

November 19, 2024

The Honorable Katie Boyd Britt Ranking Member, Subcommittee on Homeland Security Senate Appropriations Committee 503 Hart Senate Office Building Washington, DC 20510

Dear Senator Britt:

This is a response to your letter dated November 9, 2024, to Secretary Alejandro Mayorkas and me sharing your concerns and questions regarding a supervisor's unacceptable instruction to disaster relief workers in Florida.

More than 22,000 FEMA employees every day adhere to FEMA's core values and are dedicated to helping people before, during and after disasters. As you noted in your letter, recently one FEMA employee departed from these values to advise her Disaster Survivor Assistance (DSA) team to "avoid homes advertising Trump." This is a clear violation of FEMA's core values and principles to help all people regardless of their political affiliation or any other status.

This was reprehensible and this type of behavior and action will not be tolerated at FEMA. I would like to respond to your specific questions on the situation and the actions we have taken.

1. Does FEMA have any policies that condition or prioritize outreach in areas affected by disasters based on political or other affiliations?

No, FEMA is committed to helping people and communities as quickly as possible after a disaster and does not have any policies that condition or prioritize outreach in areas affected by disasters based on political or other affiliations. One of FEMA's four core values is Fairness, which is defined as treating everyone impartially, offering unbiased and consistent assistance, and ensuring equal access to resources and tools. DSA teams, who conduct outreach to disaster survivors at their homes or in their communities, are assigned geographically based on local and state prioritization, incident requirements, and operational needs. Prioritizing or conditioning disaster assistance based on political or other affiliation is antithetical and offensive to FEMA's mission of helping people before, during and after disasters. Beyond our core values, the Stafford Act charges FEMA with ensuring that disaster assistance is provided in an equitable and impartial manner.

2. Under what circumstances can FEMA personnel performing outreach in disaster areas choose to bypass homes?

FEMA personnel are expected to make their best effort to contact all survivors when conducting field outreach, and DSA teams must report on whether they were able to successfully interact with a survivor at each home they visit. If a DSA team member is unable to make contact with a survivor at their home, they should leave a flyer that contains information about how to apply for disaster assistance. In some circumstances, they may not be able to leave a flyer, such as if disaster related damages make the property unsafe to approach, or if there are loose animals on the property. FEMA personnel are also not permitted to trespass, and may not enter gated or fenced homes, or enter properties that have no trespassing signs or purple posts (in some states a purple post is the equivalent of a no trespassing sign). A political sign is never a permissible reason to avoid approaching a residence.

3. Beyond outreach, has FEMA delayed response, recovery, or other assistance in any area affected by disasters based on the area's political affiliation?

No. The work we do at FEMA is not, has never been, and should never be partisan – emergencies and disasters don't respect geographic or political boundaries. To meet our mission of helping people before, during and after disasters that trust must transcend politics and political affiliations. Anything less will simply not be tolerated.

4. Has FEMA identified, or had any whistleblower or other complaints regarding, any other instances of individuals being bypassed as a result of their political views?

No. FEMA has no record of any whistleblower or other complaints regarding individuals being bypassed because of political views. FEMA has become aware from public reporting that there may be other FEMA employees or former employees who allege that individuals were bypassed. If investigations underway by FEMA's Office of Professional Responsibility (OPR) and the U.S. Office of Special Counsel (OSC) reveal other employees directed homes be bypassed, FEMA will take appropriate disciplinary and corrective action. In addition, on November 19 I requested that the U.S. Department of Homeland Security Office of Inspector General (OIG) investigate FEMA's delivery of DSA for Hurricanes Helene and Milton.

5. How is FEMA identifying all homes improperly bypassed as a result of this supervisor's directions, and what steps is the agency taking to reach out to those bypassed individuals?

We have worked to ensure that no homes were missed in our outreach in Florida communities affected by recent hurricanes. Our DSA teams have revisited homes in Lake Placid, and all neighborhoods in Highlands and Citrus counties worked by this specific team to ensure that no homes are missed. We have worked closely with county emergency management officials to ensure all homes in the affected areas are visited. We have also deployed a Deputy Federal Coordinating Officer (DFCO) to the area to ensure leadership is attached to the DSA team and a

newly assigned DSA team lead. The DFCO is in communication with county and community officials to address questions and concerns.

- 6. How many other FEMA personnel were aware of the supervisor's actions prior to press reports on November 8?
 - a. Did any personnel or volunteer alert FEMA to the supervisor's actions prior to press reporting?
 - b. When did FEMA management first become aware of the supervisor's actions?

On October 24, 2024, a member of the Department of Homeland Security Surge Capacity Force, employed by the Transportation Security Administration (TSA), notified TSA management a DSA team was directed to avoid certain homes. TSA management passed this information on to the TSA Office of Investigations who then on October 28, 2024, referred the matter to FEMA OPR. As is standard process for cases involving potential Hatch Act violations, FEMA OPR the same day referred the matter to OSC. Also on October 28, FEMA Headquarters Recovery leadership, having been made aware of the TSA employee complaint, agreed that the investigation process should run its course and alerted Florida DSA leadership of the investigation. On November 7, however, FEMA Headquarters Recovery leadership were informed that there were electronic screen shots providing definitive evidence a FEMA employee directed a DSA team to "avoid homes advertising Trump." I was made aware a FEMA employee had directed a DSA team to avoid certain homes on the evening of November 7. The employee was terminated on November 9.

7. What is FEMA doing to ensure personnel and volunteers do not take similar improper action when responding to future disasters?

In addition to my public statement, I sent an agencywide e-mail that made it explicitly clear to the FEMA workforce that I expect all employees to recommit to our agency's core values of compassion, fairness, integrity, and respect, to reflect on why each of us serves, and ensure we continue to put people – all people – first in everything we do. Anything less will simply not be tolerated. We have held additional trainings for our field staff to reinforce our mission and commitment to helping all people. All DSA Teams participated in a mandatory training that reinforced our mission and commitment to helping all people and detailed the legal requirements that apply to all federal employees. The mandatory training reminded all personnel of the basic requirements and processes all teams are expected to follow. We also emphasized the responsibility to speak up if personnel witness these values or laws being potentially violated. Finally, we have reinforced with supervisors the need to consult with FEMA security managers prior to issuing security-related guidance.

If you have any additional questions, please have a member of your staff contact FEMA's Office of Congressional Affairs at (202) 646-4500.

U.S. Department of Homeland Security Washington, DC 20472

Sincerely,

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