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Alabama

Divider Title: _____

APR 20 1993

THE WHITE HOUSE

WASHINGTON

April 20, 1993

MEMORANDUM FOR MACK MCLARTY, RAHM EMANUEL, MARK GEARAN, ALEXIS HERMAN, BRUCE LINDSEY, REGINA MONTOYA, BERNARD NUSSBAUM, LEON PANETTA, HOWARD PASTER, AND GEORGE STEPHANOPOULOS

FROM: CHRISTINE A. VARNEY AND ^{SBS}STEPHEN B. SILVERMAN

SUBJECT: Federal Emergency Management Agency Recommendation
To Expand the Emergency Declaration in Alabama.

Attached for your comment is a recommendation from the Federal Emergency Management Agency ("FEMA") that the President's emergency declaration in Alabama be expanded to include reimbursement for debris removal and emergency protective measures.

Please forward any comments to our office. If there are no objections, we will recommend to the President that he expand the emergency declaration in Alabama.

AMENDED ASSISTANCE

SUMMARY

STATE: Alabama

NUMBER: FEMA-3096-EM

INCIDENT: Severe Snowfall and Winter Storm

INCIDENT PERIOD: March 13, 1993, and Continuing

DATE ADDITIONAL ASSISTANCE
REQUESTED BY GOVERNOR: March 25, 1993

FEDERAL COORDINATING OFFICER: J. Rolando Sarabia
FEMA Region IV

DESIGNATIONS AND TYPES OF ASSISTANCE:

FEMA intends to provide reimbursement for debris removal and emergency protective measures for Calhoun, Cherokee, Choctaw, Etowah, Jefferson, St. Clair, Shelby, Marengo, and Tuscaloosa Counties. This amendment does not modify the assistance pertaining to snow plowing activities authorized under the snow emergency declaration.

NOTE: This is **AMENDED ASSISTANCE** under the existing emergency declaration and not a major disaster.

OTHER: Additional designations may be made at a later date after further evaluation.



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

STATE OF ALABAMA

Beginning on March 13, 1993, and continuing, severe snowfall and a winter storm caused emergency conditions in the State of Alabama. In response to this event, the State received an emergency declaration on March 15, 1993, (FEMA-3096-EM). FEMA was authorized to provide assistance for required emergency measures for a period of five (5) days from the beginning of the storm for opening critical emergency access on collector roads and streets, and on minor and principal arterial roads for emergency vehicles.

Following a joint FEMA, State, and local Preliminary Damage Assessment (PDA), Governor Guy Hunt requested a major disaster declaration on March 25. Additional assistance was requested for Calhoun, Cherokee, Choctaw, Etowah, Jefferson, St. Clair, Shelby, Marengo, and Tuscaloosa Counties.

INDIVIDUAL ASSISTANCE

Seventeen (17) casualties were reported. The American Red Cross, in conjunction with State and local agencies, opened 350 shelters to provide shelter for approximately 10,000 people. Governor Hunt did not request Individual Assistance programs.

PUBLIC ASSISTANCE

Airports and highways were closed. Over 400,000 customers of the Alabama Power Company were without electricity for as long as a week. The weight of the snow caused trees and utility poles to fall throughout the northeastern portion of the State.

DISCUSSION

The Governor's request meets the requirement of the law. The State's commitment is considered adequate.

The Governor requested Public Assistance under Public Law 93-288, as amended. Independent of this request, the Governor sought assistance from the Farmers Home Administration (FmHA). All 67 counties in the State were designated for agricultural assistance under FmHA programs. The Small Business Administration (SBA) was also requested to survey three counties to determine eligibility under their programs.

Blount County was included in the PDA; however, Governor Hunt did not request assistance for this county. The damage information for Blount is included in this estimate. The Alabama Emergency Management Agency also indicated that as many as seven additional counties may require assistance.

Debris removal is the most significant impact of this event. It accounts for 49 percent of the total estimated cost. The costs for emergency protective measures and public utility systems make up an additional 36 percent.

Of the counties surveyed, Jefferson and Etowah are the most severely impacted. Forty-one (41) percent of the total estimated cost of this event is in Jefferson County. Two cities account for nearly 58 percent of the total estimated cost in Etowah County. In both Jefferson and Etowah Counties, the expenses associated with debris removal and emergency protective measures were nearly half of the estimated cost.

Public utilities damage makes up roughly 24 percent of the total estimated cost. Identified damage in this category is to municipally owned utility systems and electrical cooperatives. Most electric cooperatives set aside funds expressly for events such as this. In addition, much of the estimated costs are for regular-time pay for their regular employees. Any additional costs which the cooperatives have incurred can be retrieved through temporary rate increases.

In the event of a declaration, Public Assistance damage by category is:

Debris Removal	\$ 4,975,200
Emergency Protective Measures	\$ 1,049,500
Road Systems	\$ 377,300
Water Control Facilities	\$ 20,400
Public Buildings and Equipment	\$ 832,700
Public Utility Systems	\$ 2,583,000
Recreation and Other Facilities	\$ 357,100
TOTAL PUBLIC ASSISTANCE	\$10,195,200
FEDERAL SHARE (75/25)	\$ 7,646,400

The emergency needs of this event have been met. The significant impacts are the costs associated with debris clearance and emergency measures performed by State and local organizations and the utilities.

CONCLUSIONS

The situation is of such severity and magnitude that effective response is beyond the capabilities of the State and local governments, and supplemental Federal assistance is necessary.

- The situation does not warrant a major disaster declaration; however, expansion of the Alabama emergency declaration (FEMA-3096) is warranted.
- In the event this expansion is authorized, FEMA intends to provide reimbursement for costs associated with debris removal and emergency protective measures under Title V of the Stafford Act. This amendment would not modify the assistance authorized in the initial emergency declaration. In consideration of the requirements identified in the Governor's request, the counties of Calhoun, Cherokee, Choctaw, Etowah, Jefferson, St. Clair, Shelby, Marengo, and Tuscaloosa would be designated for assistance.
- Additional counties may be designated at a later date, if requested and warranted.

RECOMMENDATION

That the Governor's request for a major disaster declaration be denied and that assistance under the FEMA-3096 emergency declaration be expanded to include reimbursement for debris removal and emergency protective measures.

SIGNED

James L. Witt
Director

Date: APR 15 1993

Attachments:
Amended Declaration Letter
Letter to the Governor
Telegram to the Governor
Press Release
Congressional Representation
State Map
Governor's Request

APR 20 1993

THE WHITE HOUSE

WASHINGTON

April 20, 1993

MEMORANDUM FOR MACK McLARTY, RAHM EMANUEL, MARK GEARAN, ALEXIS HERMAN, BRUCE LINDSEY, REGINA MONTOYA, BERNARD NUSSBAUM, LEON PANETTA, HOWARD PASTER, AND GEORGE STEPHANOPOULOS

FROM: CHRISTINE A. VARNEY AND STEPHEN B. SILVERMAN *BS*

SUBJECT: Federal Emergency Management Agency Recommendation to Deny the Declaration of a "Major Disaster" in Rhode Island.

Attached for your comment is a recommendation from the Federal Emergency Management Agency ("FEMA") to deny Rhode Island's request for a major disaster declaration as a result of the March 13, 1993 winter storm. On March 16, 1993, the State of Rhode Island received an emergency declaration, however, FEMA has concluded that the situation does not warrant a major disaster declaration.

Please forward any comments to our office. If there are no objections, we will recommend to the President that Rhode Island's request for a major disaster declaration be denied.

✓



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT RHODE ISLAND

On March 13, 1993, a powerful storm system that produced severe blizzard conditions, high winds, and record snowfall struck the State of Rhode Island resulting in flooding conditions.

As a result of the winter storm, the State of Rhode Island received an emergency declaration (FEMA-3102-EM) on March 16, 1993. Under this declaration, assistance was provided for required emergency measures for a period of five (5) days beginning on March 13 to open critical emergency access on collector roads and streets, and on minor and principal arterial roads for emergency vehicles. Subsequently, at the request of Governor Bruce Sundlun, a joint Federal, State, and local government Preliminary Damage Assessment (PDA) was conducted in the affected areas. On March 29, the Governor submitted a request for a major disaster declaration.

INDIVIDUAL ASSISTANCE

No fatalities or injuries were reported or identified. The American Red Cross (ARC) opened 22 shelters and provided shelter for 250 individuals immediately following the storm.

PUBLIC ASSISTANCE

The primary impacts on public facilities are for emergency protective measures, damage to recreational facilities, and public buildings. Emergency protective measures consisted of evacuating residents from flood prone areas, shelter operations, emergency road patrols, and traffic control.

DISCUSSION

The Governor's request for a major disaster declaration meets all requirements of the law. The State commitment is considered adequate.

Governor Sundlun is requesting Public Assistance and potentially Disaster Unemployment Assistance (DUA) under Public Law 93-288, as amended.

The findings by the PDA teams revealed minimal damage to residences. Power outages were temporary and scattered. The Newport Bridge was temporarily closed due to a fallen light pole. All roads remained open.

The Governor bases his request for potential DUA on the adverse impact to the shellfishing industry. The two previous storms, specifically the October 30, 1991, storm and a coastal storm which occurred in December 11-12, 1992, produced similar impacts. The December storm caused the closure of prime shellfishing beds due to pollution runoff. This resulted in a large unemployment problem among the watermen.

Governor Sundlun further indicates that the State and local governments are in an economic crisis. The Governor, in part, attributes the crisis to the recovery efforts undertaken to address two previous storm incidents. Federal assistance was not requested for either of these events. The Governor further points out that the neighboring States of Massachusetts, New Hampshire, and Maine received Presidential declarations for the October 1991 storm, and the States of Massachusetts and Connecticut were granted declarations for the December 1992 coastal storm. The latest Presidential declaration for the State of Rhode Island was FEMA-913-DR, which occurred during fiscal year 1991, and was declared for Individual Assistance and Public Assistance. As of July 21, 1992, the total cost projection for Federal assistance stands at \$12,905,207.

An additional concern is for anticipated economic losses during the next summer season as a result of storm damaged beach areas. A potential loss of summer visitors who vacation in the coastal areas of the State may impact the individuals employed in tourist-oriented businesses such as restaurants, hotels, motels, and recreational facilities. An estimate of the number of individuals who may be affected was not available.

In Providence County, six roads sustained heavy surface damage and a retaining wall along the Blackstone River in Pawtucket crashed into the water. The city of Barrington in Bristol County has minor coastal road and shoulder damage. In Newport, high winds damaged an ornamental street light and two sections of concrete seawall were severely damaged. Minor damage to public buildings resulted from high winds. There was no reported damage to public utility systems. The vast majority of debris removal consists of removing sand and rocks from coastal roads and beach parking lots for several coastal communities and State parks. The greatest impact of this event is to recreational facilities located at beaches.

Public Assistance damage by category for this latest event is as follows:

<u>Category</u>	<u>Amount</u>
Debris Removal	\$ 59,100
Emergency Protective Measures	\$ 398,800
Road Systems	\$ 31,000
Water Control Facilities	\$ 101,700
Buildings and Equipment	\$ 182,200
Public Utility Systems	-0-

Recreation and Other
Facilities

\$ 211,600

TOTAL PUBLIC ASSISTANCE
FEDERAL SHARE (75/25)\$ 984,400
\$ 738,300

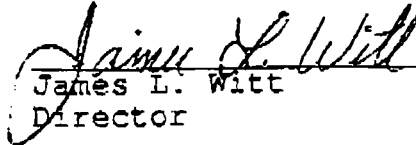
There are no known threats to health and safety. Individual Assistance projections are based not only on a "potential" scenario, but at some future date. Public Assistance damage is scattered. The primary financial impact of the event is emergency protective measures utilized in preparation for and following this event.

CONCLUSIONS

- The situation is not of such severity and magnitude that effective response is beyond the responsibilities of the State of Rhode Island and its affected local governments, and supplemental Federal assistance is not necessary.
- The situation does not warrant a major disaster declaration.

RECOMMENDATION

That the Governor's request be denied.


James L. Witt
Director

Date: APR 8 1993

Attachments:
Letter to the Governor
Congressional Representation
State Map
Governor's Request

THE WHITE HOUSE

WASHINGTON

March 15, 1993

MAR 15 1993

MEMORANDUM FOR LEON PANETTA, MACK McLARTY, RAHM EMANUEL,
MARK GEARAN, ALEXIS HERMAN, BRUCE LINDSEY,
DEE DEE MEYERS, REGINA MONTOYA, BERNIE NUSSBAUM,
HOWARD PASTER, JOHN PODESTA AND GEORGE
STEPHANOPOULOS

FROM: CHRISTINE A. VARNEY AND STEPHEN B. SILVERMAN

SUBJECT: FEMA Disasters and Emergencies Due to Weekend
Weather

As you know, we monitored weather developments this weekend and worked closely with FEMA to insure all appropriate action was taken. In summary, the President declared a "major disaster" in Florida on Saturday due to high winds and an "emergency" in Tennessee to aid snow removal efforts.

This morning we have received the attached request from Governor Hunt of Alabama for an emergency declaration. Also attached is FEMA's recommendation that relief be provided.

Seventeen other states have been hit badly by the storm and may request emergency declarations by the President for snow removal support. Because of the expedited nature of these requests we will use the following procedure. We will consult with Steve Neuwirth (White House Counsel's Office), John Angell (OMB), and John Podesta to assess the FEMA recommendation. John Podesta will then bring the matter to the President's attention. After the President's declaration, we will notify Regina Montoya, Barbara Chow, George Stephanopoulos and Dee Dee Meyers. FEMA will hold the information for 30 minutes to provide a window for White House staff to make the appropriate notifications.

In addition to these "emergency" declarations, some states will request that a "major disaster" be declared. As per standard procedure, FEMA will evaluate the requests and forward them to the White House in appropriate circumstances.

Alabama



Federal Emergency Management Agency

Washington, D.C. 20472

MAR | 5 1993

MEMORANDUM TO THE PRESIDENT

ALABAMA

On March 13, severe snowfall and winter storm conditions caused death, serious personal injury and property damage in the State of Alabama.

Governor Guy Hunt's request for assistance meets all requirements of the law. The State commitment is considered adequate.

Governor Hunt is requesting emergency assistance for a period of five (5) days for opening critical emergency access on collector roads and streets, minor and principal arterial roads for emergency vehicles and other necessary movement.

CONCLUSIONS

The situation is of such severity and magnitude that effective response is beyond the capabilities of the State and local governments, and supplemental Federal assistance is necessary.

The situation warrants an emergency declaration for snow removal assistance.

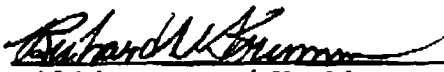
In the event of a declaration, FEMA intends to provide emergency assistance to the following counties: Autauga, Baldwin, Barbour, Bibb, Blount, Bullock, Butler, Calhoun, Chambers, Cherokee, Chilton, Chootaw, Clarke, Clay, Cleburne, Coffee, Colbert, Conecuh, Coosa, Covington, Crenshaw, Cullman, Dale, Dallas, Dekalb, Elmore, Escambia, Etowah, Fayette, Franklin, Geneva, Greene, Hale, Henry, Houston, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Lee, Limestone, Lowndes, Macon, Madison, Marengo, Marion, Marshall, Mobile, Monroe, Montgomery, Morgan, Perry, Pickens, Pike, Randolph, Russell, Shelby, St. Clair, Sumter, Talladega, Tallapoosa, Tuscaloosa, Walker, Washington, Wilcox, and Winston.

Additional areas may be designated at a later date, if requested and warranted.

In the event of an emergency declaration, the Federal Coordinating Officer will be J. Rolando Sarabia.

RECOMMENDATION:

That the Governor's request be granted.


William C. Tidball
Acting Director



GUY MONT
GOVERNOR

STATE OF ALABAMA

GOVERNOR'S OFFICE

MONTGOMERY 36130

March 14, 1993

President William Clinton
The White House
Washington, D. C.

Through: Major Phil May
Regional Director
Federal Emergency Management Agency
Region IV
1371 Peachtree Street, NE
Atlanta, Georgia 30309

Dear Mr. President:

Under Section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288 as amended, I request that you declare an emergency for the State of Alabama as a result of the severe threat to public health and safety caused by the inaccessibility of collector streets, minor arterial roads and principal arterials due to extreme snowfall and winter storm conditions.

In accordance with the requirements of 44 CFR 206.36, I certify that the impacts from this winter storm are of such severity and magnitude that effective response is beyond the capability of the State and affected local governments. Supplementary Federal emergency assistance is necessary to save lives and protect property, public health and safety, or to lessen or avert the threat of further disaster. Preliminary estimates of the types and amount of emergency assistance needed under Public Law 93-288, as amended, and emergency assistance from certain Federal agencies under other authorities are not available at this time.

I further certify that I have taken appropriate action under State law and on 3/13/93 I activated the State emergency plan and declared the following counties to be experiencing a state of emergency:

Autauga, Baldwin, Barbour, Bibb, Blount, Bullock, Butler, Calhoun, Chambers, Cherokee, Chilton, Choctaw, Clarke, Clay, Cleburne, Coffee, Colbert, Conecuh, Coosa, Covington, Crenshaw, Cullman, Dale, Dallas, Dekalb, Elmore, Escambia, Etowah, Fayette, Franklin, Geneva, Greene, Hale, Henry, Houston, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Lee, Limestone, Lowndes, Macon, Madison, Marengo, Marion, Marshall, Mobile, Monroe, Montgomery, Morgan, Perry, Pickens, Pike, Randolph, Russell, Shelby, St. Clair, Sumter, Talladega, Tallapoosa, Tuscaloosa, Walker, Washington, Wilcox, and Winston.

MAR 15 '93

12:24PM FEMA IV THOMAS 2

Mr. President
Page 2
March 14, 1993

In addition, the following State and local resources have been committed or will be used to alleviate this emergency:

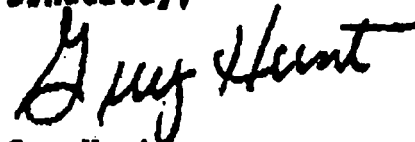
1. Declared a State of Emergency and activated the State and Local Emergency Operations Plans and Centers.
2. State agencies committed to emergency response, to include the Alabama National Guard, the Alabama Highway Department, the Department of Human Resources, and the Department of Public Safety.
3. All local governments fully committed to the emergency.
4. Shelter operations (state and local facilities) conducted throughout the state.
5. Emergency feeding operations conducted.
6. Emergency power, water, and other aid provided.
7. Transportation provided for medical personnel, stranded persons, and other emergency needs.
8. Search and rescue operations conducted.
9. Snow removal operations conducted on federal, state and local roads.
10. Manpower and equipment provided to local governments.

Due to extreme heavy snowfall, assistance is required to open access for emergency vehicles and other necessary movement for a period of five (5) days commencing at the point at which snow removal operations were initiated on or about March 13, 1993.

I certify that for this emergency, State and local contributions and expenditures will comply with all applicable cost-sharing requirements of the Stafford Act.

Due to the extraordinary circumstances affecting our state resulting from this extreme heavy snowfall, I urgently request that you declare an emergency to assist in opening critical emergency access on collector roads and streets, minor, and principal arterial roads.

Sincerely,


Guy Hunt
Governor

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Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

ARIZONA

HAVASUPAI INDIAN TRIBE

Between July 8 and September 14, 1990, a series of storms producing heavy rain, high winds, and flash flooding caused damage in eight counties and two Indian reservations. Former Governor Rose Mofford subsequently requested a major disaster declaration to provide Individual Assistance and Public Assistance. The request was denied on October 12. Following the Governor's appeal of the Public Assistance portion of the denial and a reassessment of the affected areas, former President George Bush declared the State a major disaster on December 6. This declaration (FEMA-884-DR) provided Public Assistance to the counties of Coconino, Gila, Graham, Maricopa, Mohave, Pima, Pinal, and Yavapia, and the Havasupai and Gila River Indian Reservations.

On January 19, 1993, President Bush declared a major disaster (FEMA-997-DR) for the State of Arizona as a result of flooding that occurred between January 15 and March 6. This declaration made available Individual Assistance and Public Assistance in the counties of Apache, Cochise, Coconino, Gila, Graham, Greenlee, Maricopa, Navajo, Pima, Pinal, Santa Cruz, Yavapai, and Yuma.

On July 15, 1993, the chairman of the Havasupai Tribal Council requested a waiver of the non-Federal (tribal) share of the Public Assistance program for these two declared disasters.

INDIVIDUAL ASSISTANCE

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act) contains no provisions for waiver of cost sharing for the Individual and Family Grant (IFG) Program. Concerning the State's contribution of 25 percent, the law specifically states "*The Federal share of a grant under this section shall be paid only on condition that the remaining 25 percent of the cost is paid to an individual or family from funds made available by a State.*"

PUBLIC ASSISTANCE

Under Section 406 of the Stafford Act, contributions may be made to a State, local government, or private nonprofit organization for the repair, restoration, reconstruction, or replacement of a facility which is damaged or destroyed by a major disaster. The Stafford Act establishes the Federal share of such contributions at not less than 75 percent, thereby implicitly allowing adjustments where warranted.

DISCUSSION

With each declaration, FEMA executes an agreement with the State which describes the understandings, commitments, and conditions for assistance. FEMA may obtain an agreement with each tribe (separate from the State) because certain Indian communities claim that the State has no legal jurisdiction over them. In the case of both FEMA-884-DR and FEMA-997-DR, the tribes receiving assistance executed agreements to meet the conditions of the disaster.

The Stafford Act defines State as any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, or the Trust Territory of the Pacific Islands. Implementing regulations at 44 CFR 206.200 - 206.208 establish the procedures for the administration of Public Assistance grants approved under the Stafford Act. The State as the grantee is the government awarded the grant and is accountable for the use of the funds provided.

Local government as defined in the Stafford Act is ". . . any county, city, village, town, district, or other political subdivision of any State, any Indian tribe or authorized tribal organization, . . ." FEMA regulations at §206.201(1) define subgrantee as the government or other legal entity to which a subgrant is awarded and which is accountable to the grantee. ***In applying for a grant, an Indian tribe may submit an application for Federal assistance directly to the FEMA Regional Director when a State does not have legal authority over the Indian tribe.***

The chairman of the tribal council specifically requested waiver of the 25 percent non-Federal tribal share for both disasters. The chairman bases his request on the severe financial impact to the Havasupai Indian Tribe's (Tribe) resources for the two declared disasters and the undeclared flooding event of July 1992 that resulted in recovery costs of \$15,000. Further, the chairman makes reference to a \$10 per capita threshold allowed in previous waivers.

While FEMA has used a \$10 figure in the analysis of cost share adjustments, it has not been used as a qualifying threshold. Rather, FEMA has used this figure as a level at which to adjust the cost sharing. This level of cost share was used in the cases of Hurricanes Hugo, Andrew, and Iniki because of the severity and

magnitude of the disasters. In these cases, the affected States received a 75 percent Federal/25 percent non-Federal ratio to the first \$10, then 100 percent Federal funding beyond as a cost share for the Public Assistance program.

Historically, cost share adjustments have been authorized only when the cost per capita has reached \$64 **statewide**. Never in FEMA's history have cost share adjustments been authorized for local governments. Statewide, neither of these disaster declarations meet the adjustment thresholds as shown below:

Statewide cost projections for the two declarations

Declaration Number	Total Projected Cost (Federal & Non-Federal)	Projected Non-Federal Share for Public Assistance	Per Capita Impact*
FEMA-884-DR	\$ 10,012,000	\$ 2,503,000	\$ 2.73
FEMA-977-DR	\$ 101,372,000	\$ 21,874,000	\$ 27.66

***Based on a Statewide population of 3,665,228.**

Authorizing a cost share adjustment for the Tribe will be precedent setting. It would be the first cost share adjustment authorized for a *local government*. This will potentially open the door for any number of tribes similarly affected in past and current disasters. Cost estimates for the Tribe only are shown in the table below.

Impact to the Havasupai Indian Tribe

Declaration Number	Total Cost Federal/Tribal	Federal Share	Tribal Share	Per Capita Impact*
FEMA-884 DR/1	\$ 354,829	\$ 266,121	\$ 88,708	\$ 221
FEMA-997 DR/2	\$ 107,744	\$ 80,809	\$ 26,935	\$ 67

***Based on the tribal population of 400.**

1/ FEMA-884-DR provided assistance to the Havasupai Indian Tribe and to the Gila River Indian community in Pinal County.

2/ Ten (10) tribes received assistance under FEMA-997-DR.

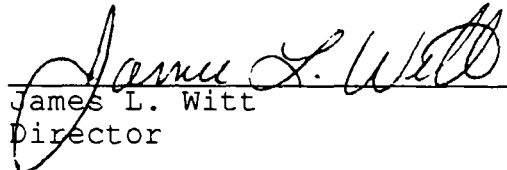
There is no argument, as the per capita figures indicate, that the Tribe has been significantly impacted by these two declared disasters. However, the impact is not on a Statewide level. All previously authorized adjustments to cost shares have been to States. By Stafford Act definition, a tribe is not a State but a local government.

CONCLUSIONS

- Cost sharing for the Public Assistance program should be retained at 75 percent Federal - 25 percent non-Federal for FEMA-884-DR and FEMA-977-DR.

RECOMMENDATION

That the Havasupai Tribal Chairman's request for cost share adjustments for the Public Assistance programs for both declared disasters be denied.


James L. Witt
Director

Date: **DEC - 3 1993**

Attachments:
Letter to the Chairman
Congressional Representation
State Map
Chairman's Request

THE WHITE HOUSE
WASHINGTON

December 9, 1993

DEC 10 1993

MEMORANDUM FOR DISTRIBUTION

FROM:

CHRISTINE A. VARNEY *CV*
Secretary to the Cabinet

STEPHEN B. SILVERMAN *SB*
Deputy Secretary to the Cabinet

SUBJECT:

Federal Emergency Management Agency Recommendation
To Deny the Request for the Declaration of Disasters in
Virginia and Ohio and to Deny the Request for a Cost Share
Adjustment for Arizona.

Attached for you comments are recommendations from the Federal Emergency Management Agency (FEMA) that requests for major disaster declarations for the States of Virginia and Ohio be denied and that a request for a cost share adjustment for the State of Arizona also be denied.

Please forward any comments to our office. If there are no objections, the requests for major disaster declarations made by Virginia and Ohio and the cost share adjustment for Arizona will be denied.

Attachment

Distribution:

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THE WHITE HOUSE

WASHINGTON

September 27, 1993

MEMORANDUM FOR MACK MCLARTY

LEON PANETTA
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JOHN PODESTA
GEORGE STEPHANOPOULOS

FROM:

CHRISTINE A. VARNEY
CABINET SECRETARY

STEPHEN B. SILVERMAN
DEPUTY CABINET SECRETARY

SUBJECT:

FEDERAL EMERGENCY MANAGEMENT AGENCY
RECOMMENDATION TO DENY AN APPEAL FOR AN
EMERGENCY DECLARATION IN ARIZONA

Attached for your comment is a recommendation from the Federal Emergency Management Agency (FEMA) to deny Governor Fife Symington's May 3 appeal for a declaration of an emergency due to severe flooding on January 5, 1993. The Governor's original request was denied on February 9.

A major disaster declaration was requested by the Governor and declared by the President for the January 5 flooding on January 19, 1993 (FEMA-977-DR).

Please forward any comments regarding this matter to our office. If there are no objections, we will recommend to the President that he deny Arizona's appeal.

Attachment



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

ARIZONA

Governor Fife Symington requested and received a major disaster declaration following severe flooding that impacted 10 of the State's 15 counties on January 5. This January 19, 1993, declaration (FEMA-977-DR) authorized Individual Assistance and Public Assistance programs for the counties of Apache, Coconino, Gila, Graham, Greenlee, Maricopa, Navajo, Pima, Pinal, and Yavapai.

On the same day Governor Symington submitted a separate request for a "Federal emergency" declaration under subsection 501(b) of the Stafford Act. This request resulted from flooding that caused erosion to a landfill located on the Salt River Pima-Maricopa Indian Community along the Salt River in Maricopa County.

Governor Symington stated that because the emergency involved Indian land and "waters of the United States" removal of debris from the river is an exclusive or preeminent responsibility of the United States.

The Governor's request was denied on February 9. The Governor appealed this decision on May 3.

EMERGENCY ASSISTANCE NEEDS AND CONDITIONS

An estimated 150,000 cubic yards of rubbish eroded from a commercial landfill located on the property of the Salt River Indian Reservation. Rubbish deposited in the stream bed and along the banks of the Salt River in Maricopa County, posing a potential health threat to residents of the county and in communities along the river.

DISCUSSION

The Governor states in his "Federal emergency" request that the dumpsite from which the Salt River debris was removed by flood waters is located within the Salt River Pima-Maricopa Indian Community. The Governor contends that the United States, rather than the State of Arizona, has the primary responsibility for responding to this aspect of the previously-declared major disaster. He suggests that under the United States Constitution and the laws of the United States, the Federal government has the exclusive or preeminent responsibility for responding to catastrophes which occur on Indian land. The Governor also contends that the State has no jurisdiction to undertake these

clean-up activities because the Salt River constitutes a body of water of the United States which is subject to Federal control under section 404 of the Clean Water Act, 33 U.S.C. §1344.

Section 501(b) of the Stafford Act speaks to emergencies involving Federal primary responsibility and states:

The President may exercise any authority vested in him by section 502 or section 503 (of the Stafford Act) with respect to an emergency when he determines that an emergency exists for which the primary responsibility for response rests with the United States because the emergency involves a subject area for which, under the Constitution or laws of the United States, the United States exercises exclusive or preeminent responsibility and authority. In determining whether or not such an emergency exists, the President shall consult the Governor of any affected State, if practicable. The President's determination may be made without regard to subsection (a).

In the event of an emergency declaration under section 501(b), the Federal Government would assume primary responsibility for response and recovery. While a "Federal emergency" under section 501(b) has never been declared, a reasonable expectation would be 100 percent Federal funding to coincide with the Federal "primary responsibility."

The landfill problem dates back to January 1992, when the U.S. Army Corps of Engineers (USACE) conducted an investigation to determine if the landfill operations were in violation of section 404 of the Clean Water Act. The USACE has the authority under section 404 to regulate dredged or fill materials into the Waters of the United States. A jurisdictional determination to establish the extent of unauthorized discharge of fill material revealed that approximately 3.3 acres of the 300 acre landfill was in the 100 year floodplain and in violation of section 404. The Indian Community was requested to prepare a plan of corrective actions including milestones for accomplishment. This process was conducted in coordination with the Environmental Protection Agency (EPA). EPA further agreed that the USACE would be the lead agency for enforcement. In February 1992, under technical assistance provided by USACE (funded by the State), the Indian Community constructed a temporary structure to protect the area of the landfill impacted by the Salt River flows. This temporary structure failed during the January 1993, flooding.

Under the major disaster declaration, FEMA funded emergency repairs for the landfill and the clean-up of debris deposited downstream.

In this case, an emergency declaration is neither applicable nor appropriate. A declaration of this type would establish a precedent; there have been no emergency declarations under 501(b) in FEMA's history. Further, the assistance provided under the

major disaster declaration of January 19 covers response and clean-up activities required to remove the landfill debris from the Salt River. FEMA funded the emergency repairs for the landfill, as allowed under the Stafford Act, for pre-existing conditions.

CONCLUSIONS

- The landfill situation is a "predisaster" condition. It is the responsibility of the Indian Community to correct the problem. Further, it is the responsibility of the USACE, as agreed upon by EPA, to enforce correction of the problem.
- Supplemental Federal assistance "to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe has been provided to the full extent allowed under the Stafford Act under the major disaster declaration of January 19, 1993, (FEMA-977-DR).
- The situation does not warrant an emergency declaration.

RECOMMENDATION

That the Governor's appeal be denied.


James L. Witt
Director

Attachments:
Letter to the Governor
Congressional Representation
State Map
Governor's Request

SEP 21 1993

THE WHITE HOUSE

WASHINGTON

February 8, 1993

MEMORANDUM FOR RAHM EMANUEL, MARK GEARAN, ALEXIS HERMAN, BRUCE LINDSEY, MACK MCLARTY, REGINA MONTOYA, BERNARD NUSSBAUM, HOWARD PASTER, LEON PANETTA, and GEORGE STEPHANOPOULOS

FROM: CHRISTINE A. VARNEY and STEPHEN B. SILVERMAN

SUBJECT: Federal Emergency Management Agency ("FEMA")
Recommendation for Expanding the Definition of a
Disaster in Arizona to Include Tornado Damage

FEMA has forwarded to the Office of the Cabinet Secretary a recommendation that the incident type for a previous major disaster should be declared to include damage resulting from severe storms and tornados.

Arizona Recommendation for Declaration

Facts: On January 19, 1993, former President Bush declared a major disaster for the State of Arizona. Under this declaration, the affected counties were designated for Individual Assistance and Public Assistance. Since that declaration, FEMA has concluded that the damage to the state was of such severity and magnitude to warrant the expansion of the incident type. If the President declares that damage was also caused by tornados and severe storms, individuals who suffered damage due to these weather conditions will be eligible for aid.

Recommendation: FEMA recommends that the President declare that the incident type for the major disaster declared January 19, 1993 should include damage resulting from severe storms and tornados.

IF YOU DISAGREE WITH OR HAVE A COMMENT ON THE FEMA ARIZONA RECOMMENDATION, CONTACT CHRISTINE VARNEY AT EXT. 6280 IMMEDIATELY.

ARIZONA

THE WHITE HOUSE
WASHINGTON

February 8, 1993

MEMORANDUM FOR RAHM EMANUEL, MARK GEARAN, ALEXIS HERMAN,
REGINA MONTOYA and HOWARD PASTER

FROM: CHRISTINE A. VARNEY and STEPHEN B. SILVERMAN

SUBJECT: Federal Emergency Management Agency ("FEMA")
Recommendation Against Declaring An Emergency
In Arizona

FEMA has forwarded to the Office of the Cabinet Secretary a recommendation that an emergency not be declared by the President at the request of Governor Fife Symington of Arizona.

Arizona Recommendation Against the Declaration of an Emergency

Facts: Governor Symington has requested that the President declare an Emergency in Arizona as a result of flooding which caused erosion to a commercial landfill located on the Salt River Pima-Maricopa Indian Community. The debris has been deposited along the river for over 90 miles. Arizona argues that the federal government has responsibility for responding to the situation because part of the damage is on Indian lands. FEMA responds that this situation is not one of exclusive or preeminent federal responsibility. Moreover, FEMA argues that the funds available to Arizona as a result of former President Bush's declaration of a major disaster are sufficient relief from the federal government.

Recommendation: FEMA recommends that the President not declare a "Federal Emergency" in Arizona.

IF YOU DISAGREE WITH OR HAVE A COMMENT ON THE FEMA ARIZONA RECOMMENDATION, CONTACT CHRISTINE VARNEY AT EXT. 6280 IMMEDIATELY.

ARIZONA

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California

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WHITE HOUSE STAFFING MEMORANDUM

DATE: 04/06/93 ACTION/CONCURRENCE/COMMENT DUE BY: 10:00 A.M. 04/07

SUBJECT: SECRETARY RON BROWN MEMO RE CALIFORNIA SITUATION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	PASTER	☒	☐
McLARTY	☒	☐	RASCO	☒	☐
GEARAN	☐	☐	RUBIN	☒	☐
PANETTA	☒	☐	SEGAL	☐	☐
EMANUEL	☒	☐	STEPHANOPOULOS	☒	☐
GIBBONS	☐	☐	VARNEY	☐	☒
HALE	☐	☐	WATKINS	☐	☐
HERMAN	☒	☐	WILLIAMS	☒	☐
LAKE	☐	☐		☐	☐
LINDSEY	☐	☐		☐	☐
MONTOYA	☒	☐		☐	☐
NUSSBAUM	☐	☐		☐	☐

REMARKS:

The attached must be forwarded to the President in the morning in preparation for a 3:00 P.M. Meeting. If you wish to provide comments, please do so no later than 10:00 A.M. Thanks.

RESPONSE:

JOHN D. PODESTA
 Assistant to the President
 and Staff Secretary
 Ext. 2702

CPA

THE SECRETARY OF COMMERCE
WASHINGTON, DC. 20230

33 APR 6 PM 8:04

April 6, 1993

MEMORANDUM FOR THE PRESIDENT

Introduction

The perception that I have a propensity for taking on great challenges has been reinforced by your designation of me as the Administration's point man on California's economic revitalization efforts. In all seriousness, Mr. President, your decision to be proactive on the California economy is one that I fully support. This is indeed a new day for America led by an aggressive President and an activist administration. This memorandum contains the first in a series of periodic reports I will make to you regarding Administration efforts to address the specific economic problems of California.

My first task has been to gather information and assess the present California situation. As residents of a state where tomorrow has always been better than today, Californians now feel extremely vulnerable. The economy is in a tailspin. The state is unable to provide the necessary relief due to a significant budget deficit, financially strained school system, increasing law enforcement costs and the burden of damaging natural disasters. To gain further insight, I travelled to the state on March 26-27th. After a brief stop in San Francisco to deliver a speech to the

California Council on International Trade, I spent the bulk of my time in the Los Angeles area, meeting with elected officials, business leaders and community activists. Andrew Cuomo and staff from HUD and Commerce joined me in Los Angeles. As a result of this initial visit, I am convinced that with a well planned, coordinated, targeted effort we can make a difference in California in both the short and long term.

Background

As you know, there is a tremendous statewide need for federal assistance in defense conversion and job creation. These problems are especially difficult in the urban centers of the state such as Oakland and Los Angeles, which are struggling with the urban ills of declining schools, rising crime rates and escalating unemployment. In Los Angeles, the need for federal assistance is exacerbated by the totally inadequate response by government at all levels in the recovery effort from last April's disturbances. FEMA and SBA's performances were universally condemned. Moreover, the publicly stated federal response of \$1.3 billion is probably 5 times higher than the amount of new resources that actually reached the community.

There is, however, a fragile line we must walk in undertaking an expanded federal role in the recovery effort. I believe we can successfully balance the competing interests. We are in fact

needed. I was shocked that our presence actually served as a vehicle for convening local leaders whom heretofore had not communicated. With the exception of law enforcement, there seems to be no local plan of action. My judgement is that if we were to send \$100 million in Community Development Block Grant funds today, it would be distributed equally to all L.A. council districts without regard to need or impact. The local community must be forced to develop a comprehensive plan.

My hope is that our presence will facilitate this effort and a plan should be an absolute requirement for major federal assistance. There is a general disbelief about anyone's ability to make a difference. The cynicism is fueled by a dispute over what assistance has actually flowed into L.A. post-April 1992. The largest amount of funding was apparently from insurance settlements -- approximately \$700 million. Most of those who received insurance money, however, did not rebuild, but took the money and abandoned the area. There is also tension between the Maxine Waters organization "Community Build" and "Rebuild LA" (RLA) led by Peter Ueberroth. In my judgement, much of this tension is driven by Waters' personal dislike and mistrust of Ueberroth. Some of it is derived by the early efforts of RLA to do too many things, some of which were beyond their capabilities. This battle has prevented two large, powerful and important elements of a recovery -- community activists and business people -- from coming together sufficiently to rebuild the city.

There are also questions of competing priorities. We must be mindful of the need for large scale investment, business expansion and job creation which often comes from large corporations, and the need to encourage the development of small, medium sized and minority businesses. Maximizing community ownership is essential to long term recovery. We must also be cognizant of the significant ethnic tensions which exist within the mosaic of Los Angeles. I must gladly note, however, that racial and ethnic tensions are much less intense than one might expect. There appears to be improved communication between those of all ethnic groups. We must, of course, work to keep this positive element on track. We can not afford to repeat the mistakes of the past, which saw the public and private sector ineffective, uncoordinated and unable to balance the competing interests within the community.

Recommendations

At this point, the constructive role that the Administration can play in the California economic recovery is three-pronged -- 1) a Presidential Town Meeting in California in April, 2) leadership in assuring the development of a coordinated plan to rebuild L.A., and 3) identifying and marshalling resources of the federal government which can positively affect the lives of all Californians, including those most impacted by the prolonged recession and last year's devastation.

Presidential Town Meeting

A commitment by the Administration to provide leadership and focus on the economic struggles of California could be demonstrated by a Presidential Town Meeting in the state within the next month. The Town Meeting should be broadcast statewide. We could put together a representative and thoughtful audience. The message would be a positive one -- that the federal government is a partner in the economic recovery of the state and will act as a facilitator and coordinator for rebuilding efforts in Los Angeles. You could appeal to civic pride by emphasizing the strengths of a diverse society which is exemplified in California. In any event, a Town Meeting would allow you to show concern while managing expectations. I feel strongly that heavy personal presence by you beyond that recommended above is not wise.

Coordinated Plan to Rebuild L.A.

The federal government should take the leadership role in coordinating federal, state and local relief efforts, as well as facilitating discussion and cooperation among the various non-profit and for-profit entities. We should not, however, decide who should be the principal actors or what areas of the city need assistance. Therefore, at a minimum we must ensure that the local and state officials develop a comprehensive action plan which full integrates the business and community interests.

The L.A. community is obviously disturbed by the decline in quality of life for the average citizen. Guns are more plentiful than ever. Few businesses affected by the riots have rebuilt. Promised community development projects have been slow to materialize. A local political vacuum currently exists because of the retirement of Mayor Bradley and the impending mayoral election which will occur on April 20, 1993. The effects of the California recession and the pending base closings are both deeply felt in the inner city. There is an inadequate supply of capital for minority entrepreneurs to open new businesses, and large employers have failed to locate in the distressed areas.

A coordinated federal effort would address some of these concerns by:

- 1) challenging Los Angeles to develop a comprehensive plan which included business and community development. Such a plan would provide credibility to those involved in Congresswoman Waters' "Community Build" initiative and Peter Ueberroth's "Rebuild L.A." effort and help spur action. The two groups represent key constituents of a state and local recovery effort -- community groups and business leaders. The Rebuild L.A. effort has thus far been moderately successful in attracting capital from private sources and should continue to play a critical role in the revitalization.

2) encouraging private sector involvement in the recovery effort. Businesses are more likely to be created, to relocate and expand in areas where the citizenry and the public sector are cooperative. Moreover, it is far easier for us to call the business community to task when the federal, state and local governments are functioning in unison. Thus, we would hope to enhance job creation in distressed communities.

3) expediting the delivery of services and assistance to those most affected by the uprising. Currently, the interest of the victims is often neglected because of the lack of a clear and cogent process.

Identifying and Marshalling Resources

To accelerate a coordinated and effective federal response, I have established an interagency task force consisting of the White House, the NEC, the CEA, Commerce, HUD, Labor, HHS, Treasury, Agriculture, Transportation, Justice, Defense, Education, SBA, EX-IM bank, FEMA, and OMB. The task force, which will be managed on a daily basis by my Counsellor, Jim Hackney, and Andrew Cuomo, has met and agency representatives have been tasked with an initial assignment of surveying their department for existing programs that could be helpful in a comprehensive federal effort -- both short term and long term.

Additionally, the task force will address the immediate concerns of Los Angeles and the long term concerns of California through: 1) an emergency working group, 2) a community revitalization working group and 3) a long term economic growth working group.

The emergency working group will develop an immediate plan of action in the event of further disturbances that could erupt when verdicts are rendered in the Rodney King Beating Trial and the Reginald Denny Trial. I am in contact with the Attorney General in order to ensure coordination of all federal efforts. This group will ensure that there is a coordinated state, local and federal effort to immediately respond to the crisis.

A second working group -- focusing on community revitalization -- will examine what federal assistance can be redirected to Los Angeles from existing programs and devise methods to facilitate quick expedition of dedicated federal funds. Federal rules and regulations which currently work at cross-purposes would be reexamined by the group. In addition, federal monies in the pipeline for L.A. will hopefully be pushed through immediately. Community groups, corporate interests and small businesses have been exasperated at the inability to mobilize scarce federal resources to address local needs.

A third working group will examine methods to ensure long term economic growth in the state. This group will develop methods to

increase job creation, expedite defense conversion, expand minority business opportunities, enhance technology transfer and provide new trade opportunities in the state.

Next Visit

In addition to the efforts outlined above, I intend to return to California in the next several days to continue my initial assessment. The focus of this second trip will be on Oakland, the Silicon Valley, and areas of Northern California most impacted by some of the base closings. I will also make a second visit to the Los Angeles area for additional meetings with city and state leaders, business groups and community organizations.

We can and will make a difference.

A handwritten signature in black ink, appearing to be 'RHB' with a stylized flourish above it.

Ronald H. Brown

MEMO FROM C. VARNEY

②

① FEMA RECOMMENDS
DENYING COST SHARE
ADJUSTMENT FOR CA
② SEE REASONS OF
DENIAL NO. 1-4
③ REPLY TO 1/16/93

FEMA (DISASTERS)

THE WHITE HOUSE
WASHINGTON

February 16, 1993

FEB 16 1993

MEMORANDUM FOR RAHM EMANUEL, MARK GEARAN, ALEXIS HERMAN, REGINA
MONTROYA, and HOWARD PASTER

FROM: CHRISTINE A. VARNEY and STEPHEN B. SILVERMAN

SUBJECT: Denial of Cost Share Adjustment for California

Two weeks ago, the President declared California a major disaster pursuant to a request by Governor Wilson, thus making California eligible for Federal Individual Assistance and Public Assistance. California has also requested that it receive a cost share adjustment of the standard 75 percent federal and 25 percent state split in payments made for Public Assistance disaster relief.

The Federal Emergency Management Agency (FEMA) recommends that California's request for an adjustment be denied. Unless you have any comments, the request will be denied.

The California Request and FEMA Rationale

California based its request on its continuing economic recession and the compounded problems associated with winter storms.

FEMA reasons that federal assistance is intended to be supplemental to the efforts of state and local governments. FEMA will recommend that a cost share adjustment be made only in extreme cases, and only after a determination that a loan is not feasible. FEMA considers the severity and magnitude of the event as a basis for the declaration and not the pre-disaster economic condition of the State or affected areas. FEMA applies a minimum standard of \$ 64 per capita damage before considering a cost share adjustment. The per capita impact for California will be about five dollars in the present situation.

Conclusions

Cost sharing for the Public Assistance program should be retained at 75 percent Federal and 25 percent non-Federal.

Please let us know by Wednesday, February 17, 1993, noon, if you have any comments on this denial.

FEMA
RATIONALE

CALIF

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THE WHITE HOUSE

WASHINGTON

April 20, 1993

APR 20 1993

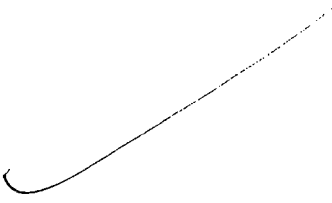
MEMORANDUM FOR MACK MCLARTY, RAHM EMANUEL, MARK GEARAN, ALEXIS HERMAN, BRUCE LINDSEY, REGINA MONTOYA, BERNARD NUSSBAUM, LEON PANETTA, HOWARD PASTER, AND GEORGE STEPHANOPOULOS

FROM: CHRISTINE A. VARNEY AND ^{SS}STEPHEN B. SILVERMAN

SUBJECT: Federal Emergency Management Agency Recommendation To Deny a Cost Share Adjustment for California.

Attached for your comment is a recommendation from the Federal Emergency Management Agency ("FEMA") that California's request for a cost share adjustment for two major disasters resulting from earthquake damage, one declared on October 18, 1989 in the Bay area of northern California, and a second declared on July 2, 1992 in the southern region of the state, be denied.

Please forward any comments to our office. If there are no objections, we will recommend to the President that California's requests be denied.





Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

CALIFORNIA

On October 18, 1989, former President George Bush declared a major disaster as a result of a 6.9 earthquake in the Bay area of the State of California. This declaration authorized assistance for affected individuals and local governments in the city and county of San Francisco and the counties of Alameda, Monterey, San Benito, San Mateo, Santa Clara, and Santa Cruz.

As a result of the impacts to the State and local governments, on November 6, 1992, Governor Pete Wilson submitted a request for an adjustment to the cost share arrangement for the Public Assistance program associated with the Loma Prieta earthquake (FEMA-845-DR).

On July 2 President Bush also declared a major disaster for California as a result of an earthquake in the southern region of the State. The President's declaration designated San Bernardino County. Riverside County was designated for assistance later the same day.

On October 16, 1992, Governor Wilson requested a waiver of cost sharing under the Public Assistance Program for the Landers/Big Bear earthquake (FEMA-947-DR).

INDIVIDUAL ASSISTANCE

Governor Wilson did not request an adjustment to the cost share ratio for the Individual and Family Grant (IFG) program. The Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act) contains no provisions for waiver of cost sharing for the IFG program. Concerning California's contribution of 25 percent, the law specifically states "*The Federal share of a grant under this section shall be paid only on condition that the remaining 25 percent of the cost is paid to an individual or family from funds made available by a State.*"

PUBLIC ASSISTANCE

Under Section 406 of the Stafford Act, contributions may be made to a State, local government, or private nonprofit organization for

the repair, restoration, reconstruction, or replacement of a facility which is damaged or destroyed by a major disaster. The Stafford Act establishes the Federal share of such contributions at not less than 75 percent, thereby implicitly allowing adjustments where warranted.

DISCUSSION

Loma Prieta Earthquake

In October of 1991, the Governor's Authorized Representative (GAR) for this disaster submitted a request for full 100 percent FEMA funding for eligible Public Assistance costs. The GAR also referred to criteria applied to cost share adjustments which had been authorized for other jurisdictions. By letter, FEMA provided clarification of the adjustments authorized and recommended information that should be included in requests for adjustments.

On November 6, 1992, Governor Wilson requested that funding for the Loma Prieta earthquake under the Public Assistance program be provided by the Federal government at 100 percent above the \$10 per capita level (eligible Stafford Act assistance). This represents all costs above \$297,600,210 (1990 U.S. Census population of 29,760,021 multiplied by \$10).

Governor Wilson cites the effects of the many disasters which have occurred since Loma Prieta, in addition to a depressed economy and tax revenue shortfalls as a basis for his request for cost share adjustment. Governor Wilson also notes that California established a special sales tax dedicated to disaster recovery. This tax produced revenue of \$776 million. The Governor notes that this financial resource in conjunction with funds from other resources, has proved inadequate to meet rebuilding requirements.

Landers/Big Bear Earthquake

The GAR also submitted the initial request (July 15, 1992) for a cost share adjustment under the FEMA-947-DR disaster declaration; however, necessary information was not included in the request. On October 16, 1992, Governor Wilson requested that the cost sharing requirement be eliminated and that the Federal government fully fund (100 percent) the Public Assistance program. The Public Assistance program is projected to cost approximately \$9.4 million.

The Governor again cites the fiscal crisis of the State and local governments and the unending sequence of disasters that have affected the State. During fiscal year 1992, California received six major disaster declarations.

General

California has received a number of disaster declarations as a result of a variety of incidents over the past three fiscal years. The declarations and the total estimated cost of the disaster

(Individual Assistance, Public Assistance, and Hazard Mitigation) are summarized below. Please note that the most significant financial impact occurred during the Loma Prieta earthquake declaration year.

FISCAL YEAR	DECLARED DISASTERS	REQUESTS DENIED	ESTIMATED DISASTER IMPACT
1990*	2	0	\$948,546,000
1991	1	0	\$20,467,000
1992**	6	0	\$513,714,000
1993 as of 03/08/93	1	0	\$154,508,000

*FEMA-845-DR, Loma Prieta earthquake declaration year.

**FEMA-947-DR, Landers/Big Bear earthquake declaration year.

Federal assistance as intended under the Stafford Act is supplemental to the efforts of the State and local governments. In order to maintain the principle of cost sharing to the extent possible, the Agency's practice has been to increase the Federal cost share above 75 percent only in extreme cases, and only after a determination that a loan is not feasible. In all instances where the cost share ratio has been adjusted, some measure of cost sharing is retained.

While there are as yet no regulations or other published guidance on the specific conditions which would warrant a cost share adjustment, FEMA has consistently based its recommendation for an adjustment on a high per capita damage cost impact, demonstrated cash outlays by the State for declared and non-declared disasters, health and safety impacts, and the State's ability to reprogram funds. In no instance have we based our decision on pre-disaster economic conditions in the State. The primary reason is that the law establishes, *severity and magnitude* of an event as the basis for providing disaster relief to a State. There are too many variables related to the State's economic condition, which may or may not have been under the control of the State.

In previous correspondence with California, FEMA requested that the State address the issues described above. This information was requested to provide FEMA with substantive information on which to base a recommendation. California has never responded to our requests for information regarding the applicability of loans, any program delivery implications if an adjustment is not authorized, and the State's ability to reprogram funds to meet program requirements.

California has consistently based its requests for cost share adjustments on the State's fiscal capability. In no instance has

the current financial posture of the State been a criterion for FEMA's recommendation. FEMA has attempted to equitably apply the criteria described to all requests for cost share adjustments. Another factor consistently used is the quantification of capability based on the per capita impact of the disaster. Waivers have been granted for only 13 disasters over the past eight years. A recent analysis of the instances in which waivers have been granted shows that the least severe disaster event in which the Federal share has been increased has a per capita cost of \$58. The cost per capita of all other waivers granted exceeded \$58 and in the majority of instances was substantially higher. Many other States have accepted the realities of cost sharing at similar per capita costs that California is seeking relief from.

The cost projections and per capita impacts for each of California's disaster declarations since Loma Prieta are shown below.

STATE & DISASTER NO.	YEAR DECLARED	POPULATION	ESTIMATED TOTAL DISASTER COSTS	IMPACT PER CAPITA
CA DR-845	1990	29,760,021	\$938,906,000	\$32
CA DR-872	1990	29,760,021	\$9,641,000	\$0
CA DR-894	1991	29,760,021	\$20,467,000	\$1
CA DR-919	1992	29,760,021	\$75,851,000	\$3
CA DR-935	1992	29,760,021	\$89,642,000	\$3
CA DR-942	1992	29,760,021	\$267,590,000	\$9
CA DR-943	1992	29,760,021	\$19,469,000	\$1
CA DR-947	1992	29,760,021	\$28,217,000	\$1
CA DR-958	1992	29,760,021	\$32,944,000	\$1
CA DR-979	1993	29,760,021	\$154,508,000	\$5
CA CCMB.	1990 THROUGH 1993	29,760,021	\$1,637,235,000	\$55

In each case where cost share adjustments have been authorized, the waiver involved a single event in a single fiscal year. By comparison, the total per capita impact of the two disasters for which the Governor has requested a cost share adjustment is only

\$33 spread over three fiscal years. It becomes clear that these disasters fall short of previous adjustments if the per capita cost is used as one measure of the event.

CONCLUSIONS

- Cost sharing for the Public Assistance program should be retained at 75 percent Federal - 25 percent non-Federal for both the Loma Prieta earthquake (FEMA-845-DR) and for the Landers/Big Bear earthquake (FEMA-947-DR).

RECOMMENDATION

That the Governor's requests for cost share adjustments be denied.



William C. Tidball
Acting Director

Date: 3/22/93

Attachments:
Letter to the Governor
Congressional Representation
State Map
Governor's Request

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THE WHITE HOUSE
WASHINGTON

October 27, 1993

MEMORANDUM FOR MACK MCLARTY
LEON PANETTA
JOAN BAGGETT
PAUL CAREY
BARBARA CHOW
CHRISTOPHER EDLEY
RAHM EMANUEL
MARK GEARAN
MARCIA HALE
ALEXIS HERMAN
BRUCE LINDSEY
KEITH MASON
KATHY MCKIERNAN
LORRAINE MILLER
DEE DEE MYERS
ROY NEEL
STEPHEN NEUWIRTH
BERNARD NUSSBAUM
HOWARD PASTER
JOHN PODESTA
GEORGE STEPHANOPOULOS

001 2 1 1000

FROM: CHRISTINE A. VARNEY AND STEPHEN B. SILVERMAN *CV* *SB*
SUBJECT: FEDERAL EMERGENCY MANAGEMENT AGENCY RECOMMENDATION
TO **DENY** THE REQUEST FOR A COST SHARE ADJUSTMENT
FOR FLORIDA

Attached for your comment is a recommendation from the Federal Emergency Management Agency (FEMA) to **deny** Florida's request for a cost share adjustment for a major disaster declared on March 13, 1993 as a result of a severe storm system.

Please forward any comments to our office. If there are no objections, Florida's request for a cost share adjustment will be denied.

Attachment



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

FLORIDA

On March 12-13, 1993, a severe storm system, producing tornadoes, flooding, high tides, and high wind, caused extensive damage throughout 21 counties in the State of Florida. Reports indicate that as many as 50 tornadoes touched down during the storm.

On March 13 you authorized a major disaster declaration which provided both Individual Assistance and Public Assistance programs. Thirty-eight (38) counties were designated under this declaration. On May 4 Governor Lawton Chiles requested an adjustment to the cost share for FEMA-982-DR.

INDIVIDUAL ASSISTANCE

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act) contains no provisions for waiver of cost sharing for the Individual and Family Grant (IFG) Program. Concerning Florida's contribution of 25 percent, the law specifically states "The Federal share of a grant under this section shall be paid only on condition that the remaining 25 percent of the cost is paid to an individual or family from funds made available by a State."

PUBLIC ASSISTANCE

Under Section 406 of the Stafford Act, contributions may be made to a State, local government, or private nonprofit organization for the repair, restoration, reconstruction, or replacement of a facility which is damaged or destroyed by a major disaster. The Stafford Act establishes the Federal share of such contributions at not less than 75 percent, thereby implicitly allowing adjustments where warranted.

DISCUSSION

Governor Chiles specifically requested 100 percent Federal funding under Sections 403, 406, and 407 of the Stafford Act. He bases his request on the impact of this and three other Federally declared disasters during a nine month period. The four events referred to are:

Disaster Number	Declaration Date	Incident Type	Programs Authorized
FEMA-952-DR	08/14/92	Severe storms and flooding	PA Only
FEMA-955-DR*	08/24/92	Hurricane Andrew	IA/PA
FEMA-966-DR	10/08/92	Severe storms and tornadoes	IA/PA
FEMA-982-DR**	03/13/93	Tornadoes, flooding, high winds and tides, freezing	IA/PA
PROGRAMS: PA = Public Assistance IA = Individual Assistance *Cost share adjustment was authorized on September 1, 1992, by former President George Bush for the Public Assistance program. Cost share is calculated as follows: 75/25 to the first \$10 per capita (based on a population of 12.958 million) then, 100 percent Federally funded. **Cost share adjustment requested.			

The FEMA-982-DR declaration resulted from the eastern storm of March 12-14. This event generated severe weather conditions along the entire eastern and southeastern coast. Emergency declarations were made in 18 States (including the District of Columbia) to provide emergency snow removal assistance in the areas impacted. The State of Florida is the only State that received a major disaster declaration as a result of this storm system.

Governor Chiles refers to the *compelling economic effect* of this disaster following the previous events. Hurricane Andrew, the most significant of the three previous disasters, did receive an adjustment to the Public Assistance cost share ratio. Under the cost share adjustment authorized, the State's financial responsibility is limited to approximately \$32 million. This is calculated by using the following formula: ((State Population x \$10) x 25%).

In the past, cost share adjustments have only been authorized when the quantification of capability, based on the per capita impact of the disaster, reached \$64. Under this criterion, only 14 disasters have received adjustments in the past eight years. More recently, adjustments were authorized for the nine midwest flood States. In this instance, it was determined that the massive regional impact of the disasters were of significant consequence to the national economy. These adjustments were based on the combined impact of each State against the country's gross domestic product (GDP). The threshold was established at .1 percent of GDP.

Cost projections for each of Florida's declarations are shown below.

Disaster Number	Total Projected Cost (Federal & Non-Federal)	Per Capita Impact	Projected Non-Federal Share for Public Assistance
FEMA-952-DR	\$8.148 million	\$1	\$2.016 million
FEMA-955-DR	\$1.994 billion	\$154	\$32.4 million
FEMA-966-DR	\$7.384 million	\$1	\$1.059 million
FEMA-982-DR	\$85.707 million	\$7	\$8.25 million
TOTAL PROJECTED NON-FEDERAL COMMITMENT			\$43.725 million

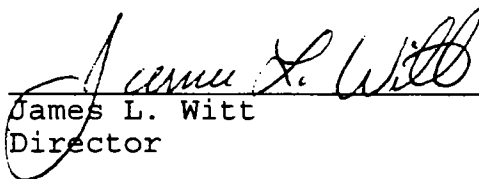
While placing a financial burden on the State, this disaster does not meet either of the established criteria for cost share adjustment.

CONCLUSIONS

- Cost sharing for the Public Assistance program should be retained at 75 percent Federal - 25 percent non-Federal for FEMA-982-DR.

RECOMMENDATION

That the Governor's request for a cost share adjustment be denied.


James L. Witt
Director

Date: OCT 26 1993

Attachments:
Letter to the Governor
Congressional Representation
State Map
Governor's Request

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GUAM

Divider Title: _____

12/cc

Document No. 007422ss

WHITE HOUSE STAFFING MEMORANDUM

MAR 16 1993

DATE: 3/16/93

ACTION/CONCURRENCE/COMMENT DUE BY:

SUBJECT: APPOINTMENT OF A SPECIAL REPRESENTATIVE FOR PURPOSES OF POLITICAL STATUS CONSULTATIONS WITH GUAM

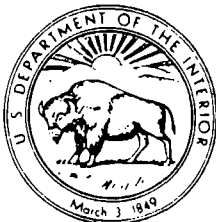
	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☐	☐	PASTER	☐	☒
McLARTY	☐	☐	RASCO	☐	☐
GEARAN	☐	☐	RUBIN	☐	☐
PANETTA	☐	☐	SEGAL	☐	☐
EMANUEL	☐	☐	STEPHANOPOULOS	☐	☐
GIBBONS	☐	☐	VARNEY	☐	☐
HALE	☐	☐	WATKINS	☐	☐
HERMAN	☐	☒	WILLIAMS	☐	☐
LAKE	☐	☒		☐	☐
LINDSEY	☒	☐		☐	☐
MONTOYA	☐	☐		☐	☐
NUSSBAUM	☐	☐		☐	☐

REMARKS:

RESPONSE:

JOHN D. PODESTA
Assistant to the President
and Staff Secretary
Ext. 2702

6/1/93



THE SECRETARY OF THE INTERIOR
WASHINGTON

93 MAR 16 09:36

March 15, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: SECRETARY OF THE INTERIOR

SUBJECT: APPOINTMENT OF A SPECIAL REPRESENTATIVE FOR PURPOSES
OF POLITICAL STATUS CONSULTATIONS WITH GUAM

- I. **ACTION-FORCING EVENT:** The U.S. territory of Guam is seeking enhanced political status as a U.S. Commonwealth. A Special Representative appointed by the President would be useful in facilitating progress on the political status discussions with the relevant Guam leaders. I have already conveyed my support for the appointment of a Special Representative to Governor Ada of Guam and to the Guam Commission on Self-Determination. Further, such an appointment can serve as a vehicle for ensuring the continued political support of the people of Guam. The appointment will send a much needed message to Guam and interested Congressional leaders that this Administration is committed to improving the Federal relationship with the island and to supporting greater self-government.
- II. **BACKGROUND/ANALYSIS:** In 1988, the Delegate from the U.S. territory of Guam introduced a draft bill (H.R. 98) to change Guam's political status to a U.S. Commonwealth. The bill had been drafted in Guam and approved by popular referendum. In response to Congressional requests for the Administration's views on H.R. 98, a Federal Task Force was established to review the bill and to discuss compromise language with Guam leaders to minimize the differences between what Guam had proposed and what the Federal Government could reasonably support. The Task Force-Guam discussions have resolved many areas of dispute with respect to the proposed bill but the discussions have reached an impasse over several issues which raise major constitutional and policy questions. See exhibit A for the history on Guam's request for Commonwealth status and the major issues raised by the proposed legislation.
- III. **RECOMMENDATION:** I strongly recommend that the White House appoint a Special Representative of the President who, in coordination with policy-level representatives of pertinent Federal departments and agencies, would be responsible for reviewing the draft Guam Commonwealth Bill, previous Federal Task Force Reports on the measure, and other relevant materials. The goal would be to develop an Administration

position on the political status question and to make further recommendations to Congress on the Guam legislation. The function and role of the Special Representative are discussed in exhibit A, attached hereto.

Finally, I recommend the appointment of Michael Heyman as the Special Representative. He is currently the Selvin Professor of Law and Professor of City Planning for the University of California at Berkeley. Heyman has previously provided consulting services to several insular areas on governmental matters, and his legal background and managerial experience will be a tremendous asset in the discussions on Guam's political status. A copy of his resume is attached hereto as exhibit B.

IV. DECISION:

☐ Approve ☐ Approve as amended ☐ Reject
☐ No action

EXHIBIT A

BACKGROUND ON GUAM COMMONWEALTH

Guam currently is an unincorporated territory of the United States. In 1982, the people of Guam voted overwhelmingly (73 percent) for a Commonwealth status with the United States. Guam leaders generally defined that status at the time "as a closer relationship to the United States." Statehood received the second highest number of votes (27 percent). In response to the territory's desire for Commonwealth, the Guam Commission on Self-Determination drafted a proposed bill for submission to the U.S. Congress to implement that status. Against the recommendations of Congressional leaders, Guam included in the draft bill several provisions which U.S. leaders had stated they could not support. The bill was formally introduced in Congress in 1988 and reintroduced in 1989 and 1991.

A Federal Task Force, representing 23 Federal departments and agencies, has been engaged in discussions with the Guam Commission on the draft bill for the past five years. Congressional leaders asked that Federal interagency group "to narrow the gap" between the bill's provisions and what the Federal Government could realistically be expected to support. Congressional leaders share many of the concerns and objections expressed by the Task Force in two reports on the legislation which were sent to the Congress in 1989 and 1993.

Those reports supported the concept of a Commonwealth status for Guam and endorsed a number of provisions in the bill. The Task Force and Guam officials had reached compromise agreements on revised versions of many provisions. However, the previous Federal Task Force objected to key provisions, some on the basis that they are unconstitutional or inconsistent with U.S. sovereignty. Moreover, the Office of Management and Budget, under the previous Administration, directed the Task Force to withhold comment in the 1993 report on topics already agreed to by Federal and Guam officials.

MAJOR ISSUES IN GUAM COMMONWEALTH BILL

The major provisions in the proposed bill that must be examined are as follows:

Section 102(f) - Chamorro Land Trust: Guam's desire for a Land Trust that would be for the sole benefit of the Chamorro people was supported by the first report but opposed by the second. A review might regain the original position.

Section 102(g) - Residency for Voting: Guam desires language that would require up to three years residency to qualify for voting. The Task Force believes that durational residency clauses, as opposed to bona fide residence requirements, raise serious

constitutional questions. A review might produce a compromise.

Section 103 - Mutual Consent on the Commonwealth Act: Guam's desire that there be no amendment to any part of the Act without Guam's consent presents a major concern. Some accommodation - mutual consent on a few fundamental provisions, as enunciated in the 1989 Report, - may be possible through a further review.

Section 202 - Mutual Consent on Federal Laws: Guam's desire for mutual consent (a veto) on Federal laws and regulations made applicable to Guam under Commonwealth is inconsistent with U.S. sovereignty, law, and policy. A "fast-track" review process to address this problem may be possible. The first Task Force report supported such a mechanism, but OMB directed the Task Force not to comment on this topic in the 1993 report.

Section 203 - Joint Consultative Group: The first Task Force report supported such a group as a mechanism for conducting regular discussions with Guam under Commonwealth on problems in on-going relations. OMB directed the Task Force to withhold comment on this subject in the 1993 report.

Section 702 - Immigration: Guam desires a Guest Worker program to provide alien laborers, but wants to prevent them from acquiring naturalization rights and citizenship on Guam in order to ensure that the local population will not be politically overwhelmed by new immigrants. A Task Force agreement with Guam to address this was blocked by the Labor Department in the 1993 report, which withheld comment on the topic. A review might regain the original position.

Section 1102 - Federal Programs and Supplemental Security Income (SSI): The Task Force opposed these issues but pointed out that the only valid reason why SSI could not be extended to Guam was the new "Pay-As-You-Go" requirement of the Budget Reconciliation Act. OMB directed the Task Force to withhold comment on this section in the 1993 report.

Other outstanding issues are probably not resolvable and should not be opened to renegotiation because they involve the integrity of U.S. sovereignty and the application of provisions of the U.S. Constitution and other Federal laws to Guam. These include:

Section 101(b) - Full Self-Government: Guam's concept of "full self-government" is equivalent to an internal sovereignty inconsistent with U.S. sovereignty and law. Guam's concept envisions the local government having complete and exclusive authority for all matters that could be handled by the local government, i.e., everything except foreign affairs and defense. Local self-government in the United States must conform with the Constitution and applicable Federal law. Therefore, local self-government is limited, not full.

Section 102(a) - Chamorro Only Vote on Self-Determination: The

indigenous Chamorro people of Guam account for approximately 43 percent of the island's 133,000 population. A Chamorro-only self-determination vote denies other non-Chamorro U.S. citizens on Guam fundamental constitutional protections.

Section 303 - International Activities: Guam's desire for carte blanche authority for Guam to enter treaties in its own name with sovereign states and join international groups is inconsistent with U.S. sovereignty and foreign affairs.

Section 1001 - Exclusive Economic Zone (EEZ): Guam's desire for ownership of the U.S. Exclusive Economic Zone around the island is inconsistent with U.S. sovereignty and law.

FUNCTION AND ROLE OF A SPECIAL REPRESENTATIVE OF THE PRESIDENT

The Guam Commission on Self-Determination, in a February 8, 1993 meeting with me, expressed great disappointment with the recent Task Force report and asked for my support of a Presidential appointee to lead a Federal team in another round of talks with the Guam Commission. Guam Governor Joseph F. Ada, who is Chairman of the Commission, believes this appointment will provide the Federal team with the higher policy-level influence necessary to define a position more responsive to Guam's objectives. I understand the Governor also has written to the President requesting such an appointment and has met with White House officials to reiterate the request. Given the complexity of the coordination process within the Executive Branch and the uniqueness of the insular territories in our Federal system, I believe a Presidential appointment would help to restore the confidence of Guam leaders in the discussions and expedite the development of this Administration's position on the bill and the forwarding of those views to the Congress.

In making the appointment, the role and function of the President's Special representative need to be clearly explained to Guam leaders and the public. At the outset, it should be made clear to Guam that the Presidential appointment in no way implies an endorsement of the Guam Commonwealth Bill as drafted. Parameters for the consultation process need to be set. These parameters should include limiting the number of issues to be examined and setting a timeframe in which to complete the consultations and report to Congress. Because these discussions already have taken five years, and the process on Guam is more than a decade old, it is important that the new round of talks be completed expeditiously and that a report be sent to Congress. Six months to a year should be the Special Representative's target timeframe.

The President's Special Representative should consult regularly with and work closely with the Assistant Secretary of the Office of Territorial and International Affairs and with representatives of other federal agencies and departments. The Special Representative also should regularly consult with Congressional committees regarding topics and issues discussed. Congressional

representatives should be invited to attend negotiating sessions.

In addition to completing the primary task of reviewing and commenting on the proposed bill, the President's Representative should also have the authority to discuss with Guam and Congressional leaders the possibility of another referendum on Guam with Free Association and Commonwealth on the ballot. Members of the Guam Commission and Guam indigenous rights group leaders have stated to Federal officials and the public that they prefer Free Association. Moreover, numerous Executive Branch and Congressional reviewers of the Guam bill have stated that many of the key concepts of the bill are closer to Free Association or independence than to a commonwealth under United States sovereignty. It should be noted that the overwhelming majority of Guam residents appear to support a political status that retains U.S. citizenship. If another referendum is pursued, Federal parameters for each status option should be clearly outlined and a public education campaign conducted so that voters clearly understand the differences between the status options.

The expeditious appointment of a Special Representative of the President for these discussions with Guam will clearly demonstrate this Administration's commitment to improving Federal relations with the insular areas.

IRA MICHAEL HEYMAN

Born: May 30, 1930, New York City

Married: Therese Thau; children: James

Education: AB in Government, Dartmouth College, 1951
JD, Yale Law School, 1956 (Editor, Yale Law Journal)

Military: 1st Lt., 1951-53; Capt. in Reserve, 1953-58, United States Marine Corps

Professional Record:

Selvin Professor of Law and Professor of City Planning, U.C. Berkeley (1990 -)

Chancellor, U.C. Berkeley (1980-90)

The Vice Chancellor, U.C. Berkeley (1974-80)

Visiting Professor of Law, Stanford Law School (1971-72)

Professor of Law and City and Regional Planning, U.C. Berkeley (1966-)

Visiting Professor of Law, Yale Law School (1963-64)

Professor of Law, U.C. Berkeley (1961-)

Member, State Bar of California (1961-)

Acting Associate Professor of Law, U.C. Berkeley (1959-61)

Chief Law Clerk, Chief Justice Earl Warren, U.S. Supreme Court (1958-59)

Law Clerk, Chief Justice Charles E. Clark, Court of Appeals for the Second Circuit, New Haven, CT (1957-58)

Professional Record: (continued)

Associate, Carter, Ledyard and Milburn, New York City
(1956-57)

Member, State Bar of New York (1956-)

Legislative Assistant, Senator Irving M. Ives, Washington, D.C.
(1950-51)

Memberships:

Regent, Smithsonian Institution (1990-)

Member, Presidio Council (1990-)

Member, NASULGC Corps of Counsellors on Governance (June
1990-)

Member, 1990-91 East Bay Executive Advisory Committee for the
United Negro College Fund (1990-)

Chairman, Bay Vision 2020 Commission (1989-)

Division I Subcommittee Chairman, National Collegiate Athletic
Association Presidents Commission (1986-88)

Chair, Executive Committee, National Association of State
Universities and Land-Grant Colleges (1986)

Board of Directors, American Council on Education (1984-85)

Board of Directors, Pacific Gas and Electric Company (1985-)

Board of Trustees, Dartmouth College (1982-)

Chair, Board of Trustees, Dartmouth College (1991-)

Board of Trustees, Lawyers' Committee for Civil Rights under
Law (1977-)

Counsel, Task Force on Demonstrations and Protest, President's
Commission on Violence (1968-69)

Memberships: (continued)

Chairman, City of Berkeley Human Relations & Welfare Commission (1966-68)

Chairman, Academic Senate Policy Committee, U.C. Berkeley (1965-67); State-wide U.C. Academic Assembly (1964-66, 1972-73)

Secretary, California Advisory Committee, U.S. Commission on Civil Rights (1962-67)

Consultantships:

Virgin Islands Planning Office. Drafted ordinances and basic legal documents for Coastal Zone Management Program. (1975-76)

Government of American Samoa. Advised on formulation of General Plan, drafted implementation plan. (1973-74)

County of Kauai, Hawaii. Drafted comprehensive zoning and subdivision ordinances. (1972-73)

University of Hawaii. Advised on creation of law school. (1971-72)

Tahoe Regional Planning Agency. Advised on formulation of General Plan and drafted initial ordinances. (1970-75)

San Francisco Bay Conservation and Development Commission. Advised on use of regulatory power to implement the BCDC plan. (1968-70)

Public Land Law Review Commission. Analyzed and evaluated the land planning systems of the Bureau of Land Management, the Forest Service, and the National Park Service. (1967-1969)

Department of Health, Education and Welfare. Prepared report on race and education in Berkeley. (1964-65)

Publications:

Numerous journal articles, papers, and legal documents in the areas of civil rights; constitutional law; land planning; metropolitan government; housing; environmental law and management; public land law, and affirmative action.

Honorary Degrees:

May 20, 1990 Doctor of Humane Letters, the State University of New York, Dec 23, 1986 Doctor of Laws, The University of Maryland

May 14, 1984 Doctor of Humane Letters, honoris causa, The Hebrew Union College -- Jewish Institute of Religion, May 22, 1981, Doctor of Laws, University of the Pacific

Honors:

Nov 30, 1989 The Koret Israel Prize

June 22, 1985 Chevalier de la Legion d'Honneur, The French Government

November 1992

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Georgia

Divider Title: _____

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

July 27, 1993

REMARKS BY THE PRESIDENT
IN INTERVIEWS WITH GEORGIA MEDIA

South Lawn

3:59 P.M. EDT

THE PRESIDENT: Well, first of all, I want to thank you for coming. Welcome. As you probably know, we've been doing a whole series of these press conferences, both when I'm out and when I'm here and also some of it electronically, but as much in person-to-person as possible. And I would like to give as much time as possible to answer your questions.

But I think I should begin with a story that Charles Stenholm told this morning. He's the chairman of the Conservative Caucus in the House who, by the way, thinks we should make some changes in the program during the conference. But he acknowledged today that -- he said every time someone calls me criticizing this program, they've normally had their heads filled full of misinformation by people who are criticizing them without telling everything. And every time I talk somebody through it, they wind up thinking it's not so bad.

Last night Leon Panetta went to a Maryland district that's fairly representative of the United States with Congressman Cardin and went through the whole program. And afterward the Congressman asked the people if -- do you want me to vote for this or do you want me to delay it 60 days more or just let it to go to pieces and see what happens? And three-to-one they wanted him to support it.

Then The Wall Street Journal last week finally began something that has not happened up here -- this is not your issue, but ours in Washington -- they actually went around and started asking people who said they were with small business groups opposed to this plan if they knew what was in it, and it turned out they didn't. And over 90 percent of the small businesses in America will actually be eligible for a tax reduction under this program, because they have no tax increase on the income taxes, and we doubled the expensing provisions for small businesses.

So the program -- I just want to emphasize again -- is the only program presented that provides \$500 billion of deficit reduction, an equal balance between spending cuts and tax increases. For every \$5 in spending cuts, there are \$5 in tax increases; \$4 of those come from people with incomes in the upper five percent of the income brackets; \$1 comes from the middle class. Working families with incomes of under \$30,000 -- and there are a bunch of them in Georgia -- are held harmless in this program. An average family of four with an income of \$50,000 -- we're looking at a ceiling of about \$50 a year, which is less than a buck a month to get the deficit down and provide some of the economic incentives to grow some jobs, which I think is very, very important. So I think it's a balanced plan, I think it's a fair plan. And if you look at the alternative that was presented in the Senate, it's the only serious plan so far that's been up that really has big deficit reduction in a fair way.

Questions? Go ahead.

MORE

Q When you -- as you're meeting with us, obviously, this is directed at trying to -- some of this is directed at reaching our congressional delegation as well. We had conservative Democrats in the House, and obviously Senator Nunn in the Senate, who had voted against the plan. How are you approaching our delegation? What -- are you meeting with them personally? How are you lobbying them? Are you disappointed that you haven't had them with you? And do you think you can turn them around?

THE PRESIDENT: First of all, we got a good number of votes from Georgia for which I am very grateful. But let me tell you how I'm doing it generally. I'm meeting -- I'm trying to meet with the House members in the big caucuses first -- the Conservative Caucus; the Mainstream Forum, which is sort of the DLC group; the Black Caucus; the Hispanic Caucus; the Women's Caucus. I've met with all of them except I'm meeting with the Mainstream Forum tonight. And then talking to individual members about individual concerns.

In the Senate we pretty well know the 10 or 15 senators that could go either way and what the issues are for them, and so I'm trying to talk to each of them individually about their concerns. I met with four senators over the weekend, and I have talked to a number of others over the phone.

With regard to -- if you just take -- there are -- the concerns basically are twofold. They break down into two broad categories. Some are just worried about a political reaction. And many of them have said to me, look, if our constituents knew what was in this we know they would support it.

This is the only political issue in my lifetime where people have known less about it as it's gone on -- that is, known less about the issue as time has gone on. That is -- the night I gave the State of the Union Address when there was a great deal of support for this was really the time when people had the largest number of facts. And then all the groups that ginned up opposition to it -- it's like this spokesperson for a small business group last week ran a car washing service -- turned out she got a tax reduction, not a tax increase out of this plan and she didn't know it and they'd -- the people that had gotten her to stand up and speak against something she didn't know what was in.

So, we've -- so for those folks we have really got work on just getting -- making sure that they understand that we now have an aggressive effort to get the evidence out -- that this is fair, progressive, real deficit reduction and real job creation. It's going to keep interest rates down and get jobs up. I mean, that's just a -- that's reality, and I think that's important.

To the second argument is, that the country wants us to make a decision and go on about other things. They don't want us to fool around for 60 more days without a budget. They want us to make a decision and then deal with health care, the crime bill, the welfare reform bill, all the other issues out there facing us.

Now, there's another group of people who basically didn't like either the bill that passed the Senate or the bill that passed the House but are more than prepared to take the political heat associated with serious deficit reduction if they can get a bill that they agree with. Senator Nunn, for example, told me that there were basically two big issues for him. And he told me that he might have reluctantly voted for the House bill because the House bill addressed one issue, which is that we need some more incentives in the tax code for people to invest their money in job-creating activities. That is -- and in the House, you know, we had incentives for new and small business capital gains tax. You invest your money in a business capitalized at \$15 million a year less, if you hold it for five years, you cut your tax rate in half on the gain.

We created -- by raising personal income tax rates, we created a significant incentives to halve capital gains generally by investing in new businesses. We had some new incentives for new plant and equipment. We had new incentives to revive real estate and home building. We had incentives to do more research and development.

When the Senate passed it's bill to move from the Btu tax down to the fuel tax at 4.3 percent, one of the ways they did it was just to eliminate all that stuff, as well as the empowerment zones to try to get free enterprise into the depressed urban and rural areas. They cut that way, way back, so -- no, they eliminated it in the Senate bill.

So, I believe that that concern will be addressed in the conference report. That is, I think the final bill will, through a combination of other spending cuts and maybe some just minor modifications to the revenue package, put a lot of those job incentives back in there.

The other issue that Senator Nunn raises is one with which I am very sympathetic but one that I am absolutely convinced we cannot deal with right now but that we have to deal with. And that is that there needs to be some limits, some discipline on the growth of entitlement spending. Let me just give you an example. The budget that was passed last year under -- before I became President had an estimated 12 percent a year increase in health care costs -- Medicare and Medicaid -- 12 percent a year. Now, the rolls were growing some, but most of it was just inflation -- paying more for the same health care.

We cut that back to 9 percent a year and saved \$55 billion or so dollars off the previous budget -- a big shave. But still, if you look at this budget now, you've got defense going down, many domestic programs going down, and an overall freeze on domestic spending. That is, for every -- all the increases we have in Head Start and worker training and new technologies and defense conversions, we have offsetting decreases in something else. And the only thing that's really increasing in this budget are the retirement programs, Social Security cost of living increases, which are at least covered by the Social Security tax, and other cost of living increases on retirement programs, and health care. That's what's going up.

So Senator Nunn and others believe -- and I do -- that you have to find a way to control health care costs. Otherwise, you're going to give the whole budget over to health care. You wind up cutting defense too much, and you don't have enough money left to spend where you ought to spend it, which is in revitalizing this economy.

The problem is that if you do -- if you put a cap on health care costs in this budget without reforming health care, which is the next big issue I want Congress to take up, if you did that, then all that would happen is you'd impose a hidden tax on every American with health insurance. Because what happens is if you just quit paying doctors and hospitals at the federal level, then they just send a bill to your employers and to you if you pay part of your health insurance.

And so I think -- and that's why I don't think we can pass this cap now. I think we can pass the controls on health care costs by the government if we reform health care. So, anyway, that's a long answer. But you're interested in the Georgia politicians. I'm dealing with the political concerns and the substantive concerns as they come up.

Q Can I follow up? Why could you not convince Nunn of that, given the fact that here's a guy who supported you in the campaign and sold you, in effect, to Georgia voters in campaign ads. And it would seem like, this being as important to you as it is, that you would be able to persuade him to accept the logic of that and wait for health care reform down the road.

THE PRESIDENT: I'm not sure he won't. I mean, he had -- he told me clearly that he found that he thought the Senate was wrong to take out all the job incentives. And, of course, I did, too. But my argument to him was don't let the thing get defeated. Let's send it to Congress and see if we can put them back in. But, you know, he and Senator Domenici worked for years on this program of strength in America. I think he's got a lot vested in it. He's got some very strong convictions about it. But all of us, including the President, in order to get anything done in a tough time, we've got to be willing to compromise some. And I hope we will get his support at the end.

But I just wanted to tell you what I think the roots of it are. I think they're -- and that I'm very sympathetic with a lot of what he was saying. And I think in the end we'll get where he wants to go.

Let me just mention one other thing I have to tell you. If you get the budget out of the way, and you start health care reform, which is the only way to ever get the deficit down to zero, by the way. I'm not satisfied with going down to \$200 billion a year and then going back up again in five years. We've got to do something about health care to move it to zero.

Then the other big issue that's coming up this fall that I think is terribly important is the Vice President's report on reinventing the government. That's been a big issue that Senator Nunn and I worked on through the Democratic Leadership Council. He is going to offer some very controversial, but very important suggestions to cut the overhead costs of the federal government and make it more efficient, make it more user-friendly to the taxpayers, and free up some money which can itself be used to reduce the deficit or to invest in our future. So all these things have to be seen together.

And the argument I have to make to Senator Nunn -- and I'm trying to make to some others, and a lot of the moderate Republicans who basically think they ought to support me if they could get out from under the partisan deal -- is that you cannot solve every problem with the federal budget with this act. We cannot solve all the problems. But if you put the budget and economic program with the Gore reinventing government initiatives, with health care reform, you can bring this deficit down to zero and you can really revitalize the economy and you can do it in a way that's fair to all the American people. But you can't do it in one bill. And I guess that's the -- a lot of the people who are holding out are saying, well, we want it to be perfect. Well, it can't be perfect. It's just got to be a big advance. It's given us the dramatically lower interest rates, and it's a good thing.

Q Can you tell us a little about your relationship to Senator Nunn. I'm belaboring the point a little bit, but we have watched this over the last six months. How often do you talk with him? How is your personal relationship, despite all of the thing with gays in the military --

THE PRESIDENT: Probably -- I don't know -- anyway, often. I talk to him often on the phone. And I see him with some frequency, and I hope to see him again pretty soon to discuss this. But I've -- you know, it's not unusual for me every week a time or two to pick up the phone and call him on something.

Q Are you frustrated with him?

THE PRESIDENT: No. No, I mean, I think -- you know, I don't agree with the decision he made on the budget bill. But I agree with the reasons he had for not liking the way it came out. I didn't like the way it came out. But I wanted -- I think we should have kicked it into the conference -- the Senate did the right thing -- so we could keep the process going. Because the Republicans have not offered any credible alternatives, so there's no basis for us to build a bipartisan coalition. I hope we never have another bill without a bipartisan coalition, because I'm not comfortable with that. But in general I think it's going pretty well. I mean, the other issues -- you know, he never made any pretense. He just -- he never agreed with me on the gays in the military issue. He made it clear in the campaign. He made it clear in the transition. He made it clear after the election. And we wound up -- he wound up in a place where I don't think he expected to wind up either. I mean, I think we moved this thing quite a long way.

As a practical matter, if you read this policy, it differs from what I said in the campaign in only one respect: You still can't openly declare your homosexuality without some fear of being severed from the service. If you do that, the burden is then on you to demonstrate you are not going to violate the Code of Conduct. But I never said one word, not a word, about changing anything about the Code of Conduct.

And yet the military leaders themselves decided to go further than they had ever gone in protecting the privacy and association rights of all members of the military in ways that Colin Powell summed up as a policy of "live and let live." That goes well beyond anything I even talked about in the campaign. Senator Nunn endorsed that. The Joint Chiefs endorsed that. The House leadership yesterday endorsed that. So I'm very encouraged about where we are on it.

Q I've asked this question of a couple of your people and I'd really like to hear your response on it as well. You last week released the jobs state by state that you think the plan will generate. Now, this morning in a session, Roger Altman's staff basically said, gee, we probably shouldn't have been so specific. We should have rounded these numbers a little bit. We're not going to create 238,416, or whatever, for the State of Georgia.

THE PRESIDENT: It might be more; it might be less. I think everybody knows projections are approximations.

Q But the choice was to release very specific numbers and not to round them. And now you're getting -- the administration is getting some criticism for that. Do you not think it may have been a mistake to have tried to put such specific numbers together in an attempt to sell this plan?

THE PRESIDENT: Well, it may have been but let me tell you why we did it. What we're trying to do is to avoid -- frankly, the main reason we did it was to avoid overpromising, because I don't believe that this plan alone can restore America's health. I just think it is the critical -- it is the critical first step. Without it I think you have total uncertainty, you have chaos, you have interest rates going back up again, and you have a government that can't get anything done.

With it you begin the march to progress. I think to get total economic health you have to do something about the health care crisis, do something about the way the government does its business, deal with the welfare reform issue. And then there has to be a whole set of other economic strategies to help people convert from a

defense to a domestic economy, continue the education and training of the work force, open new markets, all those other things.

So I think what they were trying to do was to say yes, it will do something, but we don't want to overpromise -- here's a model we ran through and this is where we got. It may or may not have been a mistake but I -- we were trying to give people a sense of what our own research had produced.

Q Could I ask a follow up please? One of the reasons for days like today is that you're a -- people acknowledge that you have been misunderstood to some extent in terms of this plan. As you well know, there's been a fairly constant sense among some people in the administration and sometimes you're one of them, that you've been misunderstood a lot on issues like gays in the military and what you first meant and what you really meant and on the economic plan, that sort of thing. Why, now that you've been here for a while, do you feel there is something systemic that's wrong with the way the media covers the White House? Why have you been so misunderstood by the people who cover this administration?

THE PRESIDENT: Oh, I don't know. I think that for one thing when you -- if you throw a lot of -- if you throw something really controversial out there and are new and different it is very difficult for anything but the controversy to get constant coverage. And I don't say this so much about you but I mean, just in all the stories that compete for time on the national news. For example, if -- let's suppose you're -- and this is not a criticism more than an observation -- suppose you are the producer of ABC News or wherever. You got to put the flood on, right? The Israelis bomb the Bekaa Valley or attack the -- you got to put that on. So instead of, I mean, every night -- you can't go back through every night all the essence of the economic plan. And if our adversaries decide just to scream taxes it's just easier to cover that story and to get it in the timeslots you can cover it.

I think that a big part of it is when there is just a huge volume of news and you've got somebody like me who's very much into trying to solve problems and get them out of the way, whether it's the test ban issue or the POW issue or the northwest United States forest issue -- I just try to take all these things and move through them. If you get something really controversial like gays in the military, it's not as if I had a chance to sit in the home in a fireside chat with the American people and walk them through my position and then walk them through why we came up with this compromise and why I think it is the principal right thing to do.

And on the economic plan, I think it's just clear, I think -- let me just give you -- Bernie Sanders from Vermont is an Independent from Vermont -- the only Independent in the Congress. He called me the other day and he said, I have done you a terrible disservice. I said, what do you mean, you voted for me on everything. He said, that's what I'm telling you. He said, if the progressives in the Congress had burned you in effigy for all these spending cuts, then American would know you had made spending cuts.

But because the entire Democratic Party and I -- on the spending cuts it was never newsworthy. They weren't newsworthy. The newsworthy thing was the fight over the taxes, so that even when the Republicans -- they were so smart about it -- when the Republicans in the Senate Finance Committee offered all kinds of things to water down the tax program, but they did not offer one, not one red cent in spending cuts, because they wanted to keep -- they didn't want to take any tough decisions. They knew we already made a lot of spending cuts, and they just wanted a lot of tax on the taxes.

So I think, frankly, anytime you do hard things and you try to change you have to expect to be misunderstood. But when

you've got more than one thing out there at once, you have to really work on talking it through, which is why I think I should have been doing this from February the 18th until today, not just for the last month or so.

Q But is any of this your fault, sir?

THE PRESIDENT: Sure it is. Sure it is. I mean, I'm sure it is. I've got to learn -- you know it is -- but I'll tell you this, I've got an administration that's tried to face the problems of this country. Everybody up here is trying to do right by America. We get up everyday and go to work. And we have taken on things that have been ignored for a long time.

And I do not believe, frankly, that the evaluation of the administration by the press or the people has fairly compared us with what got done in previous administrations. I mean, I could have been, I guess, immensely popular if all I'd done is make speeches for the last six months and not try to do anything.

Q Mr. President, this goes to what you've already been saying about American taxpayers. There are many people who have the perception that you are a taxaholic; that you didn't get the message that many people in this country want you to cut spending first, get rid of the bloat in the federal government, and then talk about tax hikes.

THE PRESIDENT: But we are cutting spending. And if you cut -- if all you had was spending cuts, you would have a deficit reduction package in the neighborhood of \$250 billion to \$260 billion which no one -- which the financial markets would not take seriously and interest rates would be two percent higher and all these people refinancing their home and saving a ton of money on it wouldn't be saving it.

In other words, let me give it to you in another way. We are cutting spending. We're going to cut more spending. But you'd be amazed how many of those same people -- when you say, okay, all the growth is in Medicare and Medicaid. You want me to cut Medicare? They say, no, don't do that. I mean, there are people who believe that all the federal budget goes to welfare and foreign aid -- which is something we cut, by the way -- foreign aid -- which is a tiny percentage of the total overall budget of the federal government.

We are -- this administration -- not the two previous ones -- that's really got the serious attempt going to reduce the federal bureaucracy and to change the way the federal government relates to people. That's what the Vice President is working on and we'll have our report out next month. But we don't have time to fool around.

Let me just make one final point about this. David Stockman, who was Ronald Reagan's budget director when the '81 tax cuts were enacted, gave an interview last month in which he said it was folly to believe we could balance the budget on spending cuts alone, because in 1981 President Reagan intended to cut taxes three percent of national income. And by the time he and the Congress got through with their bidding war, they had cut them six percent of national income -- so much that some companies couldn't even handle all their tax cuts. They were selling them to others. And he said, that has to be reversed. That's what I'm trying to do.

And, you know, let me just point out -- for all those people who think I'm a taxaholic -- look at my -- for 12 years I was governor of a state that was always in every year in the bottom five of the states in the country in the percentage of income going to state and local taxes -- in every year. We had the toughest balanced

budget law in the country, and the only time we raised money was when a majority of the American -- the people of my state supported it, and the money went to schools or roads. We didn't do anything but education and jobs with new taxes. Everything else -- and when I -- in the late '80s, the percentage of our income going to taxes in Arkansas was the same as it was in the late '70s when I became governor.

You know -- but when you get up here, you see the problems we've got and you see how long they've been ignored -- and, keep in mind, people with incomes -- families with incomes under \$30,000 are going to be held harmless. Families with incomes between \$30,000 and \$140,000 are going to be asked to pay very modest amounts. The average payment for a family of four with a \$50,000 income is \$50 a year. To get this deficit under control, I think it's worth it. If the people don't think so, they can tell their congressman. But the idea that there are no spending cuts in this thing is simply not true. The spending cuts have not been controversial, so they have not been reported so people don't think they exist. But they do exist.

Q Mr. President, what are the consequences of your not getting this budget plan passed as you want it by the August recess?

THE PRESIDENT: Well, the consequences of not passing a budget plan -- it won't be as exactly as everybody wants it. That's what a democracy is about -- people get together and work through. But if they don't pass the budget plan by the August recess, what will happen is we'll flail around here for a couple of months. You'll see interest rates start to go up again. Uncertainty will get worse, and you'll wind up with less deficit reduction. Politics will take over and you'll wind up with less deficit reduction. So the thing we need to do is to make a decision and get on with it. I mean, we've been fooling around with this for long enough.

I realize that we're keeping a pace that's faster than normal for Washington, but for America, they want something done. It's time to do something. It means that if you fool around with it, it means we don't deal with health care, we don't deal with welfare reform, we don't deal with the crime bill, we don't deal with all these other issues that are out there crying for attention in America. Eight months is long enough to make a decision about a budget and an economic plan. It's just long enough.

Q Are you worried you're not going to be able to get it?

THE PRESIDENT: Well, I think in the end they will do it because I think that all the Republican members have gone on strike basically. We've reached out to them. We've tried to negotiate with them. And they have basically said, you know, they don't want to talk unless we're willing to do things that aren't real, adopt these amorphous caps and slash Medicare even for middle class people, and I'm not willing to do that.

Q Did you talk to Senator Coverdell?

THE PRESIDENT: Yeah, I've met with the whole Republican caucus. And I meet with the Republican leadership with the Democrats every other week.

Q What have you learned about your ability to rally your own troops? You talked about under Republican resistance, but some of the strongest resistance has come within the party.

THE PRESIDENT: Well, I think you should not assume -- the Democratic Party, first of all, is much more diverse than the

Republican Party. But, secondly, has been much more unified with me than the Republicans were with President Bush.

That's another thing -- I wish -- I have to keep -- look at the historical perspective. Here's a little question: There was a Republican House budget plan and my plan voted on back to back in the House. There are more Democrats than Republicans, right? Now, the Republican plan was no tax increases, the Kasich plan. He lost more Republicans for his plan than I lost Democrats for mine because it was so unfair to the elderly, the poor, the middle class. That was the other plan in the House. Last year, 1992, when the Bush budget came up in the House of Representatives, 75 percent of the Republicans, not the Democrats, the Republicans voted against it. Why? Because it was a political document. I mean, I have given them a real budget and it's tough.

Let me just say one thing in closing: The reporter for the Philadelphia Enquirer, the political reporter, went out and did something that we should have arranged. I wish I had thought about it, but he did it about two weeks ago. He interviewed all these budget experts who work for private companies, but whose job it is to know about the federal budget. And he wrote an article which said that the consensus was that my claims were accurate and that Senator Dole's attacks were not. And the budget expert for Price Waterhouse, not an employee of my administration, said that the budget we had presented was the most honest budget in more than a decade and the only thing that was wrong with it was that it would produce more deficit reduction than I was claiming. And we can get you a copy of the article. It was very impressive.

But I think the Democrats -- when you think about the withering attack that they have been under, constant misinformation, and almost no way to get the facts out except through their newsletters -- and we have begun to run ads for some of them now, those that have been subject to ad attacks -- I think there's been a remarkable cohesion in a very diverse party because there is now a consensus that the time has come to do something about the deficit and to try to grow some jobs. And that's what we're trying to do. And I think they'll do it before August 5th. I'll be very surprised if they really want to go to an August recess, have all this unresolved, and come back here and fool around in September and October and not deal with the other problems of America. I think it will be a mistake and I don't think they'll do it. Thanks.

END

4:27 P.M. EDT

R/cc

FEMA (Disaster)

IMPORTANT NOTICE FOR SENIOR STAFF

ATTACHED IS A MEMORANDUM FROM CHRISTINE VARNEY AND STEPHEN B. SILVERMAN OUTLINING A RECOMMENDATION BY FEMA THAT A MAJOR DISASTER BE DECLARED IN GEORGIA. COMMENTS MUST BE RECEIVED IN THE OFFICE OF THE CABINET SECRETARY BY 10 A.M. THURSDAY, MARCH 4.

GEORGIA

THE WHITE HOUSE

WASHINGTON

March 3, 1993

MEMORANDUM FOR MACK MCLARTY, RAHM EMANUEL, MARK GEARAN, ALEXIS HERMAN, BRUCE LINDSEY, REGINA MONTOYA, BERNARD NUSSBAUM, LEON PANETTA, HOWARD PASTER, and GEORGE STEPHANOPOULOS

FROM: CHRISTINE A. VARNEY and STEPHEN B. SILVERMAN

SUBJECT: Federal Emergency Management Agency Recommendation
To Declare Portions of Georgia a Disaster

FEMA has forwarded to the Office of the Cabinet Secretary a recommendation that a major disaster be declared by the President at the request of Governor Zell Miller of Georgia. Tomorrow we will forward that recommendation to the President, unless there are comments opposing the declaration. Please notify us of any comments by 10 a.m. tomorrow.

Facts: Between February 21 and 22, 1993, tornadoes, hail and heavy rain caused widespread damage to public and private property throughout the northern portion of Georgia. As a result of that storm, Governor Miller has requested that a major disaster be declared for the counties of Bartow, Cobb, Hall, Heard, Meriwether, Pike, Polk, and Walton.

Individual and Public Assistance:

Governor Miller requested both Individual and Public Assistance. Two fatalities and more than 30 injuries are attributed to the storm. Over one thousand homes were affected: 68 were destroyed and 203 suffered major damage. The others received minor or minimal damage. Public Assistance was requested because debris covered public and private areas and electrical distribution systems were damaged. FEMA concludes that the Georgia request for relief satisfies the requirements of the law and that the state commitment to funding relief efforts is adequate. FEMA estimates that Individual Assistance totalling \$1,400,500 may be provided. It estimates that the Federal Share of Public Assistance, if that is ultimately necessary, would be about \$995,550. Additionally, a disaster declaration would allow SBA to provide about \$2,207,620 in residential loans.

Conclusions: FEMA has concluded that:

1) the situation is of such severity and magnitude that effective response is beyond the capabilities of the State and local governments, and supplemental Federal assistance is necessary;

2) the situation warrants a major disaster declaration;

3) Individual Assistance be provided to Bartow, Cobb, Hall, Heard, Meriwether, Pike, Polk, and Walton Counties;

4) designation of Public Assistance may be made at a later date after further damage assessments, if warranted; and

5) additional areas may be designated at a later date, if requested and warranted.

Recommendation: FEMA has recommended that the President grant the Governor's request for a declaration of a major disaster.

IF YOU DISAGREE WITH OR HAVE A COMMENT ON THE FEMA GEORGIA RECOMMENDATION, CONTACT STEPHEN SILVERMAN AT EXT. 6280 BY 10 A.M. THURSDAY MARCH 4.

We will recommend that the President declare the above counties in Georgia disaster areas and instruct FEMA to provide financial assistance. We will notify you of the President's decision prior to his announcing it so that you may notify the appropriate individuals in the Congress, state government, and others.

APR 20 1993

THE WHITE HOUSE
WASHINGTON

April 20, 1993

MEMORANDUM FOR MACK MCLARTY, RAHM EMANUEL, MARK GEARAN, ALEXIS
HERMAN, BRUCE LINDSEY, REGINA MONTOYA, BERNARD
NUSSBAUM, LEON PANETTA, HOWARD PASTER, AND GEORGE
STEPHANOPOULOS

FROM: CHRISTINE A. VARNEY AND STEPHEN B. SILVERMAN

SUBJECT: Federal Emergency Management Agency Recommendation
To Deny Georgia's Appeal of a Denial of a Disaster
Declaration.

Attached for your comment is a recommendation from the Federal
Emergency Management Agency ("FEMA") that Georgia's appeal of the
denial of a declaration of major disaster be denied. As you
know, instead of a declaration of major disaster FEMA recommended
that expansion of an emergency be declared. The President
granted this emergency expansion on April 5, 1993.

Please forward any comments to our office. If there are no
objections, we will recommend to the President that he deny
Georgia's appeal of the decision.



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

GEORGIA

Following a severe winter storm that passed through the State on March 13, 1993, Governor Zell Miller requested and received an emergency declaration. This declaration authorized reimbursement for certain emergency snow removal activities.

On March 22 Governor Miller requested further assistance under a major disaster declaration to provide Individual Assistance and Public Assistance to 72 counties in the State. This request was denied on April 5; however, the emergency declaration was expanded to include reimbursement for debris removal and emergency protective measures. On this same date, Governor Miller appealed the denial of his major disaster request.

INDIVIDUAL ASSISTANCE

Emergency needs from this event appear to have been met by the American Red Cross (ARC), the Salvation Army, and numerous volunteer organizations. Damage to carpet industry facilities has had an impact on a number of individuals unemployed in the area.

PUBLIC ASSISTANCE

The primary impacts of this event included damage to electric cooperatives, debris removal and emergency protective measures taken prior to and immediately following the storm.

DISCUSSION

The Governor's initial request and his appeal meet the requirements of the law. His commitment to assume the non-Federal share of costs under the Stafford Act is considered adequate.

The basis of Governor Miller's appeal is the unmet assistance needs of families whose dwellings were uninsured and the thousands of workers unemployed as a result of the storm. In addition, he is concerned about the extent of damage to electrical cooperatives which incurred damage of approximately \$17 million.

The Governor's appeal refers to over 100 families whose homes were uninsured and destroyed or damaged beyond habitability. During the Preliminary Damage Assessment (PDA) conducted March 17-24, 28 homes were identified as destroyed and 54 were identified as having major damage.

ARC has indicated that 270 families registered for emergency assistance including food, clothing, rental assistance, home repairs, household furnishing, medical, and occupational supplies. ARC indicates that the emergency period has ended and that emergency needs have been met through them and other sources. Nine (9) families have been identified as potential "additional assistance" cases.

The Department of Labor (DOL) believes there is a need for Disaster Unemployment Assistance (DUA). They project that 1,635 individuals will be ineligible for regular unemployment benefits, out of a potential 27,000 unemployed. The variable we are unable to address is how many of the possible applicants were unemployed **as a direct result of the event.**

The DOL has provided current estimates of applicants that have been denied assistance; however, the total is spread over nearly all of the counties in the State. Applicant estimates range from one to 200 in any given county.

The Small Business Administration (SBA) was unable to find enough damage during the PDA to meet its disaster loan criteria. During a recent meeting, the applicability of the Economic Injury Disaster Loan (EIDL) program was discussed. The Governor is expected to request EIDL assistance directly from the SBA.

In the event of a declaration, 123 individuals would be eligible for Temporary Housing program assistance at an average cost of \$1,267 per person. Under the Individual and Family Grant (IFG) program 176 individuals would be eligible at an average grant of \$2,500. Under the DUA program, approximately 1,635 individuals would be eligible for assistance at \$240 per week for 10 weeks.

Individual Assistance program cost estimates are:

Temporary Housing (100 percent Federal)	
Home Repairs	\$ 117,000
Rental Assistance/Transient Accommodations	<u>38,800</u>
TOTAL	\$ 155,800
Disaster Unemployment Assistance	\$3,924,000
Individual and Family Grants (75 percent Federal)	
Grant Amount	\$ 440,000
Federal Share	\$ 330,000
TOTAL INDIVIDUAL ASSISTANCE	\$4,409,800

Under the expanded emergency declaration, electric cooperatives affected by the recent storm will receive reimbursement for "emergency restorative" types of work. This information was made

available during applicant briefings conducted since the amended declaration and Governor Miller's appeal. The assistance is provided on a cost sharing basis (75 percent Federal and 25 percent non-Federal). It should be noted that the State will not participate in the non-Federal cost sharing that will be required of the electric cooperatives. Further, loan assistance for restorative work required for private non-profit electric cooperatives may be available from the SBA, the Rural Electrification Administration and other Federal programs.

Public Assistance damage by category is:

Debris Removal	\$ 8,757,600
Emergency Protective Measures	\$ 2,469,900
Road Systems	\$ 586,400
Water Control Facilities	\$ 6,300
Public Buildings and Equipment	\$ 760,900
Public Utility Systems	\$17,047,200
Recreation and Other Facilities	\$ 94,500
TOTAL PUBLIC ASSISTANCE	\$29,722,800
FEDERAL SHARE (75/25)	\$22,292,100

CONCLUSIONS

- Given the assistance available under the expanded emergency declaration, the situation is not of such severity and magnitude that effective response is beyond the capabilities of the State and local governments, and further supplemental Federal assistance is not necessary.
- The situation does not warrant a major disaster declaration.

RECOMMENDATION

That the Governor's appeal be denied.

SIGNED

James L. Witt
Director

Date: Jan 14 1993

Attachments:
Letter to the Governor
Congressional Representation
State Map
Governor's Request

THE WHITE HOUSE

WASHINGTON

April 2, 1993

MEMORANDUM FOR LEON PANETTA, MACK MCLARTY, RAHM EMANUEL, MARK
GEARAN, ALEXIS HERMAN, BRUCE LINDSEY, REGINA
MONTTOYA, BERNARD NUSSBAUM, HOWARD PASTER, JOHN
PODESTA AND GEORGE STEPHANOPOULOS

FROM: CHRISTINE A. WARNEY AND STEPHEN B. SILVERMAN

SUBJECT: Federal Emergency Management Agency Recommendation
To Expand the Emergency Declaration in Georgia.

Attached for your comment is a recommendation from the Federal
Emergency Management Agency ("FEMA") that the President's
emergency declaration in Georgia be expanded to include
reimbursement for debris removal and emergency protective
measures.

Please forward any comments to our office. If there are no
objections, we will recommend to the President that he expand the
emergency declaration in Georgia.



Federal Emergency Management Agency

Washington, D.C. 20472

STATE AND LOCAL PROGRAMS AND SUPPORT
DIRECTORATE

TELECOPIER TRANSMITTAL HEADER

Telecopy Number: (202) 646-4060-Automatic

Verification Number: (202) 646-3692

FROM

TO

AGENCY: FEDERAL EMERGENCY MANAGEMENT
AGENCYNAME: Richard KrimmOFFICE: SLPS - FEMATELEPHONE NO.: 646-3692

AGENCY: _____

NAME: Steve Silverman

OFFICE: _____

TELEPHONE NO.: _____

FAX: 503 731-7969

INFO

AGENCY: Cabinet AffairsNAME: LoriOFFICE SYMBOL: FAX 456-2983

TELEPHONE NO.: _____

ROUTINE: ☐

PRECEDENCE:

PRIORITY: ☒DATE: 3-2-93NO. OF PAGES: 7TRANSMITTED BY: Linde

REMARKS:

STEVE AND I DISCUSSED THIS ON THE TELEPHONE. THE PACKAGE
IS BEING DELIVERED TO YOU BY 3:00 p.m.



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

GEORGIA

On March 15, 1993, an Emergency Declaration (FEMA-3097-EM) was granted to provide assistance for required emergency measures for a period of five (5) days beginning on March 13 to open critical emergency access on collector roads and streets, and on minor and principal arterial roads for emergency vehicles as a result of severe snowfall and a winter storm. However, Governor Zell Miller felt the damage was of sufficient severity and magnitude to require further disaster assistance.

At the Governor's request, a joint FEMA, State, and local government Preliminary Damage Assessment (PDA) was performed to determine the extent of damage. On March 22 Governor Miller requested a major disaster declaration as a result of extreme snowfall, high winds and severe winter storms for the State of Georgia. The Governor has requested Individual Assistance and Public Assistance for 72 Counties. Governor Miller has also requested the disaster loan program under the Small Business Administration (SBA).

INDIVIDUAL ASSISTANCE

As a result of the March 12 and 13 storms, 17 people died and 53 people were injured. Immediate emergency needs were met by the American Red Cross, Salvation Army, and other volunteer groups. At the peak of the blizzard, 104 shelters housed 7,156 individuals. All shelters are now closed. The PDA teams found that 28 homes were destroyed; 54 received major damage; 293 received minor damage; and 212 were minimally affected. The State advises that there are no pending health or safety problems as a result of this storm.

PUBLIC ASSISTANCE

Debris removal and damage to private non-profit utilities were the primary impacts of this event. The extreme snowfall, high winds and severe winter storm scattered trees and downed power lines and poles.

DISCUSSION

The Governor's request for a major disaster declaration meets all requirements of the law. The Governor certified that the State and local governments would assume the non-Federal share of costs under the Stafford Act.

In addition to the March 15 emergency declaration, the State of Georgia has received two presidential disaster declarations (FEMA-969-DR and FEMA-980-DR) within the past four months.

Sixty seven (67) percent of the total homes affected (588) by this event are insured, and 92% are owner-occupied. Emergency needs appear to have been met by the American Red Cross, the Salvation Army, and numerous local volunteer organizations. Search and Rescue teams assisted persons stranded along the roadside, hiking trails, and in damaged or unheated homes.

In the event of a declaration, 123 individuals would be eligible for Temporary Housing program assistance at an average cost of \$1,267 per person. Under the Individual and Family Grant (IFG) program 176 individuals would be eligible at an average grant of \$2,500. There does not appear to be a need for crisis counseling or food stamps.

The Regional Department of Labor has estimated a potential of 27,000 individuals or more unemployed as a direct result of the blizzard. Of this total, it is estimated that only 1,635 individuals would be in need of and eligible for Disaster Unemployment Assistance (DUA) for an average of 10 weeks at \$240 per week.

Individual Assistance program cost estimates are:

Temporary Housing (100 percent Federal)	
Home Repairs	\$117,000
Rental Assistance/Transient Accommodations	<u>38,800</u>
TOTAL	\$155,800
Disaster Unemployment Assistance	\$3,924,000
Individual and Family Grants (75 percent Federal)	
Grant Amount	\$440,000
Federal Share	\$330,000
TOTAL INDIVIDUAL ASSISTANCE	\$4,409,800

Farmers Home Administration emergency assistance for physical and production losses has been made available as a result of the snow emergency declaration (FEMA-3097-EM) for the 40 counties declared and an additional 13 contiguous counties.

The Small Business Administration (SBA) was unable to find any counties which would meet its criteria for an SBA-only declaration. If a major disaster were declared and Individual Assistance were authorized, the SBA disaster loan program may provide 69 residential loans at an average cost of \$16,300, while 20 businesses may be eligible at an average loan of \$52,700.

Small Business Administration
Disaster Loan Program

\$2,177,800

As a result of a March 15 emergency declaration, over \$2 million has been allocated to provide assistance for required emergency snow measures for a period of five days beginning on March 13 to open access for emergency vehicles and other necessary movement in 40 counties in the State of Georgia due to severe snowfall and a winter storm.

Debris removal and damage to private non-profit utilities were the primary impacts of this event. With the exception of portions of Walker County, power has been restored to all areas. Forty-two (42) electric membership cooperatives throughout the State were adversely affected for a total damage estimate of \$17.05 million. If spread among the 42 cooperatives, this equals only \$406,000 per cooperative. Most electric cooperatives set aside funds expressly for events such as this. In addition, much of the estimated costs are for regular-time pay for their regular employees. Any additional costs which the cooperatives have incurred can be retrieved easily through temporary rate increases.

Debris that creates a health and safety hazard is scattered over a very large area and impacts major and minor arterials in all counties surveyed. Access has been restored to all areas. Removal and disposal of the debris will require a long term effort by local forces.

Some damage was reported to buildings as a result of high winds and heavy snow accumulations which caused roofs to collapse. However, damage in this category is minimal and is expected to be covered by insurance. Only minor damage was reported for other facilities such as recreational parks.

Public Assistance damage by category is:

Debris Removal	\$ 8,757,600
Emergency Protective Measures	\$ 2,469,900
Road Systems	\$ 586,400
Water Control Facilities	\$ 6,300
Public Buildings and Equipment	\$ 760,900
Public Utility Systems	\$17,047,200
Recreation and Other Facilities	\$ 94,500
TOTAL PUBLIC ASSISTANCE	\$29,722,800
FEDERAL SHARE (75/25)	\$22,292,100

While the Public Assistance dollar figure appears high, damage is spread throughout 72 counties in the State and 42 electric membership cooperatives thus greatly reducing the impact of the event on any region of the State. There were limited impacts to the private sector. All emergency needs have been met. Businesses

and schools were minimally affected as this event occurred during a weekend.

CONCLUSIONS

- The situation is of such severity and magnitude that effective response is beyond the capabilities of the State and local governments, and supplemental Federal assistance is necessary.
- The situation does not warrant a major disaster declaration; however, expansion of the FEMA-3097 emergency declaration is warranted.
- In the event this expansion is authorized, FEMA intends to provide reimbursement for costs associated with debris removal and emergency protective measures under the Public Assistance program. The counties of Appling, Bacon, Bulloch, Camden, Chatham, Coffee, Glynn, Lowndes, Thomas, Ware, and Wayne should be designated for assistance. In addition, the 40 counties of Banks, Barrow, Bartow, Carroll, Catoosa, Chattooga, Cherokee, Clayton, Cobb, Dade, Dawson, DeKalb, Douglas, Elbert, Forsyth, Franklin, Fulton, Fannin, Floyd, Gilmer, Gordon, Gwinnett, Habersham, Hall, Hart, Haralson, Jackson, Lumpkin, Murray, Paulding, Pickens, Polk, Rabun, Rockdale, Stephens, Towns, Union, White, Whitfield, and Walker, already designated for assistance under this emergency declaration are also included in this recommendation.
- Additional counties may be added at a later date, if warranted.

RECOMMENDATION

That the Governor's request for a major disaster declaration be denied and that assistance under the FEMA-3097 emergency declaration be expanded to include reimbursement for debris removal and emergency protective measures.

SIGNED

William C. Tidball
Acting Director

Date: APR 2 1993

Attachments:

Amended Declaration Letter
Telegram to the Governor
Press Release
Congressional Representation
State Map
Governor's Request

THE WHITE HOUSE
WASHINGTON

The Honorable William C. Tidball
Acting Director
Federal Emergency Management Agency
Washington, D.C. 20472

Dear Mr. Tidball:

I have determined that the emergency conditions in certain areas of the State of Georgia, resulting from severe snowfall and a winter storm on March 13, 1993, and continuing, are of sufficient severity and magnitude to warrant the expansion of the assistance authorized in my declaration of March 15, 1993, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act ("the Stafford Act").

You are authorized under Title V of the Stafford Act to provide reimbursement for debris removal and emergency protective measures in the affected areas, in addition to the assistance for opening critical emergency access on collector roads and streets, and on minor and principal arterial roads for emergency vehicles, authorized for five days. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act will be limited to 75 percent of the total eligible costs.

All other conditions specified in the original declaration remain the same.

Please notify the Governor of the State of Georgia and the Federal Coordinating Officer of this amendment to my emergency declaration.

Sincerely,

THE WHITE HOUSE

The Honorable Zell Miller
Governor of Georgia
State Capitol
Atlanta, Georgia 30334

In response to your request for a major disaster declaration, I have expanded the emergency declaration authorized on March 15, 1993, under Title V, Section 501(a), of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act) for the State of Georgia due to the conditions resulting from the severe winter storm conditions on March 12-13, 1993. In addition to authorizing Federal emergency assistance in the affected areas for a period of five (5) days beginning on March 13 for opening critical emergency access on collector roads and streets, and on minor and principal arterial roads for emergency vehicles, I have included the reimbursement of costs for debris removal and emergency protective measures.

Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act will be limited to 75 percent of the total eligible cost in the designated areas.

The Federal Emergency Management Agency (FEMA) will coordinate Federal assistance efforts and designate specific areas eligible for such assistance. The Federal Coordinating Officer will be Mr. Rolando J. Sarabia of FEMA. He will consult with you and assist in the execution of the FEMA-State Disaster Assistance Agreement governing the expenditure of Federal funds.

Sincerely,

Bill Clinton

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Hawaii

Divider Title: _____

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Idaho

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Illinois

Divider Title: _____

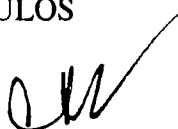
THE WHITE HOUSE

WASHINGTON

JUL 10

MEMORANDUM FOR: MACK MCLARTY
LEON PANETTA
PAUL CAREY
BARBARA CHOW
CHRISTOPHER EDLEY
RAHM EMANUEL
MARK GEARAN
ALEXIS HERMAN
BRUCE LINDSEY
KATHY MCKIERNAN
LORRAINE MILLER
REGINA MONTOYA
DEE DEE MYERS
ROY NEEL
STEPHEN NEUWIRTH
BERNARD NUSSBAUM
HOWARD PASTER
JOHN PODESTA
GEORGE STEPHANOPOULOS
JEFF WATSON

JUL 10 1993

FROM: CHRISTINE A. VARNEY 
CABINET SECRETARY

STEPHEN B. SILVERMAN 
DEPUTY CABINET SECRETARY

SUBJECT: FEDERAL EMERGENCY MANAGEMENT AGENCY
RECOMMENDATION TO DECLARE AN EMERGENCY
FOR ILLINOIS

Attached for your comment is a recommendation from the Federal Emergency Management Agency (FEMA) that the President declare a major disaster in Illinois as a result of flooding due to record rainfall. FEMA concludes that Illinois' request for a major disaster declaration should be granted.

Please forward any comments to our office. If there are no objections, we will recommend to the President that Illinois' request for a major disaster declaration be granted.

Attachment



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

ILLINOIS

Severe storms have impacted the State of Illinois beginning June 7, 1993, and continuing. As a result of this line of storms, extensive flooding has resulted along the Mississippi and secondary rivers in the State. Rainfall is expected to continue.

On July 6 Governor Jim Edgar requested a major disaster declaration to provide assistance to Adams, Calhoun, Carroll, Hancock, Henderson, Henry, Jersey, Jo Daviess, Mercer, Pike, Rock Island, and Whiteside Counties. A joint FEMA, State and local government Preliminary Damage Assessment (PDA) was requested and conducted on July 7-8, 1993, to determine the requirement for supplemental Federal assistance.

INDIVIDUAL ASSISTANCE

There are no known casualties or injuries. Several shelters have been established by the American Red Cross (ARC). The State is projecting extensive impacts in Rock Island, Mercer and Henderson Counties. Five (5) of the counties requested by the Governor have been assessed for damage. In these counties, 1,603 primary dwellings were inspected. Four hundred-thirty five (435) homes received major damage and 1,168 received minor damage.

PUBLIC ASSISTANCE

The Illinois National Guard, along with State prison inmates, continue to provide flood relief services to the State. A State mobile command post has been established for response activities. The U.S. Army Corps of Engineers has provided pumps and sandbags to assist in the relief activities.

DISCUSSION

The Governor's request meets the requirements of the law. The State commitment is considered adequate.

Governor Edgar requested Public Assistance and Individual Assistance programs including, Temporary Housing, the Individual and Family Grant (IFG) program, Disaster Unemployment Assistance (DUA), and Crisis Counseling. Governor Edgar further requested the disaster loan program from the Small Business Administration (SBA).

This program is automatically implemented with the designation of Individual Assistance.

The full impact of this event has not yet been identified. Damage assessments have been conducted in Carroll, Jo Daviess, Mercer, Rock Island, and Whiteside Counties for Individual Assistance. Assessments for Public Assistance will be conducted in the affected areas as flood water recedes.

Ninety (90) percent of the dwellings affected were owner-occupied, with 70 percent of the families in the low income bracket. Thirty-five (35) percent of the dwellings are insured.

In the event of a declaration, assistance under the Temporary Housing program may be provided to 1,120 families at approximately \$760 per family. Under the IFG program, 755 individuals may receive grants at an average of \$2,500 per grant. Estimates for the DUA and Crisis Counseling programs are still being compiled.

Individual Assistance program cost estimates are:

Temporary Housing (100 percent Federal)	
Home Repairs	\$ 546,400
Rental Assistance/Transient Accommodations	<u>303,900</u>
TOTAL	\$ 850,300
Individual and Family Grants (75 percent Federal)	
Grant Amount	\$ 1,887,500
Federal Share	<u>\$ 1,415,625</u>
TOTAL INDIVIDUAL ASSISTANCE	\$ 2,265,925

The SBA PDA teams are still compiling information acquired during the field assessment. Estimates are currently unavailable.

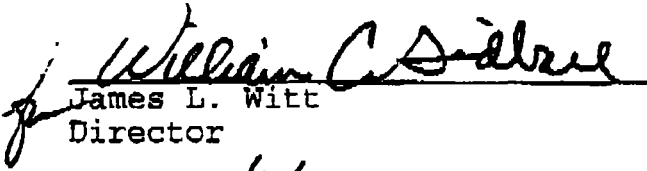
CONCLUSIONS

- The situation is of such severity and magnitude that effective response is beyond the capabilities of the State and local governments, and supplemental Federal assistance is necessary.
- The situation warrants a major disaster declaration.
- In the event of a declaration, FEMA intends to provide Individual Assistance to Adams, Calhoun, Carroll, Hancock, Henderson, Henry, Jersey, Jo Daviess, Mercer, Pike, Rock Island, and Whiteside Counties. Damage assessments have been completed in only five of the 12 counties listed; however, significant Individual Assistance impacts have been identified to warrant designation of all of the counties requested by the Governor.

- Public Assistance may be added at a later date, if warranted.
- Additional counties may be designated at a later date, if requested and warranted.

RECOMMENDATION

That the Governor's request be granted.


James L. Witt
Director
Date: 7/9/93

Attachments:

Declaration Letter
Telegram to the Governor
Press Release
Congressional Representation
State Map
Governor's Request

Clinton Presidential Records Digital Records Marker

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Indiana

Divider Title: _____

THE WHITE HOUSE
WASHINGTON

September 1, 1993



MEMORANDUM FOR MACK MCLARTY, LEON PANETTA, JOAN BAGGETT,
PAUL CAREY, BARBARA CHOW, CHRISTOPHER EDLEY,
RAHM EMANUEL, MARK GEARAN, MARCIA HALE,
ALEXIS HERMAN, BRUCE LINDSEY, KEITH MASON,
KATHY MCKIERNAN, LORRAINE MILLER, DEE DEE
MYERS, ROY NEEL, STEPHEN NEUWIRTH, BERNARD
NUSSBAUM, HOWARD PASTER, AND GEORGE
STEPHANOPOULOS

FROM:  Christine A. Varney and Stephen B. Silverman

SUBJECT: Federal Emergency Management Agency Recommendation to
Approve the Request for the Declaration of a Major Disaster in the
State of Indiana

Attached for your comment is a recommendation from the Federal Emergency Management Agency (FEMA) to grant the Governor's request for a major disaster declaration in the State of Indiana. On August 17 - 17, 1993 severe storms produced up to 11 inches of rain resulting in flash flooding along streams and creeks.

Please forward any comments to our office. If there are no objections, we will forward a recommendation to the President to grant the Governor's request.



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

INDIANA

Severe storms produced up to 11 inches of rain on August 16-17, 1993. This storm system resulted in flash flooding along streams and creeks. Many residents within a five county area were trapped in their homes by the high water.

On August 23, 1993, a joint FEMA, State, and local government Preliminary Damage Assessment (PDA) was conducted. Following the completion of the PDA on August 24, Governor Evan Bayh requested a major disaster declaration to provide assistance in Clay, Clarke, Putnam, Vermillion, and Vigo Counties. Governor Bayh amended his request on August 27.

INDIVIDUAL ASSISTANCE

No casualties resulted from this event. More than 800 people were evacuated from the flood areas. The State currently estimates that over 200 individuals remain out of their homes. The American Red Cross (ARC) established four (4) shelters during this event. The Salvation Army and the Seventh Day Adventists are providing assistance for limited building supplies, clothing, and linens.

A water main ruptured in the City of Brazil causing the loss of the town's water supply. Brazil also supplies potable water to three other communities. The town of Cloverdale lost its potable water when the town well was inundated by flood water and contaminated.

Three hundred forty-two (342) homes were affected in the five counties requested. Forty-two (42) were destroyed, 115 received major damage, 115 received minor damage, and 70 were minimally affected.

PUBLIC ASSISTANCE

Public Assistance was not included in the request for a PDA, nor was it included in Governor Bayh's request for a major disaster declaration. The Indiana State Police, the Department of Natural Resources and the State National Guard provided equipment and manpower in response to this event.

DISCUSSION

The Governor's request and his amendment to add the Individual and Family Grant (IFG) program, meet the requirements of the law. The State commitment is considered adequate.

Governor Bayh requested Individual Assistance programs including, Temporary Housing and the IFG program. Governor Bayh further requested the disaster loan program from the Small Business Administration (SBA). This program is automatically implemented with the designation of Individual Assistance. Governor Bayh also stated that he may request Disaster Unemployment Assistance (DUA), Crisis Counseling and Public Assistance at a later date.

Collapsed basements and other structural damage has made some homes unsafe. Flood water in some structures reached three to four feet on the first floor. Home heating systems have leaked fuel, posing a possible health threat in some areas.

The areas impacted are primarily low income with a high population of elderly. Ninety-eight (98) percent of the homes affected are owner-occupied; however, only 15 percent are covered by insurance.

The unincorporated counties of Clay, Parke, and Vermillion counties are non-participating sanctioned communities under the National Flood Insurance Program (NFIP). These communities specifically elected not to participate in the NFIP. Sanctioned communities can receive no Federal financial assistance for the permanent repair or reconstruction of buildings in special flood hazard areas. Eligible applicants may receive forms of disaster assistance that are not related to the permanent repair and reconstruction of buildings. The town of Cloverdale in Putnam County has been suspended from the NFIP for failure to update flood plain management regulations. Policies within the suspended community remain in-force until the end of the policy period and may receive assistance through NFIP. The State is taking the appropriate steps to bring these communities into the NFIP.

In the event of a declaration, 282 families may receive assistance through the Temporary Housing program at an average cost of \$2,700. Under the IFG program, 155 individuals may receive grants at an average of \$2,800. A requirement for DUA or crisis counseling has not been identified.

Individual Assistance program cost estimates are:

Temporary Housing (100 percent Federal)	
Home Repairs	\$ 684,000
Rental Assistance/Transient Accommodations	<u>82,800</u>
TOTAL	\$ 766,800
Individual and Family Grants (75 percent Federal)	
Grant Amount	\$ 434,000
Federal Share	<u>\$ 325,500</u>
TOTAL INDIVIDUAL ASSISTANCE	\$ 1,092,300

The State has established a strong hazard mitigation program. Four (4) major relocation projects are currently underway. In three towns, approximately 78 families will be moved out of the flood plain. In another community, the entire town will be relocated to a higher elevation.

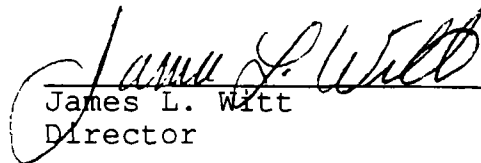
While this event is not widespread and extensive, significant health and safety risks exist as a result of the flooding (water main rupture in the city of Brazil; loss of potable water in the city of Cloverdale; and contamination from heating fuel). The areas impacted are primarily elderly, low income, and without insurance.

CONCLUSIONS

- The situation is of such severity and magnitude that effective response is beyond the capabilities of the State and local governments, and supplemental Federal assistance is necessary.
- The situation warrants a major disaster declaration.
- In the event of a declaration, FEMA intends to provide Individual Assistance to Clay, Parke, Putnam, Vermillion, and Vigo Counties.
- Public Assistance may be added at a later date, if requested and warranted.
- Additional counties may be designated at a later date, if requested and warranted.

RECOMMENDATION

That the Governor's request be granted.


James L. Witt
Director

Date: AUG 31 1993

Attachments:
Declaration Letter
Telegram to the Governor
Press Release
Congressional Representation
State Map
Governor's Request

Clinton Presidential Records Digital Records Marker

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Divider Title: _____

THE WHITE HOUSE
WASHINGTON

JUL

MEMORANDUM FOR: MACK MCLARTY
LEON PANETTA
PAUL CAREY
BARBARA CHOW
CHRISTOPHER EDLEY
RAHM EMANUEL
MARK GEARAN
ALEXIS HERMAN
BRUCE LINDSEY
KATHY MCKIERNAN
LORRAINE MILLER
REGINA MONTOYA
DEE DEE MYERS
ROY NEEL
STEPHEN NEUWIRTH
BERNARD NUSSBAUM
HOWARD PASTER
JOHN PODESTA
GEORGE STEPHANOPOULOS
JEFF WATSON

JUL 10 1993

FROM: CHRISTINE A. VARNEY 
CABINET SECRETARY

STEPHEN B. SILVERMAN 
DEPUTY CABINET SECRETARY

SUBJECT: FEDERAL EMERGENCY MANAGEMENT AGENCY
RECOMMENDATION TO DECLARE AN EMERGENCY
FOR IOWA

Attached for your comment is a recommendation from the Federal Emergency Management Agency (FEMA) that the President declare a major disaster in Iowa as a result of flooding due to record rainfall. FEMA concludes that Iowa's request for a major disaster declaration should be granted.

Please forward any comments to our office. If there are no objections, we will recommend to the President that Iowa's request for a major disaster declaration be granted.

Attachment



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

IOWA

Severe storms have impacted the State of Iowa beginning April 13, 1993, and continuing. As a result of this line of storms, extensive flooding has resulted along the Mississippi and secondary rivers in the State. Rainfall is expected to continue.

A joint FEMA, State and local government Preliminary Damage Assessment (PDA) was requested and conducted on July 7-8. Based on the results of the PDA, Governor Terry E. Brandstad requested a major disaster declaration to provide assistance to Clayton, Clinton, Des Moines, Dickinson, Humboldt, Jackson, Johnson, Louisa, Muscatine, Scott, and Wapello Counties.

INDIVIDUAL ASSISTANCE

There are no known casualties or injuries. Nearly 2,500 people have been evacuated due to flooding. The American Red Cross (ARC) has established 13 shelters throughout the impacted areas. In addition, the ARC has set up six fixed and 14 mobile feeding stations. The State Department of Health has prepared for potential health problems in Louisa, Muscatine, and Scott Counties that may result from the flooding. The Governor has requested assistance from the U.S. Department of Agriculture for 67 counties.

A total of 2,531 dwellings are affected, as follows: 222 destroyed; 250 with major damage; 1,203 with minor damage; and 256 dwellings otherwise affected. A total of 106 homes are inaccessible.

PUBLIC ASSISTANCE

The U.S. Army Corps of Engineers (USACE) has provided pumps and sandbags to assist with the flooding along the Mississippi River. The Iowa National Guard has provided 528 members to assist in 20 counties. The nuclear power plant, located in the Quad City area (Davenport/Moline/Rock Island/Bettendorf) has been shut down. A start-up date is being reviewed. Potable water is being provided in Conesville, Iowa due to well contamination.

DISCUSSION

The Governor's request meets the requirements of the law. The State commitment is considered adequate.

Governor Branstad specifically requested Individual Assistance, including the Temporary Housing program, the Individual and Family Grant (IFG) program, Crisis Counseling, and Disaster Unemployment Assistance. In addition, the Governor has requested implementation of the Individual Assistance Minimization program and the disaster loan programs from the Small Business Administration (SBA).

Governor Branstad further stated that a specific request for Public Assistance may be made at a later date after the completion of damage assessments.

There is a concern for health hazards because all of the homes in the affected areas have wells and septic tank systems. Well contamination will be a concern as people return to their homes. Propane tanks have floated away from the affected homes.

It is estimated that 30 percent of the families are in the low income level; many of the victims would not be eligible for the SBA disaster loan program. Further, the affected individuals do not have the resources to pay for necessary repairs or relocation. Approximately 30 percent of the homes in the flooded area are covered by flood insurance. Seventy-five (75) percent of the dwellings affected were owner-occupied.

No requirement for food stamps or crisis counseling has been identified; however, the State of Iowa has indicated the possible need for both programs.

The full impact of this event has not yet been identified. Damage assessments for Public Assistance will continue throughout affected areas as flood water recedes.

In the event of a declaration, assistance under the Temporary Housing program may be provided to 2,458 families at approximately \$2,300 per family. Under the IFG program, 1,486 individuals may receive grants at an average of \$3,500 per grant. The number of unemployed individuals is estimated at 1,304 for a total of four weeks at an average of \$174 per week.

Individual Assistance program cost estimates are:

Temporary Housing (100 percent Federal)	
Home Repairs	\$ 4,806,000
Rental Assistance/Transient	
Accommodations	<u>867,000</u>
TOTAL	\$ 5,673,000
Disaster Unemployment Assistance	
TOTAL	\$ 907,584

Individual and Family Grants (75 percent Federal)
Grant Amount \$ 5,201,000
Federal Share \$ 3,900,750

TOTAL INDIVIDUAL ASSISTANCE \$10,481,334

The disaster loan programs from the SBA may provide 426 residential loans at an average of \$18,500, while 53 businesses may be eligible at an average of \$57,000.

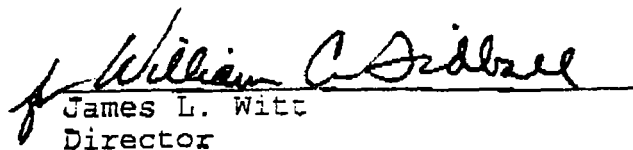
Small Business Administration
Disaster Loan Program \$ 10,924,000

CONCLUSIONS

- The situation is of such severity and magnitude that effective response is beyond the capabilities of the State and local governments, and supplemental Federal assistance is necessary.
- The situation warrants a major disaster declaration.
- In the event of a declaration, FEMA intends to provide Individual Assistance for Clayton, Clinton, Des Moines, Dickinson, Humboldt, Jackson, Johnson, Louisa, Muscatine, Scott, and Wapello Counties. Damage assessments are continuing.
- Public Assistance may be added at a later date, if warranted.
- Additional counties may be designated at a later date, if requested and warranted.

RECOMMENDATION

That the Governor's request be granted.


James L. Witt
Director

Date: 7/9/93

Attachments:
Declaration Letter
Telegram to the Governor
Press Release
Congressional Representation
State Map
Governor's Request

THE WHITE HOUSE
WASHINGTON

April 20, 1993

APR 22 1993

MEMORANDUM FOR MACK MCLARTY, RAHM EMANUEL, MARK GEARAN, ALEXIS
HERMAN, BRUCE LINDSEY, REGINA MONTOYA, BERNARD
NUSSBAUM, LEON PANETTA, HOWARD PASTER, AND GEORGE
STEPHANOPOULOS

FROM: CHRISTINE A. VARNEY AND STEPHEN B. SILVERMAN

SUBJECT: Federal Emergency Management Agency Recommendation
To Declare a "Major Disaster" in Iowa.

Attached for your comment is a recommendation from the Federal
Emergency Management Agency ("FEMA") that the President declare a
"major disaster" in the State of Iowa as a result of extensive
flooding from a March 26th storm system coupled with the quick
thaw of a 20 inch snowpack.

Please forward any comments to our office. If there are no
objections, we will recommend to the President that he grant the
Governor's request for a major disaster declaration in the State
of Iowa.





Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

IOWA

Beginning on March 26, 1993, a storm system, accompanied by warming temperatures, moved through the State causing a quick thaw of a 20 inch snowpack. Several streams, already swollen, crested at five to nine feet above flood stage. Extensive flooding occurred in both rural and urban areas.

Governor Terry E. Branstad requested a joint FEMA, State, and local Preliminary Damage Assessment (PDA) to determine Individual Assistance needs on April 5. Based on the results of the Individual Assistance PDA, Governor Branstad requested a major disaster declaration on April 9 for Black Hawk, Butler, Floyd, Humboldt, Kossuth, Linn, Mitchell, Tama and Webster Counties. This same date, a PDA for Public Assistance was requested.

INDIVIDUAL ASSISTANCE

No casualties and 12 injuries were reported. The American Red Cross (ARC) established four shelters that housed 52 individuals overnight. The Salvation Army and Mennonite Disaster Services have also been active in providing assistance in the affected areas. Well contamination was identified in Black Hawk and Linn Counties. Linn County is providing water by tanker truck.

Sixteen (16) homes were inaccessible and a total of 737 homes were damaged by the storms or flooding. Fifty-eight (58) homes were destroyed, 60 received major damage, 153 received minor damage, and 466 were minimally affected.

PUBLIC ASSISTANCE

The PDA is not yet complete; however, damage to bridges, culverts, and roadways has been identified. The Iowa National Guard provided assistance to local jurisdictions in search and rescue activities. Local jurisdictions and emergency response organizations participated in over 140 rescues.

DISCUSSION

The Governor's request meets the requirements of the law. The State's commitment is considered adequate.

The Governor requested Individual Assistance programs to include Temporary Housing and the Individual and Family Grant (IFG) program under Public Law 93-288, as amended. The Governor further

requested that Public Assistance be considered upon completion of the PDA. The disaster loan program from the Small Business Administration (SBA) was also included in Governor Branstad's request. Loan programs from SBA are automatically implemented with the designation of Individual Assistance.

A total of 753 homes were surveyed in four counties. Affected residents are primarily low or fixed income (86 percent). A high percentage of elderly were identified in Linn and Black Hawk Counties. Some secondary home damage was identified. The estimates for these homes are not included in this projection.

Ninety (90) percent of the dwellings affected were owner occupied, with only 18 percent of the dwellings insured. Insurance coverage is primarily for the structure only. Most flood damage would not be covered as flooding took place in sub-grade areas. Eight-five (85) percent of the homes with water in sub-grade areas had water to the floor joists, causing damage to furnaces, water heaters, and electrical panels.

The State of Iowa is proposing a utility relocation mitigation project under the IFG program. The proposal includes all aspects of relocating utility appliances, furnaces, and hot water heaters to the first floor of the dwelling.

A requirement for Disaster Unemployment Assistance and Crisis Counseling was not identified.

In the event of a declaration, the Temporary Housing program may provide assistance to 720 families at an average cost of \$3,840. Grants under the IFG program, excluding the mitigation project, may be provided to 442 individuals at an average grant of \$2,450. The mitigation program may be provided to 326 individuals at an average grant of \$3,800.

Individual Assistance program cost estimates are:

Temporary Housing (100 percent Federal)	
Home Repairs	\$ 2,583,000
Rental Assistance/Transient Accommodations	<u>183,120</u>
TOTAL (100 percent)	\$ 2,766,120
Individual and Family Grants (75 percent Federal)	
Grant Amount	\$ 1,082,900
Mitigation Grant Amount	<u>1,238,800</u>
TOTAL (100 percent)	\$ 2,321,700
Federal Share (75 percent)	\$ 1,741,275
TOTAL INDIVIDUAL ASSISTANCE	\$ 4,507,375

SBA projects that 106 individuals may qualify for the disaster loan program at an average loan of \$16,000 while two businesses may qualify for an average loan of \$52,000.

Small Business Administration
Disaster Loan Program

\$ 1,852,000

Damage assessments for Public Assistance have been and continue to be delayed due to standing high water. Surveys will be completed once the affected areas are accessible.

CONCLUSIONS

- The situation is of such severity and magnitude that effective response is beyond the capabilities of the State and local governments, and supplemental Federal assistance is necessary.
- The situation warrants a major disaster declaration.
- In the event of a declaration, FEMA intends to provide Individual Assistance for Black Hawk, Butler, Linn, and Tama Counties.
- Public Assistance may be added at a later date, if warranted.
- Additional counties may be designated at a later date, if requested and warranted.

RECOMMENDATION

That the Governor's request be granted.

SIGNED

James L. Witt
Director

Date: APR 19 1993

Attachments:
Declaration Letter
Telegram to the Governor
Press Release
Congressional Representation
State Map
Governor's Request

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Kansas

Divider Title: _____

FROM THE OFFICE OF THE DEPUTY CABINET SECRETARY

Room 209, Old Executive Office Building

Phone: 202-456-2572

Fax: 202-456-2983

Date:

July 21

Response Needed By:

ASAP

FOR:

☒ Paul Carey	☒ Dee Dee Myers
☒ Barbara Chow	☒ Roy Neel
☒ Christopher Edley	☒ Stephen Neuwirth
☒ Rahm Emanuel	☒ Bernie Nussbaum
☒ Mark Gearan	☒ Howard Paster
☐ David Gergen	☒ Leon Panetta
☐ Jack Gibbons	☒ John Podesta
☐ Marcia Hale	☐ Jack Quinn
☒ Alexis Herman	☐ Carol Rasco
☐ Nancy Hernreich	☐ Bob Rubin
☐ Arthur Jones	☐ Marla Romash
☐ Anthony Lake	☐ Eli Segal
☒ Bruce Lindsey	☐ David Seldin
☐ Katie McGinty	☒ George Stephanopoulos
☒ Kathy McKiernan	☐ Lorraine Voles
☒ Mack McLarty	☐ David Watkins
☒ Lorraine Miller	☒ Jeff Watson
☒ Regina Montoya	☐ Maggie Williams

Remarks:

Joan Baggett

Lee Ann Madson

Attached is a FEMA recommendation
to declare a major disaster in
Kansas.

Response:

THE WHITE HOUSE

WASHINGTON

July 21, 1993

MEMORANDUM FOR: MACK MCLARTY
LEON PANETTA
JOAN BAGGETT
PAUL CAREY
BARBARA CHOW
CHRISTOPHER EDLEY
RAHM EMANUEL
MARK GEARAN
ALEXIS HERMAN
BRUCE LINDSEY
KATHY MCKIERNAN
LORRAINE MILLER
REGINA MONTOYA
DEE DEE MYERS
ROY NEEL
STEPHEN NEUWIRTH
BERNARD NUSSBAUM
HOWARD PASTER
JOHN PODESTA
GEORGE STEPHANOPOULOS
JEFF WATSON

FROM: CHRISTINE A. VARNEY *CAV*
CABINET SECRETARY

STEPHEN B. SILVERMAN *SBS*
DEPUTY CABINET SECRETARY

SUBJECT: FEDERAL EMERGENCY MANAGEMENT AGENCY
RECOMMENDATION TO DECLARE A MAJOR DISASTER
FOR THE STATE OF KANSAS

Attached for your comment is a recommendation from the Federal Emergency Management Agency (FEMA) that the President declare a major disaster in Kansas as a result of flooding. FEMA concludes that Kansas's request for a major disaster declaration should be granted.

Please forward any comments to our office. If there are no objections, we will recommend to the President that Kansas's request for a major disaster declaration be granted.

Attachment



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

KANSAS

North central and northeast Kansas have been significantly impacted by flooding and severe storms beginning June 28, 1993, and continuing.

A joint FEMA, State and local government Preliminary Damage Assessment (PDA) was requested and conducted on July 15-17 to determine the requirement for supplemental Federal assistance. On July 18 Governor Joan Finney requested a major disaster declaration to provide assistance to Wyandotte, Leavenworth, Johnson, Harvey, and Douglas Counties.

INDIVIDUAL ASSISTANCE

There were 52 injuries. The PDA revealed that there were 907 homes which suffered damage: 17 were destroyed; 166 had major damage; 701 had minor damage; and 23 were otherwise affected. The American Red Cross (ARC) provided 4,115 meals to evacuees and emergency workers and established five shelters which housed 378 people. Four (4) shelters remain open in Leavenworth and Wyandotte Counties. The ARC has registered 279 case in the five affected counties.

PUBLIC ASSISTANCE

Standing water continues to restrict access to damaged public facilities. Therefore, the nature and extent of damage are not known at present.

The Kansas National Guard has assisted local jurisdictions in search and rescue, sand bagging operations, transportation of essential equipment, levee patrol, and security in evacuated areas.

DISCUSSION

The Governor's request meets all requirements of the law. The Governor certified that the State would meet the non-Federal share of costs as required by Public Law 93-288, as amended.

Governor Finney requested the designation of Individual Assistance programs, including the Temporary Housing program, Individual and Family Grant (IFG) program, Disaster Unemployment Assistance (DUA), and Crisis Counseling. The Governor further requested the

implementation of disaster loan programs from the Small Business Administration (SBA). These programs would be automatically available with the designation of the Individual Assistance programs.

Governor Finney also stated that a specific request for Public Assistance may be made at a later date after flood waters recede.

The full impact of this event has not yet been identified. Many areas remain inaccessible. Additional assessments for Individual Assistance and Public Assistance will more than likely be conducted in as many as 30 counties.

An infestation of mosquitoes has resulted from standing water. Well contamination will be a problem in many of the rural communities.

All 907 of the affected homes surveyed were primary homes. Sixty-five (65) percent of the homes are occupied by low income families. Sixty-nine (69) percent are owner-occupied. Twenty (20) percent of the affected homes in Johnson County are covered by flood insurance, while only seven percent of the homes in the remaining counties surveyed are covered. The vast majority of the flood insurance policies in effect cover structural damage only.

In the event of a declaration, assistance under the Temporary Housing program may be provided to 857 individuals at approximately \$1,900 per family. Under the IFG program, 770 individuals may be eligible to receive grants at an average of \$2,500 per grant. DUA and Crisis Counseling have not yet been identified.

Individual Assistance program cost estimates are:

Temporary Housing Total (100 percent Federal)	
Home Repairs	\$ 1,245,000
Rental Assistance/Transient Accommodations	<u>\$ 399,280</u>
TOTAL	\$ 1,644,280

Individual and Family Grants (75 percent Federal)	
Grant Amount	\$ 1,925,000
Federal Share	<u>\$ 1,443,750</u>

TOTAL INDIVIDUAL ASSISTANCE \$ 3,088,030

The disaster loan programs from SBA may provide 148 residential loans at an average of \$16,291, while 26 businesses may be eligible at an average loan of \$52,687.

Small Business Administration	
Disaster Loan Program	\$ 3,780,930

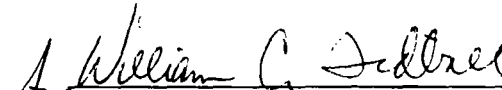
An assessment of damage to public facilities will be completed once flood waters recede.

CONCLUSIONS

- The situation is of such severity and magnitude that effective response is beyond the capabilities of the State and local governments, and supplemental Federal assistance is necessary.
- The situation warrants a major disaster declaration.
- In the event of a declaration, FEMA intends to provide Individual Assistance to Wyandotte, Leavenworth, Harvey, Douglas, and Johnson Counties. Damage assessments are ongoing.
- FEMA may provide Public Assistance at a later date, if warranted.
- Additional counties may be designated at a later date, if requested and warranted.

RECOMMENDATION

That the Governor's request be granted.


James L. Witt
Director

Date: 7/21/93

Attachments:
Declaration Letter
Telegram to the Governor
Press Release
Congressional Representation
State Map
Governor's Request

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Kentucky

Divider Title: _____

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Louisiana

Divider Title: _____

THE WHITE HOUSE
WASHINGTON

JUNE 2, 1993

MEMORANDUM FOR MACK MCLARTY, LEON PANETTA, PAUL CAREY, BARBARA CHOW, RAHM EMANUEL, MARK GEARAN, ALEXIS HERMAN, BRUCE LINDSEY, DEE DEE MYERS, LORRAINE MILLER, REGINA MONTOYA, STEPHEN NEUWIRTH, BERNARD NUSSBAUM, HOWARD PASTER, JOHN PODESTA, GEORGE STEPHANOPOULOS AND JEFF WATSON

FROM: CHRISTINE A. VARNEY AND STEPHEN B. SILVERMAN *538*

SUBJECT: Federal Emergency Management Agency Recommendation to Deny the Appeal of the Denial of a Declaration of a "Major Disaster" in Louisiana.

Attached for your comment is a recommendation from the Federal Emergency Management Agency ("FEMA") to deny Louisiana's request for a major disaster declaration as a result of the April 8, 1993 line of thunderstorms that hit the state.

Governor Edwards' original request for a "Major Disaster" declaration was denied. Subsequently, he appealed this decision to FEMA.

Please forward any comments on this matter to our office. If we do not receive any comments in opposition to this disposition, Louisiana's request will be denied.

INFORMATION COPY

DISASTER PRIORITY

SUBJECT

REQUEST FOR A MAJOR DISASTER DECLARATION

STATE OF LOUISIANA



DATE

MAY 28 1993



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

LOUISIANA

On April 8, 1993, a line of severe thunderstorms struck southern Louisiana and spawned a tornado that caused significant damage to the barrier island of Grand Isle. Governor Edwin Edwards requested a major disaster declaration as a result of the event and the damage identified by the Preliminary Damage Assessment (PDA). The request was denied on April 27. On April 29, Governor Edwards appealed this decision. A resurvey of the affected area was conducted jointly with staff of the Federal Emergency Management Agency (FEMA), the Small Business Administration (SBA), the American Red Cross (ARC), the State, and local governments on May 5.

INDIVIDUAL ASSISTANCE

There were three confirmed deaths and 54 injuries as a result of this incident. The ARC responded to immediate needs and opened one shelter which housed 200 people. The ARC has received 115 requests for assistance. Thirty-seven (37) of the requests were for consultation only, and 78 for various forms of family assistance, including 15 authorizations for rental assistance.

PUBLIC ASSISTANCE

Governor Edwards did not request the Public Assistance program.

DISCUSSION

The Governor's request meets all requirements of the law. His commitment to assume the non-Federal share of costs under the Stafford Act is considered adequate.

In his initial request, Governor Edwards requested Individual Assistance programs, including Temporary Housing Assistance, the Individual and Family Grant (IFG) program, and Disaster Unemployment Assistance (DUA). The Governor also requested the disaster loan programs from the SBA which would automatically be implemented with a declaration of this type.

The State's appeal disputes the number of homes affected by the tornadoes. In the initial recommendation submitted, 81 homes were identified as affected. The State contends, based on information provided by the ARC, that 142 homes were affected. The State further identifies 75-80 damaged dwellings that are vacation homes and are not included in the estimate of 142.

FEMA agrees that a total of 142 homes were affected; however, this figure is composed of 81 primary and 61 vacation/secondary homes which are ineligible for assistance. During the initial PDA, the teams were accompanied by City utility meter readers to help identify single/multi-family dwellings and primary and vacation residences. The assistance provided by these individuals was critical to the identification of eligible residences.

The State's appeal also refers to the lack of insurance for the affected dwellings and focused on the uninsured cases identified by the ARC. Although it is reported that insurance coverage is estimated at 35 percent for affected homeowners, the ARC has assisted 78 families with some form of assistance, including 15 who received rental assistance. The ARC appears to have met all identified needs and has now closed its operation.

No requirement for DUA or food stamp assistance was identified; however, a need for Crisis Counseling was identified. Crisis Counseling assistance was provided by the Jefferson Parish School District during the first week immediately following the tornado. Counseling is continuing to be provided by the school district and the State mental health office on a weekly basis through June 1. Additional counseling assistance may be beneficial during the summer months for an unknown number of students.

In the event of a declaration, 46 individuals may be eligible for assistance under the Temporary Housing program at an average cost of \$700. Under the IFG program, 22 families may be eligible for assistance at an average grant of \$7,500.

Individual Assistance program cost estimates are:

Temporary Housing (100 percent Federal)	
Home Repairs	\$ 11,250
Rental Assistance/Transient Accommodations	<u>\$ 21,300</u>
TOTAL	\$ 32,550
Crisis Counseling	\$ 25,000
Individual and Family Grants (75 percent Federal)	
Grant Amount	\$ 165,000
Federal Share	<u>\$ 123,750</u>
TOTAL INDIVIDUAL ASSISTANCE	\$ 181,300

State estimates for SBA loan requirements differ substantially from those provided by the SBA. The State projects 20 home loans and two business loans while the SBA projects three home loans at an average of \$16,300, and one business loan at an average of \$52,200.

Small Business Administration	
Disaster Loan Program	\$ 101,560

The resurvey did not provide any basis to reverse our previous recommendation. While differences in the PDA were identified by the State, only the characterization of the numbers varied, i.e., primary versus secondary homes. Assistance was provided by voluntary organizations. The ARC has now closed the operation for this event. Representatives from Catholic Charities and Mennonite Disaster Services had previously expressed their intent to assist in the recovery effort.

CONCLUSIONS

- The situation is not of such severity and magnitude that effective response is beyond the capabilities of the State and local governments, and supplemental Federal assistance is not necessary.
- The situation does not warrant a major disaster declaration.

RECOMMENDATION

That the Governor's appeal be denied.

SIGNED

James L. Witt
Director

Date: May 28 1993

Attachments:

Letter to the Governor
Congressional Representation
State Map
Governor's Request



Federal Emergency Management Agency

Washington, D.C. 20472

The Honorable Edwin W. Edwards
Governor of Louisiana
State Capitol
P.O. Box 94004
Baton Rouge, Louisiana 70804

Dear Governor Edwards:

This is in response to your April 29, 1993, appeal to President Clinton for a major disaster declaration for the State of Louisiana as a result of severe thunderstorms and tornadoes on April 8.

Following the receipt of your appeal, a resurvey of Jefferson Parish was conducted jointly with the Federal Emergency Management Agency (FEMA), the Small Business Administration (SBA), the American Red Cross (ARC), and State and local government personnel on May 5. This resurvey was conducted to clarify discrepancies identified by you.

Your appeal disputes the number of homes affected by the tornadoes. You contend that, based on information provided by the ARC, 142 homes were affected. You further identified 75-80 damaged dwellings that are vacation homes and are not included in the 142 estimate.

My staff agrees that a total of 142 homes were affected; however, this figure is composed of 81 primary and 61 vacation/secondary homes which are ineligible for assistance. During the initial Preliminary Damage Assessment, the teams were accompanied by city utility meter readers to help identify single/multi-family dwellings and primary and vacation residences. The assistance provided by these individuals was critical to our identification of eligible residences.

You also referred to the lack of insurance for the affected dwellings. From the initial damage assessment, an estimate of 40 percent insured was identified. Insurance information was provided by the American Red Cross (ARC) which estimated that 35 percent of the affected homeowners were insured.

The ARC opened a total of 115 cases of which 37 were consultation cases only. The remaining 78 cases were families who received some form of assistance, including 15 rental assistance cases.

After a thorough review of your appeal and the additional information regarding the impact to individuals and families, it was concluded that the severity and magnitude of the situation did not appear to be beyond the response capability of the State and local governments. Therefore, we must conclude, that a major disaster declaration is not warranted.

I hope the assistance that has been provided by the ARC and other voluntary organizations has contributed to the recovery of Jefferson Parish.

Sincerely,

James L. Witt
Director

CONGRESSIONAL REPRESENTATION

The Governor of Louisiana is:

Edwin W. Edwards (D)

Louisiana Senators are:

J. Bennett Johnston (D)

John B. Breaux (D)

Representing the affected areas:

Robert L. Livingston (R)

1st District

William J. Jefferson (D)

2nd District

W.J. "Billy" Tauzin (D)

3rd District

For further information, contact FEMA at (202) 646-4500.



EDWIN W. EDWARDS
GOVERNOR

State of Louisiana

OFFICE OF THE GOVERNOR

Baton Rouge

70804-9004

POST OFFICE BOX 94004
(504) 342-7015

April 29, 1993

James Lee Witt
Director
Federal Emergency Management Agency
500 "C" Street, SE
Washington, DC 20515

93 APR 30 PM 2:53

Dear Mr. Witt:

This is in response to your letter denying the request for a Presidential Declaration for the Grand Isle tornado which occurred on April 8, 1993.

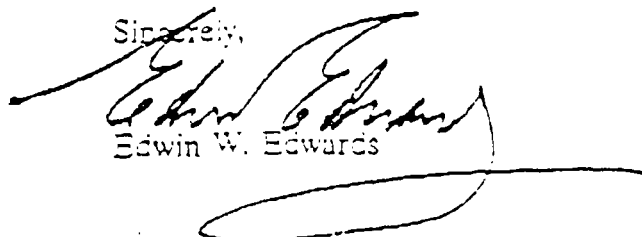
You based your denial of the request on the number of homes affected, as reported by the American Red Cross (ARC). Attached you will find the report from the ARC which indicates a total of 142 homes affected as opposed to the 81 reported in your letter. Ms. Mary Lou Taylor with the ARC National Office reported that 115 case files have been opened of which 67 are homeowners. Of the 67 homeowner files, she reports that only 23 homes have insurance, which results in over 65% uninsured. It should also be noted that 75-80 homes were damaged, but they were not primary dwellings and are in addition to the 142 reported by ARC.

The victims of this storm are suffering. The ARC has said that 109 cases have been reported, requiring crisis counseling for those persons involved, especially for the school children who were in the school that took a direct hit and who witnessed the death of a teen-age student.

I am asking that you reconsider our request for President Clinton to declare Grand Isle a disaster area. The programs which will result in that declaration will not heal all of the wounds, but they are vital to the restoration of the community.

Should you have any questions, please contact Colonel William Croft, Louisiana Office of Emergency Preparedness at (504)342-1583.

Sincerely,



Edwin W. Edwards



4

1-1-70
Fax Transmittal Memo 7672
To Colonel William Croft
From Office of Emergency Preparedness
Subject Baton Rouge, LA.
Fax # 504 - 432-5471 Telephone # 504-342-1583
Comments

File of Page# 1 Today's Date 4/29/93 Time
 From Mary Lou Taylor
 Company Disaster Services, State of Louisiana
 Location NEW Orleans, LA. Mail Charge Dis. Svcs.
 Fax# 504-857-1569 Teleph# 504-567-1592
 Original: ☐ Library ☐ Rare ☐ Call for help

ARC DAMAGE ASSESSMENT SUMMARY SHEET FOR GRAND ISLE TORNADO APRIL 1993

[illegible]

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Maine

Divider Title: _____

THE WHITE HOUSE

WASHINGTON

MAY - 9 1993

May 10, 1993

MEMORANDUM FOR MACK MCLARTY, LEON PANETTA, PAUL CAREY, BARBARA CHOW, CHRISTOPHER EDLEY, RAHM EMANUEL, MARK GEARAN, ALEXIS HERMAN, BRUCE LINDSEY, REGINA MONTOYA, DEE DEE MEYERS, STEPHEN NEUWIRTH, BERNARD NUSSBAUM, HOWARD PASTER, JOHN PODESTA, GEORGE STEPHANOPOULOS AND JEFF WATSON

FROM: CHRISTINE A. VARNEY AND STEPHEN B. SILVERMAN *SB*

SUBJECT: Federal Emergency Management Agency Recommendation that the President Declare a "Major Disaster" in Maine

Attached for your comment is a recommendation from the Federal Emergency Management Agency ("FEMA") that the President declare a major disaster in Maine as a result of flash floods which struck the state April 9, 1993. FEMA concludes that Maine's request for a major disaster declaration should be granted.

Please forward any comments to our office. If there are no objections, we will recommend to the President that Maine's request for a major disaster declaration be granted.

SUMMARY

In the event of a declaration, the following information applies:

STATE: Maine

NUMBER: FEMA-988-DR

INCIDENT: Flooding, Heavy Rain, Snowmelt, and Ice Jams

INCIDENT PERIOD: April 9, 1993, and continuing

DATE REQUESTED BY GOVERNOR: April 29, 1993

FEDERAL COORDINATING OFFICER: Edward A. Thomas
FEMA Region I

DESIGNATIONS AND TYPES OF ASSISTANCE:

INDIVIDUAL ASSISTANCE (Assistance to families and individuals):

None.

PUBLIC ASSISTANCE (Assistance to State and local governments for the repair or replacement of disaster-damaged public facilities):

Androscoggin, Aroostook, Franklin, Kennebec, Oxford, Piscataquis, Penobscot, Somerset, and Waldo.

OTHER: Additional designations may be made at a later date after further evaluation.



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

STATE OF MAINE

Severe flood warnings were issued by the National Weather Service (NWS) on April 9 in anticipation of approaching rainstorms throughout the State of Maine. The rain, in conjunction with frozen ground and dense snowpack, prompted flash flooding.

At the request of Governor John McKernan, a joint FEMA, State, and local government Preliminary Damage Assessment (PDA) was conducted on April 26-29. Based on the PDA results, on April 29, Governor McKernan requested a major disaster declaration to provide assistance to Androscoggin, Aroostook, Cumberland, Franklin, Hancock, Kennebec, Oxford, Piscataquis, Penobscot, Somerset and Waldo Counties.

INDIVIDUAL ASSISTANCE

Minimal damage to homes and businesses was noted during the PDA. The American Red Cross (ARC) and the Maine Emergency Management Agency (MEMA) report damage to approximately 30 primary residences, 15 seasonal homes, and 15 businesses.

The towns of Milford and Glenburn, located in Penobscot County, have raised concerns regarding possible well contamination. The situation is being closely monitored by State and local officials.

PUBLIC ASSISTANCE

The most extensive impact to the public sector is damage to roads and culverts. More than 100 communities have been affected. Heavy rain eroded road shoulders and drainage ditches. Several dams also suffered substantial damage from high flows and ice.

DISCUSSION

The Governor's request meets the requirements of the law. His commitment to meet cost sharing requirements is adequate.

Governor McKernan specifically requested Public Assistance programs under Public Law 93-288, as amended. ARC and MEMA indicate there have been minimal health and safety impacts resulting from this

event. ARC does not have an active case load at this time. There does not appear to be a need for Individual Assistance programs.

Road damage is extensive. A 75 foot masonry retaining wall, used to stabilize a road, bridge, and dam in Mercer (Somerset County) is showing extensive signs of failure. In the town of Bradford, a bridge and abutment constructed of steel and timber are more than 50 percent damaged by ice flows.

Several dams suffered damage from high flows and ice. The Stump Pond Dam located in Franklin County lost a 34 foot timber section and gate structure, and suffered extensive undermining and erosion. The Taylor Pond Dam in Kennebec County is more than 50 percent destroyed and may require replacement.

Only one public building suffered significant damage to heating, plumbing, and electrical systems. This facility is covered by flood insurance which will help minimize the financial impact to the community.

In the event of a declaration, Public Assistance is estimated at:

Debris Removal	\$ 21,300
Emergency Protective Measures	\$ 23,000
Road Systems	\$ 1,271,600
Water Control Facilities	\$ 252,000
Public Buildings and Equipment	\$ 15,200
Public Utility Systems	\$ 13,400
Recreation and Other Facilities	\$ 49,300
TOTAL PUBLIC ASSISTANCE	\$ 1,645,800
FEDERAL SHARE (75/25)	\$ 1,234,350

In and of themselves, the financial impacts of this event may not overly stress the State's ability to recover. However, when combined with those of previous disasters, they become significant. To date, the State continues to fund the full 25 percent of non-Federal shared costs for ongoing Public Assistance programs authorized under the four declarations listed below. The total State commitment is estimated to be more than \$6.8 million dollars.

Declaration Number	Date Declared	Federal Share (75 percent)	State Share (25 percent)
FEMA-901-DR	04/19/91	\$10,669,530	\$3,556,510
FEMA-915-DR	08/28/91	\$ 4,554,250	\$1,518,083
FEMA-921-DR	11/07/91	\$ 2,501,594	\$ 833,864
FEMA-940-DR	03/27/92	\$ 2,811,875	\$ 937,291

In addition, on March 15, 1993, the State of Maine received an Emergency declaration (FEMA-3099-EM) as a result of severe winter storm conditions. Assistance was provided for required emergency measures for a period of five days to open access for emergency vehicles. Sixteen (16) counties were designated for assistance. Cost projections for this incident stand at \$1,550,000 for the Federal share. The non-Federal share is \$516,666.

CONCLUSIONS

- The situation is of such severity and magnitude that effective response is beyond the capabilities of the State and local governments, and supplemental Federal assistance is necessary.
- The situation warrants a major disaster declaration.
- In the event of a declaration, FEMA intends to provide Public Assistance to the counties of Androscoggin, Aroostook, Franklin, Kennebec, Oxford, Piscataquis, Penobscot, Somerset and Waldo. The requested counties of Cumberland and Hancock may be designated as add-on counties pending completion and results of joint PDAs.
- Additional counties may be designated at a later date, if requested and warranted.

RECOMMENDATION

That the Governor's request for a major disaster declaration be granted.

SIGNED

James L. Witt
Director

Date: MAY 7 1993

Attachments:
Declaration Letter
Telegram to the Governor
Press Release
Congressional Representation
State Map
Governor's Request