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Testimony

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On

FEMA Preparedness in 2007 and Beyond

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Chairman Waxman, Ranking Member Davis, and distinguished members of the Committee, thank you for allowing me the opportunity to provide testimony on this critically important topic – FEMA Preparedness in 2007 and Beyond.

BACKGROUND

I am Dewayne West, Director of the Johnston County Office of Emergency Services, located in the great state of North Carolina. The Johnston County Office of Emergency Services encompasses three main departments: Emergency Management, Emergency Medical Services, and the Fire Marshal's Office. Collectively, the department provides essential service to Johnston County and its ten towns including Smithfield, Clayton, Selma, Benson, Kenly, Four Oaks, Pine Level, Princeton, Wilson's Mills, and Micro. Located midway between New York and Florida on I-95 and at the cross-roads of I-95 and I-40, Johnston County connects the nation's North and South with East and West.

Currently, I am a member of the National Association of Counties' (NACo) Board of Directors, and a past President of the International Association of Emergency Managers (IAEM). Since the tragic events of September 11th, NACo and IAEM have formed a strong affiliate partnership and today; I provide this testimony on both their behalf.

The International Association of Emergency Managers has over 3,800 members including emergency management professionals at the state and local government levels, the military, private business and the nonprofit sector in the United States and in other countries. Most IAEM members are U.S city and county emergency managers who perform the crucial function of coordinating and integrating the efforts at the local level to prepare for, mitigate the effects of, respond to, and recover from all types of disasters including terrorist attacks. Members include emergency managers from large urban areas as well as rural counties.

Founded in 1935, NACo is the nation's leading advocate for county elected and appointed officials. NACo advances issues with a unified voice before the federal government, improves the public's understanding of county government, assists counties in finding and sharing innovative solutions through education and research, and provides value-added services to save counties and taxpayers money. NACo's membership totals more than 2,000 counties, representing over 80 percent of the nation's population.

FEMA PREPAREDNESS IN 2007 AND BEYOND

Again, I am pleased to join the Committee today and discuss FEMA Preparedness in 2007 and Beyond.

Since Hurricane Katrina ravaged the Gulf Coast in the fall of 2005, federal, state and local elected officials, emergency managers and other public safety officials have worked to strengthen the nation's preparedness and response to future hazards. While States, local governments, emergency managers and other public safety officials across the nation focused on strengthening and revising pre-existing emergency preparedness, prevention, response and recovery plans and educating residents during the aftermath of Hurricane Katrina, Congress focused their attention on strengthening the agency most

associated with the federal governments' response to the catastrophe – the Federal Emergency Management Agency (FEMA).

After months of debate, Congress included the Post Katrina Emergency Management Reform Act of 2006 in the FY 2007 Appropriations Bill for the Department of Homeland Security. (PL 109-295) Local governments, emergency managers and other public safety officials across the nation applauded the hard work of Congress in arriving at these comprehensive revisions to strengthen FEMA. It was clear that FEMA's ability to respond had deteriorated after its inclusion in the Department of Homeland Security and this vital link in the emergency management system needed to be repaired.

The legislation made a number of changes to FEMA, and we supported many of these provisions. Specifically, we supported:

- The strengthening of the role of the FEMA Administrator and the assurance that the Administrator would be the principle advisor to the President, DHS' Secretary, and the Homeland Security Council during times of disaster;
- The restoration of preparedness functions with response and recovery functions within FEMA. Thus, representing a return to established emergency management doctrine – all hazards, integrated, all phases;
- The assurance that the FEMA Administrator would “have a demonstrated ability and knowledge of emergency management and/or homeland security, and at least five years of executive leadership and management experience;”
- Strengthened FEMA Regional Offices and integrated regional preparedness initiatives and resources;
- Enhanced training, exercises and technical assistance for federal, state, local governments and first responders;
- Creation of FEMA Regional Advisory Councils in existing FEMA Regional Offices;
- And the establishment of a formal and effective mechanism for identifying and deploying local assets for effectively strengthening EMAC.

Prior to these changes and since creation of the Department of Homeland Security, FEMA can best be characterized by a cycle of neglect, crisis and further neglect. In fact, I like to refer to this cycle as the “spare tire” theory of emergency management. This theory suggests that we forget about and neglect the condition of our car's spare tire until we have a flat and then hope it is in good enough shape to get us to where we need to go. Likewise, we forget about and neglect our system of emergency management (preparedness, response, recovery and mitigation) until we need it.

So as we explore today's topic - Is FEMA better prepared to respond to the next disaster; I strongly urge our federal partners to heed the lessons we have learned from the past.

Overall, I cannot say with certainty that FEMA is ready for the next catastrophic disaster. The changes legislated by Congress only went into effect last March. While we applaud the effort of Congress to legislate needed changes, we are very concerned that the law may not be implemented as Congress intended. We applaud the efforts being made by Administrator Paulison and Deputy Administration Johnson, but we are concerned that they may not have the protections within DHS they need and Congress expects.

Some of our concerns follow:

- The intent of Congress was to make FEMA a semi-autonomous organization in DHS, like that of the U.S. Secret Service and the U.S. Coast Guard. It seems that that is not being followed.
- It remains unclear if the FEMA Administrator has the authority within the department which he needs to direct the Federal response to disasters and emergencies. Congress must insist that the authority to accomplish the mission clearly resides with the Administrator, and the National Response Plan should be written to require this. There are law enforcement incidents where this might not be applicable, but when it is incident management for the Department of Homeland Security it is appropriate for the FEMA Administrator as the department's incident manager to be in that chain of command.
- FEMA must have the lead on the rewrite of the National Response Plan. It has been reported that a high level DHS official is rewriting the Plan to be more of a framework. We are extremely concerned that state and local emergency managers and elected officials are not having a role in this further rewrite.
- Congressional intent clearly stated that the FEMA Administrator was to report directly to the Secretary and that the FEMA Administrator position was to be established as a Deputy Secretary level position. We understand the Department intends for the Administrator to report to the Deputy Secretary.
- Even though the (PFO) was not abolished under the Post Katrina Emergency Management Reform Act, there was a clear intention that the PFO's role was to act only as an advisor to the Secretary and not have operational control. NACo and IAEM members want the Federal Coordinating Officers to have the authority to make decisions and for them not to be reversed. If the PFO program is not abolished, it will be important that Congress insist that FEMA manage the doctrine, training, and exercising of the PFOs to insure no conflict between the PFO doctrine and the FCO responsibilities. This is clearly a FEMA function under the Post Katrina Emergency Management Reform Act and the law does not permit the Secretary to move FEMA functions to other parts of the Department. There is recent evidence that, in fact, DHS intends to continue its support for the routine use of the PFO. In a recent letter to Secretary Chertoff, your colleague, Chairman Price of the House Appropriations Subcommittee on Homeland Security, took serious issue with the Secretary's recent letter to state governors naming PFOs and Deputy PFOs for four regions of the country. With respect to the ability of FEMA to be allowed to do its job, Chairman

Price also takes note of the fact that the Secretary named an individual within the National Protection and Programs Division as the point of contact to whom the Governors should respond rather than FEMA. We share Chairman Price's concern and feel this is just one indicator that FEMA is not being allowed the authority or respect necessary to get on with solving the monumental problems revealed by Katrina.

- We applaud the preparedness functions being moved to FEMA. However, at this time it is unclear whether FEMA will have the responsibility for the policy or just be an administrative agency. It was clearly Congressional intent for FEMA to have the policy function. In addition, it will be vital that all the positions to support the preparedness functions be moved to FEMA as well. We understand funding was taken from preparedness programs for "shared services". Were all of those funds transferred with the programs? When FEMA was created in 1979, departments and agencies did not send the support positions with the programs—this history should not be repeated.
- It is unclear what the role of the Federal Preparedness Coordinator position in the regions will be, who they will report to and who will select them. It is unclear what the role of the Coordinator will be vs the existing National Preparedness positions in the regions. In addition, preparedness grants staff positions should be moved to the regional offices, particularly when vacancies occur.
- The FEMA Administrator must have the authority to name the officials to serve on the National Advisory Council and must ensure that local elected, emergency managers and other public safety officials are included in the National and Regional Advisory Councils as provided for under the Reform Act. NACo and IAEM have offered our services to assist the FEMA Administrator in identifying qualified and certified local emergency managers and other public safety officials to serve on these councils.
- Greater emphasis and attention must be placed on supporting states and communities who must receive evacuees when disasters cause the relocation of large numbers of persons from affected areas. For example, in North Carolina, we have determined that one of our greatest threats is the need to evacuate large numbers of citizens and tourist from our coastline and/or the coastal areas of adjacent states in the event of a Category Five Hurricane.
- FEMA must fully endorse the Emergency Management Assistance Compact (EMAC) concept. We would like to emphasize that, except for the participation of the National Guard, the majority of personnel deployed under EMAC are emergency managers, first responders and other support personnel from local governments. EMAC is one of the elements of a solid and enduring national emergency management system.
- As DHS and FEMA seek to implement standards and credentialing criteria at the direction of Congress, IAEM and NACo urges the agency to support the use of the

Emergency Management Accreditation Program (EMAP) and the Certified
Emergency Manager Program. (CEM).

In order to be successful, a truly effective national emergency management system must be supported by programs and approaches which enhance our ability to improve our performance based on lessons we have learned.

I strongly urge Congress to continue to support the Critical Elements of a National Emergency Management (E.M.) System. This system has three critical elements. First, the system must be comprehensive, in that it must encompass all potential hazards and all potential impacts relevant to any community in this nation. Second, it is essential that our E.M. system be integrated. Without unity of effort before, during and after any disaster, the effort is going to be chaotic at best and, at worst, doomed to failure. Third, there must be well established and maintained coordination among all stakeholders in the system to ensure that it is effective. Comprehensive and integrated plans on paper are not sufficient. Key stakeholders – like local government emergency managers and other qualified public safety officials – must be constantly consulted to ensure that the plans are based on reality and have “buy in” from those same key stakeholders through discussion and consensus.

It is the revitalization and continued maintenance of this comprehensive, integrated and coordinated national emergency management system in a solid and enduring way that NACo and IAEM feels is of primary importance.

In closing, local elected officials, emergency managers and other public safety officials at all levels of government are constantly working to restore and improve this national system upon which so much depends. We thank you for your support in convening this hearing today and ask for your consideration of our needs and recommendations for the future.

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