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THE WHITE HOUSE

WASHINGTON

July 18, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

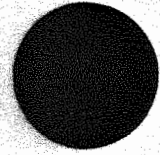
FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Disaster Declaration for California
June-July 1985 Fire Damage

Our office was asked to review a request from Governor George Deukmejian of California for Presidential declaration of a "major disaster," within the meaning of the Disaster Relief Act of 1974, Pub. L. 93-288.

Based on a review of the request and the related materials forwarded by the Federal Emergency Management Agency, the Governor's request appears to comply with the statutory requirements for a disaster declaration. We also have no legal objection to the implementation materials prepared by FEMA in connection with this request.

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET



- O - OUTGOING
 - H - INTERNAL
 - I - INCOMING
- Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Rich Riley

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Request for a major disaster declaration California

ROUTE TO:		ACTION		DISPOSITION	
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code Completion Date YY/MM/DD
<u>CUHOLL</u>		ORIGINATOR	<u>85,07,18</u>		<u>1 1</u>
		Referral Note:			
<u>CUAT 18</u>		<u>A</u>	<u>85,07,18</u>		<u>1 1</u>
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		Referral Note:			

- ACTION CODES:**
- A - Appropriate Action
 - C - Comment/Recommendation
 - D - Draft Response
 - F - Furnish Fact Sheet to be used as Enclosure

- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

- DISPOSITION CODES:**
- A - Answered
 - B - Non-Special Referral
 - C - Completed
 - S - Suspended

FOR OUTGOING CORRESPONDENCE:
 Type of Response = Initials of Signer
 Code = "A"
 Completion Date = Date of Outgoing

Comments: penel cc: D. Chew

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

July 19, 1985

The President has declared a major disaster for the State of California as a result of grass, wildlands, and forest fires beginning on or about June 26, 1985 which caused extensive property damage. The President's action will permit the use of Federal funds in relief and recovery efforts in designated areas of the State.

Federal assistance from the President's Disaster Relief Fund can include individual and family grants as well as temporary housing assistance for eligible disaster victims. Disaster loans from the Small Business Administration and the emergency loan program of the Farmers Home Administration will also be made available.

Federal assistance will also be made available to affected State and local governments for firefighting activities and for damage to public facilities. Consistent with the requirement that Federal assistance be supplemental, these costs will be shared by the Federal Government with State and local resources on a 75/25 percent basis.

Federal relief activities in California will be coordinated by the Federal Emergency Management Agency. That agency immediately designated the City of Los Angeles and the Counties of Monterey, San Diego, San Luis Obispo, Santa Clara, Santa Cruz, and Ventura eligible for Federal disaster assistance.

Mr. Tommie C. Hamner will be designated as the Federal Coordinating Officer to work with the State of California in providing Federal assistance under the Disaster Relief Act of 1974, Public Law 93-288.

FOR FURTHER INFORMATION CONTACT: FEMA (202) 646-4600.

#

THE WHITE HOUSE
WASHINGTON

September 10, 1985

TO: John G. Roberts

FROM: *Richard A. Hauser*
Deputy Counsel to the President

FYI: For your records

COMMENT: _____

ACTION: _____



Federal Emergency Management Agency

Washington, D.C. 20472

SEP 6 1985

MEMORANDUM FOR: Honorable Richard A. Hauser
Deputy Counsel to the President

FROM: Samuel W. Speck
Associate Director, State and Local Programs

George Jett
General Counsel

SUBJECT: Hurricane Elena Disaster Declaration for Mississippi

We appreciate your assistance in handling the subject declaration. In our discussions concerning your questions on Mississippi's commitment, we raised the following points, noted briefly:

- o there are ample precedents under the Disaster Relief Act for accepting as the States' commitment their pledge to enact funding legislation to match Federal assistance at an upcoming session of the State legislature;
- o the provisions of the Act and our implementing regulations provide ample flexibility to accept this commitment;
- o we have never sought authority to require States to maintain contingent funding for disasters should one strike while the legislature is adjourned;
- o provisions in the Federal-State agreement contain more specificity about the States commitment than in the summary materials provided initially with the disaster declaration request.
- o in most cases, significant Federal obligations are not actually spent in a large disaster such as "Elena" for several months because of the "lead-time" for completion of Architect and Engineering and procurement steps on major public assistance projects. For Individual Family Grant programs, where funds are more quickly expended, the State must, by law, match each Federal grant of assistance on a 75/25 basis;
- o should a State fail to fulfill its commitment to enact funding legislation, most projects would simply go incompletd, since the Federal share never exceeds 75% of the project costs.

- o Necessarily, we could also take steps to institute claims collection efforts with the Attorney General, as well as explain to the State that failure to meet its commitment would be taken into serious account should another major emergency strike.

We have attached copies of several request letters and Federal-State Agreements which have involved State commitments similar to the Mississippi pledge. Please call if we can be of further help.

Attachments

WISCONSINI

David S.

**State of Wisconsin
Office of the Governor**

my S. Earl

June 9, 1984

The President
The White House
Washington, D. C. 20500

THROUGH

Mr. Edward Roche, Regional Director
Federal Emergency Management Agency
300 South Wacker Drive, 24th Floor
Chicago, IL 60606

Dear Mr. President:

Under the provisions of Section 301(b), Public Law 93-288, as implemented by 44 CFR 205.24, I request that you declare a major disaster declaration for the State of Wisconsin as a result of tornadoes and high winds which occurred on June 8, 1984. This request for assistance is made on behalf of Dane and Iowa Counties which were most seriously affected by the storms. Two other counties were also affected and I will be making separate requests on their behalf to the Small Business Administration and the Farmers Home Administration.

Overview of the Disaster Situation

The storms began on the evening of June 7 and intensified during the early morning hours of June 8. The National Weather Service issued tornado watches for almost all counties in the State. The watch in Dane and Iowa Counties was in effect until 4 a.m. According to weather service officials a total of five tornadoes occurred, with the first and most devastating one touching down in Barneveld in Iowa County at approximately 12:50 a.m. on June 8. The tornado struck with no warning and literally flattened Barneveld, a village of approximately 580 residents. It destroyed 120 homes, 11 businesses, the Village elementary school, 5 churches, and all of the municipal buildings, including a new fire station and all equipment housed therein. It left the Village without electricity, telephone service and water. Many described the scene as similar to a war zone. The tornado then proceeded in a north to northeasterly direction, damaging dozens of rural homes and farm buildings. It then struck the Village of Black Earth in Dane County, destroying a dozen homes and damaging numerous others. At its greatest intensity, the tornado was reported to have winds in excess of 200 miles per hour. Its path was approximately a quarter-mile wide and 13 miles long. In its wake the tornado left

The President
June 9, 1984
Page 2

nine people dead, with over 60 persons requiring hospital treatment for injuries. It is estimated that countless others treated their own injuries and refused medical attention.

The amount and severity of disaster related damages are presented as follows for the two counties affected on June 8.

Private Damage	\$12,569,000
Public Damage (State and/or Local Government)	880,890
Agricultural Loss (including farm dwellings, buildings, equipment, machinery, crops, cropland, and cattle)	<u>8,000,000</u>
TOTAL	\$21,449,890

Official State and Local Government Response

In response to this disaster situation and in accordance with Section 301, Public Law 93-288, I directed execution of the State Emergency Operations Plan on June 8, 1984, and also declared a State of Emergency for Davis, Iowa, Columbia and Dodge Counties. State and local actions taken in response to this disaster situation are as follows.

1. Upon notification of the severe weather, the Division of Emergency Government (DEG) began to monitor the situation very closely. The State Duty Officer, along with other DEG staff were on duty in the activated State Emergency Operating Center and remained there throughout Friday evening, June 8, 1984. Subsequently, DEG acted on requests for assistance and coordinated gathering of damage assessment reports from local governments. Constant contact was maintained with the affected counties through the Division's Emergency Police Services Coordinator and Area Director who were on the scene in Barneveld.
2. Approximately 30 members of the Wisconsin National Guard were activated on June 8 and ordered into service in the affected area. The Guard assisted in emergency operations including security and law enforcement. They will remain on duty for 4 to 5 days. The National Guard has six jeeps, one water wagon, a 2 1/2 ton truck and one helicopter assisting local authorities.
3. The Wisconsin State Patrol directed traffic and assisted in securing portions of the affected areas on June 8 and will continue to do so through the weekend. Troopers also assisted local authorities in search and rescue operations.

3

The President
June 9, 1984
Page 3

4. The Wisconsin Department of Natural Resources had five wardens on the scene who assisted in security and traffic control. Personnel from their Southern District office also assisted in recovery operations.
5. The State Department of Health and Social Services dispatched personnel to Barneveld to assess the need for temporary housing and other individual assistance. They supported the affected county social service offices which were overwhelmed with requests for assistance.
6. County Highway Commissioners and other local officials began immediately to clear debris from the stricken area. Police, fire and emergency medical personnel concentrated their efforts on search and rescue operations as many victims were trapped in the debris. The Village of Barneveld was evacuated to facilitate rescue efforts and Village residents were transported by bus to schools in Dodgeville and Ridgeway where Red Cross and local officials had set up congregate care. A command post was set up to coordinate emergency operations.
7. Crews from the Wisconsin Power and Light Company worked diligently throughout the day on June 8 to restore service. They estimate it will be some time yet before total service is restored in the Barneveld and Black Earth areas. The General Telephone Company set up an emergency bank of phones and they too estimate it will be several days before all repairs are effected.
8. The local Red Cross was involved in setting up congregate care at several locations. They coordinated with DEG and county social service departments to determine needs of affected individuals. Red Cross personnel also assisted in the Preliminary Damage Assessment. Numerous other volunteer agencies were in the disaster area, including the Salvation Army, Mennonite Disaster Service and Lutheran Brotherhood.
9. On June 8, 1984, I personally inspected the affected area with Carol Hemersbach, Administrator of the Division of Emergency Government. Ron Budecks and other FEMA, Region V, officials arrived in the afternoon on June 8 and also surveyed the damage in the Village of Barneveld. I, as well as other observers, was left speechless by the devastation and could only reflect on the vulnerability of all humans in situations such as this.

Specific Needs

I have determined that this situation is of such severity, and magnitude that effective response is beyond the capabilities of the State and affected local governments. Supplementary Federal assistance is necessary to ensure the health and safety of the affected citizens and to restore the economic viability of the area.

Specifically, I request that you make the following federal emergency assistance available:

1. Public Assistance in Categories A, B, and C. Estimates of the nature and extent of Public Assistance are tabulated in Enclosure A, Table 2.
2. I intend to implement the Individual and Family Grant Program as described in Enclosure A, Table 1. I certify that the State is unable to immediately pay its 25% share of the cost to implement the program and request that \$69,650 be advanced by the federal government. In order to repay this advance, I will direct the State Legislature to appropriate these funds at its next regular session. I certify that the advance will be repaid as soon as funds become available shortly after the Legislature convenes. I also request that you make the following other Individual Assistance programs available as described in Enclosure A, Table 1 and Enclosure B, Table 3; the Temporary Housing Program, the Disaster Unemployment Program, the Crisis Counseling Program, the Small Business Administration Disaster Loan Program, the Farmers Home Administration Disaster Loan Program and other appropriate U. S. Department of Agriculture assistance, tax counseling from the Internal Revenue Service, any legal counseling available from the American Bar Association and the Young Lawyers, and aid to the aging from the Department of Health.

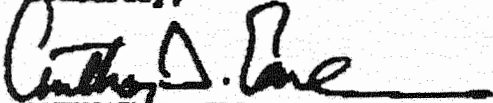
In support of my request, I have also attached Enclosure C which describes the State and Local Commitment. Enclosure D includes an impact statement and socioeconomic profiles of the affected counties.

The State and Local governments of Wisconsin are already heavily burdened as a result of the tornado which occurred in late April for which no federal assistance has been received. It is imperative, therefore, that you grant this request and allow those affected to start living again.

The President
June 9, 1984
Page 5

I have designated Carol Bessersbach, Administrator of the Division of Emergency Government, as the State Coordinating Officer for this request. She will work with the Federal Emergency Management Agency and may provide further information or justification on my behalf.

Sincerely,


ANTHONY S. PAUL
GOVERNOR

Enclosures

Enclosure A

Table 1

Estimated Requirements for Individual Assistance

<u>County</u>	<u>Temporary Housing</u>	<u>IFGP</u>	<u>DUA</u>	<u>Others</u> ⁴
Dane	13,500 ¹	15,400 ²	800.00 ³	
Iowa	135,000 ¹	264,000 ²	9,200.00 ³	
Total	148,500	279,400	10,000	

1. Estimate 15 applicants in Dane County and 160 in Iowa County with the average amount of assistance per applicant set at \$900.00
2. Estimate 7 applicants in Dane County and 120 applicants in Iowa County, with the average grant set at \$2,200.
3. Estimate 26 applicants who will either be ineligible for State Unemployment benefits or will have to wait to be eligible for State benefits. Average benefits are estimated at \$400.00 per person.
4. There will be a need for the Crisis Counseling Program, as well as tax counseling assistance from IRS and legal assistance from the ABA.

ENCLOSURE A
TABLE 2
ESTIMATED REQUIREMENTS FOR PUBLIC ASSISTANCE

COUNTY	CATEGORY						TOTAL
	A	B	C	E	F		
Dane	\$57,500 ¹	\$ 5,000	0	0	0	0	\$ 62,500
Iowa	20,000	30,000 ²	25,000	624,000 ²	30,000 ²		779,000
<u>STATE AGENCIES</u>							
Wisconsin State Patrol	0	12,960 ³	0	0	0	0	12,960
Department of Natural Resources	0	2,430 ³	0	0	0	0	2,430
National Guard	0	24,000 ³	0	0	0	0	24,000
TOTAL	\$127,500	\$74,390	\$25,000	\$624,000	\$30,000		\$990,890

¹ \$12,500 of this figures was work done in Iowa County
² Assume Insurance Coverage Village of Barneveld
³ Will Apply As State Commitment

Enclosure B

Table 3

Assistance Required from Other Federal Agencies

<u>COUNTY</u>	<u>SBA Business & Home Loans</u> ¹	<u>FEMA</u> ¹	<u>Dept. of Health Aid to the Aging</u>
Dane	154,000	560,000	
Iowa	3,760,250	840,000	50,000
	<hr/>	<hr/>	<hr/>
Total	3,914,250	1,400,000	50,000

¹The figures on SBA and FEMA requirements represent our best estimate of the amount of uninsured loss in the private sector. We estimate there will be approximately 170 applicants for these two (2) loan programs.

ENCLOSURE C
TABLE 4
STATE AND LOCAL COMMITMENT

This disaster, as pointed out in the preceding material, has placed a heavy burden on the financial ability of the two counties and their local governments to respond adequately to the needs of their citizens. Therefore, the State and Local Commitment will be as follows.

State Public Assistance Costs

These costs represent expenditures by the State National Guard, Department of Natural Resources, and the Wisconsin State Patrol for which the State will not request federal reimbursement.

Category B	\$39,390 Total	
<u>Assistance Requested by Local Governments</u>	<u>Total Costs</u>	<u>25% Applicant Costs</u>
Category A	\$127,500	\$ 31,875
Category B	35,000	8,750
Category C	<u>25,000</u>	<u>6,250</u>
Sub-Totals	\$187,500	\$ 46,875

*State will absorb county and local government costs. The State will appropriate the funds for the 25% applicant's share at the first regular session of the 1985 Legislature.

INDIVIDUAL AND FAMILY GRANT PROGRAM

Estimated Cost: \$279,400 State 25% Share: \$69,850

**ESTIMATED ADMINISTRATIVE COSTS
FROM JUNE 8 THRU ADMINISTRATION OF PROGRAMS UNDER
PRESIDENTIAL EMERGENCY DECLARATION**

	<u>State</u>	<u>Local</u>	<u>Total</u>
General	\$16,670	\$11,000	\$27,670
Audit Costs	<u>5,000</u>	<u>0</u>	<u>5,000</u>
Total	\$21,670	\$11,000	\$32,670

SUMMARY

State Commitment		
State Public Assistance Costs		\$ 39,390
25% Local Government Costs		46,875
Administrative Costs		21,670
25% State IFGP Costs		69,850
TOTAL STATE COMMITMENT		\$177,785
Local Commitment		
Administrative Costs		\$ 11,000
TOTAL LOCAL COMMITMENT		\$ 11,000
TOTAL STATE AND LOCAL COMMITMENT		<u>\$188,785</u>

10

ENCLOSURE D
IMPACT STATEMENT

The tornado and storms of June 8, 1964, has had a shattering and devastating effect on the lives and economic well being of the Village of Barneveld and Black Earth, Wisconsin. The Village of Barneveld, with a population of about 579 people, lost 9 lives and 57 were injured due to the awesome tornado that smashed into it shortly after 1 a.m. on June 8th. That means over 11% of the population were casualties.

Now they must try to rebuild their community and they look to the State of Wisconsin and to the federal government for assistance. The Village of Barneveld had a 1964 budget of \$306,000 of which \$83,900 or 40% must go to retire its indebtedness. This means that for the year they actually have an operating budget of \$222,100. About half of that is gone in this calendar year. So with a remaining obligated operating budget of about \$61,050 they simply cannot absorb the costs of protective measures and debris removal that is now required. Help is urgently needed. With more than 120 homes totally destroyed in Barneveld alone, along with 11 businesses and the 5 churches totally destroyed, the people of Barneveld turn to the federal government for compassionate treatment in their hour of need. The elderly citizens without homes, the persons who find themselves without jobs, and those injured now need the support of an understanding and caring government. The State of Wisconsin is prepared to do its part by providing assistance as enumerated in this report.

A loss of the destroyed businesses would be very detrimental to the economic vitality of the Village and must be avoided. The Small Business Administration loans would assist in helping these businesses to recover. Federal help is absolutely necessary, Mr. President. Wisconsin was struck a severe blow by the April 27th tornado in Marathon, Oneida and Vilas Counties. We should have been assisted then and my letter of protest and appeal of that decision by the Federal Emergency Management Agency has hopefully reached you by now. To not grant Wisconsin this Presidential Disaster Declaration now would be a cruel second blow to our citizens.

The people of Wisconsin are and have been a have not state in terms of federal aid being returned to Wisconsin. We have always been ready to assist our neighboring states with our federal tax dollars when they suffered a disaster. We view the federal disaster program as an insurance policy with our federal taxes paying our premiums against the day we might need help. That day has come. The citizens of Barneveld and the State of Wisconsin need and hopefully expect the federal government's assistance. To view the devastation in Barneveld, as I did, one would not question it is a disaster. The credibility of the Federal Emergency Management Agency and the federal government's disaster program would be called into serious question if this request is denied. As stated previously, Wisconsin is doing its part, we expect no less from the federal government.

ENCLOSURE D (CONT.)
 TABLE 5
 SOCIOECONOMIC PROFILE

<u>County</u>	<u>1980 Population</u>	<u>1981 Per Capita Adjusted Gross Income*</u>	<u>1980 Age Over 60</u>	<u>Percent</u>	<u>1980 Age Over 65</u>	<u>Percent</u>	<u>Civilian Labor Force (3/84)</u>	<u>Unemployed (3/84)</u>	<u>% Civilian Labor Force Unemployed (3/84)</u>
Dane	323,545	58,471	37,630	4.88	27,036	4.79	195,200	12,000	6.2
Iowa	19,802	5,346	3,523	.46	2,613	.46	11,100	1,320	11.9

Statewide Per Capita Adjusted Gross Income \$7,431

March Statewide Unemployment Average 8.73

*Source: Wisconsin Department of Revenue, Division of Research and Analysis, December 1982



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

WISCONSIN

On June 8, 1984, tornadoes caused extensive damage in Dane and Iowa Counties in southern Wisconsin. There were 9 killed, 60 hospitalized and numerous others injured. Over 200 families were affected by this incident. The Town of Barneveld (population 579) was severely damaged. In that community, most homes and businesses were destroyed or damaged, five churches were destroyed, and all of the municipal buildings were destroyed, including the fire station and most of its equipment. All power, telephone and water services were destroyed in Barneveld. Electrical power should be restored within one week; however, water service will not be restored for at least a 2- to 3-week period. Governor Anthony S. Earl implemented the State emergency plan, and dispatched national guard personnel to maintain security and to provide an emergency supply of water. On June 9, after inspecting the damage onsite with FEMA personnel, he requested a major-disaster declaration for both counties. The American Red Cross, the Salvation Army and the Mennonites have been active in the area, providing emergency services.

INDIVIDUAL ASSISTANCE

There were 169 dwellings destroyed, 36 with major damage and 17 with minor damage. Insurance coverage is not known at this time but insurance agencies estimate loss coverage at about 65 percent. Temporary housing requirement is estimated at 200 applicants, mostly for Barneveld. There are no local resources available and mobile homes might be needed to provide this assistance.

The need for the Individual and Family Grant (IFG) program is estimated at 100 applicants at an average of \$1,000 per applicant. By law, this program is cost shared with the State on a 75/25 basis. The Federal share would be \$75,000.

There were 11 businesses destroyed in Barneveld. Some need for the Disaster Unemployment Assistance program is evident, but exact figures are not available at this time.

The Small Business Administration estimates the need for the disaster loan program at \$1,900,000. This includes \$300,000 for business loans and \$1,600,000 for home or personal property loans.

The Governor also has requested crisis counseling. This program, which is funded by FEMA, provides counseling for disaster-caused mental health problems. In the event of a declaration, this would be assessed; significantly, the incident affected 111 senior citizens, many of whom were living in a senior citizen residence that was destroyed.

PUBLIC ASSISTANCE

Potentially eligible costs under Public Law 93-288 are estimated at \$155,000 by FEMA and \$880,890 by the State. The main difference is the insured damage included in the State estimate. Also, the State has indicated that certain costs of State agencies, such as the national guard, will be a part of the State commitment.

Water service was stopped when the pump station at the water tower was destroyed. The water tower appears to have received superficial damage from flying debris. Both the pump house and the water tower are covered by insurance. Some repairs are necessary, however, to repair the pumps and its electrical equipment.

While insurance does cover most of the damage to public buildings and their equipment, there is still a portion not covered. Currently, there is no fire equipment to fight fires in Barneveld or Brigham Township, where Barneveld is located. Some of the destroyed fire equipment is not covered by insurance.

The majority of the damage is located in Barneveld and elsewhere in Iowa County. The only damage identified at this time in Dane County is some debris.

DISCUSSION

The Governor's request complies with the law. The State commitment includes the 25 percent non-Federal share of eligible Public Assistance, the 25 percent share of the IFG program, and various other State resources used in this incident. Three adjacent counties have assisted in debris removal and other services. The Governor has requested an advance for the State share of the IFG program.

Agricultural damage is not yet known although about 60 farms did report some degree of damage.

There is a substantial need for Individual Assistance programs that is beyond the resources of volunteer agencies and the affected governments.

Likewise, in the public sector, the Town of Barneveld cannot respond to the damage. The State has reduced its own capability by the need to respond to undeclared disasters but its commitment would relieve the local governments of a severe financial impact. While the Public Assistance costs are not great, they do include damage to services vital to the residents of this area.

CONCLUSIONS

- ° The situation is beyond the capabilities of the State and local governments to respond in a timely manner.
- ° The situation warrants a major-disaster declaration.
- ° In the event of a declaration, I intend to designate Iowa County eligible for both Individual Assistance and Public Assistance. Also, I intend to designate Dane County for Individual Assistance only.

RECOMMENDATION

That the Governor's request be granted.

Director
Federal Emergency Management Agency

Date:

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



Federal Emergency Management Agency

Region V 300 South Wacker, 24th Floor, Chicago, IL 60606 (312) 353-1500

Honorable Anthony Earl
Governor of Wisconsin

Dear Governor Earl

1. On June 12, 1984, the President determined that damages resulting from severe storms and tornadoes on June 8, 1984, have caused a major disaster in your State and you hereby acknowledge notice of this declaration. This letter is the FEMA-State Disaster Assistance Agreement for this major disaster, designated FEMA-710-DR, under the Disaster Relief Act of 1974, Public Law 93-288, as amended, 42 USC 5121 et. seq. ("the Act"), in accordance with 44 CFR 205.39. Also attached and made a part of this Agreement are:

- Exhibit A, Federal Financial Assistance
- Exhibit B, A list of State officials authorized to execute certifications and otherwise to act on behalf the State.
- Exhibit C, A copy of your request.

2. Federal assistance will be made available in accordance with the Act, Executive Order 12148 and the implementing regulations found in Title 44 of the Code of Federal Regulations (CFR), as amended, and currently applicable handbooks. You hereby waive any consultation process under Executive Order 12372 and 44 CFR, Part 4 for grants, loans or other financial assistance under Section 402 and 414 of the Act for this major disaster.

3. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Act for Public Assistance will be limited to 75 percent of total eligible costs in the designated area.

The remaining 25 percent of eligible costs will be provided by the State of Wisconsin.

You have indicated your intent to implement the Individual and Family Grant program and have agreed that the State will pay its 25 percent share of all grants to

individuals and families. However, you have certified that the State is unable immediately to pay its 25 percent share, have requested that it be advanced, and have certified that such advance will be repaid as soon as your legislature convenes and passes the necessary appropriations (February 28, 1985). The State agrees to adhere to current policy guidance and procedures necessary for field testing of the Project Delta procedures in the administration of the Individual and Family Grant program.

4. No Federal assistance under the Act shall be approved unless the damage or hardship to be alleviated resulted from the major disaster which took place on June 8, 1984.

5. Federal assistance under the Act and this Agreement shall be limited to the following areas of the State of Wisconsin and such additional areas as may be subsequently designated by the Associate Director, State and Local Programs and Support, FEMA ("The Associate Director"): Iowa County - Individual Assistance and Public Assistance, Dane County - Individual Assistance.

6. If a State, local government, or eligible private, nonprofit organization violates any of the conditions of disaster relief assistance under the Act, this Agreement, or applicable Federal regulations, the Associate Director shall notify the State that additional financial assistance for the project in which the violation occurred will be withheld until such violation has been corrected to the satisfaction of the Associate Director. If the Associate Director is not satisfied with the corrective action taken in response to such notification, then the Associate Director will notify the State that further financial assistance for the project in which the violation occurred will be withheld until adequate corrective action is taken. In addition, the Associate Director may also withhold all or any portion of financial assistance which has been or is to be made available to the State, local governments or eligible private, nonprofit organizations for other disaster relief projects under the Act, this or other Agreements, and applicable Federal Regulations until adequate action is taken. The State further agrees that FEMA or State auditors, the Governor's Authorized Representative, the Regional Director, the Associate Director, and the Comptroller General of the United States or their duly authorized representatives shall for the purpose of audit and examination have access to any books, documents, papers and records of any recipients of Federal disaster assistance and of any persons or entities which perform any activity which is reimbursed to any extent with Federal disaster assistance funds distributed under the authority of the Act.

7. No members of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this Agreement, or to any benefit to arise thereupon; provided, however, that this provision shall not be construed to extend to any contract made with a corporation for its general benefit.

8. The State will establish and maintain an active State program of non-discrimination in disaster assistance as outlined in 44 CFR 205.16. This program will encompass all State and local government actions pursuant to this Agreement.

9. The State will establish and maintain a program to assure that State and local government recipients of Federal disaster assistance comply with the Department of Housing and Urban Development (DHUD) Consolidated List of Debarred, Suspended and Ineligible Contractors. This program also will encompass all State and local contracts pursuant to this Agreement.

10. The State agrees that, as a condition for any Federal loan or grant, the State or that applicant shall evaluate the natural hazards in the area in which the proceeds of the grants or loans are to be used and shall make appropriate recommendations to mitigate such hazards for Federally-assisted projects. The State further agrees: (i) to prepare and submit, not later than 180 days after the declaration, to the Regional Director for concurrence, a hazard mitigation plan or plans for the FEMA designated areas; (ii) to follow up with applicants within State capabilities, to assure that, as a condition for any grant or loan under the Act, appropriate hazard mitigation actions are taken; and (iii) to review and update as necessary disaster-mitigation portions of the State emergency plan. The Regional Director agrees to make Federal technical advice and assistance available to support the planning efforts and actions. The State understands that future Federal disaster assistance may be curtailed in situations where hazard mitigation plans have not been implemented properly.

11. Within your authorities, you shall ensure, through the State agency responsible for regulation of the insurance industry, that insurance companies make full payment of eligible insurance benefits to disaster victims. The State also shall take all responsible steps to ensure that disaster victims are aware of procedures for filing insurance claims, are informed of any State procedures instituted for assisting insured disaster victims, and are aware of their responsibility to repay government assistance which is duplicated by insurance proceeds.

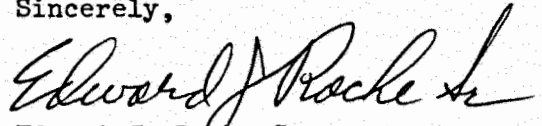
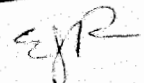
12. Since Federal operational and financial responsibility for temporary housing assistance shall not exceed eighteen (18) months from the date of the declaration by the President, the State agrees to accept such responsibility upon expiration of the Federal responsibility.

13. The State will notify all State and local agencies and local governments within the areas defined by this Agreement of the time limitations agreed to herein and the terms and conditions of eligibility for Federal assistance.

14. The State agrees, on its behalf and on behalf of its political subdivisions and other recipients of Federal disaster assistance, to cooperate with the Federal Government in seeking recovery of funds which are expended in alleviating the damages and suffering caused by this major disaster against any party or parties whose acts or omissions may in any way have caused or contributed to the damage or hardship for which Federal assistance is provided pursuant to the Presidential declaration of this major disaster.

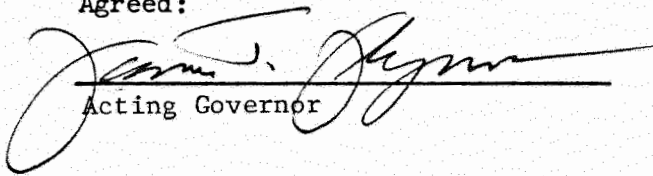
15. This Agreement may be amended at any time by written approval of both parties.

Sincerely,


Edward J. Roche Sr.
Regional Director 

Attachments

Agreed:


Acting Governor

Date: June 15, 1984

ARIZONA



OFFICE OF THE GOVERNOR

STATE HOUSE

PHOENIX, ARIZONA 85007

BRUCE BABBITT
GOVERNOR

IN REPLY
REFER TO:

October 2, 1983

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

Under the provisions of Section 301 (b), Public Law 93-288, as implemented by 44 CFR, 205.41, I request that you declare a major disaster for Arizona as a result of severe flooding in the counties of Apache, Cochise, Gila, Graham, Greenlee, Maricopa, Pima, Pinal, Santa Cruz and Yavapai. The local governments of the affected Indian Reservations are included.

A series of unusual storms and Hurricane Octave has produced one of the worst flood disasters in Arizona history. At this time the National Weather Service predicts continued rain in the affected areas.

I have determined that the situation is of such severity and magnitude that effective and continuing response and recovery is beyond the capabilities of the state and local governments. We are requesting 100% of federal assistance necessary to save lives, protect property, public health and safety because of the state's recently documented commitment to FEMA 686-DR.

I have proclaimed a statewide declaration of emergency and have allocated \$650,000 of state emergency funds to meet the immediate needs of this disaster.

I request that individual assistance be allocated immediately to provide for the needs of over 1,000 homeless families as a result of this flood and that the Individual and Family Grant Program be implemented. Additionally, I

The President
October 2, 1983
Page 2

request that public assistance be made available for Arizona and its political subdivisions to aid in emergency protective measures, debris removal, and restoration of public property, all of which currently exceed tens of millions of dollars.

Thank you.

Sincerely,



Bruce Babbitt
Governor

BB:dph

cc: Robert C. Vickers, Director
Federal Emergency Management Agency
Region IX



BRUCE BABBITT
GOVERNOR

OFFICE OF THE GOVERNOR
STATE HOUSE
PHOENIX, ARIZONA 85007

IN REPLY
REFER TO:

October 4, 1983

Mr. David McLoughlin
Deputy Assistant Director
Federal Emergency Management Agency
500 C Street, S.W.
Washington, D.C. 20472

Dear Mr. McLoughlin:

I understand that there is concern regarding Arizona's October 2nd request for waiver of 25% local match requirements for public assistance under P.L. 93-288 as implemented by 44 CFR, 205.41. So that immediately needed assistance is not delayed because of Administration's concern about state/local match requirements, the State of Arizona will act to assure the 25% match for public assistance.

I have determined that the situation is of such severity and magnitude that effective and continuing response and recovery is beyond the capabilities of the state and local governments, and that supplementary federal assistance is necessary.

Thank you.

Sincerely,

Bruce Babbitt
Governor

BB:dpb

cc: Robert Vickers
Federal Emergency Management Agency



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

ARIZONA

Beginning on or about September 23, 1983, severe storms, producing heavy rains, high winds and flooding struck Yavapai County, in central Arizona, causing extensive damages in the public and private sectors. This resulted in a declaration of emergency by the Governor for Yavapai County on that date. On or about September 28, storms increased, affecting widespread areas of the State with additional heavy rains and extensive flooding. Over a period of several days, a total of ten counties reported severe damage and losses. A total of thirteen persons are reported dead or missing as a result of the incident.

On October 3, the Governor expanded his State of Emergency declaration to include the entire State. Governor Bruce Babbitt's request for a Presidential disaster declaration was received on October 3, 1983. The Governor asked for Individual and Public Assistance for ten Arizona counties: Apache, Cochise, Gila, Graham, Greenlee, Maricopa, Pima, Pinal, Santa Cruz and Yavapai. On October 2, FEMA representatives accompanied the Governor and other State officials on an aerial inspection of the affected area. An analysis of their report follows.

INDIVIDUAL ASSISTANCE

With regard to emergency services, the American Red Cross, in coordination with State and local governments, has established 12 shelters throughout the 10 county area, providing assistance to approximately 3,000 victims. State and local government agencies, including the National Guard, have provided disaster relief in the form of emergency medical assistance, water supplies, evacuation, sand bagging, and emergency road repairs. Following the fly-over survey, FEMA has estimated that about 500 homes have been flooded, some to depths in excess of six feet. Based on that information, our regional staff has estimated the cost of a temporary housing program at about \$1,500,000.

The Governor also has requested the Individual and Family Grant (IFG) program to assist flood victims. At the present time, this program also has a general estimate of \$1,500,000. It is also expected that the storms have caused a substantial amount of unemployment not covered by the regular State program. Current estimates place the cost of the Disaster Unemployment Assistance program at about \$500,000.

Though detailed damage assessment information is not available, it is estimated that SBA home loans could amount to about \$4 million. Business and commercial areas have received heavy damage throughout the affected area suggesting that there also will be a substantial number of SBA business loans. Current estimates place that total at about \$6 million.

PUBLIC ASSISTANCE

The aerial survey confirmed that many roads and bridges have been washed out throughout the affected area, in some cases isolating area residents. Damage also has been reported to utilities and water systems. One specific instance was in Santa Cruz County where the City of Nogales lost its water supply due to raw sewage in the river which provides the water source for the community. It also has been reported that soil erosion is significant and that debris is a major problem in some areas. The present rough estimate for public sector damage is \$20 million.

DISCUSSION

Though only a preliminary assessment has been completed, all indications are that this incident is clearly of major disaster

proportions. Both private and public damage is significant. The State commitment listed in the Governor's letter of \$650,000, along with the 25 percent State share of IFG costs (which is a legal requirement), appears adequate in light of the resources already expended by the State due to the Colorado River flooding in late June. However, the earlier commitment does not excuse the State from the 25 percent of Public Assistance costs which are normally borne by the State and local governments. The Governor has requested 100 percent Federal funding for Public Assistance. No State has received 100 percent funding in over three years since a cost sharing arrangement was initially negotiated. Neither this incident, nor the condition of the State of Arizona, mandates a change in the cost-share approach. The Presidential declaration letter contains our standard language on this matter. It is our intention to insist that the State and local share be stipulated in the FEMA-State Agreement for this disaster. That share also ensures a significant State commitment. In

the event of a declaration, I intend to designate those requested counties eligible for either Individual and/or Public Assistance. These determinations will be made based on a more detailed assessment of the damage than is currently available.

CONCLUSIONS

- The commitment by the State of Arizona is adequate.
- The severity and magnitude of the situation are beyond the capabilities of the State and local governments.
- The incident warrants a major disaster declaration.

RECOMMENDATION

That the Governor's request be granted.

Director
Federal Emergency Management Agency

Date:

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



Federal Emergency Management Agency

Region IX Building 105
Presidio of San Francisco, California 94129

FEMA-STATE AGREEMENT 691-DR

October 10, 1983

Honorable Bruce Babbitt
Governor of Arizona
State Capitol
Phoenix, AZ 85007

Dear Governor Babbitt:

1. On October 5, 1983, the President determined that damages resulting from severe rain storms and flooding beginning on September 23, 1983, and ending on October 10, 1983, have caused a major disaster in your State and you hereby acknowledge notice of this declaration. This letter is the FEMA-State Disaster Assistance Agreement for this major disaster, designated FEMA 691-DR, under the Disaster Relief Act of 1974, Public Law 93-288, as amended, 42 USC 5121 et seq. ("the Act"), in accordance with 44 CFR 205.39. Also attached to this Agreement are:

Exhibit A, Federal Financial Assistance

Exhibit B, A list of State officials authorized to execute certifications and otherwise to act on behalf of the State.

Exhibit C, A copy of your request.

Exhibit D, State Provisions

2. Federal assistance will be made available in accordance with the Act, Executive Order 12148 and the implementing regulations found in Title 44 of the Code of Federal Regulations (CFR), as amended, and currently applicable handbooks.
3. Consistent with the requirements that Federal assistance be supplemental, any Federal funds provided under the Act for Public Assistance will be limited to 75 percent of total eligible costs in the designated area. The remaining 25 percent of eligible costs will be provided in the following manner: by the State for all State applications; and on a cost-sharing basis for local government or other eligible applicants with the state providing at least 15% of total eligible costs for each project.

You have indicated your intent to implement the Individual and Family Grant program and have agreed that the State will pay its 25 percent share of all grants to individuals and families. However, you have certified that the State is unable immediately to pay its 25 percent share, have requested that it be advanced, and have certified that such advance will be repaid by October 31, 1984.

The State and FEMA agree to utilize the Letter of Credit procedures for both the Individual and Family Grant Program and the Public Assistance Program.

You have certified additional commitments in your request on behalf of State and local governments.

4. No Federal assistance under the Act shall be approved unless the damage or hardship to be alleviated resulted from the major disaster which took place beginning on or about September 23, 1983 and ending on October 10, 1983.
5. Federal assistance under the Act and this Agreement shall be limited to the following areas of the State of Arizona, and such additional areas as may be subsequently designated by the Associate Director, State and Local Programs and Support, FEMA ("the Associate Director"):

Public Assistance and Individual Assistance

Cochise, Graham, Pinal, Santa Cruz, Gila, Greenlee, Pima and Yavapai Counties.

Public Assistance Only

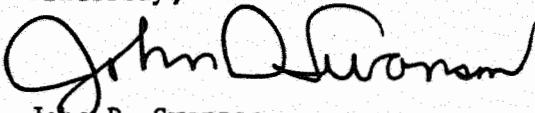
Mohave County.

6. In the event that a State or local government violates any of the conditions imposed upon disaster relief assistance under law, this Agreement, or applicable Federal regulations, the Associate Director may notify the State that additional financial assistance for the purpose of the project in connection with which the violations occurred will be withheld until such violation has been corrected; provided, however, that if the Associate Director, after such notice to the State, is not satisfied with the corrective measures taken to comply with that notification, the Associate Director will notify the State that further financial assistance will be withheld for that project, or for all or any portion of financial assistance which has or is to be made available to the State or local governments for the purpose of disaster relief assistance under the provisions of the Agreement, applicable Federal regulations, and the Act. The State further agrees that FEMA or State auditors, the Governor's Authorized Representative, Regional Director, the Associate Director, and the Comptroller General of the United States or their duly authorized representatives, shall for the purpose of audit and examination have access to any books, documents, papers and records of any recipients of Federal disaster assistance and of any persons or entities which perform any activity which is reimbursed to any extent with Federal disaster assistance funds distributed under the authority of the Act.

7. No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this Agreement, or to any benefit to arise thereupon; provided, however, that this provision shall not be construed to extend to any contract made with a corporation for its general benefit.
8. The State will establish and maintain an active State program of nondiscrimination in disaster assistance as outlined in 44 CFR 205.16. This program will encompass all State and local government actions pursuant to this Agreement.
9. The State will establish and maintain a program to assure that State and local government recipients of Federal disaster assistance comply with the Department of Housing and Urban Development (DHUD) Consolidated List of Debarred, Suspended and Ineligible Contractors. This program also will encompass all State and local contracts pursuant to this Agreement.
10. The State agrees that, as a condition for any Federal loan or grant, the State or that applicant shall evaluate the natural hazards in the areas in which the proceeds of the grants or loans are to be used and shall make appropriate recommendations to mitigate such hazards for Federally-assisted projects. The State further agrees; (i) To follow up with applicants, within State capabilities, to assure that, as a condition for any grant or loan under the Act, appropriate hazard mitigation actions are taken; (ii) to prepare and submit, not later than 180 days after the declaration, to the Regional Director for concurrence, a hazard mitigation plan or plans for the FEMA designated areas; and (iii) to review and update as necessary disaster mitigation portions of the State emergency plan. The Regional Director agrees to make Federal technical advice and assistance available to support the planning efforts and actions. The State understands that future Federal disaster assistance may be curtailed in situations where hazard mitigation plans have not been implemented properly.
11. Within his authorities, the Governor shall ensure, through the State agency responsible for regulation of the insurance industry, that insurance companies make full payment of eligible insurance benefits to disaster victims. The State also shall take all responsible steps to ensure that disaster victims are aware of procedures for filing insurance claims, are informed of any State procedures instituted for assisting insured disaster victims, and are aware of their responsibility to repay government assistance which is duplicated by insurance proceeds.
12. Since Federal operational and financial responsibility for temporary housing assistance shall not exceed eighteen (18) months from the date of the declaration by the President, the State agrees to accept such responsibility upon expiration of the Federal responsibility.

13. The State will notify all State and local agencies and local governments within the areas defined by this Agreement of the time limitations agreed to herein and the terms and conditions of eligibility for Federal assistance.
14. The State agrees, on its behalf and on behalf of its political subdivisions and other recipients of Federal disaster assistance, to cooperate with the Federal Government in seeking recovery of funds which are expended in alleviating the damages and suffering caused by this major disaster against any party or parties whose acts or omissions may in any way have caused or contributed to the damage or hardship for which Federal assistance is provided pursuant to the Presidential declaration of this major disaster.
15. This Agreement may be amended at any time by written approval of both parties.

Sincerely,



John D. Swanson
Disaster Recovery Manager

Attachments

Agreed:



Bruce Babbitt
Governor of Arizona

October 12, 1983

Date

TEXAS

83 AUG 18 12 58 PM '83



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PMS WHITE HOUSE DC 20500
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ICS IPHMGZ CSP

5124754215 TDBN AUSTIN TX 143 08-18 1245P EST
PMS PRESIDENT RONALD REAGAN RPT DLY HGM COPY MESSAGE, FONE 2024567639
ASAP
WHITE HOUSE
WASHINGTON DC 20500
THE PRESIDENT THE WHITE HOUSE WASHINGTON, DC 20500

DEAR MR PRESIDENT:

AS A RESULT OF HURRICANE ALICIA, I RESPECTFULLY REQUEST AN IMMEDIATE MAJOR DISASTROUS DECLARATION FOR GALVESTON, HARRIS, CHAMBERS, FORT BEND, BRAZORIA, AND MATAGORDA COUNTIES. THE STORM HAS CAUSED SEVERE DAMAGE TO BOTH PUBLIC AND PRIVATE PROPERTY. THE DAMAGES ARE OF SUCH MAGNITUDE AND SEVERITY THAT EFFECTIVE RESPONSE IS BEYOND THE CAPABILITY OF STATE AND LOCAL GOVERNMENT.

COMPREHENSIVE DAMAGE SURVEYS WILL BE CONDUCTED IN THESE SIX COUNTIES AND OTHERS AS SOON AS POSSIBLE; HOWEVER, I REQUEST AN IMMEDIATE DECLARATION FOR INDIVIDUAL AND PUBLIC ASSISTANCE FOR THE ABOVE COUNTIES SO THAT HELP CAN BE RENDERED TO THE CITIZENS AND LOCAL GOVERNMENTS SUFFERING DAMAGES.

WHEN SURVEYS ARE COMPLETED FOR OTHER COUNTIES I WILL ASK THAT THEY BE ADDED TO THE DECLARATION IF WARRANTED. MY STAFF STANDS READY TO ASSIST TO FEDERAL EMERGENCY MANAGEMENT AGENCY.

SINCERELY,

MARK WHITE
GOVERNOR OF TEXAS
PO BOX 12428
AUSTIN TX 78711

1251 EST

1303 EST



OFFICE OF THE GOVERNOR

STATE CAPITOL
AUSTIN, TEXAS 78711

August 19, 1983

MARK WHITE
GOVERNOR

FEM
EICC

President Ronald Reagan
White House
Washington, D. C.

Dear Mr. President:

Reference my telegram dated August 15, 1983, requesting an immediate major disaster declaration. This is to advise you that I have declared a state of emergency and have implemented the State of Texas Emergency Management Plan. State and local governments are fully committed to response and recovery operations. Elements of the Texas National Guard have been activated and are assisting in disaster stricken areas. Additionally, 200-250 Department of Public Safety Troopers and support personnel have been committed to the affected region.

The State Department of Highways and Public Transportation has committed 700 personnel and over 1350 pieces of equipment.

All State agencies have extended maximum support to the areas affected.

The State will request the implementation of the Individual and Family Grant Program and will fund its 25% share.

This request will be followed by a formal letter specifying the commitment and assistance by State and local governments.

Sincerely,

Mark White
Governor of Texas

DEM/MW:Kd



Federal Emergency Management Agency

Washington, D.C. 20472

MEMORANDUM TO THE PRESIDENT

TEXAS

On August 18, 1983, Hurricane Alicia made landfall on the southern end of Galveston Island at 4:00 a.m. Maximum sustained winds were 115 mph. The storm moved into the Houston area where it caused considerable damage. The remnants of Hurricane Alicia produced severe thunderstorms in central and northern Texas as well as in southern Oklahoma. Tides were reported to be 12 feet above normal along the barrier islands on the Texas coast. Most telephone and power lines are down in the Galveston area.

FEMA's regional office in Texas has monitored the situation closely and has placed its disaster assistance employees and reservists on standby alert as well as advising other Federal agencies of the possible need for their availability in the event of a major-disaster declaration. While our onsite officials are unable to provide detailed damage information at this time, they have emphasized the severity and magnitude of the damage incurred and the fact that the situation is beyond the capabilities of the State and local governments.

Governor Mark White has requested a major-disaster declaration. He has implemented the State emergency plan and determined that the situation is beyond the State and local governments' capabilities to respond. The commitment, while not stated by the Governor, consists of the mandatory cost sharing of the Individual and Family Grant program and the cost sharing of eligible Public Assistance costs which is stipulated in the proposed declaration letter. Based on our experience with previous hurricanes of similar magnitude in this area, there is no doubt that this request warrants a major-disaster declaration.

I recommend that you declare a major disaster for the State of Texas due to damage resulting from Hurricane Alicia.

In the event of a declaration, I intend to designate Brazoria, Chambers, Fort Bend, Galveston, Harris and Matagorda Counties eligible for Individual Assistance. This will provide immediate Federal help to families, individuals and businesses.

Further, I intend to designate Brazoria, Chambers, Galveston and Harris Counties eligible for Public Assistance to local government facilities. Fort Bend and Matagorda Counties may be designated at a later date when additional information is received. Public Assistance for State facilities in these areas will not be designated until such time as the State portion of the commitment is clarified.

SIGNED

Director
Federal Emergency Management Agency

Date:

AUG 17 1983

Attachments:

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



Federal Emergency Management Agency

Region VI

Federal Center

Denton, Texas 76201

AUG 31 1983

Honorable Mark White
Governor of Texas
State Capitol
Austin, Texas 78711

Dear Governor White:

1. On August 19, 1983, the President determined that damages resulting from Hurricane Alicia beginning on August 18, 1983, have caused a major disaster in your State and you hereby acknowledge notice of this declaration. This letter is the FEMA-State Disaster Assistance Agreement for this major disaster, designated FEMA-689-DR, under the Disaster Relief Act of 1974, Public Law 93-288, as amended, 42 USC 5121 et seq. ("the Act"), in accordance with 44 CFR 205.39. Also attached and made a part of this Agreement are:

- Exhibit A, Federal Financial Assistance
- Exhibit B, A list of State officials authorized to execute certifications and otherwise to act on behalf of the State
- Exhibit C, A copy of your request.

2. Federal assistance will be made available in accordance with the Act, Executive Order 12148 and the implementing regulations found in Title 44 of the Code of Federal Regulations (CFR), as amended, and currently applicable handbooks.

3. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Act for Public Assistance will be limited to 75 percent of total eligible costs in the designated area. The remaining 25 percent of eligible costs will be provided by the applicants. In addition you have indicated your intent to implement the Individual and Family Grant program and have agreed that the State will pay its 25 percent share of all grants to individuals and families. You have certified additional commitments in your request on behalf of State and local governments.

4. No Federal assistance under the Act shall be approved unless the damage or hardship to be alleviated resulted from the major disaster which took place from August 18, 1983, through and including August 20, 1983.

5. Federal assistance under the Act and this Agreement shall be limited to the following areas of the State of Texas and such additional areas as may be subsequently designated by the Associate Director, State and Local Programs and Support, FEMA ("the Associate Director"):

For Individual Assistance

Brazoria County
Chambers County
Fort Bend County
Galveston County
Harris County

Liberty County
Matagorda County
Montgomery County
San Jacinto County

For Public Assistance for Local Governments Only

Brazoria County
Chambers County

Galveston County
Harris County

6. In the event that a State or local government violates any of the conditions imposed upon disaster relief assistance under law, this Agreement, or applicable Federal regulations, the Associate Director may notify the State that additional financial assistance for the purpose of the project in connection with which the violation occurred will be withheld until such violation has been corrected; provided, however, that if the Associate Director, after such notice to the State, is not satisfied with the corrective measures taken to comply with that notification, the Associate Director will notify the State that further financial assistance will be withheld for that project, or for all or any portion of financial assistance which has or is to be made available to the State or local governments for the purpose of disaster relief assistance under the provisions of the Agreement, applicable Federal regulations, and the Act. The State further agrees that FEMA or State auditors, the Governor's Authorized Representative, the Regional Director, the Associate Director, and the Comptroller General of the United States or their duly authorized representatives shall for the purpose of audit and examination have access to any books, documents, papers and records of any recipients of Federal disaster assistance and of any persons or entities which perform any activity which is reimbursed to any extent with Federal disaster assistance funds distributed under the authority of the Act.

7. No Member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this Agreement, or to any benefit to arise thereupon; provided, however, that this provision shall not be construed to extend to any contract made with a corporation for its general benefit.

8. The State will establish and maintain an active State program of non-discrimination in disaster assistance as outlined in 44 CFR 205.16. This program will encompass all State and local government actions pursuant to this Agreement.

9. The State will establish and maintain a program to assure that State and local government recipients of Federal disaster assistance comply with the Department of Housing and Urban Development (DHUD) Consolidated List of Debarred, Suspended and Ineligible Contractors. This program also will encompass all State and local contracts pursuant to this Agreement.

10. The State agrees that, as a condition for any Federal loan or grant, the State or that applicant shall evaluate the natural hazards in the areas in which the proceeds of the grants or loans are to be used and shall make appropriate recommendations to mitigate such hazards for Federally-assisted projects. The State further agrees: (i) To follow up with applicants, within State capabilities, to assure that, as a condition for any grant or loan under the Act, appropriate hazard mitigation actions are taken; (ii) to prepare and submit, not later than 180 days after the declaration, to the Regional Director for concurrence, a hazard mitigation plan or plans for the FEMA designated areas; and (iii) to review and update as necessary disaster-mitigation portions of the State emergency plan. The Regional Director agrees to make Federal technical advice and assistance available to support the planning efforts and actions. The State understands that future Federal disaster assistance may be curtailed in situations where hazard mitigation plans have not been implemented properly.

11. Within his/her authorities, the Governor shall ensure, through the State agency responsible for regulation of the insurance industry, that insurance companies make full payment of eligible insurance benefits to disaster victims. The State also shall take all responsible steps to ensure that disaster victims are aware of procedures for filing insurance claims, are informed of any State procedures instituted for assisting insured disaster victims, and are aware of their responsibility to repay government assistance which is duplicated by insurance proceeds.

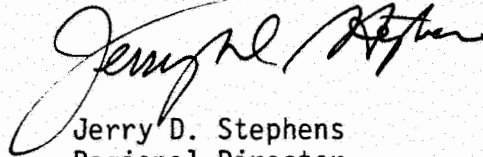
12. Since Federal operational and financial responsibility for temporary housing assistance shall not exceed eighteen (18) months from the date of the declaration by the President, the State agrees to accept such responsibility upon expiration of the Federal responsibility.

13. The State will notify all State and local agencies and local governments within the areas defined by this Agreement of the time limitations agreed to herein and the terms and conditions of eligibility for Federal assistance.

14. The State agrees, on its behalf and on behalf of its political subdivisions and other recipients of Federal disaster assistance, to cooperate with the Federal Government in seeking recovery of funds which are expended in alleviating the damages and suffering caused by this major disaster against any party or parties whose acts or omissions may in any way have caused or contributed to the damage or hardship for which Federal assistance is provided pursuant to the Presidential declaration of this major disaster.

15. This Agreement may be amended at any time by written approval of both parties.

Sincerely,



Jerry D. Stephens
Regional Director

Attachments

AGREED:


GOVERNOR

Date: Sept 1, 1988



OFFICE OF THE GOVERNOR
STATE CAPITOL
AUSTIN, TEXAS 78711

MARK WHITE
GOVERNOR

August 24, 1983

The President
The White House
Washington, D.C. 20402

THROUGH: Mr. Louis O. Giuffrida, Director
Federal Emergency Management Agency
500 C Street, S.W.
Washington, D. C. 20472

Mr. Jerry Stephens, Regional Director
Federal Emergency Management Agency
Region VI
Federal Regional Center
Denton, Texas 76201

Dear Mr. President:

This letter follows my telegram of August 18, 1983, and provides the necessary formal documentation.

Under the provisions of Section 301 (b), Public Law 93-288, as implemented by 44 CFR 205.41, I request that you declare a major disaster for Texas as a result of Hurricane Alicia, severe thunderstorms, high winds and tornadoes which struck primarily in Galveston, Fort Bend, Harris, Brazoria, Chambers, and Matagorda Counties.

The amount and severity of disaster-related damages is tremendous. Although the gathering of damage information is incomplete preliminary estimates are as follows:

Private Non-Agricultural	\$ 600,000,000
Agricultural	100,000,000
Public (Local Government)	500,000,000
TOTAL	<u>\$1,200,000,000</u>

As the result of the situation, I directed the execution of the State Emergency Management Plan on August 16, 1983. A state of emergency was declared by the above six counties, on August 17, 1983, and I issued a Proclamation declaring a state of disaster on August 17, 1983. I have also directed all appropriate actions under State law.

August 24, 1983
The President
Page 2

I have determined that this incident is of such severity and magnitude that effective response is beyond the capabilities of the State and the affected local governments and that supplementary federal assistance is necessary. Preliminary estimates of the nature and extent of federal assistance needed under PL 93-288, as amended, are tabulated in Enclosures A and B. Estimated requirements for federal assistance from certain federal agencies under other statutory authorities are tabulated in Enclosure C.

The following information is furnished on the extent and nature of State resources which have been or will be used to alleviate the conditions of this disaster. On August 16, 1983, The Texas Departments of Highways and Public Transportation, Parks and Wildlife, Water Resources, Health, and Public Safety began preparing for the storm by moving people and equipment to respond. On August 19, 1983, The Texas National Guard was called to duty to provide assistance and is still on duty. Additionally, The National Guard has provided aircraft support to the local communities for search and rescue as well as preliminary damage assessment. The Department of Highways and Public Transportation has been committed to road clearance and repair since the storm hit and will continue to clear and reopen roads. The Department of Public Safety had close to 400 personnel committed to the area, to include nearly 75 from outside the affected area, to augment local law enforcement. Their work will continue until local officials no longer need the assistance. Necessary state personnel will be committed to administer recovery programs.

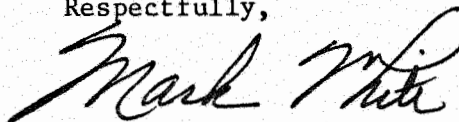
The Texas Disaster Act provides for a Comprehensive Emergency Management program which is on-going and needs no further actions by the State Legislature to be implemented.

I intend to implement the Individual and Family Grant Program as described in the enclosure.

Pursuant to Federal Emergency Management Agency regulations, I certify that the total expenditures and obligations for this major disaster for which no federal reimbursement will be requested are expected to exceed \$3,000,000 in accordance with the table in Enclosure D.

I have designated Wesley M. Anders as the State Coordinating Officer for this request. He will work with the Federal Emergency Management Agency in damage assessments and may provide further information or justification on my behalf. As surveys are completed in other affected counties, we will submit additional requests and information to your appointed Federal Coordinating Officer.

Respectfully,



Mark White
Governor of Texas

Enclosures

DEM/MW:Hd

ESTIMATED REQUIREMENTS FOR INDIVIDUAL ASSISTANCE

PL 93-288

<u>County</u>	<u>Temp. Hsg.</u>	<u>Minimal Home Repair</u>	<u>IFG</u>	<u>DUA</u>
Harris	# 1,000 @\$1,505,000	# 750 @\$1,000.00	# 6,800 @\$1,700.00	# 200 for 30 days
Galveston				
Chambers				
Brazoria				
Ft. Bend				
Matagorda				
Totals	<u>\$1,505,000</u>	<u>\$750,000</u>	<u>\$11,560,000</u>	<u>\$200,000</u>

ESTIMATED REQUIREMENTS FOR PUBLIC ASSISTANCE

PL 93-288

County or PNP	A	B	C	D	E	F	G	H	I	Total
Harris										
Galveston										
Chambers										
Brazoria										
Ft. Bend										
Matagorda										
Totals	\$5.0m	\$.5m	\$1.75m	\$.5m	\$.5m	\$.75m	unk	\$.25m	\$.5m	\$9.75m

ESTIMATED REQUIREMENTS FOR OTHER FEDERAL AGENCY PROGRAMS

County	<u>SBA Home Loans</u>	<u>SBA Business Loans</u>	<u>FmHA Loans</u>	<u>ASCS</u>	<u>SCS</u>	<u>FHWA</u>	<u>DOE School</u>	<u>COE</u>	<u>IRS</u>
Harris				unk	unk	unk	\$1,250,000	unk	yes
Galveston									
Chambers									
Brazoria									
Ft. Bend									
Matagorda	2,000 @10,000 <u>\$20,000,000</u>	1,000 @15,000 <u>\$15,000,000</u>	20,175,000 <u>\$20,175,000</u>	<u>unk</u>	<u>unk</u>	<u>unk</u>	<u>\$1,250,000</u>	<u>unk</u>	<u>yes</u>

GOVERNOR'S CERTIFICATION

I certify that for this current disaster, State and local government expenditures and obligations will constitute a reasonable amount of the funds of such State and local governments for alleviating the damage, loss, hardship or suffering resulting from such disaster. As stated in my basic letter, and based on information available at this time, tabulation of these estimated total expenditures and obligations, for which no federal reimbursement will be requested, follows:

Category of Assistance	Amount	
	<u>State</u>	<u>Local</u>
Individual Assistance:		
Housing	\$	\$
Individual & Family Grants	2,890,000	unk
Mass Care		
Other (specify)		
Total	_____	_____
Public Assistance:		
Category A - Debris Clearance	\$ 38,000	_____
Category B - Protective Measures	\$ 75,000	_____
Category C - Road Systems	_____	_____
Category D - Water Control Facilities	_____	_____
Category E - Public Buildings and Related Equipment	_____	_____
Category F - Public Utilities	_____	_____
Category G - Facilities under Construction	_____	_____
Category H - Private, Nonprofit Facilities	_____	_____
Category I - Other (not in above categories)	_____	_____
Total	\$ 2,890,000	\$ unk
Other:	Total \$ 113,000	\$ _____ +
Grand Total	\$ 3,003,000 *	\$ unk

*The State will exercise its responsibilities under the law in group mobile home dwelling sites should the requirement exist.

+This figure includes police, fire department, utility, ambulance, emergency medical, parks, streets and other damages not included in Category A.


Estimates are not yet available from the many local jurisdictions within the affected area.

THE WHITE HOUSE

WASHINGTON

September 17, 1985

MEMORANDUM FOR RICHARD P. RILEY
SPECIAL ASSISTANT
TO THE CHIEF OF STAFF

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

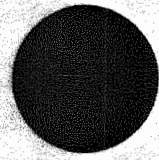
SUBJECT: Disaster Declaration for Michigan

Our office was asked to review a request from Governor James J. Blanchard of Michigan for Presidential declaration of a "major disaster," within the meaning of the Disaster Relief Act of 1974, Pub. L. 93-288.

Based on a review of the request and the related materials forwarded by the Federal Emergency Management Agency, the Governor's request appears to comply with the statutory requirements for a disaster declaration. We also have no legal objection to the implementation materials prepared by FEMA in connection with this request.

cc: David L. Chew

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET



O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD) _____ / _____ / _____

Name of Correspondent: Richard Riley

MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Disaster Declaration: Michigan

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CUHOLL</u>	<u>ORIGINATOR</u>	<u>85109117</u>			<u>1 1</u>
	Referral Note:				
<u>CUATIR</u>	<u>R</u>	<u>85109117</u>		<u>S</u>	<u>85109117</u>
	Referral Note:			<u>ASAP</u>	
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				

ACTION CODES:

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- C - Comment/Recommendation
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- F - Furnish Fact Sheet to be used as Enclosure

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- S - Suspended

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- Completion Date = Date of Outgoing

Comments: _____

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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

September 18, 1985

The President today declared a major disaster for the State of Michigan as a result of severe storms and flooding beginning on September 5, 1985, which caused extensive property damage. The President's action will permit the use of Federal funds in relief and recovery efforts in designated areas of the State.

Federal assistance from the President's Disaster Relief Fund can include individual and family grants as well as temporary housing assistance for eligible disaster victims. Disaster loans from the Small Business Administration and emergency loans from the Farmers Home Administration will be made available. Assistance also will be provided to local governments for disaster-damaged public facilities.

Federal relief activities in Michigan will be coordinated by the Federal Emergency Management Agency. That agency immediately designated Alcona, Genesee, LaPeer, and Saginaw Counties eligible for Federal disaster assistance.

Mr. Ronald Buddecke will be designated as the Federal Coordinating Officer to work with the State of Michigan in providing Federal assistance under the Disaster Relief Act of 1974, Public Law 93-288.

FOR FURTHER INFORMATION CONTACT: FEMA (202) 646-4600.


#

THE WHITE HOUSE

WASHINGTON

September 12, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Florida Disaster Declaration

At 11:00 a.m. I discussed with FEMA Associate Director Sam Speck the proposed disaster declaration for Florida. Speck had been on the telephone to Air Force One and confirmed Tom Dawson's statement that, if possible, review of the Florida disaster application should be completed before the plane landed at about 11:20.

Speck reviewed the letter from the Governor with me and confirmed that (1) it was signed by the Governor, (2) it included a finding that the disaster was of such severity and magnitude as to be beyond the capabilities of the State and affected local governments, (3) it indicated that the State emergency plan had been implemented, and (4) it furnished information on the extent and nature of State resources committed to alleviate the disaster. 42 U.S.C. § 5141. Damage caused by hurricanes fits within the definition of a "disaster." 42 U.S.C. § 5122. Speck advised that he had, earlier that morning, discussed the question and received appropriate recommendations from the FEMA regional office.

I reviewed a draft press announcement dictated by Speck to Tom Dawson. I advised Dawson that, on the basis of Speck's representations about the Governor's letter, the announcement could be made. Speck told me paperwork referencing our conversation would follow.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

September 12, 1985

The President today declared a major disaster for the State of Florida as a result of Hurricane Elena, which caused extensive damage. The President's action will permit the use of Federal funds in relief and recovery efforts in designated areas of the State.

Federal assistance from the President's Disaster Relief Fund will include disaster unemployment assistance and other individual or family programs as appropriate.

Federal relief activities in Florida will be coordinated by the Federal Emergency Management Agency. Franklin, Levy, Pinellas, and Manatee Counties were immediately designated eligible for Federal disaster assistance.

FOR FURTHER INFORMATION CONTACT: FEMA (202) 646-4600.

#

THE WHITE HOUSE
Office of the Press Secretary

John
thanks for your
help.
RR.

For Immediate Release

September 7, 1985

The President today declared a major disaster for the State of Alabama as a result of Hurricane Elena, beginning on or about September 2, 1985, which caused extensive property damage. The President's action will permit the use of Federal funds in relief and recovery efforts in designated areas of the State.

Federal assistance from the President's Disaster Relief Fund can include individual and family grants as well as temporary housing assistance for eligible disaster victims. Disaster loans from the Small Business Administration and the emergency loan program of the Farmers Home Administration will be made available. Assistance also will be provided to local governments for disaster-damaged public facilities.

Federal relief activities in Alabama will be coordinated by the Federal Emergency Management Agency. That agency immediately designated Baldwin and Mobile Counties eligible for Federal disaster assistance.

Mr. Thomas P. Credle will be designated as the Federal Coordinating Officer to work with the State of Alabama in providing Federal assistance under the Disaster Relief Act of 1974, Public Law 93-288.

FOR FURTHER INFORMATION CONTACT: FEMA (202) 646-4600

#

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

September 7, 1985

The President today declared a major disaster for the State of Alabama as a result of Hurricane Elena, beginning on or about September 2, 1985, which caused extensive property damage. The President's action will permit the use of Federal funds in relief and recovery efforts in designated areas of the State.

Federal assistance from the President's Disaster Relief Fund can include individual and family grants as well as temporary housing assistance for eligible disaster victims. Disaster loans from the Small Business Administration and the emergency loan program of the Farmers Home Administration will be made available. Assistance also will be provided to local governments for disaster-damaged public facilities.

Federal relief activities in Alabama will be coordinated by the Federal Emergency Management Agency. That agency immediately designated Baldwin and Mobile Counties eligible for Federal disaster assistance.

Mr. Thomas P. Credle will be designated as the Federal Coordinating Officer to work with the State of Alabama in providing Federal assistance under the Disaster Relief Act of 1974, Public Law 93-288.

FOR FURTHER INFORMATION CONTACT: FEMA (202) 646-4600


#

THE WHITE HOUSE

WASHINGTON

October 7, 1985

MEMORANDUM FOR RICHARD DAVIS
ASSOCIATE DIRECTOR
OFFICE OF CABINET AFFAIRS

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Disaster Declaration for Pennsylvania

Our office was asked to review a request from Governor Richard Thornburgh of Pennsylvania for Presidential declaration of a "major disaster," within the meaning of the Disaster Relief Act of 1974, Pub. L. 93-288.

The Governor's request does not comply with the statutory requirements for a disaster declaration. Neither the Governor's request letter nor any of the accompanying material submitted by the Governor contains the required finding that "the disaster is of such severity and magnitude that effective response is beyond the capabilities of the State and the affected local governments." See 42 U.S.C. § 5141(b). Such a finding by the Governor is a necessary prerequisite to a Presidential disaster declaration.

I have advised Joe Winkle of FEMA of the need to correct this omission before proceeding with the declaration.

cc: David L. Chew

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Richard Danner

MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Request for major Disaster Declaration - Pennsylvania

ROUTE TO:

ACTION

DISPOSITION

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>Central</u>		ORIGINATOR	<u>85.10.07</u>			<u>1 1</u>
		Referral Note:				
<u>Cent 18</u>		<u>R</u>	<u>85.10.07</u>		<u>S</u>	<u>85.10.07</u>
		Referral Note:				<u>ASAP</u>
			<u>1 1</u>			<u>1 1</u>
		Referral Note:				
			<u>1 1</u>			<u>1 1</u>
		Referral Note:				
			<u>1 1</u>			<u>1 1</u>
		Referral Note:				

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- Completion Date = Date of Outgoing

Comments: _____


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THE WHITE HOUSE

WASHINGTON

October 7, 1985

MEMORANDUM FOR FRED FIELDING

FROM: RICHARD DAVIS 
CABINET AFFAIRS

SUBJECT: Request for a Major
Disaster Declaration --
Pennsylvania

The attached request for a major disaster declaration from the Governor of Pennsylvania is recommended for approval by FEMA. Please provide me (x2800) with your recommendation as soon as possible.

Thank you very much.

cc: David Chew



Federal Emergency Management Agency

Washington, D.C. 20472

October 7, 1985

Honorable John Roberts
Office of the Counsel to the
President
The White House
Washington, D.C. 20500

Dear Mr. Roberts:

Per our telecon today, I am enclosing a copy of Governor Dick Thornburgh's amendment to his request for a major-disaster declaration under Public Law 93-288.

Sincerely,

Joe D. Winkle
Assistant Associate Director
Disaster Assistance Programs
State and Local Programs
and Support

Enclosure



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR
HARRISBURG

THE GOVERNOR

October 7, 1985

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

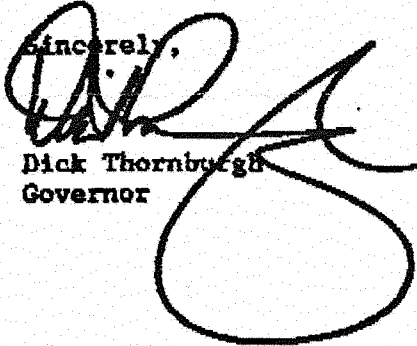
This letter is an amendment to my request for a Presidential Declaration of Disaster for the counties of Lackawanna, Luzerne and Wayne dated October 2, 1985.

Further investigation indicates that:

- (1) The situation is of such severity and magnitude that effective response is beyond the capabilities of the State and affected local governments; and
- (2) Federal assistance under the Public Law 93-288 is necessary to supplement the efforts and available resources of the State, local governments, and disaster relief organizations.

Again, your consideration of this request is greatly appreciated.

Sincerely,


Dick Thornburgh
Governor

THE WHITE HOUSE

WASHINGTON

October 10, 1985

MEMORANDUM FOR RICHARD DAVIS
ASSOCIATE DIRECTOR
CABINET AFFAIRS

FROM: JOHN G. ROBERTS *JGR*
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Disaster Declaration for Connecticut

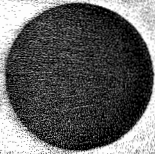
Our office was asked to review a request from Governor William A. O'Neill of Connecticut for Presidential declaration of a "major disaster," within the meaning of the Disaster Relief Act of 1974, Pub. L. 93-288.

Based on a review of the request and the related materials forwarded by the Federal Emergency Management Agency, the Governor's request appears to comply with the statutory requirements for a disaster declaration. We also have no legal objection to the implementation materials prepared by FEMA in connection with this request.

cc: David L. Chew

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
- H - INTERNAL
- I - INCOMING
Date Correspondence Received (YY/MM/DD) 1/1



Name of Correspondent: Richard Davis

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Request for major disaster declaration - Connecticut

ROUTE TO:	ACTION	DISPOSITION	
Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code Completion Date YY/MM/DD
<u>CH Hall</u>	ORIGINATOR	<u>85,10,10</u>	<u>1/1</u>
	Referral Note:		
<u>CH 18</u>	R	<u>85,10,10</u>	<u>S 85,10,10 ASAP</u>
	Referral Note:		
		<u>1/1</u>	<u>1/1</u>
	Referral Note:		
		<u>1/1</u>	<u>1/1</u>
	Referral Note:		
		<u>1/1</u>	<u>1/1</u>
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FOR OUTGOING CORRESPONDENCE:

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Comments: _____

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THE WHITE HOUSE

WASHINGTON

October 15, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Amendment to Request for a Major
Disaster Declaration for Puerto Rico

Richard Davis of Cabinet Affairs has asked for our views as soon as possible on an amendment to the October 10, 1985, disaster declaration issued by the President for Puerto Rico. The original request letter from the Governor referred to damage "during the weekend of October 6." A subsequent, more complete letter indicated the storm hit "from October 4 through 7," but also noted implementation of the Commonwealth emergency plan on October 6. The memorandum for the President prepared by FEMA stated that the "storm occurred on October 6-7." The various implementation materials accordingly fixed the beginning of the disaster on October 6. Now FEMA would like to have the President amend the October 10 declaration to indicate that the disaster began October 4, not October 6.

I reviewed and cleared the request on October 10. It fully complied with the requirements of the Disaster Relief Act of 1974, Public Law 93-288: request signed by governor, storm and flood damage covered by the statute, requisite findings as to severity and magnitude, sufficient information on nature and extent of committed state resources, and implementation of state emergency plan. The FEMA material stated that the storm began on October 6, and the implementation materials accurately reflected this finding.

Our office cannot review FEMA's findings as to when a particular disaster commenced, particularly when, as here, there was no necessary inconsistency between the FEMA finding and the Governor's request letter. If FEMA now wants to amend the declaration to indicate the disaster began on October 4, not October 6 as FEMA originally stated, I have no objection.

Attachment

THE WHITE HOUSE

WASHINGTON

October 15, 1985

MEMORANDUM FOR RICHARD DAVIS
ASSOCIATE DIRECTOR
CABINET AFFAIRS

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Amendment to Request for a Major
Disaster Declaration for Puerto Rico

You have asked for my views on a proposed letter from the President to the Acting Director of FEMA, amending the major disaster declaration for Puerto Rico of October 10, to indicate that the disaster began on October 4, not October 6. The memorandum for the President from FEMA requesting the original disaster declaration stated that the storm occurred October 6-7. If FEMA is now of the view that the storm began on October 4, I have no objection to an amendment of the October 10 declaration.

cc: David L. Chew

FFF:JGR:aea 10/15/85

cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

October 15, 1985

MEMORANDUM FOR RICHARD DAVIS
ASSOCIATE DIRECTOR
CABINET AFFAIRS

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Amendment to Request for a Major
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You have asked for my views on a proposed letter from the President to the Acting Director of FEMA, amending the major disaster declaration for Puerto Rico of October 10, to indicate that the disaster began on October 4, not October 6. The memorandum for the President from FEMA requesting the original disaster declaration stated that the storm occurred October 6-7. If FEMA is now of the view that the storm began on October 4, I have no objection to an amendment of the October 10 declaration.

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FFF:JGR:aea 10/15/85

cc: FFFielding
JGRoberts
Subj
Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

O - OUTGOING

H - INTERNAL

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Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Richard Davis

MI Mail Report

User Codes: (A) _____

(B) _____

(C) _____

Subject: Amendment to Request for a Major Disaster Declaration - Puerto Rico

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>CUHOLL</u>	<u>ORIGINATOR</u>	<u>85110115</u>		<u>1 1</u>
	Referral Note:			
<u>CUAT18</u>	<u>D</u>	<u>85110115</u>	<u>S</u>	<u>85110115</u> <u>2PM</u>
	Referral Note:			
		<u>1 1</u>		<u>1 1</u>
	Referral Note:			
		<u>1 1</u>		<u>1 1</u>
	Referral Note:			
		<u>1 1</u>		<u>1 1</u>
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