

# Congress of the United States

Washington, DC 20510

May 19, 2017

Mr. Robert Fenton  
Acting Administrator  
Federal Emergency Management Agency  
500 C Street Southwest  
Washington, DC 20472

Dear Mr. Fenton,

We write you with great concern over the recent denial of Oregon's request for a major disaster declaration as a result of the succession of severe winter snow and weather events occurring from January 7 through 20. These storms had devastating effects on Oregon's economy, and hit small rural communities especially hard.

As you know, on March 9, 2017 Oregon Governor Kate Brown submitted a request for a Presidential Disaster Declaration to provide much needed relief to communities that experienced significant costs caused by snowfall, blizzards and severe weather conditions. These winter storms particularly overwhelmed ten counties throughout Oregon including: Baker, Columbia, Curry, Deschutes Hood River, Josephine, Malheur, Multnomah, Union and Washington.

As a result of heavy snows and dangerous conditions, the counties not only suffered a tremendous economic blow, but incurred costs associated with emergency snow removal, repairing damaged power lines, large landslides and mudslides, agricultural losses, and an increased need for emergency services. The final cost of damages amounts to approximately \$17.6 million, well above the threshold for a Presidential Disaster Declaration for the state of Oregon as well as the ten individual counties. Unfortunately, Oregon's request for disaster assistance was denied, despite the state and affected local government's urgent need for federal assistance.

In the wake of the denial, local government agencies have worked tirelessly to understand the reasoning behind the decision in order to address concerns and write a successful appeal. Although substantive information on the denial has been hard to come by, it was brought to our attention that the Federal Emergency Management Agency (FEMA) may have ruled against Oregon's request based on the evaluation that the January storms were separate and distinct weather patterns. To our knowledge, this ruling runs contrary to the National Weather Service's (NWS) support for Oregon's position that the storm was one incident. Similarly, in 2015 twelve counties throughout Oregon were affected by severe winter storms, flooding, landslides and mudslides from December 6 through 23. Shortly thereafter, the storms were deemed a single incident and the state received a Presidential Disaster Declaration. The

discrepancies between the 2015 incident and this disaster request, along with FEMA's lack of transparency throughout the 2017 process, are cause for concern.

It is also our understanding that FEMA headquarters neglected to inform FEMA Region X of a coming clarification to its Severe Winter Storm and Snowstorm Policy, which may have affected Oregon's request. Both state and local governments count on consistent guidance and efficient coordination between FEMA headquarters and regional offices so communities can prepare an adequate and robust disaster request. This guidance and coordination ensures that states have the best opportunity to make their case and receive the federal assistance they are due in the event of a disaster. And, to be clear, the FEMA disaster resources are far from making these rural communities whole in the wake of this disastrous event, but will help alleviate the burdens.

While we understand the disaster designation is a complicated issue with many moving parts, we have concerns about the process to date. In light of these developments please provide answers to the following questions:

- Is it true that FEMA evaluated Oregon's request as separate and distinct weather events?
- What steps did FEMA take to ensure that Oregon was provided with technical assistance and the most up-to-date guidelines before submitting their request?
- Was Oregon's application reviewed using guidelines in place at the time of its submittal, or did the review use the guidelines written after the fact in April 2017?
- What type of technical assistance and guidance is FEMA providing to states like Oregon in their appeal process so that county emergency managers and others understand the guidelines and are able to focus on elements that support a successful appeal?
- What is FEMA's current policy on alerting states of the rationale for an award or denial for disaster declarations, and what will FEMA do in the future to insure the process is transparent and objective?

Oregon has a long history of successfully working with FEMA after weather disasters. It is in this spirit that we encourage you to increase transparency and improve your communication and support to rural communities that have already struggled greatly to recover from this severe weather event. We are available to further discuss this matter with you either in person or over the phone. Thank you for your prompt assistance in addressing this important issue.

Sincerely,



Ron Wyden  
United States Senator



Jeffrey A. Merkley  
United States Senator



Greg Walden  
Member of Congress