



One Hundred Fifteenth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

December 1, 2017

The Honorable Elaine Duke
Acting Secretary
Department of Homeland Security
245 Murray Lane S.W.
Washington, D.C. 20528

Dear Acting Secretary Duke:

On November 17, 2017, the Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) issued a Request for Information (RFI) for Resource Capability and Transportation Support needs in the wake of extensive damage caused by Hurricanes Irma and Maria in Puerto Rico. More specifically, the RFI seeks information on support for a full suite of transportation services, including “air, maritime, and ground transportation” as well as “warehousing services, essential equipment, and all necessary labor to fulfill such transportation services.”¹

It is my understanding that FEMA is considering a single vendor to handle the specified shipping, transportation, and logistical needs – a contract award that could be worth more than \$100 million. We have certainly seen the danger in awarding a single vendor a contract of this magnitude, namely the award of a now-canceled \$300 million contract to Whitefish Energy Holdings, a company that clearly lacked the capacity to manage the reconstruction of the Puerto Rico power grid.

I also find this course of action concerning given the availability of smaller, local companies that can assist with such an undertaking. Further, pursuant to the Federal Acquisition Regulation (FAR), when awarding emergency response contracts such as contracts for debris clearance, distribution of supplies, or reconstruction, preference “shall be given, to the extent feasible and practicable, to *local* firms.”² It goes without saying that those directly impacted by Hurricanes Irma and Maria should be the first in line to participate in rebuilding and recovery efforts. Small, local, and minority-owned businesses should be granted a fair opportunity to contract with the federal government.

¹ Federal Emergency Management Agency. RFI No. 70FA3018R00000008 (November 17, 2017).

² Federal Acquisition Regulation § 26.202 (Local Area Preference).

It is within the Committee on Homeland Security's oversight responsibility to ensure all contracts awarded by FEMA are done so fairly and properly. Therefore, pursuant to Rule X(3)(g) and Rule XI of the Rules of the House of Representatives, we respectfully request a response to the following questions by December 15, 2017.

1. Please provide an explanation of the reason and/or business need to use a single contractor to provide transportation, warehouse servings, and any other transportation based services in Puerto Rico.
2. Pursuant to FAR § 26.202, does FEMA plan to give preference, to the extent feasible and practicable, to local contractors? Please explain.
3. Does FEMA have plans to pursue smaller contracting vehicles for the transportation needs of Puerto Rico in order for local contractors to bid competitively on the needed services?
4. Please provide a copy of responses received to RFI No. 70FA3018R00000008.

Thank you for your attention to this important matter. Should you have any questions, please contact Alison Northrop, Chief Director for Oversight, at (202) 226-2616.

Sincerely,



BENNIE G. THOMPSON
Ranking Member
House Homeland Security Committee