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6 INVESTIGATING THE ROLE OF ELECTRIC INFRASTRUCTURE IN THE

7 CATASTROPHIC MAUI FIRE

8 THURSDAY, SEPTEMBER 28, 2023

9 House of Representatives,

10 Subcommittee on Oversight and Investigations,

11 Committee on Energy and Commerce,

12 Washington, D.C.

13

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16 The Committee met, pursuant to call, at 10:02 a.m., in

17 Room 2123, Rayburn House Office Building, Hon. Morgan

18 Griffith [Chairman of the Subcommittee] presiding.

19 Present: Representatives Griffith, Burgess, Guthrie,

20 Duncan, Palmer, Crenshaw, Cammack, Rodgers [ex officio];

21 Castor, Schakowsky, Tonko, Ruiz, Peters, and Pallone [ex

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22 officio]

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23 Staff Present: Kate Arey, Digital Director; Sean Brebbia,  
24 Chief Counsel; Deep Buddharaju, Senior Counsel; Christen  
25 Harsha, Senior Counsel; Nate Hodson, Staff Director; Tara  
26 Hupman, Chief Counsel; Lauren Kennedy, Clerk; Peter Kielty,  
27 General Counsel; Peter Maris, Research Assistant; Mary  
28 Martin, Chief Counsel; Carla Rivera, EPA OIG Detailee; Peter  
29 Spencer, Senior Professional Staff Member; Austin Flack,  
30 Minority Junior Professional Staff Member; Waverly Gordon,  
31 Minority Deputy Staff Director and General Counsel; Will  
32 McAuliffe, Minority Chief Counsel, Oversight and  
33 Investigations; Constance O'Connor, Minority Senior Counsel;  
34 Christina Parisi, Minority Professional Staff Member; Harry  
35 Samuels, Minority Oversight Counsel; Andrew Souvall, Minority  
36 Director of Communications, Outreach and Member Services; and  
37 Caroline Wood, Minority Research Analyst.

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38           \*Mr. Griffith. The Subcommittee on Oversight and  
39     Investigations will now come to order, and I now recognize  
40     myself for 5 minutes for an opening statement.

41           On August 7 and 8, a series of fires broke out on the  
42     island of Maui in the island of Hawaii, including one that  
43     devastated the town of Lahaina on the west coast of Maui.  
44     While the Hawaiian Electric Company and the County of Maui  
45     dispute some facts surrounding these events, one thing is  
46     certain: this series of fires were catastrophic to the State  
47     of Hawaii, and we must make every effort to be vigilant and  
48     try and prevent a similar disaster from striking again.

49           Tragically, the Lahaina fire took at least 97 lives,  
50     burned thousands of acres, caused billions of dollars in  
51     damage, and destroyed multiple Native Hawaiian cultural and  
52     historical landmarks. I am deeply saddened to hear the  
53     stories of those who survived and awaiting news of their  
54     loved ones who still remain unaccounted for, who are still  
55     searching for housing, and who are wrestling with how they  
56     will survive after the fire consumed businesses and erased  
57     the island's tourism industry.

58           While many continue to debate which exact decisions and

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59 circumstances contributed to the catastrophic scale of the  
60 Maui fires, it is not too early to start examining what can  
61 be done better. For example, some wildfire experts have  
62 noted that dense, flammable, non-Native grasses have  
63 multiplied across the island in recent years, facilitating  
64 the deadly spread of the recent fires.

65 Other reports have cited utility law experts who  
66 maintain that Hawaiian Electric waited too long to pursue  
67 important upgrades to harden and modernize the electric grid  
68 against wildfire risks. Still others have argued that Maui  
69 Electric Company, a subsidiary of Hawaiian Electric, was  
70 particularly slow in replacing outdated and deteriorating  
71 poles supporting its powerlines.

72 There were many decisionmakers involved along the way,  
73 and there is still much to sort out. To that end, Chair  
74 Rodgers, Chair Duncan, and I probed some of the concerns in  
75 our -- some of these concerns in our August 30, 2023, letter  
76 to each of our invited witnesses requesting additional  
77 information on their efforts to address wildfire risks on  
78 Maui.

79 We thank our witnesses for their responses to our

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80 request, and I look forward to discussing the responses  
81 further today.

82 Now I would like to take a moment to introduce each of  
83 our witnesses for our first panel. We are joined today by  
84 Ms. Shelee Kimura, president and chief executive officer at  
85 Hawaiian Electric Company, Hawaii Electric Subsidiary  
86 Corporation. Maui Electric Company provides service on Maui.  
87 Hawaii Electric and its subordinate corporations provide  
88 service for 95 percent of Hawaii's residents.

89 Finally, we will also hear from -- somebody in there  
90 somewhere. We will also hear from Mr. Mark Glick, energy  
91 officer of Hawaii State Energy Office. The office develops  
92 support and supports state energy policy goals.

93 We also welcome Mr. Leodoloff Asuncion, Jr., chairman of  
94 the Hawaii Public Utilities Commission. Mr. Asuncion served  
95 as a commissioner since April of 2019 and as chair since July  
96 2022. The Commission, among other things, regulates the  
97 electricity rates and power service parameters of public  
98 utility companies operating in the State.

99 Immediately after we will convene a second panel  
100 consisting of testimony from our colleagues from the Hawaiian

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101 Congressional Delegation. Representative Ed Case from  
102 Hawaii's 1st District will testify. We will also hear  
103 testimony from Representative Jill Tokuda, whose 2nd District  
104 of Hawaii includes the island of Maui.

105       There are several investigations underway and still a  
106 lot of debate and speculation around the days in which the  
107 fires spread and about what has been done, or has not been  
108 done, in years prior. However, Congress has a responsibility  
109 to pursue a safe national energy policy, which includes  
110 hardened electric infrastructure that is prepared for events  
111 like wildfires and hurricanes.

112       Congress has a portion of that responsibility, along  
113 with state regulators and private sector partners.  
114 Accordingly, it is extremely important that we convene today  
115 to begin to ask the hard questions. Given this committee's  
116 role in protecting our electric utility infrastructure, and  
117 its general jurisdiction over power utilities, we will focus  
118 today on that aspect of the disaster.

119       I hope that we learn here today -- that what we learn  
120 here today will inform efforts at the federal, state, local,  
121 and utility level to protect constituents and rate payers and

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122 reduce the chances of preventable losses of life and property  
123 from wildfires in the future.

124 That said, I will also tell you that we have another  
125 hearing going on downstairs where we are looking at the  
126 electric grid. And so you will see members moving in and out  
127 because some members are on both subcommittees.

128 I thank the witnesses for being here and participating  
129 in our efforts to learn from this horrible event and to  
130 prevent similar disasters from unfolding in such a deadly and  
131 destructive manner going forward.

132 With that, I yield back.

133 I now recognize the ranking member of the subcommittee,  
134 Ms. Castor, for her 5-minute opening statement.

135 \*Ms. Castor. Thank you, Mr. Chairman.

136 Good morning, everyone. Just over 7 weeks ago, powerful  
137 wildfires devastated the town of Lahaina on the island of  
138 Maui in Hawaii. This was a sudden and horrific tragedy. And  
139 on behalf of the Democratic side, we extend our sincere  
140 condolences.

141 Nearly 100 people died, and many more have lost their  
142 homes and businesses. The firsthand accounts of how quickly



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143 the fire spread and the chaos and confusion that resulted are  
144 horrendous. Many Hawaiian neighbors, military service, and  
145 Coast Guard members, raced to rescue people that day. They  
146 worked through the smoke, flames, and pollution to save  
147 lives. They are heroes.

148 Many others responded in the immediate aftermath, and  
149 more are on the ground now dedicated to recovery and relief.  
150 I understand that over 27 federal partners, including FEMA,  
151 EPA, the U.S. Army, and the Small Business Administration,  
152 are helping the people of Maui get back on their feet.

153 And I appreciate the hands-on approach of  
154 Representatives Tokuda and Case, and Senators Hirono and  
155 Schatz, and how they are supporting and advocating for their  
156 neighbors.

157 Top of mind for the Congress at this moment of a  
158 threatened government shutdown must be to ensure that the  
159 recovery work continues uninterrupted for the people of Maui.  
160 Today I hope we can learn more about the conditions that  
161 caused the fire and what else Congress can do for the island.

162 There are things that we do know already. We know that  
163 strong winds from a nearby hurricane, combined with drought

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164 conditions and dry vegetation, led to advance warnings of  
165 fire on Maui. We know that the fire started on the edge of  
166 town in Lahaina on Maui's west coast and quickly grew out of  
167 control, ultimately devastating the town and claiming the  
168 lives of too many neighbors.

169 Fire crews were dealing with another fire miles away.  
170 We know that people there are still suffering from the losses  
171 of their friends, families, and homes, and that firefighters  
172 are still working to contain wildfires elsewhere.

173 What we do not know is the exact cause of the fire and  
174 what more, if anything, could have been done to prevent it  
175 from starting or spreading. Hawaiian Electric has said that  
176 one of its powerlines ignited an earlier fire in Lahaina the  
177 morning of August 8. The Maui Fire Department said it had  
178 extinguished that fire, but then fire was reported again in  
179 the same location and it quickly spread.

180 While the National Weather Service in Honolulu began  
181 issuing alerts days before the Lahaina fire began, important  
182 questions remain about whether more could have been done to  
183 notify residents or deenergize powerlines sooner.

184 There are also critical questions about the steps local

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185 officials took in the 5 years since the wildfires struck Maui  
186 in 2018. These are important questions that are already  
187 being investigated. And while I strongly believe that we in  
188 Congress have an important oversight role to play, I do think  
189 it would have been helpful to have the benefit of the on-the-  
190 ground findings from the authorities before pulling the  
191 attention of our witnesses away from recovery efforts to  
192 appear before us.

193         Nonetheless, I appreciate your willingness to be here  
194 today and hope we can learn more about this tragedy, whether  
195 and how it might have been prevented, and what can be done to  
196 prevent future tragedies like this, including insurance --  
197 including ensuring that investments made for grid hardening  
198 under the Bipartisan Infrastructure Law and the Inflation  
199 Reduction Act are delivered quickly and effectively.

200         I would also like to learn more about how electric and  
201 other infrastructure can be rebuilt in a more resilient way.

202         It has only been 7 weeks since the Lahaina fire, and the  
203 emergency is not over. Investigators deserve time to do  
204 their work thoroughly and present their findings. Until we  
205 get a clearer picture, our primary focus must continue to be

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206 on relief and recovery efforts for the people of Maui, and  
207 that includes keeping government open and ensuring that  
208 federal resources are available to them.

209 Thank you, Mr. Chairman. I yield back.

210 \*Mr. Griffith. The gentlelady yields back.

211 I now recognize the chairwoman of the -- chair of the  
212 full committee, Mrs. McMorris Rodgers, for her 5 minutes.

213 \*The Chair. Thank you, Chair Griffith. Our task today  
214 is a difficult one, but it is also critical. It is a  
215 critical one.

216 We are examining the tragic events that unfolded on the  
217 Hawaiian island of Maui last month.

218 On August 7 and 8, a series of fires broke out on the  
219 island, including one that destroyed the town of Lahaina.  
220 Our deepest condolences to the people of Maui as they face  
221 the daunting task of rebuilding their communities, mourn the  
222 loss of loved ones, and grapple with the painful memories of  
223 that terrifying day.

224 The pain of seeing your home and your neighbors' homes  
225 destroyed within a matter of hours, or even minutes, is gut-  
226 wrenching. At least 97 lives were lost to this disaster, and

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227 we continue to pray that God provides strength and comfort to  
228 their loved ones. Many are still missing.

229         According to an estimate from the University of Hawaii's  
230 Specific Disaster Center, at least 2,200 buildings were  
231 destroyed with about 86 percent of those buildings being  
232 residential.

233         We must do everything we can to minimize the chance that  
234 such a destructive and deadly disaster will occur again on  
235 Maui or anywhere else in the country. And, unfortunately, if  
236 we fail to learn from this event, it very well could.

237         The Hawaii Wildlife Management organization reports that  
238 each year the percentage of total land burned by wildfire in  
239 Hawaii is equal to or greater than any other state in the  
240 Nation. And according to the wildfires experts from the  
241 University of Hawaii, the area burned across all four  
242 counties in Hawaii each year has increased by 300 percent  
243 within the last several decades.

244         Eastern Washingtonians are no strangers to the  
245 disastrous consequences of wildfires either. Last month the  
246 Gray and Oregon Road fires destroyed hundreds of homes,  
247 forced evacuations, and have been linked to two deaths.

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248 Hundreds are still recovering from and coping with the  
249 destruction of these wildfires.

250       While it is difficult to revisit the disaster that  
251 occurred on Maui, we must examine any factors that could have  
252 caused or worsened the emergency, identify any unnecessary  
253 hazards that were allowed to persist, and pinpoint any  
254 additional precautions that could have been taken.

255       I understand debate about the factors behind the cause  
256 and spread of the fires continues, but that Hawaiian Electric  
257 acknowledged that an early morning fire on August 8 appears  
258 to have been caused by powerlines that fell in high wind.  
259 What happened after that, particularly concerning the second  
260 fire that swept through Lahaina that afternoon and destroyed  
261 lives and the town, remains open to an investigation.

262       Part of our job here in Congress is to ensure that every  
263 American has access to affordable and reliable energy, and  
264 that responsibility includes making sure that energy comes  
265 from safe, well-maintained infrastructure. There has been a  
266 lot of emphasis on some of the competing priorities when it  
267 comes to modernizing our electric grid in recent years.

268       However, we must make sure that safety remains a top

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269 priority. A grid that is not prepared for extreme weather,  
270 or is inadequately maintained, is not only unreliable but  
271 also an unacceptable safety hazard that could potentially  
272 cost billions of dollars and endanger lives.

273 While we cannot prevent and control every hazard, such  
274 as the high winds that struck Maui leading up to the fire, we  
275 must harden our grid to hazards, address wildfire risks such  
276 as vegetation overgrowth, and implement appropriate  
277 precautions for extreme weather. We appreciate all the  
278 witnesses traveling across the country to be here today. You  
279 have a difficult road ahead of you in rebuilding after this  
280 tragic event. I hope that today we can learn how Congress  
281 can be a strong partner for utilities and state agencies in  
282 addressing grid safety concerns.

283 And while there is other investigations ongoing, we hope  
284 that this hearing provides some clarity on how and why this  
285 disaster unfolded in such a catastrophic manner and what  
286 steps can be taken to minimize the likelihood of it occurring  
287 again.

288 I yield back, Mr. Chair.

289 \*Mr. Griffith. The gentlelady yields back.

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290 I now recognize the ranking member of the full  
291 committee, Mr. Pallone, for his 5-minute opening statement.

292 \*Mr. Pallone. Thank you, Mr. Chairman. The wildfires  
293 that swept through the town of Lahaina on August 8 were a  
294 catastrophic disaster, and I want to offer my deepest  
295 sympathies to all those affected. It is a devastating  
296 tragedy, and we must ensure that Congress supports the island  
297 every way we can.

298 There are many unanswered questions about how this  
299 terrible tragedy happened, and I am not going to go through  
300 all of the things that have already been mentioned by my  
301 colleagues in terms of what actually happened or what we  
302 know. But I know that first responders tried to contain the  
303 blaze, and some residents were able to evacuate. But,  
304 tragically, it wasn't enough and the fire went completely out  
305 of control.

306 I also want to say that we can't overestimate or  
307 overstate the enormity of the disaster and the destruction it  
308 brought and the fact that so many people died and are still  
309 missing, and that many of the deceased have not been  
310 identified, and many residents are living in temporary



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311 shelters because their homes are gone. Officials estimate  
312 that over 2,000 structures were damaged or destroyed. It is  
313 going to be a very long road to rebuild. And emergency  
314 responders, as has been mentioned, are still working day and  
315 night to fight the ongoing fires in remote areas of the  
316 island.

317         And many factors appear to have contributed to the  
318 catastrophic scale of this fire. The extremely high winds  
319 pushing flames through dry vegetation rapidly escalated the  
320 fire's spread, and prevented successful firefighting efforts.  
321 Evacuation routes were blocked by police due to downed trees  
322 and powerlines, which resulted in bottlenecks and gridlocks  
323 on the few roads in and out of Lahaina.

324         And power outages and damaged cell towers exacerbated  
325 communication problems and created further confusion. We do  
326 not know why emergency sirens were not activated to warn  
327 residents or what role the electric grid may have played in  
328 sparking the fire that ultimately destroyed Lahaina.

329         In terms of a government response, the acting governor  
330 declared a State of Emergency the day the fire started, and  
331 two days later Governor Green requested a disaster

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332 declaration, which was immediately granted by the Biden  
333 Administration. Within 48 hours, FEMA was on the ground in  
334 Maui assembling crews for search and rescue and survivor  
335 assistance.

336 As several official investigations are underway to get  
337 to the bottom of this disaster, Hawaii's attorney general has  
338 commissioned the Fire Safety Research Institute to conduct a  
339 thorough examination of the causes. It is expected to make  
340 multiple interim reports before issuing a final report and  
341 recommendations around August of next year. Those on the  
342 ground with the most information and experience are the  
343 appropriate authorities to examine the causes of the fire,  
344 and I look forward to hearing from our witnesses. But I am  
345 concerned that this hearing is shifting attention and  
346 resources away from ongoing relief efforts on Maui and the  
347 official investigations that are still in their early stages.

348 Congress should focus on ensuring that the Federal  
349 Government can continue providing relief to the people of  
350 Maui, and that means funding the government and funding  
351 FEMA's Disaster Relief Fund, which the President has asked us  
352 to do.

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353           And that is something specific that we, and only we, can  
354 and should do without delay. A reckless government showdown  
355 -- or shutdown I should say -- which we know is imminent,  
356 would slow Maui's ability to rebuild and recover.

357           And, after all, this disaster is not over. Thousands of  
358 people are displaced and in desperate need of permanent  
359 housing. Firefighters are still working, and utility crews  
360 are working to restore power and repair damaged  
361 infrastructure. So I am hopeful that the investigations will  
362 provide answers, so that we can learn from this tragedy to  
363 ensure this does not happen again.

364           But right now we must do all that we can to support the  
365 residents of Maui recover and rebuild, and a shutdown is not  
366 the answer, obviously. I mean, it is hard for us here in the  
367 midst of this potential shutdown to be talking about how much  
368 we can do because we don't know if the government is going to  
369 be able to do anything if by tomorrow night or Saturday the  
370 government shuts down.

371           That is certainly not -- you know, it is not easy for us  
372 to say to you that we are going to help when we don't even  
373 know if the government is going to be open. So I guess my

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374 main thing, and I know it sounds political, but I can't help  
375 it because if the government shuts down, there is a serious  
376 question about what we are actually going to do.

377 But, in any case, we appreciate everybody being here,  
378 and we are determined to do whatever we can to help. So  
379 thank you, Mr. Chairman.

380 \*Mr. Griffith. I thank the gentleman. The gentleman  
381 yields back.

382 That concludes members' opening statements. The chair  
383 would like to remind members that pursuant to committee rules  
384 all members' written opening statements will be made a part  
385 of the record. Please provide those to the clerk promptly.

386 Again, we want to thank our witnesses for being here  
387 today and taking the time to testify before this  
388 subcommittee. You will have an opportunity to give an  
389 opening statement followed by a round of questions from our  
390 members.

391 Our witnesses today are Ms. Shelee Kimura, president and  
392 chief executive officer of Hawaiian Electric; Mr. Mark B.  
393 Glick, chief energy officer, Hawaii State Energy Office; and  
394 Mr. Leodoloff Asuncion, Jr., chair of the Hawaii Public

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395 Utilities Commission. We appreciate you all being here, and  
396 I look forward to hearing from you.

397       You are aware that this subcommittee is holding our  
398 oversight hearing. And when doing so, we have a practice of  
399 taking testimony under oath. Do any of you have an objection  
400 to taking testimony under oath or giving your testimony under  
401 oath?

402       Seeing no objection, we will proceed.

403       I would also advise you that you are entitled to be  
404 advised by counsel pursuant to House Rules. Do any of you  
405 desire to be advised by counsel during your testimony today?

406       All right. I don't see any asking for that. So if you  
407 all would please stand and raise your right hand.

408       [Witnesses sworn.]

409       \*Mr. Griffith. Seeing the witnesses all answered in the  
410 affirmative, you are now sworn. You may sit down. You are  
411 now sworn in and under oath, subject to the penalties set  
412 forth in Title 18, Section 1001, of the United States Code.

413       With that, we will now recognize Ms. Kimura for her 5-  
414 minute opening statement.

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415 TESTIMONY OF SHELEE KIMURA, PRESIDENT AND CHIEF EXECUTIVE  
416 OFFICER, HAWAIIAN ELECTRIC; MARK B. GLICK, CHIEF ENERGY  
417 OFFICER, HAWAII STATE ENERGY OFFICE; AND LEODOLOFF R.  
418 ASUNCION, JR., CHAIRMAN, HAWAII PUBLIC UTILITIES COMMISSION

419

420 TESTIMONY OF SHELEE KIMURA

421

422 \*Ms. Kimura. Thank you, Chair Griffith.

423 \*Mr. Griffith. Push your mic. Yeah.

424 \*Ms. Kimura. Is it working?

425 \*Mr. Griffith. It is not loud enough. Maybe you can  
426 pull it a little closer to you.

427 \*Ms. Kimura. Is that better?

428 \*Mr. Griffith. It is a little better. What do our  
429 technicians say? Are we okay?

430 \*Ms. Kimura. Testing.

431 \*Mr. Griffith. I think we are good. Go ahead.

432 \*Ms. Kimura. Is that better? Okay.

433 Aloha, and good morning. On August 8, in Lahaina, Maui,  
434 we saw human loss and devastation at a speed and scale that  
435 is difficult for our hearts and minds to process. I want to

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436 start by honoring those lost and those whose lives have been  
437 forever changed by this overwhelming and tragic event.

438       Most of you know the word "aloha.'" There is another  
439 word in the Hawaiian language, kuleana. Loosely translated,  
440 this word means responsibility. But, like aloha, it cannot  
441 be simply defined. It is a deep sense of responsibility that  
442 is both an obligation and a privilege. It is a  
443 responsibility that has been entrusted to you by your family,  
444 by your community, by the generations that came before you,  
445 and those that will follow you.

446       Kuleana is one's responsibility within a bigger system  
447 or community to which one belongs. It is a privilege to have  
448 kuleana within this interdependent system and to one another.  
449 For generations past, present, and future, Hawaiian  
450 Electric's kuleana is to Hawaii. We are committed to be  
451 there for Maui and Lahaina for as long as it takes to  
452 recover, to rebuild, and to help ensure a tragedy like this  
453 never happens again.

454       In that spirit, I hope all of us can see it as our  
455 shared kuleana, our responsibility to honor the people of  
456 Lahaina as we do this work as part of our collective

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457 community. I hope we can start to find solutions that will  
458 help protect Hawaii and the rest of the Nation from  
459 increasing threats of familiar natural disasters like  
460 hurricanes and those that we have rarely experienced,  
461 including droughts that can fuel catastrophic wildfires on  
462 tropical islands.

463 Hawaii is the most isolated population on Earth. There  
464 is no electrical connection to the continental U.S. or even  
465 between islands. This is one of the reasons Hawaii has the  
466 highest electric rates in the Nation. On an island, we have  
467 to be our own safety net. We can't call on a neighboring  
468 state if we run short. Our isolation is also one of the  
469 drivers for our efforts to become energy independent, to get  
470 off expensive, volatile, imported fossil fuels. It is not  
471 only about the environment but about our economy and energy  
472 security.

473 As utilities go, we're small, about 470,000 customers on  
474 5 islands, 70,000 on Maui. The Department of Defense is our  
475 largest customer. Hawaii is home to the U.S. Indo-Pacific  
476 Command, and we are the only utility in the Nation serving  
477 all components of one combatant command.



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478 I became president and CEO of Hawaiian Electric in  
479 January of 2022. Every day I feel a tremendous kuleana  
480 responsibility to our customers, communities, and employees.  
481 Since August 8, I have spent much of my time on Maui. I have  
482 seen the devastation firsthand.

483 Our team, including our Maui employees, who have been  
484 personally impacted by this tragedy, has been working  
485 tirelessly to support our communities. We all want to learn  
486 what happened on August 8, so that it never happens again.  
487 On that day, a fire at 6:30 a.m., what I will refer to as the  
488 morning fire, appears to have been caused by Hawaiian  
489 Electric powerlines that fell in high winds.

490 The Maui County Fire Department promptly responded to  
491 this fire. They reported that by 9:00 a.m. it was contained.  
492 After monitoring it for several hours, the fire department  
493 determined the fire had been extinguished. They left the  
494 scene in the early afternoon.

495 At about 3:00 p.m., a time when all of Hawaiian  
496 Electric's powerlines in West Maui had been deenergized for  
497 more than 6 hours, a second fire, the afternoon fire, began  
498 in the same area. The cause of that afternoon fire that

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499 spread to Lahaina has not been determined.

500 We are working tirelessly to figure out what happened,  
501 and we are cooperating fully with federal and state  
502 investigators, who have indicated it may take 12 to 18 months  
503 to conclude.

504 I look forward to fulfilling our shared and respective  
505 kuleana to honor the people of Maui as we seek solutions to  
506 protect Hawaii and the rest of the Nation from other deadly  
507 disasters.

508 Mahalo.

509 [The prepared testimony of Ms. Kimura follows:]

510

511 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

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512           \*Mr. Griffith. I thank the gentlelady.

513           I now recognize Mr. Glick for his 5-minute opening

514 statement.

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515 TESTIMONY OF MARK B. GLICK

516

517           \*Mr. Glick. Chairwoman McMorris Rodgers, Chairman  
518 Duncan, Chairman Griffith, Ranking Member Pallone, Ranking  
519 Member Castor, members of the committee, my name is Mark  
520 Glick, and I am chief energy officer of the Hawaii State  
521 Energy Office.

522           As noted in my response to the committee's letter of  
523 August 30, my office appreciates the thorough exploration of  
524 the causes and effects of the tragic events that occurred on  
525 August 8, 2023, and we share the Nation's resolve to stand  
526 with the people of Lahaina in their quest to heal, grieve,  
527 and recover.

528           I would like to highlight a few points for the  
529 committee. A driving force for Hawaii's aggressive pursuit  
530 of energy self-sufficiency is due to our deep concern over  
531 oil price volatility, which is extremely detrimental to our  
532 economy and our cost of living. Hawaii's oil has been, and  
533 continues to be, sourced primarily from Africa, Europe, and  
534 Asia. And the run-up of oil prices due to Russia's invasion  
535 of Ukraine had resulted in 40 percent higher diesel costs on

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536 the island of Molokai in Maui County, which has only  
537 18 percent renewable energy.

538 On the flip side, the island of Kauai with 60 percent  
539 renewable energy only experienced a 5 percent increase in  
540 energy cost during the same time and has the lowest average  
541 electricity rates in the State. In other words, adopting  
542 renewables in Hawaii is a low-cost energy solution, while  
543 achieving other policy objectives.

544 Hawaii's new normal with wildfires, long a real threat,  
545 was first realized with Hurricane Lane in August of 2018 and  
546 the California wildfires. It is now recognized that Hawaii's  
547 wet and dry periods are more pronounced, and for the first  
548 time wildfire risk was ranked equivalent to hurricane,  
549 tsunami, floods, and earthquakes.

550 Since the deadly fire in Lahaina, the Energy Office has  
551 participated in discussions with the attorney general and  
552 other parties, and is aware that investigations are ongoing  
553 with respect to Hawaiian Electric's actions. Therefore, it  
554 would be inappropriate for the Energy Office to comment on  
555 those issues at this time.

556 We take an all-hazards approach to resilience and serve

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557 as emergency support function number 12 within FEMA's  
558 National Disaster Recovery framework. Our broader mission is  
559 to help mitigate and respond to threats on energy resilience,  
560 focusing on energy security plans and response efforts. In  
561 that role, we have previously flagged invasive grasses and  
562 vegetation on the island of Maui and elsewhere in Hawaii as  
563 resilience threats.

564 But I should make it clear, the Energy Office does not  
565 have any authority for oversight or enforcement of the  
566 utilities or the private sector on energy matters. We have  
567 also seen no evidence thus far that indicates renewable  
568 energy development has restricted available funds for  
569 vegetation management.

570 A key Energy Office resilience efforts was participation  
571 in July of 2019 to November 2021 in the Resilience Working  
572 Group established as part of Hawaii Electric's integrated  
573 grid planning process, with oversight by the Hawaii PUC. The  
574 working group considered hurricanes, earthquakes, tsunamis,  
575 volcanoes, wildfires, and physical and cyber attacks, as the  
576 greatest threats to grid resilience and recommended a set of  
577 resilience measures, including those addressing vegetation

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578 management.

579           Among those recommendations are plans for enhanced  
580 vegetation management, particularly in critical grid areas,  
581 continue to harden and reinforce critical transmission  
582 circuit and upgrade structures, continued planning for  
583 expanding water-resistant underground cables, establish  
584 priority circuits with enhanced restoration capabilities, and  
585 greater hardening, consider adopting advanced technologies in  
586 a more distributed resource approach, including microgrids  
587 for emergency and backup operations, and develop wildfire  
588 mitigation strategies for a worst-case wildfire event at  
589 Maalaea, a location just 16 miles south of Lahaina.

590           The working group emphasized that infrastructure owners  
591 and operators must work together in close partnerships to  
592 coordinate disaster planning and recovery with the shared  
593 responsibilities between the power companies, key customers,  
594 and the government.

595           The final consolidated integrated grid plan was  
596 submitted to the Hawaii PUC by Hawaiian Electric on May 12 of  
597 this year and is currently under review by the Hawaii PUC.

598           The Energy Office is now completing the Oahu Energy

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599 System and critical infrastructure vulnerability and  
600 resilience assessment, a FEMA-funded effort.

601 This assessment of Oahu's major energy supply,  
602 distribution, and demand networks, and the State's critical  
603 infrastructure risks, covers electricity, liquid, and gas  
604 energy infrastructure. Once completed, the Energy Office  
605 plans to follow up, pending FEMA approval, with a second  
606 phase of analysis for Kauai, Maui, and Hawaii Counties.

607 In conclusion, it's clear that a multi-pronged approach  
608 to prevent, mitigate, and respond to wildfire threats is  
609 necessary, involving both short-term and long-term actions.  
610 These solutions require a shared commitment of private and  
611 public sector will and resources to adequately safeguard our  
612 essential energy infrastructure.

613 In response efforts related to the Maui and Hawaii  
614 County wildfire tragedy, Hawaii expresses its sincere  
615 gratitude to the federal assistance we have received thus  
616 far, and we humbly request your future support and assistance  
617 as we recover and rebuild.

618 I'm happy to answer any questions you may have.

619 [The prepared testimony of Mr. Glick follows:]



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620

621 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

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622           \*Mr. Griffith. I thank the gentleman.

623           I now recognize Mr. Asuncion for his 5-minute opening

624 statement.

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625 TESTIMONY OF LEODOLOFF R. ASUNCION, JR.

626

627 \*Mr. Asuncion. Thank you. Chair Griffith, Ranking  
628 Member Castor, members of the subcommittee, on behalf of the  
629 Hawaii Public Utilities Commission, I wish to express our  
630 appreciation for the sincere outpouring of support for our  
631 communities in the wake of this tragedy.

632 We appreciate this committee's focus on this issue and  
633 the opportunity to speak to you as addressing the increasing  
634 number and magnitude of natural disasters requires  
635 unprecedented levels of collaborative action.

636 We are still grappling with the devastation of this  
637 tragedy, and our hearts remain with all of the victims and  
638 their loved ones. These communities have been irreversibly  
639 impacted, and we intend to maintain our focus on supporting  
640 them as the months and years go by.

641 In my statement -- and you do have a copy of my written  
642 statement -- the Commission wishes to share with the  
643 subcommittee its perspective on the following three topics.

644 First, the Commission's role and jurisdiction to  
645 regulate Hawaii Electric utilities, particularly as it

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646 relates to natural disaster preparedness, safety,  
647 reliability, and resilience.

648       Second, the Commission's priorities in responding to the  
649 August wildfires that include addressing immediate needs,  
650 preventing future catastrophic events, ensuring reliable,  
651 safety, clean, and affordable energy services, and protecting  
652 ratepayers by utilizing investigative findings to guide  
653 potential restoration actions.

654       And, third, the Commission's activities to mitigate the  
655 risk of wildfires that may be caused by or impact the  
656 electric grid.

657       The Commission and myself looks forward to answering any  
658 questions about these and other topics during this hearing,  
659 as well as collaborating on an ongoing basis to ensure that  
660 events like the Maui wildfires or any other natural disasters  
661 never occur again.

662       Thank you, Mr. Chair.

663       [The prepared testimony of Mr. Asuncion follows:]

664

665       \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

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666           \*Mr. Griffith. I thank the gentleman for his opening  
667 statement, and thank you all for your testimony.

668           We will now move to the question and answer portion of  
669 the hearing, and I will begin the questioning and recognize  
670 myself for 5 minutes.

671           So my congressional district in Southwest Virginia is  
672 mountainous, rural, spread out, and is actually by land mass  
673 larger than Hawaii. So I can understand some of the problems  
674 and concerns that you all have. The picture I get is is that  
675 there were lots of warning signs out there that wildfires  
676 were a prominent threat, particularly on that end of Maui.

677           So I guess, Ms. Kimura, do you all gather information in  
678 real time on weather reports when planning preventive  
679 maintenance and power generation activities? And before a  
680 storm like this, do you have plans in place to watch what is  
681 happening and what is -- what is going to occur? Because we  
682 know the National Weather Service was telling folks a couple  
683 of days in advance this was going to be a big one.

684           \*Ms. Kimura. Thank you for that question. So we do  
685 monitor. We were very aware of the red flag warning of the  
686 high winds. Forecasters were indicating that it would be 35

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687 to 45 mile per hour winds with gusts of 60 miles per hour.  
688 They later indicated, as this was happening, that they had  
689 then forecasted that parts of the state were experiencing  
690 much higher winds and gusts of about 80 miles per hour.

691 \*Mr. Griffith. When did you get that information? And  
692 were you all watching this yourselves? Was somebody  
693 monitoring that on a minute-by-minute basis?

694 \*Ms. Kimura. We have our teams -- not me personally --

695 \*Mr. Griffith. Yes, ma'am.

696 \*Ms. Kimura. -- we have our teams that are getting the  
697 information from the -- from third parties. It's not our own  
698 team looking at it, but they're getting it from third parties  
699 looking at that. And the --

700 \*Mr. Griffith. Do you know when you learned that the  
701 winds were going to be higher than you originally  
702 anticipated?

703 \*Ms. Kimura. I don't have that information right now.

704 \*Mr. Griffith. Could you get that to the committee?  
705 After this hearing, obviously.

706 \*Ms. Kimura. Absolutely follow up with you.

707 \*Mr. Griffith. Yeah. And here is the reason I ask. We

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708 get snowstorms. You all don't have that one. But we get  
709 snowstorms, and our school systems often will be watching the  
710 weather forecast, and even before the first flake drops, if  
711 they see significant weather, they shut the school systems  
712 down.

713         And so my question is, what was the decision-making  
714 process in not deenergizing or shutting the power off in this  
715 area which already, because of the invasive plants, because  
716 of the wooden poles, because the wires, the lines weren't  
717 insulated, already was at risk, these were all risks that  
718 were known, what the decision-making process not to  
719 deenergize or turn the power off on these lines during that  
720 critical period?

721         \*Ms. Kimura. So, in 2019, our teams, understanding what  
722 happened in --

723         \*Mr. Griffith. And I appreciate the history. What I am  
724 trying to figure out is on that morning, what were you --  
725 what was your --

726         \*Ms. Kimura. Yes.

727         \*Mr. Griffith. -- what was your strategy? And were  
728 there people who were awake all night monitoring this storm

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729 to see what we could do? What is going on? Tell us, and the  
730 American people, what was going on that morning and why you  
731 didn't deenergize earlier.

732 \*Ms. Kimura. Absolutely. I am trying to explain to --

733 \*Mr. Griffith. Yes, ma'am.

734 \*Ms. Kimura. -- you why we didn't --

735 \*Mr. Griffith. Well, I understand you are going into  
736 the process. I am trying to figure out what happened that  
737 day, back in August.

738 \*Ms. Kimura. Yeah. So I'm trying to answer your  
739 question --

740 \*Mr. Griffith. All right.

741 \*Ms. Kimura. -- about why we didn't deenergize.

742 \*Mr. Griffith. Okay.

743 \*Ms. Kimura. Those decisions were made years before as  
744 part of a plan, and the -- as part of our protocols. And so  
745 I'm trying to help you understand what our protocols are in  
746 that kind of situation.

747 So, in 2019, our team started developing a wildfire  
748 mitigation plan. And based on what they had learned of the  
749 plans in California, including their preemptive shutoff



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750 programs, they determined --

751 \*Mr. Griffith. That would be the PSPS.

752 \*Ms. Kimura. PSPS.

753 \*Mr. Griffith. Okay.

754 \*Ms. Kimura. That that wasn't the appropriate fit for  
755 Hawaii. Hawaii is very unique. And through that process,  
756 that's the determination that was made, and we had other  
757 protocols in place when there is high winds.

758 So when you're asking why didn't we shut off the power,  
759 that is not our protocol to do that. We --

760 \*Mr. Griffith. All right. Let's stop right there.

761 \*Ms. Kimura. Okay.

762 \*Mr. Griffith. Going forward, are you reexamining that?  
763 Are you looking at doing the Public Safety Power Shutoff  
764 programs? Are you looking at that now? And are you  
765 reexamining your protocols because they didn't work?

766 \*Ms. Kimura. We are absolutely reexamining our  
767 protocols. I want to make it absolutely clear that the  
768 afternoon fire, the cause of that fire has not yet been  
769 determined.

770 \*Mr. Griffith. And let me --

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771           \*Ms. Kimura. I recognize --

772           \*Mr. Griffith. I heard your testimony, and I just want  
773 to confirm. You never reenergized your powerlines once you  
774 shut them down. Is that correct?

775           \*Ms. Kimura. That's right.

776           \*Mr. Griffith. And --

777           \*Ms. Kimura. From a little bit before 7:00 a.m., our  
778 lines were not reenergized.

779           \*Mr. Griffith. And how long did it take for the energy  
780 to get out of those powerlines? I understand it takes some  
781 time. Once you push the button to turn it off, how long does  
782 it take where the lines are no longer a danger to the public  
783 or to firefighters, et cetera?

784           \*Ms. Kimura. I don't know that exact answer, but I --

785           \*Mr. Griffith. If you could get that for me later.

786           \*Ms. Kimura. -- can guarantee you -- yeah.

787           \*Mr. Griffith. All right. And I apologize, but my time  
788 is up, and so I have to yield. Even though I am the  
789 subcommittee chair --

790           \*Ms. Kimura. I'm sorry I didn't --

791           \*Mr. Griffith. -- I have to follow the clock, too.

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792           And I now yield back and recognize Ms. Castor, the  
793 ranking member, for her 5 minutes of questions. Thank you,  
794 ma'am.

795           \*Ms. Castor. Thank you very much. I also want to focus  
796 on the conditions prior to the fire. I actually was in  
797 Honolulu on August 8 at Indo-Pacific Command with General  
798 Aquilino and on a bipartisan CODEL as we were headed to the  
799 Pacific Rim. And it was extraordinarily windy, and everyone  
800 was commenting on it. And they didn't have an understanding  
801 yet of the extent of the devastation in Lahaina.

802           But officials had been warning about the likelihood of  
803 high winds and wildfire risk for a couple of days, so the  
804 information we have is that on August 6 the National Weather  
805 Service warned of fire conditions due to severe drought and  
806 strong winds. And on August 7, the National Weather Service  
807 issued a red flag warning indicating severe fire risk.

808           So you said HECO was aware of these warnings from the  
809 National Weather Service, correct?

810           \*Ms. Kimura. That's right.

811           \*Ms. Castor. And so I want to dive into -- the  
812 protocols did -- what exactly were the protocols on the books

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813 that ensured when you received these warnings that action was  
814 going to be taken immediately?

815 \*Ms. Kimura. Yeah. So the protocols on the books for  
816 many years was to disable the automatic -- a setting on our  
817 system that automatically recloses a circuit if there is a  
818 fault, meaning that if there is a fault indicated on the  
819 line, that it won't reenergize.

820 \*Ms. Castor. And how --

821 \*Ms. Kimura. The breaker will open and then it won't  
822 reenergize.

823 \*Ms. Castor. And then how quickly after you received  
824 the warning did you act to do that?

825 \*Ms. Kimura. I don't know the exact time. I believe  
826 the warning -- and we can -- subject to check, I believe the  
827 warning happened overnight, and by the morning that -- those  
828 protocols were put into place. But we can get that for you,  
829 those details for you.

830 \*Ms. Castor. Thank you.

831 Mr. Asuncion, does HECO have the authority to  
832 proactively deenergize its lines in response to weather  
833 conditions?

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834           \*Mr. Asuncion. Excuse me. Can you repeat that  
835 question?

836           \*Ms. Castor. Does HECO have the authority to  
837 proactively deenergize the lines when they receive these  
838 warnings?

839           \*Mr. Asuncion. Yes, they do.

840           \*Ms. Castor. Okay. Ms. Kimura, when did HECO -- when  
841 did HECO first become aware that one of its powerlines was  
842 down in Lahaina?

843           \*Ms. Kimura. We had a number of powerlines coming down,  
844 and I'm trying to remember when the first one was down and I  
845 can't recall right now. I mean, there was a lot happening  
846 from August 7 to August 8.

847           \*Ms. Castor. Mr. Asuncion, do you know exactly when?  
848 When did you receive notice?

849           \*Mr. Asuncion. I received notice of lines going down or  
850 basically in the afternoon of the 8th when HECO informed us  
851 that they activated their incident management team.

852           \*Ms. Castor. Last year HECO submitted a plan to the PUC  
853 to spend 189 million on grid hardening to make its energy  
854 grid more resilient. And last month DOE announced 95 million

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855 -- U.S. DOE announced \$95 million to Lahaina coming from the  
856 Bipartisan Infrastructure Law.

857 Ms. Kimura, can you explain/describe HECO's proposed  
858 grid hardening plan and what steps you had already taken to  
859 improving your lines prior to the fire and how you intend to  
860 use these federal investments?

861 \*Ms. Kimura. So the federal investment that we were  
862 informed of, we don't yet have it. We are in discussions on  
863 when we will get that or how we will get that. But that is  
864 going to help fund our Transmission and Distribution  
865 Resilience Program, and that is a multiyear program that we  
866 have in front of the Public Utilities Commission.

867 We had filed for approval for that program in June of  
868 2022, and that program was a result of years of work,  
869 including a lot of work with stakeholders as well. And that  
870 program includes addressing critical transmission and  
871 distribution infrastructure.

872 \*Ms. Castor. Okay. But you had not -- you had been  
873 working -- you said yourself you have been working on this  
874 for a number of years. You weren't waiting for these federal  
875 dollars, hopefully. You had -- what work had been underway

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876 already to protect against wildfire risk?

877           \*Ms. Kimura. So we had been starting work or we had  
878 been in process on doing work. A utility is always doing  
879 hardening work. The proposal was to increase and further the  
880 work that we are doing.

881           \*Ms. Castor. Do you have that plan in writing on what  
882 had been proposed, specifically for Maui, and what work had  
883 been completed?

884           \*Ms. Kimura. We have the work in writing that had been  
885 proposed. We also have our wildfire mitigation plan, and we  
886 had began implementing that even before the approval of that  
887 plan.

888           \*Ms. Castor. Thank you very much. I think the  
889 committee would like to see those documents, the plan that  
890 had been composed for years ahead of time, and then exactly  
891 what work had been taken in advance prior to these  
892 devastating fires.

893           \*Ms. Kimura. We'd be happy to provide that to you.

894           \*Ms. Castor. Thank you.

895           I yield back.

896           \*Mr. Griffith. Thank you for agreeing to provide that

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897 information.

898 I now recognize the chairwoman of the full committee,  
899 Mrs. McMorris Rodgers, for her 5 minutes of questioning.

900 \*The Chair. Mr. Glick, in your written testimony, you  
901 state that your office actively develops policies to achieve  
902 renewable energy and energy resiliency with the legislature,  
903 Public Utilities Commission, state agencies, and other  
904 relative stakeholders.

905 In a filing submitted to the Hawaii Public Utilities  
906 Commission last year, Hawaiian Electric stated, "Most storm  
907 damage tends to be due to trees that are outside of the  
908 right-of-way. Utility best practice is to identify and  
909 proactively remove these trees, with the removal being paid  
910 for by the utility. A robust hazard tree program can greatly  
911 reduce the amount of damage that occurs during a major  
912 storm.''

913 Additionally, in the response to the committee's  
914 question about the vegetation management, Hawaiian Electric  
915 stated, "The vast bulk of invasive grasses on the island of  
916 Maui are not on land owned or controlled by Hawaiian  
917 Electric.'" The utility also added, "Eliminating vegetation,



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918 such as grasses, present in easements and right-of-way, but  
919 not tall enough to contact the lines, is not generally within  
920 Hawaiian Electric rights.'

921 A 2021 report on wildfire prevention by the Maui County  
922 Cost of Government Commission concluded above-ground  
923 powerlines that fail, short, or are low hanging can cause  
924 fire ignition, sparks. It could start a wildfire,  
925 particularly in wind or stormy conditions. This condition is  
926 exacerbated by overgrown areas in the right-of-way beneath  
927 lines.

928 So, Mr. Glick, would you agree that preventing damage to  
929 powerlines by vegetation and preventing the spread of  
930 wildfires that could destroy electric infrastructure is a  
931 resilience issue?

932 \*Mr. Glick. Yes. Certainly vegetation management is  
933 critical and can cause damage to powerlines.

934 \*The Chair. Thank you. Does your office plan to review  
935 potential policy changes that may be needed to address hazard  
936 trees near utilities, rights-of-way, and flammable overgrown  
937 vegetation in the vicinity of electric infrastructure?

938 \*Mr. Glick. Yeah. We are certainly aware of great

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939 investments that Hawaiian Electric and our other utility,  
940 Kauai Island Utility Cooperative, have made, in Hawaiian  
941 Electric's case particularly on Hawaii Island with Albizia  
942 removal. Albizia trees are invasive trees that have caused  
943 great damage and, you know, our policies will -- our look  
944 into policy changes will continue to look at ways to also  
945 work with the private landowners and to try to have more  
946 cooperative efforts, because a lot of these -- everything  
947 doesn't happen, as you mentioned, in the right-of-ways.

948 \*The Chair. Right. Right. Thank you.

949 So, Ms. Kimura, you know, if there are, for example, the  
950 overgrown shrubs or an abundance of dry gasses under Hawaiian  
951 Electric lines, but not tall enough to actually contact the  
952 lines, do you maintain that the company cannot do anything  
953 about them? And that is what it sounds like was cited, and  
954 based on Hawaiian Electric's response, I just wanted to give  
955 you a moment to elaborate on that.

956 \*Ms. Kimura. Thank you for the opportunity. So our  
957 easements and rights-of-way allow us to clear vegetation --  
958 our vegetation management is around our lines. It does not  
959 give us the right -- it is not a stated right to take care of

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960 the grass under our lines on private property. And so that  
961 is an issue that I think we all in our state need to be  
962 looking at now, given what happened on August 8, and we all I  
963 think agree that that's a critical issue for everyone to be  
964 looking at.

965 \*The Chair. Great. Thank you. I understand Hawaiian  
966 Electric mentioned hazard tree removal in its application  
967 before the Public Utilities Commission for climate  
968 adaptation, transmission, and distribution resilience  
969 program. I understand the application has not yet been  
970 approved. Is that correct?

971 \*Ms. Kimura. That's correct. It is in process.

972 \*The Chair. Currently, what does Hawaiian Electric do  
973 if its employees or contractors identify a tree that appears  
974 to be at risk of contacting one of Hawaiian Electric lines,  
975 should it fall whether due to poor condition or extreme  
976 weather?

977 \*Ms. Kimura. I'd have to get back to you on exactly  
978 what happens. We recently had an issue where there was a  
979 tree as a result of the fires in country Maui that was at  
980 risk of falling. We had contractors go out there and take

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981 down the line, but the property owner was also there and  
982 indicating that this tree was at risk.

983 \*The Chair. Would you speak to the policy before the  
984 fires, how the utility would have responded?

985 \*Ms. Kimura. The reason why we're going to get approval  
986 for hazard tree removal, as I understand it, is because we  
987 are not at this point allowed to go ahead and do that as part  
988 of a larger program.

989 \*The Chair. Thank you.

990 \*Ms. Kimura. Given our rights-of-way and our easements.

991 \*The Chair. More questions to come. At this point,  
992 though, my time has expired. I yield back.

993 \*Mr. Griffith. I thank the gentlelady for yielding  
994 back. I now recognize Ms. Schakowsky for her 5 minutes of  
995 questioning.

996 \*Ms. Schakowsky. Thank you, Mr. Chairman.

997 I really want to thank the witnesses in the tragedy that  
998 you have faced and the community sentiments that must be so  
999 overwhelming. I want to say my condolences for the loss of  
1000 life and the loss of history in such a beautiful community.

1001 One of the things that really shocked me was that there

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1002 was some misinformation that was being spread at the time. I  
1003 don't know if this actually became an issue. I did want to  
1004 ask you about it.

1005 I know that there were -- that there were some social  
1006 media generated by China and other malicious actors who were  
1007 actually saying that there was -- it was caused by government  
1008 space lasers, discouraging some people from dealing with  
1009 FEMA, and that kind of misinformation, disinformation, that  
1010 was being circulated. How shameful is that?

1011 But I just wanted to ask any or all of you, if this  
1012 disinformation had any effect, if you had to deal with that  
1013 at the same time as trying to address the tragedy and the  
1014 things that happened afterwards, and all the work that you  
1015 had to do in order to do the best for your communities.

1016 So if you had any comments on that, hopefully it was not  
1017 a -- had a big effect, but let me hear from you.

1018 \*Ms. Kimura. Let me -- I can -- I can start. I mean,  
1019 this is not an area of my expertise, but I have been on the  
1020 ground in Lahaina, and I have been talking with people. So  
1021 it is very distracting, and it creates divide in the  
1022 community. And in a time where people need to come together

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1023 and support the community, it does create noise that makes it  
1024 much more difficult for that to happen.

1025         And just talking about it personally for our own  
1026 company, I recall having conversations. We would gather  
1027 every morning in Maui in a big circle at 7:00 a.m. before the  
1028 crews went out, and I remember having to tell them "Stay  
1029 focused on your work. Be safe. Don't let all of that noise  
1030 and social media distract you and bother you, because we have  
1031 work to do and we need to stay focused on serving our  
1032 community.''

1033         And I'm sure that's the kind of conversations others  
1034 that are helping the community needed to have as well.

1035         \*Ms. Schakowsky. Anybody else? The other thing I  
1036 wanted to mention, so all of the investigation is not  
1037 complete. What kind of impact does that have on your  
1038 testimony today? What are we waiting for? What might you  
1039 find out that has not yet been revealed because there is not  
1040 yet a complete investigation? Can you answer that about the  
1041 -- yes.

1042         \*Ms. Kimura. It's difficult to speculate on what might  
1043 be found or what might not be found. This is a very complex

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1044 situation, as you've been hearing from many of the members  
1045 here. I have talked about, in my opening statement, being a  
1046 part of a system and a community.

1047         There is a -- there is a system here that was in play  
1048 for all of these conditions to happen all at one time that  
1049 resulted in the devastation in Lahaina. And there is a lot  
1050 to unpack there. It is very complex. Many people, many  
1051 different organizations are involved, and many conditions are  
1052 involved.

1053         And all of that needs to be taken into account, and  
1054 those are all critically important to understand and how all  
1055 of that works together as an interdependent system for us to  
1056 figure out the right solutions for Hawaii as well.

1057         \*Ms. Schakowsky. How soon do you think that you are  
1058 going to get the final information from which you can plan  
1059 ahead on the changes that need to be made?

1060         \*Ms. Kimura. The attorney general who is doing one of  
1061 the investigations, Hawaii State attorney general, and the  
1062 ATF who is supporting the Maui County Fire Department and the  
1063 County of Maui, I understand that they are both saying it  
1064 will take 12 to 18 months. And so we're still in the very

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1065 early stages. We expect ours to take many months as well.

1066 \*Ms. Schakowsky. Thank you. My time has expired.

1067 I yield back. Thank you.

1068 \*Mr. Griffith. I thank the gentlelady for yielding  
1069 back. I now recognize Dr. Burgess of Texas for his 5 minutes  
1070 of questioning.

1071 \*Mr. Burgess. Thank you, Mr. Chairman, and thank you  
1072 for holding this hearing today. It is important, and I  
1073 appreciate our witnesses being here.

1074 Is there ever any option to bury these delivery lines?  
1075 Are they always going to be above ground or is it just too  
1076 cost prohibitive to bury the lines? And, yeah, from all of  
1077 you actually.

1078 \*Ms. Kimura. So the -- the standard is -- on Maui is  
1079 for lines to be overhead. A customer can opt to have it  
1080 undergrounded. They have to pay for that undergrounding. It  
1081 is very expensive.

1082 So some customers ought to do that, and they pay for  
1083 that. About 50 percent of the lines on Maui are  
1084 undergrounded. 5-0, 50 percent. In comparison, as I  
1085 understand it, California is about 33 percent undergrounded.



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1086           \*Mr. Burgess. So you have more underground delivery  
1087 wires, then.

1088           \*Ms. Kimura. Yes.

1089           \*Mr. Burgess. I mean, obviously, some of this  
1090 infrastructure is going to have to be replaced as you  
1091 rebuild. Again, I would just ask, is undergrounding a  
1092 consideration during the rebuild?

1093           \*Ms. Kimura. As I have talked to some community members  
1094 in Lahaina, they would like to have the lines undergrounded,  
1095 understandably. These are conversations that we're going to  
1096 have to continue to have and solutions we're going to have to  
1097 figure out. Undergrounding in general is about five times  
1098 more expensive, and on a small island like Maui with only  
1099 70,000 customers, that can get very expensive --

1100           \*Mr. Burgess. Sure.

1101           \*Ms. Kimura. -- in a place where they have the highest  
1102 -- we have the highest rates in the Nation. And we're  
1103 already facing an economy where many of our people who have  
1104 lived in Hawaii for a long time can no longer afford to live  
1105 in Hawaii. So those are the kinds of considerations we have  
1106 when we make these kinds of decisions, and the kinds of

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1107 conversations we need to have as a community to make sure  
1108 that we're doing the right thing and the best thing for that  
1109 community.

1110 \*Mr. Burgess. Thank you for that answer.

1111 Mr. Asuncion, in your statement, you said that the  
1112 Commission, of which you are chair, is going to take a  
1113 proactive approach to ensure that Hawaii Electric mitigates  
1114 its risk. I would like for you to elaborate on that a little  
1115 bit and then just add, is undergrounding of the utility one  
1116 of those measures?

1117 \*Mr. Asuncion. Yeah. You know, like Ms. Kimura said, I  
1118 think we look at all aspects of whether or not, right, it  
1119 goes underground. Like she said, there is that option,  
1120 right, if the customer does want to have it underground,  
1121 certainly we will put it underground. And we do. Like a lot  
1122 of our New York communities across the State, right, we have  
1123 it underground versus overhead. It does come at some cost,  
1124 right, to the ratepayer, to the company, basically to all of  
1125 us in the State of Hawaii.

1126 You know, I -- you know, one of our -- one of our things  
1127 is really looking at the cost, but, you know, I will say as a

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1128 -- as an urban planner, and knowing the conditions  
1129 underground, especially in Hawaii, you can hit -- you hit the  
1130 water table pretty quickly.

1131 \*Mr. Burgess. Sure.

1132 \*Mr. Asuncion. So those are other considerations, more  
1133 technical considerations, that we need to look at. There is  
1134 a cost to maintaining those lines underground.

1135 \*Mr. Burgess. Sure.

1136 \*Mr. Asuncion. So all of that is wrapped up, you know,  
1137 in how we look at, you know, the work that Hawaiian Electric  
1138 will do or even our cooperative on the island of Kauai,  
1139 right? It's all the same considerations, right? At the end  
1140 of the day, are we impacting the ratepayers greatly just for  
1141 that island, right?

1142 You know, we don't have, like, subsidizing of island --  
1143 another island grid towards one. So, at the end of the day -  
1144 -

1145 \*Mr. Burgess. I get it, but sometimes the cost of doing  
1146 nothing turns out to be prohibitive also.

1147 Let me just ask you, because the age -- does the age of  
1148 the line make a difference? And I don't know the term for

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1149 it, but the amount of -- coefficient of sag in the line, does  
1150 it increase as the line ages?

1151 \*Mr. Asuncion. I wouldn't be able to tell you that.  
1152 I'm not a technical person.

1153 \*Mr. Burgess. But the comment was made in some of your  
1154 testimony that some of this infrastructure is getting pretty  
1155 old. Is that --

1156 \*Mr. Asuncion. Yes.

1157 \*Mr. Burgess. -- fair to say?

1158 \*Mr. Asuncion. Yes.

1159 \*Mr. Burgess. And so the brittleness of the line, the  
1160 likelihood that it might break, again, whatever term I am not  
1161 aware of, the sag coefficient is going to increase where  
1162 vegetation that may not have posed a problem when the line  
1163 was installed now may because the actual physical  
1164 configuration of the line is different. Is that a fair  
1165 concern?

1166 \*Mr. Asuncion. Yes, it's fair. And, you know, I think,  
1167 you know, some of those lines, depending on the age, right,  
1168 they had a different type of standard or code at the time.  
1169 Our rules are prospective, right? So if they are going to be

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1170 doing maintenance, if Hawaiian Electric or the cooperative is  
1171 going to be doing maintenance on the lines, installing new  
1172 lines, it's getting up to that particular code at that time.  
1173 Right?

1174 So if the coefficient, if you want to call it, right, of  
1175 sag is different today, right, we would expect our utilities  
1176 to build to the current standard.

1177 \*Mr. Burgess. Thank you, Mr. Chairman. I will yield  
1178 back.

1179 \*Mr. Griffith. The gentleman yields back.

1180 I now recognize the ranking member of the full  
1181 committee, Mr. Pallone of New Jersey, for his 5 minutes.

1182 \*Mr. Pallone. Thank you, Mr. Chairman.

1183 I guess I reiterate again that I appreciate the  
1184 witnesses being here and helping us understand what we can do  
1185 in Congress to -- you know, to help with this catastrophe.  
1186 But, you know, I can't help thinking that you might be better  
1187 off being at home, and we would be better off if we could  
1188 figure out, you know, how to avoid this shutdown.

1189 So, again, I appeal to my colleagues on the other side  
1190 to work with us to prevent a shutdown.

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1191           But, in any case, Ms. Kimura, I know there are many  
1192 details still to be uncovered, but I would like to ask you  
1193 about the electrification of HCO's powerlines. I understand  
1194 that HCO has taken responsibility for the brush fire that  
1195 broke out before 7:00 a.m. on August 8 near Lahainaluna Road.  
1196 Is that correct? And will you explain what led HCO to this  
1197 conclusion?

1198           \*Ms. Kimura. So we have a team doing an investigation,  
1199 and many have also seen a video that a resident had taken in  
1200 that area. In high winds, our lines fell to the ground, and  
1201 it appears that a fire was sparked in that area. So fire --

1202           \*Mr. Pallone. So it is clearly -- I am sorry.

1203           \*Ms. Kimura. No, no. I was just going to explain that  
1204 it -- it started on a grassy area between a sidewalk and a  
1205 road, and then it -- what we think is it traveled up to the  
1206 adjacent field that was behind one of the homes. And as we  
1207 understand it, it turned into about a three-acre fire, and  
1208 the fire department was able to contain it and then  
1209 extinguish it.

1210           \*Mr. Pallone. So it is clear, then, that your lines  
1211 were energized before 7:00 a.m. on August 8, and that fire

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1212 was eventually contained by the Maui Fire Department and  
1213 monitored for hours until early that afternoon. But then  
1214 around 3:00 p.m., HCO employees reported a fire in the same  
1215 area as the earlier fire, and this is the blaze that then  
1216 grew out of control and eventually destroyed Lahaina. Is  
1217 that accurate?

1218 \*Ms. Kimura. That's right. And by that time, at  
1219 3:00 p.m., our lines had been out for over 6 hours.

1220 \*Mr. Pallone. Okay. Because they were already  
1221 deenergized --

1222 \*Ms. Kimura. They were --

1223 \*Mr. Pallone. -- at that time.

1224 \*Ms. Kimura. -- deenergized, yes.

1225 \*Mr. Pallone. So can you explain what exactly HCO --  
1226 when exactly HCO shut the power off to its lines that day?  
1227 What -- when did that happen?

1228 \*Ms. Kimura. So just before 7:00 a.m., none of our  
1229 lines in the West Maui area serving customers were energized.

1230 \*Mr. Pallone. And how can you confirm that the lines  
1231 were not energized at that time?

1232 \*Ms. Kimura. This is based on a lot of our system data.

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1233 So our SCADA data, our -- our smart meters, and discussions  
1234 with our employees, and so that's part of the information  
1235 that we looked at this from all angles because it was such a  
1236 critical fact. And so we made sure that we looked at that  
1237 very closely and were making our information available to the  
1238 ATF.

1239 \*Mr. Pallone. So, I mean, it is still important for the  
1240 fire investigators to determine the role of these powerlines.  
1241 So have you agreed to cooperate with all of the  
1242 investigations into this matter?

1243 \*Ms. Kimura. Absolutely. We have been fully  
1244 cooperating and making our information available to them.

1245 \*Mr. Pallone. And is HECO still conducting an internal  
1246 investigation into the overall events of that day?

1247 \*Ms. Kimura. Yes. We're still early in our  
1248 investigation.

1249 \*Mr. Pallone. And when do you expect to have results  
1250 from your internal investigation? And do you commit to make  
1251 those public when you have the results?

1252 \*Ms. Kimura. I don't have an exact timeline on how long  
1253 it will take, but we expect that it will take many months to



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1254 get done. And I'm sure that there will be more to talk about  
1255 once we know what the results of those --

1256 \*Mr. Pallone. Well, you have committed or you are  
1257 willing to commit to make those results public once the  
1258 investigation is completed.

1259 \*Ms. Kimura. I think it's too early to speculate on  
1260 exactly what comes out of this, in what form it comes out,  
1261 but we are committed to sharing what is critical with the  
1262 public on this.

1263 \*Mr. Pallone. Is there any reason why you wouldn't make  
1264 it public? I mean, you seem to be hesitating a little bit.

1265 \*Ms. Kimura. I think it's just too early to speculate  
1266 on what that is going to look like in the future. We're very  
1267 focused on finding out what happened there, to make sure that  
1268 it never happens again.

1269 \*Mr. Pallone. All right. I am just going to conclude,  
1270 Mr. Chairman, again, that, you know, we pledge to be a  
1271 partner to the people of Maui as they recover and rebuild, do  
1272 whatever we can to help on both sides of the aisle here.

1273 Thank you. Thank you, Mr. Chairman.

1274 \*Mr. Guthrie. [Presiding] Thank you. The ranking

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1275 member yields back.

1276 And I will recognize myself for 5 minutes for questions.

1277 And I want to talk about -- to Ms. Kimura, I want to ask you

1278 these questions. And it is about remote -- how we monitor

1279 remote areas. I am from Kentucky. We have a lot of rural

1280 areas as well with powerlines.

1281 So I am just kind of interested moving forward, so just

1282 to establish that I believe, Ms. Kimura, that Hawaiian

1283 Electric and its subsidiaries have electric -- have equipment

1284 running through remote territory. Is that correct?

1285 \*Ms. Kimura. I'm sorry. Can you --

1286 \*Mr. Guthrie. You have equipment running through remote

1287 territory.

1288 \*Ms. Kimura. Yes.

1289 \*Mr. Guthrie. So I would like to learn more about how

1290 you monitor that and its grid for -- and the grid for

1291 potential problems. New sources have reported on Monday,

1292 August 7, at 10:47 p.m. a security camera at the Maui Bird

1293 Conservation Center caught a bright flash in the woods, and

1294 one person at that location stated the power then went out,

1295 and the surrounding forest was on fire shortly after that.

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1296           Was Hawaiian Electric aware of an incident involving its  
1297 powerlines at that time?

1298           \*Ms. Kimura. I do not know what was known right at that  
1299 moment. We would have had a fault indicated, but I can't  
1300 tell you exactly what our personnel knew right in that  
1301 moment.

1302           \*Mr. Guthrie. Do the personnel know of it from some  
1303 kind of internal system, or did you only learn of it when the  
1304 news report came out?

1305           \*Ms. Kimura. I would need to get back to you to let you  
1306 know exactly what they would know in that moment.

1307           \*Mr. Guthrie. Okay. Because several news sources have  
1308 reported that data shows a number of line faults on -- in  
1309 your electric grid on August 7 and the early morning of  
1310 August 8. In The Washington Post, a line fault is indication  
1311 a powerline has come in contact with another object or was  
1312 knocked down.

1313           Does Hawaiian Electric employ any kind of sensors or  
1314 technologies to detect or display these faults?

1315           \*Ms. Kimura. Sorry. Can you say that -- the last part  
1316 of your question?

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1317           \*Mr. Guthrie. Yeah. Does Hawaii Electric employ any  
1318 kind of sensors to technologies to detect or display these  
1319 faults?

1320           \*Ms. Kimura. We do have technologies to do that, but we  
1321 are also investing in additional technologies to have the  
1322 situational awareness of what is happening on our systems,  
1323 and more control and awareness for our systems.

1324           \*Mr. Guthrie. Okay. So were any of these faults that  
1325 you say you do have -- I know you are looking at adding  
1326 additional, but you do have fault detectors, as you said.  
1327 Were any of these working on Maui on those dates? And did  
1328 they alert the company that there could be an issue with some  
1329 of its lines? And did anyone response -- did anyone respond  
1330 to go check out the problem?

1331           \*Ms. Kimura. Again, for that, I can tell you that for,  
1332 in general, we had many indications of faults, and we had  
1333 employees going out to look at these faults. For that  
1334 particular one, I can't tell you specifically what we  
1335 happening in that moment.

1336           \*Mr. Guthrie. Okay. So, also, in Hawaiian Electric's  
1337 response to the committee's August 30, 2023, letter, Hawaiian

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1338 Electric stated it had purchased five video cameras for Maui  
1339 in 2023, and they are slated to be installed this year.

1340 Where does Maui Electric plan to place them? You don't have  
1341 to provide specific sites. I would like to know what your  
1342 priorities are in placing the cameras you purchased.

1343 \*Ms. Kimura. Yeah. I understand we just got those  
1344 cameras this week, and we intend to place at least some of  
1345 them in West Maui. I can assure you of that.

1346 \*Mr. Guthrie. Did you purchase the cameras because of  
1347 the fire, or you did it prior to the -- you had the cameras  
1348 before the --

1349 \*Ms. Kimura. I understand that those cameras were  
1350 already ordered prior to the fire.

1351 \*Mr. Guthrie. They just came in right after, though,  
1352 unfortunately.

1353 That concludes my questions, so I will yield, unless  
1354 anyone, Chairman, need any time? I -- yes, I recognize the  
1355 chair of the committee -- subcommittee.

1356 \*Mr. Griffith. Thank you, Mr. Chair.

1357 \*Mr. Guthrie. I yield, too. I will yield, too,  
1358 actually. That is the right term.

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1359           \*Mr. Griffith. We were just speculating on answers to  
1360 me and answers to Ms. Castor, and the impression that I was  
1361 left with was is that you were monitoring the weather  
1362 situations in advance, but then the protocols weren't  
1363 triggered until in the morning.

1364           Did the people who were monitoring the weather  
1365 conditions not have the authority to trigger the protocols  
1366 earlier than in the morning of the fire?

1367           \*Ms. Kimura. They have the protocols to do that.

1368           \*Mr. Griffith. They have the authority to trigger the  
1369 protocols.

1370           \*Ms. Kimura. I'm sorry. The -- yeah, the protocol  
1371 allows them the authority to do that.

1372           \*Mr. Griffith. And do you know why they didn't trigger  
1373 it when the storm was building up overnight? Why they didn't  
1374 trigger it sooner than the next morning?

1375           \*Ms. Kimura. So I -- I need to get back to you on the  
1376 timing. I was indicating to you that I'm not really sure  
1377 about the exact timing of when they found out about the red  
1378 flag warning and when the protocol was started. And so let  
1379 me get back to you on that. I just --

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1380           \*Mr. Griffith. All right. I appreciate that, and we  
1381 would like an answer to that. But --

1382           \*Ms. Kimura. Yeah.

1383           \*Mr. Griffith. -- the question still remains you knew  
1384 the red flag warnings were likely to be coming.

1385           \*Ms. Kimura. Yes.

1386           \*Mr. Griffith. But you didn't have the protocols  
1387 automatically ready to go.

1388           And my time is up, so I have got to yield back. But  
1389 that is a question I think the committee is going to want an  
1390 answer to at some point.

1391           \*Ms. Kimura. The protocols were ready to go, just to e  
1392 clear. The protocols were in place and ready --

1393           \*Mr. Griffith. Okay.

1394           \*Ms. Kimura. -- to go, and they have the authority to  
1395 institute it at their discretion by assessing the situation  
1396 and understanding what the weather report is.

1397           \*Mr. Griffith. I yield back.

1398           \*Mr. Guthrie. The chair yields back to me, and I yield  
1399 back.

1400           And the chair recognizes Mr. Peters from California for

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1401 5 minutes.

1402 \*Mr. Peters. Thank you, Mr. Chairman. I want to thank  
1403 all of the witnesses for being here today under these very  
1404 difficult circumstances.

1405 Our area in San Diego is familiar with devastating  
1406 effects of wildfires, and you have my sympathies for what has  
1407 happened to your community. And we know what it takes to  
1408 rebuild, and I appreciate that you are needed at home and for  
1409 what will be a long and difficult process.

1410 Due to the increasingly devastating impacts of climate  
1411 change, disaster recovery efforts in general are going to  
1412 need to incorporate strategies of resilience against future  
1413 threats, and these efforts require a large-scale evaluation  
1414 of existing grid infrastructure, specifically identifying  
1415 opportunities to reduce ignition, such as through  
1416 undergrounding powerlines, for instance, but the risk  
1417 assessment has to go beyond the threat of ignition.

1418 We need to ensure communities have sufficient evacuation  
1419 routes, that the fenceable space around structures is  
1420 prioritized and enforced, and the wildfire crisis will  
1421 require a comprehensive response wherever it is faced.



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1422           Mr. Glick, in your September 19 letter to the committee,  
1423 you mentioned the Advance Assistance 2.0 Project. One of the  
1424 listed goals is to provide Hawaii a specific -- a Hawaii-  
1425 specific framework for hazard mitigation and strategy  
1426 implementation. What are some of the unique challenges  
1427 facing grid infrastructure on Maui?

1428           \*Mr. Glick. Some of the unique challenges really have  
1429 to do with a coordinated approach, being able to address  
1430 problems in the infrastructure, and that's at the -- you  
1431 know, with our home rule state -- as a home rule state, we  
1432 have county government sort of control of property taxes, for  
1433 example. And then the counties have jurisdiction on some of  
1434 the initial emergency management as well. And so part of it  
1435 is ways to better coordinate when infrastructure is  
1436 compromised.

1437           \*Mr. Peters. Well, what is the role of the State Energy  
1438 Office in strengthening the grid? And are you making the  
1439 necessary investments to address any challenges that you have  
1440 identified, especially challenges that are unique to Hawaii?

1441           \*Mr. Glick. Well, we provide recommendations through  
1442 these working groups and through other forms that we

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1443 participate in, and -- and also participating in regulatory  
1444 proceedings. And those recommendations we -- we pursue  
1445 vigorously through the process. And then we follow up  
1446 afterwards with the Commission, and -- and we also work with  
1447 stakeholders in the state to be able to get further --

1448 \*Mr. Peters. Sure.

1449 \*Mr. Glick. -- guidance.

1450 \*Mr. Peters. Have you made any specific recommendations  
1451 about the grid?

1452 \*Mr. Glick. Well, certainly, we -- we identified I  
1453 think a number of grid improvements that needed to be made.

1454 \*Mr. Peters. And did the state follow your  
1455 recommendations in terms of making investments or committing  
1456 to changes?

1457 \*Mr. Glick. Well, the interesting thing is that the  
1458 working group that we participated in most recently, as I've  
1459 mentioned, submitted those recommendations in 2022. And the  
1460 full report of the integrated grid plan was submitted in May  
1461 of 2023, so the Public Utilities Commission hasn't yet had an  
1462 opportunity to review and issue a decision and order.

1463 \*Mr. Peters. Okay.

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1464           \*Mr. Glick. But we hope that will be forthcoming in the  
1465 next 12 months.

1466           \*Mr. Peters. Mr. Asuncion, same question. What is the  
1467 role that the PUC plays in strengthening the grid, and how  
1468 has been the response to your work?

1469           \*Mr. Asuncion. Sure. Thank you for the question.

1470           \*Mr. Peters. Specifically, just because I am -- I don't  
1471 have a lot of time -- there is a -- there is Hawaiian  
1472 Electric's June 22 application to invest \$190 million over  
1473 5 years to upgrade transmission and distribution  
1474 infrastructure. How is that coming?

1475           \*Mr. Asuncion. That is coming along well. I think we -  
1476 - right, there was a filing of the application, and then  
1477 there was an opportunity here for Hawaiian Electric to get  
1478 some federal money to supplement that, right? And, at the  
1479 end of the day, it does save our ratepayers basically half  
1480 the cost of the project.

1481           \*Mr. Peters. Right.

1482           \*Mr. Asuncion. My understanding is that an award was  
1483 announced by the Department of Energy, and Hawaiian Electric  
1484 is now, right, talking over the exact scope for that money

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1485 and how they would get that money granted to us.

1486 \*Mr. Peters. Okay.

1487 \*Mr. Asuncion. What we have committed to at the Public  
1488 Utilities Commission is to render a decision within 90 days  
1489 of the announcement of that award.

1490 \*Mr. Peters. It sounds like you appreciate the role of  
1491 this infrastructure investment and of transmission with  
1492 relation to fires and resiliency. And sorry that this came  
1493 as you were preparing to deal with it, it appears, so I wish  
1494 you the very, very best, and we send our love and prayers to  
1495 the folks in Hawaii.

1496 And I yield back.

1497 \*Mr. Griffith. [Presiding] The gentleman yields back.

1498 I now recognize the gentlelady from Florida,

1499 Mrs. Cammack, for 5 minutes of questioning.

1500 \*Mrs. Cammack. Well, thank you, Chairman Griffith, for  
1501 hosting this hearing today. Thank you to our witnesses for  
1502 appearing before the committee on this very important topic.

1503 And, you know, as we all know, the fire brought horrific  
1504 loss, and it was truly a tragedy. And for everyone who was  
1505 impacted, our hearts just break and go out to everyone who

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1506 has experienced loss.

1507           So it is my hope that today in this hearing that we not  
1508 only get answers, the very, really much-needed answers for so  
1509 many people, but also we can identify ways that we can avoid  
1510 another tragedy.

1511           So I am going to start with you, Ms. Kimura. Did I say  
1512 that correctly? All right. Thank you. So we have seen the  
1513 news reports alleging that Hawaiian Electric may not have  
1514 properly maintained its electrical equipment and wooden  
1515 poles. So I would like to give you an opportunity to respond  
1516 to those claims.

1517           Specifically, in the response to this committee's  
1518 August 30 letter, Hawaiian Electric stated that its  
1519 inspection and mitigation programs on Maui to mitigate fire  
1520 risk include test and treat; that is, the inspection of the  
1521 poles.

1522           And you further explain that as part of the test and  
1523 treat program that you were looking for indicators of  
1524 strength, anchor inspection, treatment of poles for rot and  
1525 termites, et cetera. Being from Florida, I know what  
1526 humidity and heat and wind and salt can do to environments

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1527 and assets. So I understand it is a bit more challenging.

1528 But in that report, you stated that you had performed  
1529 test and treat programs on approximately 29,000 of the 31,000  
1530 wood poles in Maui County since 2013. Why were there  
1531 approximately 2,000 poles that were not subjected to that  
1532 same testing?

1533 \*Ms. Kimura. The -- if I could also take a moment now  
1534 that -- I want to clarify an earlier thing that I was talking  
1535 about in terms of the timing of the red flag warning and when  
1536 we instituted our protocols, I was just able to doublecheck  
1537 on that information.

1538 So it was -- the red flag warning was initiated  
1539 overnight on August 7, and by the morning of August 7, at  
1540 7:00 a.m., we had instituted our protocols -- so I wanted to  
1541 make that clarification -- the day before all of this  
1542 happened.

1543 And so on the poles, you are absolutely right, 29- out  
1544 of 31,000 over the last 10 years. The last 2,000 I -- I --  
1545 my understanding is that we just hadn't gotten to those yet,  
1546 and they are part of our program now. We have looked at --  
1547 there is a Wall Street Journal article that talked about this

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1548 recently as well. And if I could take the opportunity to  
1549 clarify --

1550 \*Mrs. Cammack. You could certainly submit that for the  
1551 record. I mean --

1552 \*Ms. Kimura. Okay.

1553 \*Mrs. Cammack. -- but for the purposes of time, I just  
1554 want to really understand if any of those poles that were not  
1555 tested and treated, those 2,000-plus-ish poles, if they were  
1556 not part of that program over that 10-year span, were any of  
1557 those poles the ones located in the areas that were struck by  
1558 the fire on the 7th and the 8th?

1559 \*Ms. Kimura. I don't know the answer to that question  
1560 right now. As we indicated, there is a lot happening right  
1561 now, and we're still in response mode and haven't been able  
1562 to look at all of those things. It's a very good question  
1563 and something that we will look at.

1564 I can tell you that near the fire we had looked at one  
1565 of the poles, and we know that that was inspected just in  
1566 2022. So, you know, that's an indication of poles in those  
1567 areas and the timing of when they were inspected.

1568 \*Mrs. Cammack. Okay. And I appreciate it, and I

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1569 certainly know, again, my State, you know, my district, just  
1570 took a Cat 3 hurricane, and so I --

1571 \*Ms. Kimura. I'm very sorry for that.

1572 \*Mrs. Cammack. -- 100 percent understand that recovery  
1573 comes first. But I think certainly in the future it would be  
1574 very helpful to understand if these -- those particular poles  
1575 were in the area that was the initial start and subsequent  
1576 spread, but then also what we can be doing for the future in  
1577 terms of mitigating this issue with either composite poles,  
1578 concrete, steel, looking at a variety where there is areas  
1579 that are especially prone to having a weakened structure.  
1580 That would be helpful.

1581 I have 39 seconds, so I am going to jump around. I am  
1582 going to stay with you, Ms. Kimura. The report that you  
1583 issued wasn't binding. I am sorry, that the county issued,  
1584 the 2021, July 2021, the County of Maui Cost of Government  
1585 Commission, that wildlife reduction -- or, I am sorry,  
1586 wildfire prevention and cost recovery on Maui, that report.

1587 That is not binding, correct?

1588 \*Ms. Kimura. I don't know if that's binding. I think  
1589 that one was --



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1590 \*Mrs. Cammack. You are aware of the existence --

1591 \*Ms. Kimura. -- to the County --

1592 \*Mrs. Cammack. -- of it.

1593 \*Ms. Kimura. -- of Maui. Yes, I'm aware of --

1594 \*Mrs. Cammack. Okay.

1595 \*Ms. Kimura. -- the report. That was a report to the  
1596 County of Maui.

1597 \*Mrs. Cammack. So did anyone from the utility engage  
1598 with Maui County or the Cost of Government Commission  
1599 following the report to identify ways that Hawaiian Electric  
1600 could help address the concerns that were laid out in this  
1601 report?

1602 \*Ms. Kimura. Based on what I was told, we were not  
1603 tasked with those recommendations from the County of Maui.  
1604 That -- those recommendations went to personnel within the  
1605 County of Maui, and we were not necessarily tasked with those  
1606 recommendations.

1607 That said, what those recommendations -- the content of  
1608 that recommendation, or those two recommendations, we are  
1609 already -- we were already doing that, and that is part of  
1610 our wildfire mitigation plan.

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1611            \*Mrs. Cammack. My time has expired, but I think it is  
1612 really important for us to nail down what happens with  
1613 jurisdiction on those recommendations and who takes  
1614 responsibility for them. I know you said you were  
1615 implementing a number of them, but I would like to know where  
1616 the liability falls.

1617            So with that, I yield back. Thank you to our witnesses  
1618 once again.

1619            \*Mr. Griffith. I thank the gentlelady for yielding  
1620 back.

1621            I now recognize the gentleman from Alabama, Mr. Palmer,  
1622 for his 5 minutes of questioning.

1623            \*Mr. Palmer. I thank the chairman. I thank the  
1624 witnesses for appearing. It is heartbreaking what happened  
1625 to Lahaina, and really, really hope that you can get things  
1626 worked out for those people who have suffered so much.

1627            I do look forward to hearing from my colleagues from  
1628 Hawaii, and my friend, Jill Tokuda, because I know this is --  
1629 this really hangs heavy over them.

1630            What I want to ask, Mr. Asuncion, is after a rate case  
1631 is decided by the Public Utilities Commission, for instance,

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1632 filing to perform vegetation trimming under a powerline  
1633 easement, how does the Commission go about verifying that the  
1634 work was actually performed?

1635 \*Mr. Asuncion. We -- we would constantly follow up with  
1636 the -- with the utility, you know, either through, you know,  
1637 reporting, which we have a variety of types of reporting,  
1638 either monthly or, you know, semi-annually or annually. What  
1639 we want to make sure is, you know, how is it impacting the  
1640 ratepayer, right? That the spending is in the right place,  
1641 right, to take care of things, and that we see progress,  
1642 right, on whatever the program is, right, versus not seeing  
1643 progress.

1644 \*Mr. Palmer. Well, I understand that you want to look  
1645 out for the ratepayer, but I am -- I have some timberland,  
1646 and there is a powerline that goes through it. And the power  
1647 company is very diligent in keeping the vegetation cut down,  
1648 making sure that there is not fuel underneath the wires that  
1649 could be ignited, or that if it were ignited it would not  
1650 damage the lines or the poles that support the line.

1651 And I am up there, and I can see what is being done.  
1652 People who live around there can see that. Have there been

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1653 people on Maui that have reported excessive growth of  
1654 vegetation? Is that something that people just weren't aware  
1655 of a potential problem for wildfire?

1656 \*Mr. Asuncion. I will -- I will say that those types of  
1657 reports would not come to the Public Utilities Commission.  
1658 It might go to, like, our --

1659 \*Mr. Palmer. No. But does it come to -- what I need to  
1660 know is if the public is reporting this to the power company,  
1661 and the power -- is the power company taking action? And if  
1662 they don't take action, does the Commission -- does the  
1663 Commission know about this?

1664 \*Mr. Asuncion. Yeah. Certainly, the Commission would  
1665 know through the types of reporting that we have. Right? I  
1666 think the immediate, right, is really contingent and the  
1667 responsibility of the utility, right, to act on those notices  
1668 from the public.

1669 \*Mr. Palmer. But if they don't act on it, is there --  
1670 are there any penalties? Are there any enforcement actions  
1671 that can be taken by the Commission if the -- if the power  
1672 company doesn't do the due diligence that I think every power  
1673 should do to make sure that they mitigate any risk for a

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1674 wildfire or harm to the public in any other way?

1675           \*Mr. Asuncion. Yeah. Certainly, we -- we do have  
1676 processes in place that would -- right, we could call the  
1677 utility before us and to explain their actions.

1678           \*Mr. Palmer. Yeah. But are there any penalties?

1679           \*Mr. Asuncion. Excuse me?

1680           \*Mr. Palmer. Are there any penalties? Do you -- are  
1681 the fines or is there any way to exercise enforcement if --  
1682 if the power companies are not complying with the  
1683 requirements?

1684           \*Mr. Asuncion. Certainly, we would have to figure out  
1685 either any penalties or any actions that the utility needs to  
1686 make through our process.

1687           \*Mr. Palmer. You say you have to figure it out. That  
1688 leads me to conclude that you don't have those in place now.

1689           \*Mr. Asuncion. No. We do have those in place. It's  
1690 that we have to follow our process in order to get to that  
1691 level.

1692           \*Mr. Palmer. So if you find them out of compliance,  
1693 there is -- you fine them? What action do you take? Do you  
1694 fine the company or --

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1695           \*Mr. Asuncion. Yeah. There is a number of ways that we  
1696 could make sure that the utility is accountable -- is held  
1697 accountable, right? And it includes everything from  
1698 conditions, right, all the way up to penalties. And, like I  
1699 said, we use our process --

1700           \*Mr. Palmer. Mr. Chairman? Mr. Chairman, I am not  
1701 satisfied with the answers. I would like for the witness to  
1702 provide to the committee in detail the enforcement measures  
1703 that the Commission can impose on a utility that doesn't  
1704 comply with the regulations.

1705           \*Mr. Asuncion. Certainly. We can -- we can get that to  
1706 the subcommittee.

1707           \*Mr. Griffith. And Mr. Asuncion is willing to provide  
1708 that for the committee, and we appreciate it. Thank you.

1709           \*Mr. Palmer. Thank you, Mr. Chairman. I yield back.

1710           \*Mr. Griffith. The gentleman yields back.

1711           I now recognize Mr. Tonko for his 5 minutes of  
1712 questioning.

1713           \*Mr. Tonko. Thank you, Mr. Chair. I thank you and the  
1714 ranking member for hosting this hearing, which is critically  
1715 important.

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1716 I know that it must be extremely difficult to be away  
1717 from home right now while recovery efforts on Maui are still  
1718 underway, and we don't have answers to many important  
1719 questions. So I do sincerely appreciate the witnesses being  
1720 here to help us begin to understand how this disaster and the  
1721 relief efforts unfolded.

1722 I do want to focus on the Federal Government's response  
1723 in order to understand what support you have received and  
1724 where more could be done to assist recovery efforts now and  
1725 for future emergencies.

1726 My understanding is that on August 8, the lieutenant  
1727 governor issued an emergency proclamation and activated the  
1728 Hawaiian National Guard shortly after it became clear that  
1729 the Lahaina fire could not be controlled.

1730 So on August 10, Hawaii Governor Green requested a major  
1731 disaster declaration, which President Biden immediately  
1732 approved.

1733 On August 18, President Biden amended that declaration  
1734 to make even more resources available for response and  
1735 recovery efforts.

1736 So, Ms. Kimura, can you describe the federal involvement

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1737 with recovery on Maui and what more might help support short-  
1738 term recovery efforts on Maui?

1739       \*Ms. Kimura. Our teams are part of the Maui Emergency  
1740 Operations Center, and in that center they are working  
1741 alongside -- and Maui County is coordinating the resources of  
1742 FEMA, of EPA, of a number of different organizations. And so  
1743 all of -- all of that assistance is greatly appreciated and  
1744 has made a significant impact on our State's ability to  
1745 support the Lahaina community.

1746       As we move forward, I can't speak to all of the day-to-  
1747 day things that are needed, but as we move forward and we  
1748 need to rebuild what has happened in Maui, it is going to  
1749 take a lot to clear what is there. And we appreciate the  
1750 assistance that is being provided for that effort, not just  
1751 our things but the entire area and to make it safe for people  
1752 to go back, because there is a lot of toxins and hazards and  
1753 all of those kinds of things.

1754       So that is going to be critically important. But as we  
1755 rebuild, it's going to be very expensive. And I am very  
1756 concerned about how the County of Maui and the citizens of  
1757 Maui are going to be able to absorb the cost of that rebuild.



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1758 And I think that's where assistance from the Federal  
1759 Government could be very helpful to that community.

1760 \*Mr. Tonko. Thank you. And, again, Ms. Kimura, are  
1761 there additional steps you would like to see Congress take to  
1762 support long-term recovery efforts in Hawaii?

1763 \*Ms. Kimura. This is not my area of expertise. I  
1764 apologize that I can't answer specifically about the specific  
1765 needs. We know that there are, you know, opportunities for  
1766 federal funding, that we have a team of people looking at  
1767 that, not just at our company but at many other organizations  
1768 to ensure that we look at all opportunities to support the  
1769 recovery and rebuild of Maui.

1770 \*Mr. Tonko. Thank you.

1771 And so I will offer that question or direct it also to  
1772 Mr. Asuncion, please?

1773 \*Mr. Asuncion. Excuse me. Could you repeat that?

1774 \*Mr. Tonko. Sure. Are there additional steps you would  
1775 like to see Congress take to support long-term recovery  
1776 efforts in Hawaii?

1777 \*Mr. Asuncion. Well, certainly, I think we -- we always  
1778 appreciate what the Federal Government can help us with,

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1779 right, be it, you know, this particular disaster, be it other  
1780 natural disasters that we -- we have.

1781 I think we have always had a good relationship with the  
1782 Federal Government, and, you know, in my world I would like  
1783 to keep it that way. But they think, yeah, certainly -- you  
1784 know, it's not -- it's only -- not only specific to Hawaii.  
1785 I think all of our states that we represent, right, where we  
1786 can get additional resources or assistance from the Federal  
1787 Government, we would certainly appreciate that.

1788 \*Mr. Tonko. Thank you. I have other questions that I  
1789 will get to the subcommittee, so as to get you to respond in  
1790 writing. But I thank you all, and many of us here in  
1791 Congress are committed to Maui's recovery and are willing to  
1792 do anything and everything that we can to support that  
1793 effort.

1794 To that end, Congress must pass President Biden's  
1795 supplemental appropriations request that includes \$16 billion  
1796 to prevent the Disaster Relief Fund, which is currently  
1797 supporting the recovery efforts on Maui, from running dry.

1798 And I look forward to hearing from my colleagues from  
1799 the Hawaiian delegation, Representatives Tokuda and Case.

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1800 You all have my heartfelt condolences for what you and your  
1801 community are experiencing, and we are totally committed to  
1802 making a difference on your behalf.

1803 With that, Mr. Chair, I yield back.

1804 \*Mr. Griffith. The gentleman yields back.

1805 I now recognize Mr. Duncan, who has joined us. He is  
1806 chairing a subcommittee upstairs, and we appreciate you  
1807 coming to be a part of this subcommittee as well. I now  
1808 yield to you for 5 minutes for your questions.

1809 \*Mr. Duncan. Thank you, Mr. Chairman. The hearing  
1810 upstairs on greater reliability and affordability, a lot of  
1811 things we are talking about in here.

1812 First off, I want to say that our hearts and our  
1813 thoughts and prayers are with the folks in Maui. Ms. Kimura,  
1814 I appreciated our conversation yesterday. I could see the  
1815 pain in your face by what your fellow citizens there are  
1816 enduring, and so I want you to know sincerely we will  
1817 continue to do all we can and continue to lift you up in  
1818 thoughts and prayers.

1819 Mr. Chairman, I want to submit for the record an article  
1820 from the Institute of Energy Research titled "Hawaii Invests

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1821 in Renewable Energy Rather than Wildfire Prevention.'" An  
1822 article for the record.

1823 \*Mr. Griffith. All right. We will take that up at the  
1824 end of the -- end of the meeting --

1825 \*Mr. Duncan. That is fine.

1826 \*Mr. Griffith. -- according to our protocols.

1827 \*Mr. Duncan. Thank you all for taking the time to be  
1828 here. I know it is a long trip. Ms. Kimura, it is my  
1829 understanding that there were plans to build an LNG facility  
1830 in Hawaii. Why did that project never come to fruition?

1831 \*Ms. Kimura. This was a -- this was many years ago. We  
1832 had been working on a proposal for LNG infrastructure in  
1833 Hawaii, to import it into Hawaii, and that was part of a  
1834 bridge strategy that we had to get to our renewable goals, to  
1835 lower costs to our customers while we transitioned to  
1836 renewables, and also to lower the carbon footprint.

1837 When we were in the process of proposing those plans,  
1838 the governor of the State of Hawaii at that time had  
1839 indicated that that -- that path forward was not appropriate  
1840 for Hawaii, and that the focus and the investment should be  
1841 on the 100 -- at the time, I don't think it was 100 percent

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1842 renewables, but the focus should be on achieving the  
1843 renewables goals and putting the investments there.

1844 \*Mr. Duncan. So your dispatchable capacity comes from  
1845 oil-fired now, and you are using some biodiesel. I  
1846 understand that.

1847 \*Ms. Kimura. I'm sorry. Can you repeat that?

1848 \*Mr. Duncan. Your dispatchable generation now comes  
1849 from an oil plant, and you are using biodiesel, and I  
1850 appreciate that. But I just want for the record that they do  
1851 have --

1852 \*Ms. Kimura. Yes.

1853 \*Mr. Duncan. -- baseload generation that is  
1854 dispatchable to supplement the renewables.

1855 How would you assess natural gas affect the availability  
1856 of firm generation, the affordability of electricity, and the  
1857 overall level of emissions in Hawaii?

1858 \*Ms. Kimura. You know, that assessment was done many  
1859 years ago, and I can't recall now what the impact was. We  
1860 had determined at that time that it could significantly  
1861 reduce the cost of electricity in Hawaii if we were able to  
1862 implement that at that time.

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1863           And with sufficient time from when we were proposing it  
1864 to when we had to achieve our renewable goals, we felt like  
1865 the investment was worth it and could amortize itself over  
1866 that period of time to provide that long-term benefit to  
1867 customers.

1868           \*Mr. Duncan. Yeah. Thank you for that. For the  
1869 record, I would just say that clean-burning U.S.-produced  
1870 natural gas has helped the United States lower its carbon  
1871 emissions. But do you think the impact this fire will have  
1872 on the cost of electricity and overall reliability of  
1873 Hawaiian Electric grid will change public opinion on the  
1874 construction of an LNG facility?

1875           \*Ms. Kimura. That is hard for me to say. In Hawaii,  
1876 there -- I mean, we haven't talked about LNG for many years  
1877 in Hawaii. We haven't --

1878           \*Mr. Duncan. Do you think that conversation will come  
1879 back up now?

1880           \*Ms. Kimura. It has not. Hawaii is very focused on  
1881 achieving our current statute of 100 percent renewables. And  
1882 as we implement our renewables agenda here, we are achieving  
1883 projects -- for example, solar plus storage project that went

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1884 into the ground last year was at 9 cents per kilowatt hour,  
1885 and that was a third of the cost of what it would cost for  
1886 fossil fuel generation based on oil.

1887 So we are continuing to pursue that route, and we are  
1888 also pursuing firm generation, which we believe is needed to  
1889 fill the gaps of solar and wind and storage and other  
1890 renewable resources that we're implementing in Hawaii.

1891 \*Mr. Duncan. Just a side question, because it is not in  
1892 my prepared questions here, but a thought. With the volcanic  
1893 activity in the Hawaiian Islands, is thermal something that  
1894 is even looked at?

1895 \*Ms. Kimura. Is what?

1896 \*Mr. Duncan. Thermal.

1897 \*Ms. Kimura. Yes. So we have geothermal on the big  
1898 island of Hawaii, and that is a very important resource and a  
1899 firm resource that we believe is critical to the future of  
1900 Hawaii. But it is also challenging to get that resource.

1901 \*Mr. Duncan. Yeah. So I would love to investigate that  
1902 more. I want to ask one last question about Maui public  
1903 utilities.

1904 Upstairs right now we are having a hearing on the

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1905 Nation's grid operators, about the challenges of reliability  
1906 on the grid due to state policies and how there has to be a  
1907 refocus on core missions of grid operator states and  
1908 regulators on reliability.

1909 In a similar way, given -- and the clear shortcomings  
1910 you identified, vegetation management in your submitted  
1911 response, we also have to go back and reexamine how and  
1912 whether state policies to drive energy resources should be  
1913 100 percent renewable may have affected priorities and/or  
1914 your offices and the utility away from focusing on resilience  
1915 and managing risk, including mitigation fire risk.

1916 \*Ms. Kimura. Was that a question --

1917 \*Mr. Duncan. As to --

1918 \*Ms. Kimura. -- to me?

1919 \*Mr. Duncan. Yeah.

1920 \*Ms. Kimura. So --

1921 \*Mr. Duncan. Or either one.

1922 \*Ms. Kimura. So because of those cost savings that I  
1923 talked about between -- the example I gave you of solar plus  
1924 storage versus the cost of fossil fuels, oil that we have  
1925 been talking about, that cost savings, given the high rates



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1926 that we have in Hawaii, we can take that cost savings and we  
1927 can invest that in our grid. And so that has been the  
1928 strategy that we have been employing over the last many  
1929 years.

1930 \*Mr. Duncan. Yeah. Thank you so much.

1931 I am way over time. Thank you, Mr. Chairman.

1932 \*Mr. Griffith. The gentleman yields back.

1933 I don't see any other members wishing to ask questions  
1934 at this time, so I would like to thank our witnesses again  
1935 for being here today.

1936 Now, pursuant to Committee Rules, I remind members they  
1937 have 10 business days to submit additional questions for the  
1938 record, and that would also include all of the things that we  
1939 asked about that we -- that you need to get back to us on,  
1940 and that is fairly standard.

1941 And then I ask the witnesses that you all submit your  
1942 responses to those questions and follow-ups within  
1943 10 business days of receipt of those questions.

1944 That being said, this concludes the first panel, and we  
1945 will now transition to the second panel. But thank you very  
1946 much for being here today.

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1947           Why don't we take a 5-minute recess and we will come  
1948 back for the second panel.

1949           [Recess.]

1950           \*Mr. Griffith. All right. The committee will come back  
1951 to order.

1952           I see that everybody is in their seats. So thank you  
1953 for testifying before the committee today. Our witnesses for  
1954 Panel 2 are Representative Ed Case of Hawaii's 1st District  
1955 and Representative Jill Tokuda of Hawaii's 2nd District.

1956           Representative Case, you are now recognized for a 5-  
1957 minute statement.

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1958 TESTIMONY OF ED CASE, A REPRESENTATIVE IN CONGRESS FROM THE  
1959 STATE OF HAWAII; AND REPRESENTATIVE JILL TOKUDA, A  
1960 REPRESENTATIVE IN CONGRESS FROM THE STATE OF HAWAII

1961

1962 TESTIMONY OF ED CASE

1963

1964 \*Mr. Case. Thank you, Mr. Chair, ranking member,  
1965 members of the subcommittee. Good morning still. Aloha.

1966 And, first of all, for all of the people of Hawaii,  
1967 thank you so much for your expressions of concern and for  
1968 your focus in this hearing.

1969 I appear before you today as the former representative  
1970 for the 2nd Congressional, which is Maui, and as one which --  
1971 who, like so many around our country and our world, feel a  
1972 deep personal sense of loss.

1973 But, most importantly, I appear before you as one with  
1974 my colleague, Ms. Tokuda, our two representatives from  
1975 Hawaii, because in Hawaii we really don't think about  
1976 district lines. Districts don't matter in Hawaii. Maui and  
1977 Lahaina are part of all of Hawaii, and this incredible  
1978 tragedy was and is a tragedy for West Maui, for Maui, but it

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1979 is a deeply felt tragedy for all of our Hawaii, and we are  
1980 all all-in for Maui.

1981 Ms. Tokuda, who has been a constant on Maui, devoted to  
1982 Maui's needs since the early days of this tragedy, will  
1983 describe for you a little bit more personal detail what  
1984 happened, what the situation is on the ground, relay some  
1985 very personal stories that I hope drive home the point of the  
1986 true situation, and what our path must be going forward.

1987 And as you consider the testimony today, and our own  
1988 future path here in Congress, I would like to leave you with  
1989 about three thoughts on an overview.

1990 First of all, I agree that Congress's role and  
1991 involvement is critical. In a disaster such as this, only  
1992 our Federal Government can muster the resources and the  
1993 energy and the scope of critical assistance that is going to  
1994 be necessary to truly address a tragedy of this nature. And  
1995 by focusing the attention and concern of Congress on the Maui  
1996 disaster, you highlight the critical needs here.

1997 And I think you also highlight the path forward in terms  
1998 of making sure that this doesn't happen in other communities  
1999 throughout our country, because each tragedy must offer

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2000 lessons to be understood and learned. Otherwise, it is  
2001 simply going to be repeated, and the lives that we have lost,  
2002 the community that we have lost, will be disrespected.

2003 But as this tragedy can offer lessons, at least Hawaii  
2004 and those that have been lost can offer something to the rest  
2005 of our country and the world. And so your focus here is  
2006 really critical, and your questions have been relevant and  
2007 critical, and I thank you for them.

2008 Second, the full focus of our collective efforts must  
2009 remain on Maui. We are only 51 days after a very sudden and  
2010 terrible tragedy, and I think it is important to understand  
2011 the reality of Maui and Hawaii today. Of course, we have  
2012 almost 100 confirmed dead, but we simply have not identified  
2013 the remains of many, and we have many that are still missing.  
2014 That effort must continue.

2015 We have a community of some 12,000 which is fully  
2016 displaced, 7,800 in hotel rooms; full efforts on locating  
2017 difficult-to-locate interim housing. We have a year-plus  
2018 debris removal project that has only just begun. We have  
2019 businesses that are devastated and only now are facing the  
2020 reality of whether and how to survive. We have the full

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2021 resources of our federal, state, and county governments, the  
2022 community, and our congressional delegation, all focused on  
2023 the necessary efforts that are required for Maui today.

2024       We have, as you know, already at least three  
2025 investigations, full investigations, independent  
2026 investigations, and we all know that we have a number of  
2027 lawsuits that have already been filed. And these are all  
2028 fact-finding exercises that in time will bring out the  
2029 answers to many of the questions that this committee has  
2030 asked.

2031       And all of this is where our efforts should remain for  
2032 now. All of which is to say that while we in Congress have a  
2033 very critical role -- and I agree with you, Mr. Chair, it is  
2034 not too early to ask these questions. We should not disrupt,  
2035 in what we are doing today, what is necessary to be done for  
2036 Maui. And so there will be a time for Congress I think to  
2037 delve more deeply into exactly what happened and to learn the  
2038 lessons of Maui when some stability has been restored.

2039       Third, how can Congress best help now, today? First of  
2040 all, we ask you and encourage you to visit Maui, to see and  
2041 feel for yourself this tragedy. This is something that we

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2042 welcome the President; we welcome the Speaker. We have  
2043 welcomed already many of our colleagues. Nothing can replace  
2044 that sense of understanding to do that.

2045         And, second, we ask that we all collectively fund the  
2046 Disaster Relief Fund by the Federal Emergency Management  
2047 Agency, which is running dangerously low now. So these are  
2048 two concrete areas that we can help Maui and all of us right  
2049 now.

2050         But, again, for Maui, for Hawaii, my deepest  
2051 appreciation for your constructive effort today for this  
2052 hearing, and we completely stand ready to work with you, not  
2053 only for Maui but for the rest of our country to make sure  
2054 that the lessons are learned.

2055         Thank you again.

2056

2057

2058         [The prepared testimony of Mr. Case follows:]

2059

2060         \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

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2061           \*Mr. Griffith. Thank you very much for your comments.  
2062           I now recognize Representative Jill Tokuda for her 5-  
2063 minute statement. Thank you.



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2064 TESTIMONY OF JILL TOKUDA

2065

2066 \*Ms. Tokuda. Thank you. Chairman Griffith, Ranking  
2067 Member Castor, Ranking Member Pallone, and members of the  
2068 subcommittee, mahalo again for your outpouring of support and  
2069 commitment to our people. And thank you for allowing us this  
2070 opportunity to testify about the wildfires that have devastated  
2071 our Maui ohana.

2072 I join Representative Case in inviting you to come and  
2073 truly see and experience what has happened in our community,  
2074 but, more importantly, work with us to rebuild and recover  
2075 from the devastation.

2076 Like all of you, I want answers. Not a day has gone by  
2077 since the fires that I don't ask myself questions. How did  
2078 this happen? What could have been done differently? How do  
2079 we make sure this never happens again? How do we keep our  
2080 people, our families, safe? What now? Why? Why? That is  
2081 the hardest question.

2082 I have also been asked many questions myself. When can  
2083 I go home? Is the air safe to breathe? How will I pay my  
2084 mortgage? Who can help me rebuild my business? How do I

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2085 tell my student their friend isn't coming back?

2086           One question that sticks with me came shortly after the  
2087 fire. A woman approached me and asked me if I could please  
2088 help her find her husband. They had gone to all of the  
2089 shelters, the hospitals; they had given the DNA sample. What  
2090 should she do now? She showed me a picture of her husband's  
2091 burned-out truck on the side of the road and asked me why the  
2092 back door was open. Could he have escaped? Where is he?

2093           I could not answer her questions that day. All I could  
2094 do was hold her hand, put my arm around her, and try to  
2095 comfort her. In the weeks that followed, I looked for her  
2096 husband's name on every single list. First, it was on the  
2097 list of the missing; a few weeks ago, identified among the  
2098 dead.

2099           I share this with you because there are so many  
2100 questions about this tragedy that must be answered. People  
2101 want answers. People want accountability. But our people  
2102 are still grieving. They are frustrated. They are grappling  
2103 with their new reality. They are justifiably mad that this  
2104 has even happened to them.

2105           Far too many lives were lost in our very tight-knit

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2106 community. Some are still waiting anxiously of news of their  
2107 loved ones. And while they want some kind of resolution,  
2108 they fear that knock on the door.

2109         While it has been almost 2 months, most still have not  
2110 seen the remains of their home with the first Lahaina  
2111 residents being allowed back into their property just this  
2112 week. The question we need to be focused on right now is:  
2113 how do we keep the help coming to Maui? We are 2 days away  
2114 from a shutdown. Our people have gone through enough. The  
2115 wheels of government must continue to turn and work to  
2116 provide them the support and the resources they so  
2117 desperately need to focus on recovery and rebuilding.

2118         Last week in a House Transportation and Infrastructure  
2119 Subcommittee hearing, one of our colleagues suggested that  
2120 the Maui fires were the result of Hawaii's pursuit of  
2121 renewable energy. He then insinuated to FEMA Administrator  
2122 Criswell that the Federal Government should not support  
2123 recovery efforts for disasters in states that pursue net-zero  
2124 policies.

2125         Unfortunately, these comments betray not only a lack of  
2126 understanding of Hawaii's unique energy infrastructure, but

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2127 also a willingness to exploit our pain and tragedy for  
2128 political gain. What we already knew before this disaster is  
2129 that Lahaina is not unique among rural and remote communities  
2130 across our country that have not received enough investment  
2131 and where ensuring access to services is a constant struggle.

2132 This tragedy has highlighted the disparities that exist  
2133 in energy, telecommunications, transportation, and water  
2134 infrastructure. Our rural communities lack access to health  
2135 care, mental health services, emergency services, and more.  
2136 The investments we have made through the Infrastructure  
2137 Investment and Jobs Act, and the Inflation Reduction Act,  
2138 must be but a first step, and we understand the urgent need  
2139 to do more.

2140 The path ahead for Maui will be long and difficult. It  
2141 will take years, if not generations, to recover from this  
2142 disaster. Homes, schools, businesses, they will be rebuilt.  
2143 But the scars of the trauma on our people, on our families,  
2144 will take much, much longer to heal.

2145 As various local, state, and federal entities continue  
2146 to investigate the cause of the Maui wildfires and the  
2147 emergency response across all levels of government, we must

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2148 not forget the human element of this tragedy. Behind the  
2149 whirlwind of investigation and litigation that have emerged  
2150 from this disaster is a community still healing and fighting  
2151 every day to recover and rebuild.

2152 While the historic Banyan tree has become a symbol of  
2153 hope, we must never forget that the people of Lahaina are her  
2154 roots. There is no Lahaina without the voice, the vision, of  
2155 her people. Like you and I, our people have questions, too.  
2156 We all deserve answers.

2157 Right now, the most important questions -- question must  
2158 be, how do we continue to keep the help coming to Maui?

2159 Mahalo for allowing myself and Congressman Case to  
2160 testify before this committee. We will continue to count on  
2161 your support and commitment in the weeks, months, and years  
2162 to come. With all of you as part of now our extended Maui  
2163 ohana, I have hope that our people can and will continue to  
2164 stay Maui strong.

2165 I yield back.

2166 [The prepared testimony of Ms. Tokuda follows:]

2167

2168 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

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2169           \*Mr. Griffith. I thank the gentlelady for her comments  
2170 and appreciate each of you all being here. And know that  
2171 this subcommittee will try to find answers, and that while  
2172 doing so we will not forget the human factors involved as  
2173 well.

2174           Anything final?

2175           \*Ms. Castor. I would. Thank you, Representative  
2176 Tokuda. Thank you, Representative Case. I heard you loud  
2177 and clear. And on behalf of the Democratic side of the  
2178 aisle, again, our sympathies are with you.

2179           But I think we can best show our sympathies by acting,  
2180 by, as you said, getting -- helping get answers, making sure  
2181 that the recovery continues, that the Disaster Relief  
2182 Recovery Fund is fully funded, and then taking the lessons  
2183 learned to help prevent this from ever happening anywhere  
2184 else.

2185           And I did want to offer -- you know, what caught -- this  
2186 is the 1-year anniversary of Hurricane Ian that hit Southwest  
2187 Florida where 150 people died. Over 50 drowned because of  
2188 storm surge. So they are still recovering, too, as people in  
2189 Puerto Rico are. Just a couple of months ago, Hurricane

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2190 Idalia hit -- it hit Rep. Cammack's district, but in my area  
2191 I still have people who were flooded out that have all of  
2192 their belongings in PODS out in the street.

2193         And what caught my attention this morning on the front  
2194 of my hometown newspaper, the Tampa Bay Times, it says, "FEMA  
2195 Has Paused Florida Aid.'" And I just -- as the ranking  
2196 member -- as Ranking Member Pallone said, we just cannot  
2197 afford this shutdown.

2198         This story says that it has disrupted longer term  
2199 recovery projects already, without going into the shutdown  
2200 that is coming this weekend, but it is -- what FEMA has had  
2201 to do is disrupt longer term recovery projects in Florida,  
2202 Puerto Rico, and past -- and other communities hit by past  
2203 calamities, illustrating how a Republican-led standoff in  
2204 Congress could unleash real hardship in Americans' lives.

2205         It is impacting the reconstruction of the grid in Puerto  
2206 Rico, says the Department of Economic Development and  
2207 Commerce in Puerto Rico.

2208         To prevent an interruption in federal disaster response,  
2209 President Joe Biden urged lawmakers last month to restock  
2210 FEMA's coffers, as Rep. Case mentioned, as part of a short-

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2211 team deal to fund the Government and approve an additional  
2212 roughly 16 billion in supplemental aid. That money is meant  
2213 to augment federal recovery efforts around the wildfire that  
2214 recently ravaged Maui, the flooding this summer in Vermont,  
2215 the aftermath of Hurricane Idalia, and so far Congress has  
2216 failed to act.

2217         Instead, Republicans, led by House Speaker McCarthy,  
2218 have held up efforts to fund the Government past Saturday.  
2219 We -- this is -- this is crazy. This is -- this is self-  
2220 inflicted. This is not how a country as great as the United  
2221 States of America should be acting. This is a gift to our  
2222 adversaries.

2223         So I just urge my Republican colleagues, because I heard  
2224 your very sincere sentiments that you are here to help  
2225 support the people of Maui. And the most important thing to  
2226 do that is in our power right now, since these investigations  
2227 are going to be ongoing for months, the most important thing  
2228 is to ensure that the people on the ground there can continue  
2229 to help.

2230         And Rep. Tokuda and I talked yesterday. Can I -- I  
2231 would like to ask her a little question about what is going



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2232 on in the recovery.

2233 \*Mr. Griffith. We are not allowed to ask questions.

2234 \*Ms. Castor. All right. Well, I would --

2235 \*Mr. Griffith. It is part of our protocol. sorry.

2236 \*Ms. Castor. I would encourage everyone to talk to

2237 Rep. Tokuda and Rep. Case about the extensive recovery and

2238 the missions that are on the ground.

2239 When I mentioned at the beginning of the hearing on my

2240 way out to the Pacific Rim -- we were in Honolulu on

2241 August 8. On the way back, the United States Army gave us a

2242 briefing of their recovery, and it was -- these people are

2243 heroes. They step back from kind of the national security

2244 mission to focus on the recovery of their neighbors in Maui,

2245 and it -- these are very difficult assignments under very

2246 difficult conditions.

2247 So let's not throw a wrench into the recovery of people

2248 in Maui. Let's not aggravate and build -- you know, pile on

2249 their pain. This can be avoided. And I just encourage you

2250 all to take that to heart while -- and put people over

2251 politics, because right now people look at Washington and

2252 they just see a political mess. And it is time to really

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2253 think about the people all across America that are going to e  
2254 impacted.

2255 \*Mr. Griffith. I thank the gentlelady for her comments.

2256 And not wanting to get into too much politics, but

2257 certainly welcome all the Democrat votes that we can get on

2258 Republican-led measures to keep the Government open.

2259 \*Mr. Pallone. Mr. Chairman?

2260 \*Mr. Griffith. We need to bring this to a conclusion.

2261 But I would ask unanimous consent to insert into the record

2262 the documents included on the staff hearing documents list.

2263 Without objection, that will be the order.

2264 [The information follows:]

2265

2266 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

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2267           \*Mr. Pallone. Mr. Chairman, you are not -- I am not  
2268 asking a question. I just want to --

2269           \*Mr. Griffith. Oh, okay.

2270           \*Mr. Pallone. -- make a comment, if that is all right.

2271           \*Mr. Griffith. Well, I don't know. But I made a very  
2272 brief comment, and then --

2273           \*Mr. Pallone. I will be brief.

2274           \*Mr. Griffith. -- got a very long, although heartfelt,  
2275 response, and I don't know that this is the time that we  
2276 should be debating those issues.

2277           \*Mr. Pallone. Well, I just wanted to say, if I could,  
2278 just -- I will be like a minute.

2279           \*Mr. Griffith. In the sense of comity --not comedy, but  
2280 comity -- getting along, I will recognize the gentleman to  
2281 make a brief comment.

2282           \*Mr. Pallone. Thank you. I am not going to repeat  
2283 about the shutdown. I think we all know that that is not a  
2284 good thing for what is happening in Hawaii in terms of the  
2285 recovery. But I did want -- I know that Representative  
2286 Tokuda also mentioned this idea of some kind of ideological  
2287 test for recovery.

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2288           You know, you said that it was suggested that if you  
2289 were looking to have 100 percent renewable, that that -- you  
2290 know, there should be funds going to Hawaii. We have heard  
2291 this also in my case. Remember, in the aftermath of Sandy,  
2292 there were those who were making outrageous comments about  
2293 how, you know, we shouldn't help the northeast. You know, I  
2294 have been here long enough to know that whenever there is a  
2295 natural disaster, we help everybody. It is not Democrat. It  
2296 is not Republican. It is not ideological. It shouldn't be,  
2297 right?

2298           And so I am glad you mentioned that, but I do think we  
2299 all should -- we all should say that that should never --  
2300 there should never be a litmus test, and it is important to  
2301 say that as well. And this litmus test, you know, in this  
2302 case seems to be linked to climate change.

2303           And the bottom line is that everything I see is that,  
2304 you know, this dry vegetation and -- was a major factor. So  
2305 we can't -- you know, we can't not only have a climate -- I  
2306 mean, an ideological test, but we also need to recognize that  
2307 one of the causes here in the long term is climate change,  
2308 and that needs to be addressed as well. So that is it.

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2309           \*Mr. Griffith. I thank the gentleman for his brief  
2310 comment.

2311           \*Mr. Pallone. Thank you.

2312           \*Mr. Griffith. All that being said, without objection,  
2313 the subcommittee is adjourned.

2314           [Whereupon, at 12:07 p.m., the subcommittee was  
2315 adjourned.]