

# Congress of the United States

Washington, DC 20510

March 19, 2021

President Joseph R. Biden  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear Mr. President:

We write to draw your attention to a significant issue affecting millions of Texans. As you know, our state is still recovering from a major winter storm that affected every county in Texas (DR-4586-TX). We are grateful for your administration's swift consideration of Governor Abbott's declaration requests and the ongoing work of the Federal Emergency Management Agency (FEMA) Region VI to help Texans get back on their feet. However, officials from several of Texas' most rural, diverse, and poorest counties have contacted our offices to express concern and frustration with recent operational changes FEMA has made to the damage validation process.

The Texas Division of Emergency Management (TDEM) utilizes the "Individual Assistance State of Texas Assessment Tool" (iSTAT) to collect damage data from individuals who have suffered some form of harm to their property during natural disasters. This standardized method simplifies the damage survey process for local officials and every day Texans, and it is designed to comply with FEMA requirements put in place to ensure taxpayer funding only goes to counties in need. In fact, FEMA has accepted iSTAT data as a sufficient means of justifying the authorization of Individual Assistance (IA) for 126 counties impacted by these storms already.

This is why we were surprised to learn FEMA is now reviewing each request with more stringent requirements than used on counties added earlier in the disaster. FEMA is now requesting additional data for every damage claim while also refusing to provide TDEM with FEMA headquarters' exact metrics for reaching a positive IA decision. These exacting requirements and FEMA's refusal to communicate a consistent and definitive evaluation process leave Texans in the dark as to what damages they should be reporting and in what form to do so. It also prevents local leaders from providing specific and helpful guidance to their constituents.

Most of the counties who have already been granted IA are well-populated and affluent, but poorer, more vulnerable counties as well as those with more isolated populations take longer to report damages. Texans in many of these counties lack the technological capacity to meet FEMA's onerous requirements, and the county governments do not have the resources to survey hundreds of square miles worth of property damages.

It is our understanding that the decision to add additional data reporting requirements originated at FEMA headquarters here in Washington. FEMA's actions are adversely affecting the most vulnerable citizens of our state during their time of greatest need, and it is unequitable for FEMA

to raise the bar for some counties after granting declarations to others based on standardized, reliable damage data.

We respectfully request that you direct FEMA to resume accepting iSTAT data as sufficient for determining the validity of IA requests. This is not a request for FEMA to relax standards or lower the burden of proof, but it is a call for FEMA to apply the rules equally for all Texans, particularly the State's most vulnerable populations.

Thank you for your assistance and consideration, and we stand ready to work with you to resolve this matter.

Sincerely,



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John Cornyn  
United States Senator



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Tony Gonzales  
Member of Congress



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Louie Gohmert  
Member of Congress



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Pat Fallon  
Member of Congress



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Ted Cruz  
Member of Congress



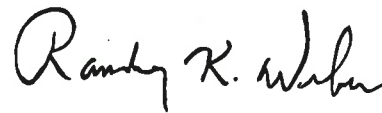
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Henry Cuellar  
Member of Congress



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Kevin Brady  
Member of Congress



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Randy K. Weber  
Member of Congress



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Ronny L. Jackson  
Member of Congress



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Chip Roy  
Member of Congress



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Roger Williams  
Member of Congress

cc: Senior Official Performing the Duties of FEMA Administrator, Robert J. Fenton, Jr.