a written request to FEMA for 4 days out?

Mr. KEYS. Speaking for myself, I assumed on that conference call when I provided my situation reports and my needs, that someone on the other end of the line was taking that information down and passing it on.

Mr. FORBES. And that was an assumption I would have made too. But let me just ask you guys this, because some of you were on the conference call, do you know who was conducting the conference calls? And the reason I asked that is because according to

the written testimony we have here from Mr. Marshall, and maybe he can elaborate on this when we go to the next hearing, but it says the Governor held the first of four conference calls with local officials on September 15, made subsequent calls on September 17, September 18 and September 26. Then the Virginia Department of Emergency Management conducted two conference calls per day from September 15 through the 29th with local emergency management coordinators. During that same time, Virginia Department of Emergency Management held daily conference calls with State agencies. Were these the calls you were talking about? Did FEMA have any separate calls that they put you guys on?

Mr. KEYS. No, sir.

Mr. FORBES. On the e-mails that you had that you were sending in, do you know the e-mail address that you were sending them to? Was that going to FEMA, was it going to the State?

Mr. KEYS. We sent them up to the State EOC. We would get an e-mail confirmation back that they received it, but I guess, like Curt was saying, just because they received it did not necessarily mean we got feedback in a timely manner that allowed us to know what was going on.

I personally sat in on the conference calls, certainly as Ron and Curt did. There were FEMA representatives that were on the call, we heard them talking. We assumed that when you are talking to the State and you are talking to FEMA that——

Mr. FORBES. And I think that is a huge thing that we have to get clarified. And we have to make sure that the FEMA folks know that they make clear to local people when they are talking to them, we have this authorization or we do not have this authorization at that particular point in time. Because every locality that I met with had the same concerns, they just did not know what they were going to get and they did not know when they were going to get it.

The last thing I just want to do is once again—and I am sure everybody else has done it, but just commend the three of you for all that you have done, local government just did a stellar job. You know, local government normally gets bashed all the time for stuff that they have done, but you just did a fantastic job in doing that.

And the last thing I want to emphasize, because it is important we know this as a committee too, one of the toughest jobs you have is, you are the people communicating with citizens out there. If you are getting bad information and you are miscommunicating to your citizens, through no fault of your own you lose that credibility. And in a huge emergency where lives are in danger as opposed to just property and money, that is going to be an important thing for us to do. So it is vitally important that we make sure you are getting accurate facts so that you can disseminate them. But I just want to thank you for the jobs that local government did in this situation.

Mr. CADE. Thank you, Congressman. And you bring up a very good point. Ron and I were talking about it earlier, we finally stopped saying things because we could not guarantee what was going to happen. And we figured if you are going to get beat, you might as well get beat for saying nothing than for opening your mouth and telling them something wrong.

Mr. KEYS. That is right.

Chairman TOM DAVIS. Are there any other questions for this panel? You are going to get us some information on the reimbursables and what that is and we will try to do something with it.

Mr. FORBES. Mr. Chairman, one thing that you could do also, the big thing we have heard from local governments is about this overtime issue and specifically that, during an emergency you have to reallocate some of your personnel to do other types of tasks, and so far I have not found a locality that has a good answer to that. But I know that you could get that for them and that would be hugely important, I think.

Chairman TOM DAVIS. I want to thank all of you for the job—and the men and women under you. This region really pulled together. It could have been a lot worse, we need to remember that and a lot of really good things did go on with the community pulling together, all the governments cooperating. We tend to focus on the negative because there are always things that go wrong with something like this and we do not want them to recur, but this has been helpful to us and we look forward to getting more information from you as you more fully develop your costs and the allocability and that kind of thing.

Again, thank you for being here. The record will be kept open for 2 weeks to allow you to supplement this.

The hearing is adjourned. Thank you.

[Whereupon, at 11:18 a.m., the committee was adjourned, to reconvene in Chesapeake, VA.]

# EMERGING FROM ISABEL: A REVIEW OF FEMA'S PREPARATION FOR AND RESPONSE TO AFFECTED AREAS IN THE HAMPTON ROADS REGION

**FRIDAY, OCTOBER 10, 2003**

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
*Chesapeake, VA.*

The committee met, pursuant to notice, at 1:37 p.m., in the City Council Chambers, Chesapeake City Hall, Chesapeake, VA, Hon. Tom Davis (chairman of the committee) presiding.

Present: Representatives Tom Davis, Schrock, Forbes, and Scott.

Staff present: Allyson Blandford, office manager; David Marin, communications director; Edward Kidd, professional staff member; Teresa Austin, chief clerk; John Hunter, counsel; and John Cuaderes, senior professional staff member.

Chairman TOM DAVIS. A quorum being present, the committee will come to order.

We are conducting this field hearing in Chesapeake to assess the post-Hurricane Isabel damage and the state of emergency preparedness in the Hampton Roads region. My colleague and good friend, Randy Forbes, requested that this congressional committee actually come down here to witness first-hand the adequacy of the Federal, State and local governments' response to the devastation inflicted by one of the worst storms in history to hit this region, and to evaluate the state of cooperation among the government agencies responsible for emergency preparedness. These are vital areas of concern to the Government Reform Committee and to the entire country in the post-September 11 world. It is for this reason we decided to come to Chesapeake this afternoon and hold this critical hearing.

I am pleased that Congressman Forbes and Congressman Bobby Scott are with us, and, of course, to my friend Ed Schrock who is a committee member, I appreciate you being over here as well. What affects one part of the region really affects it all; there is an interconnection.

I do not need to remind anyone here that Hurricane Isabel inflicted death, injury and severe economic damage on this entire region. It has been over 3 weeks since Isabel roared through the region and the effects of this horrific storm are still disrupting people's lives today. For example, one of the most glaring adverse impacts on virtually everyone living or doing business in this area is the flooding and closure of the Midtown Tunnel.

The Government Reform Committee has a vital interest in the government's response to the damage caused by Hurricane Isabel to the Hampton Roads region. It is critical that the Federal, State and local governments act in a coordinated, efficient manner, not only in response to future natural disasters, but also to potential terrorist acts. The Federal Government, the Commonwealth of Virginia and local jurisdictions have taken a number of actions to improve coordination of emergency preparedness efforts. Since the private sector owns most of the critical infrastructure in the Hampton Roads region and across the country, it is important for the private and public sectors to work closely to protect the region's infrastructure.

Hurricane Isabel and the coordinated response to it mark an important opportunity to reassess the region's readiness and assure that all plans are workable and will meet the needs of all those involved. I hope this hearing will give us an accurate picture of the clean-up efforts in the Chesapeake area, what was learned from the devastation of Hurricane Isabel, and the progress made in developing an effective emergency preparedness program. Also, the committee hopes to find out what actions have been taken by the Federal Government and local jurisdictions to improve coordination on emergency preparedness efforts. We will also find out what, if anything, has been learned concerning the critical infrastructure the private sector owns and what can be done to keep it online during a disaster.

We have assembled an impressive group of witnesses for this afternoon's hearing. We will hear from FEMA, the Virginia Department of Public Safety and from Dinwiddie and Isle of Wight Counties and the cities of Suffolk and Chesapeake. I want to thank all of our witnesses for appearing before the committee. I look forward to their testimony today. Again, Mr. Mayor, thank you for hosting this in your chambers, we very much appreciate it. Mr. Forbes, you are hosting this as well as our Member that requested this and we are happy to be here. You are recognized.

[The prepared statement of Chairman Tom Davis follows:]

**OPENING STATEMENT**
**Chairman Tom Davis**

**COMMITTEE ON GOVERNMENT REFORM**
**OVERSIGHT HEARING**

**"Emerging from Isabel:**
**A Review of FEMA's Preparation for and Response to Affected Areas**
**in the Hampton Roads Region"**

**OCTOBER 10, 2003**
**1:30 P.M.**
**Chesapeake City Council**
**Chesapeake, Virginia**

We are conducting this field hearing in Chesapeake today to assess the post-Hurricane Isabel damage and the state of emergency preparedness in the Hampton Roads region. My colleague and good friend, Congressman Randy Forbes, requested that this Congressional committee actually come down here to witness first-hand the adequacy of the federal, state and local governments' response to the devastation inflicted by one of the worst storms in history to hit this region, and to evaluate the state of cooperation among the government agencies responsible for emergency preparedness. These are vital areas of concern to the Government Reform Committee, and indeed to the entire nation, in the post-September 11th world. It is for these reasons that we decided to come to Chesapeake this afternoon and hold this important hearing.

I am pleased that Congressman Forbes and Congressman Bobby Scott are with us this afternoon, and I would like to welcome them both to this field hearing.

I don't need to remind anyone here that Hurricane Isabel inflicted death, injury and severe economic damage on this entire region. It has been over three weeks since Isabel roared through the region and the effects of this horrific storm are still disrupting people's lives today. For example, one of the most glaring adverse impacts on virtually everyone living or doing business in this area is the flooding and closure of the Midtown Tunnel.

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the needs of all those involved. I hope that this hearing will give us an accurate picture of the clean-up efforts in the Chesapeake area, what was learned from the devastation of Hurricane Isabel, and the progress made in developing an effective emergency preparedness program. Also, the Committee hopes to find out what actions have been taken by the federal government and local jurisdictions to improve coordination of emergency preparedness efforts. We will also find out what, if anything, has been learned concerning the critical infrastructure the private sector owns and what can be done to keep it on-line during a disaster.

Mr. FORBES. Thank you, Mr. Chairman. I too would like to thank the city for allowing us to use their facilities. Mr. Chairman, I want to thank you for taking time to come here and be with us today. It is rare—and I do not think many of our citizens really understand just how rare it is—for the chairman of a full congressional committee to come to the locality instead of making people come to Washington. Congessman Davis has always been available for us when we needed anything throughout the State, and we just appreciate you for taking that time.

Also, it is great to be with both Congressman Scott and Congressman Schrock. One of the great things about the Virginia delegation is we work so well together. We do not think about whether it is in the Third Congressional District or the Fourth Congressional District or the Second, we work together to make sure that we are doing the things that our citizens need. I think this hearing is a good demonstration of that, and certainly appreciate them being here today.

If you ask why this hearing is important to us, Congressman Davis has outlined some of the reasons, but let me just tell you from my perspective. As I traveled around our localities after the storm, one of the things that I constantly had given to me were questions that the locality had about things that occurred during that crucial period of time in the storm, especially those first 12 days or so. They were questions that we have not gotten answers to. I think a hearing like this gives us an opportunity to answer those questions.

I think it is important to recognize that this is not a finger-pointing exercise, although if you are the person getting the questions asked to you it feels that way. But I will tell you this, if it takes finger pointing for us to ask tough questions so our citizens are prepared for emergencies like this, then mark us all guilty of finger pointing, because one of the things that I have emphasized is my concern this was a hurricane, in some situations a Category 1 and some not even a Category 1. But think about what it would have been if this had been a Category 3 hurricane or, heaven forbid, a terrorist attack. And we cannot just walk around afraid that we are going to ask a tough question because it might be an embarrassing answer and not get problems fixed so that we do not have those fixed for us the next time something like this happens.

I want to show you some of the facts that we have gotten from a hearing earlier today and tell you where I think we're going with a little bit of this hearing. But before I do that I want to just say, the story to me of this storm was one, first of all, of tremendous volunteers coming out from our communities and doing just an absolutely wonderful job. We could not have cleared all the steets, we could not have gotten people taken care of without those volunteers, and just to see the kind of community spirit that we had all over the area of the storm was wonderful.

Second, I do not think we can applaud local government enough. I did not see one single local government that I visited that just did not do a stellar job. All we can do is say thank you and tell you how proud we were of your efforts.

And the third, I think we have to take our hats off to Dominion Power. If you were sitting there and you did not have power it was

easy to raise your hand and say, "I do not like what is going on." But if you look at what they did, they did just a tremendous job in dealing with this storm.

Now, I have one overhead if we can put it on. I just want to show you this as we start. We had a statement earlier that this storm was broader and more significant than local officials and State officials expected. I think we need to analyze that, and the reason for it is this: We have heard that we grossly underestimated this storm. The question we are going to have to ask ourselves is, "did we really?" And the reason I say that is because of this. I was coming back from Iraq 2 days before this storm, I was in Germany at Ramstein Air Force Base, and every news broadcast that I saw talked about this storm going to be the worst one that we had seen in decades. If you look at NOAA's projections—and we heard earlier that there was—this storm was wider than projected. NOAA had expected that the storm would be 260 miles wide. In point of fact, it was only 300 miles wide, that is only 40 miles off. That was a pretty good projection. If you look at the track of this storm, there was no better projection—or projected track—than we have seen on storms in years. If you then look at the wind velocity that we ultimately had, you seen when a state of emergency was declared we were actually at a Category 2 storm. By the time it hit many of our areas, we had a Category 1 or less.

And then some people will tell you that the damage from this storm was greater than what we had expected from a storm with winds of these amounts. But I just ask you to look at what Dominion Power did. The last example we had of a storm like this was in 1998, it was the ice storm. We were out of power for 9 to 10 days in areas with that ice storm. And in this particular situation, Dominion Power recognized that this was going to be a storm equal or greater to that one. They had mobilized 3,500 people coming to Virginia to try to make sure that we were dealing with these power outages.

So I think we cannot say that this storm caught us by surprise. I think the projections were good. I think what we did before the storm and what we did 12 days after the storm was pretty good. The questions I have are in the interim period of time where it seemed like we had some huge communication breakdowns between Federal Government and State government and what they were communicating to the local governments; these are some of the questions that we want to ask today. And one of the crucial things that I think we have to analyze that we heard earlier today was that FEMA, with the resources it had, could not move those resources in place until written authorization from the State took place. That written authorization did not take place until 4 days after the storm. So I think we have to at least ask ourselves why that delay, how do we keep that from happening in future situations?

And the final thing we heard constantly from our localities is, we are being told one thing and something else happens. We have to find a way to bridge those communication gaps so our localities

know that when they tell their resident something they can count on that and make sure it is accurate.

So I am looking forward to your testimony. Mr. Chairman, thank you for your time and for being here.

[The prepared statement of Hon. J. Randy Forbes follows:]

COMMITTEES:
ARMED SERVICES
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TACTICAL AIR AND LAND FORCES

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COURTS, THE INTERNET, AND INTELLECTUAL PROPERTY
CRIME, TERRORISM, AND HOMELAND SECURITY
THE CONSTITUTION

SCIENCE
SUBCOMMITTEE:
SPACE AND AERONAUTICS

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**Opening Statement of Congressman J. Randy Forbes (VA-04)**
**Committee on Government Reform Oversight Hearing**
**Chesapeake, VA**
**"Emerging from Isabel"**
**October 10, 2003**

When Hurricane Isabel struck the eastern seaboard, it brought devastation to many areas of Virginia. It destroyed homes, businesses, and crops; brought down trees and power lines; and limited access to essential resources such as food, water, ice and gasoline.

Amidst many problems in coordinating relief and assistance between the state government and the federal government, the localities within the Fourth Congressional District stepped up to the plate and took initiatives necessary to help their residents in need. The tireless effort of each and every one of the 18 localities within the Fourth Congressional District, their long days and nights, and their constant attention to the needs of their residents, should not go unnoticed. They deserve great praise for their efforts.

Also equally deserving of praise are the many volunteers that made a recovery from Isabel possible. Throughout my visits within the Fourth District, I met families whose homes were damaged and in some cases, completely destroyed by Isabel's fierce winds and rains. Many people in the communities came together trying to help these families in the clean-up efforts. To see friends, neighbors, and even strangers coming together to help one another is a wonderful sight. I am sure almost everyone involved in this storm has a story to share about the kindness of others and we all owe a debt of gratitude to these individuals.

The reason, we are here, today, however, is to address the concerns of many localities, in regard to state and federal response to Hurricane Isabel. Despite clear warnings that Virginia could be facing a Category 5 storm, despite clear assurances that federal emergency provisions were standing by, despite a declared state of emergency, and despite – by the grace of God – a significantly weaker storm than expected - the citizens of the Fourth District came up short.

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I recognize all the hard work that many employees of FEMA have put in throughout this emergency and I'm not here today in the spirit of outright criticism. In fact, several of my localities have had positive experiences working with FEMA and the State. As a congressman, however, it is my duty to provide oversight of federal agencies and to facilitate problem solving among local, state, and federal entities. With an attitude of cooperation and an atmosphere of communication we can come together to answer the questions on the minds of many localities and ensure the best possible response for the next emergency we face.

Foremost in the minds of many local officials I have spoken to is how to facilitate better communication between localities and federal and state emergency officials. Even with the best emergency plan in place, a disaster can escalate out of control if the proper channels of communication are not in place. Today, we need to iron out the questions that caused widespread frustration and confusion during Isabel: What point of contact can a locality turn to when in need of immediate disaster resources? What is the most efficient and most error-proof form of communicating with state and federal officials? Who is making decisions about the placement and diversion of resources, and who, ultimately, is responsible for these decisions?

Another question on the minds of the localities of the Fourth District is why, when recovery centers were being placed at a rate of one center per 3,000 claims along the eastern shore of Virginia, was there not one center in the Fourth District? Why did the 18 localities of the Fourth District, with a combined total 15,000 claims for federal assistance, have to wait 13 days for one single recovery center? In Chesterfield county, right along the path of the storm, over 4,000 people's homes or businesses were so significantly damaged that they submitted claims. Yet Chesterfield county did not receive a Disaster Recovery Center until October 2. Many other localities in my district have similar stories.

There are many, many questions still left unanswered in the wake of Hurricane Isabel. The most important questions to answer today are the most basic, and the ones that localities have been seeking answers for since the storm hit: How are damage reports and assistance requests assembled from localities collected at a state and federal level? What is the protocol for communicating with state and federal officials during an emergency? What is the operational method for determining where to place Disaster Recovery Centers? And why were FEMA and the State of Virginia underprepared for what was forecast to be a Category 5 Hurricane?

The implications of the lack of preparedness of Hurricane Isabel are astounding. There will be future natural disasters. There will be other crises that we will face – and these crises could be as serious as those faced two years ago on September 11. It is imperative that an effective, operational emergency plan be in place throughout the commonwealth that incorporates federal assistance to ensure the safety and security of all Virginians.

Chairman TOM DAVIS. Thank you very much, Mr. Forbes.

Mr. Scott.

Mr. SCOTT. Thank you, Mr. Chairman. I want to join with the others here, Congressman Forbes and Congressman Schrock, in welcoming you to Hampton Roads and thank you for holding the hearing. I think it is extremely important that we review what happened, what went well, what went poorly, and your presence here and bringing the committee and staff here will make it possible for us to improve for the next go round. Everybody knows the damage suffered in Hurricane Isabel was worse than I think anybody had anticipated, worse than we have had in many years, with virtually everybody losing power, 1.8 million people. Many people were out of power for a week and a lot of people for 2 weeks. More trees were downed, the Midtown Tunnel was flooded, things that had not happened in previous hurricanes of even higher categories.

A lot of things went well. People pulled together, communities pulled together, private businesses. I want to mention Harris Teeter, specifically, the grocery store was giving away ice. There were examples of people charging $14 a bag and here you have a grocery store giving it away. Seafood Industrial Park on the south end of Jefferson Avenue, extremely generous in its efforts.

But one of the problems was that, with all of this damage and unprecedented length of time when we were without power, we developed problems that we did not anticipate. We did not expect, for example, food to be a crisis, but after several days of no power, food becomes a problem. Water and ice become critical. No power for that length of time means that battery-powered devices are extremely valuable; you could not find those. If you could, you could not find batteries to operate them. Gas stations all over Hampton Roads, no power, you cannot pump gasoline. So gasoline was in crisis, and the radio would report which handful of gas stations had power and you could see lines around the block several hours in line just to get gasoline.

In the previous hearings we have heard that there was a lot of confusion about what we should expect from our State and Federal emergency services. A lot of people expected things to take place that did not occur. An excruciating length of time to get water, ice, generators, food, equipment. The food stamp distribution for the disaster food stamps was absolutely dysfunctional. The workers worked long, hard hours, but the time that someone had to stand in line I think was totally unacceptable. The jurisdictions did not know exactly what to expect from FEMA and therefore expected things to happen that just did not happen. Had we known precisely what FEMA was going to provide and what it was not going to provide, I think a lot of things could have gone much more smoothly.

There are several things I think we ought to look at. One is the category of the storm; Randy indicated that it was a Category 1, and in some cases did not even get up to hurricane status on sustained winds, and yet you had this kind of damage. I think to a large extent it was the width of the storm, 300 miles. It took 12 to 16 hours to pass over and we were pummeled with that kind of wind—high wind—for that length of time. I think that was—we may need to put that into the mix as we catagorize the storms.

The other issue—again, this has come up in the other hearings—is the structure, governmental structure. FEMA used to be an independent agency and now it is part of Homeland Security and we have heard that did not work as a disadvantage. I think we need to look at that very closely to ascertain whether an independent agency with the flexibility to deal with unpredictable things that come up will be more flexible and more responsive than one several layers down in a cabinet department.

Mr. Chairman, again I want to thank you for coming to Hampton Roads and I appreciate the attention that you have placed on this issue.

Chairman TOM DAVIS. Well, thank you very much, Mr. Scott.

Mr. Schrock.

Mr. SCHROCK. Thank you, Mr. Chairman. Let me again say to the chairman that we really appreciate his coming down here. I am just afraid if he stays here long enough he is going to realize that living in Hampton Roads is better than living in northern Virginia——

Chairman TOM DAVIS. It is certainly less expensive.

Mr. SCHROCK [continuing]. And that he might want to come down here, and if he does, I do not think either Randy or I would like to challenge him or have him challenge us. So when this hearing is over, we will make sure you get on your plane all right.

Mayor, it is good to be here. I have sat in these chairs before when I came here for a committee when I was in the State Senate. I always enjoy coming here and I always enjoy being with you.

Like Randy, I have traveled the district I represent, not only on the ground, but on boats and in a helo, and I realize the horrible devastation that this area endured. I think our goal here today is to make sure that we have a system in place so that if this happens again that it will be seamless, there will be no problems and we will not have to have a hearing like this. This is not a finger pointing session by any stretch of the imagination. This is just to help with lessons learned so that when and if—and it is not a matter of when, it is just if this happens again—we will know how to handle it just a little bit better. We live on a coast, we all do, and we are going to get this from time to time, so the more we are prepared, the better.

Listening to the Federal, State and local people, they all did a good job. I think those at the tip of the spear were the local people like Steve Herbert and Chief Best who had to be out there first. I think the lessons learned and the things that they are going to talk to us about today need to be listened to because they are the first responders. They are going to be the first ones on the scene of any disaster. I think they did a magnificent job during this.

I guess it was Randy that mentioned Virginia Power. They did a magnificent job. They had people from so many places. They had them from—the French Canadians were here who could speak no English so they had to have translators so when they went up the poles they knew what they were talking about. So that shows the breadth of the support we got from all over this country and, of course, Canada.

I really do believe we are starting to get a picture based on the hearings we have had—and I am sure it will be the case in this

one—a picture of where we need to make some changes. I think that is a good thing. I think that will benefit everybody in the long run. Certainly we need to plan for the worst, but we need to hope for the best, and if that means we have 10 times more resources in place than we need, I would rather have that than 1 percent less than we need when the balloon finally goes up.

I am a retired military guy, and in the military we exercised all the time. That's all the military does when they are not in the heat of battle. So when they do go into the heat of battle they know exactly what they are doing. I think that is something that certainly needs to be considered here, you know, the local people working with the State people working with the Federal people. They need to exercise quite a few times so that when this happens again they will respond better.

The tunnel, the Midtown Tunnel, is a good example of that. That tunnel had not been tested in 2½ years and then when it came time to close it they realized the plate that covered the latch where the ball would come down was welded shut. What nonsense. I mean it would have taken somebody 5 minutes to determine that and get it out of there but they waited until it was too late. That is probably never going to happen again, I can assure you of that. So 44 million gallons of water later they are emptying it out and hopefully they will get that thing open.

So I think what we are doing here is good. I think we are going to learn a lot. Thanks to Randy for having us down here and for the chairman for coming down here, and Mayor, for allowing us to be in your great chambers. It is really great to be here and I look forward to the testimony.

Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you.

On our first panel we have Eric Tolbert again; we have had him in a number of venues. He is the Director of the Response Division of the Federal Emergency Management Agency. It is a policy that we swear witnesses in, so if you would rise and raise your right hand.

[Witness sworn.]

Chairman TOM DAVIS. Thank you very much for being with us.

**STATEMENT OF ERIC TOLBERT, DIRECTOR, RESPONSE DIVISION, FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY**

Mr. TOLBERT. Thank you, Mr. Chairman and members of the committee. It is an honor for me to be with you again discussing the aftermath of Hurricane Isabel. For the purposes of this briefing, I have provided my written comments for the record. For the sake of time, I would like to abort from simply reading those comments and to highlight instead some of the key issues that I think are pertinent to the review of this process or this particular disaster.

Let me say up front that the men and women of FEMA are very dedicated individuals and are very committed to the ongoing service that they provide and will continue to provide in the coming months to assist Virginians and the citizens of other States that were impacted by this disaster with bringing about recovery to the

best of our ability. We are learning new areas. We constantly look and strive for ways to improve our capabilities, and this storm alone has led to a dissecting and a critique of our processes literally 2 weeks ago. So we have already begun that process and will continue to make refinements.

Let me say that Hurricane Isabel was a very strong Category 2. Mr. Forbes, the comments that you made are right on, that had this been a higher category storm, we would have seen consequences tenfold greater than what we saw with this. So in some ways I guess the silver lining is that it provides an opportunity to refine some of our plans and procedures. The good news is that while lives were lost, as compared to other disasters I have been associated with, thankfully because of the great work in the protective action phase, very few lives were lost. We know the risk; a lot of area does go under water in this region when we have high category storms. I think it speaks very well of the coordination that occurred early on to protect our people. I am thankful that we did not lose more lives than we did with this particular storm.

Preparedness is a shared responsibility; it begins at the family level. Families have to be prepared for disasters, and it is not just in anticipation of a hurricane or a winter storm. Our doctrine teaches that we should maintain a state of preparedness for at least 3 days the year around because the event tomorrow may be some malfunction at a water treatment plant or some malfunction in the power grid that causes the same consequences that occurred to people from this particular storm for which we had in advance of—we had 7 days warning for this particular storm. So I think we illustrated again the requirement for citizens and families to take seriously the training that we provide to be prepared to survive in future events that occur.

We share it at the neighborhood level. We saw a lot of neighbors helping neighbors, and I think that is key to success in the future. I congratulate Congress on the continued support for the Community Emergency Response Team Program that we are happy to sponsor, as well as the Citizen Corps Initiative which assists communities to get better organized to help themselves in the early hours and early days of disasters. Businesses share in that responsibility, cities share in that responsibility, counties and the States, and yes, the Federal Government as well; we all share equally from my perspective in the preparedness for disasters.

Under our doctrine and our operating authorities which are contained within the Stafford Act, we know that all disasters are local. In fact, local officials are in charge, that is our doctrine. I have researched the Virginia statutes and that is consistent with what we see in other States. So in terms of who is in charge, there should never be a question in fact anywhere in this country that local officials are in charge of the emergency and orchestrating the response. The role of the State and the role of the Federal Government is to provide support under our own authorities and with our own resources.

When the capabilities of the disaster presented are beyond those of the local capability, again, the State is then charged with providing support. Really, the Federal Government is the last in the food chain for providing support. The only authority we have to provide

emergency assistance is under the Stafford Act for natural disasters and that assistance can only be provided when the President declares a major disaster or an emergency. In this case the disaster was declared within hours because we had worked in advance to put in place a policy of an expedited disaster declaration to ensure that there would be no legal constraints to our ability to provide assistance.

Let me outline eight shortcomings—eight areas for improvement that I believe existed in this disaster. I have seen them in other disasters as well.

The one that did concern me the greatest and continues to concern me is the critical infrastructure survival, the sustainability of critical infrastructure. Today in Virginia we still have, according to the report I received earlier today, 45 water sytems still under a boiled water order. This is D plus 22, so we are now over 3 weeks into this disaster. I think that's an area that requires our consolidated commitment toward fixing that situation. I think that is an area that is imperative that we improve.

What we see at all levels is lack of staffing depth, and in this case when you have an evacuation phase starting days in advance, frankly by the day you have impact you have exhaustion at the local level, at the State level and in some cases at the Federal level. That is exacerbated in small rural jurisdictions by the lack of staffing depth to continue operations and to sustain emergency operations beyond landfall.

In this case, we saw responders who were also victims. I saw in the Virginia Emergency Operating Center, as well as in local jurisdictions, the personnel who were directing the response were themselves victims. They did not have power, had trees on their own homes, had destroyed property, hopefully no injuries or death, but that creates serious problems for the emergency response community. And in Virginia's case because the damage was so widespread there was an inability to bring fresh people into the impacted communities to shore up that early operational capability.

Knowledge of disaster consequences I think is always something that—we know that experience is the best teacher. No matter how many publications we put out, how many educational programs we sponsor, teaching the consequences and getting people to understand that they can lose power for 1 to 2 weeks following a disaster is very difficult to accept with our modern society. But we will have to continue in the public education arena so that we better understand the consequences that we must therefore plan for.

Disaster logistics is always very complicated. The topic of ice, as we have repeatedly discussed, is particularly difficult because of the refrigeration requirements and the transportation requirements. That is an area that I think we will focus on and we are fully committed to working with Virginia and the local jurisdictions to enhance our logistics planning capabilities.

Sir, I notice that my time is up.

Chairman TOM DAVIS. Go ahead and finish.

Mr. TOLBERT. Let me just—I would like to make one observation as well. The Virginia EOC did have some significant limiting factors. The facility itself did not accomodate a face-to-face coordination. That always makes things better, makes communication and

coordination better. Thankfully, Virginia already has a new emergency operating center under construction, and I am proud to report that your appropriation through FEMA is supporting that new facility. So that is already an improvement that is underway.

I think, last, I heard from Secretary Marshall that they received in excess of 18,000 messages, that is requests for assistance and information that are coming into the State emergency operating center. Based on my 20 years in this business, I can tell you that is a huge volume of information to manage. So when compared to the things that went right and the things that went wrong, I think 18,000 messages is frankly too many. We have to look for better systems for sharing information so that we do not overwhelm any system. That would have overwhelmed FEMA or any State that was attempting to respond to the situation.

Let me just say again, we remain committed to working with the victims and working with the local governments until this recovery is accomplished. We are very committed to working with Virginia and the local officials to continue improving our plans for future operations.

Chairman TOM DAVIS. Mr. Tolbert, thank you very much. Let me just ask, of the 45 water systems, most of those are pretty small; do you know what the largest system is that is still on a boil order?

Mr. TOLBERT. I do not have even a list of those. It is in an executive summary that I receive each day; but 45 was the number today. I think yesterday it was in the 70 range. So they are continuing to make progress but that is still far too many.

Chairman TOM DAVIS. It takes a couple of days to get the cultures back even after the system is clean.

Mr. TOLBERT. Correct.

Chairman TOM DAVIS. I appreciate your being here. This is the first time in a while I think Virginia has had to go through this. North Carolina has had these with some frequency. I think you are absolutely right, the cooperation was good between everybody, the attitude was great. There was a team spirit to try to lick this thing. The Governor was on the phone several days before talking to everybody, but the key always comes down to implementation and things do not always go exactly as planned. One of the problems that Mr. Forbes identified earlier was the fact that the coordination between the State and the Federal Government in getting ice and generators and stuff was just not as quick as it might have been, given the regulations you have to follow. I gather that, evidently there were some oral orders saying, "we need this," but somehow you still could not act. Can you explain how we can improve that?

[No response.]

Chairman TOM DAVIS. Do you understand? I am not losing you am I?

Mr. TOLBERT. No, I understand your question. It is related to our——

Chairman TOM DAVIS. I did not articulate it very well.

Mr. TOLBERT [continuing]. Earlier discussion. No, I understand completely. This is related to the question at the last hearing. In fact, the first order—we respond to a request for Federal assistance that is a prescribed form and a prescribed process whereby the State defines the missions that they need accomplished. They hand

those over to us and because there is a cost share requirement, we do an estimate of cost, hand that back to the State and they provide an approval. On Monday——

Chairman TOM DAVIS. And, in fact, the Governor had, had he not, 2 or 3 days before done what he needed to do in terms of declaring a disaster? Did that not help?

Mr. TOLBERT. As had the President.

Chairman TOM DAVIS. OK.

Mr. TOLBERT. We were authorized at that point to provide assistance. Prior to the President declaring it, we could not under any circumstances execute emergency operations in support of any one other than ourselves creating our own capabilities. Monday was the first day that we received the request for Federal assistance through the prescribed process for ice. I did not come prepared to discuss the other missions. I would be happy——

Chairman TOM DAVIS. But that is a written process, right?

Mr. TOLBERT. That is correct.

Chairman TOM DAVIS. Orally you knew they needed it before and I guess had talked them through the logistics and what they needed to do, is that——

Mr. TOLBERT. Even prior to an oral request we had—before Thursday—before landfall day, we had already prepositioned 16 truckloads of ice at Fort A.P. Hill, which was a designated Federal mobilization center. That was just in anticipation of some requirement for ice. But based on our experience, we routinely see the utilization of ice for mass care operations, supporting shelter operations. Oftentimes at nursing facilities, at hospitals that require some additional form of refrigeration, especially if they are struggling with power failures. So we routinely preposition those when we have an advance warning.

On Saturday, based on—I am confident—I do not have specific notation, but I am confident that it was a result of mutual planning, we ordered an additional 160 truckloads of ice which were scheduled to arrive on Monday, Tuesday and Wednesday. So this was in anticipation——

Chairman TOM DAVIS. Where did that ice come from?

Mr. TOLBERT. I do not know the source. Under our plan, we task the U.S. Army Corps of Engineers under our Emergency Support Function No. 3, Public Works and Engineering. We task them with performing that mission. So the Corps of Engineers issued the verbal order to their contractor on the 20th. I assume that was——

Chairman TOM DAVIS. How about generators? Did we have enough generators—backup generators ready to go at that point?

Mr. TOLBERT. In advance of the storm we prepositioned what we call—and I think in this case it was one 50-pack—one—we call it a 50-pack, it is a standard package of 50 generators. Again, that is just in anticipation of some requirement being given to us, and we have additional back at our territorial logistics center and at the other mobilization centers that were established outside of Virginia. Now let me say that the A.P. Hill facility was not specifically designated for Virginia. At that time, we did not know if West Virginia was going to be impacted or northern—the northern portion of North Carolina, so we activated three mobilization centers with the standard packages going to each, as well as prepositioning

teams, medical teams, as well as search and rescue teams at those and other locations that we reasonably expected may be needed and would provide life saving operations. So the order—the official order—the request for Federal assistance was transmitted to us on Monday and at that point we had——

Chairman TOM DAVIS. Were you open Saturday and Sunday? Had they transmitted it on——

Mr. TOLBERT. Absolutely.

Chairman TOM DAVIS. So they did not have to wait for a working business day or anything at that point?

Mr. TOLBERT. No.

Chairman TOM DAVIS. OK.

Mr. TOLBERT. We were there jointly 24 hours a day. But again, we had ordered in anticipation of a requirement—and I assume that was done in consultation—160 loads of ice to be delivered beginning on Monday the——

Chairman TOM DAVIS. Mr. Tolbert, you had this stuff—did you have the ice before Monday but you just did not have the orders to do it?

Mr. TOLBERT. We had some—we had the 16 trucks that were prepositioned. Those were available to provide deliveries. In fact, on Saturday seven of those trucks—a request came in from the District of Columbia, and rather than moving it from Edison, NJ, we actually moved seven truckloads on Saturday to the District to fulfill their requirement. We still had at that point—I guess that is nine truckloads that were still available and were available up until Monday.

Chairman TOM DAVIS. OK. Let me ask—I am not taking sides here because my committee has jurisdiction over the District of Columbia, too. But that ice would have gone to who got the paperwork in first, is that what you are saying basically?

Mr. TOLBERT. We would immediately react to a request for Federal assistance.

Chairman TOM DAVIS. And D.C. was in a couple of days before Virginia?

Mr. TOLBERT. The District—we moved seven truckloads to the District of Columbia at 2:30 p.m. on Saturday as a result of a request.

Chairman TOM DAVIS. And that was ice that could have easily been to Virginia first?

Mr. TOLBERT. It could have.

Chairman TOM DAVIS. Mr. Forbes.

Mr. FORBES. Mr. Tolbert, first of all, let me thank you for coming here. Let me also tell you, as I told you before at the other hearing and told you today, this is not a finger-pointing thing at you. But at the same time, when I look around—and I want you to take a look. Just turn around and look behind you. These people who are in here represent real live citizens all across this area, and when we look at them and when we pat them on the head and we say, "hey, do not worry, we did a good job. We had generators in warehouses, we had ice in trucks somewhere." You know, that does not help them when they go to their citizens and say, "I am sorry you lost all of your food. I am sorry we lost our water supply center because we did not have generators." One of the toughest things we

have had through this process is this, not wanting to finger point, just wanting to ask a straight question and get a straight answer, you know. The reality of the situation is this, you gave a written statement that you have given to this committee and in that written statement you state in there that you began prepositioning assets prior to the storm even hitting, right?

Mr. TOLBERT. Correct.

Mr. FORBES. Before you even had any consultation with Virginia or anybody else, you knew this was going to be a big problem and you started prepositioning assets here, is that correct?

Mr. TOLBERT. That is correct.

Mr. FORBES. All right. Now in addition to that, you state that your priorities prior to landfall and after landfall were, among other things, four things—other things too, but ice, water, generators and disaster recovery centers, is that correct?

Mr. TOLBERT. Among other things, correct, yes, sir.

Mr. FORBES. Among other things, but they were four of your priorities. You then state on page 5 of your testimony that the greatest need in this disaster was for power, ice and water, correct?

Mr. TOLBERT. Not in that order, but yes.

Mr. FORBES. All right. Then would you turn to your testimony. Do you have it in front of you?

Mr. TOLBERT. I do not question what the testimony says.

Mr. FORBES. I am just saying what you stated. If you want to change your testimony, change it.

Mr. TOLBERT. In terms of life preserving priorities, water would always be our first priority. It is a life sustaining commodity and is top priority.

Mr. FORBES. These are your words. The greatest need in this disaster was for power, ice and water——

Mr. TOLBERT. That is correct.

Mr. FORBES [continuing]. Is that correct?

Mr. TOLBERT. That is correct.

Mr. FORBES. All right, now the—when I look at the window of time—first of all, I applaud everybody for establishing a state of emergency prior to the hurricane. I applaud you for prepositioning assets. But these localities were on conference calls and they were being talked about in terms of getting assets to them during that period of time. The question I want to ask you is the same one I asked you before. I just want to see if we get the same answer, you know. In this particular situation, if you have ice or if you have water or if you have generators, by law it cannot move to the localities until you have written authorization from the State, is that true or false?

Mr. TOLBERT. That is true.

Mr. FORBES. So on Friday after the storm, regardless of whose fault it is, regardless of who thought who was going to do it, if you do not have written authorization from the State you cannot move ice to localities, you cannot move generators and you cannot move water even if you want to, is that correct?

Mr. TOLBERT. That is correct.

Mr. FORBES. On Saturday after the storm, if you have ice and you have water and you have generators, no matter where they

are, you cannot move them to these localities unless you have written authorization from the State, is that correct?

Mr. TOLBERT. That is correct.

Mr. FORBES. Sunday, the same thing, is that correct?

Mr. TOLBERT. That is correct.

Mr. FORBES. And the first day after the storm that you got that written authorization was on Monday, is that correct?

Mr. TOLBERT. That is correct.

Mr. FORBES. All right. Can you tell me—and I do not think you have this answer unless you have been able to get it since the previous hearing, but I would ask that you get it for me—when did the State of North Carolina first request assistance?

Mr. TOLBERT. I do not have that information.

Mr. FORBES. Would you just provide us with that information at some point in time?

Now, the second thing is—and Congressman Schrock has talked about this in the other hearing and will probably talk about it later—but one of our big concerns was obviously the tunnel situation. I do not want to talk about the tunnel now, that is his bailiwick and I am going to leave it to him. But one of the concerns that we raised there was having objective standards, protocols, for when you close the tunnel, when you open it, how you do it. My concern is when we are dealing with ice, water, generators, disaster recovery centers, do we have objective standards for when we are going to do that or is it kind of again like obscenity, we just know it when we see it? And the reason I asked that to you is because, when you are talking about delivering ice, do you send the ice where you want it to go or does the State tell you where the ice needs to go?

Mr. TOLBERT. We receive specific information as to location and volume and timing to the extent possible from the State.

Mr. FORBES. OK. So it is the State that tells you the ice goes here and when it goes there, is that correct?

Mr. TOLBERT. That is correct.

Mr. FORBES. The same thing with water?

Mr. TOLBERT. Correct, all resources.

Mr. FORBES. The same thing with generators?

Mr. TOLBERT. All resources.

Mr. FORBES. How about the establishment of disaster recovery centers, is that the same thing?

Mr. TOLBERT. Yes, sir.

Mr. FORBES. OK. So basically you are here with the assets but until the State says they go there you cannot send them, and until you get written authorization you cannot move them, is that correct?

Mr. TOLBERT. The written authorization does not apply to the disaster recovery centers that are established.

Mr. FORBES. But it does apply——

Mr. TOLBERT. But it does not apply——

Mr. FORBES [continuing]. Water——

Mr. TOLBERT [continuing]. Because that is the administration of our regular recovery programs. It does apply to direct Federal assistance.

Mr. FORBES. So prior to the Monday after the storm, regardless of what you had warehoused you could not get it to a locality?

Mr. TOLBERT. Specifically ice; I am prepared to answer that question definitively on the question of ice because I do have those records.

Mr. FORBES. Would you just at some point in time get the rest of them to the committee, please?

Mr. TOLBERT. I will, yes, sir.

Chairman TOM DAVIS. I was just going to say that, basically, you had prepositioned a lot of this in Virginia and we sent it out of Virginia to other areas because the paperwork was in faster, which you have to do, that is your obligation.

Mr. TOLBERT. Well, I think there are variations to——

Chairman TOM DAVIS. I am talking about the ice.

Mr. TOLBERT. To make the comparison though, the District of Columbia was less significantly impacted and we're dealing with what were Virginia priorities—I would speculate that they were dealing with what were Virginia priorities in latter days. They were able to deal with them earlier because they had a smaller area significantly impacted and their priorities were coming up much faster than was Virginia.

Chairman TOM DAVIS. Correct. That is a fair comment.

Mr. FORBES. But, Mr. Tolbert, the question is, D.C. sent you the written authorization, correct?

Mr. TOLBERT. Correct.

Mr. FORBES. And when they did, you sent the resources?

Mr. TOLBERT. Correct.

Mr. FORBES. And you did not get the written authorization from Virginia until Monday, right?

Mr. TOLBERT. Correct.

Chairman TOM DAVIS. But as I understand it—if I could, Randy—Virginia was struggling with other issues that the city had already gotten through maybe before ice.

Mr. TOLBERT. That is exactly right. As I stated, the State of Virginia was dealing with a volume of 18,000 requests. The District of Columbia is the generator of the requests and the requestor to the Federal Government.

Mr. FORBES. Mr. Tolbert—Mr. Chairman?

Chairman TOM DAVIS. Sure, it is your turn.

Mr. FORBES. The question that I have—again, I am not pointing fingers, I am not saying that they did not have a lot of requests. I am saying that what they need to examine is how they deal with 18,000 requests. There would have been nothing that would have stopped them from sending you 2,000 requests, would it?

Mr. TOLBERT. Nothing would have stopped them from doing that.

Mr. FORBES. So on Monday, they could have said, "we need to send this ice here for 2,000 people and come back on Tuesday with 2,000 more," could they not?

Mr. TOLBERT. It could have occurred. It would have overwhelmed us had we received 2,000 requests. I would note that one of the doctrinal changes that is already underway is contained in Homeland Security Presidential Directive No. 5, in which the President has directed the Federal agencies and has put in place incentives for State and local governments to adopt the national incident

management system. And one component of the national incident management system is a uniform, vertical process for doing incident action planning. Ideally, what we would like to have is the same priorities occurring all the way from the courthouse to the White House so that we have consistent operations all across the disaster area. That is where we are going. We are well underway with the implementation of that doctrine.

Mr. FORBES. Mr. Chairman, just two more questions.

Chairman TOM DAVIS. Sure.

Mr. FORBES. The first one is, once the State makes that written authorization, then the State becomes responsible for 25 percent of the cost, is that accurate?

Mr. TOLBERT. That is correct.

Mr. FORBES. The second thing is not a question. It is just a comment that you could take in the planning that you have regarding FEMA and the approaches that we have. But one of the things that I just heard over and over from the localities here is that sometime you had a lot of people on the ground but they could not answer the questions. So if somebody came to your locality and said, "we have a problem with A," they would say, "I am sorry, I only deal with flooding, I cannot answer it." Again, these localities are striving to try to get accurate information out to their citizens. The one thing I would ask you to look at in the management structure that you have is how, perhaps, there could be one point of contact for each locality so they know, "this is the person I am talking to on Monday, it is the same thing I am going to hear on Tuesday, it is the same thing I am going to hear on Wednesday." I would just share with you, they contacted us not because any one of the three or four of us wanted to interject ourselves, but it is because it was the only way they felt they could get answers in this situation.

Thank you, Mr. Chairman.

Mr. TOLBERT. Mr. Chairman, may I respond to that, please?

Chairman TOM DAVIS. Sure.

Mr. TOLBERT. Mr. Forbes, that is one of the areas that we are specifically looking at, and we were looking at that in advance of this—in fact months ago, in advance of this storm. I think you are aware that FEMA, in terms of full-time employees, is roughly 2,500 employees. That includes the 10 regional offices, as well as the headquarters operation, as well as our national security employees, as well as the National Flood Insurance Program. So we are not a very large organization. Most of the employees that come in contact with local officials during a recovery phase are our disaster assistance employees who are part-time, intermittent employees that live all across the country. The vast majority are retired and have a retirement income and choose to do part-time disaster reservist work for FEMA. It is a very difficult challenge to keep those 3,500 part-time reservists fully trained. We do tend to have them specialized.

One of the initiatives that we hope to undertake is to better utilize local emergency management coordinators across this country to get them in our disaster reservists cadre so that we can utilize them. Take the expertise that exists now in Virginia, and when Florida is impacted next time we hope to have in place a system that we can bring them into Federal service for a short period of

time, deploy them to support another impacted State representing FEMA. So we are aware of that continuity issue. It is one of the difficulties we have with our structure and with our staffing. We agree with you that we will continue to make improvements in that area.

Chairman TOM DAVIS. Thank you. I am going to recognize Mr. Scott. Let me just ask one other quick question. How many years have you been doing this with FEMA?

Mr. TOLBERT. Twenty years. I have only been in FEMA—I have been in this job for 6 months. I have been in FEMA 1½ years and I have been in this profession for 20 years. I have been a local emergency manager and a State director of emergency management.

Chairman TOM DAVIS. As you look at the breadth of this and everything else, how serious is this compared to some of the others you have seen through time?

Mr. TOLBERT. Serious in terms of the consequences and the impact on the communities?

Chairman TOM DAVIS. And the breadth of it. I think here—you have seen more devastating impacts because you have seen Category 4s, but they may not have as wide a berth or effect in terms of the number of people affected.

Mr. TOLBERT. In terms of the level of devastation this was a minimal hurricane as compared to Hurricane Andrew that struck south Florida in 1992. It was far less than occurred in South Carolina and even North Carolina in 1989 from Hurricane Hugo.

Chairman TOM DAVIS. OK.

Mr. TOLBERT. Not even comparable, sir.

Chairman TOM DAVIS. All right, thank you.

Mr. Scott.

Mr. SCOTT. Thank you. Just following up on that. How is it in the terms of the number of people affected?

Mr. TOLBERT. In terms of total population affected, and by affected, including those that lost power but had no other damage, the population would probably be higher than Hurricane Andrew in the south Florida venue, but it also went into Louisiana. In terms of—as compared to Hugo, I would say comparable.

Mr. SCOTT. Thank you. The disaster designation—we have been—I guess all have been involved in other disasters and are aware that you cannot do anything until the designation has been made. The Governor, I think, declared—did some of his designation before the hurricane, and my recollection was the wind was still blowing when you made the Federal designation. Is it humanly possible to have gotten that done any quicker?

Mr. TOLBERT. It was very difficult negotiating the policy that we did put in place because it is really a stretch of the Stafford Act. There really has to be an imminent threat to the State that warrants that Presidential disaster declaration.

Mr. SCOTT. So you did it as quickly as anybody could reasonably expect?

Mr. TOLBERT. In fact, it was within hours of the request being made. Under ordinary circumstances it would have taken 1 to 2 days to even have the Presidential Declaration because we normally go in to do a preliminary damage assessment to validate that

the level of damage is beyond that of the local and State capabilities.

Mr. SCOTT. In a previous hearing you indicated that you were apparently aware that millions of people could lose power as a result of this. How long did you think it would take to restore that power?

Mr. TOLBERT. The National Hurricane Center at least 2 to 3 days in advance very clearly during our video teleconference indicated that this event would result in millions of people being without power. Based on my experience, I assumed at that point that we were looking at 7 to 14 days before there would be total power restoration, as was comparable to Hurricane Hugo in 1989.

Mr. SCOTT. You apparently knew that you were talking 7 to 14 days and the localities interpreted whatever they heard to mean 2 or 3 days. Is there something that can be done about that kind of communication so the localities will be aware of what they are facing?

Mr. TOLBERT. I guess we can attempt to portray it in some number of days. Again, that is based purely on my experience and it is purely speculative as to what the aftermath will actually look like, and it will vary from community to community, State to State depending on the building codes they have in place and the infrastructure that they have in place. But as a general rule, when we get into Category 2, Category 3 and above, it is not unusual to have communities without power 7 to 14 days and beyond.

Mr. SCOTT. And that is within the range of what actually happened.

Mr. TOLBERT. Correct.

Mr. SCOTT. Now we have this secret code. Apparently you cannot act unless it is in writing. Does FEMA have the administrative authority to waive the written RFA requirement?

Mr. TOLBERT. I am going to research that. That requirement is predominantly dictated by the financial management people, because the State is incurring a cost share. When we provide direct Federal assistance responding to a specific request for Federal assistance there is at least a—well, there is a 25 percent cost share that is involved in that deployment. So it is predominantly a financial management requirement and has been the subject of past inspector general reports on FEMA.

Mr. SCOTT. Well, I say that in the context that most of the localities on these conference calls were articulating a list of requests for assistance on Friday, they would read the list, State and Federal officials who were on the conference calls in the localities thought someone was writing it down and acting on it and we find out now that because the paperwork had not gotten in until Monday that essentially these requests on Friday were not being acted on. Is that accurate?

Mr. TOLBERT. I do not think that I would portray it as the paperwork being a necessary burden. It is a one-page form that is necessary regardless of the financial——

Mr. SCOTT. Well that is above the pay grade of the people in the localities that thought their request was being acted on and it was not, these requests were not being acted on.

Mr. TOLBERT. I would suggest, sir, that the requests were being acted upon. Our role, and typically the State role is more strategic

in nature to order bulk supplies, getting those into a staging area so that they can be deployed forward.

Mr. SCOTT. One of the frustrations that people experienced was the fact that they did not know exactly what to expect and when to expect it in terms of ice, water, food, shelter, generators, personnel. They did not know exactly what to expect and when to expect it. Some have indicated that if they had known in advance they were not going to get any help they could have on their own done almost as well, if not better. Do you want to respond to that?

Mr. TOLBERT. I do. In fact, the Stafford Act authorization—let me say that FEMA responds to between 60 and 80 Presidentially declared disasters per year. Of those 80, we would average probably less than 1 per year that results in significant direct Federal assistance. The vast majority of the assistance we provide is in the form of financial assistance. So I would say to those officials who, after the facts say, "if I had known I was not going to get it I would have done it myself," by design the Stafford Act specifically encourages that, to have in place your contracts to procure those supplies and services that are required and they are reimbursed.

Mr. SCOTT. And this is the point. They did not know that, so they made requests and a lot of time had been wasted.

Let me ask a couple of kind of specific questions. Gas stations did not have generators and you could not buy batteries at the local stores. Is that something FEMA could do anything about?

Mr. TOLBERT. We would generally not—well frankly, not to sound cynical, but if we get into batteries then we have the next generation of commodity that we have to deal with. Our doctrine is to—and our preparedness literature indicates that people need to take that upon themselves to be prepared for that survival in the early hours and early days. I would suggest however that for local priorities and local planning, that restoring power to a petroleum distribution facility should be a priority and may be something that a local government would want to collaboratively work with the business community to ensure that at least some service station is able to become operable again. That is the type of contingency planning that should occur locally to ensure that the community is better able to survive.

Mr. SCOTT. Thank you.

Mr. Chairman, I am advised that the city of Newport News, in giving conditional use permits to gasoline stations in the future, will be requiring that they have a power backup system as a condition for the use permit, so that if the same thing happens again, at least the new service stations will be able to provide gasoline.

Chairman TOM DAVIS. Some stations will have it, right. Before recognizing Mr. Schrock, whatever the localities or State or feds knew, somebody needed to say, "you need that slip of paper," before you could act legally. I am not sure if that was understood or not, is that not your point? North Carolina got it in but they deal with this every year.

Mr. SCOTT. Well it just seems, one, whether you could have waived the requirement. But it seems to me that people are making the requests and on the local level thought those requests were being acted on and the paperwork—somewhere they thought someone was writing it down and acting on it—the paperwork was not

being completed and in fact nothing was being done. Many of which, as Mr. Tolbert has indicated, on their own could have gotten the services in the same time or quicker than waiting for the paperwork to be completed.

Chairman TOM DAVIS. This is the kind of implementation sometimes that falls through. Everybody is talking to each other and dots do not get——

Mr. FORBES. Mr. Chairman.

Chairman TOM DAVIS. Yes.

Mr. FORBES. One of the things that we just have to do, we can sweep all this under the rug, we can blame it on the number of claims, but we need to make certain in the next emergency that we have that if, for some unbeknown reason the State did not know that they had to file a written form to get it—and I would just suggest that somebody in the State knew that—that next time we need to know that because it is important. You say that it is a one-page form. You also indicated to me earlier when I asked you that it is something that you talk about in your briefing and the training sessions that you give to State people, is that true or not?

Mr. TOLBERT. Correct, yes.

Mr. FORBES. You know, it is not like, as Mr. Scott indicated, some secret code. It is something that you train people on. You know, most States apparently know about it. I do not think Virginia said they did not know about it, they just did not file the form, is that—I mean is that accurate?

Mr. TOLBERT. I do not think that I could portray it as simply a matter of filing a form. I think it is more a matter of what is the operational priority for that day. I would suggest that in the D-plus one, D-plus two, D-plus three sequence, that their priorities were opening roads, were restoring power to critical facilities, and providing bottled water. You know, ice is—I will have to say that I would have supported the State's position had they said we are not doing ice—I do not think that—ice is not a life-saving commodity. It is not really even a life-sustaining commodity except for a very small segment of the population who has a requirement for refrigeration for medications and——

Mr. FORBES. And I do not disagree with you. But what Congressman Scott asked and what Congressman Davis said was I think very appropriate. You have these localities on conference calls, FEMA people are on there and State people are on there. On Friday after the storm they thought resources were coming to them. Those resources could not come to them until that form was filed. Somebody should have told them, "no, we have another priority here on Friday. We cannot get those resources to you. The same thing on Saturday and the same thing on Sunday." I think that is what we are all saying, if the resources are not going to move until the form is filed or until the request is made, if you have other priorities and you cannot get to it, that is OK. But just tell the localities we cannot get to the form and file it until Monday so they do not expect resources coming on Friday, Saturday and Sunday. I think that is what most of these localities thought they were getting.

Mr. TOLBERT. If I could add too that the provision of Federal assets is only one option that the State and the local governments

have. So when—even when requests and priorities are coming up from the local governments to the State there are actually other options for procuring those resources than the Federal Government, including the provision of the emergency management assistance compact calling other States to bring in those assets. So again, we are really only one option in the menu for the provision of those types of commodities and special equipment, and in fact, that compact was used pretty extensively in this disaster.

Chairman TOM DAVIS. Thank you.

Mr. Schrock.

Mr. SCHROCK. Thank you, Mr. Chairman. Before I address what Mr. Tolbert said, let me say the discussion was on batteries and gas stations. I am not sure I want FEMA involved in batteries and gas stations. I think as a citizen I should be smart enough with the TV or radio to know a storm is coming to go buy batteries, and I did to a fault. If you want to buy them, I have a lot of them left over.

Chairman TOM DAVIS. So that is where they went.

Mr. SCHROCK. That is where they went. I cleaned out the Navy Exchange, I can tell you.

Chairman TOM DAVIS. In your retirement you can sell them.

Mr. SCHROCK. Yeah, that is right, in my retirement I will sell them. Gas stations the same way. But I think it is a good idea now, when they are putting in new gas stations they can do that.

You made a comment in your testimony—no face-to-face cooperation. Help me understand what you meant by that.

Mr. TOLBERT. I do not think I said no face-to-face cooperation.

Mr. SCHROCK. Coordination. If I said cooperation I am sorry.

Mr. TOLBERT. Coordination. What I was referring to was a significant limitation that presented itself by the—No. 1, the size of the emergency operating center where the State is located. When our emergency response team, when it is fully filled out, is about 200 personnel. So it is not possible for us to provide the full interface. They accomodated us extremely well; we had a gymnasium in a contiguous building. The difficulty was, the action is in the State emergency operating center. That is where the requests are coming in. Simply the size and the magnitude of resource requests that were coming in did not accomodate the Federal people sitting there face-to-face with their counterparts. We did maintain liaisons there; there was good communication, there was good coordination; I was there on Sunday and observed it. But when we can't be right there with them at the table handling those individual cases it does hamper operations.

Mr. SCHROCK. All right. Written authorization, now that seems to be one of the keys right now. I guess there was no way to get that in place before the storm actually hit, so the minute it hit and the President declared this thing, you pushed a button and the authorization was already there. Obviously that cannot work?

Mr. TOLBERT. The authority for us to employ resources?

Mr. SCHROCK. Yeah. We are talking about the State not responding to you for 96 hours after the storm left here. If the State had already had something in place that was signed by the Governor, and the minute the President declared this thing, that would automatically be activated. Could that happen? I do not know.

Mr. TOLBERT. It could. It absolutely could.

Mr. SCHROCK. Why do we not do that?

Mr. TOLBERT. Some States do that. Some States do actually prescript. In fact, some of our officials provide prescripted. It is not—the burden is not in filling out the form. The burden is in determining—in factoring and adding up all of the volume, collating all of that and figuring out what the actual requirement is. From there it is as simple as filling out, "I need a million pounds of ice." From there it becomes an acquisition process and then the sure logistics of getting it there.

Mr. SCHROCK. So other States do preposition those authorizations so that when the balloon goes up it is automatically in place and you do not have this time lag as we had in Virginia?

Mr. TOLBERT. I can only speak from my experience in North Carolina and I can tell you that we did have prescripted—where we knew that we had commodity shortfalls and specific types of specialty teams that we would require, we did have those prescripted.

Mr. SCHROCK. OK. Understand that the assistance cannot be provided until the State gives its authorization. But is there a list somewhere that you can provide of where things are prepositioned to the State agencies so that when the balloon goes up and they do get authorization they can automatically go to them and pull from them?

Mr. TOLBERT. We can, and I hope that we did provide a listing of the assets that were there. I do not have specific knowledge, but I would hope that we provided that information.

Mr. SCHROCK. OK.

Mr. TOLBERT. Again, that is a last contingency package that we brought in. It is really a last resort just in case our help is needed.

Mr. SCHROCK. One point of contact for FEMA, that seems to be a concern—that people did not know who to go to. Now I know that was a problem Statewide. When I visited in Norfolk, it was interesting: I walked in, and I said, "who is in charge here?" That person came to me and he told me exactly what everybody else was doing. To me, that seems like the right way to do it. It was working so smoothly there I could not believe it, but obviously that was not the case across the State. So obviously, you had a plan in place for that to happen. It obviously just did not happen in all localities.

Mr. TOLBERT. I presume you are referring to a disaster recovery center?

Mr. SCHROCK. Yes, in Oceanview.

Mr. TOLBERT. You should have seen that type of organization at every disaster recovery center. Again, that is a joint Federal, State and in some cases local participation in those disaster recovery centers.

Mr. SCHROCK. Did you mention something about consistent plans, consistent operations? I would think that would be automatic for State, local and Federal to have in their operations plans, but I am gathering, because you said it that way that is not the case, that you may be operating off of a different sheet of music than Secretary Marshall or Steve Herbert in Suffolk. Is that the case or do you all operate off of the same grid?

Mr. TOLBERT. Each level of government has its own response plans. Our doctrine is the Federal response plan, which brings the full Federal agency participation together and establishes the mission assignment process and the reimbursement process for Federal agency participation. I did note in reviewing the Virginia Emergency Management's Web site, as well as their doctrine, that their plan is consistent with the Federal response plan and that they dictate that local plans as well will be consistent with the Federal response plan establishing an organization that can match up. It is not perfect, there are variations from community to community. What I specifically think we need to improve though, is what we call incident action planning, which is looking at a specific period of time and what do we in common—vertically—among the levels of government down to the community level; what are our priorities? And then we are all focused on the same priorities and we do not have disparate levels of response occurring from community to community. That is an area for improvement.

Mr. SCHROCK. It should not be what is in common, it should be everything should be in common, right?

Mr. TOLBERT. I agree, sir, because I have observed military operations. I have never been in the military, but I have learned a lot from my military counterparts. The difference between a military operation and a disaster operation is that, in the military you all report to the same boss and it is very clear what your priorities and your orders are. In intergovernmental disaster response there are priorities and different objectives that can exist from community to community, county to county, State to State, and therefore it makes it very difficult to provide that support because there is often not consistency depending on the level of impact and what their priorities are that day.

Mr. SCHROCK. Yes, but in a military unit like an aircraft carrier, the troops report to the division officer, who reports to the department head, who reports to the XO, who reports to the commanding officer. It is the same type of thing and I certainly think that could work.

I am going to ask two quick questions. We have probably gone over this before in the previous hearing, but I want to hear you say it again. What do you feel were your biggest obstacles in preparing for this hurricane or mistakes that you think might have been made and should not be made again?

Mr. TOLBERT. We and the Corps of Engineers were disappointed in our ice contractor. They did have difficulties with securing a sufficient number—as the mission unfolded securing a sufficient number of refrigerated trucks to handle the mission.

Mr. SCHROCK. You assumed when you contracted with them they would have that. Was that in the contract?

Mr. TOLBERT. There was an assumption that they would be able to deliver. Part of that was exacerbated by the time lag because there was no indicator that there was a dramatically increasing requirement and therefore, we did not continue ramping up in anticipation of that requirement. We maintained it and on Saturday we did order additional. Refrigerated trucks are the reason I am not really fond of an ice mission. We will do our best at it, but it is a huge logistics nightmare because, not only do you strategically

have to bring it in under refrigeration, but you then have to distribute it down locally. And when you have at least a 1-day turnaround time to go back and get more and bring it in and you have tied the truck up all day in the distribution process, you have automatically doubled—at least doubled—the number of refrigerated trailers that are required.

Mr. SCHROCK. You just answered my question. I was going to say, "why could they not leave the truck that delivered it just onsite until the stuff was delivered and go back and get more?" But you are saying that would slow down the process of bringing in more.

Mr. TOLBERT. And I am sure some of that occurred. But when you already have a deficit of available refrigerated trucks and now you are doubling the requirement in order to leave it in place, then it further damages our ability to strategically bring the resources in.

Mr. SCHROCK. OK, one final question. I want to hear this answer again. How are localities notified of FEMA's capacity and the resources to assist in a disaster situation?

Mr. TOLBERT. Most States would not distinguish Federal capabilities from State level capabilities because——

Mr. SCHROCK. Say that again.

Mr. TOLBERT. Most—we do not communicate directly with local governments during the response phase. And I would say that based on my experience, most States would not distinguish between a Federal or a State asset or an asset that is brought in from another State. From a local government perspective their interest is in getting the asset, getting the mission capability that they require, and they really probably do not care where it is coming from as long as it gets there. So typically that will not be communicated as to the capabilities that we brought to the table.

Mr. SCHROCK. Would you recommend that I ask the local people when they come up here if they would rather deal with you directly or go through the State? Should I ask them that?

Mr. TOLBERT. It would serve no purpose because the Stafford Act prescribes what our process is.

Mr. SCHROCK. Well laws were made and laws can be changed and altered if it's going to help positively what the localities have to do in a disaster.

Mr. TOLBERT. Sir, I think the difficulty in that is that when you preempt the Governors' authorities and you preempt the States' capabilities, you oftentimes will give up a capability. You would bypass and give up a better available resource. I think the mechanism in place is appropriate and should be sustained.

Mr. SCHROCK. Good point.

Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you.

Let me just ask one question. Mr. Scott and I were talking. If you had it to do over again, can you give us a couple of things you would have done differently? Would we expect the same thing out of you in retrospect or do you want to get back to us on that?

Mr. TOLBERT. I would say one thing that I am considering is more deliberate discussion with the State looking at the prospect of actually predeploying personnel down at least regionally. I think

that we have to train our people better, to have more deliberate discussions about the aftermath and the logistics management. I would point out that I did have the opportunity to observe both the North Carolina and Virginia operations and there were significant differences between the method of operation. Again, experience is our best teacher. In North Carolina a lot of the supplies that we have been talking about are stored year-round in a State-owned facility; they are stored exclusively for that purpose. The State has some of its own transportation assets, and that is only after a series of disasters where they learned and the State made the commitment and the legislature there made a commitment toward funding that type of capability so that they have some immediate resources to apply. In the case of North Carolina too they established a warehouse operation in Rocky Mount. So in that case, our operation consisted of delivering our commodities to a single location and from there handing them off to the State and they had the capacity to do the further delivering.

Chairman TOM DAVIS. Well we will try to get back and in retrospect as we look at this, I do not want you or the State or the locals to feel intimidated, that if you say you do something differently, that somehow you did anything wrong. You know, this was a huge disaster and as you said, experience is the best teacher, and obviously you do things differently. I do things differently almost every day of my life when I look back at the end of the day and get a chance to reexamine; there is nothing wrong with that. But the purpose of this is to find out what the lessons learned are and make sure that the next time we are a little smarter and a little sharper.

Mr. FORBES. Mr. Chairman also, a number of the localities have submitted questions that we would just love to get answers to and we have submitted those to you a week or so ago. So at some point in time if you would get those answers back to us so we can get them on the record and get them back to the localities we would appreciate that.

Mr. TOLBERT. We are fully committed to accomplishing that.

Chairman TOM DAVIS. Mr. Tolbert, thanks again for being with us. We appreciate it.

Now we will move to our second panel. We have the Honorable John Marshall, the Secretary of Public Safety for the Commonwealth of Virginia. Mr. Marshall is a long-time resident of Mason District in Fairfax County, which is my home magisterial district. He lives right across the lake from me. I just thank you again for your commitment to public service and for being here today. I have to swear you in again.

[Witness sworn.]

Chairman TOM DAVIS. Thank you again for being with us. I think you know the rules. We have your whole statement here. I have to leave and just make a quick call and will be back. We will go as soon as you are through to Mr. Scott for questions, then to Mr. Forbes and then back to me. So go ahead, and thanks for being with us.

**STATEMENT OF JOHN MARSHALL, SECRETARY OF PUBLIC SAFETY, COMMONWEALTH OF VIRGINIA**

Mr. MARSHALL. Thank you, Mr. Chairman.

I am John Marshall, Secretary of Public Safety. I serve in Governor Warner's cabinet and I oversee 11 State public safety agencies, including the State police, National Guard and Department of Emergency Management.

I mentioned in earlier testimony today that this was my first disaster of this magnitude since being in this position, but I do want to add that I also have experience on the ground dealing with a hurricane back in 1995 when Hurricane Marilyn struck the U.S. Virgin Islands. I was stationed there for 2 weeks in charge of the Marshal Service deployment of personnel.

Mr. SHROCK. Tough duty.

Mr. MARSHALL. Well it is when you cannot go in the ocean. [Laughter.]

So I have some experience both on the ground and in an administrative capacity as I have now.

I would like to just once again cover some of the actions that were taken prior to the hurricane. The chart indicates that the state of emergency was declared by the Governor on Tuesday the 16th. Actually it was declared on the evening of Monday, September 15th. That was the same day that the Governor held the conference calls with the local elected officials. On Wednesday, September 17th, 30 hours prior to the arrival of the storm, the Governor authorized mandatory evacuations of coastal and low-lying regions and this quite possibly saved hundreds of lives. In addition, on that same day 150 members of FEMA's emergency response element arrived in Richmond and were operational the next day. And as mentioned earlier, the Governor submitted an expedited request for a Presidential emergency declaration, which the President acted on within hours on September 18th.

Earlier, I went over a lot of the positive actions taken by our State employees, our local employees, our citizens, and our volunteer groups. I certainly will not go through that again because I think the committee has already mentioned some of those. I think it goes without saying that we owe a debt of gratitude to everybody involved in this operation, whether at the Federal level, the local level, the State level, and most importantly our citizens and our volunteer organizations.

As can be expected in an operation of this magnitude, we are going to have some lessons learned. I mentioned earlier today that Governor Warner will be announcing shortly a panel to do that, and I have been authorized by the Governor to make the announcement now that he has formed the Hurricane Isabel Assessment Team, which will conduct an independent review of government performance in response to the storm. This panel will be chaired by Mr. Bob Herbert, retired city manager of Roanoke. Also on this panel will be Bill Roland, retired deputy director of the Virginia Department of Planning and Budget, and Clare Collins, the Bath County administrator. This is a group of outside experts who will be conducting this independent review. The Governor expects this review to result in recommendations that will allow us to build on those things that went well, as well as acknowledging and finding

solutions for things that did not go well, and to continue to improve the State and local government preparation for and response to emergencies.

Having said that, Mr. Chairman, at this point I would be more than happy to answer questions.

Chairman TOM DAVIS. Thank you very much.

Mr. Scott.

Mr. SCOTT. Thank you, Mr. Chairman.

Mr. Marshall, thank you for your testimony. Let me first ask you about what you expected in terms of damage. We heard the FEMA representative say that he fully expected power to be knocked out for between 7 and 14 days, which is pretty much what happened. Our local panel at a previous hearing said that they expected power to be knocked out 2 or 3 days. Obviously there are a lot of problems that will occur in the 7 to 14-day period that you do not worry about if it is just a day, two or three. Based on what you had heard, how long did you expect the power to be knocked out?

Mr. MARSHALL. Congressman Scott, to the best of my recollection during the meetings I was involved with prior to the arrival of the hurricane the term that I heard was, "this will be a multi-day event with regard to power outages."

Mr. SCOTT. What does multi-day mean to you?

Mr. MARSHALL. In my mind that means less than a week, but I am sure that is up to interpretation for everyone.

Mr. SCOTT. Two or 3 days, maybe 4?

Mr. MARSHALL. That would be my feeling, yes, sir.

Mr. SCOTT. OK. On Friday, Saturday and Sunday before all the paperwork had been completed, were State officials aware that local officials thought that their requests were being acted on Friday, Saturday and Sunday for water, ice, generators, and everything else? Were you aware the localities thought their requests were being acted on?

Mr. MARSHALL. They certainly made those requests and they certainly were being acted on, yes, sir, Congressman.

Mr. SCOTT. It is my understanding that the paperwork was not completed until Monday, so a lot of things could not be acted on by FEMA until such time as that paperwork was completed?

Mr. MARSHALL. Well, if I could on that note, Congressman—and before I go into this, I would like to say that this is a prime example that we really do need to have a reasonable amount of time to do an after-action and to gather our data and to gather our information—in the time since the last hearing we have tried to do that, keeping in mind right now, our EOC people are focused on dealing with the needs of the citizens. The information I had earlier was the best information I had available to me; however, we do have written documentation of requests by the State on Friday, September 19th for ice and water.

Mr. SCOTT. OK. Part of the confusion, as I understand it, was that the Federal Government had ice but they needed the State to set up some kind of distribution network. Could you explain what that was all about, because it sounded like the ice was useless until the State set up certain structures and procedures. I guess my question is, did you you know that beforehand or did you just learn it over the weekend?

Mr. MARSHALL. No, we were well aware of the process for making these type of requests. But the situation was that the volume of requests that we received on Friday was more than FEMA had trucks to be able to respond to, each one directly to the locality. So that is why we worked with them and put together a plan to distribute that water to eight staging areas.

Mr. SCOTT. But without that additional distribution capability you could not make the request?

Mr. MARSHALL. An important part of the information that we were passing back and forth was that they could not respond directly to those requests, yes, sir.

Mr. SCOTT. Now if that was an unanticipated volume of requests, and, you know those things just happen, we will be better prepared next time for the volume of requests; we will look into that. It just seems to me that with ice sitting up there at A.P. Hill and everybody is pointing fingers and ice melting, that was not a situation we want to have reoccur.

You indicated the Governor is going to have a review panel. Will they review the infrastructure capabilities? We have 45 water systems still boiling water even as we speak. Will the review of infrastructure be one of the things they look at?

Mr. MARSHALL. Yes. The Governor has mentioned during several conferences that is a key vulnerability, our interdependency on our infrastructure; in particular the water pumping stations and their dependence on the primary electrical system.

Mr. SCOTT. And a review of the various bridges and tunnels so we will not have that situation again?

Mr. MARSHALL. Yes, sir, Congressman.

Mr. SCOTT. Communications between local, State—well local to local, local to State, local to Federal communication networks, will that be part of the discussion?

Mr. MARSHALL. Yes, sir. Communication is the key to any operation, particularly one of this size, and we certainly need to look at ways to improve that, yes, sir.

Mr. SCOTT. Training so that localities will know what to expect and what not to expect?

Mr. MARSHALL. Yes, sir, Congressman.

Mr. SCOTT. And then how food, ice, water, generators, and personnel, how a locality can get those without a lot of red tape, will that be part of the system—part of the review?

Mr. MARSHALL. We will certainly be reaching out to localities on that for their feedback on that process, yes, sir.

Mr. SCOTT. Thank you. I yield to my colleague.

Mr. FORBES. Thank you, Congressman Scott.

Mr. Secretary, we thank you for being here and we are going to try again to get some of these answers.

One of the things I think you can see that is so frustrating to our localities is they are kind of like us, you know, they never know what answer we are going to get when we get it, you know. So earlier in the hearing that we had, your testimony was that you had made verbal requests on Friday and that you thought the verbal requests were being acted on. The written requests did not come until Monday. Now it is your testimony that in point of fact there

was a written request that had been made on Friday, is that correct?

Mr. MARSHALL. Yes, sir, and I can go through the list with you.

Mr. FORBES. No, what I would like for you to do is just provide for the committee the form that you submitted. Was that—why did you submit an additional form on Monday different than what you submitted on Friday?

Mr. MARSHALL. I do not have any of the materials from Friday with me, Congressman; however, I do have here three RFAs that we submitted to FEMA on Friday, one of them asking to pre-stage generators at Fort A.P. Hill, one asking to pre-stage water supplies for 300,000 people 3 days at Fort A.P. Hill, one asking that ice for 300,000 people for 3 days be prepositioned at Fort A.P. Hill. At 5:39 a.m., according to our records as of now that we are checking, was our first official written request to FEMA. That was for 100,000 gallons of drinking water for Hopewell; 5,000 8-pound bags of ice we requested for Isle of Wight County. At 1 p.m. we requested three generators for Southampton County. We requested 100,000 gallons of bottled water for the Virginia Distribution Center. This was all on the 19th.

Mr. FORBES. Mr. Marshall, let me just ask you this: Would you just give us those forms and the ones you sent on Monday so that we can review those and go through them, please, for the committee?

Mr. MARSHALL. Yes, sir, Congressman. And I do apologize that I did not have the most accurate information this morning. It is just part of the nature of what we are dealing with.

Mr. FORBES. I understand. Congressman Scott asked you about damage and your expectations that it would be a couple of days. Did you ever contact Dominion Power to get their assessment of what they thought the damage might be from this storm?

Mr. MARSHALL. I was actually in a meeting with Dominion Power. I believe it was probably on Monday—probably Tuesday or Wednesday of the week of the storm.

Mr. FORBES. And what did they tell you?

Mr. MARSHALL. Basically, my best recollection was they said it would be, you know, a multi-day event. You know, I do not recall specifics on that as far as damage.

Mr. FORBES. And they did not indicate why they were massing so many trucks and people down here and that they thought it was going to be as bad or worse than the ice storm of 1998?

Mr. MARSHALL. They certainly were anticipating, you know, devastating effects.

Mr. FORBES. Do you remember how long the power was out in 1998?

Mr. MARSHALL. No, sir, I do not, Congressman.

Mr. FORBES. It was 9 to 10 days. Let me ask you this: you heard the testimony from Mr. Tolbert that the State is the one that makes the decision about where ice goes, water goes, generators go, recovery centers go. Is that your understanding as well?

Mr. MARSHALL. Yes, sir, Congressman.

Mr. FORBES. Do you have any kind of objective criteria that you use for determining where you are going to send water, where you are going to send ice, where you are going to send generators?

Mr. MARSHALL. As far as water and ice, what we do is pass on the request from the localities to FEMA.

Mr. FORBES. How about recovery centers?

Mr. MARSHALL. Following up on your earlier question on that, we make those decisions based on several factors, one being the number of the tele-registrations that are made with FEMA through the FEMA hotline number. We also look at observed damage by our Department of Emergency Management Community Relations people who are out in the localities. We also do some assessments of damage from the air. Also, it is important to note that these recovery centers are not to replace registration over the telephone. These provide citizens—in other words, if we have an area where there is a huge number of tele-registrations, we are going to need to get a DRC there because most likely people that are going to have a lot of questions. The DRCs give the people the opportunity to have face-to-face contact with FEMA to be able to have their questions answered. We also respond to requests from localities. If they request a DRC, we certainly work with them to put one in their area.

Mr. FORBES. Have you ever thought about the fact though, that in the worst situations the power lines might be down in that particular area, that would be a greater likelihood and therefore you may have less tele-communications?

Mr. MARSHALL. Sure, that is why we also have the factors of what our people are seeing out there who are in the localities, our regional people in the Department of Emergency Management who are on the scene.

Mr. FORBES. Let me show you a slide up here. If we can put this slide up, and the reason that I put this up here is because I think this exemplifies what we see whether we are dealing with water, ice or recovery centers that at least pose questions to people about what kind of objective standards we are looking at; maybe you can explain it to me. This is the track of the storm that took place. On day 5 you had established one recovery center, which we can certainly understand. I am not at all questioning where you put the recovery centers, that they should not go in those areas. Let me then show you the next series of days. This is day 10. And look where you put your recovery centers there. You have one, two, three, four, five, six recovery centers over there. Then let us show day 12. This is day 12 where you put your recovery centers. Now the reason I asked the question is because, if you look at the track of this storm, you do not have a single recovery center where the storm actually went in terms of its actual track. In addition, if you look at the claims along that track where there were no recovery centers that were placed there—and this is using your statistics on claims that were made—there were over 15,000 claims along that line alone with no recovery center at all. If you add in Henrico and Richmond you have almost 21,000 claims that are placed there. And the question, I guess I would ask you—this is just as an analogy—what objective criteria—if you use claims, then certainly you should have recovery centers somewhere along there. If you used the track of the storm, if you used anybody going in and looking at observable damage, because even when the Governor went to Smithfield he said that was some of the worst damage that he had

seen, and yet not a single recovery center located anywhere along there. Can you just tell us what the basis of that would be as opposed to—again, I am not saying you do not need the recovery centers where you put them, but it makes no sense to me not to have had any in 12 days anywhere along that corridor. And then the question is, we have one out in Buena Vista. If you look at just the ranking of claims in Buena Vista, there were 69 other jurisdictions that had more claims there than Buena Vista did.

Mr. MARSHALL. Congressman, my response to that is that is exactly why we need to do this after-action assessment. That certainly is a question that we need to answer, yes, sir.

Mr. FORBES. Well, I just ask you to look at it because when you are asking questions about fairness and equity in terms of distribution of water, distribution of assets—again, we do not question that you should have had that assistance where you put it, but it just looks a complete vacuum and absence of assistance along the whole quarter where the hurricane actually traveled. The next question——

Chairman TOM DAVIS. Let me say that I liked the one in Alexandria, I just want to say that.

Mr. FORBES. That is right, you liked that. [Laughter.]

The next question I would ask you is one that I asked you a little bit earlier, and that is, once you have made a decision that a locality—a group of people—are to get resources, why would you divert those resources to another locality? And the reason is because at least the FEMA folks that we talked to said that is a terrible strategy to use in an emergency because it pits one group of needy people against another group of needy people. And, of course, I gave you our data. You had resources for ice and water that were coming to Chesapeake and they were diverted away. You know, I gave you some time to research that one and hopefully you have been able to talk to some folks and get an answer for that as well.

Mr. MARSHALL. Well, I have, Congressman, although I do not have as much information on it as I would like. We will look into it further. However, looking through my personal notes and from my personal recollection—in particular you had mentioned the possibility of either Tuesday or Wednesday we were talking about. In my notes on Tuesday, I noted that our total order for water and ice was for 70 trucks, but on that day FEMA was only able to deliver 37. And so, you know, just trying to put together how we did things, obviously then we could not send all the trucks as we originally planned, and we have to make some decisions about where trucks will be going. So I would say originally Chesapeake, it sounds like, was supposed to get a certain amount of water and if it was diverted I would say that would be the reason, but I cannot say that concretely. I just have not had time to research it enough.

Mr. FORBES. Let me just suggest to you a couple of things. One is, I think it is vitally important that whether we are dealing with water, generators, whatever else that might take place, it is crucial for us to have some sort of objective criteria in how we are going to get that to the people that need it the most, because otherwise our citizens do not feel it is objective. They start feeling like maybe there are some other factors that are dictating where it is going, and that is the worst thing we can do in an emergency.

The second thing is that once you have one group of needy people, to divert the resources going to them and send them to another group of needy people is bad emergency planning, you know, at that particular point in time. My big concern about this is not because of, again just water and ice, it is because next time it could be vaccine or it could be medicine or it could be something that is really determining lives.

The final thing that I would just throw out to you is, it looks like a lot of the issues that we are talking about here are issues that we could know about before the storm hits. For example, I was in Emporia and they were talking about a distribution center there. They had talked to the people in your office and they had talked to them about using the armory and the response they got back was, "we did not know you had an armory here." The concern that I have is this: We have the best logistical machine in the world in Fort Lee. I mean they really know logistics better than any military base, probably anybody that I know of, because they train the military in doing that. And Iwould just encourage you, perhaps in future administrations, to see if we could meet with the folks at Fort Lee and say, "would you take a look at what we are doing logistics-wise before we get into these emergency situations," so that we can stop some of these things from taking place that maybe we saw in this last 12 days of the storm.

Congressman Schrock, do you have any questions?

Mr. SCHROCK. No.

Chairman TOM DAVIS. Any other questions for the panel?

Mr. SCOTT. Yes, Mr. Chairman.

Chairman TOM DAVIS. Mr. Scott.

Mr. SCOTT. Mr. Marshall, were you communicating with Virginia Power to help them establish a priority list of things to recover?

Mr. MARSHALL. Yes, we had a very good working relationship with Virginia Power and early on worked with the priorities of our hospitals, our pumping stations and our nursing homes around the State, and they worked very well with us. And as I mentioned earlier, they actually had people doing assessments at one of the pumping stations while the hurricane was still coming through. They were in quite a bit of danger but they were very dedicated.

Mr. SCOTT. On your review panel, if you could consider setting up some priorities because I think there were some priority situations that were not on the list, one of which we called Virginia Power and they responded, and that is dialysis centers. People on dialysis need to go get dialysis every day. Several in this area were without power for several days and when we called they got to the top of the list and were restored. That list of some priorities like that really needs to be done ahead of time. So if you could put that on the list for the review panel to consider, we would appreciate it.

Mr. MARSHALL. Dominion Power has been a great partner and I am sure they will be more than happy to work with us on that, Congressman.

Mr. SCOTT. Thank you.

Chairman TOM DAVIS. Mr. Marshall, thank you again for being with us this morning here and last week in Washington. We appreciate it.

Mr. MARSHALL. Thank you, Mr. Chairman and thank the committee.

Chairman TOM DAVIS. We will move to our third panel now and hear from some of the local officials involved. We have David Jolly, the director of public safety for Dinwiddie County; we have Richard Childress the director of emergency management for the Isle of Wight County; Steve Herbert, the city manager and director of emergency services for the city of Suffolk; and Steve Best, the fire chief and director of emergency operations for the city of Chesapeake. Mr. Forbes has arranged for you to be here with us today and we are really pleased to have you. Raise your right hands.

[Witnesses sworn.]

Chairman TOM DAVIS. We will start with you, Mr. Jolly and we will move right down. We have a clock up here that after 4 minutes turns orange or yellow and then you have a minute to sum up. Try to keep within 5 minutes and then we will get right to questions. Your entire statements are part of the record. And again, we appreciate hearing from you.

You know, we pass all the laws up here, everybody else does the coordination, you are the guys on the ground that generally have to deliver and if there are complaints, you hear it the most. You are probably more in touch with what really happened than any of us, so we appreciate the job you did and the people under you did and just really appreciate you being here today.

Randy, did you want to say something?

Mr. FORBES. I would just echo what the chairman said and really, we just cannot salute you enough, not just for being here but for what you guys did for all of our citizens during these emergencies, and we really appreciate your input and how we can make this system better.

Chairman TOM DAVIS. We just want to give you the tools and learn from this. Go ahead.

**STATEMENTS OF DAVID JOLLY, DIRECTOR OF PUBLIC SAFETY, DINWIDDIE COUNTY; RICHARD CHILDRESS, DIRECTOR OF EMERGENCY MANAGEMENT, ISLE OF WIGHT COUNTY; STEVE HERBERT, CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES, CITY OF SUFFOLK; AND STEVE BEST, FIRE CHIEF/DIRECTOR OF EMERGENCY OPERATIONS, CITY OF CHESAPEAKE STATEMENT OF DAVID JOLLY**

Mr. JOLLY. Chairman, members of the committee, we appreciate the invitation to be here today. My name is David Jolly; I represent the county of Dinwiddie. I have been there a little over 5 years, but have been in emergency management for over 20. It gives me great appreciation to be able to come today and hopefully give some constructive suggestions from somebody, as you put it, who is on the front lines and has lived through the recent disaster.

Like so many localities affected by the storm, we experienced significant destruction to the tune of more than $9 million, at present estimates. That includes agricultural, logging as well as personal property damage and business and community loss; moreover, the loss of our citizens not having those services and those commodities for a pretty good amount of time.

Not unlike other jurisdictions, we are extremely proud of our dedicated local human resources during this disaster and we found that, quite honestly, that is what has us through, both our volunteer agencies as well as our employees and the citizens' and community groups. Throughout the aftermath of the event we served our best and we have continued to do that today and for that we are proud and thankful for their services.

However, we have learned two things. One, disasters will not quit coming, so we may as well learn from this one and move on to improve, as well as working together, all of us, from the Federal, the State as well as the local level. It will certainly make the environment in the community—and our citizens—a safer place to live and work.

Today, I would like to discuss a couple of concerns that we have regarding both pre-event planning as well as post-event operations. One of those concerns was the length of time it took to get the official declaration as a disaster for the county of Dinwiddie. On numerous occasions we were told verbally that we had been placed on the disaster list. However, when the citizens started to call the FEMA hotline, they were told we had not been declared and therefore would not take their information, which did nothing but frustrate the citizens and overload our emergency operations center. That conversation or communication link is vital during emergency measures.

I would like to make it clear we applied and submitted forms on our initial damage on the 19th, which is the day after the storm; however, we did not receive our official disaster declaration until the 23rd. We would like to have that process explained, so that we can better explain it to our citizens as to how the process is going to work and what the timeline is going to be.

Keep in mind the emergency operations center as well as the Office of the Governor continued to report to us that we had been declared. Unfortunately, that was not getting through to the FEMA folks and somewhere it was lost, either in somebody's or some agency's actions.

It is my personal and professional opinion as a public safety administrator that one of the critical and vital aspects of any emergency operation, as I said earlier, is communications. And without some kind of sound planning and the dissemination of that information in a strategic and well-orchestrated manner, problems are not just a potential but rather a surety. While on the subject of communications, we experienced problems with several FEMA staff people. We have on four separate occasions since the initial response phase had FEMA representatives show up without any notice or very little notice, which makes it very hard at the local level for us to in turn get the right players in the room to make the meeting a productive meeting.

As I indicated earlier, we have estimated our damage at over $9 million; therefore, it is easy to visualize the amount of woody debris that would be an issue and a concern for our county. However, I cannot begin to explain the frustration that we have been through as it results in that issue. We contacted the emergency operations center on the 19th and we started to work through the process. And it took several days and several meetings through

both local and State meetings of VDOT to be told we were not going to be able to use their right-of-way, so we advised the citizens of that and then FEMA came in and said, "we will hire a contractor and in turn we will pay 75 percent." It does not make a lot of sense to us from an economic standpoint for us to hire a contractor to clean the same right-of-way up that VDOT hired a contractor to clean up. However, we also had water show up that we did not request and we have talked to over seven people from FEMA's organization to date and given them concerns that they have yet to come back with answers.

I guess in closing, you know, any event is a frustrating event. However, I think going through the process and learning how we all can be a better team is what we are all here for today. Red Cross has been one of those players in this that has not been seen until after the event was over with. We have asked for a lot of resources, we have yet to get responses to those or either they cannot be provided. All we are asking is, when we ask a question, give us a realistic explanation or a date that it is going to be there and we can work locally to help you and assist you and coordinate those local efforts to support State and Federal efforts.

With that being said, I will be glad to answer any questions the committee might have. You have a written prepared statement that I did prepare and present to you.

Chairman TOM DAVIS. Thank you very much. Mr. Childress.

[The prepared statement of Mr. Jolly follows:]

# Congressional Committee on Government Reform

Testimony of the County of Dinwiddie, Virginia
October 10, 2003

***Emerging from Isabel: A Review of FEMA's Preparation for and Response to Affected Areas in the Hampton Roads and North Carolina Regions***

Chairman Davis, Congressman Waxman, and the other members of the Committee on Government Reform my name is David M. Jolly and I have served the citizens of the County of Dinwiddie, Virginia as the Director of Public Safety for 5 years. I would first like to personally express my appreciation to each member of the Committee, and Chairman Davis for his steadfast leadership and desire to receive constructive suggestions from the frontlines of this destructive and devastating natural disaster- called Isabel.

Like so many localities affected by this massive storm, Dinwiddie County experienced significant destruction. At the present time, we are estimating a loss of more than $9 million dollars. This equates to significant losses to the agricultural and farming community from both a crop and structural standpoint. Moreover, the loss of real and personal property to the citizens were substantial.

Not unlike many other jurisdictions, we are extremely proud of the dedication and resolve of the local human resource. Throughout the aftermath of the hurricane the citizens of Dinwiddie County served as our best, and most reliable resource. For that, we have much to be proud of and thankful for.

With this said, two things can be assured: One – we know there will always be another disaster. Hurricanes will not simply stop coming. And two – we know that working together before the next disaster we can help save lives, cut property and business losses, protect our environment and make our communities safe and stronger the next time around.

I would like to discuss with you today the concerns that Dinwiddie County has regarding the pre-event planning and post-event operations of Hurricane Isabel.

One of the initial concerns of the County was the length of time it took to get an official declaration as a disaster area. On numerous occasions the County was verbally informed that we had been placed on the disaster list. However, when citizens called the Federal Emergency Management Agency (FEMA) they were informed that Dinwiddie County was not on the list. To make matters worse, FEMA staff members told the countless citizens that they could not take any information from them to pre-register.

It should be made very clear; Dinwiddie County filed its initial damage assessment report on September 19th (the day after the storm) and did not receive an official disaster designation until late on September 23rd. It would be helpful for this process to be explained. Especially, how designated disaster areas are relayed to FEMA. Please keep in mind, the Virginia Emergency Operations Center and the Office of the Governor was reporting to us that Dinwiddie was declared. Unfortunately, the state declaration was either not getting to FEMA or was lost somewhere or with someone at that agency.

In my personal and professional opinion as a public safety administrator, one of the most critical and vital aspects of emergency operations is communication. Without sound planning and the dissemination of information in a strategic and well-orchestrated manner, problems are not just a potential but rather a surety.

While I am on the subject of communication, Dinwiddie County experienced several problems with FEMA staff members and the coordination of personal meetings. Dinwiddie County has been visited a minimum of 4 times during the aftermath of the storm. It should be noted that each of these visits was made without any advance notice. By not providing sufficient notice, it is often difficult to have key personnel present at these meeting. This causes meetings to be unproductive and ineffective.

As indicated earlier, Dinwiddie County has estimated more than 9 million in damages. It is therefore easy to visualize the amount of woody debris we have in our county. Of all of the concerns before you today, I cannot begin to explain the convolution of this issue.

The County began calling the State EOC for information on debris removal on Friday, the 19th and we were told the program was still being worked on.

Also on Friday, the 19th The Virginia Department of Transportation (VDOT) instructed the County not to place any debris in the State right-of-way.

Therefore, the County put out a press release advising citizens not to place anything in VDOT's right-of-way.

After 7 days of working with numerous state agencies and FEMA, on the 26th of September we received printed fliers with a FEMA number to call for debris removal.

Before these fliers were disseminated to the public we called the advertised number and were told to bring the debris to the roadside/curb and to contact the local government because their public works department would pick it up. There are several problems with this statement:

1. Dinwiddie County is primarily a rural locality with 501 sq. miles and does not have a public works department.

2. The County had not made a decision to offer this service. It was presumptuous at best for FEMA to advise the citizens of our locality to do this and we were left explaining this was incorrect to irate citizens.

3. FEMA never spoke to anyone in Dinwiddie County to find out what we were doing or to advise us on what we could do.

The County then received a call from yet another FEMA representative who told us that we needed to get a release from VDOT so we could tell the citizens to put their debris in the State right-of-way. Once accomplished, the county could hire a private contractor to pick up the debris and FEMA would reimburse the County 75% of the cost.

As a representative of a fiscally conservative locality, that understands the importance and value of a dollar. I have to ask—Why would the County hire a contractor and VDOT hire a contractor to remove debris from the same area? Is that efficient? Is that how you all would recommend spending tax payers dollars?

It was not until September 29th that VDOT met with us and agreed to consider our suggestion of jointly using the same contractor and allocating the cost. However, the state EOC continues to advise local governments that they should consider a separate contract so they will not incur any problems with reimbursement from FEMA. Of course, by now, a lot of the citizens have taken

their debris to the landfill and/or hired a contractor at an exorbitant price to clear their debris for them.

To this date, eight (8) FEMA representatives have contacted the county claiming to be the project manager assigned to Dinwiddie County. Each person has taken these concerns and none of them have even returned with answers to our questions.

Changing gears somewhat, I would now like to express operational concerns. Like many other localities, we experienced several problems with trying to obtain ice for our citizens. Ice was requested on September 19th and was not made available until the 23rd. And when I say it was made available I mean just that. We were instructed to pick-up our own ice. The problem with this is that we needed refrigerated trucks to keep the ice in. If not for the generosity of Wal-Mart who was gracious enough to provide these necessary units to pick up the ice, we would not have gotten ice when we did. Please keep in mind; it took 4 days just to be told that ice was available. By the time we got ice in Dinwiddie County and it was made available for distribution many citizens began to have their lights restored. We then had a surplus of ice for the County to dispose of accordingly.

Other operational concerns of the County consisted of such things as....

1. Bottled water showed up with no notice of where it came from or who requested it.
2. We requested cots for our shelter. We were told there were none.
3. We requested generators. We were told there were none.
4. The Red Cross was non-responsive to us until September 21st. The Department of Social Services ran our emergency shelter on a 24-hour basis beginning on the 17th. The Red Cross came to one meeting and stated they would staff the shelter on the 21st. They placed a couple in a hotel and closed the shelter. They did not assist with hot meals until the 24th.
5. We also have great concerns regarding FEMA's interpretation of reimbursement as it differs from county employees and contracted employees. It appears that reimbursement is greater if based on an expensive contract rather then the more efficient use of localities own employees. Once again, is this an efficient use of taxpayers' funds?

Again, I would like to thank each one of you for taking the time to listen to the concerns presented to you today. This opportunity speaks loud and clear and

sends a message to citizens everywhere that government is open to criticism and dedicated to excellence.

I think we all know that we need to do more. When assessing the damage in my locality I saw too many families suffering from damage and dependent on government services at all levels of government. The citizens demand this of all of us and it is our duty and obligation to provide these fundamental services in an equitable and expeditious manner. Whether it be tornadoes, droughts, earthquakes, fires, floods or the hurricane we are discussing today, the people are ultimately what we are here for and many of us have dedicated our lives to protect and serve them with honor and dignity.

We all remain ready for the responsibility, eager to improve, and dedicated to taking emergency management to the next level.

This time, we fortunately did not have to mourn the lives of anyone lost.

In closing, I would like to share with you all a quote from one of our founding fathers': Benjamin Franklin:

> If not for the Blacksmith, the Shoe would be lost,
> If not for the Shoe, the Horse would be lost,
> If not for the Horse, the Battle would be lost,
> If not for the Battle, the War would be lost

The attention to details dictate success and failure. If we lose focus as a County, as a Commonwealth, or as a Nation we have much to lose. If we improve upon our mistakes we have everything to gain.

Again, thank you for this opportunity.

I am more than happy to answer any questions that you may have.

Mr. CHILDRESS. Thank you, sir. I would like to thank the committee for affording Isle of Wight County this opportunity today.

The days leading up to Hurricane Isabel, and most certainly the days after, have been very stressful. As with any incident, communication has been one of the most prominent concerns that we have addressed. While the new electronic reporting format utilized by the State is very convenient, it does not appear to convey the necessary information. When requests are forwarded to their respective branches, contact information and delivery information are very often not relayed along with those requests.

Another facet of the communication problem dealt with the heavy reliance on e-mail communication. The courthouse complex as well as the emergency operations center, along with every citizen in the county, lost power and e-mail service the day of the hurricane and did not regain that service until September 26. During that time, the automatic receipt notifications for situation reports and requests were not received by the county. The county also did not receive vital communications from the emergency operations center regarding the filing of public assistance forms or preliminary damage assessments.

Prior to the hurricane, the localities were advised that FEMA was staged and ready. No explanation of this message was offered or given. The assumption given to such a statement would be that FEMA assets, personnel and equipment would be in place. But the question that comes to mind is, "where are these assets positioned and what are these assets." The county feels that staging of FEMA assets is very important but needs to be defined so we can better plan the securing of relief supplies and other essential items.

The distribution of literature containing contact numbers, the "Sequence of Delivery" sheet and a sequence of recovery activities as recommended by FEMA for citizens and localities should be delivered to localities, preferably immediately preceding the incident, to allow us to have better information for our citizens as well. While the timely relaying of recovery information to the public is vitally important, the same consideration should also be given to businesses. Many small businesses did not know where to turn until the recovery efforts were well underway and if these items were published then small business could in fact call the toll free FEMA number to file claims and seek information.

The county found the distribution of supplies to be chaotic. When the county requested generators, a representative quickly responded by giving contact information for suppliers. What the county expected was to be advised when we would be receiving generators. Instead, the county was advised on how to procure certain items. Prior to the event, the county requested additional cots, blankets and pillows for the shelters as the American Red Cross in our area advised us that there were no more to be had in this region. The Virginia Emergency Operations Center representative responded to the request by passing it back to the American Red Cross, where we had already received information that there were none.

Water and ice procurement was one of the most frustrating aspects of the recovery effort. We were promised deliveries of requested water and ice twice that weekend immediately after Isabel;

both times the deliveries did not arrive. On Monday September 22, the county received its first shipment of water but the ice was not delivered. The county then contracted with a New Jersey firm to have a truckload of ice shipped directly to the county both on September 22nd and 23rd to assure that we did receive ice to provide to our citizens. Our last order of water was placed on Tuesday, September 30. That evening the order was confirmed and then Wednesday morning a representative at the Sandston distribution site called to confirm the order and to obtain delivery information which had been provided in the request. Later that morning, Sandston called back to advise that the shipment was leaving, to expect delivery around lunch time. To this date, no one can advise me what happened to that shipment, as it still has not arrived in the county.

The county requested mobile DRCs to be utilized for the citizens that are not able to get to a more populated center as they may be in a remote area and/or may be quite elderly and without transportation. The county even went so far as to set up a weekly schedule to include locations throughout the county that would best serve the needs of all citizens as well as accommodating the need for a central location to serve greater numbers of individuals. Instead, FEMA elected to set up the DRC to serve Isle of Wight County in a fixed location that met their extremely vast spatial and technical requirements. This facility, while situated in the population center of the county, is not centrally located as defined by land mass and as a result, more rural areas will most likely not benefit from the establishment of this center. To help FEMA relate to local emergency managers what can best be expected from them and what will be expected from the localities, and to help FEMA understand the demographics of the regions they assist, the county recommends that FEMA representatives attend regional emergency management committees on a regular basis.

On behalf of many citizens in Isle of Wight County, the county needs surge data provided to us for mitigation purposes as well. In the days prior to Hurricane Isabel, many residents were calling the county offices to get this data to better determine if they should evacuate and we were only able to issue a blanket policy of if you are in a low lying area or if you have previously experienced flooding, then yeah, you should probably get out. And I think that certainly we can serve our citizens better than this.

I will be happy to take any questions the committee may have. Thank you.

Chairman TOM DAVIS. Thank you very much. Mr. Herbert.

[The prepared statement of Mr. Childress follows:]

# COUNTY of ISLE OF WIGHT

THE COURTHOUSE EMERGENCY MANAGEMENT

October 8, 2003

U.S. House of Representatives Committee on Government Reform
Testimony presented regarding State and federal assistance following Hurricane Isabel

Dear Mr. Chairman:

I would like to thank the Committee for affording Isle of Wight County this opportunity to testify before you. The days leading up to Hurricane Isabel and most certainly the days since have been most stressful. Assisting our citizens with the emergency response and the recovery aspects of this event has been quite difficult, and though some aspects of the assistance received from State and federal agencies has helped the processes, some have not.

As with any incident, communication has been the most prominent concern. Within this area, the County experienced problems with communicating to the Virginia Emergency Operations Center (VEOC) and the Disaster Field Office (DFO). While the new electronic reporting format utilized by the State is convenient, it does not appear to convey the necessary information. When requests are forwarded to their respective branches contact information and delivery information are often not relayed with the requests. There also appears to be no way to automatically update the status of these requests. With most of the County's requests, the County would be called by the respective branch to secure information regarding the request; which had been provided on the request form. The distribution point would also call requesting the same information. Inevitably a week or so later someone would call the County stating they had a request form and if the County still needed those supplies. These would be items we had already received, never received or even never requested.

Another facet of the communication problem dealt with the heavy reliance on e-mail communication. The County Courthouse and Emergency Operations Center lost power and e-mail service the day of the hurricane and didn't regain service until September 26, 2003. During that time the automatic receipt notifications for

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Situation Reports and requests **were not received** by the County. The County also did not receive vital communications regarding the filing of Public Assistance forms or Preliminary Damage Assessments. While the County did set up an alternate e-mail address through a dial-up connection, this apparently did not remedy the problem, as the new address was not utilized to reroute communications.

Prior to the hurricane impacting the Hampton Roads region, the localities were advised that FEMA was staged and ready, but no explanation of this message was given. The assumption given to such a statement would be that FEMA assets, personnel and equipment, would be in place. But the question that comes to mind is, "Where are these assets positioned and what are these assets?" The County feels that staging of FEMA assets is very important, but needs to be defined so we can better plan the securing of relief supplies and other essentials. With a hurricane of this magnitude, it would be very helpful having FEMA personnel here in the areas to be affected and to have relief supplies such as water, ice, generators, fuel and relief workers posted just outside projected impact areas ready to mobilize as soon as the storm passes. It took a considerably long period of time to get drinking water and ice into the affected areas and even when it did start to arrive it was in very short supply. It was very perplexing how the County's debris cleanup contractor was able to stage in Rocky Mount, NC and arrive the day after the storm, but FEMA could not arrange the same level of support for essential supplies.

In addition to FEMA representatives staging locally, the distribution of literature containing contact numbers, the SEQUENCE OF DELIVERY sheet, and a sequence of recovery activities as recommended by FEMA for citizens and localities should be delivered to localities preferably immediately preceding the event, or if not, then immediately after the event. Contact numbers and certain information that would assist citizens and localities could be sent via fax and/or e-mail so that local Public Information Officers could put out the proper information in a timely fashion. While the timely relaying of recovery information to the public is vitally important, the same consideration should be given to businesses. Many small businesses did not know where to turn until later in the recovery processes when it was finally published that businesses could call the toll-free FEMA number to file claims and seek information.

During the recovery efforts the County found the distribution of supplies to be quite chaotic. When the County requested generators, a representative quickly responded by giving contact information for suppliers. What the County expected was to be advised when we would be receiving generators. Instead, the County was advised how to procure the services ourselves. Then twice in the following weeks the

County would be contacted regarding our requests for generators, and where we would like to have them delivered. Prior to the event, the County requested additional cots, blankets and pillows for the shelters as the American Red Cross advised us that there were no more to be had in the region (this was noted on our request). The VEOC representative responded to the request by passing it back to the American Red Cross. Water and ice procurement was one of the most frustrating aspects of the recovery effort. On the weekend immediately after the hurricane, we were advised of the opening of a distribution center in Southampton County. We were also advised that all deliveries would be arranged out of that facility for our County. We were promised deliveries of requested water and ice twice that weekend; both times the deliveries did not arrive. The first was due to the supplies not having arrived at the distribution site and the second was due to Isle of Wight County being third on a delivery route, and the supplies not making it past the first two delivery sites. Finally, on Monday, September 22, 2003 the County received its first shipment of water, but the ice was not delivered. The County had to twice contract with a New Jersey firm to have a truckload of ice shipped direct to the County both on September 22 and 23 to assure that we received ice for our citizens. Daily we would be advised of allotments of water and ice at the Southampton distribution site and that we would have to arrange to pick up the items. Next we would receive a call advising that the items would be delivered. Often they were not delivered; on occasion they would show up without prior notice giving us little time to mobilize our limited resources to off load the water. As an example, our last order for water was placed on Tuesday, September 30, 2003. The order for 20 pallets of water was confirmed that evening. Wednesday morning a representative at the Sandston distribution site called to confirm the order and to obtain delivery information (which had previously been provided in the request). Later that morning Sandston called back to advise that the shipment was leaving and to expect delivery at lunchtime. To this day no one can advise what happened to that shipment, as it never arrived.

Approximately a week into the recovery the County began receiving FEMA representatives. This was a welcome addition to our recovery efforts. However, these representatives would arrive unannounced and request time to discuss relief efforts. These meetings would interrupt our coordination of recovery operations, but we obliged the requests. We also received at least one duplicate visit from different persons representing FEMA in the debris management sector. What the County feels would aid us and FEMA greatly in their coordination of relief efforts and ours would be to assign one "FEMA Representative" to each locality. That person would be the EOC contact and would provide a listing of all FEMA personnel and their areas of responsibility to the locality as well as assist in setting up meetings between the

named personnel and their respective contacts at the local level. The FEMA representative would provide a listing of items for discussion during the meeting and also receive questions from the locality for the FEMA personnel to address during the meeting. Having personnel just show up can be disruptive and nonproductive.

The process developed for filing claims with FEMA has improved greatly. The ability to call one number and begin the process is certainly a benefit to those impacted, as well as to FEMA. However, to help better facilitate that process we at the local level need to be informed much sooner of the process that will be used so that those staffing our information lines can give out the proper information. Also noted earlier, the delay in putting out the same information for businesses caused a good deal of stress and confusion on small business owners looking for assistance. Improvement in the materials sent out to filers is needed as well. The County has heard of citizens receiving their packets of information in the mail and then discarding that information because it is labeled as being from the Small Business Administration and not from FEMA. The FEMA name needs to be prominently displayed on this paperwork. Also needed to alleviate confusion on the part of the filer is a rewriting of the instructions. While the instructions are very thorough, they need to be written to the reading level of the average citizen so as not to be confusing to the reader, if not outright unintelligible.

FEMA has set up a goodly number of Disaster Recovery Centers (DRC's) throughout the region to attend to the questions of those impacted. The Centers are generally centrally located so long as Center requirements can be met. This may serve urban areas well, but is not well designed for rural applications. The County requested mobile DRC's to be utilized for the citizens that are not able to get to a more populated center as they may be in remote areas and/or may be quite elderly and without transportation. The County even went so far as to set up a weekly schedule to include locations throughout the County that would best serve the needs of all citizens, as well as accommodating the need for a central location to serve greater numbers of individuals. Instead, FEMA elected to set up the DRC to serve Isle of Wight County in a fixed location that met their extremely vast spatial and technical requirements. This facility, while situated in the population center of the County, is not centrally located as defined by land mass. Our more rural areas will not benefit from the establishment of this Center.

Perhaps through training and the materials we receive regarding the coordination of disasters localities are taught to rely on FEMA too greatly and a false expectation is developed. However, each locality cannot be made to think that they will have to set up their own procurement of supplies during a disaster of this magnitude.

Coordination of relief efforts and supplies must be controlled at a central point to avoid chaos. To help FEMA relay to local emergency managers what can be expected from them and what will be expected of the localities, and to help FEMA understand the demographics of the regions they assist, the County recommends that FEMA representatives attend regional emergency management meetings on a regular basis. Not only will this help facilitate the passing of information, but it will also build bonds between local emergency managers and the FEMA representatives that will be working together during a disaster. VDEM already participates regularly in such meetings and is proof that such alliances help build valuable bonds for working together during emergencies.

One last request on behalf of many citizens in Isle of Wight County, the County needs SURGE data provided for mitigation purposes. The County has sought this information for over 3 years through inquiries through VDEM and the Army Corps of Engineers without success. In the days prior to Hurricane Isabel, many residents were calling the County offices to get this data to better determine if they should evacuate. With this data in hand the County could have identified those areas that needed to evacuate. As it was, the County was only able to issue a blanket statement recommending residents of low-lying areas and areas prone to flooding to voluntarily evacuate. Certainly we can serve our citizens better than this.

Thank you again for allowing me the time to reflect upon the County's efforts toward recovery and the associated trials and tribulations and to share that information with you.

Richard Childress, Director
Department of Emergency Management
Isle of Wight County, Virginia

Mr. HERBERT. Good afternoon, Chairman Davis, Congressman Forbes, Congressman Scott, and Congressman Schrock.

On Monday, September 15, the city of Suffolk began preparation for the approach of Hurricane Isabel. At that time, the city's emergency management team began preparations to open the Suffolk Emergency Operations Center on Wednesday morning, September 17. At 11 a.m., Tuesday, September 16, a hurricane watch was issued for the Hampton Roads region. On Wednesday morning, September 17, the city's EOC was fully staffed and operational and at 10 a.m., the city of Suffolk declared a local state of emergency in anticipation of the storm. Suffolk public schools were closed at noon on Wednesday and five emergency shelters were open by early that evening. It was early Thursday morning when Suffolk began experiencing the effects of Hurricane Isabel. Sustained hurricane force winds were reported in Suffolk between the hours of 5 p.m. and 10 p.m. that evening, though the city began experiencing significant power outages early that morning. By evening, the entire city was without electrical service. By late morning on Thursday, 20 of the city's sanitary pump stations were down due to power outages and a city well system and the city's water treatment plant were already operating on generator power. At 11 a.m., the city made its first contact with the State EOC requesting emergency assistance. It was followed that afternoon with a formal written resource request. The city asked for State assistance with chainsaw crews to help clear out major transportation arteries and Hummvees to transport these crews, generators to power the emergency shelters and the sanitary sewer pump stations, and light stands for the shelters. At 4 p.m., Thursday, September 18, an additional call was made to the State EOC stressing the need for emergency support.

The only request from the city of Suffolk to the State EOC that was addressed was the request for a chainsaw crew to assist with clearing major roadways. In response to the city's request for generators, the State EOC provided a list of vendors we could contact that might supply generators. None of those vendors were, however, able to provide us assistance.

Given the city's urgent need to provide power for emergency shelters that housed special populations dependent on oxygen pumps and the like, at 4:30 p.m. on Thursday the city began pulling generators from the Department of Health and fire stations to meet these critical needs. The city's need for generators continued to escalate during the storm.

While the city was able to protect its municipal water operations through the use of backup generators at its water treatment plant, thousands of citizens served by private and community well systems in outlying areas were without water due to the power outage. The city has 107 sanitary sewer pump stations and approximately 23 of those stations were operating with backup generators by early Thursday. There was serious potential for environmental problems if the other stations were not brought online with some power source. Without generators or electrical power, the city had crews working 24 hours a day rotating through those pump stations doing pump-and-haul to avoid environmental problems with overflow.

By Friday morning, the city had received no response from the State EOC on the provision of generators. At that time, the city took independent action to purchase five generators that we were able to obtain from a vendor in Kentucky. Delivery of these generators on Friday allowed the city crews to provide power to some of the key sanitary pumping stations.

Mr. SCOTT. Which Friday was that?

Mr. HERBERT. That was Friday after the storm, sir.

Mr. SCOTT. The next day.

Mr. HERBERT. Yes, sir on Friday morning, the city faxed a request to the State EOC for water buffaloes for use in the Whaleyville Borough to address the need for water in this rural area. A telephone call was made to the State EOC later that afternoon to followup on requests for a water buffalo and to again stress the city's need for generators to service additional pumping stations and emergency shelters, and for Hummvees to transport personnel to clear roadways. It was Saturday morning when the State EOC notified the city that water buffaloes could not be provided; no word was received on the other request.

The city's first contact with FEMA officials was on Friday afternoon following the storm at 4 p.m., when FEMA staff and representatives from the U.S. Army Corps of Engineers and the DEQ met with city EOC staff to assess life safety issues. The city again explained its request and need for two water buffaloes and emergency generators for the shelters and pump stations.

At 7:15 p.m. on Friday, a situation report was sent online to the State EOC to keep the State advised of the emergency situation in Suffolk. On Saturday, September 20, the city held another conference call with the State EOC to discuss ongoing assistance requests, including the need for water, ice and generators. As the city had not received verification from the State EOC that its request for generators would be filled, the city again went outside and ordered 16 generators on Saturday. These generators were received on Monday and they were used to provide power to sanitary sewer pumping stations and to larger private well systems in the city that provide water to over 4,000 residents. It was not until Tuesday the 23rd that the city was notified by the State EOC that FEMA had denied the city's request for generators to run the private community well systems.

The State EOC was contacted again at 7 p.m. on Saturday regarding the city's need for water and ice. A resource request was sent to follow this up at 8:15 and the city was notified that ice and water would be delivered to Suffolk Fire Station No. 5 on Route 17 on Sunday. At 4:15 a.m. on Sunday morning, the city was notified that water and ice would be available at the Virginia Beach pavilion around 3 p.m., that afternoon, but that the city would be required to pick it up. The city was able to arrange for local businesses to provide trucks for the pickup. However, upon their arrival at the distribution location, the local trucks were required to wait 7 hours beyond the stated pickup time before those supplies arrived at the pavilion.

On Monday, the city learned that no ice would be available at the pavilion on Monday, so Suffolk purchased ice directly from local merchants and received bottled water through the Salvation Army.

A copy of the city's request for ice, water and generators was faxed to Congressman Forbes for his assistance in expediting the process.

On Tuesday, the city was notified that 7 pallets of ice and 18 pallets of water would be delivered to the Southampton Fair Grounds. Later that day, the city was informed that FEMA had no record of the city's request for water and ice. Followup with the State EOC reps later that day noted that they did receive a request from the city for water and ice and that they were not sure why FEMA had not received the city's request. It should be noted that once the Army Corps of Engineers assumed delivery of water and ice on the 23rd, no further problems were experienced with availability or delivery in Suffolk's particular case.

Wednesday morning, the city faxed to the State EOC a request for emergency mosquito control funding and approval of funding was received on Friday. Aerial spraying took place on October 8th in Suffolk.

The city received a call on Wednesday from the State EOC indicating they were working on a request for generators. With the severity of the situation lessening on Thursday morning, the city canceled it's request for generators as power was gradually being returned and as the city had been able to relocate its own generators.

On Friday the 26th, the FEMA community affairs representative arrived at the city EOC to assess our needs, and on Saturday, a FEMA representative assessed the armory as a location for a disaster relief center. The National Guard armory was selected and opened at 1 on Thursday, October 2.

Given our experiences during Hurricane Isabel, I offer these observations and suggestions for improving our emergency preparation and response process.

No. 1, as noted earlier, policies and procedures required the city to submit its request for assistance to the State for handling by FEMA. Several times there were miscommunications between the State and FEMA regarding if and when the city had made requests for emergency assistance, resulting in significant time lapse prior to the city receiving a response to its request. The State EOC and FEMA should conduct a review of their communication procedures for emergency situations and make changes to better facilitate the communication process.

No. 2, the State, in cooperation with FEMA, might establish a local or regional staging area where prestocked water, ice, generators, and food could be quickly mobilized prior to and during a storm.

No. 3, pre-authorization or the establishment of contracts between localities and local vendors for some of these services and products to go into effect upon the determination of need and designation of a State disaster should be considered, perhaps on a regional basis.

No. 4, hurricane disaster exercises should be a State-coordinated priority on an annual basis. And these exercises should be conducted on at least a regional basis.

No. 5, better and timelier information concerning electrical power restoration would be of great value. I will note that Dominion Power did a great job once we were able to get good communications set up about 2 or 3 days into the storm.

No. 6, a local or regional radio station dedicated 24/7 to disaster information would be of great value.

No. 7, the Governor's personal involvement and discussions with elected officials and city managers was useful and appreciated.

No. 8, in Suffolk's case, the involvement of Congressman Forbes' office helped expedite the FEMA actions, including the establishment of a disaster recovery center at the city's National Guard armory.

No. 9, our last recommendation is that VDOT should participate in annual exercises and report to the State EOC during a disaster concerning its road clearing plans and progress. And I recognize they had other problems in this one.

I thank you for the opportunity to provide these comments and observations and applaud you for conducting these briefings with those communities affected by Hurricane Isabel so that we might continue to improve our emergency management and response procedures.

Chairman TOM DAVIS. Thank you very much. Fire Chief Best.

[The prepared statement of Mr. Herbert follows:]

**Comments by Suffolk City Manager R. Steven Herbert**
**Government Reform Committee hearing**
**Friday, October 10, 2003**

On Monday, September 15, the City of Suffolk began preparation for the approach of Hurricane Isabel. At that time, the City's emergency management team began preparations to open the Suffolk Emergency Operations Center (EOC) on Wednesday morning, September 17.

At 11:00 a.m., Tuesday, September 16, a hurricane watch was issued for the Hampton Roads region. On Wednesday morning, September 17, the City's EOC was fully staffed and operational and at 10:00 a.m., the City of Suffolk declared a local state of emergency in anticipation of the storm. Suffolk public schools were closed at noon on Wednesday and five emergency shelters were opened by early that evening.

It was early Thursday morning when Suffolk began experiencing the effects of Hurricane Isabel. Sustained hurricane force winds were reported in Suffolk between the hours of 5 p.m. and 10 p.m. that evening though the City began experiencing significant power outages early that morning. By evening, the entire City was without electrical service.

It bears explaining at this juncture that our communications with both State and Federal agencies related to the hurricane was in accordance with State and Federal emergency management procedures that require local governments to communicate all emergency needs through the Virginia Emergency Operations Center (EOC). It is only after the storm has passed, during the disaster recovery phase, that direct communications with FEMA are appropriate.

By late morning on Thursday, twenty of the City's sanitary sewer pump stations were down due to power outages, and a city well system and the water treatment plant were already operating on generator power. At 11:00 a.m., the City made its first contact with the State EOC requesting emergency assistance. It was followed that afternoon with a formal written Resource Request. The City asked for State assistance with chainsaw crews to help clear our major transportation arteries and HUMVEES to transport these crews, generators to power the emergency shelters and sanitary sewer pump stations, and light stands for the shelters.

At 4:00 p.m. Thursday afternoon (9/18) an additional call was made to the State EOC stressing the need for emergency support. The only request from the City of Suffolk to the State EOC that was addressed was the request for a chainsaw crew to assist with clearing the major roadways. In response to the City's request for generators, the State EOC provided a list of vendors/dealers we could contact that might supply generators. None of those vendors were, however, able to provide us assistance.

Given the City's urgent need to provide power for the emergency shelters that housed special populations dependent on oxygen pumps and the like, at 4:30 p.m. on Thursday, City staff pulled generators from the Department of Health and a fire station to meet these critical needs.

The City's need for generators continued to escalate during the storm. While the City was able to protect its municipal water operations through the use of a back-up generator at the City's water treatment plant, thousands of citizens served by private and community well systems in outlying areas were without water due to the power outage.

The City has 107 sanitary sewer pump stations and approximately 23 of those stations were operating with existing back-up generators by early Thursday. There was serious potential for environmental problems if the other stations were not brought on line with some power source. Without generators or electrical power, the City had crews 24 hours a day rotating through the 107 pump stations doing pump and haul to avoid environmental problems with sewage overflow.

By Friday morning, the City had received no response from the State EOC on the provision of generators. At that time the City took independent action to purchase five generators from a local vendor, Womble Generator Inc., who was able to locate generators in Kentucky. Delivery of these generators on Friday allowed city crews to provide power to some key City sanitary sewer pumping stations.

On Friday morning, the City faxed a request to the State EOC for water buffalos for use in the Whaleyville borough to address the need for water in this rural area. A telephone call was made to the State EOC later that afternoon to follow up on request for a water buffalo and to again stress the City's need for generators to service additional pump stations and emergency shelters and for HUMVEES to transport personnel to clear roadways of downed trees.

It was Saturday morning when the State EOC notified the City that water buffalos could not be provided. No word was received on the other requests.

The City's first contact with FEMA officials was on Friday afternoon at 4 p.m. when FEMA staff, and representatives of the U.S. Army Corps and DEQ met with the City EOC staff to assess life safety issues. The City again explained its request and need for two water buffalos and generators for the shelters and pump stations.

At 7:15 p.m. Friday a situation report was sent online to State EOC to keep the State advised of the emergency situation in Suffolk. On Saturday, September 20, the City held another conference call with the State EOC to discuss ongoing assistance requests including the need for water, ice and generators. As the City had not received verification from the State EOC that our request for generators would be filled, the City ordered an additional 16 generators through Womble Generator, Inc. on Saturday. Those generators were received on Monday and were used to provide power to the sanitary sewer pumping stations and to the larger private well systems in the City that provided water to over 4,000 residents. It wasn't until Tuesday, 9/23, that the City was notified by the State EOC that FEMA had denied the City's request for generators to run these private community well systems.

The State EOC was contacted again at 7:00 p.m. on Saturday regarding the city's need for water and ice. A Resource Request was sent as follow up to this request at 8:15 p.m. and the City was notified that ice and water would be delivered to Suffolk Fire Station #5 on Sunday.

At 4:15 a.m. on Sunday morning, the City was notified that water and ice would be available at the Virginia Beach Pavilion around 3 p.m. that afternoon but that the City would be required to pick it up. The City was able to arrange for local businesses to provide trucks for the pick up. However, upon their arriving at the distribution location, the local trucks were required to wait 7 hours beyond the stated pick up time for the supplies to arrive at the Pavilion.

On Monday, the City learned that no ice would be available at the Pavilion on Monday so Suffolk purchased ice directly from a local merchant and received bottled water through the Salvation Army. A copy of the City's request for ice, water and generators was faxed to Congressman Forbes for his assistance in expediting the process.

Tuesday morning, 9/23, the City was notified that 7 pallets of ice and 18 pallets of water would be delivered to the Southampton fairgrounds. Later that day, the City was informed that FEMA had no record of the City's request for water and ice. Follow up with State EOC reps noted that they did receive a request from the City for water and ice and they were not sure why FEMA had not received the City's request.

It should be noted that once the Army Corps of Engineers assumed delivery of water and ice on 9/23 and no further problems were experienced with availability or delivery.

Wednesday morning the City faxed to the State EOC a request for emergency mosquito control funding and approval of funding was received on Friday afternoon, 9/26.

The City received a call on Wednesday from the State EOC indicating they were working on our request for generators. With the severity of the situation lessening, on Thursday morning, the City cancelled its request for generators as power was gradually being returned and the City had by then been able to relocate its own generators from public pump stations to private well systems.

On Friday, 9/26, a FEMA Community affairs representative arrived at the City EOC to assess needs and late Saturday a FEMA representative, assessed the Armory as a location for a Disaster Relief Center. The National Guard Armory was selected and opened at 1 p.m. on Thursday, October 2.

Additional confusion surrounded a request from FEMA to the City for 24/7 armed security at the Armory. The City provided security through the use of overtime for off-duty police officers. After the City provided these services for a day and a half, FEMA notified the City that no funding was available for these services although the services were needed. The City withdrew it police officers and ultimately FEMA contracted with private firms to provide these security services at a greater cost.

Given our experiences during Hurricane Isabel, I offer these observations and suggestions for improving our emergency preparation and response process:

1. As noted earlier, policies and procedures require the City to submit its requests for assistance to the State EOC for handling by FEMA. Several times there were miscommunications between the State and FEMA regarding if and when the City had made requests for emergency assistance resulting in a significant time lapse prior to the City receiving a response to its request. The State EOC and FEMA should conduct a review of their communication strategy for emergency situations and make changes to better facilitate the communications process and avoid duplication of efforts.

   The State EOC conducted very useful conference calls daily with the localities impacted and perhaps FEMA's participation in these conference calls would be warranted in the future so that better disaster planning and relief efforts might be facilitated.

2. The State, in cooperation with FEMA, might establish a local or regional staging area where pre-stocked water, ice, generators and food could be quickly mobilized prior to and during a storm.

3. Pre-authorization or the establishment of contracts between localities and local vendors for services and products to go into effect upon the determination of need and designation of a state disaster should be considered, perhaps on a regional basis.

4. Hurricane disaster exercises should be a state coordinated priority on an annual basis. These exercises should be conducted on at least a regional basis.

5. Better and timelier information concerning electrical power restoration would be of great value.

6. A local or regional radio station dedicated 24/7 to disaster information would be of great value.

7. The Governor's personal involvement and discussions with elected officials and city managers was useful and appreciated.

8. In Suffolk's case, the involvement of Congressman Forbes' office helped expedite FEMA actions, including the establishment of a Disaster Recovery Center at the City's National Guard Armory.

9. VDOT should participate in annual exercises and report to the state EOC during a disaster concerning its road clearing plans and progress.

I thank you for the opportunity to provide these comments and observations and applaud you for conducting these debriefings with those communities effected by Hurricane Isabel so that we might continue to improve our emergency management and response procedures.

Mr. BEST. Thank you, Mr. Chairman, members of the committee.

Like the other jurisdictions you have heard from today, Chesapeake was also impacted by Hurricane Isabel. Our preliminary damage estimates indicated that we had in excess of $32 million in damages, 8 ight homes totally destroyed, 307 homes received major damage, and at one point early in the day on Thursday, we discovered that perhaps over 90 percent of the electrical customers in Chesapeake were without power early in the event.

As a result of this event, we had to mobilize our emergency operations system to deliver services on a 24 hour basis, and that was for 15 days straight. That was a significant historical event for Chesapeake. Never before have we had to ramp up our resources and require that type of service from our city employees for such an extended period of time. It was a very taxing event.

A storm of this magnitude is certain to create gaps in communications and we certainly recognize that there will be opportunities for improvement. It is with the highest degree of teamwork and cooperation that we provide this committee with a sense of the challenges that we experienced in our efforts to work with the State and Federal Government to provide critical services to our citizens. While we had excellent communication on a daily basis with the State emergency operations center—there were a series of teleconference calls that were established—we found ourselves consistently frustrated with the lack of coordination among our intergovernmental partners and the timely receipt of goods and services from them, many of which you have already heard from the panelists. I would like to provide you with examples of our experiences.

With over 90 percent of the city without power, many of the residents were in critical need of water and ice. We prepared a complete system to receive and distribute those materials to our citizens. We had acquired a cold storage warehouse and a dry goods warehouse. We had established six distributionsites in the city. We acquired trucks and drivers to provide distribution services to those sites on a daily basis. All of that was accomplished by Sunday the 21st. We were ready to distribute water and ice to our citizens at distribution locations throughout the city. It took us 3 days to begin receiving a reliable source of water and more than 6 days to receive ice.

Concerning ice, we were initially told to expect our first shipment from FEMA on Sunday the 21st. As you have heard previously, during the next 3 days we experienced those same on again/off again notifications concerning when we could expect that first shipment. On Tuesday morning we were notified that we would not be receiving ice until Wednesday because Chesapeake's ice had been diverted to another jurisdiction on the peninsula. At that point we were so frustrated with our attempt to acquire a reliable source that we too resorted to acquiring our own ice from our own vendor and we finally established a contract in Florida at a cost of over $55,000. Our first shipment of ice, I might note, from our supplier arrived in Chesapeake within 16 hours from the State of Florida.

Due to the efforts of our Congressman, Randy Forbes, we were able to reverse the trend that had been established previously and we began receiving a sustainable supply of ice from FEMA late Tuesday night. Public frustration and anger that resulted from

unfulfilled promises of ice created serious erosion of the city's credibility and it brought into question our capacity on a local level to adequately respond to citizen needs. Our ability to provide these goods was consistently stymied by this lack of communication and coordination on the part of FEMA and the State. I would like to note, as Suffolk did, that over time we were able to obtain a steady supply of water and ice from FEMA and once established it did work very well.

I would also like to add that in addition to our city employees and volunteers, we would like to recognize the members of the Virginia National Guard. They were deployed to our city upon request and when they arrived, they worked extremely hard. We had over 100 Guardsmen on the street and they were a vital asset to us in helping us to manage the distribution centers and also provide security and traffic control. At one point, all of the major intersections in Chesapeake were without some form of traffic control. We had to deploy huge numbers of police officers to those intersections on a 24 hour-a-day basis in order to keep the public safety at an acceptable level of risk. The National Guard helped out with that.

We had similar experiences with generators and diesel fuel. We were in critical need of generators to operate sewage pump stations to avoid the significant health hazards posed by raw sewage overflowing into the city streets. It took us 8 days to get those from the Federal Government. We requested diesel fuel to resupply our emergency generators at critical facilities such as our water treatment plant, and even though we had made multiple requests, we never received a single shipment of fuel.

In the days following the storm, we have had multiple groups of FEMA representatives making contact with the city for various purposes. The tasks are many and varied and we have found that there are as many different FEMA groups and contact personnel as there are tasks. This has created a potential for confusion, and we have found that more is not necessarily always better. An example of the inconsistencies and confusion that have resulted in recent attempts to have questions answered regarding debris management have been frustrated because the contact person we were provided could not be found. Attempted calls to the number we were given revealed it was bad and when we had that corrected, we found that the person whose name we had been given was out on extended leave. We were not advised of that, nor have we been provided a new contact person to call. As a result, we spent several days getting necessary information that we needed in regards to debris management.

In closing, the city of Chesapeake recognizes the tremendous demand for services that an event like Isabel requires from all levels of government. We also recognize that, working together we can overcome many of the operational and communication challenges that were present during this event. And it is again in the highest spirit of cooperation and teamwork that we offer the following recommendations.

No. 1, a system should be created that will give local governments the ability to track requests for assistance that are submitted to the Federal and State government and to bypass those layers of control when requests have not been acted upon. Our ability

to receive services and resources in a timely manner is paramount. Equally important is our ability on the local level to plan for their arrival so time-sensitive decisions can be made and executed in order to provide critical services to our citizens.

No. 2, localities that demonstrate capacity to manage large contracts should be permitted to engage in prepositioning contracts for materials such as water and ice on an annual basis and to activate those contracts at a moment's notice following a Presidential Declaration.

No. 3, one FEMA point of contact should be appointed for each jurisdiction to facilitate and coordinate all FEMA assistance for that locality.

No. 4, emphasis should be made to ensure that both Federal and State agencies coordinate their response efforts to assure that we receive consistency in the information that we have on a daily basis as made available to us and that we receive that information in a timely, accurate and reliable manner.

No. 5, FEMA should ensure that prepositioned caches of equipment that we have heard about are deployed before an expected event but, more importantly to us, that an acceptable system of distribution make those assets readily available to us within 24 hours of an event.

No. 6, local governments should be allowed to prequalify various levels of expertise that reside within our units of government that would streamline our ability to receive equipment such as generators without having to wait for a Federal response team with comparable qualifications to arrive and certify information that is known to be correct. In Chesapeake, we had been waiting all those days for generators. We found another 24 hour delay because we had sent in detailed specifications that our utility engineers had provided FEMA, but that was not acceptable to FEMA. They had to deploy a cadre of Federal employees into our city to in fact certify that what we were requesting was what we needed, and that created another 24 hour delay. When we finally did get the generators, we got them 8 days after we requested. The day after they were installed, we were contacted by a Federal official who asked that we return the generators to them, to which we replied they would not be available until power was restored. [Laughter.]

No. 7, FEMA should ramp up their public information and communication as soon as practical following an event. Information concerning the level of relief that citizens can expect from the Federal Government is both time sensitive and critical to us on a local level. Potential recovery center sites should be predetermined each Federal fiscal year in each locality that would permit their being placed in service in a timely manner following an event.

Mr. Chairman and distinguished members of the committee, the city of Chesapeake appreciates both your concern and your interest in continuing to improve our capacity to respond to emergency events, not only here in the city of Chesapeake, but in the Commonwealth of Virginia and in the Nation as a whole. We thank you for the opportunity to discuss our experiences resulting from Hurricane Isabel with you today, as well as hearing our suggestions for improvements that will better prepare us for future events. Mr. Chairman and members of the committee, the city of Chesapeake

is prepared to do and to make available to you, the FEMA, to the Commonwealth, every bit of expertise that we have to help us work together to solve these issues that occurred during Hurricane Isabel, and we make those assets available to you today. Thank you very much.

[The prepared statement of Mr. Best follows:]

**Testimony of R.Stephen Best, Sr.**
**Fire Chief/Emergency Services Coordinator**
**City of Chesapeake, Virginia**
**To The**
**House Government Reform Committee**
**October 10, 2003**

Honorable Chairman and Members of the Committee:

On September 18, 2003 Hurricane Isabel impacted the City of Chesapeake with damaging winds, storm surge, tidal flooding and rain. Our City, encompassing 354 square miles with 207,000 population, sustained heavy damages and wide spread power outages. After the storm, preliminary estimates indicate that 8 homes were totally destroyed, 307 suffered major damages and the city was left with over 90% of electrical customers without power.

As a result of this event, the City of Chesapeake had to mobilize its Emergency Operation System to deliver a sustained level of service on a 24-hour basis for 15 days with no break, a historical record for the City. A storm of this magnitude is certain to create gaps in communications and opportunities for improvement. It is within the highest degree of teamwork and cooperation that we provide this Committee with a sense of the challenges that were experienced by the City of Chesapeake in our efforts to work with the State and Federal Government to acquire necessary services and resources to provide critical services to our citizens.

Communication with our regional, State and Federal Government response partners was paramount. The State had established a formal line of communications with interested parties via telephone conference calls on a daily basis with the State Emergency Operation Center and on several occasions, with the Governor of Virginia. We were assured that both the State and Federal Government would be ready to provide us with whatever assistance would be required and that FEMA had assigned a representative to the State's Emergency Operation Center (EOC) on Wednesday before the event. However, in the aftermath of the storm, we found ourselves consistently frustrated in our ability to provide critical services to our citizens due to gaps in communication, a lack of coordination among our intergovernmental partners and the timely receipt of goods and services from the State and Federal Government.

I would like to provide you with examples that we experienced during the height of the storm and throughout the recovery phase.

**Water and Ice**

With over 90% of the City without power, many of our residents were in critical need of water and ice. Approximately 40,000 citizens reside in areas without city water and rely on pumped well water for their homes. On Friday, September 19, we made our first request to the State EOC providing them with the estimated quantities of water and ice

that we would need and the expected time frame we would have to sustain these materials to our citizens. The City of Chesapeake had rented cold storage and dry good warehouse space and secured sufficient trucks and drivers to distribute water and ice to six distribution sites that we had established. Employees and volunteers were scheduled and we were ready for distribution by Sunday, September 21.

Concerning water, we only received a small shipment late Saturday night, which was exhausted very quickly the next day. Hundreds of citizens left our distribution sites frustrated and angry Sunday afternoon. We were not able to receive a reliable, sustainable, shipment of water until late Monday, September 22 for distribution to our citizens on Tuesday.

Concerning ice, we were initially told to expect our first shipment of ice from FEMA on Sunday, September 21. Late Sunday, we received a call in our Emergency Operations Center from the City of Virginia Beach, that two trailer loads of ice had arrived at the Virginia Beach Pavilion and was available for pick-up. However, before we could arrange to have trucks go to the Pavilion to retrieve the ice, it was already distributed to the localities that had arrived first. After the missed opportunity on Sunday evening, we were told that we would not be receiving ice until Monday, September 22, which we notified the public. On Monday afternoon, we were told that we were not going to receive ice until Tuesday. On Tuesday morning, we were notified that we would not be receiving ice until Wednesday, because our ice had been diverted to another jurisdiction on the Peninsula. At that point, we were so frustrated with our attempt to acquire a reliable source of ice that we resorted to buying our own supply from a vendor in Florida at a cost of over $55,000. Our first shipment of ice from our supplier arrived in Chesapeake within 16 hours.

Due to the untiring efforts of our Congressman, The Honorable J. Randy Forbes, we were able to receive a sustainable supply of ice from FEMA late Tuesday night when we were notified by the Distribution Center at the Pavilion that ice had arrived for Chesapeake. We arranged to have our first shipment from them delivered directly to our cold storage warehouse in the early morning hours of Wednesday, September 24th. That ice was distributed to citizens later that day. Again, public frustration and anger that resulted from unfulfilled promises of ice created a serious erosion of the City's credibility and brought into question our capacity to adequately respond to our citizen's needs. However, our ability to provide these goods was consistently stymied by the lack of communication and coordination on the part of FEMA and the State. I would like to note that over time, we were able to obtain a steady supply of water and ice from FEMA, and once established, it worked very well.

I would also like to add, that in addition to our city employees and volunteers, we would especially like to recognize the members of the Virginia National Guard, who worked very hard for several days providing valuable assistance in handling the many tasks associated with our distribution process and providing traffic control and security for our distribution sites.

**Generators**

Wide spread power outages took almost 100% of the City's sewage pump stations off line at one time. While the Public Utilities Department has a limited number of portable generators to sustain short-term operations during limited power outages, the City's ability to handle an event of this magnitude was quickly depleted. A serious public health threat developed as a result of raw sewage spilling on the ground from the sewer system. The City's response was to issue an immediate voluntary water conservation request to our citizens to minimize the amount of affluent entering the city's sewage system.

The City made formal requests for generators through the State EOC beginning Thursday on the day of the storm. We made follow up requests and inquiries on numerous occasions during the next six days. At one point, we had been told to expect the generators on Monday, September 22. However, when contacted, the contractor whose name we were provided by the State advised they did not have any generators for us. On Wednesday, September 24 we were advised by FEMA to expect the generators by 5:00 p.m. that day. We did not receive them but were contacted by representatives from the Army Corp of Engineers that showed up in our City to assess the specifications that had been submitted by our Public Utility Engineers to confirm that what we requested was what we actually needed. This action caused additional delay and we were finally able to receive emergency generation power at 12:00 noon on Friday, September 26th, eight days after our initial request. To further complicate matters, on Saturday, September 27th, the day after the generators were installed, our Public Utilities Department was contacted by a Federal official who requested that they be returned for use elsewhere, to which we responded that they were in use and would not be available until power was restored by Dominion Power.

**Diesel Fuel**

Many of our critical facilities such as the Water Treatment Plant and other Public Safety buildings were dependent upon emergency generation power following the event. We quickly realized that the magnitude of the power outages in the Dominion Power system would require us to arrange for refueling operations for our generators. However, in the days immediately after the storm, we were unable to secure an adequate supply due to our vendor's inability to get fuel from his supplier. We submitted a request to the State EOC to obtain emergency diesel fuel for our generators on Saturday, September 20th. We confirmed the receipt of the request to the State and were assured that diesel fuel would be delivered to us on Monday, September 22. We never received a single shipment of diesel fuel. Power was eventually restored by Dominion Power, which alleviated the need for emergency generated power at many of our facilities. However, had this not been the case, our inability to receive a supply of fuel in a timely manner from the State would have caused an interruption of our public water supply resulting in dire consequences to our public health and safety in the City.

**FEMA Staff Consistency**

In the days following the storm, we have had multiple groups of FEMA representatives making contact with the City for various purposes. The tasks are many and varied and there are as many different FEMA groups and contact personnel as there are tasks. This has created the potential for confusion and inconsistencies that may ultimately result in our ability to receive information in a timely manner, gather information in a manner consistent with their requirements and insure that information is moving to the proper areas within FEMA. As an example, recent attempts to have questions answered regarding debris management have been frustrated because a contact person could not be located. Eventually, we found that the person whose name we had been given was out on extended leave, but we were not advised of that nor had we been given a new contact person to call. As a result, we were several days getting necessary information and answers to our questions. Again, timely communication, especially in a complex environment like FEMA, is paramount if we are to achieve successful outcomes.

**Recommendations**

The City of Chesapeake recognizes the tremendous demands for services that an event like Isabel requires from all levels of government. We also recognize that working together, we can overcome many of the operational and communication challenges that were present during this event. It is again in the highest spirit of cooperation and teamwork that we offer the following recommendations:

1. A system should be created that will permit local governments the ability to track via telephone or on-line communications any request for assistance that is submitted to the State and Federal Government and to bypass layers of control when requests have not been acted upon. Our ability to receive services and resources in a timely manner is paramount. Equally important is our ability to plan for their arrival so time sensitive decisions can be made and executed in order to provide critical services to our citizens.

2. Localities that demonstrate capacity to manage large contracts should be permitted to engage in pre-positioned contracts for materials such as water and ice on an annual basis and to activate those contracts at a moment's notice following a Presidential Declaration.

3. One FEMA point-of-contact should be appointed for each jurisdiction to facilitate and coordinate all FEMA assistance in that locality.

4. Emphasis should be made to insure that both Federal and State Agencies coordinate their response efforts to insure that consistency in information to local governments is timely, accurate and reliable.

5. FEMA should insure that pre-positioned caches of equipment are deployed before an expected event in a geographical area and develop a system of distribution that would make them readily available within 24 hours to local government agencies.

6. Local Governments should be allowed to pre-qualify various levels of expertise that reside within their units of government that would streamline their ability to receive equipment such as generators without having to wait for a Federal response team with comparable qualifications to arrive and certify information that is known to be correct. FEMA should have confidence in our ability to accurately identify our needs without having to expend time and resources necessary to have Federal employees respond to certify that our requests for assistance are accurate.

7. FEMA should ramp up their public information and communication as soon as practical following an event. Information concerning the level of relief that citizen's can expect from the Federal Government is both time sensitive and critical. Potential Recovery Center sites should be pre-determined each Federal Fiscal Year in each locality, that would permit their being placed in service in a timely manner following an event.

Mr. Chairman and distinguished members of the Committee, the City of Chesapeake appreciates both your concern and your interest in continuing to improve our capacity to respond to emergency events, not only in this City and Commonwealth, but in the Nation as a whole. We thank you for the opportunity to discuss our experiences resulting from Hurricane Isabel with you today as well as our suggestions for improvements that will better prepare us for future events.

Thank you.

Chairman TOM DAVIS. I want to thank all of you for really great testimony.

You know we pass laws at one level and by the time they filter down, sometimes things happen, particularly in emergencies, and hopefully some of these will not be repeated the next time and we can all learn from them. But as Randy says, without finger pointing, we need to learn, and there is nothing like being in the arena sometimes to understand what went wrong.

I have to go catch a plane, so I am handing the gavel over to Mr. Forbes. I would ask one thing of all of you. I would like you to make available to the committee the costs you want to have reimbursed and some of the costs you incurred that you are not getting reimbursed for, just so we will know how it operates there in the field. There may be some that you will be fighting with FEMA over, I know that Mr. Forbes will be happy to work with you on those issues as well.

But again, we appreciate everything you have done and despite, I think, everybody's best efforts, when something like this comes upon you of this magnitude, even when you think you are ready for it, mistakes happen. And you are the ones who have to wrestle with it at the grassroots. We appreciate everything you have done and hope that we can learn from the mistakes.

Randy, thank you. I hand the gavel to you.

Mr. FORBES [presiding]. Thank you, Mr. Chairman. We thank you for being here and for your participation and help with these hearings.

Congressman Scott, do you have any questions for the witnesses?

Mr. SCOTT. Thank you, Mr. Chairman.

I guess I will ask the same question I asked some others. The FEMA representative said he knew that we were going to be without power for 7 to 14 days. How long did you think we were going to be without power, before the storm hit?

Mr. JOLLY. I will start if you want me to. I experienced the ice storm in 1998 and I had the pleasure of being in my position for about 6 months and getting told that I was supposed to have the plan to restore it, so it was very real to me. It took 7 to 10 days in our jurisdiction and we planned for that 7 to 10 days for this event.

Mr. SCOTT. OK.

Mr. CHILDRESS. We actually had no good information that would provide us with a realistic timeframe of what to expect. However, from past experiences such as the ice storm in the area, anywhere from around a week we would have expected.

Mr. HERBERT. We relied on Dominion Power to help us with that assessment. It took about 2 days before we could really get an accurate feel for it. At one point there we thought it might be 2 weeks or so. We revised those downward as more information came in from them and I think maybe 2 or 3 days into it, we were predicting 7 to 10 days.

Mr. SCOTT. Well, before the storm hit, how long did you think?

Mr. HERBERT. A week.

Mr. SCOTT. You thought you might be out of——

Mr. HERBERT. For planning purposes, it was a week, worst case.

Mr. BEST. The same was true in Chesapeake, our planning assumption was 7 days. After we witnessed the infrastructure damage that had occurred in Chesapeake on Friday morning—we were out early—we sent four teams out in different directions to start getting recon in, and we quickly realized that it was going to be more than 7 days. We adjusted to 14 days and then, as Suffolk did, we adjusted back as information became available.

Mr. SCOTT. Well, if you had this kind of length expectation, you knew that food would be a problem. Some of the other areas I think were looking at 2 or 3 days and you would not look at a food crisis. But you cannot cook and the grocery stores do not have power so food becomes a crisis. What did you do for food?

Mr. BEST. We established a mission in our emergency operations center to begin mobilizing the Red Cross, Salvation Army and church groups, anyone that had power that could provide food. Again, a planning assumption, we asked residents to be prepared for 72 hours, so we knew that for the first 72 hours most of our residents would be prepared. However, we realized also that a percentage of the population would not be and so again, we relied on the Red Cross and Salvation Army, who did respond to our requests for assistance. And so we started providing hot meals throughout the city at several sites and that was established as early as Saturday. And then we ramped that up as we went through the following week.

Mr. SCOTT. With the frustrations you experienced, would you have been better off or worse off if FEMA had told you they were not going to do anything?

Mr. HERBERT. Sure. I think what happened here—we were all—some of us have been at this more years than others, but I think a lot of us were following a script. We had an emergency operation plan and we assumed certain things were going to follow that script, much like a military exercise. If it says this is going to happen and somebody is responsible for it, you expect them to perform. And in this case, I think what happened is the confidence level that we had just began to deteriorate as we went through, the frustration level went up with the inability to get the basics that we were looking for, our confidence level went down. So after about 2 or 3 or 4 days, as you have heard from all of us, people started doing different things on their own. We could have done that earlier, we could have done that on day 1 had we anticipated that something was going to break down at a higher authority, and that is in fact what happened.

Mr. CHILDRESS. I think to echo what Mr. Herbert is saying also, is that we have expectations from our training and dealings with the State and Federal Government as well. We anticipate this to happen and our expectations are rather high, and I think maybe perhaps we are setting our expectations too high and this will help train us in the future on what we can better expect.

Mr. BEST. One added dimension to that—and I agree with the training—you know, we attend hurricane conferences and we attend State VEMA conferences, and in those we are told pretty much what capacity there is to respond and what we can expect, and that again sets up our assumptions. In addition to that, with the communication that started on Monday before the storm, we

were repeatedly told, "we are here to assist you; anything you need, you let us know." And in fact, as Mr. Herbert mentioned, we too appreciated the fact that the Governor of Virginia actually established several conference calls with local elected officials, and in those conference calls was very adamant that, "we are here for you and we will supply you with whatever assistance that you need." I think that set up an expectation. I agree also that had we known, we could have acted sooner, much sooner, and would have been more self-reliant. I think we have all learned a lesson in that regard.

Mr. SCOTT. Mr. Herbert, you indicated that your water supply—several of your water supplies were under emergency power?

Mr. HERBERT. Yes, sir. Suffolk has—about 80 percent of the city is served by the municipal water plant, which was running on a backup generator until Dominion Power got power to it and we were very fortunate in that regard, to have that much of the population serviced by the water system that stayed in operation throughout the event.

Mr. SCOTT. Now all of—are you familiar with the water systems around the State? Because I suspect that was not the situation and they ran into problems because they did not have backup power.

Mr. HERBERT. Yes sir, I believe that is exactly correct.

Mr. SCOTT. Is it your recommendation that water supplies have backup power available?

Mr. HERBERT. Absolutely. Our problem was—I think most municipalities have backup water systems on their individual water plants. Our problem, and it may be the case in other parts of the State as well, is private well systems that serve a number of citizens. Those in our case had zero emergency power.

Mr. CHILDRESS. I would like to echo that. We have a number of private water systems within the county of Isle of Wight that operate without, I guess, any direction from the county. Rather, they only report to the State at that level within the Health Department for their regulations.

Mr. SCOTT. How many people do these systems serve?

Mr. CHILDRESS. I do not have a number.

Mr. SCOTT. Dozens or thousands?

Mr. HERBERT. In Suffolk, it is 5,000 people.

Mr. SCOTT. 5,000 people are served by one——

Mr. HERBERT. Local water systems, a number of them.

Mr. SCOTT. How many people does each system—are you talking about a handful?

Mr. HERBERT. Yes, sir. We have some that are 10 homes, we have others that are 100. The Village of Holland is one system, for example. So it is a wide spectrum.

Mr. SCOTT. Well, Mr. Chairman, I think this is one area we might want to look into.

Mr. CHILDRESS. There are multiple proprietors as well, it is not just one.

Mr. SCOTT. Are they licensed by the State?

Mr. CHILDRESS. Yes sir. We would very much like to have some ability to regulate them as well.

Mr. SCOTT. Thank you, Mr. Chairman.

Mr. FORBES. Thank you, Congressman Scott. Congressman Schrock.

Mr. SCHROCK. Thank you, Mr. Chairman.

Mr. Jolly, the hurricane occurred on the 18th, you had your damage assessment on the 19th and you got the emergency declaration on the 23rd?

Mr. JOLLY. Yes, sir.

Mr. SCHROCK. From whom did you get that?

Mr. JOLLY. Finally, we got that declaration through FEMA. Unfortunately we had been told for days ahead of that by both the Governor's office as well as the EOC in the State that we were on the list. Now you put that out in the public, they call, FEMA tells them, "no, you are not." That puts a sizable stress factor on all of us.

Mr. SCHROCK. Where was the disconnect between the State and——

Mr. JOLLY. I do not have a clue.

Mr. SCHROCK. When you went on these conference calls that you all went on with Richmond, did you mention that every time?

Mr. JOLLY. Yes, sir.

Mr. SCHROCK. What was the response?

Mr. JOLLY. "You have been declared."

Mr. SCHROCK. "You have been declared." FEMA said you were not?

Mr. JOLLY. Well, FEMA and the State were both on the same conference call. You would hope that connection would have been made, but it was not.

Mr. SCHROCK. You can never assume that, I guess. So communications was a big problem.

Mr. JOLLY. I think communications was key. I think that is——

Mr. SCHROCK. Did you just go ahead and act without that?

Mr. JOLLY. We acted to the point that we could. I mean we notified people that turned around and ended up giving us more problems. We acted to tell them we were declared, call FEMA and register. They did exactly what we asked them to do, they called us back and said, "why are you telling us to do that?" FEMA in turn is saying, "you are not declared and we cannot take the information;" which only elevates the stress level of the event.

Mr. SCHROCK. Doggone right. That is a huge problem and that is something that has to be resolved.

Mr. SCOTT. Would you yield on that?

Mr. SCHROCK. I will yield.

Mr. SCOTT. We had the same problem in New Kent, where they thought they were on and thought they were not. I think one little element he just mentioned was whether FEMA could even take the information. Perhaps we might want to make a note that they ought to be able to take the information and when the declaration finally comes through, then the people do not have to start calling, they have already made their calls. Thank you.

Mr. SCHROCK. Certainly.

Mr. JOLLY. I will also mention that FEMA told us to tell them exactly that, "go on and register, get the information there so when it finally does become declared the information will be there." We did that; they could not get that process to work.

Mr. SCHROCK. Mr. Childress, I believe a carrier pigeon would have done much better than that. And here again, that is a communications problem that needs to get resolved and there are a lot of "ifs," right?

Mr. CHILDRESS. Yes, sir.

Mr. SCHROCK. OK. You were talking about where to set up some of the emergency equipment. Did your county, did Isle of Wight tell FEMA where it should be set up or did they come in and tell you where it was going to be set up?

Mr. CHILDRESS. We offered up a distribution location for water and ice within the county as they were searching for these distributionsites, but they elected to take the Southampton County site over our particular site.

Mr. SCHROCK. Why?

Mr. CHILDRESS. In my assumption it would be that it better served the region that they were supplying because they were also handling Suffolk and Southampton and so forth within Surrey County as well as us.

Mr. SCHROCK. Did that cause you a lot of inconvenience?

Mr. CHILDRESS. It did initially because we would place the orders, we would be told that they were being delivered to our distribution center, which was set up at our public works compounds, then the items would now show up. We would call them back and they would say, "no, you need to come and pick it up." Then we would have to try to arrange for transportation, which we are very limited in our means. And then once we would muster some individuals that could do that, we would then be notified, "oh, by the way, it should be showing up at your compound about now." So there was some frustration with the logistics there.

Mr. SCHROCK. That all boils down to communications.

Steve Herbert, your chronology was wonderful. It was like listening to a 30 minute either horror story or sitcom on TV, but it was a great chronology to show all the things that could be done. I cannot believe you had to get generators from Kentucky. How many calls did you make and to where before you finally got someone in Kentucky to say, "yes, we will send you the generators?"

Mr. HERBERT. Well sir, sometimes you get lucky in these things. I think that we had a person, a financial officer, the city's chief financial officer, who just through some work in about an hour found this dealer and put the thing all together and it worked. We went back, and actually bought about 16 more. So we have a pretty good prepositioned stock of generators.

Mr. SCHROCK. But if you had known before that was going to be the process, you would have been making those calls days and weeks in advance.

Mr. HERBERT. We would have.

Mr. SCHROCK. So that when the balloon went up, you could call Kentucky or wherever you had to call. That is another thing that needs to be factored into this.

Chief Best, I gather from you it is coordination, coordination, coordination; communications, communications, communications; and practice, practice, practice.

Mr. BEST. Yes, sir.

Mr. SCHROCK. Did you just bypass the system and move on?

Mr. BEST. Well, like the others, we——

Mr. SCHROCK. And I am not saying that is a bad thing. I think that is a very good thing if you did.

Mr. BEST. Well, yes sir, we had to do that in order to find our own supply of fuel and generators. We too had located a supplier of generators as well. However, what we found was that we could not get them here in an acceptable amount of time.

But, you know, I think one of our biggest problems was we kept being told that, "it is going to be there." You know, "you need to call this contractor and he has generators for you." And when we called the contractor, he said, "I do not know what you are talking about, I do not have any generators for you." And then, when we called back, they said, "well, we will have the Army Corps, we will give them a mission, they will be in touch with you." And every day, "they will be in touch with you." And it just continued every day until finally we were able to get some form of contact.

Mr. SCHROCK. Did I hear you say you gave the emergency services people a list of what you needed and they said, "no, you do not?"

Mr. BEST. Yes. What happened was—and we were not aware of this—our public utility engineers developed a very detailed set of specifications on the generators so that there would be no question as to exactly what they needed for the sewage pump stations in the city. We have 250 sewage pump stations in the city of Chesapeake, and at one point, 249 of those were out of service. So we had a significant health threat that we were looking at. And we just simply—we have a cache of generators, we just simply do not have enough to handle that magnitude of a power outage. And so that is why we were requesting assistance, and we needed it fairly quickly. We sent the specifications up along with our request on two channels, one through the e-mail and also by fax to the State EOC, and eventually what happened when we did get contacted, it was with a team that showed up in the city unannounced, showed up at 5 on the day before we started getting generators saying, "we are here to review your specifications and make sure that this is exactly what you need." That created another 24 hour delay for us and then finally, we were able to get generators installed.

Mr. SCHROCK. Who knows better than you what you need, you are on the scene from day 1.

Mr. BEST. And that prompted our recommendation that if in fact that is an issue, then let us prequalify those individuals in our city so that we can get that paperwork out of the way before an event, not after an event.

Mr. SCHROCK. Let me just finish up by saying what I said to your counterparts at the hearing today. You guys are the real heroes, you guys are the tip of the spear, you and your people are the ones that had to be there from minute 1and you did a fantastic job. And I think there are lessons we can learn from you and hopefully in the summary that we do, that will certainly be indicated. But I thank you for what you did and thank you for your testimony, it was great.

Mr. FORBES. Thank you, Congressman Schrock.

One of the things that I think we have recognized from all these hearings is that we had a lot of State and Federal employees as

well as local employees we have talked about who did absolutely extraordinary and wonderful jobs. I think we can conclude by the State's testimony, and Congressman Scott has certainly brought that out today, that the State grossly underestimated the damage that would take place from this storm. The localities I do not think did. Many of them felt it was going to be about 7 days of power outages. I think Dominion Power if you really talk with them, they will tell you they felt it was going to be 9 or 10. FEMA people felt it might be 2 weeks. The NOAA people felt pretty much that they hit the storm on the nose.

The thing we need to remember is that this hearing and all that we are doing—and this is why I thank so much all the people that have traveled from all over the region to come down to this hearing—this hearing really is not about Hurricane Isabel, there is not much we can do about that, it is gone. This hearing is about what happens in the next emergency that we have that could be far greater. There are some troubling problems that we have and we have two choices. We can throw our hands up and say, "oh, no, that just happens in emergencies, there is nothing we can do," or we can go through this kind of uncomfortable process of trying to say, "how do we make it better?"

One thing still seems to be anathema to me and that is this relationship between FEMA and the State. I cannot for the life of me understand what is going on there, but we have to get a handle on it. When we had a hearing earlier where the FEMA folks were saying, "the State has not filed the form," after they have researched it, and the State is saying, "we have not filed the form," and then a few hours later the forms appear supposedly, "we have to go through all these forms to see which form is what," you scratch your head. I mean the FEMA people, even in the news articles—I have a news article here from the Virginia Pilot on the 25th—where they are saying the same thing, "forms are not filed, you have not requested information."

Congressman Scott talked about the phone calls that you had, and Congressman Davis looked to me at one time and he said, "everybody is making all these phone calls but nothing ever happened after the phone calls." And, you know, at some point in time, and I want to tell you, the three of us, if we do not do anything else, one of the things we do is rant, rave, scream, whatever we have to do after we have made those phone calls to find out why something is not taking place. I cannot, for the life of me, understand still. On Friday, when you are in not one but two conference calls, these resources are supposed to come and the FEMA people are saying, "no, the forms have not been filed," State people say, "OK, we filed them," why somebody is not saying, "why are the resources moving on Friday?" And then on Saturday, you have two more phone calls and no resources are moving and nobody can get an answer as to why the resources are not moving—and Sunday the same thing—we have to remedy that problem because I will tell you, as sure as we are standing here, there will come a day when it will not be water and it will not be ice, it will be vaccines, it will be medicine or it will be something else, and we cannot afford that to take place. The message you kind of get from this is, "do not really count on the State and Federal Government. What they do

is good and it is great, but you guys are kind of on your own." And you should not have to be there.

The other thing that I think is vitally important to us is that at some point in time, we have to develop a State and Federal basis, if we do not have it, and I just have not seen it, some objective criteria for what we are going to do in emergency situations. Whether it is setting up distribution centers or whether it is distributing water or distributing ice or whether it is setting up recovery centers, you cannot have this picture take place because if you do, the public is going to say, "everything that takes place is partisan," or, "everything that takes place is knee jerk reaction" or, "it is not fair and it is not equitable." And the worst thing you can have in an emergency situation is for the public to lose confidence in what we are doing, that it is not objective and it is not fair.

The final thing that I will just say is, we have to somehow get a handle on the accountability for the vendors that we are using. When you buy ice—and again, I cannot tell you this is true, I can only tell you this is the testimony we have gotten, it might change tomorrow—but we have had testimony or people tell us that, "39 trucks of ice is on the way, three show up and they do not have a clue where the other 36 trucks are—not a clue." They do not know whether they are in Alabama, do not know whether they are in Canada, do not know whether they are in Texas. We have to find a way of cutting through that. And we just appreciate all of you helping us and being a part of how to do that.

I would just like to thank all of our witnesses for appearing today and I would also like to thank the staff who worked on the hearing. I also would like to add that the record will be kept open for 2 weeks to allow witnesses to include other information into the record.

Congressman.

Mr. SCOTT. Mr. Chairman, I want to thank you for having the hearing here and Ed for having a hearing in Norfolk and Jo Ann Davis for having a hearing with another committee in York County, it shows the concern that we have. And Jo Ann would have been here obviously, but she had a longstanding commitment that she could not get out of.

I want to just express my appreciation because what happened should not happen again, and wherever the blame is, that is behind us. We are committed to improve the situation so that people will know what to expect, when to expect it, that it will be delivered as promised and the localities will know what to expect and what is expected of them. I think our constituents will be much better served.

Mr. SCHROCK. Let me say one more thing too. I hope you do not think that we are just going to walk out of here and say, "gee, that was a nice conference, we did our duty," and go about business as usual. We are not. We need, the three of us, Congressman Davis—both Congresspeople Davis—we need to make sure this thing works and we need to poke and push until this thing gets fixed. We would like you all to be a part of that process because it seems to me, you were the ones on the ground from day 1 and you can be a vital link in making this thing happen, making this thing work better, because it did not work as well as it should.

The thing I worry about is a terrorist attack more than anything else. You would not have 8 or 9 or 10 days to plan for it, it would be on you instantly and you have to respond. And as Randy said, the vaccine thing could be a horrendous undertaking, so we are going to expect you all to help us with that and I think we can make this thing work and hopefully be the example to the rest of America in the different disasters they have.

So again, thank you.

Mr. FORBES. And the final thing I will just tell you is one of the good things about Virginia is our congressional delegation works, I think, better together than probably any congressional delegation. As Ed mentioned, we are not going to sweep this under the rug. We may appear to you looking like Rumpelstiltskin, yelling and screaming until we find out the problem but again, it is not the point to blame; it is just because we do not want this to take place again.

So this hearing is now adjourned.

[Whereupon, at 4:09 p.m., the committee was adjourned.]

[Additional information submitted for the hearing record follows:]

K. David Wilkinson
County Administrator

Barbara P. Holloway
Assistant County Administrator

Frank O. Stephens, II
County Attorney

Peggy R. Wade
Chairman
Election District 4

Michael W. Hagerson
Vice Chairman
Election District 2

James C. Vaughan
Election District 1

Margaret T. Lee, Ed.D.
Election District 3

October 9, 2003

Honorable Members of the Government Reform Committee
c/o Honorable J. Randy Forbes
636 Cedar Road, Suite 200
Chesapeake, Virginia 23322

Dear Representative Forbes and Honorable Members of the Committee:

Thank you for the opportunity to express Greensville County's concerns regarding the Federal Emergency Management Administration's response to Hurricane Isabel in Virginia. I do not want the few concerns which follow to diminish the gratitude Greensville County has for the assistance provided over the last several weeks. I only hope the few concerns which follow will lead to improvements in the vital service that Federal Emergency Management Agency (FEMA), working with state and local officials, provides during disasters.

My first concern is that at the Virginia Emergency Operations Center (EOC) there was obvious confusion that the County of Greensville's EOC and the City of Emporia's EOC were joint operations. We believe this apparent confusion caused the City to be consulted about facilities available for use as regional water and ice distribution sites, but not the County on Friday evening, September 19. Yet Sunday evening, September 21, during the conference call regarding the establishment of these facilities, the City of Emporia was omitted and the County of Greensville included. This lack of recognition led to the selection of a site which Army Corps representatives admitted to Greensville County and Virginia Department of Emergency Management (VDEM) field personnel was far inferior to the site Greensville County was using locally to distribute water provided by both local effort and that of FEMA. In addition this site was used to manufacture, as well as deliver, ice as ice through the Federal and State delivery system was not available until late in the event when much of our county's electricity had been restored.

FEMA and VDEM officials must do a better job soliciting information from all localities about available resources. As the event proceeded we eventually provided ice to residents throughout southside Virginia with several large deliveries made to Sussex County. This time we were able and willing to help, the next time we may not be so fortunate and desperately in need of an improved delivery system for critical supplies.

My second concern is that on September 19, following the advice of Virginia EOC personnel, a priority request was made for a generator for the Greensville Memorial Hospital by Greensville County. Simultaneously, we contacted Virginia Power's EOC and advised them of the hospital's dire need: the hospital's primary generator had shorted out during the storm event and two smaller replacement generators were overheating. The first response back to our EOC by FEMA was made two days after power had been restored to the facility.

1750 E. Atlantic St., Emporia, VA 23847-6584 Telephone 434/348-4208 Fax 434/348-4257 Email: admin@greensvillecountyva.gov

Based on our experience the mechanism FEMA uses to respond to priority needs of this type must be improved.

The third issue is best exemplified by the topic of debris removal. Debris removal was discussed in a general assessment by two FEMA representatives on September 23. It was then discussed in an assessment of public assistance by two other FEMA representatives on September 25. Debris management guidelines were subsequently delivered by a fifth FEMA representative. A sixth FEMA representative desired a meeting to deliver reporting forms regarding debris management that same day. A seventh FEMA representative subsequently required access to the County's landfill to monitor the activity on October 2.

The presence of FEMA representatives is reassuring. However, Greensville County has a limited number of staff available which makes it difficult to have to repeatedly provide the same information regarding the status of a particular aspect of the recovery effort. FEMA and other emergency management officials need to undertake an effort to consolidate these field activities.

Finally, a more recent issue Our staff has participated in a public assistance workshop conducted at Henrico County's Government Center. This required two individuals to travel 160 miles and lose 2 1/2 hours in travel time. This was the closest workshop opportunity provided to us. If you can visualize the Commonwealth of Virginia set a point at Lynchburg, one at Henrico County's Government Center, a point at King William, and a point at Hampton Roads. If you then connect all these points realize all the public assistance workshops were held at these locations and points north. Not one public assistance workshop was held south of the James River, in southside or southeast Virginia. This is a disturbing situation.

The explanation provided to us was that due to limited personnel resources these workshops had to be centrally located. Certainly, one of these meetings could have been relocated to a southside community, not necessarily Greensville County Obviously, the City of Chesapeake has the facilities that could have hosted this event. As to this issue, what is done is done However, given the use of reservist by VDEM and FEMA for other purposes during these times, the explanation that no public assistance workshop could be conducted anywhere along the 58 corridor due to limited personnel resources defies logic.

On behalf of the Greensville County Board of Supervisors and the citizens they represent I thank you for your consideration with these comments.

Respectfully Yours,

Peggy R. Wiley

Peggy R. Wiley, Chairperson
Greensville County Board of Supervisors
(Emergency Services Director)

**Virginia Public Works Alliance**

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**Testimony prepared for the House Committee on Government Reform**
**Field Hearing on**
**Emergency Response to Isabel: A Review of FEMA's Preparation for and Response to Affected Areas in the Hampton Roads Region**

**Presented by Diane Linderman, Chair, Virginia Public Works Alliance & Director of Public Works, Richmond, Virginia**

**October 10, 2003**

Good morning. Chairman Davis, Ranking Member Waxman, thank you for the opportunity to testify on "Emerging from Isabel: A Review of FEMA's Preparation for and Response to Affected Areas in the Hampton Roads Region." This is an important and timely hearing and we appreciate an opportunity to comment.

My name is Diane Linderman and I am the public works director for the City of Richmond. I am also Chair of the Virginia Public Works Alliance (VPWA) and member of the American Public Works Association's (APWA) Government Affairs Committee.

Thank you for the opportunity to comment on FEMA's response to Hurricane Isabel and how its response has affected our communities. I know that every public works official in the country appreciates the attention this Committee has paid to FEMA's performance in this regard and is grateful for your work to ensure that communities have the funds and resources they need to respond adequately to natural disasters of this proportion.

I'd like today to talk a little bit about the difficulties we have experienced securing from FEMA the necessary guidance to proceed with clean-up and restoration that our local officials have determined is in the interest of both public health and safety and the economic recovery of our communities.

The issue is quite simple. After the hurricane each of our communities lost thousands of trees. For example, the city of Richmond has estimated that we lost over 20,000 that fell in varying parts of the city, some on public lands, some on private lands. Many of these trees fell on private property whose owners cannot afford to pay for their removal. After a lengthy review, our local officials determined that in some cases tree and root removal was in the interests of both public health and safety, and economic recovery. We have since repeatedly asked FEMA for reimbursement for our activities and to issue guidance on reimbursement for such activities.

To date, we are still confused, anxious and irritated by the lack of responsiveness and the lack of clarity on FEMA's part. Each official tells us something different and we are at a loss for who actually represents FEMA's official position. In particular, FEMA has opted to review the felled tress on private property on a case-by-case basis. With Richmond's 20,000 felled trees, we expect FEMA to get around to Hampton and the other affected communities, sometime in the year 2005. We have collectively urged FEMA to reimburse for removal of only those trees that have been deemed in the interest of public safety and economic recovery, not just immediate threat. FEMA officials publicly state that they have no authority to do so yet their Public Assistance Guide clearly states that this may be eligible.

We have found otherwise. In fact, we have obtained a copy of FEMA-1465-DR-OK (Guidance for Debris Removal from Private Property) dated May 10, 2003 in which

this authority is clearly delineated. But not for Virginia. For Oklahoma.

We are concerned that FEMA is acting arbitrarily and that guidance in Oklahoma for activities needed here in Virginia should be ample justification to issue guidance on reimbursement.

We have very serious safety concerns with regard to the huge trees that are on residential property (but not housing structures) as well as stumps and root balls left behind after the imminent danger trees were removed. From the public health prospective, the likelihood of some diseases such as eastern equestrian encephalitis increase the longer the trees remain, in addition to the increased potential for rodents. From an economic recovery prospective, the impact of this debris on our already economically challenged neighborhoods sets us back years in our efforts to improve the livability of our stressed neighborhoods. We are actively seeking approval to expand the scope of our current debris removal activities to include these problems. Additionally, the private property owners in areas where we are seeking reimbursement do not have the resources to clear the tress to the extent needed.

To this end, I offer the following suggestions to the Committee so that in the future, cities may have a more cooperative approach from FEMA:

1. **FEMA rulings must not be arbitrary.**

After a disaster, communities are faced with a host of problems, and the top concern is the safety and health of their residents. We cannot be expected to be watch dogs to assure that FEMA is issuing one guideline in one state and issuing—or failing to issue—guidance in another. Communities do not have the time or resources to lobby Congress, research legislation, research FEMA rulings and write testimony while trying to make sure that buildings don't collapse, streets are cleared and that people can get back to normal as soon as possible. FEMA must not act arbitrarily, nor should it issue different guidance to different communities. All communities impacted by the disaster should be treated equally, not on a "case-by-case" basis.

2. **FEMA must not have the latitude to reinvent public law.**

Title 44 of the Robert T. Stafford Act, Chapter I, Subpart H, Sec. 206.224 clearly outlines FEMA's authority on debris removal, "(a) Public interest. Upon determination that debris removal is in the public interest, the Regional Director may provide assistance for the removal of debris and wreckage from publicly ***and privately owned lands*** and waters. Such removal is in the public interest when it is necessary to:
(1) Eliminate immediate threats to life, public health, and safety;" (emphasis added). Our communities have determined that in some circumstances the removal of trees and stumps from private property are in the interests of both economic recovery and public health and safety. It seems that FEMA has taken upon itself to implement the law in such a way as to exclude certain activities allowable under the Stafford Act AND desperately needed by our member communities.

3. **FEMA must have an eye on helping and not hindering local communities recover from disaster.**

As I mentioned previously, our communities are bombarded with crisis after a disaster the magnitude of Isabel. My public works department is working overtime day and night to ensure that everything returns to normal as soon as possible. The last thing I need to be doing right now is leading a crusade for reimbursement to take care of our essential needs. But I am here to ensure that communities like ours are given the resources necessary to take care of our residents and restore the infrastructure to a livable and workable environment. I hope that our efforts here today will preempt the need for any other community to invest their valuable resources away from disaster response to fight for covered expenses. Cities should

not be forced to lobby, in the midst of cleaning up and restoring essential services to their residents, for aid.

**4. FEMA policies should contain a modicum of common sense.**
As I mentioned earlier, Richmond lost 20,000 plus trees. FEMA's current policy evaluates the sites on a case-by-case basis. Given the extent of damage and the number of trees that have fallen on private property, evaluating these conditions individually is not feasible, practical or economically rational.

**5. FEMA should take its lead from the local officials who know best what their community needs after a disaster.**
In these cases, I suggest that local officials are the best and most qualified to assess damage, ascertain which situations threaten the "public health and welfare" and those that do not. In my experience with FEMA's field officers, each have had their own interpretations of the rules policies and laws and no two have been consistent. This lack of consistency adds to the "arbitrary" feel of FEMA's actions when instead local officials could easily determine their needs and assist FEMA with its determinations (much like the guidance issued for Oklahoma).

I appreciate the opportunity to testify today and look forward to any questions or comments from the panel. Thank you.

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