

**NOMINATION OF ERNEST MITCHELL, JR.**

---

---

**HEARING**

BEFORE THE

COMMITTEE ON  
HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS  
UNITED STATES SENATE

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

---

NOMINATION OF ERNEST MITCHELL, JR., TO BE ADMINISTRATOR, U.S.  
FIRE ADMINISTRATION, FEDERAL EMERGENCY MANAGEMENT AGEN-  
CY, U.S. DEPARTMENT OF HOMELAND SECURITY

OCTOBER 5, 2011

---

Available via the World Wide Web: <http://www.fdsys.gov/>

Printed for the use of the  
Committee on Homeland Security and Governmental Affairs



U.S. GOVERNMENT PRINTING OFFICE

72-485 PDF

WASHINGTON : 2012

---

For sale by the Superintendent of Documents, U.S. Government Printing Office  
Internet: [bookstore.gpo.gov](http://bookstore.gpo.gov) Phone: toll free (866) 512-1800; DC area (202) 512-1800  
Fax: (202) 512-2104 Mail: Stop IDCC, Washington, DC 20402-0001

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

JOSEPH I. LIEBERMAN, Connecticut, *Chairman*

CARL LEVIN, Michigan

DANIEL K. AKAKA, Hawaii

THOMAS R. CARPER, Delaware

MARK L. PRYOR, Arkansas

MARY L. LANDRIEU, Louisiana

CLAIRE McCASKILL, Missouri

JON TESTER, Montana

MARK BEGICH, Alaska

SUSAN M. COLLINS, Maine

TOM COBURN, Oklahoma

SCOTT P. BROWN, Massachusetts

JOHN McCain, Arizona

RON JOHNSON, Wisconsin

ROB PORTMAN, Ohio

RAND PAUL, Kentucky

JERRY MORAN, Kansas

MICHAEL L. ALEXANDER, *Staff Director*

KRISTINE V. LAM, *Professional Staff Member*

JASON T. BARNOSKY, *Professional Staff Member*

NICHOLAS A. ROSSI, *Minority Staff Director*

JENNIFER L. TARR, *Minority Counsel*

ERIC B. HEIGHBERGER, *Minority Professional Staff Member*

TRINA DRIESSNACK TYRER, *Chief Clerk*

PATRICIA R. HOGAN, *Publications Clerk*

LAURA W. KILBRIDE, *Hearing Clerk*

# CONTENTS

Opening statements:	Page
Senator Lieberman .....	1
Senator Collins .....	2
Senator Pryor .....	10
Prepared statements:	
Senator Lieberman .....	13
Senator Collins .....	15

## WITNESS

WEDNESDAY, OCTOBER 5, 2011

Ernest Mitchell, Jr., to be Administrator, U.S. Fire Administration, Federal Emergency Management Agency, U.S. Department of Homeland Security:	
Testimony .....	4
Prepared statement .....	17
Biographical and financial information .....	20
Responses to pre-hearing questions .....	33
Letter from the Office of Government Ethics .....	45
Response to post-hearing question for the Record .....	46



## NOMINATION OF ERNEST MITCHELL, JR.

WEDNESDAY, OCTOBER 5, 2011

U.S. SENATE,  
COMMITTEE ON HOMELAND SECURITY  
AND GOVERNMENTAL AFFAIRS,  
*Washington, DC.*

The Committee met, pursuant to notice, at 10:05 a.m., in room SD-342, Dirksen Senate Office Building, Hon. Joseph I. Lieberman, Chairman of the Committee, presiding.

Present: Senators Lieberman, Pryor, and Collins.

### OPENING STATEMENT OF CHAIRMAN LIEBERMAN

Chairman LIEBERMAN. The hearing will come to order. Good morning, and welcome to this hearing on the nomination of Ernest Mitchell, Jr., to be the Administrator of the U.S. Fire Administration (USFA), which, of course, is within the Department of Homeland Security (DHS).

The USFA was established in 1974. It is the primary Federal agency addressing the needs of the Nation's firefighters with the goal of reducing loss of life and economic loss due to fire and related emergencies.

The USFA has a number of specific and important responsibilities. It collects, analyzes, and disseminates data and information on fire and other emergency incidents; and it researches and develops fire prevention and fire safety technology.

The agency also trains mid- and senior-level fire and emergency medical services officers at the National Fire Academy, and more recently online. Last year, the National Fire Academy provided nearly 3,800 courses and reached more than 113,000 student firefighters.

USFA also assists the Federal Emergency Management Agency (FEMA) in carrying out the Assistance to Firefighters Grant (AFG) program and the Staffing for Adequate Fire and Emergency Response (SAFER) grant program. I particularly appreciate this as these grants provide critical assistance to local fire departments and are very important to this Committee and members of both parties on the Committee.

I can tell you that in Connecticut—and it is great to see Chief Wall here—we have seen the benefits of these programs time and time again as they have helped departments get much-needed equipment, training, and staff to prepare for their increased duties in responding to all sorts of disasters. Post-911 and post-Katrina, I think what we increasingly see is not just a local responsibility, but a regional or national responsibility.

Chief, I am also mindful that you have been nominated for this position at a time when our Nation's fiscal difficulties have created real pressures to dramatically reduce funding for just about all Federal programs. In this climate, USFA's ability to provide timely and accurate information to Congress and the public about emergencies and about our capacity to respond to them takes on added significance.

Clearly, Chief Mitchell understands firefighting and the needs of firefighters. I would take up a lot more time than this hearing probably will if I listed all of his qualifications for this office, but let me just touch on a few highlights.

Thirty-three years ago, he started his career mapping wildland fires at the Los Angeles County Fire Department and later joined the City of Compton Fire Department where he served as a firefighter, fire inspector, arson investigator, fire captain, fire marshal, battalion chief, and then special assistant to the city manager.

Subsequently, he served as chief of the Monrovia and Pasadena Fire Departments, and in 2003 and 2004, he became the president of the International Association of Fire Chiefs, a very important organization representing nearly 13,000 fire chiefs and fire emergency officers.

In the midst of all of this, Chief Mitchell also found time to volunteer in his community with the American Red Cross, the American Cancer Society, and the Salvation Army to just mention a few of the ways in which this really great citizen has given back to his community.

Chief Mitchell's nomination has been endorsed by the International Association of Firefighters—we would really be troubled if that endorsement was not forthcoming, but it is enthusiastically before us—the International Association of Fire Chiefs, and the National Fire Protection Association.

Chief, you clearly come before this Committee with a very strong background and with a very strong set of supporters, and that means a lot to us. We appreciate your lifetime of service to our country and thank you for your willingness to take on yet another chapter in this career of public service.

Senator Collins.

#### **OPENING STATEMENT OF SENATOR COLLINS**

Senator COLLINS. Thank you, Mr. Chairman.

America's firefighters play a vital role in the security of our Nation. Whether it is in response to a terrorist attack, a wildland fires, or a house fire in the community, America has come to rely on our firefighters.

America's firefighters, whether professional or volunteer, always answer the call. Stories of the heroism by these men and women who risk their lives every day to save the lives of others continually amaze me.

I am honored to serve along with Senator Lieberman as the co-chair of the Congressional Fire Caucus. Recognizing the importance of the position of the U.S. Fire Administrator, this Committee elevated the position in 2006 as part of our landmark Post-Katrina Emergency Management Reform Act.

The Fire Administrator is the steward of our Nation's firefighters and is responsible for research, data collection and analysis, and fire education initiatives.

In a report released last week, the U.S. Fire Administration found that over the past 10 years, the overall trend in fires declined by 18 percent. During the same time period, there was also a 20 percent decline in civilian deaths and a 22 percent drop in injuries.

We can be proud of this progress. Nevertheless, although America's fire death rate is improving, it continues to be higher than more than half of the industrialized countries in the world. This is an issue that I want to discuss with our nominee to explore his views on why that is the case and what we may do about it.

Sadly, during the same time period, there have been an average of 3,570 deaths and nearly 18,300 injuries per year. The Administrator must work to improve these statistics, which represent loss and pain to American families. We must also continue to educate and train current and future generations of firefighters.

As the Chairman has pointed out, so I will not repeat the statistics, the USFA plays an important role in the professional development of fire services personnel through the National Fire Academy.

The Chairman and I have also been strong advocates for the AFG and SAFER grant programs and earlier this year worked on legislation to reauthorize them through the year 2016.

In 2008, we reauthorized the U.S. Fire Administration. In this reauthorization, we updated the curriculum of the National Fire Academy, expanded the range of firefighter training programs, promoted the adoption of national voluntary consensus standards for firefighter health and safety, and established a fire service position at DHS's National Operations Center.

As I am sure you are aware, the U.S. Fire Administration is up for reauthorization next year; and if our nominee is confirmed, and I have every expectation that he will be, we look forward to working with him on how to further strengthen and improve the Fire Administration through that reauthorization.

Again, I too am impressed with the background and qualifications of our nominee, and I look forward to hearing his response to questions today.

Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thank you, Senator Collins.

Chief Mitchell has filed responses to a biographical and financial questionnaire, answered pre-hearing questions submitted by the Committee, and had his financial statements reviewed by the Office of Government Ethics.

Without objection, this information will be made part of the hearing record with the exception of the financial data, which are on file and available for public inspection in the Committee offices.

Chief Mitchell, as I believe you know, our Committee rules require that all witnesses at nomination hearings give their testimony under oath. So I would ask you to please stand now and raise your right hand.

Do you swear that the testimony you are about to give to this Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Mr. MITCHELL. I do.

Chairman LIEBERMAN. Thank you very much. Please be seated.

We now welcome an opening statement if you have one and, of course, would also be happy to have you introduce relatives or others who are here with you today.

**TESTIMONY OF ERNEST MITCHELL, JR.,<sup>1</sup> TO BE ADMINISTRATOR, U.S. FIRE ADMINISTRATION, FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY**

Mr. MITCHELL. Thank you. Good morning, Mr. Chairman and Ranking Member Collins.

It is indeed an honor to sit before you today as the President's nominee to serve as the next U.S. Fire Administrator and as a leader at the Federal level in response to the challenges facing the Nation's fire services.

I would like to acknowledge my wife, Donnise, who has agreed on many occasions for me to take on leadership challenges that really occupy much of my time and energy. She supports me throughout.

There are several officials here from the International Association of Fire Chiefs. I would like to thank each and every one of them for being here this morning and acknowledge their presence.

We also have guests from the U.S. Fire Administration and National Fire Academy that are here as well. Without going into each name, I hope I am not overlooking anyone.

Chairman LIEBERMAN. Thank you. We welcome all of you.

Mr. MITCHELL. As I reflected on how I got here today, I recalled that my passion to become a firefighter developed when I was working for the Los Angeles County engineers, mapping large wildland fires from fire department helicopters in the early 1970s.

My desire to follow that calling has led me to serve in many capacities, but this opportunity is the fire chief's career topper, the chance to serve my country and the fire service at the highest level.

During my 33-year fire service career, I served at the local, State, and national level of fire service organizations. I have had the honor of leading and serving as the fire chief in both the City of Monrovia and City of Pasadena Fire Departments in California.

At the regional level, I served as president of the Foothill Fire Chiefs Association in Los Angeles and the Los Angeles Area Fire Chiefs Association.

At the State level, I served as president of the League of California Cities Fire Chiefs Department; and nationally, I have served as the president of the International Association of Fire Chiefs.

Since retiring, I have remained active by serving on various boards of directors and advisory committees, such as the Department of Homeland Security Science and Technology Advisory Committee, the International Association of Firefighters Hazardous Materials Advisory Committee, and the International Fire Service Training Association Executive Board.

These experiences and others have provided me with a diverse breadth of knowledge and experience with local and national emer-

<sup>1</sup>The prepared statement of Mr. Mitchell appears in the Appendix on page 17.

gency service related issues while also allowing me to develop and maintain excellent working relationships with fire service organizations across this country and with the individuals who serve within them.

In addition to my fire service background, I have administered citywide emergency management programs in both Monrovia and Pasadena. I have also served on the boards of directors of several not-for-profit community organizations.

These experiences have expanded and strengthened my ability to work as a leader and as a community partner. I have worked effectively within local nonprofit organizations and government to enhance the overall quality of life in the communities in which I have served. I value the opportunity to participate in and make positive contributions to civic and professional groups.

If confirmed as U.S. Fire Administrator, I will have the opportunity to expand on my body of work and enjoy the added honor of working to enhance our Nation's fire service for the American people.

I believe my background and experience are ideally suited for the position, and I believe I will bring a skill set to the Fire Administration that will add value to the organization and allow me to work effectively in advancing the achievement of its mission and goals.

The mission of the USFA is to provide national leadership to foster a solid foundation for local fire and emergency services in prevention, preparedness, and response. This is a tremendously important endeavor that I believe is best achieved through meaningful collaboration.

If confirmed as U.S. Fire Administrator, I will work to engage all agencies and organizations that may assist in achieving the USFA mission, which may include other Federal stakeholders, local, tribal, regional, and State governments, fire service organizations, and other organizations whose missions are complementary to the USFA or whose interests are germane to a particular activity or consideration.

If confirmed, I will work to improve all programs and services that enhance the fire service role of preparing for, responding to, and mitigating incidents that have the potential of causing harm to life, property, and the environment in the United States of America.

I thank the Committee for considering my nomination as U.S. Fire Administrator.

Thank you, Mr. Chairman, for the opportunity to appear before you today. I am happy to answer any questions that the Committee may have.

Chairman LIEBERMAN. Thanks very much, Chief Mitchell, for that excellent opening statement. I am going to start the questioning with the standard questions asked of all nominees.

First, is there anything you are aware of in your background that might present a conflict of interest with the duties of the office to which you have been nominated?

Mr. MITCHELL. No.

Chairman LIEBERMAN. Second, do you know of anything personal or otherwise that would in anyway prevent you from fully and hon-

orably discharging the responsibilities of the office to which you have been nominated?

Mr. MITCHELL. No.

Chairman LIEBERMAN. And third, do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of Congress if you are confirmed?

Mr. MITCHELL. Yes.

Chairman LIEBERMAN. Thank you very much.

We will do a 7-minute round of questions now. As you know, and as Senator Collins referenced, the authorization for the USFA expires in 2012, and we expect to consider reauthorizing legislation later this Congress. I wanted to ask you if you have any thoughts about specific issues that we should be addressing in the reauthorization of the USFA?

Mr. MITCHELL. Thank you, Mr. Chairman.

There are, of course, the existing programs and mission objectives that are set that I believe we would continue if I am confirmed.

On the other side, I also know that the mission is evolving and that there are a couple of initiatives that are now a part of the Fire Administration that may need to be advanced or expanded upon.

Primarily, where do we stand with the relationship to emergency medical services and how do we go about that? And also, with respect to the national preparedness system and the Emergency Support Function No. 4, what level of participation should the Fire Administration be engaged in? And so, I think those things need to be looked at; and if confirmed, I would work with staff and other Federal stakeholders and outside agencies to discuss those issues.

Chairman LIEBERMAN. That is a good list; if and when you are confirmed, we would really welcome your involvement in the reauthorization, based on all the experience you have had.

Over the last years, the USFA has seen a decline in its budget, as you know. In fiscal year 2004, the budget was over \$57 million. By fiscal year 2011, the current year, it has fallen to \$45.5 million, and those reductions in the normal course of the budget process now are likely to continue.

As I am sure you know, in its request for fiscal year 2012, the Administration has asked for \$42.5 million, which is another \$3 million decline.

Generally speaking, from what you know, what is the likely impact of continued funding cuts on the USFA?

Mr. MITCHELL. Mr. Chairman, without knowing the specific impacts, I know that in my background I have worked with declining revenues in local jurisdictions on many occasions, and we have had to continue to tighten the belt. I see that is going on all over government.

I know that the Fire Administration has been engaged in trying to do things more efficiently. If I am confirmed, we would seek to still do that. I also know that there is a point where not even efficiencies and fine tuning will allow you to continue with programs, and some decisions may have to be made to eliminate programs.

And those are things that would need to be discussed with the stakeholders inside the Federal Government and outside. We would

have to address priorities and make some tough decisions but with a lot of consultation and based on what our priorities are in the Federal Government and what they would be in our national preparedness system in support of FEMA's efforts and just take all of those into consideration.

Some of the steps that are being taken is how do we maximize training and minimize those costs. And so, the Fire Administration has moved in the direction to accentuate its blended learning, and it is not just all on campus.

There are off-site courses. There is distance learning via the Internet, and also there are opportunities to partner with educational institutions and State fire training officers. Those areas would probably need to be explored even more.

Chairman LIEBERMAN. That is a good answer. Let me ask you about two programs that mean a lot to the Committee and I know a lot to firefighters, which are the AFG and SAFER grant programs, which I think have been really successful programs.

But despite the successes, the programs have now been targeted for budget cuts. The House in the fiscal year 2012 Homeland Security Appropriations bill would reduce funding for these two programs from a total \$810 million this year way down to \$350 million next year. That is a very steep cut. The Senate Homeland Security Appropriations bill would also reduce funding but much less, from \$810 million to \$750 million.

I just wanted to give you an opportunity, based on your experience on the frontlines of firefighting, to give your evaluation of the importance of the AFG and SAFER grant programs to local fire departments and what would be the likely impact on local firefighting services if, in fact, we cut, as the House measure would, funding to less than half of what it is now?

Mr. MITCHELL. I could speak from my experience in the fire service and my experience with the fire grants. I worked for a department that received the Fire Act grant that was very beneficial in allowing us to improve firefighter health and wellness.

I also have worked as a peer grant reviewer in the Fire Act grant program a few times and have seen firsthand or have read what the needs are in the fire service.

There could be a very high degree of difficulty created for many departments, especially the smaller departments with lower budgets, where those hits are deeper for them.

At this point, we are trying to improve as a Nation in the area of national preparedness and working together. The Fire Act grants really do allow fire departments across the country to get to a baseline level of readiness and to enhance the ability to work together because of like training and like equipment.

And so, that is really important to the country. I support the Fire Act grants that the fire service supports. If I were confirmed as U.S. Fire Administrator, then I would work within the Federal system as an advocate to maintain that at the highest level that we could.

And then, of course, when those levels are set, we will work with all the stakeholders to get them the maximum that we can get out of the actual grants themselves.

Chairman LIEBERMAN. Very good. You come into this position with such experience and credibility that one of the roles that I hope you will take advantage of is the role of advocate because I think you will command attention up here on Capitol Hill where the decisions will be made.

These two programs have always had broad bipartisan support, and I hope we can come to a point in actually adopting the 2012 budget where we continue to have that broad bipartisan support. I am confident that will be the case in the Senate.

My time is up. Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman.

First, let me echo the Chairman's support for the AFG and SAFER grant programs. I am delighted to hear that you will be an advocate internally as the budget is put together.

Many times when we have nominees and ask them a question like that they hedge their bets. It was nice to have a straightforward answer from you in that regard on an issue that matters so much to our firefighters throughout the country.

In my State, we have professional firefighters who work in the cities but often live in small rural towns that have only volunteer fire departments.

In 2004, you testified on the House side, and you were asked a number of questions about that practice, about a full-time firefighter who is working in a city volunteering perhaps on his time off or her time off in a small town where the individual may live and there is only a volunteer fire department.

And you expressed some concern about that situation, and you said that "local chiefs need the ability to deny employee participation in outside employment or activities that could be in conflict with their primary employment."

You went on to say that you had not chosen to prevent firefighters from volunteering, but that if trends or data developed that indicate that this becomes an issue, then you might well act to prevent them from volunteering. There have been some volunteer firefighters who have contacted me who have been troubled by that testimony.

So, I want to give you the opportunity today to be very clear on that point. Do you believe that employees should be prohibited from volunteering during their free time?

Mr. MITCHELL. No, I do not. Now, I would like to, of course, give you the context for that response at the hearing at that time.

Senator COLLINS. That would be helpful.

Mr. MITCHELL. I support active firefighters volunteering in their own communities. I have had career firefighters working for me in other departments who did volunteer in the communities in which they lived, and there was never any prohibition against that.

At the time, I was representing the International Association of Fire Chiefs in that hearing, and we were taking the position about local control, and it really was not about volunteerism.

It was about restricting an employee from outside work activities because of some impact on his work, and on an individual case-by-case basis, we believed that the fire chief should have the ability to stop the outside behavior; and, yes, that could include volun-

teering, but it would only be if an individual had a job performance problem and it was tied to volunteering.

For instance, if an employee was out on sick leave regularly and you found that he was working in another job or even volunteering in another community on those days, you would want the ability to restrict that activity and address that. That was what that was really about, not volunteering itself.

Senator COLLINS. The example you gave actually is troubling to me because if a person is abusing sick leave, the issue is to prevent the abuse of sick leave. It really is totally separate from volunteering at a local fire department that is a volunteer department.

Any abuse of sick leave, regardless of what employees were doing when they claimed to be sick, should be troubling. But the answer to me is not to ban them from volunteering. The answer to me is to discipline them from abusing sick leave regardless of what they were doing.

Mr. MITCHELL. I would agree that it is about the abuse of sick leave in that example; and I guess the case was, to expand on it, if you prohibited whatever it is they are doing, if the employees were to say, well, you are stopping me from volunteering by doing that, then that would be their contention.

The reason that it came up was a clause in the reauthorization of the Fire Act that said if you discriminated against someone from volunteering, you could be prohibited from getting a grant, and it is not that you would be doing that, but someone could make the allegation.

But the intention was really about outside work activities; and when asked if volunteering could be one of those activities, the answer was yes, but it is really about saying you should stop whatever that is and not be doing that when you were supposed to be here at work.

Senator COLLINS. Well, that is the issue. The person is supposed to be at work and only using sick leave if he is ill. If the person were off skiing, you presumably would not ban him from skiing. If he was doing grocery shopping, you would not ban him from grocery shopping nor should you be banning him from volunteering.

The issue is, he is abusing sick leave, and it does not matter what he was doing if he is not sick or caring for a relative or doing something that is legal under the sick leave policy. That should be the issue, not volunteering.

Mr. MITCHELL. That is correct, and we would say stop doing that on the days that you are supposed to be here at work. If he was to contend, then you are restricting me, that was really more of the issue and that was just an example.

They might make that allegation, but that is not the idea behind it, and I would say I would never support banning volunteers from volunteering.

Senator COLLINS. So that is the key issue then to wrap up this question, if you are confirmed, would you pursue any policies that would prevent employees of the U.S. Fire Administration from volunteering during their free time or in any way send a signal to fire departments across the country that they should restrict volunteering appropriately on their own time?

Mr. MITCHELL. No, I would not.

Senator COLLINS. Let me just quickly ask you one final question. You mentioned it in your statement about, if I may, Mr. Chairman, the Emergency Support Function No. 4. It really surprises me that the U.S. Department of Agriculture is designated as the lead for the coordination of incidents involving wildland, urban, and rural fires that need Federal help.

To me, the fire service ought to be the lead in that area. Now, I know there has subsequently been a Memorandum of Understanding in 2006 that tries to clarify the roles, and it does designate the Fire Administration as the lead agency for coordination of the incidents that do not involve wildland fires.

What are your thoughts on that? Should we have a clearer designation here and strengthen the role of the Fire Administration, which it seems to me ought to be the lead agency?

Mr. MITCHELL. Thank you, Senator.

At this point, I do not know to what extent those conversations have taken place in the Fire Administration and with FEMA and with the U.S. Forest Service. In Southern California, I have worked with the Forest Service in wildland fires, and we shared some boundaries, shared resource areas that we jointly responded. We did unified command. We worked together on addressing the problems.

At this point, the role of the U.S. Fire Administration is to be the subject matter expert for those incidents outside the forest. If I were confirmed, then I would like to have those conversations and discussions to see if that should be expanded upon because of the level of experience and knowledge that the fire service brings to incidents other than fires in the forest, and I think that would be an appropriate discussion.

Senator COLLINS. Thank you. Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thank you, Senator Collins.

Senator Pryor, good morning. It is all yours.

#### **OPENING STATEMENT OF SENATOR PRYOR**

Senator PRYOR. Thank you. Thank you both for having this hearing today, and thank you, Mr. Mitchell, for being here. I just have a few brief questions. Senator Lieberman talked a moment ago about the budget pressure that everyone is under in this environment and how we are going to have to stretch our dollars.

Are you familiar enough with the budget at the U.S. Fire Administration to know if there are inefficiencies or programs that do not really work? Are there ways that you can trim your spending but not hurt the mission of the agency?

Mr. MITCHELL. Thank you, Senator Pryor. No, sir, I am not familiar enough at this point with the budget of the U.S. Fire Administration to identify those types of possibilities.

I am familiar with some of the work of the U.S. Fire Administration, the educational programs, the public information and outputs for public education. I have observed things to be done in an excellent manner.

If I were confirmed, I would right away sit with staff and also stakeholders and examine what are we doing, how are we doing it, what could we do better and more efficiently, and discuss our prior-

ities. But at this point in time, I do not have any of that detailed information.

Senator PRYOR. It seems to me that even though there is a cost associated with the agency's mission, USFA could save a lot of money by preventing fires and reducing the number of fire-related injuries and deaths and could prevent property damage from occurring.

One of the ways to do this is through mitigation. What are your plans for mitigation? Maybe we are doing as much as we can already. But are there any other mitigation strategies we can use to try to prevent fires, injuries, deaths, and property damage?

A moment ago, you talked about education, and obviously that is a big component of what you do. But there are also things like improving building codes and identifying unsafe products. How involved do you think you should be in the broad range of mitigation?

Mr. MITCHELL. Senator, I believe that if confirmed as Fire Administrator, I need to be actively and integrally involved in taking a look at all of the practices at the Fire Administration.

I think I could bring a fresh set of eyes to see if there are other perspectives or things that could be improved upon. But there would need to be a lot of dialogue with the staff, the other fire service organizations, and our other Federal partners to see what has been explored and what has not.

I would agree with you that prevention and mitigation are more cost-saving than response. Are there ways we can do a better job at that? Is there data that suggest other ways? And we would just look to make as many improvements as we could but with full inspection and a lot of work in those areas.

Senator PRYOR. I just have one last question. Again, I am curious about your role in product safety review. Right now, products are reviewed by Underwriters Laboratories (UL) and the National Fire Protection Association (NFPA) and maybe some other entities that are not government organizations. They are private sector and privately funded organizations. They deal with the building requirements and safety requirements of products and everyday materials.

Do you think that your agency should have a larger part in safety standards review? Should USFA be working with Underwriters Laboratories and the National Fire Protection Association and even the Consumer Product Safety Commission on fire prevention and fire safety standards?

Mr. MITCHELL. Senator, I know that the U.S. Fire Administration has relationships with those agencies you mentioned currently and has been working with them.

I know for instance that there are members who sit on technical committees with the NFPA for setting standards and work actively with the National Institute of Standards and Technology, the National Institute for Occupational Safety and Health, UL, and partnering.

To what level and to what extent those roles are effective and what those outputs are, that I do not know. But I know that work is going on.

If I were confirmed, that would be part of what we would investigate to see what level we are working at, what other areas could we be working in. Those are potential resources to enhance the

overall safety of Americans, and I think that the Fire Administration should investigate all of those.

Senator PRYOR. Mr. Chairman, thank you.

Chairman LIEBERMAN. Thanks, Senator Pryor.

Chief Mitchell, I think that concludes the questions that we have to ask you. I thank you very much.

I want to note for the record that this could be a historic moment; this could be the last time this Committee will consider the nomination of a U.S. Fire Administrator because we passed legislation earlier in the session, the Presidential Appointment Efficiency and Streamlining Act, which is aimed at reducing the number of presidential nominees that must go through the whole confirmation process, and the USFA Administrator is one of those.

Of course, the legislation is in the House, and it is beyond our capacity, perhaps the capacity of anyone, to predict what one chamber will do with another chamber's legislation.

But in any case, it will be a high point on which to conclude the history of our hearings if this hearing on your nomination is the last.

So, without objection, the record will be kept open until noon tomorrow for the submission of any written questions or statements for the record. We are making that a short time frame because we would like to move you through the Committee and onto the floor and hopefully through the Senate as quickly as possible so you can begin your responsibilities.

Again, I thank you for your service over your lifetime and for your willingness to serve in this national position. I thank your wife and family for the support they have given you and all of your friends from firefighting who are here to back you up as well.

Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman. I, too, am impressed with the nominee and will join you in trying to move his nomination forward for as expeditiously as possible. Thank you.

Chairman LIEBERMAN. Thank you very much.

With that, the hearing is adjourned.

[Whereupon, at 10:47 a.m., the Committee was adjourned.]

# A P P E N D I X



United States Senate  
Committee on Homeland Security and Governmental Affairs  
Chairman Joseph I. Lieberman, ID-Conn.

**Nomination Hearing of Ernest Mitchell Jr.  
To be Administrator of the United States Fire Administration  
At the Department of Homeland Security  
Chairman Joe Lieberman  
October 5, 2011**

Good morning and welcome to this hearing on the nomination of Ernest Mitchell Jr. to be Administrator of the United States Fire Administration (USFA), which of course is within the Department of Homeland Security.

The USFA was established in 1974. It is the primary federal agency addressing the needs of the nation's firefighters, with the goal of reducing loss of life and economic loss due to fire and related emergencies.

The USFA has a number of specific and important responsibilities. It collects, analyzes, and disseminates data and information on fire and other emergency incidents; and it researches and develops fire prevention and fire safety technology. The agency also trains mid- and senior-level fire and emergency medical services officers at the National Fire Academy and more recently online. Last year, the National Fire Academy provided nearly 3,800 courses and reached more than 113,000 student firefighters.

USFA also assists FEMA in carrying out the Assistance to Firefighters Grant program (AFG) and the Staffing for Adequate Fire and Emergency Response Grant Program (SAFER). I particularly appreciate this, as these grants provide critical assistance to local fire departments and are very important to this Committee and members of both parties on the Committee. I can tell you that in Connecticut we have seen the benefits of these programs time and time again, as they have helped departments get much needed equipment, training and staff to prepare for their increased duties in responding to all sorts of disasters. Post-9/11 and post-Katrina, what we see is not just a local responsibility, but a regional and national responsibility.

Chief, I'm also mindful that you've been nominated for this position at a time when the nation's fiscal difficulties have created real pressures to dramatically reduce federal funding for just about all programs. In this climate, USFA's ability to provide timely and accurate information in emergencies, and about our capacity to respond to them, takes on added significance.

Clearly, Chief Mitchell understands firefighting and the needs of firefighters. It's hard to describe a career as accomplished as his in just a few minutes, but I'll do my best: Over the more than 33 years he has spent working for the fire service, Chief Mitchell has clearly learned the details of his professional. He started his career mapping wildland fires for the Los Angeles County Fire Department and later joined the City of Compton fire

---

340 Dirksen Senate Office Building, Washington, D.C. 20510  
Tel: (202) 224-2627 Web: <http://hsgac.senate.gov>

department—where he served as a firefighter, fire inspector, arson investigator, fire captain, fire marshal, battalion chief, and special assistant to the city manager.

He subsequently served as the fire chief for the Morovia and Pasadena fire departments. And in 2003 and 2004 he served as the president of the International Association of Fire Chiefs—an organization representing nearly 13,000 chief fire and emergency officers. Somehow amid all this, Mr. Mitchell still found the time to volunteer with the American Red Cross, the American Cancer Society, and the Salvation Army and give back to his community in more ways than I have the time to describe.

Your nomination has been endorsed by the International Association of Fire Fighters; the International Associate of Fire Chiefs; and the National Fire Protection Association. You certainly come before the Committee with a strong set of supporters, and that means a lot to us. I wish you the best of luck.

**Opening Statement  
Senator Susan Collins**

**Nomination of Ernest Mitchell, Jr.  
Administrator, U.S. Fire Administration  
Department of Homeland Security**

**October 5, 2011**

\*\*\*\*\*

America's firefighters play a vital role in the security of our nation. Whether it is in response to a terrorist attack, a wildlands fire, or a house fire in the community, America has come to rely on firefighters. America's firefighters - - whether professional or volunteer -- always answer the call.

Stories of the heroism by these men and women, who risk their lives every day to save the lives of others, continually amaze me, and I am honored to serve as a co-chair of the Congressional Fire Caucus along with Senator Lieberman.

Recognizing the importance of the position of U.S. Fire Administrator, this committee elevated it in 2006 as part of our landmark FEMA reform law. The Fire Administrator is the steward of our nation's firefighters, and is responsible for research, data collection and analysis, and fire education initiatives.

In a report released just last week, the United States Fire Administration found that, over the past 10 years, the overall trend in fires has declined by 18 percent. During this same time period, there was also a 20 percent decline in civilian deaths and a 22 percent drop in civilian injuries. We can be proud of this progress.

According to the report, however, "although America's fire death rate is improving, it continues to be higher than more than half of the industrialized countries of the world." Sadly, during this same time period, there have been an average of 3,570 deaths and nearly 18,300 injuries per year. The Administrator must work tirelessly to improve these statistics, which represent loss and pain to American families.

We must also continue to educate and train current and future generations of firefighters. The USFA plays an important role in the professional development of fire services personnel through the National Fire Academy, by providing courses in Fire Prevention Management, Hazardous Materials, Incident Management, and Arson, as well as many other critical

subjects. In FY 2010, the NFA provided nearly 3,800 course offerings, reaching more than 113,000 students through a variety of different methods.

The Chairman and I have also been strong advocates for the FIRE and SAFER grants and earlier this year worked on legislation to reauthorize these programs through 2016.

In 2008, we reauthorized the United States Fire Administration. In this reauthorization, we updated the curriculum of the National Fire Academy, expanded the range of firefighter training programs, promoted the adoption of national voluntary consensus standards for firefighter health and safety, and established a fire service position at DHS's National Operations Center. As I am sure you are aware, the U.S. Fire Administration is up for reauthorization next year.

I am interested in hearing the nominee's vision for the U.S. Fire Administration and how he will build upon the good work that has been done.

**Opening Statement**  
**Ernest Mitchell, Jr., Nominee**  
**Fire Administrator, United States Fire Administration**  
**United States Senate**  
**Committee on Homeland Security and Governmental Affairs**

Good morning, Mr. Chairman, Ranking Member Collins, and Members of the Committee. It is indeed an honor to sit before you today, as the President's nominee to serve as the next U.S. Fire Administrator; and as a leader at the Federal level in response to challenges facing the nation's fire services.

As I reflected on how I got here today, I recalled that my passion to become a firefighter developed when I was working for the Los Angeles County Engineers mapping large wildland fires from Fire Department helicopters in the early 1970's. My desire to follow that calling has led me to serve in many capacities, but this opportunity is the fire chief's career topper – the chance to serve my country and the fire service at the highest level.

During my thirty-three year fire service career, I served at the local, state and national level of fire service organizations. I have had the honor of leading and serving as Fire Chief of the City of Monrovia and City of Pasadena Fire Departments, both in California. At the regional level, I served as President of the Foothill Fire Chiefs in Los Angeles County and the Los Angeles Area Fire Chiefs Association. At the state level I served as President of the League of California Cities Fire Chiefs Department; and nationally I have served as the President of the International Association of Fire Chiefs. Since retiring, I have remained active by serving on boards of directors and advisory committees with various national organizations, such as: the Department of Homeland Security Science and Technology Advisory Committee, the International Association of Firefighters Hazardous Materials Advisory Committee and the International Fire Service Training Association Executive Board.

These experiences have provided me with a diverse breadth of knowledge and experience with local and national emergency service related issues while also allowing me to develop and maintain excellent working relationships with fire service organizations across the country and the individuals that serve within them.

In addition to my fire service background, I have administered citywide emergency management programs in both Monrovia and Pasadena. I have also served on the boards of directors of several not for profit community organizations. These experiences have expanded and strengthened my ability to work as a leader and as a community partner. I have worked effectively within local non-profit organizations to enhance the overall quality of life in the communities in which I have served. I have been an active and visible member of numerous task forces, boards and

committees. I value the opportunity to participate in and make positive contributions to civic and professional groups.

If confirmed as U.S. Fire Administrator, I will have the opportunity to expand upon my body of work and enjoy the added honor of working to enhance our nation's fire service for the American people. I believe my background and experience are ideally suited for the position. And, I believe I will bring a skill set to the USFA that will add value to the organization and allow me to work effectively in advancing the achievement of its mission, goals and objectives.

Since its beginning, the USFA has played a significant role in ensuring public safety through better fire prevention and control; fire safety research and education; and by elevating and enhancing America's fire service response capabilities. Recent catastrophic events have led to a more dynamic USFA with a revised role and responsibility. The USFA and the fire service community are essential to preparing for and responding to all hazards and have a prominent place within FEMA and DHS.

The principal mission of the USFA is to provide support to America's fire departments and fire service organizations to prevent fires, to eliminate or minimize the loss of civilian and firefighter lives when fires occur, to eliminate or minimize injuries to civilians and firefighters related to fires, and to bolster fire service preparedness for and response to disasters of all kinds. The mission of the USFA also includes providing for the professional development of America's fire service, particularly its leaders. These are huge and important endeavors that I believe are best achieved through meaningful collaboration. If confirmed as U.S. Fire Administrator, I will work to engage all agencies and organizations that may assist in achieving the USFA mission. That may include other federal stakeholders, local, tribal, regional and state governments; fire service organizations and other organizations whose missions are complementary to the USFA or whose interests are germane to a particular activity or consideration. If confirmed, I will work to improve all programs and services that enhance the fire service role of preparing for, responding to, and mitigating incidents which have the potential of causing harm to life, property and the environment of the United States of America.

Efforts to reduce property loss and loss of lives continue to improve, but further work is needed. This may be achieved by focusing on reducing civilian deaths in highly impacted groups within the United States population and by maintaining the recent emphasis upon mitigating line of duty deaths and injuries to firefighters. If confirmed, exploring methods of increasing the impact of fire prevention and public safety education within the civilian population suffering the highest losses will be a high priority. Another priority would be reemphasizing the need to evaluate, target and reduce line of duty deaths and injuries through the programs currently in place, while also seeking ways to improve upon those initiatives.

One of the primary responsibilities of the USFA is to serve as the nation's leader in fire prevention initiatives. The USFA must continue in its tireless efforts toward

public awareness and education. Given the dynamics of change in these times, we cannot become satisfied with our efforts to reduce the loss of life and property. Efforts should focus on where the losses are greatest and where trends indicate the losses may develop and grow. The aging baby boomer generation's changing lifestyle, physical realities and medical needs will likely have a significant impact upon the delivery of fire and emergency services. Fire safety education in multifamily and senior citizen complexes must be reevaluated, especially in low to moderate income minority communities, where loss levels remain highest, to continue to minimize fire fatalities. The USFA should use data from the National Fire Data Center, and any other reliable sources, to identify and target populations that meet the criteria for being the highest fire death and injury risks. Based upon that data, partnerships with local fire agencies and other organizations with complementary interests should be sought to initiate and provide aggressive fire prevention, safety and awareness education programs where needed.

In addition to the USFA's reputation for excellent fire service management and leadership training, its most highly valued and notable strength is the agency's strong ties with and support from local fire departments, fire service associations, and state fire service training institutions. It has a rich history of collaboration with all fire service stakeholders in the planning and decision making process which directly impacts fire service programs and operations across the nation. These strengths have positioned the USFA to maximize its resources in delivering products that meet the needs of its stakeholders. If confirmed as Fire Administrator, I will use my past experiences to continue to build upon these strengths to enhance the future of the USFA and the American fire service.

I thank the Committee for considering my nomination as U.S. Fire Administrator. Thank you, Mr. Chairman, for the opportunity to appear before you today. I am happy to answer any questions the Committee may have.

**BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES**

**A. BIOGRAPHICAL INFORMATION**

1. **Name:** (Include any former names used.)
  - **Ernest Mitchell Jr. (Ernie)**
2. **Position to which nominated:**
  - **United States Fire Administrator, Federal Emergency Management Agency**
3. **Date of nomination:**
  - **August 2, 2011**
4. **Address:** (List current place of residence and office addresses.)
  - **REDACTED** (Residence & Office)
5. **Date and place of birth:**
  - **June 6, 1948; Buffalo, New York**
6. **Marital status:** (Include maiden name of wife or husband's name.)
  - **Married - Wife: Donnise (Blow)**
7. **Names and ages of children:**
  - **Nichelle, 40; Marc, 38.**
8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
  - **California State University at Northridge, September 1990 to May 1996, Master of Public Administration, May 30, 1996**
  - **University of San Francisco, September 1980 to March 1990, Bachelor of Public Administration, May 17, 1990**
  - **Long Beach City College, September 1972 to May 1978, Associate of Science in Fire Science, February 1, 1978**
  - **Compton High School, 1963 to 1966, High School Diploma, June 1966**

9. **Employment record:** List all jobs held since college, and any relevant or significant jobs held prior to that time, including the title or description of job, name of employer, location of work, and dates of employment. (Please use separate attachment, if necessary.)

**Associate, Emergency Services Consulting International (ESCI). Contracted as needed to serve as member of teams that provide management consultation for fire and emergency medical service delivery. Main office in Wilsonville, Oregon; working from home. June 2010 to present.**

**Organizational Liaison, National Fallen Firefighters Foundation (NFFF). Contracted to coordinate the Life Safety Initiative/Everyone Goes Home program with fire service organizations. A temporary project to develop partnerships that works to eliminate preventable firefighter line-of-duty deaths and injuries. Headquarters in Emmitsburg, MD; working from home. July 2008 to June 2009.**

**Part-time Emergency Response Specialist, Dewberry. Available for call to various fire service related incidents and/or work on projects contracted by Dewberry. Offices in Los Angeles, CA. Available since 2008 – have not worked on any assignments.**

**Contractor, Center for Technology Commercialization Inc. (CTC, Inc). Contracted as subject matter expert reviewing fire service related documents and assessing potential first responder technologies projects. Office in Westborough, MA; working from home. December 2006 to December 2008.**

**Director of National Firefighter Technology Resource Center, CTC, Inc. Responsible for organizing and directing a firefighter technology program under the guidance of the Department of Homeland Security. Program was designed to assist with developing and transitioning technology to first responders. Office in Westborough, MA; working from home. April 2005 to December 2006.**

**Fire Chief/Assistant Director of Disaster Management. City of Pasadena, CA, October 1998 to December 2003. Responsible for leading and managing the fire department. Co-administrator of regional dispatch center. Manager of City's disaster preparedness program and co-director of major event public safety services.**

**Contract Fire Chief/Assistant Director of Disaster Management. City of Pasadena, CA, December 2003 to April 2004. Post-retirement, continued as chief during hiring process for new chief and assisted with transition.**

**City of Monrovia, CA, Fire Chief and Deputy City Manager. 1991 to 1998. Responsible for leading and managing the fire department and the City's disaster preparedness program. Integral part of City Manager's executive team.**

**Firefighter, Fire Inspector, Fire/Arson Investigator, Fire Captain, Fire Marshal, Battalion Chief, Special Assistant to City Manager. City of Compton, CA, Fire Department, 1971 to 1991. Duties included: fire fighting, emergency medical, fire prevention, emergency preparedness and most facets of fire department mission management.**

**Jr. Engineering Aid, Los Angeles County, CA, Engineer, 1968 to 1971. Assigned to the Los Angeles County Fire Department Survey and Mapping Section. Duties included: cartography, land surveying, and mapping wildland fires.**

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with federal, State, or local governments, other than those listed above.
- **Member, Homeland Security Science and Technology Advisory Committee, 2004 to 2011**
  - **Member, Homeland Security Science and Technology R-Tech Users Group, 2008 to 2010**
  - **Adjunct Instructor, National Fire Academy, 2000 to 2005**
11. **Business relationships:** List all positions currently or formerly held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.
- **Member, Editorial Advisory Board of Fire Chief Magazine, 2001 to 2005**
12. **Memberships:** List all memberships, affiliations, or and offices currently or formerly held in professional, business, fraternal, scholarly, civic, public, charitable or other organizations.

**Current**

- **Member, International Fire Service Training Association Executive Board (IFSTA) July 2010 - present**
- **Member, International Association of Firefighters (IAFF) Hazardous Materials/Weapons of Mass Destruction Training Advisory Board, 2008 - present**
- **Facilitator, IAFF/IAFC Labor-Management Initiative, 2007 - present**
- **Member, IAFC Foundation, 2005 - present**
- **President, International Fire Service Research Center and Policy Institute, 2007-present**
- **Member, International Association of Fire Chiefs (IAFC), 1987 - present (various committees and task forces)**
- **Member, Western Fire Chiefs Association 1987 - present**

- Member (Charter), National Museum of African American History & Culture, November 2010 - present
- Member, American Association of Retired Persons, 2004 - present
- Member, KCET Public Television, 1997 - present
- Member, Retired Public Employees Association of California 2009 - present

Former

- Instructor, National Fallen Firefighters (NFFF), Everyone Goes Home Program 2007-2009
- Regional Advocate, NFFF, Everyone Goes Home, program 2006-2008
- Member, Black Chief Officers Committee of International Association of Black Professional Firefighters, 2000-2008
- Member, IAFC Board of Directors, 2001-2005
- President, IAFC, 2003-2004
- President, Los Angeles Area Fire Chiefs Assn, 1998-2002 (member 1998-2004)
- President, Foothill Fire Chiefs Assn, one year (member 1991-2004)
- President, League of California Fire Chiefs Department, one year; (member 1998-2004)
- Member, California Fire Chiefs Association, 1991-2004
- Member, National Fire Protection Association, 1995 - 2006
- Director, Second Baptist Church of Monrovia New Member Department, 2001-2007 (member 2000-2007)
- Member, Los Angeles Urban League, Pasadena Branch Board, 2000-2004
- Member, Pasadena YMCA Board of Managers, 1999-2004
- Member, Santa Anita YMCA (Monrovia) Board of Managers
- President, Boys and Girls Club of the Foothills (Monrovia) Board of Directors, one year, member 1992-2004
- Member, Pasadena City College Fire Science Advisory Board
- Member, Rio Hondo College Fire Technology Advisory Committee
- President, Monrovia Rotary Club Board, 1996-97 (Board 94-98, member 91-98)
- President, Compton Salvation Army Advisory Board, one year (member for several years)
- Chairman, First Christian Church of Compton Board (chairman for several years and member of church for many years – various offices held)
- Chairman, Compton First Christian Day School Board (approx. 12 years)
- Member, International Association of Black Professional Firefighters
- Member, Fire Marshal's Association of North America
- Member, American Management Association
- National Forum for Black Public Administrators
- Instructor (volunteer), American Red Cross
- Instructor (volunteer), American Cancer Society

- **Member, We Care Foundation (Monrovia, CA)**
- **Member, IAFF Local 2216 (1972-1978)**
- **Member, California State Firefighters Association (1972-2004)**
- **Member, Stentorians (Los Angeles Black Firefighters)**
- **Member, Harbor District Firefighters Association**

13. **Political affiliations and activities:**

- (a) List all offices with a political party which you have held or any public office for which you have been a candidate.

- **NONE**

- (b) List all memberships and offices held in and services rendered to any political party or election committee during the last 10 years.

- **NONE**

- (c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$50 or more during the past 5 years.

- **2010 – Joanne Gilbert, Rialto School Board - \$200**
- **2009 – Firepac (IAFF's pac) - \$200**
- **2008 – Barack Obama, President, 2008 - \$450**
- **2008 – Firepac (IAFF's pac) - \$100**
- **2008 – Joanne Gilbert, California State Assembly - \$200**
- **2008 – MoveOn - \$50**

14. **Honors and awards:** List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

- **IAFC President's Award, for diversity leadership – 1999**
- **Monrovia/Arcadia/Duarte (CA) NAACP Branch, Community Service Award – 1995**
- **Compton (CA) Hometown Hero – 1988**
- **Compton Fire Department Employee of the Year – 1986**
- **Veterans of Foreign War, Compton Post, Award of Valor – 1972**
- **National Honor Society – 1964/65**

15. **Published writings:** Provide the Committee with two copies of any books, articles, reports, or other published materials which you have written.

**Copies of articles scanned & submitted with questionnaire:**

- **November 2009 edition, On Scene - International Association of Fire Chiefs Newsletter**
- **Fall 2009 edition, Speaking of Fire – International Fire Service Training Association Newsletter**
- **June 2006 edition, Fire Chief Magazine**
- **Summer 1999 edition, League of California Cities, Fire Chiefs Department Newsletter**
- **January 17, 1996, Pasadena Star News**

16. **Speeches:**

- (a) Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated. Provide copies of any testimony to Congress, or to any other legislative or administrative body.
- **No formal speeches in past 5 years.**
- (b) Provide a list of all speeches and testimony you have delivered in the past 10 years, except for those the text of which you are providing to the Committee. Please provide a short description of the speech or testimony, its date of delivery, and the audience to whom you delivered it.
- **Testimony before Senate Committee on Commerce, Science, and Transportation, July 8, 2004, on S. 2411, The Assistance to Firefighters Reauthorization Act of 2004. As president of the International Association of Fire Chiefs (IAFC), spoke in support of the Act and addressed specific points on behalf of the IAFC.**
  - **Testimony before House Committee on Science, May 12, 2004, on H.R. 4107, The Assistance to Firefighters Reauthorization Act of 2004. As president of the International Association of Fire Chiefs (IAFC), spoke in support of the Act and addressed specific points on behalf of the IAFC.**
  - **Speech, March 3, 2001, Rotary Youth Leadership Awards (RYLA) Camp, motivational keynote to high school students and camp counselors.**
  - **Speech, June 7, 2001, Rio Hondo College Fire Academy Graduation; commencement speech (career and motivational) to graduates, faculty and guests.**
  - **Speech, Boys and Girls Club Youth Awards, September 20, 2001, motivational keynote to awardees, guests, staff and board.**

- **Speech, Pasadena Black History Day, February 27, 2002, motivational keynote to City Employees**
- **Speech, Rotary Club of Pasadena, September 11, 2002, Guest Speaker for Patriots Day, motivational to club membership and guests**
- **Speech, Pasadena Fire Department Graduation, September 19, 2002, commencement (career and motivational) speaker to graduates, staff and guests**
- **Speech, IAFC Presidential Celebration, September 28, 2002, motivational to conference banquet attendees**
- **Speech, International Hazardous Materials Response Team Conference, May 29, 2003, inspirational welcome to conference attendees**
- **Speech, IAFC Presidents Celebration, August 2003, Presidential acceptance to conference banquet attendees**
- **Speech, Women in the Fire Service, October 2003, motivational keynote in general assembly**
- **Speech, International Association of Firefighters Human Relations Conference, January 25, 2004, motivational keynote in general assembly**
- **Speech, IAFC Presidents Celebration, August 2004, outgoing presidential address and encouragement to conference banquet attendees**
- **Speech, Rialto Democratic Club, September 17, 2004, motivational and patriotic keynote at banquet, to members and guests**
- **Speech, Second Baptist Church of Monrovia, Men's Fellowship Breakfast, January 8, 2005 keynote inspirational to attendees**

17. **Selection:**

- (a) Do you know why you were chosen for this nomination by the President?

**I believe I was chosen due to my background of accomplishments and record of achievements within my profession.**

- (b) What do you believe in your background or employment experience affirmatively qualifies you for this particular appointment?

I am very experienced as a public administrator and emergency services leader. I have a record of achievement that goes beyond the normal fire department activities. With over thirty years of progressively more experience in municipal fire departments, I have acquired well-developed management, technical, and human relations skills. I have applied those skills successfully within multicultural communities.

I have an extensive amount of experience working effectively and harmoniously within government as an integral part of management teams. My ability to successfully function within government institutions is largely due to a firm belief that human relations, commitment to quality service, and responsible fiscal management are key values for government. My reputation for honesty, integrity, innovation, vision, teamwork and professionalism has also contributed significantly to my success in multiple jurisdictions and organizations.

In addition to my professional experience, I have worked effectively within local non-profit organizations to enhance the overall quality of life in the communities in which I have served. I have been an active and visible member of numerous task forces, boards and committees. I have also been and continue to be very active in fire service organizations. I value the opportunity to participate in and make positive contributions to private organizations and public agencies in efforts to improve the quality of life – especially with respect to public safety.

I have the educational background and practical experience necessary to work effectively within government, and to work closely with others in the federal government as part of the team. I respond well to challenges and would bring a commitment to excellence in the United States Fire Administration.

**B. EMPLOYMENT RELATIONSHIPS**

1. Will you sever all connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?
  - YES
  
2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.
  - NO

3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization, or to start employment with any other entity?
  - NO
4. Has anybody made a commitment to employ your services in any capacity after you leave government service?
  - NO
5. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?
  - YES
6. Have you ever been asked by an employer to leave a job or otherwise left a job on a non-voluntary basis? If so, please explain.
  - NO

#### C. POTENTIAL CONFLICTS OF INTEREST

1. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.
  - **In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Homeland Security's Alternate Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's designated agency ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.**
2. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration or execution of law or public policy, other than while in a federal government capacity.

- **During my tenure as President of the International Association of Fire Chiefs I testified before the House and Senate in support of the Assistance to Firefighters Reauthorization Act. I also met with members of the FCC and sent correspondence to the President encouraging action to solve the wireless communication interference problems and to support the Consensus Plan. As a Board Member of the same organization during other years, I also voted on association legislative positions.**
3. Do you agree to have written opinions provided to the Committee by the designated agency ethics officer of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?
- YES

#### D. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.
- **I have not been disciplined or cited for a breach of ethics for unprofessional conduct. In 2002, an employee filed an EEOC complaint based upon a rotation from his regular fire station assignment; he claimed retaliation for his filing of a previous complaint. Although he had filed a complaint with the EEOC prior to my arrival at the department, he claimed I was aware of the previous action and was retaliating. His rotation was part of an action rotating several employees at the station who were claiming that he, their supervisor, was harassing them. The City's Risk Management Office requested they be separated during an investigation and follow-up. We developed a shared rotation that kept each employee's respective time away from the station relatively equal and to a minimum. The EEOC requested and came in for an office meeting to discuss the retaliation claim, because the earlier complaint was still in an open status. I was informed that they would write a report documenting the circumstances surrounding the retaliation complaint developed during our meeting, and add it to the file. There was no further action.**
2. Have you ever been investigated, arrested, charged or convicted (including pleas of guilty or nolo contendere) by any federal, State, or other law enforcement authority for violation

of any federal, State, county or municipal law, other than a minor traffic offense? If so, provide details.

- **YES, as a juvenile. As a twelve year old, I was convicted of trespassing at a school. Several boys, myself included, went into an unlocked band room and were playing on the instruments. We were arrested, charged, convicted and placed on one year probation.**
3. Have you or any business of which you are or were an officer, director or owner ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.
- **NO, not to my knowledge.**
4. For responses to question 3, please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.
- **N/A**
5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

- **During my career I have consistently demonstrated values and principles consistent with the stated vision, mission and values of the Department of Homeland Security, Federal Emergency Management Agency and United States Fire Administration. I believe my knowledge, skills and abilities are well matched with the responsibilities of the United States Fire Administrator.**

**I, and the organizations I've worked for, have benefited from valuable experiences I've had while serving as a local fire chief, emergency management director and public administrator. I have also gained additional insights into working effectively with federal, state, local, private sector, non-governmental, faith-based and community-based organizations through my combined career, volunteer, and professional organization activities.**

**Some examples of those activities include: working as an integral member of national public safety agency partnerships to address special shared needs and/or issues; initiating and developing a community-wide organization to perform emergency preparedness planning and coordination; and actively participating as a member of a federal advisory committee to evaluate various program structures**

and results, perform directed research, and write actionable reports with recommendations for improvement.

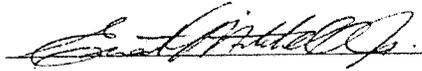
Overall, I believe the variety and quality of my career experiences add favorably to my qualifications for United States Fire Administrator.

E. FINANCIAL DATA - REDACTED

All information requested under this heading must be provided for yourself, your spouse, and your dependents. (This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

AFFIDAVIT

Ernest Mitchell Jr. being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.



Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

SEE ATTACHMENT



**U.S. Senate Committee on Homeland Security and Governmental Affairs  
Pre-hearing Questionnaire  
For the Nomination of Ernest Mitchell, Jr. to be  
Administrator, U.S. Fire Administration, Department of Homeland Security**

**I. Nomination Process and Conflicts of Interest**

1. Why do you believe the President nominated you to serve as Administrator of the U.S. Fire Administration (USFA)?

**I believe the President nominated me because my background of accomplishments and record of achievements within my profession over the past 33 years.**

2. Were any conditions, express or implied, attached to your nomination? If so, please explain.

**No.**

3. What specific background and experience affirmatively qualifies you to be Administrator of USFA?

**I have over thirty-three years of experience working within municipal fire departments. I began as a fire fighter and served in most ranks through battalion chief during my 20 years with the Compton, CA, fire department. Subsequently, I left to become Chief of the Monrovia, CA, fire department for five years and then Chief of the Pasadena, CA, fire department for seven years where I also managed the City's emergency management programs.**

**While serving as fire chief I also served as president of several fire chief organizations: Foothill Fire Chiefs, Los Angeles Area Fire Chiefs, League of California Cities Fire Chiefs, and the International Association of Fire Chiefs. In addition to being president I served several years on the boards of directors of each of those same organizations. I was also a volunteer on the boards of many local non-profits, including: the Salvation Army, Boys and Girls Club, YMCA and Urban League.**

**Additionally, I was appointed to a number of task forces and committees to address fire service issues of national significance. Included among those was representing the fire service for seven years on the Department of Homeland Security Science & Technology Advisory Committee.**

**Overall, I have an extensive amount of experience working effectively within government as an integral part of teams and within local non-profit organizations to enhance overall quality of life in the communities in which I have served.**

**My ability to work successfully within government institutions is largely due to a firm belief that human relation, commitment to quality service, and responsible fiscal management are key values for government. My reputation for honesty, integrity, innovation, vision, teamwork and professionalism has contributed significantly to my success in multiple jurisdictions and organizations.**

4. Have you made any commitments with respect to the policies and principles you will attempt to implement as Administrator of USFA? If so, what are they, and to whom were the commitments made?

No.

5. If confirmed, are there any issues from which you may have to recuse or disqualify yourself because of a conflict of interest or the appearance of a conflict of interest? If so, please explain what procedures you will use to carry out such a recusal or disqualification.

**In connection with the nomination process, I have consulted with the U.S. Office of Government Ethics and the Department of Homeland Security's Designated Agency Ethics Official to identify and resolve any potential conflicts of interest. Potential for conflicts of interest have been identified and will be resolved in accordance with the terms of my ethics agreement, which has been provided to the Committee. No other conflicts of interest are believed to exist.**

6. Have you ever been asked by an employer to leave a job or otherwise left a job on a non-voluntary basis? If so, please explain.

No.

## **II. Role and Responsibilities of the Administrator of the U.S. Fire Administration**

7. Why do you wish to serve as Administrator of USFA?

**I have a deep desire to serve both this nation and the fire service and I believe the position of Administrator of the USFA affords me the best possible opportunity to serve both in a very significant way by using my knowledge, skills and abilities to make a positive contribution. I believe I have something to give that would make a difference to the fire service and the nation we protect.**

8. What do you see as the principal mission(s) of USFA?

**The principal mission of the USFA is to provide national leadership and support to America's fire and emergency services for fire prevention, preparedness and response. When fires do occur, that overall mission includes efforts to eliminate or**

minimize the loss of civilian and firefighter lives, injuries and property damage. In support of those mitigation efforts, the USFA also strives to enhance preparedness and response capacity for natural and manmade disasters by providing for the professional development of fire service leaders.

9. What do you see as USFA's principal strengths and weaknesses in its ability to accomplish those mission(s)?

Presently, with limited direct observation of departmental performance, I am aware of the USFA's strong academic programs, public education resource materials, peer review grant program, and its respected reputation and relationships with fire service organizations. From a distance I suspect that, like most governmental agencies, resources are being challenged and capacity to meet customer demands is being limited, especially given the expanded duties associated with supporting the fire services role in national response.

10. If confirmed, what would be your top priorities? What do you hope to have accomplished at the end of your tenure?

Consistent with the USFA's primary mission, I have a personal interest in doing what is necessary to move the nation forward in eliminating/reducing civilian and firefighter loss of life and injury due to fires and, if confirmed, I will look for opportunities to make a difference in those areas. I support the USFA's present strategic plan and I believe that while using it to evaluate the organization's performance, I will constantly be looking for opportunities to make the USFA more effective and efficient.

The mission of the USFA includes providing for the professional development of America's fire service leaders. If confirmed, I will work to improve all programs and services that increase fire service capabilities and enhance the fire service in preparing for, responding to and mitigating emergency incidents.

11. If confirmed, how will you establish and maintain relationships with firefighters, EMS personnel, and other stakeholders of USFA?

If confirmed, I will use all avenues available to the U.S. Fire Administrator to communicate regularly with the fire and emergency services stakeholders. This may be done through meetings, conferences, newsletters, webpages, teleconferences, emails, and/or other electronic methods. If confirmed, USFA would seek to establish new and maintain existing relationships at the federal, state and local levels. Additionally, USFA would be accessible and available by reaching out, responding to, and engaging others in plans and decision making processes.

### III. Policy Questions

#### *General*

12. What role do you believe USFA should play within overall national efforts to enhance the essential capabilities of fire departments and emergency medical services?

**I believe the USFA should build upon FEMA's mission to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our national capability to prepare for, protect against, respond to, recover from and mitigate all hazards. The USFA should set the standard for fire and emergency medical services throughout the country by providing both strategic direction and operational focus through safety and education programs and professional development.**

13. How do you see USFA's mission fitting within the overall responsibilities of the Federal Emergency Management Administration (FEMA) to prepare for, protect against, respond to, recover from and mitigate against national disasters, acts of terrorism and natural disasters?

**I view the USFA as a powerful and compelling asset for FEMA. It is an integral component of FEMA in preparing the nation for disaster response and recovery efforts in general, and the Fire and Emergency Medical Services specifically. Its mission aligns with FEMA's; particularly the USFA's goal to improve the Fire and Emergency Services' Capability for Response to and Recovery from all Hazards.**

14. How do you see the demands on the fire service potentially changing in upcoming years? If confirmed as Administrator of USFA, how would you address these changes? Over your years in the fire service, how have you seen demands on fire departments evolve and how in your previous positions have you addressed evolving demands?

**I expect to see the demands upon the fire service continue to evolve over time. If confirmed, I will continuously interact with our partners and the USFA will assess indicators and trends of potential changes in service needs and demands. I would then include them in our strategic planning review processes and in communications with stakeholders. During my years in the fire service I have seen demands increase at varying speeds. In order to provide national leadership to the fire service, it is incumbent upon the USFA to monitor and forecast change and assist in planning for it in a way that best supports our fire service in protecting our nation.**

15. Please describe your management style. What is your approach to managing staff, and how has it developed during your previous management positions?

Over the years I have determined the best management style for me is situational and very team oriented. It is the team that gets the work done, and a high performing team is an essential element for the success of an organization. I have recognized that my role as leader is to cultivate a culture that allows and even stimulates individuals to perform at a high level. I must openly communicate and demonstrate the vision and be accessible. I believe that open, honest, purposeful communications builds shared purpose, integrity, accountability and trust. I work hard to set that example through honesty and respect. I demonstrate my respect for individuals constantly and attempt to manage others in a way that best matches their knowledge and skills, and the demands of the situation – this is what I refer to as “situational”. This is a simplification of principles that I have learned and incorporated over time as a manager and leader, and have found them to be effective. A key element in what I consider my development was embracing the concept of leading by serving. I have recognized that the periods of highest success were when people were in the right roles and performing well. To do that, they need a supportive organizational culture that is best fostered by a leader that models and cultivates that environment.

#### *Training*

16. In June 2011, USFA published a study titled, “A Third Needs Assessment of the U.S. Fire Service,” which reported on the results of a survey of nearly 4,600 fire departments. While the study identified a number of training shortfalls in both career and volunteer fire departments, in many cases it showed improvement. For example, while 46% of all fire departments have not formally trained all their personnel involved in structural firefighting, this percentage has improved from 55% in 2001 and 53% in 2005. Similarly, while the study found that nearly 58% of departments involved in wildland firefighting have not provided formal training in those duties to all involved personnel, this is an improvement from 63% in 2005.

To what extent do you believe that USFA has played a role in these improvements, and what role should USFA play in continuing to address training shortfalls?

The study states that, “The U.S. Fire Administration’s Assistance to Firefighters grants provide part of the reason for the substantial decline in need for training of this type...” While FEMA’s Grant Programs Directorate (GPD) is actually responsible for administering the AFG program, I understand that USFA works very closely with GPD and act as the subject matter experts to help inform the AFG Program Guidance. While the results demonstrate progress, the need is still extensive. I believe the USFA should continue to work to address any training shortfalls; this is in the best interest of local communities, firefighter safety, and building capacity for national readiness to respond. I believe that the USFA should seek opportunities to partner with the state training officials to fill the gaps

**in critical training needs through a variety of mechanisms, including blended learning, interactive web based training, and train the trainer programs.**

17. If confirmed as USFA Administrator, you will have responsibility for overseeing the National Fire Academy. What do you see as the Academy's major challenges and how would you address them? What improvements, if any, would you seek to make in the Academy?

**I am not presently aware of what the National Fire Academy's major challenges are. If confirmed, an early part of my orientation process would focus on the Fire Academy's strengths, weaknesses, and opportunities for improvement or leveraging existing capabilities. That would include any major challenges and I would then meet with staff and appropriate stakeholders to evaluate our options and possible solutions.**

18. In many cases fire departments cannot afford to send personnel to the National Fire Academy for training for extended periods. Do you believe the USFA and the Academy are adequately addressing this issue through on-site and on-line training efforts? Are there additional steps that you believe should be taken to make training more readily accessible?

**In my own experience I have found that many fire departments cannot afford to send personnel away to training for extended periods. I do not presently know the extent of the issue for the USFA specifically, but it is one that I would explore with staff, fire service organizations, and state and local governments, if I am confirmed. There are goals and initiatives within the USFA strategic plan that address partnerships with states and metropolitan areas to deliver courses, and I would have to discuss and evaluate the level of accessibility and availability.**

19. In the post-9/11 world, what role do you see USFA and the National Fire Academy playing in helping prepare firefighters and other first responders for terrorist attacks, including incidents involving weapons of mass destruction? Do you believe that the training opportunities currently offered by the National Fire Academy are sufficient in addressing this need? What do you believe is the appropriate balance between such training and more traditional fire-related training?

**I see the USFA and National Fire Academy playing an increasingly active role in helping prepare firefighters and other first responders for all-hazards events, including incidents involving weapons of mass destruction. One of the USFA's stated goals is to improve the Fire and Emergency Services' Capability for Response to and Recovery from all Hazards, and it is an integral component of FEMA's efforts to prepare the nation for all-hazards disaster response and recovery programs. There are presently goals and initiatives in the USFA strategic plan that indicate the USFA is building capacity for education and training relative to terrorist attacks and weapons of mass destruction. There are also existing courses**

**designed for hazardous materials and emergency medical systems that address the post 9/11 issues. If confirmed, I will look at the long-term planning goal and what balance is projected. Constant evaluation of program goals and needs would be part of the management plan.**

*Research and Data Collection*

20. USFA has partnered with public and private organizations on a number of research and development projects. For example, USFA has worked with the National Institute of Standards and Technology to evaluate the performance of thermal imaging cameras and with the Department of Transportation to find ways to better manage roadway incident scenes. In your view, where should USFA focus future research and development projects? How can USFA continue to make effective use of partnerships in this area?

**I do not presently have an opinion of specifically where the USFA should focus future research and development projects – other than the belief that they should solidly support the vision, mission, goals and objectives of the fire service. I believe the USFA should continue open dialogue with federal, state, local and private organizations and seek opportunities for research and development projects that are based upon risks and needs. The USFA has solid partnerships and should maintain them while also remaining open to others that may provide opportunities for innovative solutions.**

21. USFA plays an important role in collecting and distributing data concerning the causes of fires and their consequences, firefighters, fire departments, and a number of other fire-related topics, through the National Fire Data Center and the National Fire Incident Reporting System (NFIRS).
- a. If confirmed, what will you do to improve the USFA's data collection and analysis activities?

**If confirmed, I will meet with staff to become more knowledgeable of the existing data collection and analysis activities and work with staff to assess its viability and strengths, as well as needs for improvement.**

- b. What additional topics, if any, do you believe USFA should focus on in future surveys or other data collection activities?

**I am not familiar with all of the topics that the USFA presently focuses on for their data collection, but if confirmed, I would discuss the present and anticipated value with staff and compare it with present and future needs. Generally, I believe data should be collected and analyzed to assist in targeting present problem identification, identifying trends, projecting future needs and suggesting potential solutions.**

- c. How can USFA leverage technology to improve access to, and collection of, data?

**I understand the USFA is leveraging technology for outreach and also appears to be using it to improve access to and collection of data. The strategic plan contains goals, objectives and initiatives that indicate the intent to expand and enhance the collection and use of data. If confirmed, I will discuss the effectiveness of the actions undertaken to meet the USFA's goals and if and where improvements are needed. I am aware that technology may be used to transform service delivery, expand partnerships and networks and better support the fire service community. If confirmed, I would seek to assess existing programs and plans and compare needs with capabilities, and improve as needed.**

*Fire Prevention and Safety*

22. One of USFA's chief responsibilities is public awareness and education. In 2008, for example, the agency began a campaign to reduce home fires caused by smoking. Other past efforts have included campaigns to increase public awareness of arson, fire safety for babies and toddlers, and fire safety for people over 50.
- a. Are there areas or topics the USFA should focus on in future public awareness and education activities?

**I believe that the USFA should continue to focus on similar campaigns geared toward activities or populations that have a greater chance of causing or suffering fatalities. In addition, the USFA could discuss other public awareness and education activities, based upon data analysis, and information from its stakeholders and partners. If confirmed, one area I intend to focus on is how USFA plans on addressing the growing need for education to the baby boomer demographic to mitigate the high potential for an increase in fire fatalities and injuries due to fire and fire related hazards as this generation ages. I know that senior citizens are a high risk demographic and that is an emerging challenge for USFA. If confirmed, I would work to ensure that USFA leverages state, local, and national organizations to ensure we are in a position to meet this emerging risk.**

- b. Are there ways the USFA could be more effective in carrying out these activities?

**The USFA has demonstrated effectiveness over time in reducing fire deaths and other losses. If confirmed, I would discuss possible alternatives to increase effectiveness with staff. The strategic plan lists an initiative to expand efforts to work with organizations that provide entry into multiple channels to reach all audiences. That sounds like a new approach that the USFA is already exploring and perhaps it can be effective in reaching the groups that have maintained the highest mortality rates.**

*National Preparedness System and National Response Framework*

23. How do you see USFA, and the fire service more generally, fitting into the National Preparedness System as outlined in Presidential Policy Directive-8? What role should USFA play in implementing this directive and the plans and activities associated with it?

**The fire and emergency services are the foundation of a community's response in most all-hazards incidents. From house fires to hurricanes to terrorist attacks, fire and emergency services are typically the first on scene saving lives and protecting property. Through the National Preparedness System, Fire and Emergency Services will continue to be the foundation that a whole of community response will be built upon. The USFA as the federal champion of Fire and Emergency Services has two roles to play, first to ensure that fire and emergency services are fully engaged by FEMA in the development of the National Preparedness System, and secondly providing the ongoing strategic direction and professional development of the fire and emergency services to be the foundation for their communities' ability to respond to all-hazards events.**

24. The National Response Framework's Emergency Support Function 4 (ESF-4) addresses firefighting and provides a framework for "Federal support for the detection and suppression of wildland, rural, and urban fires resulting from, or occurring coincidentally with, an incident requiring a coordinated Federal response for assistance."
- a. The U.S. Forest Service serves as the coordinating agency for ESF-4. What do you see as USFA's role under this ESF? How will USFA coordinate with the Forest Service and other agencies with responsibilities under ESF-4 to ensure that federal support for firefighting can be effectively carried out during a disaster?

**The USFA's role is to provide subject matter experts/expertise regarding structural/urban/suburban fire and fire-related activities. USFA also may maintain a representative at the NIFC (National Interagency Fire Center) to assist with national coordination. These roles are fairly limited in scope, but the USFA will work with the USFS and other agencies in order to ensure its role is well coordinated and fulfills expectations.**

- b. Do you believe any improvements or modifications to ESF-4 are necessary? What additional steps, if any, do you think USFA should undertake to ensure that it is able to carry out its responsibilities under this ESF?

**I believe the USFA has been meeting its responsibilities under ESF-4 and, if confirmed, I will review USFA's capabilities and consult with USFA staff and FEMA leadership to determine if any improvements or modifications to ESF-4 are needed.**

*Other Issues*

25. As you know, the authorization for USFA expires in 2012. Are there any specific issues you believe need to be addressed when it is reauthorized?

**If confirmed, I would be certain to become well versed in issues that need to be addressed during reauthorization and upon completion of that analysis, would welcome the opportunity to brief the Committee.**

26. The approximately 1.15 million members of the nation's fire service comprise both career firefighters and volunteers, and they work for fire departments that may be all-career, all-volunteer or a combination of both. What do you see as the differing needs of career and volunteer fire departments and, if confirmed, what will you do to support each of these essential parts of the fire service?

**There are certainly differing needs and challenges for career and volunteer fire departments. The primary difference in delivering training to each is availability of time for volunteers and the cost of filling vacancies, created by training, in career departments. The USFA has undertaken initiatives to address those differences and presently delivers courses and training in ways that reduce some of those impacts. I understand that the USFA is continuing to investigate other course delivery models. If confirmed, I will maintain communications with both career and volunteer segments of the fire service, encourage their participation, and seek ways to best meet their needs.**

27. What role, if any, should USFA play in addressing wildland fires? Do you see opportunities for coordination with other agencies, such as the Forest Service and the Department of Interior?

**The USFA is actively engaged in addressing wildland fires through its participation in the Wildland Fire Leadership Council, Federal Fire Policy Council and the Wildland Fire Executive Council, where the USFA Administrator serves as the DHS member. These three bodies provide the strategic policies, goals and management activities. USFA is also an active member of the National Wildfire Coordination Group (NWCG) and the USFA representative at the National Interagency Firefighting Center (NIFC) serves as the Vice Chair of NWCG which coordinates the allocation of wildland firefighter resources nationally. All these groups have active Forest Service and Department of Interior participation along with the State Forestry organizations. If confirmed, I will look for even more opportunities to expand this coordination.**

28. As you know, wildland/urban interface fires continue to be a challenge with which communities across the nation are struggling. What do you believe the Federal government can do to assist state and local governments with this problem?

**The federal government has initiated programs to help local governments in areas vulnerable to wildland fires, and I believe that these programs can be expanded and improved upon by the continued collaboration between the National Wildfire Coordinating Group (NWCG) Members, other federal partners (like the USFA), state and local governments, and private organizations. Cooperation and seeking continuous improvement can lead to more effective strategies.**

29. What do you see as USFA's role in supporting fire-based and nonaffiliated Emergency Medical Services (EMS) organizations? If confirmed, what will you do to strengthen USFA's support for EMS? How do you intend to work with the National Highway Traffic Safety Administration and other federal agencies that also have EMS-related responsibilities?

**Supporting EMS is an integral part of the USFA's strategic plan. In particular, the plan states: "EMS is integrated in USFA's vision, mission, and goals. USFA will provide training and program activities to support fire-based EMS as an option for local community life safety strategies. The EMS Strategy addresses USFA's commitment to the EMS role and efforts to engage the Federal, State and local EMS organizations and leaders. Our goal is to provide system and management level education opportunities for EMS leaders." If confirmed, I will discuss this and all elements of the strategic plan for the current status of the plan and its supporting activities. As with other initiatives, I will reach out to stakeholders as the USFA seeks to review and update its plans and to seek projects of potential mutual interest to other federal agencies.**

#### IV. Relations with Congress

30. Do you agree, without reservation, to respond to any reasonable summons to appear and testify before any duly constituted committee of the Congress if you are confirmed?

Yes.

31. Do you agree, without reservation, to reply to any reasonable request for information from any duly constituted committee of the Congress if you are confirmed?

Yes.

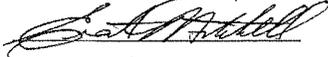
#### V. Assistance

32. Are these answers your own? Have you consulted with DHS or any interested parties? If so, please indicate which entities.

**These answers are my own. I have received routine pre-confirmation briefings from DHS and FEMA that have helped me develop responses to these questions.**

**AFFIDAVIT**

I, ERNEST MITCHELL, being duly sworn, hereby state that I have read and signed the foregoing Statement on Pre-hearing Questions and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.



Subscribed and sworn before me this 30<sup>th</sup> day of September, 2011.



NOTARY PUBLIC  
DISTRICT OF COLUMBIA

Notary Public

**MY COMMISSION EXPIRES MAY 31, 2014**



United States  
**Office of Government Ethics**  
1201 New York Avenue, NW, Suite 500  
Washington, DC 20005-3917

SEP 28 2011

The Honorable Joseph I. Lieberman  
Chairman  
Committee on Homeland Security  
and Governmental Affairs  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Ernest Mitchell, who has been nominated by President Obama for the position of Administrator of the United States Fire Administration, Federal Emergency Management Agency, Department of Homeland Security.

We have reviewed the report and have also obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

A handwritten signature in black ink, appearing to read "Don W. Fox".

Don W. Fox  
Acting Director

Enclosures - REDACTED

**Senator Susan Collins  
Additional Questions for the Record  
Nomination of Ernest Mitchell, Jr.  
October 5, 2011**

1. America's fire death rate is higher than many other nations in the industrialized world. A report released just last week by the U.S. Fire Administration stated that, over the last 10 years, there have been on average 3,570 deaths and more than 18,000 injuries. Although these numbers are trending downward, there is still a lot of room for improvement. If confirmed as United States Fire Administrator, what do you see as the role for the federal government, and specifically FEMA and the U.S. Fire Administration, in working to address the fire problem in America?

**The fire risk in the United State has evolved over the years since the United States Fire Administration was created. The nature of residential and commercial construction has moved to materials frequently more flammable than those previously used, which results in less time for occupants to egress from fires, and for Fire Services to engage in effective mechanical firefighting. USFA must continue to support residential sprinkler initiatives and building codes designed to reduce fire deaths and injuries. USFA must work with our stakeholder fire organizations to energize and leverage the 1.3 million firefighters to become more engaged in fire prevention and mitigation. The corner stone of the effort must be improved education of the public and Fire Services to embrace and actively pursue prevention and mitigation. Additionally, USFA must work with private not for profit and faith based organizations in partnership to focus the public education and prevention programs on the most at risk. This effort is firmly based in the Fire Prevention and Control Act of 1974 as amended through the years, including the reauthorization of 2008. If confirmed as the US Fire Administrator, I will aggressively pursue the development and delivery of public and Fire Service education programs to reduce the deaths and injuries from fire through enhanced prevention and mitigation.**

