

**WRITTEN TESTIMONY OF PAUL RAINWATER,
EXECUTIVE DIRECTOR OF THE LOUISIANA RECOVERY
AUTHORITY AND THE GOVERNOR'S AUTHORIZED
REPRESENTATIVE TO FEMA**

BEFORE THE

**U.S. HOUSE COMMITTEE ON HOMELAND SECURITY
SUBCOMMITTEE ON EMERGENCY COMMUNICATIONS,
PREPAREDNESS, AND RESPONSE**

AND THE

**U.S. SENATE COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS AD HOC SUBCOMMITTEE ON DISASTER
RECOVERY**

JULY 31, 2008

Good morning Madam Chair, Mister Chairman and members of the committee. I am Paul Rainwater, the Executive Director of the Louisiana Recovery Authority and the leader of the Office of Community Development's disaster recovery programs in the state of Louisiana. In January 2008, Governor Bobby Jindal appointed me to serve as his chief of all recovery matters, effectively giving me authority and oversight for more than \$20 billion worth of recovery programs in the state with responsibilities ranging from ensuring that local governments can rebuild lost infrastructure to addressing our housing crisis head on.

One of Governor Jindal's first actions was to name me as his authorized representative to the Federal Emergency Management Agency (FEMA) for all issues relating to Hurricanes Katrina and Rita, a role previously held by the head of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP). In doing this, Governor Jindal acknowledged the challenges we still face in Louisiana. On one hand we are still recovering from Hurricane Katrina, the worst natural disaster in American history, which was exacerbated by the failure of the federal levee system and further worsened by Hurricane Rita three weeks later. On the other, we must aggressively prepare for future storms and disasters.

By giving me this authority, he also designated one clear contact for all recovery issues so there would be no confusion with local, state and federal officials as to who was in charge. Whereas the previous administration delegated policy and planning issues to the Louisiana Recovery Authority and gave oversight and implementation of other programs to various state agencies including GOHSEP, I now have direct control over each of our programs with the ability to make changes as necessary and have the full support of the Governor in doing so.

Louisiana has worked diligently to improve its relationship with FEMA. At the beginning of the Jindal administration we worked to "reset" our relationship with FEMA. The miscommunication we are speaking of today as unfortunate, but we do not seek to cast blame on Jim Stark and Harvey Johnson from FEMA. I know that they are committed to helping our state recover from this catastrophe. Today's discussion has larger implications on the need for clear communication during response to and recovery from disasters and is relevant not only in Louisiana and Mississippi, but all across our nation.

To speak to the matter of the FEMA surplus supplies being discussed today, I want to make it crystal clear – I never received any notice, formal or otherwise, of these supplies that sat in a warehouse in Texas for two years. Nor did my predecessor at the LRA. Further, we have not been able to locate any notice from FEMA to the Governor’s Authorized Representative under the previous administration.

Had I known about these supplies, I would have moved to quickly put them to good use. I reject the notion that it is not clear that we had unmet needs in Louisiana – at the time hundreds of people were living in an homeless camp under the interstate in New Orleans and thousands of people were living in FEMA trailers. A simple look outside would have shown immense struggling and poverty in hurricane-affected areas across our state.

In fact, less than a month into my service at the LRA, we requested, in writing to FEMA’s Transitional Recovery Office, Household Establishment Funds (HEF), stating, "In addition to case management assistance, many trailer residents require a jumpstart in order to transition into new and sustainable housing. The working residents who lost everything they owned during the storms will be positioned to sustain their housing situation with a little assistance at the beginning of the process." A copy of this letter is attached to my testimony. It is clear that this letter did not make it into the hands of those at FEMA who had knowledge of the now-surplused supplies, just as the federal notice of the surplus property did not come to those of us whose sole task is to work daily to move our recovery forward. There is plenty of blame to share in this situation and it is only through working together as partners that federal and state agencies can serve our people to our fullest potential.

This issue of the “lost” supplies is just the latest example of how regular disaster response and recovery protocols just do not fit in Louisiana. As we rebuild after catastrophes like Hurricanes Katrina and Rita, the state needs recovery protocols with intuition and flexibility. My staff and I speak to FEMA staffers, both locally and at headquarters, multiple times each day. That there would be a lack of coordination about these supplies after these daily conversations and meetings is almost unfathomable. Our staff has committed to working with FEMA through sometimes difficult discussions and negotiations about our needs, both in repairing our infrastructure and in restoring our citizens’ lives.

What is most troubling to me is that the state would have never known about these supplies if CNN had not reported on the issue. These supplies would be gone and we would have never been notified by FEMA that tens of thousands of household goods that we desperately need are no longer available for our use. It is unfortunate that it took national media attention to alert us to a gap in our state response.

It has been reported that Louisiana turned down these supplies because we said we did not have these kinds of needs. For the purposes of clarification, I have attached to this testimony e-mails that served as notice from the General Services Administration (GSA) to the Louisiana Federal Property Assistance Agency, which is a small state agency of only nine employees that helps government entities and nonprofits access the myriad of supplies federal agencies mark as surplus. This notice was hardly unique, as the agency reports it receives around 20 each year.

None of these e-mails ever notifies the state that these supplies were meant for Katrina and Rita victims. Nor do they offer supplies to Louisiana. What the Louisiana Federal Property Assistance Agency is accused of turning down was not actual goods. It was the chance to go to Texas for a two day “screening” of goods, where we would have stood, after federal agencies had picked

their supplies on the second day with 16 other states to sift through what was left and then have the supplies divided among the states. This was hardly a guarantee of aid.

Nevertheless, the state was notified that household supplies were available and our own lack of coordination between state agencies caused us to miss out on goods that we need to serve our citizens. Make no mistake, Louisiana should not have turned down the chance to bring these supplies back to the state.

It is regrettable that we were not fully synced in state government in that we at the recovery level didn't know that this small agency that dealt in surplus goods could be the recipients of items intended for hurricane victims or that it had access to such household goods.

We began remedying that situation the day the news of this unfortunate communication breakdown was reported on CNN. After it was made public that the supplies intended for Katrina and Rita victims had been surplus and given to other states, Governor Jindal tasked me with leading our efforts to locate supplies for nonprofits.

The state of Louisiana made a public request that states and organizations return to Louisiana any of these goods that were intended to help disaster victims in Louisiana but were marked as surplus and remain unused.

As it stands now, Texas and Arkansas and the United States Postal Service have returned surplus supplies to Louisiana. We thank them for their generosity and we especially thank the Postal Service for transporting the supplies to Louisiana at no cost to us. We have been fortunate to use funds from the private Louisiana Disaster Recovery Foundation to help cover some of the shipping costs we've incurred thus far with Acadiana Outreach covering its own freight payments – costs that the state would not have shouldered had the supplies made it to us under typical FEMA protocols. And we ask any states or agencies that have not used their surplus goods to consider sending them to us in Louisiana. I can attest to the fact that we will put them to good use.

Working together with the Division of Administration, United States Senator Mary Landrieu's office and the Louisiana Federal Property Assistance Agency, we moved to quickly return the supplies to those who need them. In fact, we ramped up so quickly that it took us only a week from the date of the first CNN report to get the first round of supplies delivered to UNITY of Greater New Orleans, a nonprofit that deserves much credit for its heroic efforts to eradicate homelessness in the city. UNITY did not even have time to recruit volunteers to unload the three truckloads of goods, so volunteers from my staff and Senator Landrieu's staff did the heavy lifting. In addition, we recently delivered a truckload of supplies to the Acadiana Outreach Center, which is serving the often forgotten victims of Hurricane Rita in Southwest Louisiana.

Moving forward, we made it clear to everyone involved that I am to be the point of contact for FEMA when supplies for Katrina and Rita victims are set aside for our state. This should have been the case from the start, as FEMA should have called the Governor's Authorized Representative about the supplies. I am confident that if our local contacts at FEMA in the Transitional Recovery Office knew about these goods, they would have brought it to my attention, especially since they have deep knowledge of the situation on the ground.

The state also launched a new protocol for handling such FEMA supplies, which consists of the following:

- **OVERSIGHT:** The LRA will have oversight of ensuring that federal supplies that are either in FEMA's possession today or were given to the U.S. General Services Administration (GSA) for excess purposes meant for victims of Katrina and Rita are dispersed to agencies and nonprofit organizations assisting these people. The LRA will be the lead agency in working with GSA or FEMA when property becomes available that could assist disaster victims with their recovery.
- **COORDINATION:** The LRA selected a nonprofit organization to reach out to groups about how to access surplus supplies.
- **TRAINING:** To ensure that nonprofit organizations and volunteer agencies working with hurricane victims can access federal supplies in the future, the LRA worked with federal and state agencies to coordinate education of nonprofits about how to access these supplies in the future.

Working with the Louisiana Association of Nonprofits (LANO), the state distributed fact sheets about accessing surplus property to Louisiana nonprofits. So far we've delivered supplies to two groups – UNITY of Greater New Orleans and the Acadiana Outreach Center. There is an application process for groups to receive surplus supplies through the Louisiana Federal Property Assistance Agency so that the state can ensure that qualified groups that need the supplies get them and also so the LFPAA can track their needs. Currently, the state is working with ten more nonprofits to go through this application process. These applications are being expedited and the Agency's staff has started to conduct site reviews while final documentation is collected from the nonprofits.

Further, my agency has been working with FEMA on an application for case management funds to assist residents in their transition from temporary FEMA housing to more permanent living situations. We will be requiring that all nonprofits working on our case management program are registered with this state surplus agency so they can request the supplies that they need and put them directly in the hands of our families who are working so hard to recover from these storms.

We recognize that there is plenty of blame to go around in this situation and we seek not to point fingers, but to help people improve their lives and living conditions. This discussion is important not only to those of us in Louisiana and Mississippi, but also to the leaders in the Midwest who are struggling to recover from devastating flooding. And it will mean something to the leaders in the next states to be affected by disasters.

Simply put, we cannot cast blame without solutions. We must fix our flawed communication between states and the federal government in times of disaster so that states never again lose the opportunity to use critical supplies simply because they were not properly notified of their existence. And I would encourage leaders in other states to look at their internal protocols for dealing with such supplies. As we have learned over and over again in Louisiana, the time to coordinate is before a disaster strikes, not as you struggle to recover in the years after a catastrophe.

I would be remiss if I did not take the opportunity to remind everyone in the chamber today that while we are sitting here around 12,000 Louisiana residents are living in FEMA trailers. More than 16,000 people are participating in the United States Department of Housing and Urban Development's (HUD) Disaster Housing Assistance Program (DHAP) in Louisiana. And our homeless population stands at a staggering 12,000 people, which is more that double the pre-storm count of homeless individuals.

We are working to resolve the housing crisis in our state that stands to get worse as we move closer to the March 2009 end of the Disaster Housing Assistance Program, at which time we worry that many families are at risk for becoming homeless. Louisiana is addressing this crisis on several fronts, including:

- Applying for case management funds from FEMA;
- Using \$73 million recently awarded by Congress for Permanent Supportive Housing vouchers;
- Developing a long-term comprehensive housing strategy so that we know how many units will be coming online through March 2009;
- Prioritizing homeowners living in trailers in the state's Road Home housing program so that they can more quickly get their grants. In general, any improvement to the Road Home program improves the situation on the ground – as homeowners move home, they free up rental units;
- Encouraging landlords to join HUD's DHAP program to help provide more rental units;
- Allocating millions in Community Development Block Grant (CDBG) funds to Homeless Supports and Services.

We owe it to these families in transition and to the American taxpayers to work together to use every resource at our disposal to combat homelessness and create safe, sustainable housing situations for our people.