

**Congress of the United States**  
**Washington, DC 20515**

October 24, 2018

The Honorable Brock Long  
Administrator  
Federal Emergency Management Agency (FEMA)  
500 C Street S.W.  
Washington, D.C. 20472

Dear Administrator Long:

As you know, many of our constituents, specifically in Cameron and Hidalgo counties, recently suffered from a severe weather and extreme flooding event. The storms, which began on June 18, 2018, brought a year's worth of rainfall to the Rio Grande Valley, with reports of 15-17 inches of rain in isolated areas. As a result, residents and businesses in Cameron and Hidalgo counties experienced life-threatening floods and widespread devastation.

In response, Governor Abbott issued a state disaster declaration on June 21, 2018, which covered Cameron and Hidalgo counties. The state's disaster declaration ultimately led to a federal major disaster declaration, triggering Individual Assistance and Hazard Mitigation assistance eligibility for Cameron and Hidalgo counties. While we are appreciative of the federal government's quick response to individual needs on the ground, we remain highly concerned at the Federal Emergency Management Agency's (FEMA) refusal to provide Public Assistance (PA) for two reasons that we believe are unfounded: inaccurate damage assessments and surveys carried out by FEMA on the ground, coupled with a new interpretation of federal law that is inconsistent with precedent for past disasters.

At the conclusion of the storm, Cameron and Hidalgo counties surveyed the damage and reported estimates that were nearly double FEMA's FY2018 PA threshold for Texas. Despite providing detailed data to FEMA to document and support these estimates, we understand that FEMA only verified under \$2 million of the reported losses. County officials and representatives of many of our offices later met with FEMA's Emergency Management Project Specialist on Friday, August 31 in Weslaco, Texas in an effort to rectify the conflicting estimates. Unfortunately, this meeting did not result in an agreement.

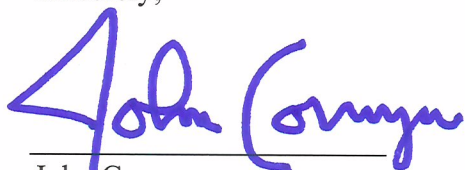
We remain highly concerned that FEMA's own damage assessments are significantly lower than the damage assessments provided by the counties, which we believe likely represents a flawed survey process. In fact, it was later brought to our attention that one of the two teams responsible for physical inspections were ultimately called off due to an on-the-job injury. As a result of this, not all damaged areas were inspected. Unsurprisingly, many of the areas that failed to receive an inspection resulted in many of the deductions from county estimates. This is of very serious concern to us as we believe that all damaged areas should be inspected and included in the final FEMA damage assessments.

Additionally, one of the primary contributors that has resulted in FEMA's flawed damage estimates is a recent shift in a long-standing policy interpretation affecting the PA eligibility of irrigation and drainage districts. It is our understanding that FEMA has told the Texas Department of Emergency Management (TDEM) and the affected counties that damage to irrigation and drainage districts is the responsibility of the National Resources Conservation Service (NRCS) and is therefore ineligible for FEMA grants. NRCS has disputed this interpretation and has stated that it has not provided federal assistance in this area in the past. As recently as Hurricane Harvey and Hurricane Alex, irrigation and drainage districts have been deemed eligible for FEMA PA.

Given these findings, we respectfully request that you work with the affected counties to ensure that the surveys and damage assessments have been carried out diligently and accurately by FEMA. If necessary, we would support a new survey and damage assessment process. We also request that you provide us with supporting documentation and the relevant change in federal law that has resulted in FEMA's recent policy shift deeming irrigation and drainage districts ineligible for PA. To the extent that you need additional information about any of the damaged facilities, we will willingly work with the appropriate personnel in Cameron and Hidalgo counties to provide that information.

Thank you for your prompt attention to this matter. Should you have any questions, please contact Fred Castro in the Office of Congressman Vicente Gonzalez at [Fred.Castro@mail.house.gov](mailto:Fred.Castro@mail.house.gov) or (202) 225-2531; Madison Smith at [Madison\\_Smith@cornyn.senate.gov](mailto:Madison_Smith@cornyn.senate.gov) or (202) 224-2934 in the Office of U.S. Senator John Cornyn; Austin Smithson in the Office of U.S. Senator Ted Cruz at [Austin\\_Smithson@cruz.senate.gov](mailto:Austin_Smithson@cruz.senate.gov) or (202) 224-5922; Luke Theriot in the Office of Congressman Filemon Vela at [Luke.Theriot@mail.house.gov](mailto:Luke.Theriot@mail.house.gov) or (202) 225-9901; and Zack Linick in the Office of Congressman Henry Cuellar at [Zack.Linick@mail.house.gov](mailto:Zack.Linick@mail.house.gov) or (202) 225-1640.

Sincerely,



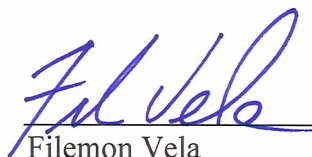
John Cornyn  
United States Senator



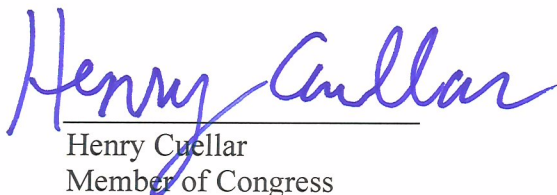
Ted Cruz  
United States Senator



Vicente Gonzalez  
Member of Congress



Filemon Vela  
Member of Congress



Henry Cuellar  
Member of Congress