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THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S PREPAREDNESS AND RESPONSE TO ALL HAZARDS

(110–35)

HEARING

BEFORE THE

SUBCOMMITTEE ON
ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND
EMERGENCY MANAGEMENT

OF THE

COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

APRIL 26, 2007

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JOHN L. MICA, Florida
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Washington, DC 20515

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James W. Coon II, Republican Chief of Staff

April 25, 2007

SUMMARY OF SUBJECT MATTER

TO: Members of the Subcommittee on Economic Development, Public Buildings, and Emergency Management

FROM: Subcommittee on Economic Development, Public Buildings, and Emergency Management Staff

SUBJECT: Hearing on "FEMA's Preparedness and Response to All Hazards"

PURPOSE OF THE HEARING

On Thursday, April 26, 2007, at 10 a.m., in room 2167 Rayburn House Office Building, the Subcommittee on Economic Development, Public Buildings, and Emergency Management will examine whether the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security are focused on all hazards in preparedness for and response to the risks that confront our nation. The hearing will also examine the reintegration of all phases of emergency management at FEMA.

BACKGROUND

Hurricane Katrina made landfall on August 29, 2005, and proved to be the costliest and one of the most deadly natural disasters in American history. Hurricane Katrina exposed two consequences of the placement of FEMA in the Department of Homeland Security (DHS): the failure to follow an all-hazards approach and the breakdown of an integration of all phases of emergency management. Both of these failures were addressed by the Post- Katrina Emergency Management Reform Act of 2006, Title VI of Public Law 109-295, which reintegrated preparedness back with the other phases of emergency management at FEMA and re-established FEMA's day to day links with the state and local governments the agency works with in a disaster. This hearing will examine how this remedy is working and whether the steps taken by the Act are sufficient.

The All-Hazards Approach

An all-hazards approach is a risk-based approach. The first step of a community's all-hazards planning process is to conduct a hazard risk assessment. An all-hazards approach to emergency management ensures an effective and consistent framework for responding to any disaster or emergency that threatens the citizens and communities of our nation, whether the threat is from a natural hazard, an accident, or an intentional act such as a terrorist attack. A standardized process for responding to incidents, known as the incident command system, will be used regardless of whether the building collapsed due to an earthquake, a pipeline explosion, or a bomb.

The all-hazards approach is based on the premise that communities do not need a separate preparedness and response system for each kind of threat. While the manner in which a community responds may differ based on the disaster at hand, at its core, the management of disasters is virtually the same whether it involves sending firefighters to deal with wildfires, sandbagging crews to fight flooding, or police to address civil disturbance. Regardless of the disaster, a community would still need to prepare its citizens for the possibility of a lack of municipal services such as water, sewer and electricity; an individual would need to be in charge to coordinate efforts; and a myriad of other activities would need to occur to suppott the disaster response. Further, governments recognize that the core emergency management authorities and procedures must be clear, concise and established in advance of a disaster; improvisation during a disaster or crisis does not work. An effective all-hazards approach means that a community or government will have an integrated and coordinated response system that is prepared to handle any disaster that may arise. It assumes that while the specific assets deployed may differ based on the type of disaster, the system that a community uses to respond to the disaster will not.

An all-hazards approach fully addresses terrorism, but preparing for terrorism alone does not address all aspects of other hazards. For example, the federal homeland security grant programs have driven a wedge between state homeland security advisors and state emergency management directors. The federal government has spent over $10 billion on first responder grants since 9/11 (mostly on equipment), but the nation's core emergency management capabilities have improved only slightly. Terrorism planning also puts an emphasis on prevention that is has no role in most natural hazards, since there is no way to prevent an earthquake, hurricane or tornado.

The current situation is strikingly similar to the situation James Lee Witt found when he became the Director of FEMA in 1993. In 1992, FEMA failed miserably in the response to Hurricane Andrew. He found an agency that was focused on cold war civil defense, when more than 80% percent on their employees focused cold war programs, despite the end of the cold war. Similar to the Katrina aftermath, there were calls to abolish FEMA. Recognizing the importance of an all-hazards approach FEMA was turned around and was recognized as a model federal agency. FEMA's all-hazards approach in preparedness and response, prior to its transfer to DHS, is what made FEMA so successful in its response not only to natural hazards but also 9/11.

The Integration of all Phases of Emergency Management

The cycle of emergency management begins with preparedness and mitigation, flows into response, and ends with recovery. The four cornerstones of comprehensive emergency management – preparedness, response, recovery, and mitigation – are interdependent and are all vital to successful emergency management. Preparedness encompasses those pre-disaster activities that develop and maintain an ability to respond rapidly and effectively to emergencies and disasters.

All levels of government need to be prepared to respond to disasters. Preparedness is what emergency managers do on a daily basis so that they are ready to respond to a disaster.

Since FEMA became part of DHS and through Hurricane Katrina, there was a steady removal of preparedness and other key functions and assets of FEMA to other parts of DHS, most notably to the former Preparedness Directorate at DHS. The consequence of this was seen in the response to Katrina. For example, the funding for the "Hurricane Pam" study of hurricanes in southern Louisiana was taken away from FEMA and used for terrorism purposes.

In 2003, then Secretary Tom Ridge proposed a reorganization of DHS, including transferring FEMA's preparedness grants to the Office of Domestic Preparedness (ODP). Ridge and his aides believed FEMA should be a response and recovery agency, not a preparedness agency. In an age of terrorism, they argued, preparedness needed a law enforcement component, to prevent and protect as well as prepare to respond.

The proposal prompted former FEMA Director Michael Brown to caution Ridge, in a letter dated September 15, 2003, that further distancing preparedness from response "can result in an ineffective and uncoordinated response...[would] shatter agency morale and would completely disconnect the department's response functions from the responders and governments they are supposed to support."

Secretary Ridge created the new Office for State and Local Government Coordination and Preparedness (SLGCP) and transferred ODP and all preparedness grants over to the new SLGCP. As part of this consolidation, responsibility for administering the following programs was transferred out of FEMA to SLGCP:

- Assistance to Firefighters program
- Emergency Management Performance Grant program
- First responder counter-terrorism training assistance
- State and local all-hazards emergency operations planning
- Citizens Corps
- Interoperable communications equipment
- Community Emergency Response Teams
- Metropolitan Medical Response System (MMRS)

Until this reorganization, FEMA's Preparedness Division assisted state and local governments in preparing for disasters through training programs, exercises, emergency planning, technical assistance, and grants.

In July 2005, Secretary Michael Chertoff announced the reorganization component of his second stage review (2SR) of the department. As part of 2SR, Chertoff announced significant changes to DHS's structure, including extensive changes to FEMA.

Specifically, under Chertoff's proposal, FEMA remained a direct report to the Secretary of Homeland Security for response, recovery, and mitigation. FEMA's remaining preparedness functions were transferred to the newly created Preparedness Directorate effective October 1, 2005. DHS officials argued the federal government's preparedness efforts needed to be enhanced, particularly for catastrophic disasters, and that could be achieved best by consolidating the

department's preparedness functions into a new Preparedness Directorate. The FEMA components transferred included:

- U.S. Fire Administration (USFA)
- Hazardous Materials Training and Assistance Program (HMTAP)
- Chemical Stockpile Emergency Preparedness Program (CSEP)
- Radiological Emergency Preparedness Program (REPP)
- BioShield Program

The transfer of the remaining preparedness authorities out of FEMA arguably was the final step in the elimination of FEMA's preparedness mission.

Again, the emergency management community cautioned that the proposed transfer of functions from FEMA would undermine its ability to respond to future disasters. For example, David Liebersbach, the president of the National Emergency Management Association, the professional association of state emergency management officials, testified before the Subcommittee on Economic Development, Public Buildings, and Emergency Management on April 8, 2005 that separating preparedness from response and recovery would break emergency management's cycle of continuous improvement and result in a disjointed and ineffective response operation.

Additionally, at the time, DHS's acting Inspector General voiced reservations about segregating FEMA's preparedness function from its response and recovery responsibilities, noting that disaster preparedness, response, and recovery are integrally related, each factor relying on the others for success. Similarly, Bruce Baughman, a former FEMA official responsible for FEMA's Office of National Preparedness following 9/11, also voiced objection to separating preparedness from the other emergency management functions. Specifically, he said separating the people who plan disaster response from responders "was a big mistake. We tried that before, and it was a disaster."

PRIOR LEGISLATIVE AND OVERSIGHT ACTIVITY

The Subcommittee has not held legislative hearings specifically dedicated to FEMA's organization and functions as envisioned by the Post Katrina Emergency Management Reform Act of 2006. However, the Committee has held hearings on: Disaster Mitigation and Response (January 1998); Cost Effectiveness of Hazard Mitigation Spending (July 2000); Preparedness against Domestic Terrorism (May 2001); Emergency Preparedness (September 2001); Hurricane Isabel (October 2003); FEMA's Budget (March 2004); National Preparedness and First Responders (May 2004); The National Preparedness System (April 2005); Recovering after Katrina: Ensuring that FEMA is up to the task (October 2005); A Vision and Strategy for Rebuilding New Orleans (October 2005), Legislative Proposals in Response to Hurricane Katrina (November 2005); Disasters and the Department of Homeland Security: Where Do We Go From Here? (February 2006); The Big One: How Do We Ensure a Robust Federal Response to a Catastrophic Earthquake in the Los Angeles Region? (February 2006); and How Do We Ensure a Robust Federal Response to a Catastrophic Earthquake in the New Madrid Region? (February 2006).

During the 109th Congress, the Committee enacted the following related bills:

- Community Disaster Loan Act of 2005 (P.L. 109-88)

- Predisaster Mitigation Progtam Reauthorization Act of 2005 (P.L. 109-139)
- Katrina Emergency Assistance Act of 2006 (P.L. 109-176)
- Local Community Recovery Act of 2006 (P.L. 109- 218)
- Post-Katrina Emergency Management Reform Act of 2006 (P.L. 109-295)
- Rural Disaster Assistance Fairness Act of 2005 (P.L. 109-295)
- Disaster Relief Equity Act of 2005 (P.L. 109-295)

WITNESSES

PANEL I

Vice Admiral Harvey Johnson
Deputy Administrator
Federal Emergency Management Agency

PANEL II

James Lee Witt
CEO of James Lee Witt Associates, a part of GlobalOptions Group

PANEL III

William "Craig" Fugate
Director, Florida Division of Emergency Management
Member, National Emergency Management Association

Michael D. Selves, CEM
President
International Association of Emergency Managers

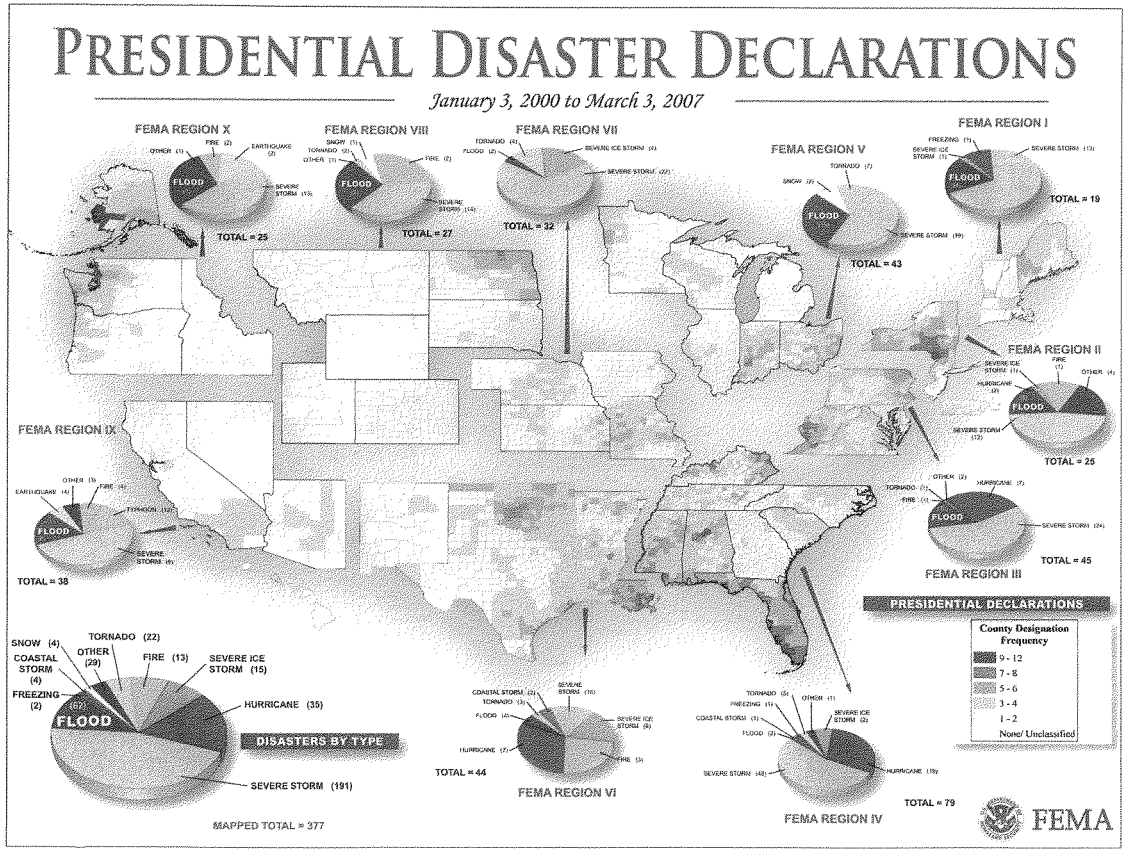
PANEL IV

Chuck Canterbury
President
Fraternal Order of Police

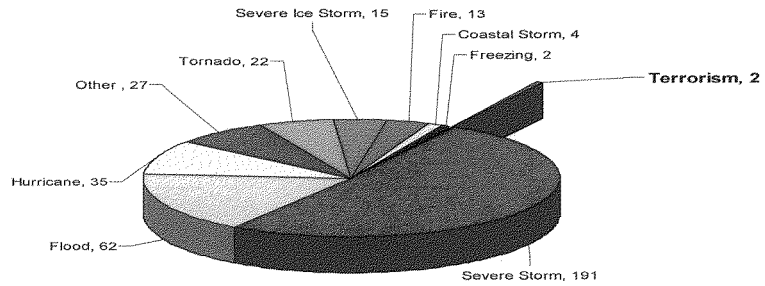
Chief Tom Carr
Montgomery County, Maryland
Fire Rescue Service
International Association of Fire Chiefs

Chief Fred Endrikat
Special Operations Chief
City of Philadelphia Fire Department
Special Operations Command

Sheriff Edmund M. "Ted" Sexton, Sr.
Former President
National Sheriffs' Association

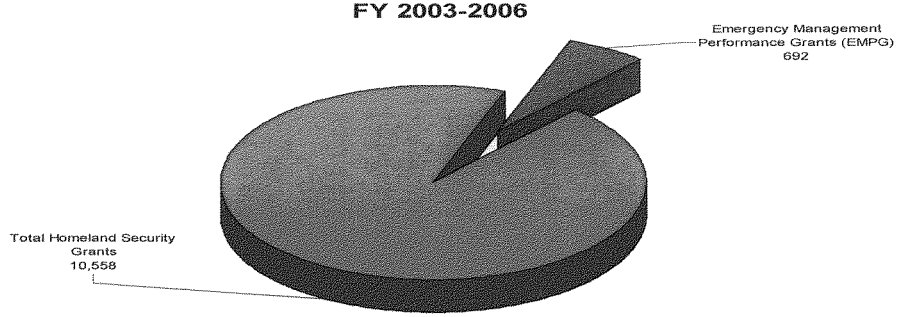

PRESIDENTIAL DISASTER DECLARATIONS
January 3, 2000 to March 3, 2007
FEMA REGION X
FLOOD
TOTAL = 25
FEMA REGION VIII
FLOOD
TOTAL = 27
FEMA REGION VII
TOTAL = 32
FEMA REGION V
FLOOD
TOTAL = 43
FEMA REGION I
FLOOD
TOTAL = 19
FEMA REGION II
FLOOD
TOTAL = 25
FEMA REGION III
FLOOD
TOTAL = 45
FEMA REGION IX
FLOOD
TOTAL = 38
FEMA REGION VI
TOTAL = 44
FEMA REGION IV
TOTAL = 79
DISASTERS BY TYPE
FLOOD (62)
TORNADO (22)
SNOW (4)
OTHER (29)
FIRE (13)
SEVERE ICE STORM (15)
COASTAL STORM (4)
FREEZING (2)
HURRICANE (35)
SEVERE STORM (191)
MAPPED TOTAL = 377
PRESIDENTIAL DECLARATIONS
County Designation Frequency
9 - 12
7 - 8
5 - 6
3 - 4
1 - 2
None/ Unclassified
FEMA

Disasters Occurrences By Type
January 3, 2000 to March 3, 2007



Source: FEMA

Homeland Security
Grant Allocations (in Millions)
FY 2003-2006



Source: CRS

HEARING ON FEMA'S PREPAREDNESS AND RESPONSE TO ALL HAZARDS

Thursday, April 26, 2007

HOUSE OF REPRESENTATIVES
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT,
Washington, DC.

The Subcommittee met, pursuant to call, at 10:00 a.m., in Room 2167, Rayburn House Office Building, the Honorable Eleanor Holmes Norton [Chair of the Subcommittee] presiding.

Ms. NORTON. I am pleased to welcome everyone to this very important hearing on new legislation that gives FEMA new authorities, new independence to see how the agency intends to move forward.

Let me ask for unanimous consent, pursuant to Rule 3(d) of the rules of our Committee, that the gentleman from Louisiana, Mr. Baker, a Member of the Full Committee, be allowed to participate in today's Subcommittee hearing should he be able to appear.

Without objection, so ordered.

Today's hearing will address the Post-Katrina Emergency Management Reform Act of 2007, which has just become effective. The Subcommittee called this early hearing when the slate is clean and FEMA has the opportunity to start anew, to allow the agency to indicate its way forward in its own words under the Post-Katrina Act and to permit first responder experts to explain their understanding.

The Post-Katrina Act specifically clarifies this term "all hazards." It is a term that needed clarification when FEMA became a part of the Department of Homeland Security. It clarifies the all hazards strategy by mandating preparedness strategies that acknowledge the necessity of building common response capabilities to meet specific disasters, whatever their origin.

The Subcommittee is eager to assist FEMA in carrying out the Post-Katrina Act for an integrated FEMA where preparedness, response, and recovery present a seamless continuum and natural and non-terrorist events take the appropriately prominent place within FEMA and the Department of Homeland Security. There is no need to rehash the details of how the Department responded to four major Florida hurricanes during the 2004 season, which were precursors of the larger problems that emerged from Hurricanes Katrina and Rita in 2005.

The agency's reaction to Katrina exposed the weakness of segregating preparedness from the necessary functions of response and

recovery. Congress responded with the Post-Katrina Act that requires more autonomy for FEMA. The point of the hearing today is to give FEMA and the expert witnesses the opportunity to seize the initiative in describing how they believe the new mandate to prepare for all hazards should operate, and any differences they perceive between operations in the past and what they expect under the Post-Katrina Act.

Hurricane Katrina taught us that notwithstanding the unique 9/11 tragedy and preparedness in an era of global terrorism, our citizens face other serious risks every day, almost none of them terror related. The emergency responders who receive FEMA grants are expected to use these funds even for the unexpected, whether from the effects of power outages like the total New York blackout of 1977—I was there then—the blackouts of 2003 that traveled throughout the Midwest to the Northeast; hazmat rail accidents in South Carolina and elsewhere; or Tractor Man, who dangerously tied up downtown Washington in 2003.

Of course, responders must also prepare for serious seasonal acts of nature, as well as highly unusual natural events, most recently, for example, a tornado in hurricane-prone Florida. At the same time, FEMA and emergency responders must plan for natural disasters we hope never come, such as Governor Schwarzenegger's warnings about the California levees deteriorating or earthquakes along the San Andreas Fault.

The endless list of possible events suggest the seriously unpredictable nature of what is expected of the agency. How will the new FEMA and our responders reconcile planning for an act of nature in hazard-prone parts of the Country, such as California, Florida, and the Great Plains, with preparing for random acts of terror that could in targeted and un-targeted cities?

When FEMA was created as an independent agency, it seemed no more likely that a section of the District of Columbia would be declared a disaster area as occurred because of flooding following Hurricane Isabel, then that the Pentagon would be attacked. Yet, even today a natural disaster is a more likely event here, even though the Nation's capital is in the first tier for a terrorist attack and the last for flooding.

Because the Post-Katrina Act is new, the Subcommittee, of course, can have no criticism concerning its implementation, but today the Subcommittee seeks the agency's vision and plans for assuring Congress that the lessons of Katrina have been absorbed and all hazards will receive the requisite attention.

The agency Administrator is responsible for developing FEMA's approach for carrying out the Act's new mandate. Ironically, however, the Administrator chose to go to a meeting with others from the Department of Homeland Security at the Israeli Embassy. Only after I called the agency director was the Subcommittee assured of testimony from Vice Admiral Harvey Johnson, the agency's deputy administrator, leaving the unfortunate impression that the post-Katrina emphasis can always be trumped, even by a meeting with foreigners on an issue probably related to terrorism or its possibilities.

I hope the testimony from the agency today shows otherwise, especially considering that we have sought here to do oversight on

the new Act by allowing the head of the agency to lay out his own vision and views in the first instance, rather than only rely after the fact on oversight criticism.

We are very pleased to welcome Vice Admiral Johnson and thank him for agreeing to testify. We especially welcome our expert witnesses from the emergency response sectors that must work with FEMA to assure success.

I see that the Ranking Member of the Full Committee, Mr. Mica, is here. I referenced the Florida hurricanes. I would like to ask Mr. Mica if he has any statement to make at this point.

Mr. MICA. Thank you. I see Mrs. Capito is acting as our Ranking Member this morning, but I did have a couple of comments.

First of all, I want to thank you, Ms. Norton, for putting this important hearing together and working with both sides of the aisle to make certain that the Post-Katrina Emergency Management Reform Act of 2006 and the various revisions we have made to try to make certain that we are prepared, that we have the best emergency management system in place possible. So I want to commend you on holding the hearing.

Unfortunately, I am now serving on six of the Subcommittees as the Ranking Member. I won't be able to stay; I have got other commitments. But I did want to take a minute and also welcome the witnesses. I see Mr. Johnson who is with us. I want to also welcome Craig Fugate, who is the Director of Florida's Division of Emergency Management.

As you have pointed out, Florida has, unfortunately, experienced a number of disasters. But Florida is also widely recognized as having one of the best systems in place to deal with disasters and hazards systems in the Nation. Unfortunately, also, from some practical experience, my district has seen three major hurricanes and two tornadoes in the past two years, and we provide a lot of practical experience for FEMA, and I think it is very important to me and also the people of Florida that we ensure that the Post-Katrina Emergency Management Reform Act is implemented properly.

Before Katrina, our State emergency managers had warned us that removing preparedness from FEMA would cause the Federal Government's disaster response capabilities to in fact decline. We had a failed response to Hurricane Katrina in part because DHS removed preparedness programs from FEMA. In the Reform Act, we put preparedness back in FEMA, and I think that is an important step.

After Katrina, many States were concerned that the Federal Government would attempt to take over the response to every significant disaster, whether necessary or not. Some States are more prepared than others. For example, my own home State of Florida has, as I said, a first-rate all hazards preparedness system. We have had very excellent response from State and local level, with good Federal cooperation in the past.

In Florida, we have also learned how important it is to have an adequate alert and warning system. During the recent tornadoes in my district, warning people was a problem. Unfortunately, that didn't happen, and that is something that we need to look at.

FEMA's alert and warning system uses 1960s technology. We need to look at integrating and modernizing the system and using

the very latest modern technology that is available so that we can warn people at the right time to save lives, whether it is in a tornado or maybe, as we saw a week ago on the Virginia Tech campus. We can and we must do better in being able to warn people.

I know FEMA has a couple of pilot programs to test new technology. I think that is great, but I think we even need more. I look forward to working with you to develop a comprehensive modern warning program.

State emergency managers have also told me the speed of the declaration process is problematic, particularly for individual assistance. We have seen some problems there. Unfortunately, the criteria are subjective and, as a result, States often ask for a declaration when they shouldn't, and fail to request one sometimes when they should. Craig Fugate, our Florida emergency manager, and I have had discussions about this. I also had an opportunity to meet with other State managers of emergency operations, and I think we all agree that this continues to be a problem. I hope we can work on finding a solution there.

Also, finally, I want to mention that I have developed draft legislation that helps FEMA provide States with excess resources and, in some cases, trailers, mobile homes to house disaster victims outside of a Federally-declared disaster. We have seen the difficulty in sometimes getting these idle assets to where they should be and, again, difficulty in some of these declarations.

I look forward to working with Chairwoman Norton and other Members interested in resolving these problems. This Committee has had a long history of supporting FEMA. I think we care about these issues, and we look forward to working with you on a regular basis.

Thank you for deferring to me. I wish I had less experience in this field, but, unfortunately, Florida has been victimized by natural disasters and we have a lot of experience in this area.

I yield back.

Ms. NORTON. Thank you very much, Mr. Mica.

I would like to Mr. Arcuri if he has a statement to make at this time. The gentleman from New York.

Mr. ARCURI. Thank you, Madam Chairman. I would like to thank the witnesses for being here today. We appreciate it very much.

Many lessons have been learned in the aftermath of the Katrina disaster. Most troubling of all is that FEMA's preparedness functions and assets have been redirected to a newly created preparedness directorate within the Department of Homeland Security in order to also undertake response to terrorism. We now have learned that eroding FEMA's core responsibilities of disaster preparedness made it more difficult for FEMA to execute a responsible and effective response to the Katrina catastrophe.

Straining the agency to balance responsibilities, terrorism, and disaster response without balanced funding is not a responsible way to ensure that a community or government will have an adequate response system prepared to handle any disaster, be it earthquake, flood, or terrorist attack.

Some may think that local emergency management is as simple as sending firefighters to put out a fire or clearing snow off roadways after a large snowstorm. However, effective responses to

these types of disasters require local communities to develop a comprehensive approach to ensure the proper equipment, infrastructure, and first responders are in place before the disaster even occurs.

FEMA is tasked with helping communities prepare their State and local emergency management officials with capabilities to adequately respond to a disaster. FEMA's ability to execute this core responsibility was severely handicapped as a result of its reorganization within DHS.

The threat of terrorist attack in my upstate New York district is far less commonplace than the threat of heavy rains, flooding, or severe snowstorms. Therefore, it is necessary to make certain that areas of the Country, including the district I am privileged to represent, are not left without sufficient emergency management resources to respond to the more probable disasters that plague them more frequently.

The City of Oneonta, which I represent, was devastated last year by heavy rains and severe flooding, and is still in the process of fully recovering. FEMA's response and recovery efforts in Oneonta have been less than exemplary, and I hope, as the agency is reconstructed, future emergency responses are adequate and timely. For example, there was $560,000 that has been approved for damage, and yet only $134,000 has to date been paid out to residents of that area. So something has to be done about that to speed up the response of FEMA.

I look forward to hearing on the progress being made at DHS to ensure that FEMA resumes a balanced all hazards approach to emergency management.

Thank you, and I yield back the balance of my time.

Ms. NORTON. Thank you very much, Mr. Arcuri.

I want to welcome Mrs. Capito and thank her for sitting in for the Ranking Member, Mr. Graves, and ask the gentlelady from West Virginia if she has a statement.

Mrs. CAPITO. Thank you, Madam Chair. I would like to thank you for holding this hearing. Before I begin, I want to mention that Ranking Member Graves is at a classified briefing regarding a constituent of his that was recently kidnaped in Iraq. As you can imagine, he is doing whatever he can to assist the family, and he will be here as soon as he can.

Thank you again for holding this hearing on FEMA's preparedness in response to all hazards. Returning the preparedness function to FEMA and establishing the national preparedness system were central components of the Post-Katrina Emergency Management Reform Act. After Hurricane Katrina, the House conducted an exhaustive review of what went wrong with the Government's response to that terrible storm. One of the key findings of the investigation was that the Federal Government's preparedness efforts were disconnected from its response operations and this contributed to an ineffective disaster response.

After FEMA was transferred to the Department of Homeland Security, its preparedness functions were removed. At the time, emergency management professionals warned that the four cornerstones of comprehensive emergency management—preparedness, response, recovery, and mitigation—must be closely joined and jointly

managed. As a result, recombining preparedness with the other three elements of comprehensive emergency management was one of the central reforms of our bill.

We also established an all hazards national preparedness system. The national preparedness system is intended to be a partnership between all levels of government. That is why we created the National Advisory Council with representatives from the National, State, and local levels. We intend the Council to participate in the development of every major component of the system. Similarly, we created regional advisory councils to improve preparedness at the local level. We also elevated the role of the fire administrator and created a special law enforcement advisor to the fire administrator. Law enforcement plays a critical role in disasters, and FEMA needs to ensure their requirements are fully addressed.

Another important lessons of Katrina was DHS cannot afford to ignore natural disasters and other emergencies in its effort to address the terrorism threat. We must do both.

This Committee supports separate grant programs for improving different aspects of the all hazards system. It is entirely appropriate to have terrorism preparedness grants where money is allocated based on the risk of terrorism as long as they all enhance the all hazards system. Similarly, we have fire grants and emergency management performance grants directed to the first responder and emergency management disciplines as long as they are consistent with the all hazards system.

Another lesson of Hurricane Katrina is that we need to reform the Federal chain of command. The Stafford Act, which governs Federal emergency management, provides the President with the authority to direct all Federal agencies during a disaster. Ultimately, the President is the only one who can direct the Secretary of Defense and the assets of the entire Federal Government.

To execute his responsibilities effectively, the President needs the advice of a disaster professional. As a result, our reform bill gave the FEMA Administrator the authority to manage disasters on behalf of the President, and we expect the national response plan to reflect these changes.

Our Committee has a long history with FEMA, and I want you to know that we want you to succeed, and we are here to help you.

Again, I would like to thank our witnesses for being here, and I look forward to your expert testimony.

I yield back. Thank you, Madam Chair.

Ms. NORTON. Thank you very much, Madam Ranking Member for the day.

I want to ask Mr. Walz of Minnesota if he has any statement.

Mr. Baker, I have indicated and gotten unanimous consent for you to sit in, if you want to say a few words. You are welcome at this time.

Mr. BAKER. Madam Chair, I appreciate the courtesy extended. I will be brief. I am here out of a sincere sense of motivation on this topic.

I think that there has been a great deal of discussion about the general environment in which the Government responded to this inordinate disaster, but I want to frame the scope of the response in a slightly different way. All too often, people hear Katrina and

think $100 billion. The actual allocated funds made available for Katrina response for all purposes was slightly in excess of $32 billion.

Now, my comment at this point is certainly not directed to our distinguished witness, but to the system. I wish to make that clear. But when people think of $32 billion, which, by the way, is a lot of money, but it is not $100 billion, 22 percent of that went to FEMA for its own administrative operations, $7.2 billion. Now, there are very few operations in business that take a 22 percent cut off the top, but let's keep that in perspective. $7.2 billion from $32 billion gets us down to $25 billion.

Okay, let's assume for the moment we are going to side step the administrative issues, what did we do for $7 billion worth of administration. It left a net of $25 billion to be allocated to the subject target area. Just in one category alone, $2.1 billion was spent on the acquisition of trailers. As of this moment, there are 60,000 trailers in storage in FEMA's possession around the Country, many of which were never deployed to the intended user.

Of those which were deployed, you have to take into account not the cost of acquisition, but the cost of siting the trailer; that is, physically getting it on the ground, delivery; that is hooking it up to things which make it work, like utilities; and that is handing over the key to the person who will occupy it, notwithstanding the fact there were 118,000 trailers keyed with the same lock. That created some interesting issues for people who wished to venue shop, looking for a TV.

Let's set that aside. The cost to put those trailers on that pad averaged slightly in excess of $70,000, troubling for the taxpayer, because those were temporary locations where we could have built modular housing on a slab for about $60,000 a site. The site as my source Fannie Mae/Freddie Mac.

There is not a way on earth that we could take $32 billion and as poorly respond to the environment in which we responded without having it been by a plan. You couldn't do it this badly by accident. There had to be somebody thinking this out.

At the end of the day, I hope the Committee will look very carefully at the rules-based nature of emergency response. By that I mean there are a set of standards which the Congress and bureaucracy has put into place in contemplation of a small geographic fixed, previously studied type of disaster. This one was beyond all the books. Notwithstanding, the rules had to be applied.

For example, we had a law enforcement entity that responded to the disaster by deploying its assets to help people in search and rescue and in restoring civil order. Now, the way in which that law enforcement entity would normally get reimbursed is to get an invoice from the benefitted entity, meaning the City of Orleans, as one example.

Well, there is a problem. That entity doesn't have a mailbox; it doesn't have an office; it doesn't have employees. There is nobody there with which you can create the invoice. So the guy who went out of his way to do the right thing for the right reason, who is looking to FEMA to get reimbursed for legitimate law enforcement response activities can't get reimbursed because there is nobody to give him an invoice.

Now, that is an illogical conclusion to someone who acts in good faith, motivated for the right reasons.

Madam Chair, there is a long litany of things I could bore this Committee with, but I want to say I appreciate your courtesy in extending this brief opportunity for me to speak. And on any occasion that I can work with the Members of this Committee to bring about some rational thought in disposing of these types of illogical rules, I would be most happy and appreciative.

I yield back.

Ms. NORTON. Well, the gentleman speaks from great experience, experience we hope never to be repeated in anyone else's State.

The Subcommittee is very concerned that some quick FEMA fixes, particularly that would serve the Gulf Region, happened. We, of course, have just done perhaps the most important fix of all, and that is the 10 percent waiver. But we certainly have, and we would be most interested in the agency's view. You will have an opportunity to give those views on May 11th, when we have a hearing on fixes that, in a real sense, are low hanging fruit, but they are the kinds of circumstances that you have just described that drive people crazy. So point well taken.

I am pleased now to have the testimony of the deputy, Rear Admiral Johnson.

TESTIMONY OF VICE ADMIRAL HARVEY JOHNSON, DEPUTY ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY

Admiral JOHNSON. Chairwoman Norton, Members of the Committee, thank you for inviting me here today to discuss FEMA's all hazards preparedness planning efforts and how that capability will contribute in significant measure to accomplishing Administrator Paulison's vision for a new FEMA.

In May of 2006, as FEMA was being pilloried in the wake of Hurricane Katrina, the President nominated and the Senate confirmed David Paulison as the Director of FEMA. One of his first demonstrations of leadership was to establish a vision for a new FEMA, that we should aspire to become the Nation's preeminent emergency management and preparedness agency. This vision pointed us in the direction of all hazards response, recovery and mitigation, and it emphasized for the first time in FEMA taxonomy the development of core competencies, among them, all hazards operational planning. He challenged the agency to develop and sharpen those competencies so that they would distinguish professionalism and build a sense of purpose within FEMA to better meet the expectations of our agency, of Congress, and the American people.

In October of 2006, Congress passed the Post-Katrina Emergency Reform Act, and in that legislation you expanded our mission set to include protection and preparedness, and you emphasized again your intent that our perspectives encompass all hazards threats. Administrator Paulison added another core competency to his vision, that of integrated preparedness, which sent the strong signal inside FEMA and to our now broadened constituency that we would indeed reach beyond natural hazards to advance preparedness and protection with those now having influence as we re-

spond, recover, and mitigate against manmade disasters and acts of terrorism.

A mentor of mine had a favorite expression. He said that a vision without action is nothing more than a dream. Administrator Paulison's vision for a new FEMA is all about action. We have set a course to demonstrate our determination to embrace an all hazards approach to emergency management and preparedness.

Mile markers on this course include the following: building robust regions, which means more people, more authority for the regional administrator, and higher expectations for mission performance; reaching out to embrace State homeland security administrators with the same attentiveness that we do to State emergency managers; establish a new law enforcement liaison to the Administrator, a direct report who will represent law enforcement interest and bring that perspective to all of our headquarters policy and program development; opening our once region response coordination centers from lights out waiting for a declaration to 7 by 24 reaching out to State fusion centers and other agency operation centers to maintain constant situational awareness; establishing FEMA's first cadre of operational planners in headquarters and in the regions; establishing Federal preparedness coordinators at the regions to work more deliberately with Federal and State partners at the field level; and establish preparedness relationships with counterparts in major urban areas, in addition to our traditional relationships with States.

These actions are all in play and are all about reconnecting and fortifying relationships with emergency managers and establishing new relationships with the law enforcement community at the Federal and State level to actualize our vision of becoming the Nation's preeminent emergency management and preparedness agency. As testament to this new approach, you and our Federal and State partners will see a FEMA more engaged in operational planning.

That means we will sit down across the table to consider and advance the potential disasters and better plan for an integrated response and recovery. Joint terrorism task forces around the Nation will see for the first time FEMA preparedness coordinators and operational planners as teammates, we will be come informed of the current threats and be better able to initiate and support a timely response tailored to the nature of the threat, and they at the JTTF will be better informed as to how Federal and State response agencies will react and effect response to any manmade or terrorist event.

Make no doubt about it, this is a new direction for FEMA. It reflects a broader mission challenge, it reflects a wider set of partners, and it reflects a greater depth of mission perspective. The new FEMA will require new skill sets, a greater investment in our people, and new tools to ensure the outcomes of safer communities and more effective response, recovery, and mitigation.

Success will depend upon two primary factors: one where you have influence and one where I have influence. On your part, I ask that you act on your desires for a stronger, more capable FEMA by supporting the President's request for our 2008 budget. That budget asks for new operational planners, it asks for Federal preparedness coordinators, it asks for additional watch standards, it asks

for full-time incident management teams and more effective information management systems.

For my part, I take on the challenge to motivate a workforce, to bring about a culture change, and to institute operational doctrine and improve business processes that will affirm your investment in FEMA.

To the extent that each of us is successful in our challenges, the American people will benefit, as they too want a stronger and more responsive FEMA equally capable of helping to prevent disasters across the all hazards spectrum, prepare communities to be more resilient in the event a disaster occurs, and to be present more quickly and to offer assistance more compassionately when that assistance is required.

I thank you for the opportunity to be here today, and I would be pleased to respond to any of your questions.

Ms. NORTON. Thank you very much, Admiral Johnson.

In trying to understand all hazards, would you agree that if the agency and responders are prepared for a natural disaster, they are almost surely prepared for a terrorist attack and disaster? But if they are prepared only for a terrorist attack and disaster, they may not be prepared for a natural disaster?

Admiral JOHNSON. Madam Chairwoman, I would not agree with that proposition. In our view, there are a number of manmade or terrorist evens that have characteristics that go far beyond the challenges of a natural disaster. For example, any chemical, biological, or nuclear attack. In those situations, rather than run to the event——

Ms. NORTON. Let's stop right there. Because terrorist disasters are quite specialized, we don't know whether to expect something to blow up; we don't know whether to expect a chemical disaster; we don't know whether someone will be bringing in a nuclear device. Those require people to be very—in fact, they require specialists. The police department in a city, for example, has people who you send out on those things that are specially trained.

I am trying to understand the relationship between these two as the agency understands the relationship between these two, the specialized nature of preparing for and responding sometimes to terrorist attacks and the more predictable natural disasters where responders often have, across the board, training. And you have just started with what it seems to me are differences of the kind that, in my other capacity as a Member of the Homeland Security Committee, we have had many hearings concerning.

So we understand all hazards in the sense that you have got to be prepared for either. The question I am putting to you has to do with the difference between the two and whether they are entirely interchangeable or how you think that operates.

Admiral JOHNSON. Madam Chairwoman, I agree with your premise that natural disasters occur far more frequently than does a manmade disaster or a terrorist event. So I agree with that premise. As a baseline, we must be better prepared to respond to natural disasters. What I would offer to you is that some of the nature of a non-natural disaster, if those first responders are more prepared, informed about the challenges of a terrorist event, then they will respond more effectively across the board. But I think it

does take some training and education, preparedness, and perhaps equipment to be able to respond across that full spectrum.

We probably aren't very far apart in our views, but I do think that preparing for natural disasters alone would not be sufficient.

Ms. NORTON. I just want to say, Rear Admiral Johnson, just to give you an example, sitting here in target city number one, I have had to say time and again to my own constituents stay where you are if you hear that there is an event. You want the honest to goodness truth? If and when there is a disaster here, I expect it to be far more contained. I expect that if people ran out into the streets from this building or from their homes, they may run into the chemical that could explode, that could come from a hazmat train wreck. I expect that if somebody is carrying a nuclear device, that they had really better stay put, because the whole notion of what effect it will have would be something that people would have to look at and take some time to look at.

The reason I raise these points is because people have learned how to respond to disasters essentially by evacuating and by, indeed, assuming that a disaster is the same thing and means the same thing for all of us. I want you to take a look at the copy of the map that was up here and I hope will reappear.

Where is the map? Would audio-visual please put the map up again? I don't want it to disappear; I wanted to speak about it. Thank you.

The map is too busy, and I am not inviting people to look at all those boxes. In fact, I don't even like the map. I like maps that say things, come right out and say. But the map is intended and divides the Country into its various regions. If you will look even from afar at that map, you may be surprised to see that there is no part of the Country that escapes natural disasters. The only part of the Country that has had a terrorist event are, of course, the Pentagon, this region, and New York City.

It is very easy—and I sit on both Committees, so I try to keep my balance. I have to keep my balance since it is perhaps easier for me to see the whole world in terrorist terms. One of the criticisms of the agency, when it was incorporated into Homeland Security and Katrina came, was that terrorism had in fact become the vision of the agency and that it was not prepared for the old-fashioned natural attack, which is I would say 99 percent, except that that doesn't say it enough, it must be 99 point something percent.

Somehow or the other, the Post-Katrina Act is meant to get us back into balance and show us that every single American somewhere can expect a natural event of some sort. I haven't even covered the acts that are not of nature, that I mentioned in my statement, like the blackouts. I don't know how many remember when there was a plane that hit the 14th Street Bridge here, a huge and terrible, unpredictable disaster.

Emergency responders, the people with whom you relate, have to be far more alert in the ordinary course of business to the unpredictable events of that kind and to the natural disasters, some of which are expected and some of which are not. Yet, over 90 percent of homeland security grants are focused on terrorism, while 10 percent go to all hazards management.

I am a Member of the Homeland Security Committee. I am not here criticizing that division, because that division has in part to do with how I responded to your original notion about chemical spills, nuclear possibilities, the kinds of things for which obviously emergency responders had no reason to be prepared. So there has been a huge, huge amount of money going to cities, so much so that the Homeland Security Committee has had hearings showing that so much money was thrown at them for terrorism that they had to find other uses for it, and I will tell you they did find some uses for it, and some of it, I hope, spilled over into what is needed for natural events.

But the second chart, the large red part shows the 90/10 percent distinction. I am not suggesting that our Country spend less on homeland security grants at this time, but the Committee is concerned that the Administration and, for that matter, others appear to still want to turn the relatively small 10 percent of the EMG emergency grant program from an all hazards program to a terrorist program, despite what we have learned from Katrina. That is of great concern in the post-Katrina period.

What would be your response, sir, to that?

Admiral JOHNSON. Well, Madam Chairwoman, FEMA certainly agrees with you of the value of the emergency management performance grant program, and we agree that FEMA will administer the grant programs as they are designed and funded by Congress, which, of course, provides an array of grants for various purposes. We believe that in those grants that there is benefits, as you mentioned, spillover benefits from one grant and a port security grant that benefits emergency management. So I believe that we think that the grants have a purpose. They meet their purpose. They have improved preparedness at large across the Nation, and that preparedness has brought value to natural disaster preparedness, as well as preparedness for a terrorist event.

So if that addresses your concern.

Ms. NORTON. I am going to go to the Ranking Member in a moment, but the evidence for this from the Committee really comes from first responders. They complain that the application process is so tilted toward terrorism that it becomes difficult to use the grants for the 99.999, whatever it is, that they use. That is of great concern when you have got only 10 percent of the funds.

I am asking that you look at that application process, Mr. Johnson. Give it a review and report within 10 days any self-criticism you may have or any changes you might want to suggest with respect to that application.

Could I ask the Ranking Member, Mrs. Capito? I will come back with some further questions, but I would like to pass on to other Members.

Mrs. CAPITO. Thank you, Madam Chair.

In preparing for the all hazards, the first thing, I understand, is a risk assessment of, I guess, all kinds of risks in a certain community. Are those risk assessments done community-wise, regionally, nationally? How are those done and how often are they reassessed?

Admiral JOHNSON. We have a preparedness goal for the Nation, and out of that goal came 15 likely scenarios of events that could occur, and the intent is to use those scenarios and prepare assess-

ments against those scenarios which leads to a consistent approach across the Nation. Those assessments are primarily done at the State and local level, which guidance provided by the Department of Homeland Security. Certainly, each State has a choice into how they approach those. Some scenarios may be more likely in one State than another, but then we use the grant funds to help and assist in those assessments, identify what gaps exist and how best to mitigate those gaps.

Mrs. CAPITO. And how often are they reassessed, or is that dependent on what the State decides?

Admiral JOHNSON. I think it is done perhaps unevenly across the Country, dependent on the progress of a State in a particular area.

Mrs. CAPITO. Well, I like the emphasis on the State and local. I mean, I am from a community, West Virginia, who has—we are filling in your flood area here and, by the way, FEMA has been very good with our flash flood response. But we also have a lot of chemical plants, and we had one of the plants that leaked right after the Bhopal incident, you probably remember, in the 1980s. Our local community, I am sure in conjunction with FEMA, got together and has a very good local emergency response plan, and we all know, when we heard that siren go off, what that could possibly mean, and your response could be so much quicker if your coordination and assessment is in the community. So I like that.

I have two other quick questions. I know in the bill that was passed last year there were certain milestones that were asked for. That would be a Federal Coordinating Officer, national response plans, development of incident—you know what the milestones are. I think it would be very helpful if you could line out all of the different most specific requirements in that Act and give the Members of this Committee a time line on where you are in completing that so that we could then follow along and see the progress that has been made and maybe gig you a little more where we think more progress needs to be made.

Admiral JOHNSON. We would be very pleased to do that. In fact, we have looked at—there were about 139 different specific requirements to FEMA in that legislation. Many due dates are passed without us responding yet. We are prepared to meet with your Committee and to review all of the tasks in the post-Katrina reform legislation and advise you where we are in the progress toward those and when we expect to deliver results for you. We would be very pleased to do that.

Mrs. CAPITO. I think that would be very helpful.

The last question I have is certainly in the Katrina disaster, my understanding is the lack of a primary decision maker, somebody who could make a decision quickly or was willing to make a decision or made a decision was one of the things that came to light that was sorely lacking. In the legislation there is a Federal Coordinating Officer, but I understand there has also been created a Principal Federal Official. Who is going to be making the decision here, one person, two people? How is this going to work? Certainly, in terms of not only cost, but saving lives and being able to respond, I think that has got to be a critical element here.

Admiral JOHNSON. Yes, ma'am. You are very astute in that observation. We are currently in the latter stages of the rewrite of the

national response plan. One of the key elements in that rewrite is to bring distinction between the role of the Principal Federal Official and FEMA's Federal Coordinating Officer. In our view, the FCO is the primary Federal official who engages with State officials in all emergency management issues at a joint field office. It is our view that the FCO is the primary Federal official in that joint field office and is the primary official to make those operational decisions.

The role of the Principal Federal Official is, in sum, to make sure that all of the agencies that are there at the JFO play well and synchronize their efforts in support of the objectives that are jointly developed by the State and the FCO.

Mrs. CAPITO. All right, I thank you and I look forward to the report with the milestones listed and time lines. And if you get a chance to talk a little bit, I am interested in your reserve workforce, but we will save that for another day.

Admiral JOHNSON. Yes, ma'am. Thank you.

Ms. NORTON. The gentleman from New York, Mr. Arcuri.

Mr. ARCURI. Thank you, Madam Chairman.

Admiral, you talked about 15 likely scenarios that have been identified. Could you tell us how many of those are natural, of the 15, and how many of those are manmade?

Admiral JOHNSON. There is one natural disaster scenario and the others are manmade, and they are, for example, pandemic. They are created to have us look at the range of events that could occur and to make sure that we understand we to be prepared in those scenarios or how each may be different and how those would apply.

So based on your Committee premise that natural disasters is the common, that is only one scenario, but that will then support response to all the other scenarios.

Mr. ARCURI. And of the money that you spend on preparedness, how much of that goes to the manmade and how much to preparing for natural disasters?

Admiral JOHNSON. Well, I think your chart, in terms of grants and the direction of grants, your chart is accurate, that if you want to—for example, if you were to say emergency management performance grants is the sole grant for emergency preparedness for natural disasters, you could take that perspective and say that a small slice goes in that direction. But I believe that all of the grants in some form do provide common benefits that help us in natural disasters. So I think it is very hard to slice across that way, but I think the EMPG grant is certainly a primary that tells you perhaps not enough money is going to natural disasters.

Mr. ARCURI. My concern is that you always think of FEMA, at least I always thought of FEMA, as the agency that helps us respond and prepare for natural disasters, and my concern is that the preparation for natural disasters is being slighted because of the priority that may be being placed on trying to determine different manmade scenarios. And I will bet if there are 14 that you have identified, there are probably 20 more that other people in the agency think probably should be in the top 15, and you probably spend a great deal of your time trying to identify what new manmade scenarios could develop and how to respond to them. My concern always is that because of that we are somehow slighting the

natural disasters that we know are going to happen in many places, including in my district, where we have had some severe flooding over the past five years.

Admiral JOHNSON. As a Member of this Committee, I think that your concern for any kind of a detriment to natural disasters is a good concern to have, and from your perspective you should provide to FEMA to make sure that does not occur.

From inside FEMA, I feel that our competency to respond to natural disasters is significantly greater now than it was certainly at the time of Katrina, and I think we have demonstrated that in the disasters that have occurred as recently as the noreaster this past week, and we will demonstrate that preparedness in the upcoming hurricane season.

But at the same time, if we do have a non-natural disaster, you will expect us to be prepared and to lead the response to that event. So I think that we do need to look at those events, those challenges that perhaps we haven't paid as much attention to, and to be equally prepared those, in those eventualities, to meet your expectations as we will in a natural disaster, but do that in a manner that does not detriment our ability to be prepared and respond to natural disasters.

Mr. ARCURI. I want to ask you one more question, and it may be a soft ball, but I think it is important. Do you think, having changed the way FEMA views its role in terms of developing for manmade disasters, you are in a better position to assist people who have been victims of natural disasters?

Admiral JOHNSON. Yes, sir, I think that is an excellent point to make, not necessarily a soft ball because is the point of your legislation. When you bring the pieces together—preparedness, response, recovery, mitigation—there has got to be value in the synergy of bringing those pieces together, and we are seeing that just in the last month that we have been a new FEMA, that there is synergy. Looking at the grants in the non-EMPG grants, finding synergy in the purpose of those grants. So I think your observation is exactly correct, that that is going to lead to overall better preparedness as well as preparedness for natural disasters.

Mr. ARCURI. And you don't think we will, in the long run, have slighted our ability to respond to natural disasters by giving FEMA a larger role and a larger task?

Admiral JOHNSON. Just like, as you approach other responsibilities, if you give FEMA more responsibilities and you follow that authorization with appropriate resources to do those jobs, then you will get exactly what you are looking for. That is why I asked for your support in the President's 2008 budget request. If we assume more responsibility and accountability, but aren't also resourced to meet those, then we are all going to have a tough day.

Mr. ARCURI. Thank you, sir.

Admiral JOHNSON. Yes, sir.

Mr. ARCURI. Thank you, Madam Chair.

Ms. NORTON. Does Mr. Dent have any questions?

Mr. DENT. Yes, thank you, Madam Chairman. I will be brief.

Admiral Johnson, the FEMA reform bill requires that FEMA develop a strategy for rebuilding your permanent and your reserve workforces. When do you expect to complete those plans and can

you tell the Committee what the proposed personnel levels are going to be, and are you considering a reserve model like the military reserves or the National Guard?

Admiral JOHNSON. Yes, sir, and thank you for that question. When you ask us how we respond and meet your expectations, it relies in large part of our disaster assistance employees, which is our reserve force. They are the backbone of FEMA. They are, in large part, the people that you see at all disasters. And, yet, that system has become quite a bureaucracy. It doesn't provide FEMA consistently with the right number of people that we need to respond to disasters; it doesn't assure those people that FEMA has the resources to invest in them with professional development. So our current reserve workforce system has many, many challenges.

We are currently undergoing a study that we hope to come back to you in the June-July time frame and describe to you what we think might be a more efficient and effective reserve program. Efficient and effective for FEMA, but also one that protects the interest, the development, the pay, the benefits of those employees themselves, and in our view that may require, in large sum, fewer resources and fewer numbers of people than we currently have today, and it will be modeled in large part, from lessons we have learned from military reserve forces.

Mr. DENT. Thank you for that answer. I guess my final comment or question will be what progress has FEMA been making on forming the regional advisory councils and also those regional incident management teams.

Admiral JOHNSON. We are probably within less than a couple weeks of solidifying the membership of the national advisory council, and our target is to have the first meeting of the national advisory council before the 1st of July. We are developing a process to establish our regional advisory councils based on how we approach the national advisory council so they become supportive. So I don't believe we will have those councils identified and resolved until the end of summer.

Separately, on the incident management teams, which is referred to as a strike team in the legislation, those will be an excellent capability for FEMA and for the Nation. Right now, we have sort of pickup teams, we don't have full-time members, and that is what I think you expect us to provide.

I had a brief just before I left the office this morning on the incident management team concept, and we hope to have those teams in place before the beginning of hurricane season this summer.

Mr. DENT. Just a point of clarification on this presidential disaster declaration that you handed out, I live in Pennsylvania and we have probably more running water than any of the lower 48 States, so we are very susceptible to flooding. I was just trying to understand. You are showing on the map floods and severe storms. How many of those severe storms generally result in flooding? In my State, it seems most disaster declarations are flood-related or storm-related, and sometimes it is hard to tell the difference after the storms.

Admiral JOHNSON. That is a great question. I think that we can probably provide you later with exactly what our definitions of each of these columns are. In the severe storm, our view of those is that

is more like the tornado, where predominant damage in terms of both public assistance and individual assistance was not in the area of flood. But we can provide better statistics for you.

Mr. DENT. I am just curious because it seems a lot of flooding would result after hurricanes or tropical storms. We have been having a lot more severe weather incidents where just a thunder shower turns into a major storm that results in significant damage and disaster declarations, and I am just trying to get a better sense of this.

Admiral JOHNSON. For your region in particular, we will provide your staff with a greater breakdown of those incidents.

Let me also just follow up on your question in terms of the incident management teams. I want to be clear that the legislation required three national teams and one regional team, one for each of the 10 regions. We won't have all 13 teams this coming summer, but we will have a number of teams in order to assist in our hurricane preparedness efforts.

Mr. DENT. Thank you, Madam Chairman. I yield back.

Ms. NORTON. Thank you very much, Mr. Dent.

I just have a follow-up question on regional office strike teams. My sense of FEMA is that FEMA ought to be, itself, a strike team; it ought to be a mobile team strike team. It seems to me the regional office strike teams are the major way for the public to regain confidence in FEMA if they see people who are mobile. Strike teams are just the word for it. I think it was special forces. You see, I think FEMA ought to be like the special forces, with no holds barred; they are ready to do what has to be done. What is your progress again on establishing them in every region?

Admiral JOHNSON. Madam Chairwoman, again, the legislation requires 13 teams and those teams to be full-time members, and that requires that we have the PFTs, the actual FTE and the funds to support those teams. The legislation authorized those teams but did not appropriate for those teams, so we——

Ms. NORTON. You have no appropriations for these teams?

Admiral JOHNSON. That is correct.

Ms. NORTON. Did you ask? You mean to say this year's budget. How about the budget for next year that you have before us?

Admiral JOHNSON. Yes, ma'am. In the fiscal year 2008 budget that is before you, there are resource requests in there to establish one of the national teams and one of the regional teams. Our intent is to reprogram internal resources this summer in order to establish some minimal capability.

Ms. NORTON. This summer to do what? I am sorry.

Admiral JOHNSON. We will reprogram some of our internal resources to establish the first regional team, and we may very well——

Ms. NORTON. And where will that be, Admiral Johnson?

Admiral JOHNSON. We will have the first regional team before the hurricane season.

Ms. NORTON. Located where?

Admiral JOHNSON. That team will likely be in Region 4, which is in Atlanta. Now, we may very well approach Congress within the next coming weeks with a reprogramming request that may allow

us to go further this fiscal year, but at this point there have been no direct appropriations for these teams.

Ms. NORTON. Well, the budget doesn't seem to have asked for appropriations for all of the regions. I can only think that if there is a disaster in some region and there isn't a strike team there, that is the first criticism that is going to be made of the agency, so I hear you on that and I think that the agency has to give the greatest priority to these teams, somebody on the ground the moment it occurs. For example, does there have to be a disaster declared before such a team is deployed?

Admiral JOHNSON. Well, let me say again that what the legislation asks for, which I 100 percent agree with, is full-time teams. Please understand that right now FEMA has emergency response teams, but they aren't full-time members; they have another job they are doing today. And when that emergency response team deploys——

Ms. NORTON. Would you explain that? They are employees of FEMA?

Admiral JOHNSON. Yes, ma'am. I am trying to think of an example in your congressional world. I may be the director of response in Region 1, and that is my full-time job, but if I become a member of a response team, I am taken from my full-time job; my seat becomes empty because I leave and respond to the event.

Ms. NORTON. Well, I would be more concerned about whether the people on the ground there now are trained to be the kind of mobile force that the Congress had in mind when it wanted these teams established.

Admiral JOHNSON. Well, I think Congress had a perfect model in mind, and what you wanted us to do was to have a capacity to respond, but when we respond, not to detriment our capacity in our management in our regional offices.

Ms. NORTON. Are the people who would have to do this now trained to do whatever they have to do, the same thing that the regional office strike teams would do if they were there, just not enough of them, is that what you are saying?

Admiral JOHNSON. Yes, ma'am. We have teams now that can respond, do respond, and, in fact, States welcome when an emergency response team from FEMA arrives at their emergency operation center. We just want to have full-time teams that can exercise with them, train with them, as well as respond to events, without having those people depart their full-time job.

Ms. NORTON. I think you are probably going to find some interchangeability in any case, rather than have people only be full-time waiting for an emergency. You probably, as a matter of efficiency, are going to have some interchangeability. My only concern is are people being trained now to be a strike team? That is really my question.

Admiral JOHNSON. Yes, ma'am. We have emergency response teams now that did respond this last week to the noreasters, that did respond to tornadoes in Florida and Georgia and Alabama, that will respond to an event that occurs tomorrow.

Ms. NORTON. Actually, they may get there and you might not even need anybody else there. In fact, we have seen, Admiral Johnson, some evidence of better preparation and response in the torna-

does that came this year in Florida. You know, the Committee takes real note of that, just as it took note of the problems with the trailers. We had to have a hearing and, unfortunately, as you know—and that is why I want to be clear that we did take note of it. People have oversight hearings when something happens that they think needs attention. They don't have an oversight hearing when, in fact, you have the kind of response time and clear evidence of good response that you had in the tornadoes and in Florida.

Here, I am trying to see how the new FEMA operates. Let me ask you if you would ask a member of the public to name five things that gave them less confidence in the agency, it was the confusion over the chain of command and, indeed, contradictory statements from within Homeland Security and FEMA about what happens and, indeed, what happened when Katrina broke, and who did what when and who should have done what when. Here is where people began to have real doubts about FEMA being in the Department of Homeland Security in the first place.

Some of us were around when FEMA didn't have to ask anybody. FEMA didn't report to anybody but the President of the United States, and he said, what? Just go. I don't even want to hear it. So that is when you got this entire Committee, 100 percent of the Committee, all of the Chairs and the Committee itself, sponsoring a bill to take FEMA out of the Department of Homeland Security. That was about, in no small measure, who is in charge and who thinks he is in charge when there is a disaster.

You would help us by positing an event or an incident and walking us through the chain of command in the agency today. There is a hurricane.

Admiral JOHNSON. Well, I will describe a hurricane that may occur this coming summer. There is a chain of command that exists at the field level. At the field level, on the Federal side, we will stand up a joint field office. At that joint field office——

Ms. NORTON. Wait a minute. Help us now. There is a hurricane.

Admiral JOHNSON. Right.

Ms. NORTON. Then when you get into levels and all, I am trying to make the public understand, not to mention me, what happens.

Admiral JOHNSON. Right. Hurricane hits in Florida. Craig Fugate, who will talk to you in just a few minutes, will stand his emergency operation center up and the State of Florida will begin to respond to the requirements of that hurricane. In some areas——

Ms. NORTON. Now, I know what Florida will do. By the way, they are perhaps better than the Federal Government. I am trying to find out there is a hurricane. Let me go further and say there is a disaster declaration, because I guess you can't do much, at least at the headquarters level—and that is what I am interested in, chain of command. By the way, how long did it take a disaster to be declared in Katrina?

Admiral JOHNSON. I believe a disaster was declared—I don't know the exact date that the disaster declaration was signed by the President post-Katrina——

Ms. NORTON. Now, did you say whether the strike teams needed to have the disaster declared before they moved?

Admiral JOHNSON. They do not.

Ms. NORTON. Okay. So let's assume the kind of situation that I think is more likely to occur than not. You have the beginning of what could be a major disaster. The President will, I think, quite justifiably say, wait one minute, when I say disaster declaration, I say money. And I don't think he should go around just declaring, you know, from the newspapers.

Admiral JOHNSON. Right.

Ms. NORTON. So your strike teams don't have to wait. That is good. What is the chain of command? This is an agency within an agency. The strike teams don't need anything from headquarters, they just move, or do they need anything from headquarters?

Admiral JOHNSON. The region strike team will work for the regional administrator, and he will direct them to respond to an event in advance of a declaration.

Ms. NORTON. Okay. We have got the strike team not waiting for the declaration. What is the chain of command for what happens next at the Department of Homeland Security, which has the oversight for FEMA?

Admiral JOHNSON. A Federal Coordinating Officer, FCO, has been predesignated for the hurricane season, so——

Ms. NORTON. That officer is part of FEMA or a part of the Department of Homeland Security?

Admiral JOHNSON. A part of FEMA.

Ms. NORTON. Okay.

Admiral JOHNSON. And that person comes with authorities in the Stafford Act. So for the hurricane season we have predesignated them already. So for each of the 11 hurricane impact States we can have you meet the individual who is the FCO. We predesignate so they go to the State now, in advance of hurricane season, meet with the State Office of Emergency Management——

Ms. NORTON. He goes when FEMA tells him to go.

Admiral JOHNSON. That is correct.

Ms. NORTON. He doesn't have to go beyond the Administrator of FEMA.

Admiral JOHNSON. No, ma'am.

Ms. NORTON. Okay.

Admiral JOHNSON. It is at our direction. The FCO arrives and the FCO works for Director Paulison, and the FCO has a staff that works for him or her. So that chain of the command is from the FCO back to the Administrator of FEMA. And if we resolve all those issues, that is where it stops. If the FCO identifies either policy or resource issues that we can't satisfy in FEMA, then we will go to the Secretary.

Ms. NORTON. So you are telling me that FEMA gets to act on its own unless you need more resources or unless there is a new policy issue.

Admiral JOHNSON. That is correct.

Ms. NORTON. That is very important. Otherwise, most Federal agencies never have to ask question, because policy has long been set by the Congress and by the agency Secretary, and resources are all you have got. Resources here, of course, if there are additional resources for an agency declaration, how do they come? The President declares a declaration. Are resources immediately available?

Admiral JOHNSON. That is correct. Resources are available and the Federal Coordinating Officer can use——

Ms. NORTON. And he gets those from where? He gets those resources from whom?

Admiral JOHNSON. Out of the Disaster Relief Fund. So he or she will issue mission assignments to other agencies, and those mission assignments will be paid for out of the Disaster Relief Fund. We will reimburse agencies for costs incurred.

Ms. NORTON. As I hear it, never again will we hear somebody having to go to the Secretary of Homeland Security once there is a disaster, unless the disaster presents new issues. I don't see that Katrina presented any new issue. I recognize that the Post-Katrina Act had not been passed.

Admiral JOHNSON. Right.

Ms. NORTON. But I don't think that Katrina presented any new issue. It was clearly a hurricane; there was, you indicate, almost immediately a declaration and, voila, you are there. Of course, once one saw the size of the hurricane, one would have expected the entire Department to be involved.

Before I ask any more questions, Mr. Arcuri, do you have any? I have only a few more questions that I just want to make sure I ask for the record.

The Committee would be very concerned about the national response plan. Now, for the national response plan could not be more important—here is another one of those Federal words—because the first time that there would be a plan that incorporated the entire United States and all of its sectors: the private sector, the Federal sector, the States, and the local sectors. It obviously doesn't say what each does in some kind of diagram fashion, but it sends the signal that there is a national or comprehensive vision as to what ought to happen in the event of an event, no matter what the event. Now, that is something that we are very focused on. We know that it is due by June, and I must ask you will we have it by June?

Admiral JOHNSON. We have a team, a cross-agency team, a team that includes private sector, a team that includes State and local representation. They are working very intently to incorporate recommendations into the rewrite of the national response plan. We have indicated an intent to have that plan out on the 1st of June, and we still hope to make that target.

Ms. NORTON. The comment period for that plan is as prescribed by the APA, the Administrative Procedure Act?

Admiral JOHNSON. The comment period, when we have a draft of rewritten NRP, then we will put that draft out for comment, and that draft will go out to all the State and local agencies, private sector entities, all of the Federal agencies, and expect their comments to come back.

Ms. NORTON. I am sorry, did you say what the time period was?

Admiral JOHNSON. It will go out, likely, later in May.

Ms. NORTON. No, for comment.

Admiral JOHNSON. Oh, it will go out for about a two week comment period.

Ms. NORTON. Oh, my goodness.

Admiral JOHNSON. When they did the 2004 plan, more than 9,000 comments came back, so we expect a lot of comments to come back that will be adjudicated by our team.

Ms. NORTON. You know, it may take two weeks to read and understand the plan, Admiral Johnson. Where did you get the two week period from? You mean in June, once it gets put out in the first place?

Admiral JOHNSON. No, ma'am. We will take the draft of the plan and that will go out for comment to our constituency groups so they get a chance to see and comment on the draft plan before it becomes a final plan.

Ms. NORTON. So I guess you are trying to beat the June deadline if you are putting it out. The nature of the plan, the cosmic nature of the plan, I recognize there have been some comments, makes it very important that there be adequate time, and you may have to extend the period if there are complaints about it.

Let me ask a final question on agency personnel. The Post-Katrina Act authorizes the Administrator to pay a bonus of 25 percent of basic pay to retain an employee whose qualifications are important to the agency. Has the Administrator paid any retention bonus since the beginning of the year?

Admiral JOHNSON. I would have to come back and give you the specific numbers. I will say yes, that we have used that authorization, and we have used other authorizations within the legislation. In the middle of March we reached 90 percent staffing inside FEMA. It has been a long time since FEMA reached that level of staffing, and our objective——

Ms. NORTON. Say the level again, I am sorry.

Admiral JOHNSON. Ninety percent. So we have less than 10 percent vacant positions. At times we have had as many as 20 percent vacant positions. Last year we had 15 percent vacant positions. So now we are down to less than 10, and our target is to be at 95 percent staffing before hurricane season.

Ms. NORTON. Yes, the Act requires a report on vacant positions, number of applications for those positions, reducing the time and so forth. If you have got 90 percent, you may well be meeting what we expected; however, there are very serious issues from your headquarters staff that I mentioned to you the last time that seem to indicate a morale issue. Is the rate of retention of senior management at FEMA in your headquarters at 90 percent as well?

Admiral JOHNSON. I don't have——

Ms. NORTON. I am sorry, is there attrition of your senior managers or are you at 90 percent there as well?

Admiral JOHNSON. We are at 90 percent staffing across the board. I believe we are at 90 percent staffing with our senior management. But we are seeing, and have seen for a couple years, significant attrition from FEMA both in terms of retirements, people who choose to leave FEMA to work in some other location.

So when I indicate that we are at 90 percent, that is a significant accomplishment because it means that not only have we hired to cover those who depart FEMA and hired in order to cover new positions created, but also hired to fill positions that have long time been vacant. So it is an issue. Attrition is always an issue. But we are able to move beyond that to achieve our staffing level.

Ms. NORTON. Mr. Johnson, what have you done to address the serious morale problems that are reported out of the headquarters that I mentioned to you at the last hearing?

Admiral JOHNSON. First, it would be my contention, Madam Chairwoman, that the letter you are referring to overstates that problem.

Ms. NORTON. Well, we certainly do not——

Admiral JOHNSON. I understand.

Ms. NORTON. We would never accept as gospel such complaints.

Admiral JOHNSON. And as you indicated at our last hearing, I appreciate the context that you raise that issue and context that you have read many of these before and you understand that environment. What I would say is that we have addressed the morale issue in a number of ways, number one, by staffing. So we are filling vacant positions. More than 60 percent of the positions that we have filled have been internal hires, so FEMA people have had a chance to improve themselves and receive higher pay, more responsibility by advancing in the new positions.

We have addressed the morale issues by bringing in good solid leadership, not the least of which is Director Paulison. He holds quarterly meetings with all hands, and held one just two weeks ago, at which he gets a lot of tough questions and a lot of satisfaction both for him and for the employees who get a good chance to engage their administrator and address their issues.

We are very conscious of morale issues and we are very conscious of weariness in FEMA, people who work very, very long hours, all focused on trying to provide good service to the American public.

Ms. NORTON. Have you met with employees, whether with the union or not, or with employees since our last hearing?

Admiral JOHNSON. No, ma'am. I believe our hearing with you was on a Friday, and just the day before, on Thursday, we held an all hands meeting that was attended by several hundred, as well as a video link to all of our 10 regions. That is typically every quarter the Secretary will hold an all hands that links by video to all of FEMA.

Ms. NORTON. Well, if it happens every quarter and you have these problems here, I again say that they must be addressed and again I told you we are really grown up about complaints from the point of view of management or labor. So I would be concerned about morale and indicate whatever the problem, a morale problem is a problem.

Finally, as you are aware, Admiral Johnson, I was concerned in our hearing on the Federal Protective Service that the Department of Homeland Security did not require the new hire for the position of Director of that service to have the traditional law enforcement background. Apparently, he had had some training background, he was in the military.

I spoke with the Chairman of the Full Committee, who has indicated that he has similar concerns, but joins me in having concerns about another of the criticisms of what I am sure you would call the old FEMA, and that was whether people had the requisite emergency service background. I have indicated ways in which you are beginning, I think, to restore confidence in the agency in some of the things, for example, the chain of command that you reports,

the way you handled the most recent events in the Midwest and in Florida.

But I am very concerned about reports about who new hires may be with respect to their background and emergency management, since that was seen as the—if you would name again, the top 5, it would be that top personnel had not had emergency management training. For that matter, the Secretary was a judge when he was appointed. He was a smart man, but he had been a Court of Appeals judge. I can tell you, as a lawyer, the last thing you have done is to manage anything. Lawyers are paid to slow things down; they are experts at bureaucracy. I don't have any particular beef with the Secretary with respect to that, but you can see that from the top on down—and that does not include you, Admiral Johnson—that kind of experience was not exactly very clear.

Therefore, the Chairman and I have decided to ask the Government Accountability Office to conduct an audit of the new hires and personnel transfers into FEMA since January 2007, to ensure the Committee that the new hires—and you tell us that there are a very substantial number of them—have adequate background in emergency response, which would further assure us that there is a new FEMA. We will also ask the Ranking Member and Chairs of the appropriate Subcommittee to join us in asking for that GAO study.

Thank you very much for coming forward today. That is a vote. And would you believe it, I think even I have to vote. I can vote in the Committee of the Whole, so I am going to go to the floor. I will return forthwith. I will return almost immediately. I think other Members will have to remain for final passage, a motion to recommit, but I will return because I am very anxious to move forward with the second panel, and ask your indulgence.

Thank you very much, Admiral Johnson, for appearing.

The hearing will resume in approximately 15 or 20 minutes.

[Recess.]

Ms. NORTON. Thank you very much. I have spoken with the Ranking Member, Mr. Graves, who came at the end of the last part of the hearing, with Admiral Johnson, and he indicated to me that he did not want to detain the witnesses. He is likely to be held past the motion to recommit and the vote, and he will get here if he possibly can, but he said he did not want to detain the witness. I had a good conversation with him and that was his preference.

We have with us—we think the Committee will be best informed by asking Mr. Witt to appear on the panel with Mr. Fugate and Mr. Selves. Mr. James Lee Witt, who, of course, is much remembered here as the first head of FEMA in the Clinton Administration, today is CEO of James Lee Witt Associates, of GlobalOptions Group; William "Craig" Fugate, who is Director of the Florida Division of Emergency Management and a member of the National Emergency Management Association; and Michael D. Selves, who is the President of the International Association of Emergency Managers.

Let's start with Mr. Witt.

TESTIMONY OF JAMES LEE WITT, CEO OF JAMES LEE WITT ASSOCIATES, A PART OF GLOBALOPTIONS GROUP; WILLIAM "CRAIG" FUGATE, DIRECTOR, FLORIDA DIVISION OF EMERGENCY MANAGEMENT, MEMBER, NATIONAL EMERGENCY MANAGEMENT ASSOCIATION; AND MICHAEL D. SELVES, CEM, PRESIDENT, INTERNATIONAL ASSOCIATION OF EMERGENCY MANAGERS

Mr. WITT. Thank you, Madam Chairman, for asking me to participate in this hearing today. Let me just say I appreciate the support of emergency management by Chairman Oberstar, Congressman Young, and the hard working staff of this Committee that has been offered over the years. You were the lone voices expressing concern and raising objections to the inclusion of FEMA into the Department of Homeland Security in 2002, and a lot of us thank you for that.

My concern at the time was that including FEMA as part of the newly formed Department of Homeland Security would dilute the mission of the Department and force FEMA to be overly focused on mitigating one hazard at the expense of others. It was my experience, when serving as Arkansas State Director of Emergency Management in 1980 that FEMA had been overly focused in a particular hazard at that time at the expense of others, and that was because of the cold war and nuclear preparedness.

I see the current situation as being very similar to what we faced when I became FEMA Administrator in 1993. While the threat of terrorism in our world is still very real, I have always feared that FEMA's position within DHS would result in a diversion of resources away from natural hazards in favor of counter-terrorism efforts. When I became Administrator of FEMA in 1993, we needed to refocus the agency's priorities and resources so that many of the national security assets would have dual use for natural disasters as well in an all hazards approach. We realigned personnel and made sure that everything was consistent with our risk-based all hazards focus.

Congress, through the Oversight Appropriations Committee, played a critical role in this reinvent of FEMA, which is why I believe your work here today is so important. Leaders like Congressman Louis Stokes, Congressman Jerry Lewis, Senator Barbara Mikulski, Senator Kip Bond, who worked with us and provided the funds to support in a bipartisan way to get things turned around was very, very important. The partnership between the administration and Congress allowed us to look at legislation changes and clarifications that made FEMA even more effective in responding.

Let me just say the eight years I was at FEMA and the reorganization of FEMA, and the change that happened in FEMA to make it one of the most successful Federal agencies in the Federal Government at that time, that change happened because the employees in FEMA helped make change happen. We empowered the career FEMA employees who had been working on these issues for 20 years and we listened to their ideas and encouraged their innovation. We instituted a new customer service training program where we would focus on not only external customers, but internal customers as well, how we treated each other. We were able to

work together and focused on one mission, a new mission for the agency.

However, the career civil servants of emergency management knew how we could turn FEMA around. All that I and my management team needed to do was to listen and to work with them and establish the goals and priorities for the first year to move the agency forward. This effort to empower the career employees not only happened in Washington, but I think it is important to stress how involved the 10 FEMA regional offices were as well. The regional office staff established good relationships in partner with State and local governments, and we felt it was very important that we planned, trained, and exercised together with our State and local partners.

We worked with our State and local partners to create Statewide plans that mirrored the Federal response plan. We believed that it was our responsibility to make sure that the State and local governments never failed in their response to a disaster, and it was our job to help make sure that they were successful in protecting the lives of property to a community.

I think today, with the risks that we face in our Country, and the risks that State and local governments face, with them being the frontline defense of everything that happens, from natural disasters to terrorist risks, I think it is absolutely critical that we do risk-based, all hazard planning, training, and exercising because a risk-based, all hazard approach is the foundation of everything that we do and how we respond.

When it comes to consequence management, it does not really matter whether it is an earthquake or an explosion that brings down a building. The response and recovery efforts are the same. When the Oklahoma City bombing happened, that was a presidential declared disaster as well as a crime scene. Working the consequence management classes management with the FBI, ATF, and other Federal agencies, it was a very good example of what worked, how it could work, and it was a huge success in that response, with 15 national search and rescue teams working that building, helping the FBI, local law enforcement to preserve evidence at the same time.

But, in closing, let me say this. I think we, as a Nation, need more support for State and local governments, not only the funding grants and EMPG program, but we need more support for them for preparedness training and exercises. And I have not heard once today, but we need to support them in public awareness, public education campaigns so individuals can help themselves to be better prepared.

Thank you for having me.

Ms. NORTON. Thank you very much, Mr. Witt, for your testimony.

Could we hear from Mr. Fugate, Florida Division of Emergency Management?

Mr. FUGATE. Thank you, Chairman Norton, Members. I have submitted my written testimony, so I am going to go into an oral statement.

My representation here is as a State Secretary, but also representing my counterparts through the National Emergency Man-

agement Association, the State secretaries of the other 50 States and territories and the District of Columbia.

Three issues that are very important to us is to maintain the all hazards approach. Madam Chair, you have asked this question, and I am going to give you an answer different than anything you have heard about all hazards. I am going to come back to that.

The continued need by your Committee and Congress in the oversight of FEMA. Again, since the Disaster Mitigation Act of 2000, this is really the first time Congress has actually laid out outcomes an expectations of FEMA. Remember, FEMA doesn't really have any legislation that you can point to that actually describes it; it has always been done through variations of the Civil Defense Act, the Stafford Act, and budget language.

This is the first attempt, really, to say that you should have a director that is qualified, you lay out expectations. Since we all work for the people and you represent the people, it is important that you maintain what those outcomes and expectations of FEMA should be by defining FEMA, versus only allowing it to be defined by budget or the interpretation of policy.

Finally, the last thing is always it requires money. So, Madam Chair, as usual, you can't make this work without funding, and if you only fix FEMA and you only fix FEMA, I ask you this: how many fire trucks does FEMA have here in the District versus how many fire trucks does the District of Columbia have? If there is not a partnership and a team built where most of our resources are, which are not the Federal level, I am sorry to say, even the Department of Defense does not even come close to the number of fire trucks, ambulances, and sworn law enforcement officers, as well as skid loaders, dump trucks, and public works employees in every community in this Country. That is the team. Those are the resources. We need to continue the Emergency Management Performance Grant funding and increase that to continue building that team, so in a disaster we not only look to the Federal Government, we are able to look to every other non-impacted State and community, and look at those resources as part of the national team that can meet our citizens' needs in time of disaster.

So with those three things, let's talk about all hazards. We usually try to define it by disaster. I think that is the wrong approach. I also think it is the wrong approach to say there are natural disasters. There is no such thing. There are hazards that are out there that are only a disaster when we build and live in such a way to make ourselves vulnerable. But what do a hurricane, a wildfire, a drought, a foreign disease outbreak all have in common? We call them natural, but the reality is the response is entirely different. The agencies and equipment are entirely different.

A terrorist sets off a bomb in your community. You get a letter with anthrax, as we did at the AMI Building in Florida. That is a terrorist event. Well, how do you respond to that? What is unique about that? What is different? Well, it is going to take an entirely different response for each one of those. What is the common element? This is what all hazards really means, Madam Chairman. Guess what? The governor of the State of Florida, Governor Charlie Crist, who serves the people that elected him, will be the governor in every one of those events. The sheriff of those jurisdictions will

be the lead law enforcement agency in every one of those events. The local fire department will be the first units on those scenes in every one of those events.

All hazards is you need to build teams based upon your community's resources, not the disaster, because we don't even know what the next disaster is going to be. I know hurricane season starts June 1st, it ends November 30th, but I don't know if we are going to have a storm. I cannot tell you what the next disaster will be. Nor can I plan for every disaster. But if I build a team based upon the key elements that need to occur in a disaster: to be able to make sure we can make our community safe by securing it; that we can reach the injured and get them the medical care not in 72 or 96 hours, but in 24 hours, when you can make a difference, which means it has got to be local or regional-based; that you can meet the basic needs of your community and stabilize that loss and rebuild and recovery, that is what all hazard is.

You may have different agencies that lead, just like we are facing wildfires and drought in Florida. Water management districts are the lead agencies for the droughts; our Division of Forestry is the lead agency for the wildfires. Entirely different issues, entirely different challenges, but it is the same team. It allows us to bring together all of our agencies at the State level—our National Guard, our local governments, our private sector, and our voluntary groups—as one team focusing on the impacts and the consequences of the hazard and its impacts on the community, many of which share many similarities, but occasionally are very unique.

So that is how we have been using the homeland security funds, to build the capability and capacity unique to terrorist threats, weaponized chemicals, biologicals, blasts, and the unfortunate real big concern, improved nuclear devices. But look at what you are going to end up doing in every one of those disasters. You have to reestablish communication with the community; you have got to secure it; you have got to rescue the injured; you have got to stabilize it.

Thank you, Madam Chair.

Ms. NORTON. Thank you very much, Mr. Fugate.

Mr. Selves?

Mr. SELVES. Madam Chairman, thank you for allowing me the opportunity to provide testimony on this important topic today. I want to express our sincerest gratitude for the great support this Subcommittee has always provided to emergency management community, particularly your support of the Emergency Management Performance Grant and, most recently, for the reform of FEMA.

As President of the International Association of Emergency Managers, I represent 3,000 members, most of whom are local emergency managers. Because of the nature of our jobs, I am often asked what do emergency managers do, and I have told my county commissioners that emergency managers are the people you hire to tell you things you don't want to hear, ask you to spend money that you don't have, and prepare preparation for something you don't believe will ever happen. So that is basically what we do.

In order to address today's topic, we need to look at a total national system of emergency management. In the past, this system

has been characterized by a cycle of neglect, crisis, and further neglect. One of my colleagues refers to this as the spare tire cycle of emergency management. Just like we forget and neglect the condition of our car's spare tire until we have a flat; likewise, we forget about and neglect the emergency management system until we need it.

This is very evident by looking at the flawed responses to Hurricane Hugo and Hurricane Andrew, which were essentially repeated in Hurricane Katrina. Why do we seem to bounce from one disaster to the next? The answer, I believe, is that we have failed to commit to a solid, consistent, and enduring all hazards system that links critical partners all the time. If we had such a system, our chances of success would be enhanced regardless of the nature of the last disaster or of the next one. There are some very basic elements which characterize this kind of system. First, it must be comprehensive; it must encompass all potential hazards, all potential impacts relevant to any community. This must take into account all of the impacts of a disaster, not only the physical ones, but the economic ones, the political ones, the sociological ones.

Second, it must be integrated. Such integration demands that linkages are in place and that all relevant agencies at the local, State, and national level are involved and engaged. Without unity of effort before, during, and after any disaster, the effort is going to be chaotic at best and, at worst, doomed to failure. Comprehensive and integrated plans on paper are not sufficient, however. There must be a well established collaborative attitude driving the system. Key stakeholders must be broadly involved, frequently consulted, and their inputs sincerely valued in order to ensure that roles, responsibilities, and relationships are fully understood and adopted. In other words, if we shake hands before the disaster, we won't have to point fingers afterward.

In order to revitalize and maintain this comprehensive system, IAEM would emphasize three critical areas: first, the restoration of the authority and the capability of Federal emergency management agency so that the national effort can be fully integrated once again. Included in this would be your continued oversight of the implementation of the Emergency Management Reform Act of 2006.

Second is the adequate funding of State and local emergency management agencies. Director Witt and Director Fugate have discussed EMPG and its importance, and we would simply say that that needs to be retained as a separate account; it needs to be funded at the full $375 million authorization that it currently has; and it must be based on an all hazards approach.

Thirdly, we believe that there needs to be establishment and support of programs and institutions which sustain a culture of preparedness and answerability to be ready in times of crisis. That includes such things as the Emergency Management Assistance Compact, which allows us to share personnel across State lines in times of emergency; the Emergency Management Accreditation Program, which is a joint NEMA-IAEM program, to ensure that State and local and territorial emergency management functions are consistent and accredited; and then, finally, the Certified Emergency Manager Program, which is an accreditation, a credentialing sys-

tem that IAEM has for emergency managers to ensure that they have the necessary skills land the necessary background and training that they need to do the job under any circumstances. Finally, we would support the Emergency Management Institute as the primary Federal entity for the development of general emergency management education, training, and doctrine.

In closing, your emergency managers at all levels of government are constantly working to restore and improve this national system upon which so much depends. We thank you for your support and understanding in the past, and we ask for your consideration of our needs and our recommendations in the future. Thank you.

Ms. NORTON. Thank you very much, Mr. Selves.

I appreciate the testimony of all three of you. We have a few questions.

They first relate to the chart that we used showing various parts of the Country, and, of course, some parts of the Country have more severe natural disasters than others. Only one part of the Country, where we sit, has had a terrorist disaster, yet, we have every reason to be mindful and prepared that that is the kind of disaster we were least prepared for, leaving aside the example of Katrina, I might add.

This notion of all hazards you heard me ask Admiral Johnson about and the notion of comprehensiveness and being able to do everything because, come what may, you are going to have to do it anyway, was, from the very beginning, what FEMA understood, and once it went into Homeland Security, there was testimony after testimony that said that is the way it was going to be; we just prepared to do whatever comes up.

A number of changes were made simply because FEMA was in another agency, and one of those changes was the fusing of funds for terrorism, prevention, and natural hazards. You heard me ask Mr. Johnson, perhaps, about the very small amount, the second chart, only 10 percent for natural hazards. I said at the same time I wasn't suggesting that Homeland Security should not get the same funding, but I did note that keeping the 10 percent has been very difficult because of the application process, among other things.

I have stopped using the word "all hazards" because I think that once you say that, I still don't know what people are talking about and hazards have been redefined in terms of terrorism. People are aware that emergency managers get most of their equipment from the States and localities that deal with emergencies, and that terrorism presented a need for entirely new strategies, new equipment that the States had no reason to have.

I would like your view of the fusing of funding; your view of the 10 percent, bearing in mind that the Federal Government is not supposed to be paying for most of what emergency responders to because most of what they do comes out of their local budgets and we are not trying to displace that, nor could we. Whereas, of course, neither local nor the national budget dealt with so-called terrorist funding.

What is your understanding of the way this funding is divided, and do you think it is appropriate?

Does Mr. Witt want to go first? Actually, whoever wants to go first.

Mr. FUGATE. Madam Chair, our experience in Florida is that, immediately after the attack, the primary focus on terrorism, which was actually pre-September 11th, was on chem and bio threats. We saw that continue in the initial appropriations after 2001, although we saw in the attacks the primary threat was blast crush and the types of injuries and deaths you were going to see with explosives, which had been primarily the tool we have seen in the Middle East, suicide bombers, suicide trucks, and those types of events, going all the way back to the Oklahoma City bombing. But recognizing that chem and bio was a threat, we began looking at those funds and how you build capacity.

Now, Florida faces unique challenges because we are a major tourist destination, we have major ports. The terrorists trained for the attack in Florida. We had the first anthrax——

Ms. NORTON. Did all that come out of the terrorist funding?

Mr. WITT. Well, the funding was coming out, for this particular area, was predating September 11th, were funds that were already made available to States began planning for weapons of mass destruction. So when you really started talking about——

Ms. NORTON. So those funds came from where, then?

Mr. WITT. They came from the Federal Government as part of——

Ms. NORTON. Was this before the establishment of the Department of Homeland Security?

Mr. WITT. Yes, ma'am. These were funds that were coming out of the Department of Justice, which, if you go back in history, explains some of the trouble we had as these programs began merging together. You were taking programs out of the Department of Justice, with their management style and application, bringing them in to the Homeland Security Department that had a totally different—well, first of all, Homeland Security had no culture because it was a collection of pieces.

So you have one set of programming and guidance coming down from the Justice Department; you have another set of funding that was coming down from FEMA; you had other funding that was coming down from Transportation, all being merged into those programs. So we actually went through several years of changing and conflicting prioritizations based upon which way organizations were trying to implement these plans based upon where they had come from. So as programs moved, program guidance would change, even though the intent from Congress was the same.

We saw money moved out of Transportation that went to Homeland Security that under Transportation would have made it eligible for Florida to fence our ports, but when it got to Homeland Security under the Justice programs, they did not do capital projects, so they disallowed the fencing issues but said find a way to spend the money.

These were some of the challenges we faced in building our capability of responding to these threats, building capacity on top of resources we already had, and looking at the threats of weapons of mass destruction, but also looking at, increasingly, the real risk, which was going to be bomb and blast type destruction. So we had

to build more search and rescue teams; we had to increase our hospital capacity for burn and crush injuries, which we did not have.

As we saw on September 11th, you literally had to fly burn patients from this area all over the Country because our ability to deal with those types of patients wasn't very robust. Yet, we were spending lots of money on doing chemical protection with antidotes for chemical weapons that have yet to be used in the States.

So we went through, as the States, oftentimes year-to-year, a lot of conflicting and often changing parties trying to build systems and capacities to deal with these threats, and the one thing that we didn't see early on was the prevention element. We were spending a lot of time focusing on the consequence of an event and not as much on how to prevent and harden against events.

Now, that has been rectified. Congress has come back and put more emphasis in prevention. But when you dump all this into the States and the local governments in what we considered a state of war, and trying to get ready, it produced huge challenges. To this day, even moving these programs back to FEMA, there won't be a quick fix as we try to reconcile how we prioritize, what is the responsibility and role of the Federal Government to fund what in many cases is a national threat versus roles and responsibilities local governments have for the day-to-day emergencies and challenges they face, and making sure that is balanced.

I think it has been one way on the weapons of mass destruction and terrorism. I think it needs to switch back. But I think there also has to be buy-in. You give us money for homeland security at 100 percent; everything else is a match requirement. I think match kind of goes against being a State and local. But unless you have some ownership of the process, I think you get some of the results you have with 100 percent Federal programs. When locals have to punt up and those boards have to vote money for it, I think you start seeing where the community really puts their parties and their issues.

Ms. NORTON. Do either of you have anything to say about that question?

Mr. WITT. Madam Chairman, I would just say this. The money that has gone through the Department of Homeland Security to State and local governments to buy the type of equipment that they might need for a biological terrorist type event is basically to mitigate and prevent responders and communities from becoming a victim.

But if you look at it generically across the Country, Florida has probably done a better of intertwining homeland security terrorism funding with the CDBG and everything that they are doing with State funds and all the different ones, and working with their communities. But you go into other areas and the terrorism funding down into some States, a lot of time it has created problems and making emergency management less effective than it was before the funds ever came there, because everybody is focusing on terrorism.

So I have seen it working both ways. I think there needs to be, through this Committee and what you are doing, moving preparedness training and exercising grants back under FEMA is an excellent step, but I think as this evolves and this oversight Committee

continues to look at this, then I think it is going to be important that you look at what kind of standards are established—there are still yet no standards for inoperability of public safety communications—and other standards that people are going to have to come up to and meet. They are not there right now, and I don't know what you—but is not good.

Ms. NORTON. Mr. Selves?

Mr. SELVES. Well, I think Director Witt referred to something earlier called crisis management and consequence management, and I think those are important concepts that we need to keep in mind. FEMA had always been consequence management oriented. In other words, it didn't matter what the nature of the disaster or the event was, we planned and organized ourselves to perform functions that were necessary to deal with the impact of that disaster.

All disasters pretty much have certain things in common: they have sick people; they have injured people; they have dead people; they have destroyed infrastructure; they have building collapsed; transportation that is disrupted. And all of those things fell under FEMA's responsibility under the consequence management part of that.

Certainly, FBI and the Department of Justice had equally important, if not more important, responsibilities for investigating, preventing, capturing, prosecuting, and doing all the things necessary to deal with the terrorist event, but when we talk about all hazards from an emergency management point of view, we mean all.

And the priorities that we would set on the kinds of equipment that we would have, the kind of training that we would put forward would be, first of all, those things that are common to all hazards that we need to be able to provide for at the local level, and that would be our approach to it, and that is what we mean by all hazards, is that it doesn't matter what the hazard is. We try to create a capability that is ongoing to deal with it regardless of what it is and when it might occur.

Ms. NORTON. Well, when you create a whole new department based on a terrorist attack, then obviously you lose your balance, and one of the things we tried to do with the Post-Katrina Act—you lose the balance so bad that you have a Katrina. And one of the things that we are trying to do with the Post-Katrina Act was somehow to get that balance back.

What all three of you have had to say about all the hazards is very important to us. Obviously, it hides a multitude of subsets when you consider what the day-to-day work of emergency responders are and consider that, nevertheless, they have to be responsible for whatever happens, including a terrorist event. We expect the Department to be able to find its way, but we are concerned that it be flexible enough to do so because, as it learns more, all hazards and some greater balance will occur, you are aware that the Congress gave FEMA more autonomy after there was a serious disagreement among Committees, indeed, three Committees, I guess, as to whether FEMA ought to be entirely independent.

You heard me ask about the reporting relationship. Having made a compromise that leaves FEMA within the Department of Homeland Security, but with some greater autonomy, I was trying to

find out what that means. Are you convinced that the reporting relationship created by the Post-Katrina Act within the Department of Homeland Security makes FEMA nimble enough to move even though it is within a super-agency? Move and get the job done everywhere, all the time, to assist first responders?

Yes, Mr. Witt.

Mr. WITT. Madam Chair, I think that it is a move in the right direction, making FEMA autonomous with its own budget. I think it is important that the Administrator of FEMA reports directly to the President during presidential disaster declarations. I have——

Ms. NORTON. I am sorry, what was that last thing you said?

Mr. WITT. I think it is important that the Administrator of FEMA report directly to the President during presidential disaster declarations.

Ms. NORTON. Well, wait a minute. Even though he reports to the Secretary, I suppose, all the time because he is within DHS, you think his reporting relationship should shift, is that what you are saying?

Mr. WITT. The Administrator should report directly to the President during a presidential disaster.

Also, I have a tremendous concern and cannot understand why they have an FCO and a PFO.

Ms. NORTON. Well, would you describe—Mr. Selves spoke about that. There seems to be some real concern about this. Here we go with another bureaucratic term, principal Federal official. Would you speak in layman terms about——

Mr. WITT. Okay. Let me just say this.

Ms. NORTON.—both the functions and why you think that it is appropriate?

Mr. WITT. When I was Administrator of FEMA, we created the Federal Coordinating Officer Program. The Federal Coordinating Officer, the intent of that was to be the President's person on the ground to make the decisions that needed to be made quickly, working with the State Secretary of that State during a crisis. And then they added a PFO. What authority does a PFO have or what is the intent of a PFO? I have never understood that.

Ms. NORTON. Well, does that mean that there is a dual report——

Mr. WITT. I am not sure how they report. It is another added layer of bureaucracy between the——

Ms. NORTON. What did they say? Why was he added? I suppose I should be asking Admiral Johnson.

Mr. SELVES. Maybe Craig knows.

Ms. NORTON. You may be aware of what their rationale was.

Mr. FUGATE. Madam Chair, the Principal Federal Official, as it was originally intended to be, was for, prior to an event being declared, to help coordinate between the Department of Justice and FEMA. That was the original role. As it has been utilized, I have to take into question why Admiral Johnson stated that the Federal Coordinating Officer has the full authority of the President to direct activities of all Federal agencies.

Yet, we also heard that the Principal Federal Official was there to referee if the Federal agencies weren't playing nice with the FCO. That either tells me the FCO is impotent or the FCO doesn't

have any authority, because as you see it, the Principal Federal Official is usually, in the hierarchy of Federal Government, a senior Federal official who outranks the Federal Coordinating Officer. My job representing Governor Crist is to go into a unified command with the person that represents the President and the Federal response plan or the national response plan, which just——

Ms. NORTON. And who would that be in your case?

Mr. FUGATE. Under the Stafford Act and under statutes, the authority is vested in the Federal Coordinating Officer. Yet, I will have a Principal Federal Official assigned to us who will be, again, as we understand it, providing information back to the Secretary of Homeland Security and providing coordination between the Federal agencies. So either the FCO has authority——

Ms. NORTON. How is coordination with the Federal agencies done before

Mr. FUGATE. Through the Federal Coordinating Officer. And it wasn't so much that the Federal Coordinating Officer was in negotiation with other Federal agencies. The Federal Coordinating Officer in a declared disaster, ideally responding to a governor's request for assistance, had directive authority to other Federal agencies. It was a tasking ability to get Federal resources quickly to save lives, property, and mitigate the impacts of a disaster.

Ms. NORTON. Well, the allegation is that this is Homeland Security's way of keeping in the game.

Mr. FUGATE. Madam Chairman, I cannot go into the intent or what——

Ms. NORTON. I want to know what the effect is.

Mr. FUGATE. But I can tell you that when a Principal Federal Official is assigned to Florida, I immediately ask that they be made the Federal Coordinating Officer. It makes no sense to have a Federal Coordinating Officer who then has a PFO over them and a reporting relationship between the governor of the State of Florida——

Ms. NORTON. You think the both of those would be reporting to FEMA, in effect? Or do you think it stops with FEMA or the Principal Federal Official goes somewhere else, like to Department of Homeland Security?

Mr. FUGATE. Madam Chair, my understanding is the Principal Federal Official does part of the reporting back to the Secretary of Homeland Security. We have only asked that those two positions, if they are applied in Florida, be combined so that, for Governor Crist, he is dealing with the President's representative, not two different people.

Ms. NORTON. I tell you one thing. If the whole point in a deficit-ridden budget, is efficiency and saving funds, I can't imagine that this would be the Administration that wants to add to the bureaucracy. This is a matter of efficiency that I think should be brought to the attention of the appropriators and of our Committee.

You see no separate function once a disaster has occurred? Do any of you see a separate function?

Mr. SELVES. No.

Mr. WITT. No, ma'am.

Ms. NORTON. Have you seen them in action? How do they operate; they are both there?

Mr. FUGATE. Madam Chair——

Ms. NORTON. Mr. Selves raised this point too. Yes.

Mr. SELVES. I think the important point that our members who have been affected by this see—and obviously the State government is more involved in this process than we are, but our members are talking about the effects, and the effects are a degree of confusion. In any particular situation, especially a chaotic situation like a disaster, you want to have clear guidance and clear understanding of what your major partner, the Federal Government, is going to do.

What our members are reporting is that, in Hurricane Katrina and other situations, the existence of a Principal Federal Official and a Federal Coordinating Officer, which is what we have traditionally dealt with, is very confusing because you don't know—unless, as Craig has suggested, you have one person be the same two functions, you don't really trust and know whether or not you are going to have that the decisions that are made, and that you have to act on as a State or local official, are going to be supported once it gets back to Washington. I think that is the main concern that most people have with this dual positions; not so much that there are two of them, but that they create a confusion as to exactly who should we listen to as far as what we can and can't do.

Ms. NORTON. That sounds like a disaster in the making. Suppose they disagree? Nobody is trying to cut the Department of Homeland Security out; okay, they are in FEMA. But it does seem to me that that is what the head of FEMA is for, is to keep the Department of Homeland Security informed. And if he wants to have special assistants and the rest that he learns stuff from. How many of these Principal Federal Officials do we have? Committee will find out. If trying to use money where it is needed, then I would be very concerned about that.

Leaving aside the Principal Federal Official, do you think that, given what you know about pre-Katrina, do you think that the agency will be able to function adequately within the Department of Homeland Security? Whichever of you wishes to step up to that one.

Mr. WITT. Madam Chairman, I have always advocated that FEMA needed to be independent and outside the Homeland Security.

Ms. NORTON. But that is where we are now, so I need to know what are the—you know what the chain of command is. You have already told us one way to improve it: not have these two officers who overlap with one another. I am interested in knowing, given that this is where we are, what do you think is the effect and are there things we can do, given the present structure, to make sure that that is as flexible and nimble as the agency needs to be.

Mr. WITT. Let me just add I think the changes you have made is a step forward. It is how those changes are implemented and carried out is whether or not the agency will move forward to be better prepared and be able to respond in support of State and local government. One of the biggest problems that I would suggest, Madam Chairman, that the Committee look at is not only the decision process in the declaration as well as the response to a hazard or an event, it is the decision process that is made in the recov-

ery of that event, and what chain of command in and who has the authority to do it, because I can tell you it is really, really difficult at different times in getting decisions made in a timely way to be able to not only reimburse local governments in recovery efforts, but to move it forward much faster than it is in today's process.

Mr. FUGATE. Madam Chair, from the State of Florida's perspective, FEMA is already part of DHS. I think moving FEMA again isn't really getting to the bottom line. I think the bottom line is to continue oversight of the Katrina Reform Act. I think we lose more by trying to move it once again, as much as to continue the oversight and go with the basic principal that was established with the late Governor Chiles, Governor Bush, and now with Governor Crist, that in a disaster they have to have the person they trust managing their team that is working all those resources on behalf of the people that we represent.

I think that is the important relationship. The FEMA Director must have clear and unabridged access to the President and must be seen as the President's principal in dealing with and managing a disaster on behalf of the Federal Government. If they are seen as subordinate to the Secretary of Homeland Security during a disaster, that gives other departments the ability to negotiate with the Secretary for those things that they wish not to do at the direction of FEMA. And in a disaster the President needs one captain, one coach, one leader, not a Committee vetoing each other's decisions when issues are being raised and governors need answers and citizens need help.

Ms. NORTON. I would like all of you to comment on something in Mr. Witt's testimony. Normally, everybody talks about one-stop shopping, but he uses another word: one-stop grants shopping for State and local governments. And you state, Mr. Witt, that it doesn't allow the Country to prepare effectively for natural hazards or terrorism. Could you elaborate? Then perhaps Mr. Selves and Mr. Fugate would comment on that idea.

Mr. WITT. I think when it was shifted over through the grant programs into the Department of Homeland Security, I think it was problematic for them. What is a one-stop shop grant program? What does that cover? I think the primary focus of it as a one-stop grant program under Homeland Security was it was leaning towards terrorism, not an all hazard approach in grants. I think that the grant program being shifted back to FEMA will add some value, and I think, as you look at it and as it evolves, I think it will improve.

Ms. NORTON. Mr. Selves?

Mr. SELVES. Yes. When this occurred, I think a lot of us in our community were in favor. In fact, we probably were complaining about the number of different stovepipe grant programs that were out there. How do you go about identifying where those programs are, who has them? How do you go about applying for them? So I think a lot of us in the community said, you know, we really wish that you would have one place within DHS where we can go and get whatever applicable grant for our community.

I think the law of unintended consequences came into play here and what we got was a mind-set that we have to make all of these grants, in terms of policy, the same, and that was not what we

were asking for. What we were asking for was one central administrative agency that we could go to and say, okay, if we need grants for emergency management performance type activities, we go here; if we need money for chem bio equipment, we go to the same place, rather than the stovepipe systems that we had before.

What we did not advocate, and do not advocate, is that all these grant programs now become similar in terms of what they are trying to achieve and so on, and I think maybe that is what Director Witt was referring to when he said that the impetus seems to be on making all of these terrorism-related because they were in DHS GNT and are now in FEMA. Hopefully, when they get back under FEMA, the folks in FEMA understand the purposes of a number of these grants, particularly EMPG, and understand that it is an all hazard grant, and has to be; otherwise, it is basically there to provide the people power necessary to do all the coordination, all of the answers to all of the questions at the local level and the State level that you have been asking today. That is what the emergency managers are there for.

We originally had some issues because DHS says, well, you can't use this for personnel. Well, that is like asking the chef to make a hamburger, but don't give him any meat. You know, you have got to have people that make this happen, and that is one of the issues that we had with what has occurred with respect to the grants; not that they are administered in one place, but that there seemed to be some impetus to put them together in kind of a vanilla type situation.

Mr. FUGATE. Madam Chair, the rule of unintended consequences applied here. We thought, by bringing the grants into one shop, we would tear down the silos, break down the walls, and began to use those grants more systemically to solve problems than each program. The unintended consequence of that—and I don't think this is an evil intent, I just think it is a natural nature within the bureaucracy—was since you had brought in Justice and those programs from there, they tried to move those grants in to fit in the programs that they were used to administering, they were comfortable with, they had the tools developed to assess and audit. Unfortunately, the other programs were never designed that way, so they didn't fit and there was a lot of frustration.

I think that, yes, one-stop shops are good as long as you understand that you need different tools and different measures for the different grants, because Congress has intended different things to happen with those monies.

But here is my question. How many times do we have to audit the program? We haven't basically operated under a single audit act, but I find that the variety of grants—I get asked the same questions by different staffers, generally during spring and winter months in Florida, on programs that are very commonly related and oftentimes share the same results. Yet, because it was funded out of this pocket or this pocket, those folks come down and do the same audits and over and over and over again. We follow a single audit act. We follow the law. Yet, we get audited over and over again.

Ms. NORTON. Were they trying to find out whether you were using for terrorism or for some other purpose, is that it?

Mr. FUGATE. Ma'am, they are asking us and going back through the way they designed those grants, trying to look at performance. They are trying to answer questions Congress has asked. They are trying to answer questions the Administration has asked. It just seems that if we were trying to make the commonality elements in a one-stop shop work, we could answer those questions once and not multiple times.

In fact, I believe FEMA has actually commissioned a study of going out and assessing how many different programs are asking the same questions in different areas, trying to measure what we are doing. We have Accreditation, we have the Emergency Management Performance Grants, we have the Homeland Security Grants, we have the Urban Security Initiative Grants. Well, many of them overlap and the questions are the same, but you are asked differently because they are different pots of money.

Ms. NORTON. Now that Congress has at least now said, okay, what little bit of money FEMA has is going to be given out by FEMA, the tilt—it is a whole lot more than a tilt, and we heard the complaints, that we are too early in the Act to know whether it makes a different. The Committee feels very strongly that if we are talking about only 10 percent, the kind of soundings we get, that even now there are complaints about the terrorism tilt, that would be very disturbing.

But bear this in mind: nobody would have funded emergency responders in the first place in these large amounts but for a terrorist event. So what you are having is a kind of mechanical distinction. People say all hazards and then they try to parse money as if, in fact, hazards occur as terrorist hazards, and that is all we fund because we are the Federal Government; you are supposed to fund the rest of those hazards. All hazards occur as natural disasters. And I don't know if the Government will ever learn, but we are trying to learn from this last iteration of the Stafford Act.

I have a question for Mr. Fugate from Mr. Mica, who asked that I ask how do we ensure the Federal response to a catastrophic disaster is proactive enough to meet the need but does not overstep the State's authority?

Mr. FUGATE. Madam Chair, you build a team. We have to recognize that there are two directions I see us going in: one is trying to beef up on the Federal side, FEMA and the Federal apparatus. Without recognizing without strong State and local emergency management programs, that system is too expensive and will fail. The way we do it is local government, State government, Federal Government have to work as partners, as one team. That means when the Federal Coordinating Officer is appointed, we go into a unified command meeting; I sit with them and we make decisions jointly. It isn't a State mission; it is not a Federal mission; it is the team's mission to meet those needs, and we have resources on both sides.

But in a catastrophic disaster, I have often heard this term, Madam Chair, I want to define catastrophic disaster because I am tired of the media defining it for me. I look at a catastrophic disaster as this: when the State of Florida loses its constitutional ability to carry out its mandate to its citizens, then it is catastrophic and the President needs to step in.

But until such time as the governor of the State of Florida cannot carry out or is unwilling to carry out their constitutional responsibility to protect the civil rights of their citizens, the Federal Government is our partner, not our boss, and they come in to support the governor and his team, which is local and working with all local governments to meet those challenges. It becomes the skill of disaster.

But we do recognize that with the threat of terrorism there may be that unthinkable event that results in the State government being the casualty and there not being a governor or not being able to carry out their constitutional mandate to meet the basic civil rights that our citizens demand, and that is when it is appropriate for the Federal Government to take the lead role until State government can be reconstituted. That is the history of our Country through civil rights, through war, and through disasters. So we think a catastrophic disaster, in our definition, is when we fail and our governor is not able to carry out, because of death or injury, their constitutional responsibilities; otherwise,——

Ms. NORTON. Well, that certainly would not be most of the time.

Mr. FUGATE. That is it.

Ms. NORTON. It is interesting that you say that. It is interesting Mr. Mica thought he had to ask that question because one had the authority that you always hear the Federal Government say they defer to the States and, of course, they don't know what is happening on the ground nearly as much as the States would, so it is interesting if you say in non-catastrophic disasters you still have a problem of the Federal Government wanting to take the lead.

Mr. FUGATE. Madam Chair, you pass the law as a body—I hope you agree with it—that places the National Guard under the President in a natural disaster, but doesn't take the authority of the governor to manage the disaster away from the governor. You just take his National Guard and federalize them. That is an option the President has. That is really troublesome, that we have seen all that type of legislation come out, thinking we learned the lessons of Katrina.

If the local governments and State governments are going to truly be the front line, we need to support and fund them. But every time we come in at the Federal level and we assume more responsibility for their responsibilities, we develop capabilities and respond without really putting some onus on them to do it, you literally force State governments to make decisions about funding. Well, if the Federal Government is going to do it, why should we fund it? If the Federal Government is going to show up and do everything for us, why should we do it?

Ms. NORTON. Well, let me ask you this. Does the fact that, for example, after a declaration, Federal funds begin to flow mean that the Federal Government feels it has got to take more responsibility because Federal funds are involved?

Mr. FUGATE. Director Witt?

Mr. WITT. Let me just say this. FEMA's role and responsibility was to work with the States in making sure that they could provide the resources to the States that the States asked for, not to go in and take over a disaster. We were there in support of the States and——

Ms. NORTON. Do you really think FEMA has been taking control of disasters, taking over disasters in the States? Did that happen in the tornadoes? Something happened, because Mr. Mica asked me to ask this question about make sure it does not step over the State's authority.

Mr. WITT. And you shouldn't. The Federal Government is there as a resource to State government.

Ms. NORTON. Is this a common complaint?

Mr. Witt? What now?

Mr. WITT. Is this a common complaint, that when there is a declaration, that the Federal Government does not operate as a team, FEMA and the rest do not operate as a team, but seem to want to take over the handling of the disaster? Mr. Selves?

Mr. SELVES. I am not sure I would characterize it as wanting to take over after a disaster. Over the last few years, I think those of us at the local level have seen FEMA and the Federal partnership that has been talked about here becoming more remote. There is less of a person-to-person interaction so that we are working with people we know and trust and who understand those boundaries that we have just been talking about.

I think one of the problems that occurs when we emphasize catastrophic disasters as we have is that in addition to what has already been said, there is also a tendency to look at the funding formulas and the emphasis on funding. If the Federal Government is expected to come in and play a major role because the local officials, or the State officials in some cases, can't do the job, then, naturally, that funding is going to look to provide a Federal capability instead of a State and local one.

This is a vicious cycle, because if you give us less money and give us less authority and so on and so forth, then the attitude is going to be, well, you know, they are really incapable of doing the job, so we have got to do it for them, and pretty soon you will come to a Federal allocation or appropriation that is going to stagger you because the Federal Government cannot do it; it has to be a partnership.

And I think that is, over the last few years, what we have found to be the issue, is the remoteness of the Federal Government, the lack of knowledge of who those folks are, and the respect of the boundaries that might take place, maybe not out of any malintent, but because of a misunderstanding or a feeling that, well, if we don't get in there and do something, right or wrong, then we are going to be criticized for it, so we have got to be much more aggressive with the States and locals.

Ms. NORTON. I will ask one last question, because we want to get on to the next panel, that the Ranking Member, Mr. Graves has asked me to ask of you because you both are from Kansas City. In your written testimony you mention the potential impacts on Kansas City from an earthquake on the new Madrid Fault. Could you describe what you might face in Kansas City and what Congress should be doing to help Kansas City prepare?

Mr. SELVES. Thank you. Yes, I belong to an organization within the Kansas City metropolitan area. I represent the southwest suburbs of the Kansas City Metro area on the Kansas side. We have about a half a million folks, 20 cities in my county. But we work

with all of the 8 counties in the Kansas City Metro and their emergency managers, and over the last few months, especially, we have been asked by the Federal Government to prepare catastrophic plans for catastrophic events.

Well, if you look at Kansas City, we don't have hazards that are very likely to create a catastrophic event. What we do have come to the conclusion is that if there is a catastrophic event on the new Madrid Fault, that the City of St. Louis will be rendered pretty much in the same situation or worse as the City of New Orleans was during Katrina, and we look at our major responsibility in a catastrophe to act as the Houston to St. Louis's New Orleans, and that is something that we have just come to realize and begun to look at our ability to provide mass care, our ability to house and to take care of.

And I think that that brings up a point that I would like this Committee and others to consider, and that is the support and the programs that are available to communities and States who are required to serve as the receivers of evacuees from disaster areas. We saw tremendous burdens placed on areas in Northern Louisiana and certainly in the City of Houston and various other places around the Country, and those folks were willing to step up and do that job, but there didn't seem to be a lot of good policy and good procedures in place to help those communities out that reached out and helped those evacuees. So that is something we are concerned about in our area.

Ms. NORTON. Well, we will make sure that Mr. Graves hears that response, because if ever there was an afterthought, it was about the receiving areas, and they still are coming back. And every time we do something, for example, for the Louisiana area, we have to do something for those other areas as well. But, again, I am not sure the statute makes that clear enough, and I am asking staff to look and see whether or not—we should not be doing that on an ad hoc basis, and if they need to be prepared to receive people, then that too ought to be a part of the homeland security mission.

Mr. SELVES. You can tell the Ranking Member that we will be happy to send some of those folks up to St. Joseph as well.

Ms. NORTON. Mr. Witt, you wanted to comment on that matter?

Mr. WITT. No, I think Mike did a good job.

I would like to make a statement, if it is appropriate, before we leave.

Ms. NORTON. Please do.

Mr. WITT. You know, the eight years I was at FEMA we had the opportunity to reorganize and refocus the agency into a more responsive plan and preparedness, and we focused on mitigation and prevention, and I would encourage you to keep the mitigation side of funding to States and local governments to mitigate the risks in these States' cities and counties. It is so important.

Also, let me just say I think Director Paulison is a very good man. I have known him for a long time; I worked with him over the years when he was fire chief in Miami Dade and director of emergency management. I think if this Committee will empower him and support him to make those changes necessary, I think you will see an agency come back strong.

Ms. NORTON. Well, I know he will be glad to have that seal of approval from you.

Mr. WITT. Let me just say——

Ms. NORTON. We know that he had emergency management experience, and that is why he has our confidence. We want to make sure the GAO report that, down the line, we have got people with emergency management experience, because you saw what happened when the top of the agency didn't have it, then it turns out that below the agency you had the same problem. They are bringing many people in, and the Chairman and I have asked for a GAO audit right now, before we get locked in with people who may not have the necessary experience. It was a shot across our bow when another agency in the Department of Homeland Security, the Federal Protective Service, takes on somebody who was rated most qualified who had indeed had deep police experience and he did not get the job. So that is all I need to know to know that we have to take a look.

Mr. Chairman, I have already indicated that you and I will be asking for a GAO report to audit personnel selections in the agency, and I have already said that we will ask the Chair and the Ranking Members of the Full Committee and of our Subcommittee to join us in asking for that report. And I am very pleased you were able to come. I know how busy the Chairman is. He had told me personally that I am going to come to that hearing. This is how important he believed this hearing to be, and I am happy to welcome a man that all of you know, because anyone who knows anything about this field knows Jim Oberstar, the Chairman of the Full Committee.

Mr. OBERSTAR. Thank you, Madam Chair. You are doing wonderfully on your own. I appreciate that, but I do have so many requests from our colleagues to participate with delegations coming from their districts here, so I regret I was not able to be here at the outset.

While it is delightful and important for us, beneficial to have the former Director of FEMA, I am disappointed we don't have the current Director. He felt it more important to be at an embassy briefing than to be at a Committee hearing, and that is unacceptable.

I listened with great interest to the discussion that unfolded. I read the testimony from all the participants at our hearing late last night, into the early hours. FEMA didn't start out to be FEMA, it started out as Civil Defense.

I think I just need to create a little historical context, not for the edification of the participants at the witness table, but for the historical record of the Committee.

Over time, as we moved away from fear of nuclear holocaust and stocked up our cellars with provisions, water and cans of food, and learned how to dig a hole in the backyard and pull the door over the top of our little shelter, events were happening, tornadoes, snowstorms in the northern tier, hurricanes in the southern coastal region, and folks said we need help, and they turned to the Civil Defense directors respectively across the Country, because they had the sense of organization, a response plan, a departure plan from the cities in case of tragedy; they had the organizational ability, they had the communications equipment.

And as more demands were made upon the Civil Defense, there were more needs, and there were also more requests from States to the Federal Government to provide financial help, and in various cases support from the National Guard. Disaster declarations by the President were few in number up into the 1970s.

But then, if you look back at the history, we began to see the rise of cost and frequency of natural disasters and increasing pressure on the Civil Defense organizations who were evolving into an all hazards response organization. Then came the Reagan Administration and they took a look at the funding and the response, and the president submitted, in 1987, a budget which totally turned on its head the Federal-State-local participation formula that you were talking about earlier with the distinguished Chair.

In most cases there would be no Federal support under this Reagan Administration plan; in some cases there would be 75 local, 25 Federal. And it was a Member of Congress from Pennsylvania, Republican, who came to me as Chair of the Investigations and Oversight Subcommittee and my counterpart, Ranking Republican Member Mr. Klinger of Pennsylvania and said this is terrible; we have just had a tragedy in Pennsylvania. We couldn't afford all the costs ourselves. This new policy will bankrupt towns and counties and townships, and we would like you to have a hearing on the subject matter. He was even proposing that we have legislative initiative to address the problem. So we had the hearing.

They brought in the Civil Defense directors from all over the Country. We found that there was unanimous objection to this new policy, pointing out that these massive storms cover multi-counties, multi-States. They are national in interest and in effect, and we established quite a hearing record. Out of this developed legislation that created the structure for what became FEMA.

And I gave the legislative draft to the Member from Pennsylvania, I said, you introduce the bill and we will have the legislative Committee hold hearings on it and we will move this bill through. He was surprised, because that doesn't happen when you are in the minority, that the majority gives you a bill and says, here, you go and manage it, handle it. I said, no, you have done the right thing. You had the courage to stand up against your own administration on a matter that has now taken on national significance.

So he introduced the bill, I co-sponsored it, Mr. Klinger co-sponsored it. The bill passed the House, the Senate, eventually was signed into law under—wrapped it into something else because, of course, that White House was not going to sign such a bill. We wrapped it into another omnibus bill and it became law.

That Member was Tom Ridge, later the first Secretary of Homeland Security. I will never forget, after he was appointed, he came up to see me, he said, it all started with you. But it started with good public policy and, Mr. Witt, you extended that good public policy. I think the apogee of FEMA's service to the Country. I know Mr. Shuster, our former Chairman of the Committee, would concur in this judgement of the apogee of service of FEMA was under your distinguished leadership. You developed a pre-disaster mitigation program.

Now we have seen this thing sort of coming full circle, and when the Administration proposed the development of the Homeland Se-

curity Department, both then Chairman Young and I opposed inclusion of FEMA and Coast Guard in this Department. We opposed it at the White House in a meeting with the President; we opposed it at the hearing of the Committee to create Homeland Security; and on the House floor I offered an amendment to delete FEMA from the Homeland Security Department.

I said in my closing argument for my amendment, imagine the scenario, the flood waters are creeping up to the eaves of your house; you are standing on the roof with your cell phone and a white handkerchief, trying to call FEMA and you get the Department of Homeland Security and they tell you, well, they are out looking for terrorists. That is what you are going to see if you do this. That is what will happen with this Department, it will be absorbed with this agency, it will be absorbed into this new Department. And the staff will be syphoned off and the money which is fungible will be dispersed to other parts of this grass department.

Well, it was hardly a year and a half later that Katrina struck and how many images are engraved in our minds of people standing on their rooftops, waving white handkerchiefs and on their cell phones? Now, I was not a Nostradamus predicting the future, but just my own years of experience around the Capitol and in government know that when you create something this big, that is what is going to happen. And it did happen, tragically.

So now the Department has come up with a new plan to recreate what they in effect destroyed, and, in fact, what I predicted did happen. Staff were syphoned off; half of them were bled from FEMA and shipped elsewhere, or the really dedicated professionals left. The funding for FEMA was dispersed around the Department. Now we are trying to reclaim it. The result was well experienced managers left or were redistributed; morale sank; well-intentioned, unexperienced people came in; and we need not repeat all the horror show of post-Katrina.

Now I have confidence in Administrator Paulison; disappointed that he is not here today. He should have been here. He can go to an embassy event any other time of the week. This is a Committee of the Congress. And also in Michael Jackson, the Deputy Secretary who has certainly made his mark as an effective government manager. Now they are putting together a new program or a new management structure for FEMA, but we need to have assurance that personnel have experience in disaster preparedness, planning, and response.

This is not a throw-away job. This is critically important work. We also have to have some structure that separates the terrorism response, the terrorism preparedness and planning and all the rest of that, which is less than 2 percent of the work of FEMA, from its response to natural disasters. As the then Chairman Don Young said many times over the last five years, four years since the Department was created, the biggest terror is a hurricane. The biggest terror is a tornado. They strike regularly. We need to be prepared more efficiency and more effectively and more currently against those disasters.

What I see, among many other concerns, is that fire grants, the administration of which, under your leadership, Mr. Witt, was highly professionalized. Now those fire grants are being shifted

away from small communities into urban areas. Those little fire departments, those rural fire departments in my area—I am sure they are in Florida; I am sure they are in other areas of the Country—they are the first line of response.

Breathing apparatus, protective clothing, new gear, occasionally a new fire truck means all the world in the response to a fire in a rural area where, if you don't have the right equipment, the home can be gone, the summer recreation lakeside home can be just gone, vaporized in a very short time. Or, as we are seeing with methamphetamine, where fire departments are called upon to respond to a fire, they have never seen these toxic fumes before; green, orange, yellow, black, acrid. They need breathing apparatus to respond to this. This is every bit at serious as a terrorist attack.

First of all, I would like to ask Mr. Fugate, you have had more than your share of experience with disaster in Florida from natural events, whether you have taken a look at this new management plan for FEMA, whether the steps taken to reestablish pre-disaster mitigation, whether the efforts at all hazards approach give you some confidence about the future of this agency.

Mr. FUGATE. Mr. Chairman, I started out as a volunteer fire department firefighter, just like you talked about, the rural departments. That is where I came from. I was actually a responder before I got into emergency management. I look at three rules in a disaster or an emergency: you meet the needs of your victims; you take care of your responders; and the third rule is to see the first rule.

So with the management plan, the changes, and everything they are doing, yes, I think they are going in the right direction. But I think it is going to take continual oversight of the people's representatives to make sure that that direction doesn't change. The problem you are going to always have with FEMA as part of a big organization is when the other competing needs are expressed without funding, they are going to look within the organization to shift priorities and resources.

That is just the nature of how, as managers, we try to deal with increasing demands and increasing issues. So that is where I think FEMA, initially, going into Homeland Security, was in such a bad position, was that the Department of Homeland Security looked to FEMA because they had funds, they had personnel, and in meeting other challenges they stole from Peter to pay Paul, hoping that the system would no break, and it did.

So that will be the continual responsibility that you and your members have, sir, is to make sure that that oversight continues. These are the important steps. But I can tell you that as much as Dave Paulison has my support and respect, Dave cannot fix everything before hurricane season. He probably won't have everything fixed at the end of his term. But he has got to lay the groundwork, get the people hired, get them trained, move the program.

It is going to take time to rebuild FEMA and to make it stronger and better, and it will never be completed because hopefully it will always be a work in progress to continue to improve so its role of supporting State and local governments never ends. But the groundwork has got to be laid, the foundation has to be built. We think that is happening, but it is very fragile at this point. As you

pointed out, we ran this cycle before, and without the oversight of Congress, that will occur again.

I think your advantage, sir, is previously you were often fighting these battles and not really have the rest of the Congress understand how this was a national issue, not a State and local issue. I think Katrina has shown us that natural disasters, manmade and terrorism, can impact the entire Country, even when we are not hit by that disaster.

Mr. OBERSTAR. Thank you very much. That is a very sound, very wise, balanced, thoughtful approach.

Mr. Witt, I would like to have your observations.

Mr. WITT. I agree totally with Craig, Mr. Oberstar. I think that, first of all, I think it was the right move to put preparedness training and exercise the grant program back under FEMA. I also think it is important that the Director of FEMA is reporting directly to the President when there is a Federal disaster declaration.

I think that decision process from the State level, with the State director and the State, from the Federal Coordinating Officer to the Director of FEMA and to the President is absolutely critical, because information flow in data, flow back in with situation reports helps people to make good decisions faster. You cannot have a line of bureaucracy of reporting systems which you know very well that will expedite the process and the resources.

So I agree, I think it is going to take some time to do this. I think that it is going to take some time to get to the moral of the agency back to the level that it needs to be, like it used to be. They took pride in what they did and worked some extremely hard, long days. So I think it is evolving, and I think with your oversight and your support and your guidance, then I think it can evolve to a premier agency in the Federal Government.

Mr. OBERSTAR. I assure you the oversight will continue. We have just begun.

Mr. Selves, do you have an observation?

Mr. SELVES. Well, for seven years, before I took this particular job with Johnson County, I worked for the State of Kansas Emergency Management Division, and one of my responsibilities, my major responsibility was to go out and to try to help the counties in the State of Kansas who are responsible for emergency management to create better, more effective programs, and I was frequently called before county commissioners who asked me, well, we don't really have the money to have a full-time emergency manager in this county, but could we make the public works director or the sheriff or somebody else do that job?

I would tell them, you know, it is up to you; you have the authority to put the position wherever you want it, but if you don't make it a separate agency reporting directly to you in times of disaster, you are going to have significant problems. I said, you can put it wherever you want, but if you choose to make it something other than a direct report to you, you need to make sure that you have that relationship with that individual, wherever they might work, that in time of disaster, they are there to support you in the overall response, a comprehensive response to this disaster. They can't be a deputy out working traffic or saving lives; they have got to be somewhere there who can work with you and coordinate things.

So I think the situation is similar here. The decision has been made to put FEMA in the Department of Homeland Security. That is a decision that Congress made and the President asked for, but you have to be very careful. You have to make sure that it works, that the relationships are there and that the advice is provided when it needs to be provided directly to the person responsible.

Mr. OBERSTAR. Right on.

Mr. Witt?

Mr. WITT. Mr. Chairman, let me also, on the fire grant program. We had a huge wildfire in Montana. Senator Backus and we went up, we did a fire declaration, and we went out with Governor Roscoe, we went out on the fire line, and this is how important those fire grants are you that mentioned. We went out on the fire line and we had an instant command post set up, and here were the volunteer firefighters responding with the U.S. Forest Service that none of them had turnout gear. They were in their blue jeans and boots.

Another example how important this is, our son, in our hometown of Darnell, Arkansas, is a volunteer firefighter and a banker. I said, well, what are you all going to need this year? He said, we don't have any turnout suits. This was two years ago. So we bought him a turnout suit and his department. So these fire grants are really important because they support emergency management as a resource and they are the fire line.

Mr. OBERSTAR. Thank you very much. My staff representative for the northern tier of my district, Peter Makowski, is a volunteer firefighter. Not only that, he has his own fire truck. I mean, he is really into this. He bought a surplus fire truck that some department in southern Minnesota was selling. He goes out on those and he knows first-hand what the equipment is needed, the breathing apparatus that is required, the protective gear that is needed, and the latest technology.

Crime is moving out from urban areas to rural areas, and we have a lot of hunting shacks in northern Minnesota. You probably have got those all around Arkansas., where they are just sitting there much of the year, and someone passing by in January sees one of those shacks, there is no snow on the roof. Oh, oh, someone is in there cooking meth. What is going on? Pretty soon there is going to be a fire, and who has to respond?

And what has FEMA and Homeland Security been doing for the last couple of years? Creeping along. I heard this from the Fire Chiefs Association of Minnesota. They are telling us you submit your fire grant application, you have to show a connection with terrorism. Well, the terror is the fire. The terror is the meth lab. The terror is the tornado. The straight line winds at 100 miles an hour blew down 26 million trees in northern Minnesota. That is the terror. We have got to be prepared against that.

I am just grateful to you. Thank you. I don't want to prolong this. There are other witnesses waiting to be heard. We need to hear from them.

Madam Chair, thank you very much. Thank you for also including the questions of the minority who unfortunately were not able to be here this afternoon.

Ms. NORTON. Mr. Chairman, you never prolong; you only educate. We all sit and listen to a man who knows more about—you have never seen anything like it. Whatever Subcommittee it was, you are astounded to hear. You understand the Chairman has sat through all these things. The question you have to ask yourself is what kind of brain does he have that has actually absorbed all these things.

Thank you very much for coming, Mr. Chairman.

And I want to thank you very much. I want to say to this panel I have learned something. This is what hearings do for me, not tell me what I already know. When I learn from you, it gives me ideas about what to do. Vast and deeply informed experience. I very much appreciate your waiting through the last panel and waiting so long for us during the vote. Thank you again for coming.

I am going to call up the next set of witnesses. And I certainly have to thank the next set of witnesses, because they have been most patient, and I certainly appreciate their indulgence. The fact that they are coming last says nothing about their importance; it says something about the protocol of the Congress, and the protocol, of course, is you start with the agency head and you hope, frankly, that from their testimony you will gather questions beyond those that have already occurred to you to ask the people that are on the job and on the ground, and I have to tell you that we certainly have some of those questions.

We want to proceed quite quickly so as not to detain you much longer, and to ask that you summarize your testimony, if at all possible, because we will look more deeply at it.

I want to thank Mr. Chuck Canterbury in particular, who is the President of the Fraternal Order of Police, because we just called him as a witness just, I think it was, last week, and I so appreciate your coming again; Chief Tom Carr, Montgomery County, Maryland, Fire Rescue Service, our neighbors here and part of the National Capital area response; Chief Fred Endrikat, Special Operations Chief, City of Philadelphia; and Sheriff Edmund "Ted" Sexton, Sr., of the National Sheriffs' Association.

I will leave it up to you as to in which order you would like to proceed. Please summarize your testimony and proceed whoever thinks he wants to step up first.

Yes, Mr. Canterbury. See, he has been here before, that is why he is stepping up this way.

TESTIMONY OF CHUCK CANTERBURY, PRESIDENT, FRATERNAL ORDER OF POLICE; CHIEF TOM CARR, MONTGOMERY COUNTY, MARYLAND, FIRE RESCUE SERVICE, INTERNATIONAL ASSOCIATION OF FIRE CHIEFS; CHIEF FRED ENDRIKAT, SPECIAL OPERATIONS CHIEF, CITY OF PHILADELPHIA FIRE DEPARTMENT, SPECIAL OPERATIONS COMMAND; SHERIFF EDMUND M. "TED" SEXTON, SR., FORMER PRESIDENT, NATIONAL SHERIFFS' ASSOCIATION

Mr. CANTERBURY. Thank you, Madam Chairman. I appreciate the opportunity. I am going to take a personal privilege. I would like to thank the Montgomery County officers for being here. They lost a first responder this morning, who died from an incident that

occurred on the 25th, Officer Lou Kaufman of the Montgomery County Police was killed in the line of duty.

Ms. NORTON. We join you.

Mr. CANTERBURY. Thank you.

I am here today to represent the views of the Fraternal Order of Police, 325,000 rank and file officers, with respect to the challenges faced by DHS and FEMA, and the entire public safety community in responding to all hazard critical incidents.

As you know, Madam Chairman, the FOP was initially very skeptical or charging FEMA with expanding authority over the law enforcement mission at DHS, and we believe that that response-oriented organization like FEMA would be ill suited to perform, oversee, and fund terrorism prevention activity. We were scared that there was something in that that just didn't fit in FEMA's traditional role.

First of all, let me say that FEMA Administrator Paulison has been in contact with the FOP to discuss a number of the issues related to law enforcement's role within FEMA, and since that conversation FEMA senior staff has been engaging us in ongoing dialog, and we are very pleased with that. Administrator Paulison has created the position of a law enforcement advisor to the Administrator of FEMA and, of course, we hope that they will be able to fill that position very quickly. He has also included in his staff people from the law enforcement community who bring some expertise and know-how to FEMA which was not there previously.

We believe that Mr. Paulison will help to integrate law enforcement into the structure of FEMA more appropriately. To do this, though, he is going to need to be tenacious and work hard to ensure that there is a greater respect and understanding for the extremely important work that we do in the instance of an attack or a disaster. We believe he understands this and he has our full support.

As you know, FEMA has historically been a culturally reactive agency, and we understand that law enforcement cannot prevent hurricanes or tornadoes or floods. But we do know that we can and do, however, prevent terrorist incidents from occurring on our Nation's soil by preventing threatening goods or people from entering this Country.

This is going to require a paradigm shift in the way FEMA works with law enforcement. It means that FEMA must work quickly and responsibly to fill the position of the Assistant Administrator for Grants Management and Operations. We are ready to support FEMA in this effort. We ask for the same respect and understanding be granted to the law enforcement community that we are granting FEMA in this ongoing process, and we look forward to working with this Committee, as well, in that, and we hope that with our written testimony, if there are any questions that we can answer from the rank and file law enforcement.

We are very concerned with some of the changes recently at DHS. As you know, Madam Chairman, we testified on the reduction in force at Federal Protective Service, and in this time of disaster, today's USA Today newspaper this morning showed two Federal officers on the border in Texas doing recovery efforts in the tornados that occurred on the Texas border, and I thought it very

apropos I was coming here today. Again, reaction of two Federal law enforcement officers that reacted with the first responders searching for victims of that tornado. So it does show a much more concerted effort than we had in the past.

Thank you, Madam Chairman.

Ms. NORTON. Thank you very much, Mr. Canterbury. Appreciate that testimony.

Chief Carr, do you want to go next?

Mr. CARR. Thank you. Good afternoon, Madam Chairman. I am Tom Carr of the Montgomery County, Maryland Fire Rescue Service and one of nearly 13,000 members of the International Association of Fire Chiefs.

The IAFC represents the leadership of America's fire, rescue, and emergency medical services, including rural volunteer fire departments, combination departments, and metropolitan career fire departments.

The Committee has wisely entitled today's hearing FEMA's Preparedness for All Hazards. Last year, America's fire service responded to more than 23 million fire and emergency calls covering all hazards, including structure fires, emergency medical service incidents, hazmat incidents, and wildland fires. While most of the calls are local, the fire service has demonstrated its national role in disasters like Hurricane Katrina and the attacks of September 11th.

When fire departments take on such a natural role, their lead partner within the Federal Government is FEMA. Since 9/11, much of the focus of the Department of Homeland Security has been on building terrorism response capabilities. While gaps still exist, these efforts have helped local fire and EMS providers become better prepared than ever before for chemical, biological, radiological, nuclear, and explosive incidents. The IAFC understands this focus on counter-terrorism as a natural reaction to September 11th; however, it is important to point out that the response to most incidents, whether natural or manmade, is strikingly similar. To a firefighter responding to a scene, a WMD attack is simply a hazmat incident with an attitude and requires many of the same basic equipment, tactics, and skills.

The backdrop for today's hearing is so-called "New FEMA," which is authorized by the fiscal year 2007 DHS Appropriations Act. IAFC supports this law and the direction FEMA has begun to take in implementing it. In particular, we believe that it is essential that FEMA's budget and mission be protected from constant DHS reorganizations.

Additionally, we endorse the return of the U.S. Fire Administration and the Office of Grants and Training to FEMA. These transfers create an opportunity to link response planning with training programs and grant distribution in a very effective manner.

Administrator Paulison, a former IAFC president and Miami-Dade fire chief, also has made a number of changes to improve FEMA's logistics, disaster response expertise, and regional offices. We urge Subcommittee Members to continue to support FEMA's new direction by giving the agency time to complete its transformation plans and by supporting its programs through the appropriations process.

Creation of a new FEMA, however, is far from the final step in making sure the United States is truly prepared for future disasters. Considerable work remains for the Administration, Congress, States, localities, and the Fire Service in terms of continuing to ensure that the Nation is able to respond effectively when the next major emergency occurs.

As FEMA integrates the Office of Grants and Training into the post-Katrina structure, it must do a better job of understanding the basic fire and emergency service capabilities are essential not only for response to terrorism, but to other types of disasters as well. Creating an emphasis in grant programs on specialized equipment for CBRNE events may steer resources away from more fundamental areas of need. Over the long term, this approach could deprive local responders of tools necessary for an effective response to the next major natural disaster. Congress can play a constructive role by ensuring that FEMA administers programs such as the FIRE Act grants are well-funded and remain focused on the response to all hazards.

In October 2006, a needs assessment by the NFPA and the Department of Homeland Security drives home the basic all hazards need that currently exists within the Fire Service. Nearly 60 percent of fire departments don't have enough SCBA, 65 percent of the fire departments don't have enough portable radios, and it is on and on with basic equipment.

The FIRE Act program currently goes a long way towards helping departments address these shortfalls. Likewise, the SAFER Act grant program aids departments in meeting important staffing needs, as identified in NFPA 1710.

Though the Fire Administration has remained in Emmitsburg the entire time, the agency has moved around quite a bit in departmental organization charts over the past several years. Most recently, the USFA was transferred back into FEMA, after being removed just a year ago. As this transfer takes place, FEMA has several opportunities to strengthen the USFA and better prepare both the Federal Government and the Fire Service for future disasters.

The USFA should continue to work to staff a desk at the National Operations Center. This development is important because it increases the ability of local fire chiefs and police to plan to comprehensively respond to future threats based on the same information. The USFA also needs to update the National Incident Fire Reporting System.

Furthermore, the USFA needs strong leadership at the top. Though the U.S. Fire Administrator position remains an assistant secretary, it has not been filled with a permanent occupant for a extended period of time. The IAFC supports the nomination of Chief Craig Cade of Virginia Beach to serve as the U.S. Fire Administrator. Congress can aid in these efforts by providing $50 million to USFA in 2008. Last year, the USFA received $47 million, but the President's budget requests only $43 million for 2008.

Thank you again for the opportunity to address this Committee. On behalf of America's fire chiefs and emergency medical service officers, I would like to thank Congress, and especially Members of this Committee, for your continued support.

Ms. NORTON. Thank you very much, Chief Carr.

We want to go now to Chief Endrikat, City of Philadelphia Fire Department.

Mr. ENDRIKAT. Thank you, Madam Chairman and distinguished Members of the Committee, for this opportunity to discuss the Nation's preparedness in relation to all hazard response.

By way of introduction, my name Fred Endrikat. I have been a Philadelphia firefighter for 32 years. I also served the Federal Emergency Management Agency Urban Search and Rescue National Response System in concurrent duty assignments as the National Task Force Leader's Representative, Incident Support Team Operations Chief and Task Force Leader for Pennsylvania Task Force 1.

I have served in various capacities at the local, State and Federal levels in disaster response operations including a 40 day field assignment as the FEMA US&R Incident Support Team Operations Chief at the September 11th attack and collapse of the World Trade Center in New York City and a 30 day field assignment with the FEMA US&R Incident Support Team as the Operations Chief for Hurricane Katrina in Mississippi and Hurricane Rita.

I am speaking today as a first responder, but I also have the responsibility and the privilege to speak on behalf of the nearly 6,000 members of the Federal Emergency Management Agency's Urban Search and Rescue National Response System.

FEMA Administrator Paulison and the vision for a new FEMA speak to a shared responsibility approach for emergency management. A cornerstone of this shared responsibility is partnerships between Federal, State and local government. The concept of an all hazards approach to this responsibility is critical to ensure that we are prepared to respond effectively to any significant disaster event anywhere in our Nation.

Prior to the September 11th attacks, the FEMA US&R task forces were faced with a shift in focus due to our response to the bombing of the Murrah Federal Building in Oklahoma City. This incident made us aware that we needed to be ready for more than natural disasters as had been our focus up until that point in time.

When the 9/11 attacks occurred, the US&R task forces had already begun preparing for response to a terrorist type attack. Six US&R task forces had been selected by FEMA to begin to achieve capabilities to respond to weapons of mass destruction incidents. After 9/11, all 28 FEMA US&R task forces were issued identical equipment and training for response to this type of event.

While 9/11 may have shifted the national focus to terrorism, the FEMA US&R program maintained the all risk focus that had been previously developed. As evidenced by the FEMA US&R program's response to Hurricanes Katrina and Rita and as highlighted by Secretary Chertoff in his report to Congress last year, the FEMA US&R program was one of the Federal response entities along with the United States Coast Guard that was acknowledged for successful response operations.

Immediately after the September 11th attacks, we as a Nation understandably focused our efforts on homeland security and terrorism and allocated significant funds to increase our capabilities in this one specific area. As a result, we, again as a Nation, may

have unintentionally subordinated our efforts and our capability related to other risks that we continually face.

With limited funding amounts, we end up competing for funds to prepare for individual specific types of events when it would be more prudent and cost effective to approach our funding for preparedness from the all hazard perspective. Simply stated, there are too many worthy causes that have vying for a very finite amount of funds.

Large scale building collapse rescue operations in a water environment in the collapsed flooded underground subway tunnels under the World Trade Center require the same operational capabilities, highly trained personnel, incident management protocol, planning functions and significant logistical support requirements as collapsed building water rescue operations in flooded environments in urban, suburban and rural areas of North Carolina when they experienced that during Hurricane Floyd or in New Orleans during Hurricane Katrina.

I believe that our focus should not be on the triggering mechanism that causes a disaster. The stronger our foundation in the concept of all hazard preparedness, the more likely we will successfully and safely resolve any incident that we respond to.

All disasters start as local level events, and as the response element builds ins cope and complexity, each event presents very similar challenges in all phases of the emergency management cycle: preparedness, response, recovery and mitigation. The preparedness cycle and its relationship to the other phases is key.

As we prepare to respond to any type of disaster, far reaching benefits will be achieved by consistently training together, sharing information and building relationships at all levels of government and all tiers of response from first responders to fourth tier, standalone, self-sufficient resources like the FEMA US&R task forces.

Integrating common doctrine, a common concept of operations, similar equipment and techniques for individual response disciplines and interoperable communications through all of these tiers of response in the preparedness phase will allow for the most effective service delivery to our citizens during the response and subsequent phases.

I would respectfully ask that the Committee consider the continued support of successful programs like the FEMA US&R National Response System. Corresponding adequate funding would ensure a robust all hazard emergency management system for Federal, State and local governments through all tiers of response.

I would also ask the Committee to consider continued support for the Post-Katrina Reform Act and support for the preparedness function, particularly training and exercises.

Thank you for the privilege of testifying.

Ms. NORTON. Thank you very much, Mr. Endrikat.

Ms. NORTON. Sheriff Sexton, National Sheriffs' Association.

Mr. SEXTON. Thank you.

My name is Ted Sexton, Sheriff of Tuscaloosa County, Alabama and Immediate Past President of the National Sheriffs' Association. I am here today representing our 3,087 elected sheriffs as well as the membership of over 25,000 law enforcement professionals.

The State of Alabama has pioneered all hazard response by public safety entities by forming a mutual aid task force divided into eight regions. My office is the home for Region 3 Law Enforcement Response Team that is largely comprised of members from my office, the Tuscaloosa Police Department, Northport Police and the University of Alabama Police Department along with nine other agencies that contribute over 100 law enforcement officials to participate.

Region 3 has the ability to function for five days in a completely self-contained manner for any necessary response event. Our team assets range from interoperable communications vehicles, mobile command posts, law enforcement response personnel, K-9 tactical, detection and protection equipment. Our Region 3 Response Team has experienced five hurricane deployments and numerous requests for law enforcement functions.

The National Sheriffs' Association has been a supporter of FEMA's all hazard response but does feel that deficiencies still remain that must be addressed. First is the need for a law enforcement representative in the administrative hierarchy of FEMA. Local law enforcement officials will always be the first to respond to any terrorist event or in times of other disaster and has a unique responsibility to ensure that public safety is not compromised in the immediate aftermath of such a crisis.

A law enforcement representative would be able to work with local and State governments to ensure adequate response needs are met by responding law enforcement entities while meeting the requirements of being self-contained.

In a post-9/11 era, no public safety entity has seen greater change than law enforcement and its responsibility to prevention and protection. This law enforcement representative would ensure that law enforcement capabilities remain balanced among response, prevention and protection.

Local law enforcement is now involved in sharing of classified information and intelligence gathering in a shared capacity with Federal and State partners.

Secondly, NSA also believes that regional first responder committees must be implemented within the Federal legislation and sheriffs, as chief elected officials, need to be among a wide variety of public safety responders involved.

One example of an issue that needs addressing is the need for reconfigurement of FEMA law enforcement reimbursement schedules to include aviation assets or other specialized equipment.

Third, there a mindset and pattern of waiting for a tragic catastrophe to occur, then assessing it, then responding to it. If Katrina and Rita taught us anything, it is the need to make prior contact with responding entities so that you have peace of mind as a law enforcement administrator to know who is coming, what resources are they bringing and when can they arrive. Sheriffs I have spoken to and responded to, hit by Katrina, did not have means to communicate by phone or radio.

The National Sheriffs' Association prepared a white paper entitled Response in a Heartbeat: An Immediate Fix and a Long Term Solution to Response. This blue ribbon panel of sheriffs convened to examine lessons learned in the response to Hurricane Katrina.

A gap that we feel FEMA can take care with a law enforcement representative in and committees is to form regionally based organized mobile flexible forces that are able to respond immediately to a disaster to support local governments, much like what the State of Alabama has already done. Mobilization would be a simple process. There would be no need for massive negotiation and endless streams of red tape. Responses need to be based on seconds and minutes, not on hours and days.

Fourth and possibly the most important is that reimbursement funding needs to be streamlined so that assets that can be called upon multiple times and can be reimbursed without stressing unaffected local government revenues. If we could fund EMAC support as FEMA does immediate needs funding for Category A and B—and the work we do is Category B work, emergency protective measures—we could receive 50 percent of the estimated costs up front or within 30 days of that duty.

That would give local governments and States with a lower tax base the ability to more easily absorb the up-front costs. The claims would still have to be appropriately documented and justified, however, the long term expense to the State and/or local government would be mitigated.

This could also be aided by the development and distribution of preplanned guidelines, a package of checklists, templates, forms and sample agreements that would be compiled and distributed to first responders. This material would guide first responder efforts to develop and enhance emergency operations plans, incident accident plans, prepare memoranda of understanding and complete NIMS, FEMA, DHS and EMAC compliant pre and post-event plans, reports and claims.

Simply put, we need to streamline the process and have everyone on the same sheet of music.

It has been an honor to appear before this Committee on behalf of the National Sheriffs' Association, and I look forward to answering any questions you may have.

Ms. NORTON. Thank you very much, Mr. Sexton, and may I thank all four of you for very helpful testimony to this Subcommitee.

Ms. NORTON. Let me just try to get at some of the issues raised by your testimony, particularly in relation to prior testimony.

Mr. Carr mentions, perhaps explicitly when he says, Chief Carr, when he says in his testimony that there was some concern that chemical and biological, radiological, nuclear, that kind of funding and the like was overwhelming funding for more traditional areas of need. In what way?

Are you referring to the application process?

Do you feel that you must apply for those funds in order to get the necessary funds?

Are those funds coming out of the Department of Homeland Security and not FEMA grants?

Would you, or for that matter the others, elaborate if you agree on that notion about terrorism funding overwhelming traditional areas?

Mr. CARR. Well, most importantly, there needs to be a balance, and certainly the programs in place, the FIRE Act Grants and the

SAFER Grants, provide some opportunity for balance if they are adequately funding. UIC funding provides, and especially in the National Capital Region, a good balance of perspective on regional preparedness as it relates to terrorism response but also all hazards response.

So the concern is that we continue the all hazards approach to funding and not focus only on the terrorism specific response.

Ms. NORTON. Do any of the others of you have a response to this notion about terrorism funding?

The reason that I was drawn to Chief Carr's notion is he actually spelled out the kinds of funding one would expect to be terrorism funding. Part of this artificial. But, after all, probably first responders weren't doing as much in radiological, nuclear, chemical and the rest when they filed for grants before.

So I am trying to find out whether or not you really feel if you want some money, this is where you have got to go because this is where the money is. We know that is where 90 percent is, and of course you are eligible for both.

We have a pretty unique situation here, Chief Carr.

Anything the rest of you have to say, I would be pleased to hear.

Yes, Mr. Canterbury.

Mr. CANTERBURY. Madam Chairman, I think in the UIC areas and in the all hazards response equipment, in the law enforcement arena, one of the most important pieces that is not there is the human intelligence and prevention mode in the grants, and I know there are other justice grants

But in the Homeland Security area for law enforcement, first of all, we were very lacking of any equipment for response. I believe the proper term for law enforcement, prior to 9/11, is canary. The firemen will understand what I am talking about. If they wanted to know something was biohazard at a truck spill, you send the policemen up. It is just kind of a joke in the first responder community. But we had no equipment.

Now that we have got an abundance of that equipment but the one thing that we don't have. You have the JTTS, but that is very lacking, and I think in the local arena, human intelligence gathering capabilities and prevention techniques have been very limited.

Ms. NORTON. Is that funded out of Homeland Security?

Mr. CANTERBURY. Yes.

Ms. NORTON. So you can get that out of Homeland Security.

Mr. CANTERBURY. Predominantly, it was, but now that the money has been moved back to FEMA, we are not sure how that is going to work.

Ms. NORTON. Can't local law enforcement also apply for Homeland Security grants in its various categories?

Yes, Sheriff Sexton?

Mr. SEXTON. Ma'am, I think one of the problems, I will just come right to the core. I think what we have done is make everybody fight so much over the same piece of pie, it is unbelievable. We are all at the dinner table together but when it comes to dessert.

Ms. NORTON. But they have got 90 percent, Sheriff Sexton.

Mr. SEXTON. Yes, but the terrorism funds right now, you have police and fire and sheriffs, we are fighting and elbowing at the pie.

The problem is for law enforcement is we have lost 64 percent since 9/11 of our justice funding for under Burn, under the things that Mr. Oberstar was talking about for methamphet, the programs. You know we can't throw the baby out with the bathwater.

We still have got domestic violence. We have still got campus problems that we are dealing with now, mental health issues that are coming into play. Everything is being tied into terrorism. I would assume that the Virginia Tech incident will soon be labeled a domestic terrorist incident in order to open everybody up for additional funding.

That is the problem with this is that we are all fighting, and I would love to push all these guys to the end of the table and fight for the same dollar, and they would like to push me back the other way, but that is what we have done. We have thrown police and fire together in the funding mechanism, and some of the things that we had in place prior to would have made it much more simple and make sure that we are providing in the areas we should be.

Ms. NORTON. This is quite a dilemma, isn't it? Ninety percent of the money is in terrorism. What we are talking about here is terrorism, and yet the police and fire have to compete because essentially they are expected to go, I guess, for FEMA grants.

Mr. SEXTON. If I could say one last thing, ma'am, I think you are seeing police officers are now trying to do things that we traditionally have not done in the area of hazmat and other areas just be able to compete for these funds under the auspices that it is a crime.

Ms. NORTON. Because that is where the money is, yes.

Let me give you an example. I learn from examples. This is an example I know from Committee work in Homeland Security but here it comes up in Chief Carr's testimony.

The 65 percent number of fire departments do not have enough portable radios to equip all their emergency responders on a shift. Okay, there you have got it, all hazards. I don't think anybody in the world would say that doesn't apply across the board.

I, by the way, am one of those Members of Congress that did not stand up and applaud Mr. Giuliani, and that is not because he is not in my party. It is because I kept reading the New York Times that said that the basic problem, the reason all those firefighters lost their lives, was that there was no interoperability, so that they knew not to run into that building. By the way, you had more firefighters than anybody else lost.

Here, you are looking at the granddaughter of Lieutenant Richard Holmes who entered the D.C. Fire Department in 1902. So I feel this one real up close and personal.

But, here, you have got the best example. Nobody would try to disaggregate portable equipment. You have got 9/11. Hey, that just says it all. Then you have got firefighters going into a building. You have got the canary and the policemen.

Where do you apply for those funds and why do 65 percent not have it?

Mr. CARR. Well, one thing that is imminent is the Senate passing the 9/11 Commission Implementation Bill, and hopefully the House will pass the same bill that provides $3.3 billion in grant funds to deal with these specific types of issues, communications interoperability and things of that nature.

Ms. NORTON. You can't get that now through either of the fundings.

Mr. CARR. Yes, absolutely you can. FIRE Act grants are. Communications equipment is appropriate for FIRE Act grants as long as the FIRE Act program is properly funded. So, yes, you can get it through that program.

Ms. NORTON. What is the interoperability funding problem then?

This keeps coming up in the Homeland Security Committee too. What is the problem?

It seems to me that is the first thing everybody would want want, to be able to talk back and forth. Is it a technological problem that we don't know what system to get?

Why aren't fire and, for that matter, all first responders talking to each other?

Mr. SEXTON. Well, in our area, they are. But it is my understanding for the upcoming Homeland Security funds starting this year, the focus of that is on interoperability. They have dealt with equipment. They have dealt with training issues, building of teams. It is my understanding that funds this year, the priority is interoperability.

In our State, we have 67 ACU 1,000s out plus in eight mobile regions. So they have done that.

But the question that you are mentioning is that there is just so much technology and so much that has come up in regard to. In some cases, there are folks out there that want to argue about Federal regulations and APCO P25 standards and radio systems that are there that would allow for a cheaper mechanism So everybody is trying to figure out how to do this and stay within the mechanisms to be funded.

Ms. NORTON. You shouldn't have to figure that. First of all, this speaks to one of the perennial criticisms of the Department. If they were there, they were there for leadership.

One of the things the Department, it seems to me, should have done would be to say there are priorities on things that everybody ought to have right now. Instead, of course, all this money went out, and people bought everything they could buy with the money.

The notion that interoperability was not at or near the top of the list is absolutely befuddling to me. I understand the other problems, which system and the rest but in terms of priorities.

Here you are sitting as an emergency responder, so you know about the firefighters problem. You know now, though, about 9/11. It does seem to me that if you say, all right, you all apply for grants and, of course, you know best of all what you need and no recommendations from the Department about what one minimally needs to have in the post-9/11 era to convert, and that is what each of you have done.

You have converted from cops and firefighters to emergency responders and security officials. That is exactly what you are now. Nobody would have called you the fancy things before.

So somebody has to say, look, you don't have to do this, but given what we saw in 9/11, given what we know is on the ground already, for example, in the firefighters case involving both firefighters and police, here are our recommendations. Now we have got to go out and figure out how to do it.

This is what if I was trying to think this through based on what we have done wrong, so that I have some notion of what to do now.

I am going to have a lot of other questions. I do want to ask you this. What kind of grants, given what is now available in the Administration's proposal?

I am sure you haven't looked at it in great detail, but you have some sense of the kind of grants that are available, and we have all these concerns, some of which you have in your own ways articulated.

What type of grants would not be eligible if we proceed in the Post-Katrina Act funding under the President's proposal, do you think, of the kind you would be most eligible for?

Mr. SEXTON. I think there is some confusion as to where people do come in and fall in regard to this in the way that the grant funding is coming down to the States and then applying back to the States again, nine times out of ten tying into some sort of Homeland Security.

The thing that I think law enforcement is concerned with is, again, that 64 percent loss of funding that we have had since 9/11. Many of the issues, as I believe it was Chief Carr mentioned, are similar for law enforcement. We are dealing.

Ms. NORTON. Give me examples of the kind of funding you lost?

Mr. SEXTON. Your Burn Jag, your narcotics units.

Ms. NORTON. Your what?

Mr. SEXTON. Narcotics units, that has been one of the greatest areas of gathering intelligence, for example, on who is dealing with drugs, who many funding, where is the money going that may be going out of your State up into another banking jurisdiction and then over into the Middle East.

Ms. NORTON. They will say that that is not terrorism funding because I have just been south of the border to various countries. While they spoke to us about narcotics, our concern—I went as a Member of the Homeland Security Committee—was that narcotics funds are certainly capable of funding terrorism, and whoever comes across the border with some narcotics can come across the border with anything else including a terrorist device.

Mr. SEXTON. Yes, ma'am, 70 percent of the methamphet in my county is coming out of Mexico. So, again, there is the type of activity that we have lost funding for that ties back directly to terrorism and homeland security. Those are the types of things that we are concerned about.

Ms. NORTON. It is interesting because again this came across in the Congressional delegate of Homeland Security.

I believe it is going to be difficult. The notion of you losing funding, that kills me. I am from a big city, and that kills me, and I see what meth has done throughout the Country. But this is the kind of thing where the central need is connected to narcotics that we have not yet gotten the Department to understand is inter-

changeable with a terrorist event, given how wide open the Mexican border, in particular, is.

This notion of competing for funds, finally, concerns me. You talk about you actually feel you are sometimes competing among departments.

In the National Capital Area, we all sit at the same table. That is rare. It was because I put an amendment in the House and there was an amendment put in the Senate that said we ought to have a regional body and because it is where the Federal presence is, we were able to get it funded for a person to be there. But, actually, what has mattered is not so much that person. What matters is that everybody now sits at the same table.

That could happen elsewhere without funding because to fund some body, I don't think has made a lot of difference. What has made a lot of difference is Montgomery County, Prince Georges County, the District of Columbia and Fairfax sit at the same table, and the money goes to them as a region. Then they sit together at the same table and figure out where it goes.

Is anything like that happening anywhere else in the Country?

Mr. ENDRIKAT. Madam Chairman, that happens in Pennsylvania through counterterrorism regions. The State is divided into nine counterterrorism regions, and the same thing occurs. We sit at the table with our neighbors. In the Philadelphia USACE Region, it is five counties including Philadelphia.

But I think, as Sheriff Sexton mentioned, we do compete for funds, and maybe the solution for that is more funding. As we establish priorities in each of those regional counterterrorism areas and each of us try to build our own capabilities, without adequate funding, then we have to compete.

Ms. NORTON. I think Sheriff Sexton and the law enforcement community have literally been robbed. I don't think that Homeland Security is going to do much for meth, and yet meth is spreading like wildfire, and yet those funds were available.

I am bothered tremendously that you move from one department and another, and the major effect you see is the loss of funding.

Mr. SEXTON. Yes, ma'am, you are absolutely right. Right now, we compete for the same funds, and I think at times it does cause friction. Even in the State of Alabama, we divide our funds up through regions and through counties and so on and so forth. The money is there, but we are seeing it become much more difficult to find.

We are still dealing, and I go back to Virginia Tech, one of the things that is coming out of Virginia Tech is the mental health element. So we are still dealing with some urgently desperate needs that have been funded in the past that we are losing, and they all come back.

I have traveled to England and Pakistan and other places to look at terrorism, and one of the things that we are seeing in England is the attacks that come from within. I think as we look at what comes from within, we need to continue to look at some of those issues that give us prime indicators: intelligence, mental health and so on and so forth.

That is my concern for continued funding for law enforcement and the fire service, certainly, and EMS needs to have continued funding. But I would like to see more funds channeled, so that we

are not necessarily competing to try to get dollars out of the fire department's pocket.

Ms. NORTON. If any of the rest of you have anything to say, I would like to hear it before I adjourn the hearing.

I do want to say that your testimony, Mr. Sexton, very dramatically, perhaps more so than FEMA, illustrates what simply moving your home can do to funding.

I have got to be frank. As I hear it, it is clear to me if I do a deeper analysis about where drugs come from, meth is even harder, although now Mexico is a major site for meth as it was not always. Unless you do a deeper analysis, it is going to be difficult to get Homeland Security to look at what they will see as basically a domestic problem.

The answer, it seems to me, is some kind of make-whole remedy. The grants, the FIRE grants, look what they are called. FIRE grants. The very definition tells you that law enforcement was somewhere else.

Mr. SEXTON. Ma'am, can I just give you an idea? When you dial 911, you are calling folks at this table. FEMA does not answer that 911 call. But with the capabilities that we are getting and we are hearing about trying to put together Federal strike teams, why not contract with the resources that are already there in your local governments?

For example, they are talking about hurricane season. Why not contract with folks for those resources during that four to five month period?

Those resources are available now if we go look throughout the southeastern district of the United States. So there are some ideas out there that local law enforcement and local fire service have tried to bring forward in regards to ideas to be able to better respond to national problems.

Ms. NORTON. This is an idea that makes such common sense, one doesn't understand why it hasn't already taken hold.

Gentlemen, I want to thank each of you for this testimony, very helpful to us, tells us things we don't know, need to know, gives us ideas of what we need to do.

I very much appreciate your indulgence. That is all it can be called in waiting for us through to the third panel.

I want to say, of course, the record will be open for five legislative days, and I have a number of documents to be added to the record which I will transmit at this time.

Again, you have my sincere thanks and the thanks of the entire Subcommittee for coming forward with indispensable testimony to our mission today.

The hearing is adjourned.

[Whereupon, at 2:15 p.m., the Subcommittee was adjourned.]

Subcommittee on Economic Development, Public Buildings and Emergency Management

Hearing on "FEMA's Preparedness and Response to all Hazards"
Thursday, April 27, 2007

Statement – Congressman Jason Altmire (PA-04)

Thank you, Chairwoman Norton, for holding this hearing today on FEMA's preparedness and response to all hazards. It is important for the 110th Congress to continue to address the ongoing needs in the Gulf Coast region after Hurricane Katrina.

In the last session of Congress, the Post-Katrina Emergency Management Reform Act was passed and steps were taken to address two key failures of FEMA's integration into the Department of Homeland Security. Hurricane Katrina exposed FEMA's failure to adopt an all-hazards approach and sufficiently coordinate all phases of emergency management. I look forward to the testimony from today's witnesses and to examining whether the Act is effectively addressing previous failures.

Thank you again, Chairwoman Norton, for your attention to this issue. I yield back the balance of my time.

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U.S. Rep. Michael A. Arcuri (NY-24)
Committee on Transportation and Infrastructure
Subcommittee on Economic Development, Public Buildings, and Emergency Management
HEARING: FEMA's Preparedness and Response to All Hazards
Opening Remarks

April 26, 2007

Thank you, Madame Chair.

Many lessons have been learned in the aftermath of the Katrina disaster. Most troubling of all is that FEMA's preparedness functions and assets have been redirected to a newly created Preparedness Directorate within the Department of Homeland Security (DHS) in order to also undertake response to terrorism. We now have learned that eroding FEMA's core responsibilities of disaster preparedness made it more difficult for FEMA to execute a responsible and effective response to the Katrina catastrophe.

Straining the agency to balance responsibilities – terrorism and disaster response – without balanced funding is not a responsible way to ensure that a community or government will have an adequate response system prepared to handle any disaster – be it an earthquake, a flood, or a terrorist attack.

Some may think that local emergency management is as simple as sending firefighters to put out a fire or clearing snow off roadways after a large snowstorm. However, effective response to these types of disasters requires local communities to develop a comprehensive approach to ensure the proper equipment, infrastructure, and first responders are in place before the disaster even occurs. FEMA is tasked with helping communities prepare their state and local emergency management officials with capabilities to adequately respond to a disaster. FEMA's ability to execute this core responsibility was severely handicapped as a result of its reorganization within DHS.

The threat of a terrorist attack in my Upstate New York district is far less commonplace than the threat of heavy rains, flooding, or severe snowstorms. Therefore, it is necessary to make certain areas of the country, including the district I'm privileged to represent, are not left without sufficient emergency management resources to respond to the more probable disasters that plague them more frequently.

The City of Oneonta, which I represent, was devastated last year by heavy rains and severe flooding, and is still in the process of fully recovering. FEMA's response and recovery efforts in Oneonta have been less than exemplary and I hope as the agency is reconstituted, future emergency responses are adequate and timely.

I look forward to hearing on the progress being made at DHS to ensure that FEMA resumes a balanced all-hazards approach to emergency management.

Thank you and I yield back the balance of my time.

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TESTIMONY

of

Chuck Canterbury

National President,

Grand Lodge, Fraternal Order of Police

on

the Federal Emergency Management Agency's Preparedness and Response to All Hazards

before the
Subcommittee on Economic Development, Public Buildings and Emergency Management

Committee on Transportation and Infrastructure

26 April 2007

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Good morning, Madam Chairman, Ranking Member Graves, and distinguished Members of the Subcommittee on Economic Development, Public Buildings and Emergency Management. My name is Chuck Canterbury, National President of the Fraternal Order of Police, the largest law enforcement labor organization in the United States. I am here this morning to represent the views of the more than 325,000 rank-and-file police officers with respect to the challenges faced by the U.S. Department of Homeland Security (DHS), the Federal Emergency Management Agency (FEMA), and the entire public safety community in responding to all hazard critical incidents.

The FOP was initially very skeptical of charging FEMA with expanded authority over the law enforcement mission at the U.S. Department of Homeland Security. The FOP was concerned that a response-oriented organization like FEMA would be ill-suited to perform, oversee, and fund terrorism prevention activity. These concerns seemed wholly justified following the enactment of H.R. 5144 last year, which states that the "primary mission" of FEMA is:

...to reduce the loss of life and property and protect the Nation from all hazards, including natural disasters, acts of terrorism, and other man-made disasters, by leading and supporting the Nation in a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation.

However, our fears have been allayed recently due to a number of reasons. Firstly, FEMA Administrator R. David Paulison has been in contact with our Executive Director, Jim Pasco, to discuss a number of issues related to FEMA's mission and law enforcement's role within it. Since that conversation, senior FEMA staff has been engaging in an ongoing dialogue with my staff and has listened to the concerns we have presented.

Secondly, Administrator Paulison has also created the position of a law enforcement advisor to the Administrator of FEMA and has asked the law enforcement community for our input in helping to develop the job description of this individual. Furthermore, he is including within his staff people from the law enforcement community who will bring the expertise and the know-how for FEMA. Administrator Paulison has also created the Office of National Security Coordination and is implementing the Integrated Public Alert Warning System (IPWAS), to provide communication to a larger number of citizens in a specific area. Previously, law enforcement did not have a considerable voice in the functioning of FEMA and that was a hindrance to the agency. That is beginning to change and these are all steps in the right direction.

We believe that Mr. Paulison is the right man for the job and will help to integrate law enforcement into the structure of FEMA more appropriately. He will have to be tenacious and will have to work hard to ensure that there is greater modicum of respect and understanding for the extremely important work that law enforcement does in the instance of a natural disaster or a man-made critical incident. However, we believe that the following statement made recently reflects such an understanding, and I quote:

We Are Not Alone. We Share Responsibility for Emergency Management with Our Partners in state and local government. We need to work better together when we're facing disasters. Katrina made it very clear that we need to prepare for, respond to, and recover from disasters as partners, standing side by side, so if there's a need in the system or a gap to fill, we fill it before there's a failure in the emergency management system. The traditional model of waiting for state and local capabilities to be overwhelmed before federal organizations try to come together to bring assistance to the scene of a disaster is no longer sufficient. Responding to all disasters, catastrophic or otherwise, must now be viewed from the perspective of "all for one" and "one for all." As an agency we are dedicated to being a partner with other Federal offices as well as state and local governments. Which is why the New FEMA will not go back to the old ways of doing things. We have learned and are evolving.

The FOP understands that FEMA is a culturally reactive agency. That has been made clear in FEMA's mission statement which ensures a system of preparedness, protection, response, and recovery. The FOP realizes this and understands that law enforcement cannot arrest a hurricane or pull over a tornado. The FOP also understands and is willing to accept that all disasters, natural or man-made, should be treated with an equal Federal response. What FEMA needs to understand and what we can do, however, is prevent a terrorist incident from occurring on our nation's soil by preventing threatening goods or people from entering this country. This is going to require a paradigmatic shift in the way FEMA works with law enforcement. It means that FEMA must work quickly and responsibly to fill the position of Assistant Administrator for Grants Management and Operations, which has yet to be done. Despite that, we are seeing the beginning of an evolution and we believe that Administrator Paulison understands the cultural shift that is requisite for this to happen.

We are ready to support Administrator Paulison in changing FEMA and creating a culture that is more feasible to law enforcement carrying out its mission. What the FOP also asks for is that the same respect and understanding be granted to law enforcement.

Last week I had the pleasure of testifying before this committee to discuss the recent proposal to eliminate the police officer position from the Federal Protective Service (FPS). The police officer position in that agency, which is a part of DHS, is being excised and the functions are being shifted to investigators and contract security guards. Let me repeat what I said before that committee: There is no substitute for highly trained and highly qualified law enforcement officers. These brave men and women provide the backbone for our homeland's security and it is necessary that they are respected in the manner by which they deserve. Any changes that are made to law enforcement that works against the skills and training of these officers increases the likelihood of another attack on American soil. This cannot continue.

There are no Cabinet officials utilizing contract security guards for their personal protective details, nor should there be. Members of Congress are protected by the brave men and women of the Capitol Police, and that is appropriate as well. Law enforcement officers need to understand what their mission is and should not be burdened with fears

that their job functions could be usurped by a less qualified contract security guard. How can we expect these men and women to carry out their jobs when the threat of a Reduction in Force (RIF) or transfer to another agency hangs over their head?

I believe that FEMA can work successfully with law enforcement to creature a culture that not only helps recover from disasters, but also prevents them from occurring where possible. As I mentioned above, this is going to take a lot of hard work and it won't happen overnight. Working together, we can integrate these functions into FEMA and establish a more productive agency. It is necessary that law enforcement receives the respect and funding that is deserves, however. Shifting responsibilities and functions away from law enforcement can only serve to exacerbate the lack of a preventative culture in FEMA. Nevertheless, I believe things can change for the better and that a cultural shift will occur.

Thank you for letting me testify on this very important matter and I look forward to answering your questions.

FEMA's Preparedness for All Hazards

Statement of Chief Tom Carr

presented to the

SUBCOMMITTEE ON
ECONOMIC DEVELOPMENT,
PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

OF THE

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE

U.S. House of Representatives

April 26, 2007

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Good morning, Madam Chairman, Ranking Member Graves, and members of the subcommittee. I am Chief Tom Carr, of the Montgomery County, Maryland, Fire Rescue Service, and one of the nearly 13,000 members of the International Association of Fire Chiefs (IAFC). The IAFC represents the leadership of America's fire, rescue, and emergency medical services including rural volunteer fire departments, combination departments, and metropolitan career fire departments. I thank the committee for the opportunity to discuss the Federal Emergency Management Agency's (FEMA) preparedness for all hazards.

THE NEED TO FOCUS ON ALL HAZARDS RESPONSE

The committee has wisely entitled today's hearing, "FEMA's Preparedness for All Hazards." Last year, America's fire service responded to more than 23 million fire and emergency calls covering all hazards, including structural fires, emergency medical services (EMS) incidents, hazmat incidents, technical rescues, and wildland fires. While most of these calls are local, America's fire service has demonstrated its national role in disasters like Hurricane Katrina and the attacks of September 11, 2001.

When fire departments take on such a national role, their lead partner within the federal government is the FEMA. Since 9/11, much of the focus within FEMA's parent organization, the Department of Homeland Security (DHS), has been on building terrorism response capabilities. While gaps still exist, these efforts have helped local fire and EMS providers become better prepared than ever before for chemical, biological, radiological, nuclear, and explosive (CBRNE) incidents. The IAFC understands this focus on counter-terrorism as a natural reaction to the September 11th attacks; however, it is important to point out that the response to most incidents -- whether natural or man-made -- is strikingly similar. To a firefighter responding to the scene, a WMD attack is simply a hazmat incident with an attitude, and requires many of the same basic equipment, tactics, and skills.

FEMA REFORM

The backdrop for today's hearing is the so-called "New FEMA," which was brought about by provisions included in the fiscal year 2007 Department of Homeland Security (DHS) Appropriations Act (P.L. 109-295).

The IAFC supports this law and the direction that the FEMA has begun to take in implementing it. In particular, we believe that it is essential that the FEMA's budget and mission be protected from constant DHS reorganizations. Additionally, we approve of the return of the United States Fire Administration (USFA) and the Office of Grants and Training to the FEMA. These transfers create an opportunity to link response planning with training programs and grant distribution in a very effective manner. Administrator Paulison – a former IAFC President and Miami-Dade County Fire Chief – also has made a number of changes to improve the FEMA's logistics, disaster response expertise, and regional offices. For the first time in recent years, the FEMA now has a complete roster of ten full-time administrators in its regional offices. Generally, we urge subcommittee members to support the FEMA's new direction by giving the agency time to complete its transformation plans and by providing full budgetary support for the "New FEMA's" programs through the appropriations process.

Creation of a "New FEMA," however, is far from the final step in making sure that the United States is truly prepared for future disasters. Considerable work remains for the Administration, Congress, states, localities, and the fire service in terms of continuing to ensure that the nation is able to respond effectively when the next major emergency occurs. I would like to take this opportunity to comment on several of the challenges that lie ahead.

GRANT PROGRAMS

As FEMA integrates the Office of Grants and Training into its post-Katrina structure, it must do a better job of understanding that basic fire and EMS are essential not only for response to terrorism incidents, but other types of disasters as well. Creating an emphasis in grant programs on specialized equipment for CBRNE events may steer important resources away from more

fundamental areas of need. Over the long-term, this approach could deprive local responders of the tools necessary for an effective response to the next major hurricane, earthquake, or other natural disaster.

Congress can play a constructive role by ensuring that FEMA-administered programs such as the FIRE Act grants (15 U.S.C. 2229(b)) are well funded and remain focused on the response to all hazards. An October, 2006 joint Needs Assessment by the National Fire Protection Association (NFPA) and the Department of Homeland Security drives home the basic, all hazards needs that currently exist within the fire service:

- An estimated 42% of volunteer firefighters serving in communities with less than 2,500 people have not been formally trained in structural firefighting.
- An estimated 36% of fire departments deliver emergency medical response without providing all involved staff with formal EMS training.
- An estimated 60% of fire departments do not have enough self-contained breathing apparatus (SCBA) to equip all firefighters on a shift.
- An estimated 65% of fire departments do not have enough portable radios to equip all emergency responders on a shift.

The FIRE Act grant program currently goes a long way towards helping departments address these shortfalls. Likewise, the related SAFER Act grant program (15 U.S.C. 2229a) aids departments in meeting important staffing standards, such as NFPA 1710. While the president requested a $247 million cut for the FIRE Act grant program and a total of $0 for the SAFER Act grant program for FY 2008, we urge Congress to fund these programs above the $547 million and $115 million levels appropriated for FY 2007.

On a broader scale, Congress should carefully balance the portfolio of federal grant programs to address requirements associated with both terrorism and natural disasters. When authorizing programs for the risk-based distribution of funds, Congress should carefully consider how it wishes to define risk and how those definitions affect all-hazards preparedness goals.

FUNDING FOR THE U.S. FIRE ADMINISTRATION

Though the U.S. Fire Administration has remained in Emmitsburg, Maryland the entire time, the agency has moved around quite a bit in departmental organization charts over the past several years. Most recently, the USFA was transferred back into the FEMA after being removed just one year ago.

As I indicated earlier, the IAFC strongly believes that the USFA belongs within the FEMA. This arrangement offers opportunities for synergies between the USFA and other FEMA programs in areas such as training and grant funding, while also ensuring that federal emergency officials have immediate access to expertise regarding local emergency responders. As the FEMA re-integrates the USFA into its operations, there are a number of areas where improvements can be made to help make the federal government more effective and better prepared for future disasters.

The USFA recently has begun to staff a desk at the DHS' National Operations Center (NOC). This development is important because it increases the ability of local fire chiefs to receive threat information at the same time as local law enforcement officers. In order for law enforcement, fire, and emergency services to plan and train for a coordinated response to an incident, they need to have timely and accurate information.

The USFA also needs to update the National Fire Incident Reporting System (NFIRS) and make it web-based. The NFIRS helps the USFA to identify and assess trends in fire activity. By making the NFIRS timely and easier to use, the USFA will begin to identify the changes necessary to reduce America's fire loss statistics, which are some of the worst in the developed world.

The USFA also needs to be able to increase its policy staff in Washington, D.C. As the DHS begins to review and examine new policies, such as the National Response Plan, the National Incident Management System, a new credentialing system, and new training models, the USFA must have the resources and personnel to represent and inform the fire service.

Furthermore, the USFA needs strong leadership at the top. Though the United States Fire Administrator position remains an Assistant Secretary equivalent, it has not been filled with a permanent occupant for an extended period of time. Presently, the nomination of Chief Gregory B. Cade, of Virginia Beach, Virginia, to serve as the U.S. Fire Administrator awaits final action in the Senate. The IAFC strongly supports Chief Cade's nomination and urges Senate confirmation, so that he will be able to begin contributing to the USFA's progress in the near future.

Congress can aid in these efforts by continuing to provide a robust budget for the USFA in fiscal year 2008. Though the USFA received nearly $47 million in FY 2007, the president's budget requests only $43.3 million for the USFA in FY 2008. To address the needs I have just identified and ensure that the USFA operates as effectively as possible within the "New FEMA," we urge Congress to appropriate $50 million for the USFA in FY 2008.

NIMS AND NRP REVISION PROCESSES

Two major tools that play a vital role in the nation's disaster planning and response regime are the National Response Plan (NRP) and the National Incident Management System (NIMS). Currently, both of these initiatives are in the midst of a revision process involving a wide array of stakeholders. The IAFC has participated in this comment process on several occasions thus far, and stands ready to do so when future opportunities arise.

Regarding the NIMS, the IAFC is focused on establishing a clear understanding of which entities and individuals are required to be compliant. At the state and local levels, training efforts are underway to meet existing NIMS requirements; however, FEMA's Preparedness, Training and Exercises Directorate must play a role in ensuring that these efforts are completed. Additionally, IAFC members have filed a number of more technical recommendations through the recent public comment periods.

With respect to the NRP, the central challenge is timing. As subcommittee members are aware, there have been several delays in releasing an updated version of the NRP for stakeholder

review. These delays are cause for concern in light of the previously announced June 1, 2007, target date for rollout of the updated NIMS and NRP initiatives. The amount of time remaining prior to June 1, 2007 leaves no room for affected organizations to offer meaningful input on broad elements of the NRP or more specific issues such as the need for standardization of state and federal Emergency Support Function (ESF) designations. Additionally, the FEMA must make sure that any changes to the NRP are communicated at the local level through the USFA, the Office of Grants and Training, and other appropriate channels. In doing so, it is essential that the FEMA utilize clear and concise terminology when interfacing with first responders.

We urge subcommittee members, leaders within the FEMA, and the DHS at large to identify ways to ensure that the NIMS and the NRP are adequately reviewed and strengthened prior to concluding the revision process.

CONCLUSION

Thank you again for the opportunity to address this subcommittee. On behalf of America's chief fire and emergency medical officers, I thank the Congress, and especially the members of the Transportation and Infrastructure Committee, for its continued support of America's fire service. I look forward to working with you throughout the 110th Congress and in the future.

Testimony before the United States House of Representatives
Subcommittee on Economic Development, Public Buildings and Emergency Management
Committee on Transportation and Infrastructure

regarding

The Federal Emergency Management Agency's Preparedness and Response to ALL Hazards

Fred Endrikat
Special Operations Chief, City of Philadelphia Fire Department
and Federal Emergency Management Agency Urban Search & Rescue Program
National Task Force Leaders Representative

April 26, 2007

Thank you Madam Chairman, Ranking Member Graves, and distinguished members of the Subcommittee on Economic Development, Public Buildings and Emergency Management for this opportunity to discuss our nation's preparedness in relation to all-hazard response.

By way of introduction, I am Fred Endrikat; I have been a Philadelphia firefighter for 32 years, and I am currently assigned as the Special Operations Chief for the Philadelphia Fire Department's Special Operations Command. I also serve the Federal Emergency Management Agency (FEMA) Urban Search & Rescue (US&R) National Response System in concurrent duty assignments as the National Task Force Leader's Representative, Incident Support Team Operations Chief, and Task Force Leader for Pennsylvania Task Force 1.

I have served in various capacities at the local, state, and federal levels in disaster response operations, including a 40-day field assignment as the FEMA US&R Incident Support Team Operations Chief at the September 11th attack and collapse of the World Trade Center in New York City and a 30-day field assignment as the FEMA US&R Incident Support Team Operations Chief for Hurricane Katrina (Mississippi theater of operations) and Hurricane Rita.

I am speaking today as a first responder, but I also have the responsibility and privilege to speak on behalf of the nearly 6,000 members of the Federal Emergency Management Agency's Urban Search & Rescue National Response System.

FEMA Administrator Paulison and the vision for a New FEMA speak to a "shared responsibility" approach for emergency management. A cornerstone of this shared responsibility is partnerships between federal, state, and local government. The concept of an All-Hazards approach to this shared responsibility is critical to ensure that we are prepared to respond effectively to any significant disaster event, anywhere in our nation.

Prior to the 9/11attacks, the FEMA US&R task forces were faced with a shift in focus due to our response to the bombing of the Murrah Federal Building in Oklahoma City. This incident made us aware that we needed to be ready for more than natural disasters (as had been the focus of US&R responses up until that point in time). When the 9/11 attacks occurred, the US&R task forces had already begun preparing for a response to a terrorist-type attack. Six US&R task forces had been selected by FEMA to begin to achieve capabilities to respond to Weapons of Mass Destruction incidents. After 9/11, all 28 FEMA US&R task forces were issued identical equipment and training for response to this type of event.

While 9/11 may have shifted the national focus to terrorism, the FEMA US&R Program maintained the all-risk focus that had been previously developed. As evidenced by the FEMA US&R Program's response to Hurricane's Katrina and Rita, and as highlighted by Secretary Chertoff in his Report to Congress last year, the FEMA US&R Program was one of the federal response entities, along with the United States Coast Guard, that was acknowledged for successful response operations.

Immediately after the September 11th attacks, we (understandably) focused our efforts on homeland security and terrorism, and allocated significant funds to increase our capabilities in this one specific area. As a result, we (as a nation) might have unintentionally subordinated our efforts and our capability related to other risks that we continually face.

With limited funding amounts, we end up competing for funds to prepare for individual, specific types of events, when it would be more prudent and cost-effective to approach our funding for preparedness from the All-Hazard perspective. Simply stated, there are too many worthy causes that have been vying for a very finite amount of funds.

Large-scale building collapse rescue operations in a water environment in the collapsed, flooded underground subway tunnels under the World Trade Center require the same operational capabilities, highly-trained personnel, incident management protocol, planning functions, and significant logistical support requirements as collapsed building / water rescue operations in flooded environments in urban, suburban, and rural areas of North Carolina during Hurricane Floyd, or in New Orleans during Hurricane Katrina. I believe that our focus should not be on the triggering mechanism that causes a disaster. The stronger our foundation in the concept of All Hazard preparedness, the more likely we will successfully and safely resolve any incident that we respond to.

All disasters start as local-level events, and as the response element builds in scope and complexity, each event presents very similar challenges in all phases of the emergency management cycle (preparedness, response, recovery, and mitigation). The preparedness cycle (and it's relationship to the other phases) is key.

As we prepare to respond to any type of disaster, far-reaching benefits will be achieved by consistently training together, sharing information, and building relationships at all levels of government and all tiers of response (from first-responders to fourth-tier stand-alone, self-sufficient resources). Integrating common doctrine, a common concept of operations, similar equipment and techniques for individual response disciplines, and interoperable communications

through all these tiers of response in the preparedness phase will allow for the most effective service delivery to our citizens during the response (and subsequent) phases.

Preparedness activity between FEMA and various levels of government is an example of this type of interaction. The benefit of the FEMA National US&R System to the first responder can be demonstrated by the fact that state, regional, and local first responders utilize the FEMA US&R National Response System's training curriculum, equipment standards, and policies as benchmarks in preparation for response to local emergencies. These rescue teams have realized that FEMA has developed a best-practices model that they have incorporated into their training and operations.

I would respectfully ask that the Committee consider the continued support of successful programs like the FEMA US&R National Response System. Corresponding adequate funding would ensure a robust All-Hazard emergency management system for Federal, State, and local governments, through all tiers of response. I thank you for the privilege of appearing before this committee.

WILLIAM "CRAIG" FUGATE
MEMBER, NATIONAL EMERGENCY MANAGEMENT ASSOCIATION
AND DIRECTOR, FLORIDA DIVISION OF EMERGENCY MANAGEMENT

TESTIMONY
BEFORE THE

HOUSE TRANSPORTATION SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

REGARDING

FEMA'S PREPAREDNESS AND RESPONSE TO ALL HAZARDS

THE UNITED STATES HOUSE OF REPRESENTATIVES

APRIL 26, 2007

Introduction
Thank you Chairman Norton, Ranking Member Graves, Full Committee Chair Oberstar, Full Committee Ranking Member Mica, and distinguished members of the Committee for allowing me the opportunity to provide you with a statement for the record on our nation's preparedness. I am Craig Fugate, the Director of the Florida Division of Emergency Management. In my statement, I am representing the National Emergency Management Association (NEMA), whose members are the directors of emergency management in the states, territories, and the District of Columbia. I have over 25 years of experience in state and local emergency management, serving in various positions including ten years as the Emergency Management Director for Alachua County, Florida, Chief of the Bureau of Preparedness for the State of Florida, and the appointment to my current position in 2001. I continue to serve and have been reappointed to my position by Governor Charlie Crist. In my time with the State of Florida, I have served as the Governor's authorized representative for major disasters such as the 2004 Hurricane season including Hurricanes Charlie, Frances, Ivan, and Jeanne and coordinated the State Emergency Response Team (SERT)'s response for all Florida disasters and for state-to-state mutual aid for Hurricanes Katrina and Rita. I have also served as the Response and Recovery Chair for NEMA and on the NEMA Board of Directors.

I very much appreciate the opportunity to testify before your Committee today. Emergency management is built upon three very basic concepts: 1) All disasters are local; 2) All-hazards preparedness is the foundation in which readiness is built for all disasters regardless of the cause or size; and 3) The emergency management cycle includes preparedness, response, recovery, and mitigation. There are several key areas that I wish to discuss with you today that need to be addressed in order to secure our preparedness for all disasters:

1. **Maintaining the all-hazards approach to emergency management;**
2. **The need for oversight on the implementation of the Post-Katrina FEMA Reform Act;**
3. **Concern for maintaining the Emergency Management Performance Grant (EMPG) program at the FY 2007 level while requirements increase for state and local governments;**
4. **Federal support for the Emergency Management Assistance Compact (EMAC); and**
5. **Significant deficits for improving state and local Emergency Operations Centers (EOCs).**

Before I begin discussing those subjects, I want to note the efforts that FEMA Administrator Dave Paulison and Deputy Administrator Vice Admiral Harvey Johnson have made to work together to ensure that preparedness is closely linked with response and recovery in the reorganization that took effect on March 31, 2007. To their credit, they reached out extensively to NEMA and other key stakeholders to ensure a comfort level with the organizational structure and plans. NEMA also appreciates the work of this Committee in particular in drafting the Post-Katrina FEMA Reform Act and extensively consulting with NEMA throughout the process. As FEMA moves ahead, we must continue to look at ways to prevent separation of emergency management functions and to re-link the cycle of preparedness, response, recovery, and mitigation.

MAINTAINING THE ALL-HAZARDS APPROACH TO EMERGENCY MANAGEMENT

All-hazards emergency preparedness is the key building block and foundation for emergency management. To give you a sense of how we got to where we are today, my colleagues around the nation were very concerned about the direction of all-hazards in summer 2005. Just prior to Hurricane Katrina, preparedness functions were being separated from response and recovery and FEMA funds were being reprogrammed to support other program areas within the Department of Homeland Security. Our nation had become narrowly focuses on the threat of terrorism rather than all of the risks that we faced. NEMA expressed its concern in a letter to DHS in August 2005. The aftermath of Hurricane Katrina shifted the national focus again. Congress made changes, however we must remain careful not to only plan for the last disaster but to prepare for hazards and emergencies of all sizes and types, not just catastrophic events like Hurricane Katrina.

Natural hazards continue to be the pervasive disaster that occurs regularly. In the past several years, major disaster declarations were for events including severe storms and tornadoes, typhoons, tropical storms, multiple hurricanes, flooding, ice storms, snowstorms, and wildfires. Natural disaster preparedness must not suffer as a result of homeland security efforts, but rather should be viewed as the most frequent opportunity to validate domestic preparedness efforts and to also build best practices. We need to start looking at the system in terms of hazards preparedness. Furthermore, our emergency response system must be built for all-hazards and terrorism should be a component of the system. We cannot afford to build duplicate systems by hazard or to eliminate programs to support the homeland security effort.

Since I have been with the State of Florida, we have had had 22 major disaster declarations, five emergency declarations, and 43 fire management assistance declarations. While hurricanes are the most urgent and prevailing threat we have faced, we do not prepare for hurricanes alone. Florida was the first state with anthrax cases in 2001, the terrorists for 9/11 trained in Florida, we have three commercial nuclear power plant sites, host major sporting events including Superbowls, and boast three national championships in the past two years in college football (2006) and basketball (2006 and 2007). We have extensive threats for tornadoes, flooding, fires, and severe freezing. You will recall the February 2, 2007 tornado that left 21 people dead and destroyed hundreds of homes with more than $17 million in federal assistance for victims. Additionally, we have done significant influenza pandemic planning for our large special needs populations and planning for mass migration incidents from the Caribbean.

While every state may not experience a disaster every single year, preparedness is essential. Florida took the lead in ensuring that localities were prepared for any disaster when our state legislature made changes after Hurricane Andrew that a surcharge is set aside for emergency preparedness from every insurance

policy written in the state. This fund, which exists only in Florida, helps us to ensure that localities have the necessary means to prepare for disasters and citizens do their part too. In addition, we utilize the only all-hazards funding source, the Emergency Management Performance Grants to supplement these funds to build our key preparedness programs.

Hazards need to be explored in the context of disasters too. A disaster is really caused by humans as a result of getting in Mother Nature's way. Humans build in harms way, we traditionally build at the cheapest costs, and we build power grids that are subject to wind damage. When we prepare for terrorism, we harden critical infrastructure and look for ways to prevent events. We develop strong public health systems and plans to address pandemics. However, addressing hazards before a natural disaster means stronger building codes, enforcing those codes, heeding warnings ahead of disasters and having business and family plans in place when disaster does occur. We have to begin looking at the complexities and scale of the consequences of hazards.

The federal government must continue its commitment to ensuring national security through all-hazard preparedness. Without adequate numbers of state and local personnel to operate the all-hazards emergency management system, the infrastructure used to prevent, prepare for, respond to, and recover from all disasters will collapse. Unfortunately, Hurricanes Katrina and Rita illustrated the need for adequate emergency management systems from the ground up. Instead of making unbalanced investments towards terrorism preparedness, we must maintain an all-hazards approach and shore up the foundation of our response system for all disasters regardless of cause.

OVERSIGHT ON THE FEMA REORGANIZATION

The passage of the Post Katrina FEMA Reform Act was an important priority for the nation's emergency managers. Congress should be applauded for their action to take significant and serious steps to reform and repair the nation's emergency management system. This legislation marks the first time since the Disaster Mitigation Act of 2000 that Congress has spelled out expectations and outcomes for FEMA and the emergency management community, rather than having goals be driven by budgetary actions. We now have measured outcomes that will drive our preparedness, where we make investments into the emergency management system, and expectations for response to disasters. As FEMA transitions, Congress must support full implementation of the Act to ensure that the intent of the reforms are put into practice to build a strong national emergency management system. Additionally, Congress must continue to work beyond the transition period to ensure that the new dynamic is not only working, but that adequate resources and leadership are provided as critical ingredients toward successful integration of preparedness activities. DHS must implement a true "all-hazards" mission within the Department and this must be also demonstrated in all grant guidance.

Stregthening FEMA's regional offices is a goal of the legislation, and as we move forward Preparedness and Department of Defense positions must be clearly defined and integrated within the FEMA regions. Relationships with state emergency management agencies must be reestablished to ensure coordination and synchronization in preparedness, response, recovery, and mitigation activities. The creation of the National Advisory Council is lauded by NEMA and we hope that the new organizational system will enable DHS and FEMA to include stakeholders on the front end of new or revised policy and program development.

NEMA remains concerned about the differentiation between the Federal Coordinating Officer (FCO) and the Principal Federal Official (PFO). NEMA strongly urged Congress to abolish the PFO, but language was included in the final reform bill to limit the PFO's roles and responsibilities. The Federal Coordinating Officers (FCO) must have the authority in the field to carry out the responsibilities of the position. The FCO's authority and responsibilities are clearly delineated in the Robert T. Stafford Disaster Relief and Emergency Relief Act (41 U.S.C. 5143 Section 302). The statute outlines the functions and appointment of the FCO, and the National Response Plan (NRP) must follow the Stafford Act authorities that empower the FCO to serve on behalf of the President in a declared disaster area. NEMA strongly supports eliminating the role of the Principle Federal Official (PFO). In NEMA's view, the position is duplicative. In fact, the model used in the 2004 Hurricane Season where the FCO and I established joint command for all of the disasters works much better and avoids any confusion over who is in charge. NEMA opposed the creation of this position in the drafting process for the NRP and have revisited the issue in the NRP rewrite, but have been told by DHS that the PFO position is authorized in law and cannot be abolished. Initially, the PFO was included in the NRP to address an incident prior to a formal disaster or emergency declaration. The PFO role adds additional bureaucracy and confusion to any disaster. The PFO position should be eliminated, consistent with the Senate report on Hurricane Katrina. Other issues we need to revisit include an "incident of national significance", defining "catastrophic" disaster, and maintaining Governors' control of the National Guard in a disaster.

The current plans for reorganization are not entirely clear on the subject of grant administration. The plan calls for separation of the Office of Grants and the National Preparedness Office within FEMA. Risk management and analysis responsibilities are addressed in another part of the Department of Homeland Security. Grants must be closely linked with the overall preparedness strategy to ensure we are building the right capabilities. I ask Congress to look closely at how these offices can be formally linked within FEMA. It is not clear how FEMA and DHS will coordinate on risk assessment and risk management activities to determine funding priorities.

FEMA has the ability to tap into the emergency responder community to build relationships through training and exercises. FEMA also has the skills to work cooperatively with state and local elected and appointed officials towards comprehensive recovery. FEMA has the coordinating function in the federal government and should have the ability to tap all the resources at the federal level to respond to a disaster. However, all these areas need to be strengthened with an all-hazards focus to ensure that federal, state, and local governments are building relationships before a disaster and understand how to work together cohesively. FEMA also needs financial support to maintain and build their capacity. We hope that Congress will partner with NEMA as you provide oversight and direction.

EMERGENCY MANAGEMENT INFRASTRUCTURE FUNDING

EMPG is the only program for All-Hazards Preparedness

Natural disasters are certain and often anticipated. Every state must be able to plan for disasters as well as build and sustain the capability to respond. EMPG is the only source of funding to assist state and local governments with planning and preparedness/readiness activities associated with natural disasters. At a time when our country is continuing long term recovery efforts from one of the largest natural disasters in history and making strides to improve the nation's emergency preparedness/readiness, we cannot afford to have this vital program be just maintained. EMPG is the backbone of the nation's all-hazards emergency management system and the only source of direct federal funding to state and local governments for

emergency management capacity building. EMPG is used for personnel, planning, training, and exercises at both the state and local levels. EMPG is primarily used to support state and local emergency management personnel who are responsible for writing plans; conducting training, exercises and corrective action; educating the public on disaster readiness; and maintaining the nation's emergency response system. EMPG is being used to help states create and update plans for receiving and distribution plans for emergency supplies such as water, ice, and food after a disaster; debris removal plans; and plans for receiving or evacuating people – all of these critical issues identified in the aftermath of Hurricane Katrina and the following investigations and reports.

State and Local Match

EMPG is the only all-hazards preparedness program within the Department of Homeland Security that requires a match at the state and local level. The match is evidence of the commitment by state and local governments to address the urgent need for all-hazards emergency planning to include terrorism. EMPG requires a match of 50 percent from state or local governments. According to the NEMA 2006 Biennial Report, states were continuing to over match the federal government's commitment to national security protection through EMPG by $96 million in FY05, which is an 80 percent state and 20 percent federal contribution. To bring all state and local jurisdictions up to the fifty percent level, $135 million is needed. This would allow as many as 3,030 additional local jurisdictions to become part of the program. To bring non-participating jurisdictions into the program at the 50 percent level requires an additional $152 million.

EMPG Helps Ensure Personnel for Mutual Aid

During the 2004 and 2005 hurricane seasons, the interdependencies of the nation's emergency management system were demonstrated and one of the success stories was the Emergency Management Assistance Compact (EMAC). EMAC enabled 48 states, the District of Columbia, the Virgin Islands, and Puerto Rico to provide assistance in the form of more than 2,100 missions of human, military and equipment assets and over 65,000 civilian and military personnel and equipment assets to support the impacted states. The estimated costs of these missions will exceed $829 million. Of the personnel providing assistance through EMAC, 46,503 were National Guard personnel and 19,426 were civilians. Many of the civilians sent to provide assistance are supported by the EMPG program in their state. The nature of the nation's mutual aid system vividly shows the need for all states to have appropriate capabilities to respond to disasters of all types and sizes. In Florida we used EMPG to build self-sustained response teams that are able to respond to disasters in our state and in neighboring states when called upon to provide assistance. The increased reliance on mutual aid for catastrophic disasters means additional resources are needed to continue to build and enhance the nation's mutual aid system through EMAC.

Appropriate Support Needed to Strengthen Program

While EMPG received modest increases in 2003 and 2004 after ten years of straight-lined funding, the program needs to be adequately resourced based on building capacity. The increased flexibility of EMPG is offset by funding shortfalls estimated in the NEMA Biennial Report in 2006 to be over $287 million for all 50 states. The current total need is $487 million. The Post-Katrina FEMA Reform Act authorized EMPG at $375 million for FY 2008.

Clearly, Congress wants to understand what is being built with these investments, especially in tight fiscal conditions. The 2006 Quick Response Survey found that if states were to each receive an additional $1

million in EMPG funding for FY 2007, states would use the following percentages for each of the following activities: 88 percent of states responding would use the funding to support the update plans including evacuation, sheltering, emergency operations, catastrophic disasters and others; 83 percent would provide more training opportunities for state and local emergency preparedness and response; 88 percent would provide additional preparedness grants to local jurisdictions; 69 percent would conduct more state and local exercises; and 61 percent would use funding for state and local NIMS compliance. (States were able to respond to multiple activities, as each state has multiple emergency preparedness priorities.)

Last year's Nationwide Plan Review Phase 2 Report completed by the Department of Homeland Security found that current catastrophic planning is unsystematic and not linked within a national planning system. The report cites that, "This is incompatible with 21st century homeland security challenges, and reflects a systematic problem: outmoded planning processes, products, and tools are primary contributors to the inadequacy of catastrophic planning. The results of the Review support the need for a fundamental modernization of our Nation's planning process." The report goes on to explain that all states do not adequately address special needs populations, continuity of operations, continuity of government, evacuation plans, and resource management. EMPG is the ONLY source of funding that can address these significant and immediate needs. The current EMPG shortfall does not take into account these findings.

EMPG as a Separate Account

The President's Budget proposal for FY 2007 suggests combining the EMPG account with the Citizen Corp account to form a formula-based grant account. NEMA strongly disagrees with this approach, as EMPG must be maintained as a separate line item account as Congress has affirmed since FY 2003. Congress agreed at that time that the program account needed to be visible and easy to find in the budget because of the importance of the program. The separate account is critical because the program is the only all-hazards grant program being administered through the Grants and Training Office to emergency management agencies. Additionally, NEMA suggests that Congress maintain the method of distribution for EMPG, similar to the language in the FY 2006 appropriations, however continuing to allocate the funding through the State Administrative Agencies (SAAs) continues to cause delays in some states. NEMA supports language that would expressly restore the direct allocation and administration of the EMPG grants to state emergency management agencies. This will facilitate the process of expediting funding to state and local emergency management agencies without adding unnecessary steps.

BUIDING OUR NATION'S MUTUAL AID SYSTEM THROUGH EMAC

The response to Hurricanes Katrina and Rita resulted in the largest deployment of interstate mutual aid in the nation's history through the Emergency Management Assistance Compact (EMAC). As mentioned previously, EMAC deployed personnel comprised of multiple disciplines from all member states to respond to Louisiana, Mississippi, Alabama, Florida, and Texas. The process enabled National Guard, search and rescue teams, incident management teams, emergency operations center support, building inspectors, law enforcement personnel, and other disciplines to immediately assist the requesting states in need of support. The National Guard even chose to continue under EMAC when deployed under Title 32 because of the organization, liability protections, accountability, and tracking abilities EMAC provides.

EMAC was created after Hurricane Andrew by then-Florida Governor Lawton Chiles. The system was developed through the member states of the Southern Governors' Association to establish mechanisms to

enable mutual aid among member states in emergency situations. The Southern Regional Emergency Management Assistance Compact (SREMAC) was signed by participating Governors in 1993. Following recognition of SREMACs nationwide applicability by the National Governors' Association and FEMA, Congress enacted EMAC in 1996 (P.L. 104-321). Currently 49 states, the U.S. Virgin Islands, Puerto Rico, and the District of Columbia are members of EMAC. EMAC requires member states to have an implementation plan and to follow procedures outlined in the EMAC Operations Manual. EMAC takes care of issues such as reimbursement, liability protections, and workers' compensation issues.

Prior to the historic 2005 deployments for Hurricanes Katrina and Rita, EMAC's largest previous deployment was during the 2004 Hurricane season in Florida, Alabama, and West Virginia, which enabled 38 states to provide assistance in the form of more than $15 million in human, military, and equipment assets and over 800 personnel to support the impacted states for over 85 days of continuous response operations. NEMA completed a 2005 After Action Report, which identified areas for continuous improvement for the EMAC systems. EMAC has a strategic plan to put lessons learned into practice. The support of EMAC is critical to helping offset the costs of disasters and maintaining the need for a massive federal workforce for response to catastrophic disasters. The beauty of EMAC is that it provides assistance to those in need, but allows others to assist and learn from disasters in other states.

In order to meet the ever-growing need for and reliance on interstate mutual aid, NEMA is seeking $4 million over three years to continue to build EMAC capabilities. This funding will allow EMAC to focus on the implementation of lessons learned from Hurricanes Katrina and Rita, such as training and education for all mutual aid stakeholders, resource typing and credentialing, and information and resource management. Since EMAC's inception in 1993, EMAC was funded by member states until 2003. In 2003, FEMA funded EMAC with a 3 year grant of $2 million. This funding expires on May 31, 2007. Funding has been used for administrative support of EMAC, development of the EMAC Operations system whereby all resources deployed under the Compact are tracked from when it is requested until reimbursement is paid, and the 2004 and 2005 after action reports. NEMA has also established an EMAC Advisory Group that is already working to better integrate mutual aid partners into the EMAC system before future disasters occur.

Specific funding for EMAC is needed to continue to build capabilities. The Post-Katrina FEMA Reform Act authorized $4 million annually for EMAC, but no funds were appropriated. NEMA supports inclusion of an annual budget line item in FEMA to assist in training and education, resource typing requirements in the FY 2007 DHS appropriations, credentialing, and information and resource management. Including a budget line item for building EMAC capabilities and our nation's mutual aid system in the DHS budget for FY 2008 will help to address these specific actions to improve mutual aid.

IMPROVING STATE AND LOCAL EMERGENCY OPERATION CENTERS

During emergencies and disasters, emergency operations centers (EOCs) serve as the nerve center for state and local coordination. Federal agencies also use these facilities to act as a central point for communication during response and recovery phases. After the 2001 terrorist attacks, Congress provided some funding to states to update their EOCs. Additionally, Congress temporarily changed the state local cost share from 50-50 to 75-25 for these funds.

States continue to require more monies to enhance state primary and alternate EOCs. According to data in the 2006 NEMA Biennial Report, it is estimated that almost $393 million would be needed to build,

retrofit and upgrade the facilities. For local EOCs, that number increases to $1.1 billion, for a total of almost $1.5 billion. This includes the costs to upgrade equipment and software, train personnel, and conduct operations during emergency and non-emergency situations. A separate line item is needed in the budget for EOC improvements. Congress should make a $160 million commitment to upgrading EOCs as a down payment to address the significant deficits.

EOCs are critical because decisions have to be made in response to a disaster in very short turnaround times, having federal assets respond could be untimely, cumbersome, and would not be cost effective. These coordination points need to come from the ground up and help to coordinate the true first responders in the management of the incident and the system. Having appropriate facilities and resources for EOCs can hasten the response and may ultimately save lives.

CONCLUSION

With the passage of the Post-Katrina FEMA Reform Act, Congress has affirmed their support for ensuring preparedness for our nation's continuous vulnerability against all-hazards. We must continue to build national preparedness efforts with a multi-hazard approach. We appreciate Congress' increased attention and focus on disaster preparedness, response, recovery, and mitigation efforts. We ask that Congress look at ways to immediately influx the system with resources, encourage and reward innovation in order to face the challenges of the day. We cannot afford to continue to repeat history as we did with Hurricane Andrew and Hurricane Katrina. We must, once and for all, learn the lessons of the past and resolve ourselves to ensure that Federal, State and local governments have adequate funding for baseline emergency preparedness so exercises and training can ensure that plans and systems are effective before a disaster. I thank you for the opportunity to testify on behalf of NEMA.

Statement for the Record

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and
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Department of Homeland Security

Before the

United States House of Representatives

House Transportation and Infrastructure Committee

Subcommittee on Economic Development, Public Buildings, and Emergency Management

Preparing for All Hazards: Are we ready?

April 26, 2007

Introduction

Chairman Oberstar, Subcommittee Chairwoman Norton, Ranking Members Mica and Graves, and Members of the Committee, thank you for inviting me to appear before you today.

I look forward to working with this Subcommittee and Congress to continue the improvements we are implementing to enhance the capabilities of the Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) to ensure that our Nation is prepared for all hazards, especially those that are catastrophic in nature. We are working to reorganize and build a New FEMA with greater capabilities. Our commitment is to improve our Nation's all hazards preparedness, response, recovery and mitigation systems and capabilities. We are taking the first steps in what will be a multi-year effort to significantly increase FEMA's core capabilities and capacity to better serve and protect our Nation and its citizens.

Background

The 2005 Hurricane disasters will long be remembered for the damage and the disruption they caused for communities and many families. These disasters forced America to rethink vulnerability and risk assumptions. In addition to these very significant impacts, the hurricanes served as catalysts for major changes in Federal policy, approaches, and the organization of responsible Federal entities, notably within DHS and in particular within FEMA. Before Hurricanes Katrina and Rita, FEMA focused on preparing our own resources to respond to a disaster. We did not focus enough on preparing communities to make plans and preparations before a disaster strikes nor on the most appropriate role of tribal, State and local governments afterwards.

The 2005 Hurricane Season brought many lessons to FEMA and emergency management communities across the country. As President Bush said that September, "This government will learn the lessons of Hurricane Katrina. We are going to review every action and make necessary changes so that we are better prepared for any challenge of nature, or act of evil men, that could threaten our people." Many of those changes were included in Title VI, officially titled the "Post-Katrina Emergency Management Reform Act of 2006," (Post-Katrina Act) which articulates expectations for FEMA, establishes new leadership responsibilities, brings an expanded scope of missions, and allows FEMA to undertake a broad range of activities involving preparedness, response, recovery and mitigation both before and after terrorist events, natural and manmade disasters. The Post-Katrina Act contains provisions that set out new law, amend the Homeland Security Act (HSA) and the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act).

I am pleased to appear before the Subcommittee today to describe the new FEMA, discuss how the new components being added will enhance our ability to prepare for all-hazard events, including catastrophic disasters, and to outline some specific catastrophic disaster planning activities we are undertaking.

The New FEMA Mission

As of March 31, 2007, FEMA's responsibility to lead and support efforts to reduce the loss of life and property and prepare the nation to address all hazards through a risk-based approach that will focus on the expanded comprehensive emergency management components of preparedness, response, recovery, and hazard mitigation. FEMA now has a broader mission, a wider constituency and a greater depth of penetration with the National Preparedness Goal and grants' programs. We are committed to move toward achieving a higher level of shared preparedness, greater capacity to respond, and a greater consensus on the system needed to assess our progress. The statute also addresses a fifth component — protection; FEMA will work closely with the Department's Office of Infrastructure Protection and other Federal partners to define FEMA's protection responsibilities. We will then map our efforts to fulfill these responsibilities through training, grants, planning, and other means.

Among the specific activities given to FEMA in the Post-Katrina Act are the following:

- leading the nation's comprehensive emergency management efforts (including protection) for all hazards, **including catastrophic incidents**;
- partnering with non-federal entities to build a national emergency management system;
- developing federal response capabilities;
- integrating FEMA's comprehensive emergency management responsibilities;
- building robust regional offices to address regional priorities;
- greater leveraging of DHS' resources
- working with states and local agencies to build non-federal emergency management capabilities, including those involving communications; and
- developing and coordinating the implementation of a risk-based all hazards preparedness strategy that addresses the unique needs of certain incidents.

The New FEMA and National Preparedness

The nation needs a dedicated and sustained national effort to organize, guide investment, and strengthen national preparedness. Much has been accomplished, yet we know from experience there are still systemic limitations in our preparedness. We must reexamine our familiar patterns of behavior and perceptions of risk to transform the culture of preparedness. The charge to build and sustain the culture of preparedness is a major objective of the new FEMA.

The Post- Katrina Act clearly invited a thorough assessment of FEMA's internal structure and presented the opportunity to incorporate lessons learned from Hurricane Katrina and to systematically integrate new and existing assets and responsibilities. That is precisely what we have done. The new FEMA is standing up a new National Preparedness Directorate, headed by a Deputy Administrator and supported by two Assistant Administrators. The National Preparedness Directorate will lead the effort to develop a culture of preparedness. It will be charged with consolidating FEMA's strategic

preparedness assets to include both existing FEMA programs and certain legacy Preparedness Directorate programs. It will incorporate functions related to preparedness doctrine, policy and contingency planning and will include the Department's exercise coordination and evaluation program, training activities, and prototypical Chemical Stockpile Emergency Preparedness and Radiological Emergency Preparedness Programs. It will also be responsible for coordinating HSPD-8 (National Preparedness) implementation, including the National Preparedness Goal and target capabilities, the National Assessment and Reporting System, the Nationwide Plan Review, the Federal Preparedness Coordinator program, and coordinating with the approximately 2,100 Citizen Corps Councils in all of the States and territories and the numerous governmental and non-governmental Citizen Corps partners.

Building truly interchangeable homeland security capabilities takes more than merely embracing a loosely defined concept like "all hazards." We turned this concept into a systematic planning methodology using a capabilities-based framework. This meets the requirements of HSPD-8, which tasked the Secretary of Homeland Security, in coordination with the heads of other appropriate Federal departments and agencies and in consultation with State, local, territorial, and tribal governments, to develop a National Preparedness Goal. The Goal represents a shared national endeavor, not simply a Federal activity.

The set of target capabilities we developed, in cooperation with our Federal partners, to implement the Goal are designed to support the achievement of a fully integrated, adaptable, all hazards national emergency response system and active, layered national defenses against threats and acts of terrorism. They provide the means to build, sustain, and improve preparedness across all regions of the nation. The aim is to ensure that a robust prevention, mitigation, protection, response and recovery infrastructure is in place to deal rapidly, effectively and flexibly with terrorist attacks, major disasters, and other emergencies

Within FEMA, the National Integration Center (NIC) will provide FEMA with the ability to elevate preparedness and emergency management knowledge and capabilities across all levels of government: Federal, State and local. The NIC will serve both as a center for training and curriculum development and for the delivery of high quality training to first responders from the Emergency Management Institute, and The Center for Domestic Preparedness and its Noble Training Center across the full spectrum of preparedness, response, recovery and mitigation, as well as prevention in coordination with other organizations within DHS. The NIC will coordinate closely with FEMA's United States Fire Administration's National Fire Academy. The NIC is responsible for actively managing and maintaining the National Incident Management System (NIMS), and the National Response Plan (NRP), as well as the annexes and supplements to the NRP, such as the Catastrophic Incident Annex and the Catastrophic Incident Supplement. Working with Citizen Corps, the NIC will coordinate with the Corporation for National and Community Service to establish a process to better use volunteers and donations and to improve first responder activities with State, local and tribal governments, as well as non-governmental organizations.

With all of these new capabilities added to FEMA, we will be in a much stronger position to deliver enhanced capabilities to our State and local emergency management partners and other preparedness organizations and to engage the capabilities of the private sector. Beyond strengthening our all-hazards capabilities, the new preparedness strengths we are gaining will allow us to focus greater attention on catastrophic disaster planning. The new FEMA organization will reflect the expanded scope of FEMA's responsibilities and support a more nimble, flexible use of resources. It will strengthen FEMA's internal coordination and coordination with other DHS components, as well as coordination with other Departments and Agencies.

The President and Congress have consistently identified the need for specific and measurable goals for preparedness, national cooperation, application of assistance where the risk and need is greatest, determination of essential capabilities communities need, and advanced planning processes. HSPD-8, the lessons of Hurricane Katrina and the strategic requirements of the war on terrorism all require transformation of our nation's preparedness. We must change our practices and doctrine to reflect 21st century challenges, to exploit our Nation's strengths, and protect against our vulnerabilities by building and sustaining national preparedness.

FEMA Regional Offices

The Act codifies and expands FEMA's regional office structure, which will also strengthen our all-hazards and outreach capabilities. The ten Regional Administrators provided for in the Act report directly to the Administrator, and will be supported and coordinated by an Associate Deputy Administrator at FEMA headquarters. At the regional level, the Act provides for the creation of Regional Advisory Councils and a new generation of regional incident management/strike teams. The Regional Advisory Councils will provide advice and recommendations to the Regional Administrators on regional emergency management issues and identify weaknesses or deficiencies in preparedness, protection, response, recovery and mitigation for State, local and tribal governments based on their specialized knowledge of the region. The statute also establishes area offices for the Pacific and Caribbean jurisdictions, as well as for Alaska, in the appropriate regional offices. The Act also transfers the DHS Office of National Capital Region Coordination (NCRC) to FEMA. NCRC will continue its work with stakeholders to address the unique challenge resolving inter-agency and multi-jurisdictional issues of the National Capital Region. This new structure will facilitate our catastrophic planning activities.

Catastrophic Disaster Planning Initiative

We all recognize the urgent need to complete comprehensive catastrophic disaster planning for the most vulnerable areas of the United States. By definition a catastrophic disaster quickly overwhelms the existing disaster response capabilities of local, State, and Federal governments. Current Federal disaster response capabilities are not sufficiently robust to successfully address all the anticipated effects of catastrophic disasters.

Therefore, FEMA has initiated a catastrophic disaster planning initiative to improve response capabilities and complement the NRP, NIMS, and State and local planning activities. This initiative will ensure that DHS/FEMA and its Federal, State, and local partners have taken every possible measure to effect appropriate, quick, effective, and efficient response and recovery to protect the health, safety, and well-being of the population and, to the extent possible, restore the infrastructure following such an event.

We know that a well-constructed State catastrophic plan provides the critical foundation for development of an effective, integrated Federal-State response. Localized catastrophic planning provides essential knowledge for the development of the most effective preparedness and response efforts. In cooperation with affected state and local governments FEMA will identify the highest risk areas and examine loss estimates, current response capabilities, anticipated response shortfalls, and comprehensive planning strategies for addressing the shortfalls, to include new legislative and executive action if necessary. Information technology and modeling will be leveraged to develop interactive tools, services, and products to assist Federal, State, and local officials in catastrophic planning and operational response. Products will include incident-specific response plans for pre-selected geographic regions, based upon loss estimating models and capability inventories of affected local, State and Federal responders, as well as planning templates for planning for catastrophic incidents in other areas. Information technology will be maximized as part of this effort to ensure that appropriate interactive planning as well as operational tools are developed. This initiative will fulfill the Department's legislative and executive responsibilities to the Administration and the American public.

Specific Catastrophic Disaster Planning Activities

FEMA Catastrophic Disaster Response Planning Initiatives are currently focused on four specific areas, Southeast Louisiana, New Madrid Seismic Zone (NMSZ), the State of Florida and the State of California.

Southeast Louisiana Catastrophic Hurricane Planning Initiative

Thirteen southeastern Louisiana parishes (including the City of New Orleans) were selected as the initial geographic focus area for FEMA's "Catastrophic Planning" initiative because of their vulnerability to hurricane disasters. Substantial planning activity has been accomplished with the State of Louisiana and its parishes since Hurricane Katrina in planning and preparing for the 2006 and 2007 Hurricane Seasons.

New Madrid Seismic Zone Readiness Planning

In 2006, FEMA launched a major Catastrophic Disaster Response Planning initiative to focus on a no-notice major earthquake in the NMSZ, a 150-mile long fault involving four FEMA Regions (IV, V, VI, and VII); and eight States--Alabama, Mississippi, Tennessee, Kentucky, Illinois, Indiana, Arkansas and Missouri. Forty-four million people live in the eight-state region, 12 million in the high risk area. The consequences of an earthquake on the New Madrid fault would have a wide-ranging impact on the security; critical infrastructure and economy of the United States (see attachment). The impact to our National Infrastructure will compound the response problem – getting supplies and relief to survivors will be exceptionally challenging. Fiber, power and gas pipeline networks which support our nation would be affected in addition to transportation and other key critical infrastructure components. The disaster response could be complicated by large potential aftershocks in the area. NMSZ has a history of multiple large scale earthquakes as experienced during 1811-1812. We anticipate a significant requirement for security, and extreme weather conditions could affect population movements and temporary sheltering requirements depending on the impacts of winter, spring, summer and fall weather conditions.

The NMSZ initiative will address one of the 15 National Planning Scenarios. The Central United States Earthquake Consortium (CUSEC), the Mid-America Earthquake Center (MAEC), the United States Geological Survey (USGS) and FEMA have completed preliminary modeling of potential impacts of an earthquake in the NMSZ. The estimated total building loss alone in the area from one quake today could exceed $70 Billion.

FEMA's planned approach to Catastrophic Disaster Response Planning is based on collaborative planning between Federal, State, and local governments, tribal nations, the private sector, voluntary organizations, and members of the critical infrastructure. The mission of the NMSZ Catastrophic Planning Project is to increase national readiness for this catastrophic event. Specifically, this will be accomplished by developing a series of annexes or supplements to existing base plans for response and recovery to a series of major earthquakes in the NMSZ and integrating them into a single document with Federal, regional, Tribal Nation, State, local, private sector, voluntary organizations and critical infrastructure components. Additionally, the mission is to identify issues that can not be resolved based on current capabilities and to propose recommended courses of action for decision makers involved in this project.

NMSZ planning will serve to accomplish the following three main objectives:

1. Improve response to a no-notice catastrophic earthquake and related hazards in the NMSZ.
2. Plan for a coordinated response, recovery and mitigation effort among Federal, State, tribal, private sector, voluntary organizations, critical infrastructure and local agencies.

3. Incorporate lessons from the Hurricane Katrina lessons learned and from previous earthquakes.

We will accomplish this by utilizing a unique Scenario-Driven Catastrophic Response Plan Development Process in the NMSZ. This process places operators in the same room with planners to develop plans based on real-world modeling. In other words, the people who respond to a disaster are integrally involved in writing the plan they will eventually use. Representatives from the entire spectrum of emergency management, first responders from the local level, State emergency management officials, and the Federal responders that staff the Joint Field Offices and other field offices together with the private sector and critical infrastructure, will collaborate to develop the plan in a manner similar to the way they work together in responding to an incident.

The scenario-driven planning concept combines the planning and exercise phases of plan development through a workshop format. Breakout rooms and action rooms are used to develop topic-specific plans based upon modeling and site specific scenarios in the involved communities. The accelerated process results in functional plans ready for immediate use. Examples of the diverse functional planning areas addressed are:

- Search and rescue
- Communications
- Command and Control
- Temporary medical care
- Special needs
- Debris
- Schools
- Evacuation
- Sheltering
- Mass care
- Pets
- Temporary housing
- Transportation, staging and distribution of critical resources
- Access control and reentry
- Power, water, and ice distribution
- Volunteer and donations management
- Hazardous Materials
- External Affairs

The scenario-driven catastrophic planning process promotes communication and builds stronger relationships between Federal, State, local, tribal, private sector, critical infrastructure and volunteer agencies that ultimately enhances the interoperability of plans. Participants at all levels of government and externally take ownership of the plans, and the operational knowledge and experience captured make those plans more viable. Working with the Central United States Earthquake Consortium (CUSEC), the eight States, Federal partners (DHS, USCG, EPA, USACE, DOD and others) the goal is to

identify important functional response areas and develop planning tools and templates to address them. Support is being provided on several fronts:

- Contract planners to assist the four FEMA Regions;
- Contract planners to assist each of the eight States;
- Logistical support to identify mobilization centers, staging areas and other requirements;
- A Cooperative Agreement to assist CUSEC in coordinating the initiative and provide staffing support. CUSEC represents the States involved and provides leadership for development of coordinated State and local planning in the NMSZ with our Federal partners.
- Support to integrate planning with the Tribal Nations;
- Support to the USACE to update the HAZUS database in support of Earthquake modeling required for development of catastrophic disaster plans and provide funding to the Mid-American Earthquake Center at the University of Illinois and the George Washington University Center for Crisis Disaster and Risk Management; and
- Support for exercise development, creation of a modeling library, and IT system development.

The stakeholders in the NMSZ Initiative will lead the development of the concept of operations for each planning area within the scenario-driven workshops, creating multi-jurisdictional plans in a collaborative environment. The process includes developing scenarios and researching previous plans, studies, and reports. A design team has established a format for response plans that will be developed in workshops, using templates designed from previous initiatives. Workshops will be conducted for individual States and two urban areas: Memphis, Tennessee, and St. Louis, Missouri. A rural area workshop will be conducted in Cairo, Illinois, focusing on the communities of Cairo, Illinois, Charleston, Missouri, and Wickliff, Kentucky.

This multiple-city concept allows for greater input from the State and local governments throughout the planning process. Following the city workshops, a final integration workshop will be held with key representatives from previous sessions and plans will be developed and distributed after stakeholder approval.

This project will ultimately produce a number of highly beneficial products including the following:

- A comprehensive no-notice catastrophic earthquake planning scenario for the Central United States to address a NMSZ 7.7 Richter scale earthquake for:
    - Two urban areas – St. Louis, Missouri and Memphis, Tennessee;
    - The rural areas of – Cairo, Illinois; Wickliff, Kentucky; and Charleston, Missouri;
- Standardized catastrophic 7.7 Richter scale earthquake disaster planning template for planning in other large urban and rural areas that addresses specific emergency response functional areas;
- State NMSZ Catastrophic Earthquake Response Annexes (as well as local and state-regional annexes, where applicable);

- Federal regional NMSZ Catastrophic Earthquake Response Annexes;
- An overall national plan for a New Madrid earthquake scenario that integrates all of the aforementioned plans into a single response system;
- A plan maintenance schedule and materials for training and exercises for the individual plan annexes and the overall national plan;
- Federal/State/Local/Tribal/Private Sector partnership to address the full spectrum of planning, including the critical infrastructure;
- Host city plans for potential host States;
- A foundation for continued refinement of plans in the future; and
- A template for utilization in catastrophic disaster response planning nationally.

These vertically and horizontally integrated Catastrophic Response and Recovery Plans will be compliant with NIMS and the NRP. The national plan will serve as a "bridging document" for Federal, State, local, Tribal Nation, private sector, voluntary organizations, and critical infrastructure plans. Networks and relationships will be fostered to enhance the region's ability to coordinate response to a catastrophic disaster.

The following is our NMSZ schedule:

- FY 2007
  - Prepare Interim Concept of Operations (CONOP)
  - Conduct scenario-driven State workshops
- FY 2008
  - Continue scenario-driven State workshops
  - Conduct Regional scenario-driven workshops
  - Finalize NMSZ Plan
- FY 2009-2010
  - Scenario-based training & exercising
  - States independently/regionally exercise plans
- FY 2011
  - Major Command Post Exercise (Proposed)

If this event happened today the FEMA Administrator would immediately implement the NRP Catastrophic Incident Supplement to move life saving commodities and needed supplies to affected areas. We would work closely with the affected States and our partners to conduct an immediate damage assessment to identify specific areas affected using scientific tools and models from the Mid-America Earthquake Center and the National Infrastructure Simulation and Analysis Center. Working jointly with and using preliminary data from the State, we would make a rough approximation of the status of the critical infrastructure, key assets, and number of people and structures affected, and establish joint priorities for response.

Throughout the entire incident we would stay in constant communication with the Governors offering all available assistance and assets from the Federal government. The Emergency Alert System would also be used to provide public information to those in the area. All DHS/FEMA disaster response elements would be immediately mobilized to support response (i.e., Federal Incident Response Support Team (FIRST), National

Emergency Response Team (ERT-N), Emergency Response Team – Advance Element (ERT-A), Urban Search and Rescue, Mobile Emergency Response System (MERS), etc.,) and to establish a Unified Command Structure, we would determine the requirement for a lead FEMA Region, and establish Primary and/or multiple JFOs, as needed, for coordination. JFO Coordination Groups would be immediately deployed to each affected State's Emergency Operations Centers. Upon analysis of the magnitude of the requirements, a determination would be made on implementing the Defense Production Act to prioritize manufacturing in the private sector to meet critical response commodities and supplies needs.

In such an event, we would fully activate our National Response Coordination Center and Regional Response Coordination Centers in order to have ESFs ready to support our response and recovery efforts based upon identified requirements from the field, and address key problems involving transportation, housing, emergency power, etc. The 32 Departments and Agencies signatory to the NRP would play a major role in supporting the response to a NMSZ earthquake through the 15 ESFs. The ESFs serve as the primary operational-level mechanism to provide assistance to State, local, and tribal governments in functional areas such as transportation, communications, public works and engineering, firefighting, mass care, housing, human services, public health and medical services, search and rescue, agriculture, energy, etc. A major challenge will be sheltering, housing, mass care and taking care of special needs populations. Ingress and egress into the area could be impeded. We have a range of new Recovery policies which we would implement in response to such an event.

Florida Catastrophic Planning Initiative

We are undertaking Catastrophic Disaster Response Planning in coordination with the State of Florida for a Category 5 Hurricane impacting southeastern Florida. This is a two phased project. Phase one places specific focus on evacuation planning in the adjacent counties around Lake Okeechobee. Phase two will address the requirements associated with responding to a Category 5 Hurricane impacting South Florida and Miami, a large urban area with a diverse population. FEMA is providing resident contract planners to support the State and local communities in this effort. As part of this effort, urban areas of southeast Florida and the Lake Okeechobee region have received additional planning resources and will be provided updated laser-mapping of the Herbert Hoover Dike area from DHS/FEMA to help local counties and the State of Florida develop regional evacuation and disaster response plans.

FEMA provided Florida with seven planners to develop disaster plans and procedures for two critical preparedness scenarios. The first scenario is an event involving a potential dike failure along Lake Okeechobee that will include an in-depth regional plan for notification, evacuation, response and recovery of communities located near the Herbert Hoover Dike. The second planning scenario involves a catastrophic event that strikes the greater Miami area, putting hundreds of thousands of residents out of their homes. It is estimated that over 45,000 residents currently live within the potential flood area of the Herbert Hoover Dike and Lake Okeechobee in Palm Beach, Glades, Hendry and Martin

counties. Nearly 7 million residents live in Palm Beach, Broward and Miami-Dade counties.

Technicians contracted by FEMA will begin laser-mapping areas of Lake Okeechobee, using hi-resolution Light Detection And Ranging (LiDAR) technology, to support regional evacuation planning efforts for the Herbert Hoover Dike. This data will provide hurricane forecasters and emergency officials with a more accurate assessment of how a tropical system, such as a hurricane, might impact the Lake and its surrounding area. The detailed elevation mapping will aid planners by determining where potential flooding may occur, how rapidly water will flow, and in which areas the water may pool should a dike breach occur. The goal is to improve understanding of potential impacts and identify additional resources that maybe necessary for the regional catastrophic planning efforts and protective actions.

Scenario-driven workshops to address specific State and local functional areas for planning are also the foundation for the Catastrophic Disaster Response Planning conducted in the State of Florida. Since September 2006, this process has enabled ongoing collaborative efforts by local, county, state and federal agencies to develop initial disaster plans in the event of a tropical system or breach of the Herbert Hoover Dike that is maintained by the USACE. The plan addresses key issues such as alert and notification; transportation and evacuation routes; temporary sheltering; providing immediate life-saving, life-sustaining, and basic human needs services (food, emergency medical, emergency sheltering, search and rescue); and medium and longer-term human services such as housing assistance, personal counseling, and reentry support services.

Specific products from this initiative will include developing standardized and comprehensive catastrophic Category 5 hurricane disaster functional response plans for the State of Florida and responding Federal agencies for utilization as planning templates in other large urban areas that address site specific emergency response functional areas. Included will be the following:

- Lake Okeechobee Evacuation Plan
- Host city plans for potential host States.
- Federal/State/Local/Tribal/Private Sector/Voluntary Organizations partnership to address the full spectrum of planning, including the critical infrastructure.
- Foundation for continued refinement of plans in the future.

Thus, the same unique process we are utilizing in the NMSZ, scenario-driven workshops, is being applied to the State of Florida to enhance their capability to respond to a catastrophic category 5 hurricane making landfall in Southern Florida. The Florida schedule for this project is as follows:

Phase 1 – Lake Okeechobee Evacuation Plan Spring '07

- February Scenario-Driven Workshop – local level (completed)
- April Scenario-Driven Workshop – State level
- May 7-11, 2007 Exercise

- June 11-13, 2007 Scenario-Driven Workshop – to follow up on unresolved issues from the February 2007 and April 2007 Scenario-Driven Workshops and the May 2007 Lake Okeechobee Evacuation Plan Exercise

Phase 2 – Comprehensive Florida Plan
- Fall 2007 Workshops
- Spring 2008 Workshops
- Fall 2008 consolidation of local, State and Federal partner workshop inputs
- Training and exercise of the Comprehensive Florida Plan in 2009

California Catastrophic Disaster Readiness Planning

The California Catastrophic Planning Initiative is in the initial planning phase. It is important to note that the results of the Louisiana, New Madrid Seismic Zone, and Florida Catastrophic Planning Initiatives and the associated grass roots workshops, operational planning, exchange of information, training, and exercises will be used to facilitate California planning. The California initiative will involve conducting scoping activities for catastrophic seismic incident readiness planning with the State of California. Technical assistance will be provided to facilitate development of a planning process with stakeholders that will address several potential functional areas: evacuation including medical/special needs, transportation/staging and distribution of critical resources, command and control, saving lives, search and rescue, temporary medical care, sheltering, hosting, access control and reentry, power, water and ice distribution, volunteer and donations management, hazardous materials, external affairs, business, industry and government partnerships, private sector coordination, the critical infrastructure, and exercises of the plan, to include application of the Catastrophic Incident Supplement to the NRP. It will also address the interim and temporary housing problem after a major or catastrophic disaster including development of strategies; plans, and procedures; and building coalitions.

FEMA Recovery Catastrophic Disaster Planning Initiative

For FY 2007, FEMA's Recovery planning and capability building initiatives include enhancing mass care capability by improving the National Shelter System and developing better tools for coordinating and tracking donations and volunteers, developing a national disaster housing strategy and improving operational planning for providing temporary housing in a catastrophic disaster, establishing a case management program, updating ESF 6 Mass Care, Housing, and Human Services standard operating procedures, developing debris estimation technology and monitoring methodology and enhancing state and local debris operations capabilities, and improving our capability to conduct operations planning for long term disaster operations.

Emergency Evacuation, Shelter, and Housing

FEMA's most pressing priority for planning for Recovery from a catastrophic disaster event has been *emergency evacuation, shelter and housing*. In 2004, FEMA completed

an initial Catastrophic Disaster Housing Strategy, which proposed several initiatives to increase FEMA's capability to provide assistance to individuals and households following an extraordinary or catastrophic disaster. The strategy provided the principles and recommended strategies that establish the framework for the catastrophic disaster housing recovery planning being done today. Key needs identified at that time included: an expandable disaster registration intake and applicant assistance process; the ability to provide immediate benefits payments; a plan for assisting applicants to temporarily relocate to outside the disaster area; and a strategy and prepared public messages to provide victims with information about assistance.

- **Mass Evacuee Support Planning**: The 2005 Gulf Coast hurricanes caused several hundred thousand residents to evacuate to over forty States, many for prolonged time periods. Cities such as Houston, Oklahoma City, Atlanta, and Baton Rouge received hundreds of thousands of evacuees requiring immediate shelter, food, other basic assistance, as well as longer term services. In June 2006, FEMA published Recovery Strategy RS-001, Mass Sheltering and Housing Assistance. This strategy addresses many contingencies for providing sheltering and housing assistance for declared emergencies and major disasters. In addition, FEMA is undertaking more detailed mass evacuee support planning. This will assist State and local governments to plan and prepare for hosting large displaced populations. The project includes FEMA developing an evacuee registration and tracking capability, implementation plans for federal evacuation support to states, emergency sheltering guidance and providing direct planning assistance to potential host States and communities.

- **The National Emergency Family Registry and Locator System and National Emergency Child Locator Center:** As defined in the Post Katrina Act, these capabilities will address the reunification of displaced persons and activity to locate missing children during disasters. On disasters declared by the President, this tracking capability will assist FEMA, Department of Justice and the Red Cross in further developing and implementing methods for quickly identifying and reunifying missing and separated children and family members during a disaster.

- **Improving Shelter Management and Accountability**: FEMA and the American Red Cross, the nation's largest operator of major congregate shelters during disasters. The first phase of the National Shelter System (NSS) was developed through a FEMA/American Red Cross partnership to provide a web-based data system to support shelter management, reporting, and facility identification activities. The system is intended for use by all agencies that provide shelter services during disasters to ensure a comprehensive understanding of the shelter populations and available shelter capacity. In addition, this system will provide visibility on large shelter populations and position FEMA to provide targeted registration assistance to disaster victims. Outreach and training for Federal, State, and local authorities in use of the system is being conducted.

- **Housing Options**: The FEMA Housing Portal was developed to consolidate available rental resources for evacuees from Federal agencies, private organizations, and individuals. The Joint Housing Solutions Group is a dedicated unit to research and document alternatives to traditional temporary housing. They are currently conducting initial baseline field tests of a housing option assessment tool.

- **Expanding Home Inspections Capacity:** FEMA has tripled the daily home inspection capacity of FEMA contracted firms from 7,000 per day to 20,000 per day through a new contractual agreement. This added capacity – combined with a newly established third party evaluation of inspections performed on victims' damaged homes – will increase the speed and accuracy of home inspections that determine the FEMA repair and replacement grants for which a victim may be eligible.

Applicant Registration and Management

In 2006 and 2007 FEMA has focused its Recovery planning and capability building efforts on improving applicant management systems, expanding registration intake and processing capacity, increasing fraud controls, supporting displaced populations, identifying alternative forms of temporary housing, and debris management planning. FEMA has made significant progress in increasing its capability to provide assistance to individuals particularly in the areas of registration, applicant processing, and providing assistance.

- **Doubling Registration Capacity to 200,000 Per Day**: During the days and weeks following Hurricanes Katrina and Rita, FEMA surpassed 100,000 registrations a day, shattering all previous records of intake. While call center capacity was ramped to its highest levels ever, FEMA is pursuing even more robust contract and contingency surge capabilities that will quickly allow for rapid expansion to a registration intake capacity of up to 200,000 per day. FEMA's Internet-based registration capability has been increased by improving accessibility, allowing FEMA to handle more registrations than ever before. This will help reduce registration wait times and FEMA Helpline information delays following a major disaster.

- **Deployable Mobile Registration Intake Centers (MRICs) Pilot**: Recognizing many disaster victims may be stranded or in congregate shelters with no communications, and unable to register for assistance, FEMA has established a new registration pilot program that pushes registration capabilities directly into the field. In the 2007 hurricane season FEMA will have the ability to deploy Mobile Registrations Intake Centers immediately to congregate shelters and provide an on-site capability to quickly register for FEMA assistance.

Debris Management Planning

Management of contaminated debris is of particular concern for terrorist events, but is also an issue in most large natural disasters. An Interagency Work Group to coordinate Federal agency management of contaminated debris began work in 2005 just prior to Hurricane Katrina. The Work Group is further developing Federal contaminated debris operational procedure guidance. This project is analyzing the implications of a catastrophic incident on contaminated debris management programs and policies and will assist FEMA, USACE, EPA, USCG, and other federal stakeholders to better define their operational role and inter-relationships. FEMA's Public Assistance Program is also undertaking two catastrophic planning initiatives focusing on increasing State and local debris management capabilities through planning and enhancing Federal capabilities to estimate debris volumes following a disaster to assist in operational planning and cost estimation.

Increasing Fraud Controls

In the aftermath of Hurricane Katrina, FEMA has also already taken steps to implement new and stronger controls pertaining to identity and occupancy verification of applicants for disaster assistance. Examples of controls implemented include: deployment of a new Internet registration application that disallows any duplicate registrations; added identity proofing to the call center registration application so that all Individual and Households Program (IHP) registrations are subjected to the same stringent criteria, including verification of social security numbers and occupancy requirements; data-marking any applications in FEMA's database that fail identity proofing so they are flagged for manual review and denied automated payment; real-time interaction between the FEMA Service Representative and the applicant during registration to ensure that the data entered that resulted in a failed identity check is correct before accepting the application; working with FEMA's data contractor to flag any addresses that are not residential addresses in order to prevent automated payments without an on-site inspection verification of address and residency; and flagging at-risk social security numbers to identify potential fraud.

FEMA Planning Partnership with State and Local Emergency Management Officials

FEMA is very excited about another extremely important initiative. This initiative involves collaboration between FEMA, the New York State Emergency Management Office, and the New York City Office of Emergency Management (OEM) based on work New York City OEM has already accomplished through its State and Local Integration Program, a program designed to provide accessible predictive modeling, asset management, a standardized request and management system, and operational planning for the receipt of assets. This initiative will enable the new FEMA to lean forward and respond more quickly and efficiently to major disasters. The initiative will be a joint effort between State Emergency Management representatives and FEMA Regional representatives to conduct a series of structured discussions with local jurisdictions to obtain a clearer picture of potential disaster response asset gaps in the critical areas of

debris removal, evacuation, sheltering, interim housing, healthcare facilities, commodity distribution, communications, fuel, . The discussions will provide an opportunity for local jurisdictions to ask specific questions of Federal and State officials and identify issues of critical concern to help long-term preparedness programs. We are confident that through these structured discussions, we will all be better prepared.

National Response Plan/Catastrophic Incident Supplement

The National Response Plan (NRP) and the National Incident Management System (NIMS) are currently undergoing an extensive review and revision by Federal, State, and local government officials, tribal authorities, non-governmental and private sector officials. The review includes all major components of the NRP including the base plan, Emergency Support Functions, and Annexes. The role of the Principal Federal Official, Federal Coordinating Officer, and Joint Field Office Structure also are being reviewed during this process. A Catastrophic Planning Work Group is examining the Catastrophic Incident Annex and Supplement (CIS). The CIS is a self-supporting operations plan that includes a synchronization matrix. It is designed so that each department and agency can, under both their statutory and NRP assignments and responsibilities, execute specific mission operations with little or no warning in response to a catastrophic Incident of National Significance. The current NIMS/NRP revision process includes a Catastrophic Planning Work Group. The group is conducting an interagency review and revision of both the Catastrophic Incident Annex and CIS. The revised Annex and CIS will reflect enhancements made to the NRP and its supporting ESF, functional, and incident annexes.

Hurricane Katrina revealed a number of NRP weaknesses (accounting for the intensive review now underway). This review will identify all agency and functional weaknesses and address them in the rewrite of the plan. The revised NRP and NIMS are scheduled to be released the summer of 2007. All agencies will be invited to participate in exercises through the use of training aids (to be developed), and as additional issues are identified they will be addressed. Some agencies are farther along in planning than others. This will take some time to develop.

In short, the new FEMA will be more agile, significantly stronger, and leaning more forward to deliver assistance more effectively than before. We have heard you and are acting on what you have asked us to do. FEMA will be ready to take a leadership role where needed, provide support where appropriate and be on-hand across the country before and after any major event – that I commit to you.

Thank you for your time today and I look forward to answering your questions.

Michael D. Selves, CEM
President
International Association of Emergency Managers

Testimony

Before the

Subcommittee on Economic Development,
Public Buildings and Emergency Management

Committee on Transportation and Infrastructure

United States House of Representatives

On

FEMA's Preparedness and Response to All Hazards

April 26, 2007

Chairman Norton, Ranking Member Graves, and distinguished members of the Subcommittee, thank you for allowing me the opportunity to provide testimony on this critically important topic.

I also want to express my sincerest gratitude to this subcommittee for the great support you have provided to the emergency management community over the past few years, particularly your efforts to reform FEMA and your continuing strong support for the Emergency Management Performance Grant Program.

I am Michael D. Selves. I am currently the Emergency Management and Homeland Security Director for Johnson County, Kansas. Johnson County constitutes the Southwest suburbs of the Kansas City Metropolitan Area and, with a population of approximately a half million, is the most populous county in Kansas. I currently serve as the President of

the International Association of Emergency Managers (IAEM) and am providing this testimony on their behalf. I am also a Certified Emergency Manager ® (CEM), and have served IAEM for five years as chair of the Government Affairs Committee prior to becoming a member of the presidential team. For the past 12 years I have been an active participant in the National Association of Counties, chairing their Subcommittee on Emergency Management, as a charter member of their Homeland Security Task Force as well as serving two years on their Board of Directors. I served for 7 years in emergency management at the state level as well as serving for 20 years in the United States Air Force.

The International Association of Emergency Managers has over 3,000 members including emergency management professionals at the state and local government levels, the military, private business and the nonprofit sector in the United States and in other countries. Most of our members are city and county emergency managers who perform the crucial function of coordinating and integrating the efforts at the local level to prepare for, mitigate the effects of, respond to, and recover from all types of disasters including terrorist attacks. Our members include emergency managers from large urban areas as well as rural counties.

We are pleased to have the opportunity to provide input on improving emergency preparedness and management. In order to address preparedness shortfalls revealed by the 2005 Hurricanes, we must look at the total, national system of emergency management. In the past, this system has been characterized by a cycle of neglect, crisis and further neglect. Former IAEM President Dwayne West of Johnston County, North Carolina refers to this cycle as the "spare tire" theory of emergency management. This theory suggests that we forget about and neglect the condition of our car's spare tire until we have a flat and then hope it is in good enough shape to get us to where we need to go. Likewise, we forget about and neglect our system of emergency management (preparedness, response, recovery and mitigation) until we need it. This is very evident by looking at the flawed responses to Hurricanes Hugo and Andrew which were essentially repeated in Hurricane Katrina.

Asking questions about a process or system is essential to understanding the basics of that process – and making improvements in it. I think the most important question we have to ask ourselves with respect to our emergency management system is why we are continually rebounding between feast and famine. The answer, I would respectfully suggest, is that we have failed to acknowledge the importance of constructing a solid, consistent and enduring all hazards emergency management system that links critical partners all the time. A system of this nature will be successful in dealing with a disaster regardless of what the nature of the last or next disaster is. To create this system, we must have a commitment to provide a solid, enduring and continuously linked system. These are the basic elements for success regardless of the nature of a disaster.

Before exploring the emergency management system in more detail, let us take a moment to discuss the unique role of the Emergency Manager. Probably the best thumbnail

description of the role of the emergency manager that I have ever heard comes from the commercials of a few years ago by the BASF Corporation. Their marketing slogan was, "we don't make the products you buy; we make the products you buy better." Likewise Emergency Managers don't do the response, we make the response more effective; we don't do the recovery, we make it more efficient. While Emergency Managers don't do fire service or law enforcement or emergency medical service, those disciplines work together better in a disaster because of the "value added" by Emergency Management.

Please allow me to share with you a "real world" example of this role from my own experiences. During a revision of our Local Emergency Operations Plan for Johnson County, Kansas, we involved 16 work groups comprised of more than 180 people from virtually every relevant county, city and private sector agency within our community. Projects of this magnitude require the coordination of all emergency responder agencies – in addition to virtually every other department of county government. While having plans is necessary, the value of the plan is primarily the process that is used to create it. Truly effective Emergency Management systems must be the result of inclusive and collaborative processes, built and sustained over time. In such a process, emergency managers and their "planner" don't write the plans; they bring together the key players and provide the facilitation and support necessary to ensure that those players are dealing with other critical players in a coordinated fashion. After the plan is developed, they also provide and coordinate the training and exercising necessary to make the plan understood and supported by all.

Critical Elements of a National Emergency Management (E.M.) System

After the terrible events of 9/11/2001, we unfortunately lost sight of the fact that there are three critical elements to any effective emergency management system. First, that system must be **comprehensive**, in that it must encompass all potential hazards and all potential impacts relevant to any community in this nation. In this regard, the function of emergency management must take into account the impact of disasters from not only a physical perspective, but also from a political, economic, sociological and even psychological one as well. In this respect, emergency managers are charged with establishing a broad, comprehensive framework within which the legal elected authority of their jurisdictions is exercised during a disaster event. This framework must take into account governmental, private sector and volunteer activities far beyond those associated with emergency services.

Second, it is essential that our national E.M. system must be **integrated.** Without unity of effort before, during and after any disaster, the effort is going to be chaotic at best and, at worst, doomed to failure. Emergency managers at all levels of government are responsible for ensuring that the highest levels of horizontal and vertical integration exist among all levels of government and across all elements of a community to support disaster response and recovery activities. Such integration demands that linkages are in place and that all relevant agencies at the local, state and national level are involved and engaged.

Third, there must be well established and maintained **coordination** among all stakeholders in the system to ensure that it is effective. Comprehensive and integrated plans on paper are not sufficient. Key stakeholders – like local government emergency managers – must be constantly consulted to ensure that the plans are based on reality and have "buy in" from those same key stakeholders through discussion and consensus. Essential understandings regarding roles, responsibilities and relationships must be maintained among everyone involved for the system to be truly effective.
It is the revitalization and continued maintenance of this comprehensive, integrated and coordinated national emergency management system in a solid and enduring way that IAEM feels is of primary importance. That is why we have given heavy emphasis in our discussions with the staff of this subcommittee and other relevant committees in three essential areas:

- The restoration of the authority and capability of the Federal Emergency Management Agency so that the national effort can be fully integrated once again.
- The adequate funding of State and Local Emergency Management agencies so that they can fully participate in this integrated national system.
- The establishment and support of programs and institutions which sustain a "culture of preparedness" and enhance our ability to be ready in times of crisis.

Reforming and Strengthening FEMA

In order for a solid, enduring and truly effective national emergency management system to exist, there must be a strong and empowered Federal agency in a leadership position. FEMA must have the authority and credibility essential to performing its role in the integrated system. Unfortunately, after being consolidated into DHS, FEMA not only lost resources and experienced personnel – most importantly they lost authority to make decisions and direct Federal efforts during disasters. Bad decisions – like subordinating the role of the FEMA Director, reducing funding, and removing preparedness – led to the problems encountered during Hurricane Katrina. As a result, IAEM established a position on reforming FEMA which called for:

- Maximum amount of access of FEMA Director to the White House.
- FEMA clearly responsible for coordination of the Federal response to disasters.
- Adequate funding, resources and personnel for FEMA which cannot be reallocated without legislative action.
- Experienced, qualified and knowledgeable leadership in all key FEMA positions.
- Establish and maintain a culture of empowerment within FEMA that promotes the maximum level of autonomy and supports the independent actions necessary to deal with the consequences of disaster.

- Abolish the Principal Federal Official (PFO) position. It leads to confusion.
- Strengthen the FEMA regional offices.
- Ensure opportunity for local emergency managers to have meaningful participation in the policy development process.
- Return to established emergency management doctrine – all hazards, integrated, all phases (Return preparedness to FEMA).

Last fall, Congress passed and the President signed, the Post-Katrina Emergency Management Reform Act of 2006 which included most of these recommendations. We are aware and very much appreciate the important role played by this Subcommittee. We urge the Congress to exercise aggressive oversight of the implementation of the Act to ensure that Congressional intent is complied with fully and in a timely manner. Some issues which we are particularly concerned about are:

- The actual chain of command which will be in place during a disaster situation. It is not clear that the FEMA Administrator will have the authority he needs to direct the Federal response to disasters and emergencies. We believe it is important that this committee insist the authority to accomplish the mission clearly resides with the Administrator. We believe that the National Response Plan should be written to require this. There are law enforcement incidents where this might not be applicable, but when it is incident management for the Department of Homeland Security it is appropriate for the FEMA Administrator as the department's incident manager to be in that chain of command.
- Position of Administrator. Congressional intent clearly stated that the FEMA Administrator was to report directly to the Secretary and that the FEMA Administrator position was to be established as a Deputy Secretary level position. We understand the Department intends for the Administrator to report to the Deputy Secretary.
- The role of the Federal Coordinating Officer (FCO) and the Principal Federal Official (PFO). Even though the (PFO) was not abolished under the Post Katrina Emergency Management Reform Act, there was a clear intention that the PFO's role was to act only as an advisor to the Secretary and not have operational control. Our members want the Federal Coordinating Officers to have the authority to make decisions and for them not to be reversed. If the PFO program is not abolished, it will be important the Congress insist that FEMA manage the doctrine, training, and exercising of the PFOs to insure no conflict between the PFO doctrine and the FCO responsibilities. This is clearly a FEMA function under the Post Katrina Emergency Management Reform Act and the law does not permit the Secretary to move FEMA functions to other parts of the Department.

- Transfer of all the preparedness support positions and their funding. We applaud the preparedness functions being moved to FEMA. However, it will be vital that all the positions to support those functions be moved as well. We understand funding was taken from preparedness programs for "shared services". Were all of those funds transferred with the programs? When FEMA was created in 1979, departments and agencies did not send the support positions with the programs—this history should not be repeated.

- Transfer of the Intergovernmental Affairs Staff or providing adequate number of positions. This office which included approximately 17 positions was clearly transferred as part of the preparedness functions to FEMA. It is our understanding that the office was transferred to FEMA, but the office and staff were returned to the National Protection and Programs Directorate on a nonreimbursable detail from FEMA. Why should FEMA pay for positions they do not have? This function and these positions will be important to FEMA as they rebuild their crucial relationships with the many state and local stakeholders and should be transferred.

We look forward to the naming of the National and Regional Advisory Councils as provided for under the Reform Act. IAEM has offered our services to assist the FEMA Administrator in identifying qualified and certified local emergency managers to serve on these councils.

Our recent contacts with FEMA leadership lead us to believe there is a "good faith" effort underway to implement the improvements provided for by Post-Katrina Emergency Management Reform Act of 2006. We appreciate the "fence" that Congress has provided to protect FEMA. We remain concerned, however, about the respect that DHS is showing toward the fence.

Enhance Funding for Emergency Management Performance Grants (EMPG)

One factor which is essential to the restoration of a national emergency management system is the ability of state and local governments to participate as full partners in that system. In order to do this, the long-standing funding mechanism of EMPG must continue and be enhanced. All of the elements I've outlined above require that there be responsible, knowledgeable and empowered people at the state and local government levels who are focused on maintaining the emergency management capability needed to adequately support national objectives and provide the services our citizens expect and deserve.

The Emergency Management Performance Grant Program is the single federal all hazards emergency preparedness grant program in support of capacity building at the state and local level. EMPG funds support the state and local foundation upon which our nation's emergency response system is built. The program supports state and local initiatives for planning, training, exercise, public education, command and control, as

well as emergency operations personnel. Emergency management is the governmental function that coordinates and integrates all activities necessary to build, sustain, and improve the capability to prepare for, protect against, respond to, recover from or mitigate against threatened or actual natural disasters, acts of terrorism or other man-made disasters.

The EMGP program is authorized by the Stafford Act and has been in existence since the 1950s. It was created to be a 50/50 cost share to ensure participation by state and local governments in building and maintaining strong emergency management capability. Administration proposals have attempted in the past to reduce the percentage of funds which could be used for personnel and to combine the funds with the homeland security grant programs. Congress has rejected the request to limit the percentage for personnel and has kept the EMPG program as a separate account.

The International Association of Emergency Managers recommends the following regarding the Emergency Management Performance Grant Program (EMPG):

- EMPG should be funded at $375 million, the amount authorized in P.L.109-295, the Post Katrina Emergency Management Reform Act of 2006. We appreciate the $200 million which Congress appropriated last year to begin to address the shortfall.
- EMPG should be retained as a separate account. The Administration's request to combine EMPG with other programs should be rejected.
- The EMPG match should be maintained at 50-50 to continue to reflect the state and local commitment to the emergency management program in partnership with the Federal Government.
- EMPG allocation and uses should be based on emergency management plans and all-hazard capacity, rather than terrorism based capabilities.
- Performance metrics based systems like the Emergency Management Accreditation Program (EMAP) standards should be used to measure the capacity being built by EMPG, rather than homeland security specific measurables.

I'm often asked to give specific examples of the additional responsibilities which have occurred in the past few years which make the enhancement of funding for EMPG so critical. Here are some examples:

- Planning for the deployment of the Strategic National Stockpile (SNS): Most public health departments do not have a planning capability and will turn to the local emergency manager for assistance in this area. As the coordinator of plans, this is appropriate. It just takes staff and time to do it. The stockpile from the CDC must be broken down, plans must be made on where it is to be distributed, volunteers must be

recruited and trained, exercises have to be conducted, and public information programs must be developed and implemented. Planning must be integrated at the local level for the vaccination of first responders and then the general population. Local emergency managers, in close coordination with public health agencies, will be responsible for seeing it gets done.

- Assessing threats and administering allocation of funding for Homeland Security: As an outgrowth of the continuing hazard/threat assessment engaged in by local emergency management agencies, additional responsibilities for homeland security needs and threat assessments are being required by federal agencies, usually as a prerequisite for grant funding. If money is received, leadership is needed at the community level to work with all stakeholders on the appropriate and most cost effective distribution of funding. In most communities the allocation of funds among competing stakeholders requires an "honest broker" to facilitate the achievement of consensus; this task generally falls to the emergency management agency.

- Implementation of NRP/NIMS requirements: A major additional workload has been generated by the need to revise and overhaul state and local emergency operations plans to conform to the NRP/NIMS requirements. Then, additional effort is necessary to determine what training is needed by the different elements of the community (elected officials, public works, EMS, fire, police, public health, hospitals, etc.), acquire the needed training, find funding to pay for it and implement the actual delivery of the training program.

- Managing and Coordinating Citizen Corps: It will be essential that this program be managed and coordinated. Experience all across the country has shown that Citizen Corps Councils don't just spring up unassisted. Certainly these Councils cannot operate outside of a local strategy for community preparedness and without the support of local governments. This support role invariably falls to emergency managers and requires staff resources and time.

- Public Private Partnerships for Homeland Security: These partnerships do not just happen. The local emergency manager is the one to develop and maintain these partnerships so that the community can make full use of all its resources both public and private. Once again, it takes time and staff.

All of these efforts are additional requirements over and above the normal work of state and local emergency management agencies to mitigate, prepare for, and respond to the many hazards found in the country such as severe weather, tornadoes, ice storms, flooding, earthquakes, hurricanes and hazardous materials incidents due to transportation and fixed facilities.

Establish and Sustain Supporting Programs

In order to be successful, a truly effective national emergency management system must

be supported by programs and approaches which enhance our ability to improve our performance based on lessons we learn. Specifically, we would address the following:

- Greater emphasis and attention must be placed on supporting states and communities who must receive evacuees when disasters cause the relocation of large numbers of persons from the affected areas. For example, in our work within the Kansas City Metropolitan Area, we have determined that our greatest catastrophe-related threat is the need to be prepared to house and care for massive numbers of evacuees from the St. Louis area should the New Madrid Fault produce a major disaster there and we (KC) have to play "Houston" to St. Louis' "New Orleans".

- IAEM fully endorses the Emergency Management Assistance Compact (EMAC) concept and emphasizes that, except for the participation of the National Guard, the majority of personnel deployed under EMAC are emergency managers, first responders and other support personnel from local governments. IAEM further notes that EMAC is one of the elements of a solid and enduring national emergency management system.

- As DHS and FEMA seek to implement standards and credentialing criteria at the direction of Congress, IAEM urges the use of the **Emergency Management Accreditation Program (EMAP)** and the **Certified Emergency Manager Program. (CEM)**.

    - EMAP is a joint NEMA/IAEM program utilizing NFPA 1600 as the basis for establishing standardized emergency management programs. Over a dozen national level key stakeholder organizations worked together to create this voluntary accreditation process for state, territorial, and local programs. EMAP provides the process and the opportunity to be recognized for compliance with national standards, to demonstrate accountability, and to focus attention on areas and issues where work or resources are needed. Its intent is to encourage examination of strengths and weaknesses, pursuit of corrective measures, and communications and planning among different governmental sectors and the community.

    - The Certified Emergency Manager Program (CEM) is administered by IAEM and is the defining credential for emergency managers. Those emergency managers so credentialed can effectively accomplish the goals and objectives of any emergency management program in all environments with little or no additional training orientation. Currently there are nearly 1,000 of these qualified individuals contributing to the success of emergency management programs in state, local and federal government as well as private enterprise. These individuals are another key element in reinforcing the solidarity and continuity of our emergency management system.

- We want to emphasize our support for the Emergency Management Institute. It is the

primary Federal entity for the development of general emergency management education, training and doctrine and should be funded appropriately. There are many excellent institutions providing education and training targeted to specialized emergency response disciplines; however, EMI has long provided the premier vehicle for promoting total community preparedness through its Integrated Emergency Management Course (IEMC) and has provided guidance and coordination of emergency management and homeland security university programs through its Higher Education Project.

In closing, your emergency managers at all levels of government are constantly working to restore and improve this national system upon which so much depends. We thank you for your support and understanding in the past and ask for your consideration of our needs and recommendations for the future.

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Testimony before
U.S. House of Representatives
Committee on Transportation and Infrastructure

Sheriff Edmund M. "Ted" Sexton, Sr.
Tuscaloosa County Sheriff's Office
714½ Greensboro Avenue
Tuscaloosa, Alabama 35401
Representing National Sheriffs' Association
205-752-0616

Gentlemen:

My name is Edmund M. "Ted" Sexton, Sr., Sheriff of Tuscaloosa County, Alabama. I am the Immediate Past President of the National Sheriffs' Association and am here representing the Nation's 3087 elected Sheriffs as well as our membership of over 25,000 law enforcement professionals. I also served as a member of the FCC Katrina Communications Evaluations Committee.

The State of Alabama has pioneered hazard response by public safety entities by forming a mutual aid task force divided into eight (8) regions. My office is the home for the Region 3 Law Enforcement Response Team that is largely comprised of members from my office, the Tuscaloosa Municipal Police Department, the Northport Municipal Police Department and, the University of Alabama Police Department. Agencies in nine (9) other counties, comprising over 100 law enforcement officials, participate in Region 3 and have the ability to function for five (5) days in a completely self-contained manner for any necessary response-event. Our team assets range from interoperable communications vehicles, mobile command posts, law enforcement response personnel, K-9, tactical component, detection and protection equipment. Our Region 3 Response Team has experienced five (5) hurricane deployments and numerous requests for law enforcement functions.

The National Sheriffs' Association has been a supporter of FEMA's all hazard response but does feel that deficiencies still remain that must be addressed. First is the need for a law enforcement representative in the administrative higharchy of FEMA, local law enforcement will always be the first to respond to any terrorist event or in other times of disaster, and has a unique responsibility to ensure that public safety is not compromised in the immediate aftermath of such a crisis. A law enforcement representative would be able to work with local and state governments to ensure adequate response needs are met by responding law enforcement entities and while meeting the requirements of being self contained. In a post 9/11 era, no public safety entity has seen greater change than law enforcement and its responsibility to prevention and protection. This law enforcement representative would ensure that law

enforcement capabilities remain balanced amongst response, prevention and protection. Local law enforcement is now involved in sharing of classified information, intelligence gathering in a shared capacity with federal and state partners.

Secondly, NSA also believes that the regional first responder committees must be implemented with federal legislation and that Sheriffs, as chief elected law enforcement officials; need to be among a wide variety of public safety responders. One example of an issue that needs addressing is the need to reconfigure the FEMA law enforcement reimbursement schedule, to include aviation assets or other specialized equipment.

Third, there is a mind set and pattern of waiting for a tragic or catastrophic event to occur, then assessing it and, then responding to it. If Katrina and Rita taught us anything it is the need to make prior contact with responding entities so that you have the peace of mind as a law enforcement administrator to know who is coming, what resources they are bringing and, when they can arrive. Sheriffs I have spoken to hit by Hurricane Katrina did not have the means to communicate by phone or radio.

The National Sheriffs' Association prepared a White Paper entitled *Response in a Heartbeat: An Immediate Fix and a Long Term Solution to Response.* This Blue Ribbon panel of Sheriffs convened to examine lessons learned in response to Hurricane Katrina. A gap that we feel FEMA can take care of with a law enforcement representative and committees is to form regionally based organized mobile flexible forces that are able to respond immediately to a disaster to support local governments, much like what the State of Alabama has already done. Mobilization would be a simple process. There would be no need for massive negotiation and endless streams of red tape. Responses need to be based on seconds and minutes, not hours and days.

Fourth and possibly most importantly, is that reimbursement funding needs to be streamlined so that assets that are called upon multiple times can be reimbursed without stressing unaffected local governments' revenues. If we could fund EMAC support as FEMA does "Immediate Needs Funding" for Category A and B work (and the work we do is Category B work – Emergency protective Measures) – we could receive 50% of the estimated costs up front or within 30 days of the duty. That would give local governments and states with a lower tax base the ability to more easily absorb the "up front" costs. The claims would still have to be appropriately "documented and justified" However; the long term expense to the state and/or local government would be mitigated. This could also be aided by the development and distribution of pre-planned guidelines. A package of checklists, templates, forms, and sample agreements would be compiled and distributed to first responders. This material would guide first responder's efforts to develop and enhance an Emergency Operations Plan, Incident Accident Plans prepare Memoranda of Understanding, and complete

NIMS, FEMA, DHS and EMAC-compliant pre and post event plans, reports and claims. Simply put, we need to streamline the process and have everyone on the same page of sheet music.

It has been an honor to appear before this committee on behalf of the National Sheriff's Association and I look forward to answering any questions you may have.

Statement of James L. Witt, CEO, James Lee Witt Associates, a part of Global Options Group Inc.
&
Former Director of the Federal Emergency Management Agency (FEMA)

Before the Transportation and Infrastructure Committee
United States House of Representatives

April 26, 2007

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FEMA's Preparedness and Response to All Hazards

Rayburn House Office Building, Room 2167
April 24, 2007
10 a.m.

Statement of James L. Witt, CEO, James Lee Witt Associates, a part of Global Options Group Inc.

&

Former Director of the Federal Emergency Management Agency (FEMA)

Madam Chair and distinguished members of the committee, thank you for inviting me to participate in today's hearing. I appreciate the opportunity to come before you to share my thoughts about the Federal Emergency Management Agency's (FEMA) preparedness and response to all hazards.

I would especially like to thank the members of this committee and the staff for taking your role of oversight so seriously. I appreciate the fact that Chairman Oberstar, Congressman Young, and this committee were the lone voices expressing concern and raising objections to the inclusion of FEMA as a part of the Department of Homeland Security (DHS) when it was being formed in 2002. My concern at that time was that including FEMA as a part of the newly formed DHS would dilute the mission of the Department and force FEMA to be overly focused on mitigating one hazard at the expense of others. I was concerned that rolling 22 agencies and 180,000 employees into one government bureaucracy was not the most effective or efficient way to address the threat of terrorism. I told anyone who would listen at that time, including the White House, that during that first year DHS should focus on consolidating the intelligence and border security operations and then add the other agencies or functional piece they needed in subsequent years. I felt that simply to throwing all the agencies, that had some piece of terrorism prevention, together regardless of how central that responsibility was to that agency's overall mission was not a good idea. I believed that not allow DHS to concentrate on preventing future terrorist attacks and by shifting the focus of FEMA from consequence management for all hazards to being overly focused on counter-terrorism actions, as a part of DHS, was not a good strategy for success.

The Environment for Change

I knew from working with FEMA as the Arkansas State Director of Emergency Management in the 1980's that FEMA had been overly focused on contingency planning for the possibility of a nuclear war throughout the Cold War. FEMA had been created in 1979 from components in five different Departments and Agencies to be the one focal point for emergency assistance. All of the resources, time, and attention at FEMA in those early days were directed to Civil Defense programs to the detriment of an all hazards approach, including natural disasters. In fact, when I arrived at FEMA in 1993, the National Preparedness Directorate staff (civil defense) outnumbered natural disaster and mitigation staff by a 5 to 1 ratio.

Fortunately, we never had a nuclear war to test the many plans that were developed for dealing with that scenario. Unfortunately, the nation experienced numerous natural disasters for which FEMA was not adequately prepared. Some of the more infamous examples include Hurricane Hugo in 1989 and Hurricane Andrew in 1992 when the federal support of state and local government was not what it should have been. Those were two of the larger disasters, when the problems at FEMA were exposed to the entire nation, but I can tell you that Californians also had frustrations with their recovery from the Loma Prieta earthquake that affected the Bay Area, Hawaii officials suffered a lot of headaches dealing with FEMA on Hurricane Iniki, and I had my share of difficulties dealing with FEMA in Arkansas as well.

That is why I felt so fortunate to be asked by President Clinton to serve as his FEMA Director and to be a part of his Cabinet. I knew that between my commitment to correct some of the problems I was experiencing as a customer of FEMA at the state level and President Clinton's commitment to elevate emergency management and his commitment to government reform, we would have a chance to make a difference. I knew the conditions were such that we would have a chance to re-make FEMA so that it was responsive to state and local governments, to the American people, and most importantly to the people and communities that were trying to recover and rebuild their lives after a disaster. The conditions were right for us to reform FEMA, as long as the mounting pressures to dismantle FEMA did not take hold before we had a chance to make the necessary changes.

Despite the lack of confidence in FEMA that was being expressed by state governments, local governments, and the general public. Despite Senator Hollings famously called FEMA the biggest bunch of jackasses he had ever seen and talking about how FEMA would mess up a two-car parade. And despite the existence of several bills in Congress that were designed to abolish FEMA by breaking it up and giving its responsibilities to numerous agencies, I was optimistic.

There were several reasons why we were successful in turning FEMA around and making it into a model agency, but it had everything to do with strong leadership and a committed desire to change the system. It started with President Clinton and key members of Congress who gave us a chance to make FEMA work. I am reminded of the critical role that Congress and our oversight committees played in the re-invention of FEMA.

Leaders like Congressman Louis Stokes and Jerry Lewis and Senators Barbara Mikulski and Kit Bond gave us the funds and the support we needed to get things turned around and it was very much a bi-partisan effort. I credit those great statesmen and women for working with us and not giving up on the

vision of what FEMA could become and how we could re-make our nation's approach to delivering disaster assistance and reducing future losses though prevention and mitigation programs.

Fixing FEMA really required a desire for the Clinton Administration to work with Congress – to make Congress a partner in the re-invention of FEMA; to give members of the House and Senate the information being requested; and for us at FEMA to listen to the suggestions for improvements coming from Capitol Hill. It also required great patience and commitment on behalf of Congress. Our oversight committees gave us the necessary legislative changes and resources, but they also demanded accountability and really held our feet to the fire. There were numerous reports on the status of the Disaster Relief Fund and regular updates on the various reform initiatives that we had put in place. It was this kind of partnership between the Executive and Legislative Branches that created the necessary environment for an historic change at FEMA. The partnership between the Administration and Congress allowed us to look at legislative changes or clarifications that made FEMA more effective at responding.

One of the things I am most proud about with the success we experienced at FEMA was that it was grown organically. It was the career employees at FEMA were able to make the change happen. We did not have to import experts from other agencies or from the private sector. Instead, we empowered the career FEMA employees who had been working on these issues for 20 years by listening to their ideas and encouraging their innovation. We instituted a new customer service training initiative to make sure the agency was more customer focused and that we were all singing off the same sheet of music; however, the career civil servants knew emergency management and knew how we could turn around FEMA. All that I, and my management team, needed to do was to listen – so we did.

This effort to empower the career employees not only happened in Washington, but I think it is important to stress how much we involved the 10 FEMA Regional Offices. In is in the regions and the field offices where so much of FEMA's institutional knowledge is found. Regional Office staff established good relationships and partnered with State & Local government. We felt it was very important that we planned, trained, and exercised together with our state and local partners and we worked with them to create statewide plans that mirrored the Federal Response Plan. We believed that it was our responsibility to make sure that state and local governments never failed in their response to a disaster and that it was our job to help make sure they were successful in protecting the lives and properties in their communities.

A Paradigm Shift: The comprehensive, risk-based, all hazards approach

The principle at the core of these reform efforts was the idea that FEMA and the nation needed to adopt a comprehensive, risk-based, all-hazard approach to emergency management. It sounds simple, but that is really the guiding principle that allowed us to focus and prioritize our resources. When it comes to "Consequence Management", it does not really matter whether an earthquake or an explosion brings down a building. It does not matter whether an area has been contaminated by an accidental hazardous material spill or an intentional act of terrorism. Managing the consequences of a disaster by performing the necessary response activities of search, rescue, evacuation, sheltering in place, and decontamination are done with the same tools and procedures regardless of a disaster's cause. Additionally, those conducting recovery operations need to coordinate resources for emergency food, sheltering, clothing, temporary housing, or even longer-term repair and rebuilding in the same way,

whether the disaster was triggered by a natural hazard or a terrorist act. If there is evidence that human beings may have purposely triggered the disaster there will be a need for greater coordination with law enforcement professionals on "Crisis Management". When dealing with an incident caused by terrorists, the disaster site then also becomes a crime scene and requires the collection of evidence. Otherwise, response and recovery operations are truly conducted in an all-hazards way that is less concerned with the cause or origin of the disaster, but rather how the consequences will be managed.

There is, however, a difference between terrorism and natural disasters on the front end. How we attempt to prevent a terrorist act or mitigate a particular natural hazard can vary a great deal. Acquiring bomb detection tools will not help to mitigate damage from an earthquake. Elevating or relocating structures out of the floodplain will not prevent a chemical, biological, radiological, or nuclear incident perpetrated by a terrorist.

When I was FEMA Director, we worked with communities to help them assess their hazards so that they could develop a risk-based plan to mitigate those risks. We have pretty detailed maps these days to understand flood risk, we have data about seismically vulnerability, and the National Hurricane Center gives us vital information about what we should expect from the hurricane seasons and which areas are most susceptible to storm surge or wind damage. For each of these natural hazards we have some fairly reliable information about the risks they represent for specific geographic areas and we have science and best practices that tell us how to minimize our exposure to natural disasters. Then organizationally, we realigned FEMA to more accurately reflect the risks and hazards that communities faced on a more regular basis.

While we can and do attempt to identify and address the risk of terrorism through better intelligence, improved security, and citizen awareness campaigns to identify suspicious behavior, there is no real way to predict terrorism with any great accuracy. Does that mean that we should not even try to address our vulnerability to terrorism? Certainly not. What it does mean, however, is that co-mingling the funding and resources to mitigate natural hazards - that we can predict with some accuracy, with funding and resources to prevent terrorism - for which there is almost no way to predict frequency or magnitude, creates an approach that is not based on risk and short changes each of these vital missions.

Crisis vs. Consequence Management: Competition for Scarce Resources

When the Homeland Security Act of 2002 was enacted, it folded a small but effective Federal Emergency Management Agency (FEMA) of 2600 permanent full-time employees into a huge new DHS bureaucracy of 180,000 employees. I was pleased to see the rest of Congress discussing last Fall some of the concerns that the leaders in this Committee had raised when DHS was being initially being created. Specifically, the legislation put forward by this Committee and the debate of the DHS funding bill finally resulted in a serious discussion of the impact of FEMA's downgrade from Cabinet level status and the burying this once nimble and responsive agency into a much larger and more cumbersome Department. The examination of these organizational issues was important. While I strongly supported the movement for the restoration of FEMA as a stand alone independent agency, I think we need to give some time to see if the organizational changes enacted into law will help to strengthen FEMA and to give Director Paulison some time and support to bring his new initiatives online. At this point, I am most interested to learn how DHS will be changing their approach to grants

administration. In my opinion, one of the greatest impacts on FEMA's effectiveness has been the fusing of the funding for terrorism prevention and natural hazards preparedness.

The DHS concept of one stop grants shopping for state and local governments regardless of hazard sounds appealing; however, the impact has required state and local governments to prepare for al-Qaeda and Mother Nature out of the same shrinking pot of money. The result is that neither terrorism nor natural hazard preparedness is being funded appropriately at the Federal level. Our national approach to homeland security is not a risk-based, all-hazards approach, but instead it is a system that unnecessary pits small cities against big cities, states against municipal governments, law enforcement against the fire service, and terrorist prevention against natural disaster preparedness and mitigation.

The primary reasons for creating DHS were to improve intelligence and information sharing, eliminate turf wars, and to make sure there was not duplication of funding for agencies engaged in anti-terrorism activities. Combining grants intended to augment local law enforcement efforts to protect their communities from international terrorist groups with the funding and resources that state and local governments depend on to build emergency management capacity results in fewer funds for each and the kind of turf wars that the creation of DHS was suppose to end.

I hope that the reforms begun by Congress last Fall of returning the preparedness function to FEMA, affording Director Paulison and FEMA greater autonomy with natural disaster operations, and to return the administration of certain grant programs and training programs to FEMA will begin to repair the damage to our national emergency management system and allow for a return to the all hazards approach.

Legislative Fixes to Address Catastrophic Disasters

Had out nation's emergency management infrastructure not been weakened at the time of Hurricanes Katrina and Rita, I still believe that the ability to respond to and recover from disasters of this scale would have been strained. I believe that we always learn from each disaster, especially those that are considered to be catastrophic disasters. While the Stafford Act allows the FEMA Director and the President some discretion to be able to address unique circumstances following disasters, I do not believe that all FEMA Directors or Presidents have exercised have always exercised this discretion in a way that adequately responds to the extremes of a catastrophic event. There are a number of ways to define catastrophic disasters, but I would suggest that we look at making accommodations in the Stafford Act for those disasters in which one or more of the following has occurred:

(1) Continuity of government has been lost in one or more political jurisdictions with those jurisdictions becoming mostly or entirely incapacitated, either by the direct effects of a Presidentially-declared disaster or by the subsequent financial crisis related to the disaster.
(2) The impacted state is expected to lose more than 10% of its tax-related revenues for any fiscal quarter as a result of the event in the fiscal year in which the disaster occurred or in subsequent fiscal year(s)
(3) The Presidentially-declared disaster is the direct result of an act of Terrorism, the damage or loss of a Federally owned or controlled facility, or other event for which the federal government maintains primary responsibility.

(4) The Federal costs are expected to exceed $1000 per capita in the state impacted by the disaster.

I believe if the disaster meets this definition of a catastrophic event, then we have a situation that changes the usual assumptions so much that there is a need to streamline some regulations, clarify some legislative language, and in some cases make statutory changes that will provide the Federal, State, and local governments with the correct tools to recover from such overwhelming events. The thinking is that catastrophic disasters are so severe and have such a lasting and significant impact on the nation as a whole that it would be appropriate to provide an upward Federal cost-share adjustment from 75% to 100%. Additionally, amendments or clarifications to the Act that provide for an extension of the traditional assistance programs' duration, greater flexibility and latitude with administrative requirements, and an enhanced role for the Federal government's support to large scale evacuations and long-term community recovery efforts would go a long way to standardizing our national response to events that not only overwhelm state and local capabilities but also impact the entire nation. With the permission of the Committee, I would like to submit specific language for the record and for your consideration that would begin to address the gaps in the Stafford Act related to those events that rise to this level of being catastrophic. Events so large and consequential as to have an impact on our national economy through the direct disruptions caused to an entire region or through the ripple effect when communities around the country are called on to provide emergency food, shelter, and care to large numbers of displaced or relocated disaster victims.

The Time to Act is Now

It is human nature, and continues to be borne out by the actions of corporations and governments, that disaster programs are frequently cut during the short breaks in the natural disaster activity or in light of new or emerging threats such as terrorism. However, as I close my testimony today, I offer a few observations that suggest we would be wise to resist such a natural tendency to let our guard down or to roll the dice with the programs we have to assist our fellow citizens following a disaster.

The recent trilogy of international catastrophic disasters that included the South Asia Tsunami late in 2004, Hurricane Katrina in 2005 and the 2005 Kashmir earthquake, demonstrated again the awesome and destructive power of nature. These mega-disasters were responsible for the loss of over 200,000 lives in the tsunami, 73,000 lives in the earthquake, and 1,200 lives in the hurricane. In addition to the previously unimaginable loss of life, these natural disasters each have had staggering long-term economic, ecological and social impacts on the communities in which the catastrophes occurred.

Even during years without disasters of such historic magnitude, the impacts of natural disasters are becoming increasingly more costly and this trend is being tracked by global insurance companies such as Swiss Re. Swiss Re's annual report that looks at the global costs of disasters found that in 2003 human-caused and natural disasters resulted in 60,000 deaths and about $70 billion in economic losses. In addition, it is estimated that the economic costs of such disasters threatens to double, reaching an average of $150 billion a year in the next 10 years.[1]

[1]Thomas Hess, Sigma No. 1/2004 Natural Catastrophes and Man-made Disasters in 2003: Many fatalities, comparatively moderate insured losses Published by Swiss Reinsurance Company Economic Research & Consulting pp. 3-14

The World Watch Institute, in its publication *State of the World 2001: A Report on Progress Toward a Sustainable Society,* demonstrated the human cost of disasters by examining global deaths by disaster type and found that floods were responsible for forty-nine percent of deaths, that earthquakes or volcanoes were responsible for thirty percent of deaths, that windstorms were responsible for fifteen percent of deaths and that all other disasters caused six percent of deaths. The World Watch report also notes that floods alone cause nearly one-third of all economic losses, half of all deaths, and seventy percent of all homelessness. [2]

Those communities that have taken steps to reduce their risks have realized significant returns on their investments. In fact, the World Watch Institute study found that every dollar spent on disaster mitigation and preparedness saves seven dollars in disaster related economic losses.[3] We need to continue working on terrorism preparedness efforts, but we must not take our eye off the ball when it comes to natural hazards either. Mother Nature can be just as dangerous and can inflict just as much pain and suffering on communities as terrorist.

Conclusion

You have the power to impact so many lives of our fellow Americans who experience great suffering following the ever-increasing number of natural disasters that we experience each year and for whom there is constant concern about future terrorist attacks on US soil. I applaud your work on these issues to date and hope that this Committee will continue its call for the nation to return our focus to a comprehensive risk-based, all-hazard national emergency management system that addresses preparedness, mitigation, response, and recovery and that has served us so well over the years.

Emergency management professionals at all levels of government – many of whom you have asked to participate in this hearing today – have worked very hard to establish the emergency management infrastructure in this nation. Together - with the help of this Committee - I believe we can re-build it so that our communities are safer and more resilient to all hazards.

Thank you and I would be glad to answer any of your questions.

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[2] Janet Abramovitz, State of the World 2001: A World Watch Institute Report on Progress Toward a Sustainable Society, 2001, World Watch Institute, pp. 123-142
[3] Ibid

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