



Department of Homeland Security Office of Inspector General

Improvements Needed in FEMA's Management of Public Assistance- Technical Assistance Contracts





**Homeland
Security**

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Preface

The Department of Homeland Security (DHS) Office of Inspector General (OIG) was established by the *Homeland Security Act of 2002* (Public Law 107-296) by amendment to the *Inspector General Act of 1978*. This is one of a series of audit, inspection, and special reports published as part of our oversight responsibilities to promote economy, effectiveness, and efficiency within the department.

This report addresses the strengths and weaknesses of the Federal Emergency Management Agency's management of its Public Assistance-Technical Assistance Contracts. We contracted with the independent public accounting firm of Foxx & Company to perform the audit. The contract required that Foxx & Company perform its audit according to generally accepted government auditing standards.

Foxx & Company is responsible for the attached auditor's report dated September 22, 2010, and the conclusions expressed in the report.

The recommendations herein have been developed with the best knowledge available to our contractor, and have been discussed in draft with those responsible for implementation. We trust that this report will result in more effective, efficient, and economical operations. We express our appreciation to all who contributed to the preparation of this report.

Matt Jadacki for Matt Jadacki

Matt Jadacki
Assistant Inspector General
Office of Emergency Management Oversight



September 22, 2010

Mr. Matt Jadacki
Assistant Inspector General for Emergency Management Oversight
Office of Inspector General
Department of Homeland Security
245 Murray Drive, SW, Building 410
Washington, DC 20528

Dear Mr. Jadacki:

Foxx & Company performed an audit of the Federal Emergency Management Agency's (FEMA) management of Public Assistance-Technical Assistance Contracts (PA-TACs). The audit was performed according to Task Order No. TPDFIGBPA070007, Task Order No. 8, dated September 29, 2009.

This report presents the results of the audit and includes recommendations to help improve FEMA's management and oversight of PA-TACs.

Our audit was conducted according to applicable *Government Auditing Standards*, July 2007 revision. The audit was a performance audit as defined by Chapter 1 of the *Standards*, and included a review and report of program activities with a compliance element. We did not perform a financial audit, the purpose of which would be to render an opinion on the agency's financial statements.

We appreciate the opportunity to have conducted this audit. Should you have any questions, or if we can be of any further assistance, please call me at (513) 639-8843.

Sincerely,

Foxx & Company

Martin W. O'Neill
Partner

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Abbreviations

CO	Contracting Officer
COTR	Contracting Officer's Technical Representative
DHS	Department of Homeland Security
DAE	Disaster Assistance Employee
EMMIE	Emergency Management Mission Integrated Environment
ERPMC	Emergency Response Program Management Consultants
FAR	Federal Acquisition Regulation

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FEMA	Federal Emergency Management Agency
GAO	Government Accountability Office
IA	Individual Assistance
IDIQ	Indefinite Delivery Indefinite Quantity
LTCR	Long-Term Community Recovery
NEMIS	National Emergency Management Information System
NISTAC	Nationwide Infrastructure Support Technical Assistance Consultants
OIG	Office of Inspector General
PW	Project Worksheet
PA	Public Assistance
PA-TAC	Public Assistance–Technical Assistance Contract
RAMP	Remedial Action Management Program

Executive Summary

Foxx & Company assessed the Federal Emergency Management Agency's management of Public Assistance-Technical Assistance Contracts. Audit objectives were to evaluate processes and procedures for awarding task orders, monitoring and evaluating contractor performance, and certifying contractor billings. The audit scope covered the FY 2008 task orders issued to respond to the Iowa floods (May 2008) and hurricanes Gustav and Ike (September 2008).

The Federal Emergency Management Agency may not be adhering to the *Brooks Act*, which requires the government to select engineering and architecture firms based on their competency, qualifications, and experience. The agency awarded task orders based primarily on an equal distribution of dollars among the three contractors, rather than on expertise.

The agency also did not establish performance standards, nor did it evaluate the performance of the contractors. In addition, Task Monitors, agency employees responsible for managing and monitoring the contractors, had not received written guidance or training on how to evaluate contractor performance or certify billing invoices. Oversight and evaluation is crucial because more than \$30 billion in federal dollars have been allocated to the Public Assistance program during the past decade.

The contractors did not respond in a timely manner or provide the technical resources the agency needed for Long-Term Community Recovery requirements. This lack of resources caused delays in the agency's ability to provide this type of assistance.

We are making five recommendations that will improve the effectiveness of the agency's management of Public Assistance-Technical Assistance Contracts.

The Federal Emergency Management Agency generally concurred with our recommendations. The agency's response to our recommendations is summarized and evaluated in the body of this report and included in its entirety as Appendix B.

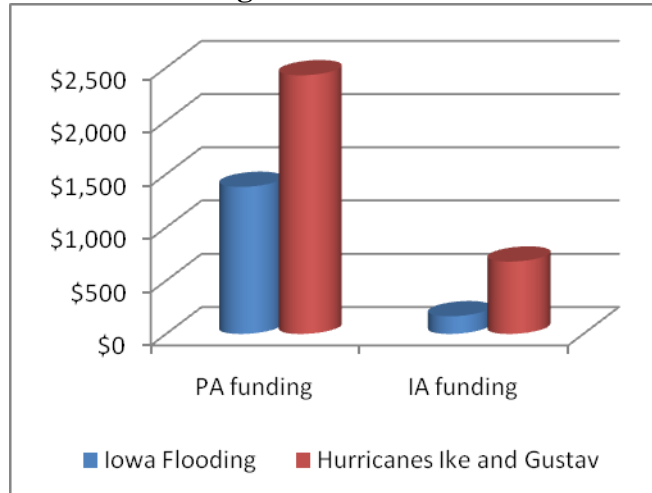
Background

When disasters occur, local communities respond first, followed by the state if necessary. Federal assistance may be requested under the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Stafford Act) when the magnitude of the disaster exceeds local and state capacity. The Federal Emergency Management Agency (FEMA) Public Assistance (PA) program provides critical assistance, in the form of direct assistance and grants, to state, tribal, and local governments, as well as certain private nonprofit organizations, to enable communities to respond to and recover from major, presidentially declared emergencies and disasters.

FEMA awards grants to provide PA funding for debris removal; emergency protective measures; and the repair, replacement, or restoration of eligible disaster-damaged facilities, such as medical facilities, schools, roads, bridges, and utilities. FEMA also provides Individual Assistance (IA) funding through its Individuals and Households Program to assist homeowners and renters affected by the disaster with housing needs and necessary expenses. PA funding has been substantial, totaling more than \$30 billion for the past decade. For the disasters in our review, Iowa flooding in 2008 and hurricanes Ike and Gustav, PA funding totaled \$3.8 billion and IA funding totaled \$845 million (see figure 1).¹

¹ Disaster #1763 was declared in May 2008 for the Iowa flooding and Disaster #1791 was declared in September 2008 for Hurricanes Ike and Gustav.

Figure 1. Public Assistance and Individual Assistance Funding for Iowa Flooding and Hurricanes Ike and Gustav (in millions)



Source: Foxx & Company, using FEMA data for PA funding as of May 2010 and for IA funding as of July 2010 for Disaster #1763 and Disaster #1791.

As of March 2010, FEMA has 4,169 permanent employees who work at FEMA headquarters in Washington, DC and at regional and area offices across the country. FEMA also has nearly 9,000 standby disaster assistance employees (DAEs) who are available for deployment after disasters.² In addition, to provide the necessary technical resources to support PA operations, FEMA awarded three Indefinite Delivery Indefinite Quantity (IDIQ) Public Assistance-Technical Assistance Contracts (PA-TACs) in June 2006. Services include providing technical assistance to grantees and sub-grantees, such as architect-engineer services, environmental experts, and other professional services, in support of the PA program. The PA-TACs were awarded, for a 5-year period of performance, to Fluor, Emergency Response Program Management Consultants (ERPMC), and Nationwide Infrastructure Support Technical Assistance Consultants (NISTAC).

The amounts paid to the PA-TAC contractors to provide technical assistance for the 2008 Iowa flooding and hurricanes Ike and Gustav totaled more than \$165 million as of May 2010 (see table 1).

² The Stafford Act authorizes the “appointment of temporary personnel, experts, and consultants” to supplement FEMA’s permanent staff when a disaster occurs. These hires are known as disaster assistance employees (DAEs) or reservists.

Table 1. Fees Paid for PA-TAC Services as of May 2010

Contractor	Task Order Number	Obligation	Expenditures
Fluor	HSFEHQ-08-J-0039	\$23,058,000	\$22,285,143
Fluor	HSFEHQ-09-J-0004	\$3,370,000	\$1,545,792
Fluor	HSFEHQ-08-J-0031	\$6,880,000	\$6,394,891
ERPMC	HSFEHQ-08-J-0014	\$61,861,060	\$61,872,533
ERPMC	HSFEHQ-08-J-0021	\$20,796,707	\$19,417,321
ERPMC	HSFEHQ-09-J-0003	\$7,876,040	\$2,424,090
NISTAC	HSFEHQ-08-J-0025	\$53,225,534	\$46,087,585
NISTAC	HSFEHQ-08-J-0024	\$2,409,753	\$1,088,190
NISTAC	HSFEHQ-09-J-0003	\$8,852,124	\$4,398,162
	TOTALS	\$188,329,218	\$165,513,707

Source: FEMA's Public Assistance Program Office

After a disaster is declared, the following sequence of events occurs:

- A Preliminary Damage Assessment is completed to determine the magnitude and impact of an event's damage,³
- FEMA field officials submit the Preliminary Damage Assessment, which includes PA-TAC resource requirements, to the contracting officer (CO) and contracting officer's technical representative (COTR) in FEMA headquarters,
- The COTR reviews the requests for PA-TAC resources and prepares task orders specifying the PA-TAC technical requirements,
- The CO awards the task orders to the PA-TAC contractors,
- Task Monitors, FEMA field employees responsible for managing and monitoring the contractors, are assigned to each task order, and
- The COTR coordinates with the Task Monitors to verify that work was completed as specified in the task orders and approves the Task Monitor certification that contractor invoicing information is correct.

The project worksheet (PW) provides the basis for awarding PA grants and is used to document the location, damage description, scope of work, and cost estimates for each project. The PW

³ This is a joint assessment by a FEMA/state team that views the damage firsthand to assess the scope of damage and estimate repair costs. The state uses the results of the Preliminary Damage Assessment to determine whether the situation is beyond the combined capabilities of the state and local resources and to verify the need for supplemental federal assistance.

process generally includes an initial site inspection by FEMA officials and PA-TAC contractor personnel, who then develop PWs that include the scope of work and estimated project costs. The number of individual PWs and types of PA funding for the Iowa flooding and for hurricanes Ike and Gustav are shown in table 2 (data as of May 2010).

Table 2. Project Worksheets and Public Assistance Funding

PA Category	Iowa Flooding		Hurricanes Ike and Gustav	
	PWs	PA Funding (millions)	PWs	PA Funding (millions)
Debris Removal	760	\$40.1	1,009	\$738.0
Protective Measures	1,788	\$210.5	4,706	\$621.0
Roads and Bridges	3,169	\$94.8	1,134	\$38.4
Water Control Facilities	569	\$57.6	79	\$20.1
Public Buildings	1,367	\$702.1	6,073	\$715.8
Public Utilities	1,129	\$201.7	799	\$82.5
Recreational or Other	897	\$34.0	1,580	\$132.3
State Management	560	\$40.0	2	\$80.6
TOTALS	10,239	\$1,380.8	15,382	\$2,428.7

Source: FEMA's EMMIE and NEMIS reporting systems⁴

Reports issued by Congress, the White House, the DHS Office of Inspector General (OIG), and the Government Accountability Office (GAO), among others, identified deficiencies, as well as opportunities for improvement, in many aspects of FEMA's disaster acquisition process and the PA program.⁵ The following examples of disaster assistance issues have been reported:

- PA program management suffers from inexperienced personnel who are inadequately trained,

⁴ The Emergency Management Mission Integrated Environment (EMMIE) system is FEMA's automated, enterprise-wide grants management system implemented in July 2008. EMMIE replaces the National Emergency Management Information System (NEMIS), the previously used electronic grants management system.

⁵ For a list of related audits, see appendix C.

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- PA-TAC contractors often began work before state and local governments had the capacity to work effectively with the contractors on long-term recovery efforts,
 - PA program performance objectives and measurements need improvement,
 - FEMA's performance measurement efforts need to be improved in order to provide the accurate and balanced information that is needed to assess, and improve as appropriate, the timeliness and performance of the PA program, and
 - Contract documentation is inadequate and does not provide sufficient justification for the acquisition of goods or services.

Disaster response activities require close coordination and cooperation among all levels of government, nonprofit organizations, the private sector, and individuals. The National Response Framework defines key principles, roles, and structures of participants who respond to incidents to ensure a coordinated, effective national response. FEMA acquisition officials must respond quickly to acquire goods and services to assist survivors. However, FEMA officials must do so while complying with Federal Acquisition Regulation (FAR) requirements and utilizing their emergency responder partners as outlined in the National Response Framework.

DHS OIG contracted with Foxx & Company to evaluate the effectiveness of FEMA's management of PA-TACs. The audit objectives were to evaluate FEMA processes and procedures for:

- Awarding individual task orders,
- Monitoring and evaluating contractor performance, and
- Certifying contractor billings.

Nine PA-TAC task orders issued to provide public assistance recovery services in response to the 2008 disasters of hurricanes Gustav and Ike in Texas and Louisiana and floods in Iowa were reviewed. The PA-TAC base contracts FEMA awarded to the three contractors that currently provide the PA-TAC services specified in the task orders were also reviewed.

Results of Audit

Task Order Award Process

FEMA may not be adhering to the procedures required by the *Brooks Act* for awarding individual task orders to the three contractors that currently provide PA-TAC services in response to disasters.

The *Brooks Act* (Public Law 92-582) was enacted on October 27, 1972.⁶ It amended the *Federal Property and Administrative Services Act of 1949* in order to establish federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the federal government. The *Brooks Act* requires that U.S. government agencies select engineering and architecture firms based upon their competency, qualifications, and performance.

FEMA did comply with the *Brooks Act* in awarding its three PA-TAC base contracts in June 2006. These base contracts provide architect-engineer, consultant, and other professional services in support of the PA program for a 5-year period. FEMA awarded IDIQ contracts to three technically qualified firms: Fluor, ERPMC, and NISTAC. Fluor was ranked as the highest qualified, ERPMC was second, and NISTAC was third. Subsequently, FEMA has awarded individual task orders under these base contracts to obtain PA-TAC services for specific disaster recovery efforts from FY 2006 to the present. However, for all nine task orders in the scope of our review, the primary reason contractors were selected was “Equal distribution of dollars between the TACs.”

To select the PA-TAC contractors for individual task orders, FEMA uses a Technical Evaluation/Negotiation Memorandum Checklist. This checklist has a section titled “Reason for Contracting Officer’s Technical Representative/Contracting Officer Selection of TAC,” which lists several justifications (see table 3).

In all the cases we reviewed, the primary justification for selecting a certain contractor for a task order was “Equal distribution of dollars between the TACs,” rather than competence, qualifications, and experience. Following is a summary of the selection reasons:

⁶ The contracts were awarded pursuant to the *Brooks Architect-Engineer Act*, 40 U. S. C. §§ 1101, et seq. (hereinafter referred to as the *Brooks Act*), and FAR Subpart 36.6.

Table 3: Reasons Cited for PA-TAC Selection

	Fluor	Fluor	Fluor	ERPMC	ERPMC	ERPMC	NISTAC	NISTAC	NISTAC
Justifications for PA-TAC selection	08-J-0039	09-J-0004	08-J-0031	08-J-0014	08-J-0021	09-J-0003	08-J-0025	08-J-0024	09-J-0003
Equal distribution of dollars between TACs	X	X	X	X	X	X	X	X	X
Equal distribution of type of damage and degree of magnitude between TACs	X	X		X	X	X		X	X
Contractor already located in the geographic area							X		
Equal distribution of smaller disasters									
Contractor is knowledgeable of disaster and will maintain continuity of services									
Contractor has unique technical expertise currently unavailable from other TACs									
Requested by Region									

Source: Foxx & Company, based on FEMA task order files

The DHS OIG Office of Counsel reviewed the *Brooks Act* requirements and our finding, and stated that it appeared that FEMA employees awarding individual PA-TAC task orders may have relied on section 1103 of the *Brooks Act*, which states that an agency head must conduct discussions with at least three firms and select, in order of preference, at least three firms that he or she considers most highly qualified to provide the required services. However, FEMA did not engage in the next step required by section 1104, to negotiate with the most highly qualified firm selected under section 1103, offering services at a price which is fair and reasonable. Therefore, because the PA-TAC contract primarily involves

architectural and engineering services, FEMA may not be adhering to the *Brooks Act*.

Counsel cited section §1103(c) which provides that “for each proposed project, the agency head shall evaluate current statements of qualifications and performance data on file with the agency, together with statements submitted by other firms regarding the proposed project. The agency head shall conduct discussions with at least 3 firms to consider anticipated concepts and compare alternative methods for furnishing services.”⁷

There was no documentation in the task order files to indicate that FEMA was conducting discussions with all three firms each time a task order was awarded. Without an evaluation of qualifications, questions arise whether FEMA may be using a less qualified contractor to do the work, possibly negatively affecting the survivors and the community. In addition, a contractor may have already been in place at a disaster location, been more qualified and familiar with the community and issues, and thus could have been a better resource and responded more quickly.

Officials from DHS OIG met with officials from FEMA’s Office of Chief Counsel to discuss this matter. FEMA’s Counsel said that the application of the *Brooks Act* to the issuance of PA-TAC task orders was an issue across the government, different agencies dealt with it differently, and there was no government-wide ruling on this issue. FEMA’s Chief Counsel is in the process of requesting an opinion from the Department of Justice on the application of the *Brooks Act* to individual task order awards.

Conclusion

FEMA may not be adhering to the *Brooks Act* when it awards individual task orders to the contractors based primarily on the equal distribution of dollars among the contractors, instead of on the contractors’ competencies, qualifications, and performance.

⁷ Counsel’s research revealed that the *Federal Acquisition Streamlining Act of 1994* provided for multiple awards and task and delivery order contracts (Pub. L. No. 103-355 section 1054(a) (1994) and 41 U.S.C. sections 253h, 253i, and 253j). However, the Act specifically stated that it did not modify or supersede responsibilities under the *Brooks Architect-Engineer Act*.

Recommendation

We recommend that the Federal Emergency Management Agency's Office of Chief Counsel:

Recommendation #1:

- Follow through on its request for an opinion to the Office of Legal Counsel, or the Federal Programs Branch, Civil Division, at the Department of Justice regarding how the *Brooks Act* applies to the awarding of individual Public Assistance-Technical Assistance Contract task orders, and
- If the Department of Justice finds that the current method of awarding Public Assistance-Technical Assistance Contracts does not adhere to the *Brooks Act*, work with applicable agency officials to ensure that future task order awards follow the legally required process.

Management Comments and Contractor Analysis

FEMA partially concurs with this recommendation. FEMA stated that they are coordinating with the Department of Homeland Security's Office of General Counsel, which intends to review the issue and will transmit a request for an opinion to the Department of Justice, if necessary.

Contractor Analysis: After review of the DHS General Counsel's response, the OIG will re-evaluate the recommendation. The recommendation is considered unresolved and open.

Performance Measurement for PA-TAC contractors

At the time of our review, FEMA had not established performance expectations and did not monitor or evaluate the performance of the PA-TAC contractors. Without performance metrics or evaluations of performance, FEMA was unable to determine whether the PA-TAC contractors performed their responsibilities or if the federal government received a fair return for PA-TAC services contracts valued at more than \$188 million. Because FEMA is selecting contractors based on total dollars received rather than on qualifications, the selected contractor may not be able to properly perform the required tasks. Improved oversight and evaluation is crucial because more than \$30 billion in federal dollars has been allocated to the PA program during the past decade.

According to the PA-TAC base contract terms, the task orders awarded are performance based. FEMA required PA-TAC contractors to provide quality assurance and project management plans, which FEMA would use to evaluate the contractor's performance for timeliness, quality, customer service, and cost; and would demonstrate the PA-TAC contractor's comprehensive approach to the overall development, management, and coordination of the contract task orders.

In addition, the contract requires the PA-TAC contractors to develop and provide monthly status reports that included the following information for each task order:

- Brief description of work and the number of personnel onsite,
- Start dates for the periods when personnel are deployed,
- Total contract dollars obligated and status,
- Estimated hours expended for the current month,
- Summary of deliverables submitted,
- Planned activities for the next month, and
- Problems and proposed corrective actions.

There were two forms of services the PA-TAC contractors provided for the task orders in our review. For five of the nine task orders we reviewed, the PA-TAC contractors provided an array of technical assistance specialists to assist applicants in developing PWs, the documentation FEMA requires for providing PA funding and the leading task order deliverable.

For the other four task orders in our review, the PA-TAC contractors provided Long-Term Community Recovery (LTCR) services. PA-TAC contractors do not create PWs for these services. The deliverables were as follows:

- Providing technical support for community recovery planning,
- Writing, reviewing, and revising contingency plans,
- Developing and conducting program evaluations,
- Developing and maintaining Standard Operating Procedures, program guides, and job aids,
- Conference planning and delivery support, and
- Developing training.

The final deliverable was an LTCR plan, which was described as a tool used to support and guide community decision-making and to assist community leaders to identify priorities for recovery initiatives and projects.

For the nine task orders in our review, the task order files did not contain specific information on performance expectations or on how the contractor's performance for developing PWs or producing LTCR plans should be evaluated. In addition, none of the Task Monitors we interviewed had criteria to evaluate the contractors' performance for creating PWs or LTCR plans. There were no progress reports or other documentation indicating how well the PA-TAC contractors were performing. FEMA officials told us that the PA-TAC contractors submit monthly status reports to the COTR and CO and post the reports to TAC-Manager, FEMA's web-based reporting site. (Auditor's note: FEMA provided us electronically with a sample contractor "Task Order Activity Report" which includes information on PWs, personnel hours for the report period, and types of work accomplished. However, the sample was not for work under a task order in our review, and FEMA did not offer us an opportunity to view the web-based reporting site during our field work.)

FEMA officials did not answer our request for an explanation as to why performance expectations were not established for the task orders or why contractor performance was not evaluated. According to the Alternate PA-TAC COTR, there should be expectations established and monitoring of contractor performance.⁸ The Alternate PA-TAC COTR said that the former PA-TAC COTR believed that these contracts were not performance based, but the Alternate PA-TAC COTR strongly disagreed with that position. The PA-TAC contract states that the task orders awarded under the three base contracts will be performance based. After conclusion of our field work, the Alternate PA-TAC COTR provided us with draft documents which together constitute a proposed Contractor Performance Evaluation Plan. These documents have been forwarded to various stakeholders for comment. A pilot program to assess the proposed evaluation plan is scheduled to begin September 2010.

A March 2009 Remedial Action Management Program (RAMP) report on hurricanes Ike and Gustav cited issues with PA-TAC contractor performance.⁹ It reported that additional actions were needed to ensure that project worksheets' estimated cost of projects were accurate in order to avoid costly change orders.¹⁰ The report further recommended that

⁸ The FEMA PA-TAC COTR left FEMA in December 2009 and another FEMA employee was designated as the Acting PA-TAC COTR in January 2010. A FEMA PA-TAC COTR was appointed in May 2010 and the Acting PA-TAC COTR became the Alternate PA-TAC COTR.

⁹ In July 2003, FEMA introduced the RAMP to identify and remedy operational and programmatic issues encountered in disaster response and recovery operations and exercises, and to capture lessons learned and smart practices. The RAMP replaced the Disaster Corrective Action Program.

¹⁰ If the contractor does not accurately estimate costs or scope of work in the initial PW, the PW must be revised, which can be time consuming and labor intensive, delaying the start of repair or rebuilding.

monthly reporting procedures be required to document progress by the PA-TAC contractors.¹¹

The RAMP report also discussed other contractor performance issues during recovery efforts after hurricanes Ike and Gustav. For example, it took 7 to 10 days to process security background checks and at least 3 weeks to train the PA-TAC personnel before they could begin work. Because PA-TAC contractor personnel did not have a complete background check or clearance, some of them were denied access to the Joint Field Office and communication network. During this time, the PA-TAC personnel were getting paid but were unable to perform their contract responsibilities. The report also stated that there was limited availability of contractor personnel for manning towers used to monitor debris removal. Instead, PA applicants monitored and estimated the amount of debris being removed. FEMA estimated this process resulted in inaccurate estimates and a 15% to 20% increase in the cost of debris removal statewide, resulting in an unnecessary expenditure of federal funds.¹²

DHS OIG recently reported that FEMA needed improved assessments of the PA program's performance.¹³ FEMA's performance measurement efforts need to be improved to provide accurate and balanced information needed to assess, and improve as appropriate, the timeliness and performance of the PA program.

Conclusion

Task orders awarded using the three PA-TAC base contracts are to be performance based, using agreed-upon performance metrics. At the time of our review, FEMA had not established performance expectations and did not monitor or evaluate the performance of the PA-TAC contractors. Without performance expectations or adequate monitoring or evaluations, there is no assurance that the federal government and the state and local entities are receiving the expected PA-TAC contractor services for the federal funds expended.

¹¹ DHS OIG is currently reviewing the RAMP program and will issue a report in the near future.

¹² Debris removal is the clearance, removal, and disposal of items such as trees, sand, gravel, building components, wreckage, vehicles, and personal property. PA funds are available to eligible applicants for debris clearance, removal, and disposal operations.

¹³ DHS OIG, *Assessment of FEMA's Public Assistance Program Policies and Procedures*, OIG-10-26, December 2009.

Recommendation

We recommend that the Federal Emergency Management Agency's Public Assistance Division Director:

Recommendation #2:

- Establish performance expectations and develop performance and evaluation criteria for the Public Assistance-Technical Assistance Contracts,
- Ensure that Public Assistance-Technical Assistance Contracts contractor performance is being evaluated using the criteria established, and
- Ensure that there are consequences for failure to achieve performance expectations.

Management Comments and Contractor Analysis

FEMA concurs with this recommendation. FEMA is in the process of developing a Technical Evaluation Worksheet to evaluate contractor performance. The FEMA Public Assistance Division distributed a draft Technical Evaluation Worksheet to FEMA Regional Recovery Divisions for review and comment in August 2010. Once reviewed and approved, the Contracting Officer's Technical Representative and the Contracting Officer plan to utilize the Technical Evaluation Worksheet as the primary tool to capture performance. This Worksheet will also be used by the Task Monitors in the Regions to evaluate contractor performance on each task order.

Contractor Analysis: We consider FEMA's planned action for establishing a process to evaluate contractor performance responsive to the recommendation. Until DHS OIG receives and evaluates the corrective action plan and target completion date, this recommendation is considered unresolved and open.

Task Monitor Training

The management of PA-TAC contractors was inconsistent throughout FEMA. Task Monitors had not received job-specific written guidance or training on their roles and responsibilities. Nor had they received guidance on how to evaluate contractor performance or certify and reconcile contractor invoices and billing documentation. As a result, the Task Monitors employed their own techniques to manage the PA-TAC

contractors and reconcile contractor invoices for hours worked and expenses incurred.

Task Monitors are FEMA employees in the field who monitor contractor performance and report to the FEMA PA-TAC COTR in FEMA's headquarters. The PA-TAC COTR works with the Task Monitors to ensure that the work was completed as specified in the task order and approved. The Task Monitors also certify that the contractor work products and invoices for hours and expenses are correct. However, without any formal guidance on how to carry out these duties, Task Monitors used a variety of means to verify contractor work.

Some Task Monitors used self-generated schedules to track contractor progress on PWs, while others relied on weekly meetings. All 11 Task Monitors acknowledged the need for FEMA to clearly define their roles and responsibilities. In addition, because FEMA has not provided written guidance or training on how to reconcile contractor invoices for hours worked and expenses incurred, there was no consistency in how the Task Monitors performed the very important certification function. Some Task Monitors reviewed timesheets by looking for "outliers"—hours reported that deviated markedly from other similar timesheets—while others periodically completed desk checks to see if contract personnel were at assigned duty stations.

The level of effort required of each contractor varied by individual task order. Consequently, as each task order progressed, careful review and oversight was necessary to lessen the potential for fraud, waste, and abuse. To illustrate, for the LTRC task orders, the following workweek hours were cited in various task orders:

- 65-75 hours per week per person for the first 23 weeks and then 20 hours per week for the remaining 17 weeks,
- 70 hours per week per person for 17 weeks and 40 hours per week for the remaining 20 weeks,
- 60 hours per week per person for 20 weeks and then 240 hours per specialist to be incurred on a part-time, intermittent basis for the next 4 months, and
- 60 hours per week per person for 27 weeks and then a 55-hour workweek for the remaining 13 weeks.

Overtime (hours in excess of 40 hours per week) was often billed at one and a half times the contract rate for that skill level. Examples of hourly rates for specific specialists included \$297 for an accountant, \$272 for an insurance specialist, \$243 for a project director, \$214 for a construction inspector, and \$173 for an environmental planner. Considering the variation in hours that can be charged and the amount of money involved,

it is important for FEMA to have a process for verifying the number of hours worked. It is also essential that this review process substantiates that the PA-TAC contractor employees are working on tasks requiring their technical qualifications. For example, if an engineer is temporarily providing administrative services, FEMA should pay the lower hourly rate for the service actually provided. To this end, the Task Monitors said there was a need for formal FEMA guidance and training on how to check hours worked and services provided so FEMA does not pay for time or expertise not provided.

Conclusion

FEMA has not provided adequate guidance or training to define and direct the roles and responsibilities of the Task Monitors. Without specific policies and procedures and a standardized process to guide the Task Monitors in their job of monitoring contractor performance and certifying the accuracy of contractor invoices, there is no assurance that these important functions are being properly executed.

Recommendation

We recommend that the Federal Emergency Management Agency's Chief Procurement Officer:

Recommendation #3:

- Develop policies, procedures, and processes that define and direct the Public Assistance Task Monitor role and responsibilities for monitoring and evaluating contractor performance and for certifying and reconciling contractor invoices and supporting documentation,
- Develop a formal training program to instruct the Public Assistance Task Monitors on their roles and responsibilities, and
- Develop a certification program for Public Assistance Task Monitors.

Management Comments and Contractor Analysis

FEMA concurs with this recommendation. FEMA will develop policies, procedures, and processes that define and direct Task Monitors and develop a formal training program, as well as a certification program, for the Task Monitors. FEMA stated that it will implement this recommendation no later than September 30, 2011.

Contractor Analysis: We consider FEMA's planned actions responsive to the recommendation. Until DHS OIG receives and evaluates the corrective action plan and target completion date, this recommendation is considered unresolved and open.

Long-Term Community Recovery Resources

For the disasters we reviewed, contractor staff availability was inadequate in quantity and quality to meet LTCR resource needs. FEMA officials said there were occasions when the PA-TAC contractors did not respond to requests for LTCR services in a timely manner. Also, the PA-TACs did not identify or provide the technical LTCR personnel that FEMA needed to analyze the impacts of the disaster. The need for personnel caused delays in FEMA's ability to provide LTCR assistance.

The mission of LTCR is to promote long-term recovery for communities suffering extraordinary damages. LTCR resources work with the state to identify and coordinate potential sources of recovery funding. Also, LTCR provides technical assistance in the form of impact analyses and recovery planning support. The LTCR mission is complete when the team has identified all potential resources, coordinated with the officials in the severely damaged areas, conducted the necessary impact analyses, and provided support to launch community recovery plans. LTCR is distinct from FEMA's recovery programs (PA, IA, and Mitigation) in both scope and mandate because it is tasked with coordinating and leveraging the capabilities of each program to support communities' recovery goals. The three PA-TAC contractors had LTCR services in the scope of their contracts.

Four of the nine task orders in our review were for LTCR services. As of May 2010, of the \$27 million obligated for these four task orders, \$14.7 million had been paid to the PA-TAC contractors for LTCR technical assistance for the Iowa flooding and hurricanes Ike and Gustav. However, for three of these four task orders, the Task Monitors we interviewed said they encountered difficulty in obtaining LTCR expertise needed from the contractor.

When the PA-TAC contractors could not provide sufficient LTCR resources for the hurricanes Ike and Gustav recovery efforts, FEMA used permanent full-time employees and DAEs to assist with LTCR needs. However, the availability of the permanent full-time staff was limited, and the DAE staff did not always have the technical skills to perform the LTCR functions. The limited management and technical ability of the

DAE staff created an inability to oversee the PA-TAC contractors, manage relationships with communities, and implement outreach functions.¹⁴

A recent GAO report found that the PA-TAC contractor's LTCR coordination and planning efforts began before state and local governments had the capacity to work effectively with the LTCR resources. The report stated that in Texas and Iowa, state and local officials reported that LTCR efforts to begin intensive long-term recovery coordination and planning meetings started just a few weeks after the disasters, while the state and local governments had limited staff dealing with multiple recovery efforts, creating an additional burden and taxing their ability to meet contractor needs. The LTCR efforts ended before critical long-term recovery coordination and planning needs were fully addressed. As a result, state and local officials were left without federal coordination and planning assistance during a critical period in the recovery process.¹⁵

Because FEMA had difficulty securing the LTCR expertise it needed from the PA-TAC contractors, in June 2009 it awarded a separate IDIQ contract to a new contractor to provide planning consultants and related professional services in support of FEMA's LTCR and other disaster assistance and recovery operations.

One month earlier, FEMA authorized the establishment of a dedicated DAE cadre of 120 long-term recovery specialists. According to FEMA, this dedicated DAE cadre should allow the LTCR program to overcome current deployment and organizational challenges and build a team of managerial and operational experts. The plan is to strengthen FEMA's long-term recovery managerial and technical capability and provide overall success with supporting states in the recovery process. As of May 2010, FEMA has 35 long-term recovery specialists for this new cadre. These personnel have economic development; long-term recovery leadership and management; and city, county, or state planning expertise.

Conclusion

FEMA, the states, and localities had limited access to LTCR resources from the PA-TAC contractors even though this type of technical assistance was required by the task orders. Because there were no expectations established or evaluations of contractor performance, it cannot be determined if the federal government

¹⁴ FEMA Report: *Hurricane Ike and Gustav Recovery RAMP (Remedial Action Management Program) Report for FEMA Region VI*, March 11, 2009.

¹⁵ GAO, *Disaster Recovery: FEMA's Long-Term Assistance Was Helpful to State and Local Governments but Had Some Limitations*, GAO-10-404, March 2010.

received a fair return for the nearly \$15 million that FEMA spent on LTCR services.

Recommendation

We recommend that the Assistant Administrator of FEMA's Recovery Directorate:

Recommendation #4: Develop performance expectations, evaluation criteria, and a monitoring plan to assess the success of:

- The new Long-Term Community Recovery contractor, and
- The new Disaster Assistance Employee cadre for Long Term Community Recovery.

Management Comments and Contractor Analysis

FEMA generally concurs this recommendation. FEMA disagreed with elements of the analysis and conclusions and stated that the Public Assistance Technical Assistance Contracts (PA-TACs) were not initially established or structured to fully accomplish the Long Term Community Recovery (LTCR) mission. Nonetheless, in order to meet an outstanding need for long term recovery support, FEMA chose to provide support for the LTCR through the PA-TACs. Recently, in order to better address this need and accomplish the LTCR mission, FEMA entered into a stand-alone Indefinite Delivery Indefinite Quantity contract for LTCR technical assistance and support. FEMA also stated that it will adapt the performance-based Technical Evaluation Worksheets and contractor performance assessment cited for Recommendation #2 and apply it to the use of the LTCR contract. Additionally, FEMA stated that it is developing a FEMA Personnel Qualifications System to revise its disaster reserve workforce and that the LTCR cadre will participate in this effort to define qualifications and credentialing for reservists.

Contractor Analysis: We consider FEMA's planned actions responsive to our recommendation. Until DHS OIG receives and evaluates the corrective action plan and target completion date, this recommendation is considered unresolved and open. Where appropriate, changes were also made in this section of the report to respond to technical comments provided by FEMA.

Task Order Contract File Compliance

PA-TAC task order files were not in compliance with FAR requirements. FEMA has a history of not properly managing, tracking, and monitoring contracts. In the past several years, reports by the DHS OIG, GAO, and others have identified major weaknesses in FEMA's contract management.

Inadequate contract management provides little assurance that PA-TAC contractors were performing as required or that FEMA was obtaining the services contracted for under the PA-TAC contracts. Insufficient oversight of the contracts increased the potential for a loss of management control and created an environment that provided opportunities for fraud, waste, and abuse.

FAR Section 4.801(b) states that the documentation in the contract files shall be sufficient to constitute a complete history of the transaction for:

- Providing a complete background as a basis for informed decisions at each step in the acquisition process,
- Supporting actions taken,
- Providing information for reviews and investigations, and
- Furnishing essential facts in the event of litigation or congressional inquiries.

FEMA was not in compliance with FAR contracting policies and procedures for emergency acquisitions for many of the task order files we reviewed. For example, while FEMA has a contract file management system, it took months to locate a modification that added \$12 million to one task order (and this modification was not included in our analysis). However, payment records from FEMA's Federal Finance Center show that FEMA paid the contractor the fees for this modification. In addition, FEMA did not have documentation in the files on 10 "no cost" modifications that were made to the task orders in our review. The reasons for these modifications could not be determined from the documentation in the files.

As reported previously, the task order files did not contain the required quality assurance surveillance plans to be used by the Task Monitors to evaluate the contractor's performance for timeliness, quality, customer service, and cost. Nor did the task order files have status reports on monthly progress, or the contractor's project management plans to demonstrate a comprehensive approach to the overall development, management, and coordination of the task orders.

The Acting PA-TAC COTR, who was assigned in January 2010, said that

incomplete, lost, and missing task order contract files have been an ongoing problem in the PA program. He said that most of the contract files were “woefully incomplete.” To help remedy this problem, on February 1, 2010, he sent a message to his staff stating that in the future, a complete copy of each task order file must be made and filed in the PA program office.

The Task Monitors told us they maintained very little documentation in the field because it was their understanding that contract files were maintained at FEMA headquarters.

Although FEMA has attempted to improve contract management, our review of the PA-TAC task order files showed that there is still a need for substantial improvement. Improvements in task order contract file documentation and better management oversight are needed to preclude creating an environment that provides opportunities for fraud, waste, and abuse.

Conclusion

FEMA was not appropriately documenting contract files and not following federal acquisition contracting procedures and processes. As a result, the task order files were not readily accessible to users, not in compliance with the acquisition requirements, and did not have the information needed for reviews, investigations, or congressional inquiries.

Recommendation

We recommend that the Federal Emergency Management Agency’s Chief Procurement Officer:

Recommendation #5:

- Include all active Public Assistance-Technical Assistance Contract task order contract files in the contract management system,
- Reinforce employees’ duties to comply with Federal Acquisition Regulation requirements, and
- Include the required quality assurance plans, project management plans, and status reports in the contract files to provide the government with the basis for evaluating contractor performance.

Management Comments and Contractor Analysis

FEMA concurs with this recommendation. FEMA is developing Standard Operating Procedures stating that all active contracts will be entered into the contract management system, reinforcing employees' duties to comply with Federal Acquisition Regulation requirements and explaining contract file preparation and documentation. FEMA stated that this recommendation will be implemented no later than December 30, 2010.

Contractor Analysis: We consider FEMA's planned actions responsive to the recommendation. Until the corrective action plan and target completion date are received and evaluated, the recommendation is unresolved and open.

Appendix A: **Purpose, Scope, and Methodology**

The objective of this audit was to determine the effectiveness of FEMA's management of its Public Assistance-Technical Assistance Contracts (PA-TACs). FEMA is taking actions to improve its acquisition function, including contracting, to prepare for, respond to, and mitigate the results of disasters, as well as improve its day-to-day operations. The DHS-OIG has a requirement to determine if FEMA policies have been documented and implemented. This performance audit evaluated FEMA's management of services provided by the PA-TAC contractors.

The specific objectives of the audit were to assess FEMA's processes and procedures for:

- Awarding individual task orders,
- Monitoring and evaluating contractor performance, and
- Certifying contractor billings.

FEMA is required to adhere to contract management policies and procedures that are promulgated in the FAR.¹⁶ FEMA also is required to adhere to the Homeland Security Acquisition Regulation and the Homeland Security Acquisition Manual, Office of Federal Procurement Policy guidance, the *Stafford Act*, and the *Brooks Act*.¹⁷

This audit focused on FY 2008 PA-TAC task orders issued in response to federal emergency and disaster declarations in Texas and Louisiana because of hurricanes Gustav and Ike and the floods in Iowa. Based on the information provided by FEMA prior to and at the Entrance Conference conducted in November 2009, the team found that nine task orders were issued for the declarations cited above. For these nine task orders, there were 40 actions, 19 of which had funding obligations. We reviewed 18 of the 19 funding actions; FEMA could not locate the documentation for 1 funding action for \$12 million. Of the 40 actions, the remaining 21 actions were "no cost" modifications. We reviewed 11 of the no cost

¹⁶ The FAR, codified in *Title 48* of the United States Code of Federal Regulations, was developed pursuant to the *Office of Federal Procurement Policy Act of 1974* (Public Law 93-400), as amended by Public Law 96-83.

¹⁷ FEMA's statutory authority comes from the *Robert T. Stafford Disaster Relief and Emergency Assistance Act*, as amended. The *Stafford Act* was enacted in 1988 (Public Law 100-707), and it amended the *Disaster Relief Act of 1974* (Public Law 93-288). The *Brooks Act* (Public Law 92-582) was enacted on October 27, 1972. It amended the *Federal Property and Administrative Services Act of 1949* to establish federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the federal government.

Appendix A:
Purpose, Scope, and Methodology

modifications; documentation for 10 modifications was not in the contract files and could not be reviewed.

FEMA awarded three IDIQ contracts in June 2006 to provide technical assistance to grantees and subgrantees, architect-engineer services, consultants, and other professional services, in support of the PA program. We also reviewed these base contracts.

We obtained information from FEMA headquarters officials and field officials in Regions VI and VII. We visited FEMA's Federal Finance Center in Mt. Weather, VA, to obtain payment information on the contracts in our review. We also discussed PA-TAC contract issues with officials in Texas and Iowa.

We conducted this performance audit according to generally accepted government auditing standards (*Government Auditing Standards*, July 2007 revision).

Our audit considered FEMA policies and procedures implemented since the 2005 Gulf Coast hurricanes, as well as other applicable federal acquisition requirements. At all locations visited, we interviewed officials and obtained documentation to verify changes or corrective actions taken. Field work was conducted from November 2009 through June 2010.

Appendix B
Management Comments on the Draft Report

U.S. Department of Homeland Security
500 C Street, SW
Washington, DC 20472



FEMA

SEP 17 2010

MEMORANDUM FOR: Matt Jadacki
Assistant Inspector General
Office of Emergency Management Oversight
Office of Inspector General

FROM: David J. Kaufman 
Director
Office of Policy and Program Analysis

SUBJECT: Comments on OIG Draft Report, *Improvements Needed in Managing FEMA's Public Assistance-Technical Assistance Contracts*

Thank you for the opportunity to review and comment on the Office of Inspector General's (OIG's) subject draft audit report. As the Federal Emergency Management Agency (FEMA) works toward refining its programs, the OIG's independent analysis of program performance greatly benefits our ability to continuously improve our activities. Technical comments have been provided under separate cover.

With respect to the Long-Term Community Recovery Resources section of the report, we wish to point out that the Public Assistance Technical Assistance Contracts (PA-TACs) were not initially established or structured to fully accomplish the Long Term Community Recovery (LTCR) mission. Nonetheless, in order to meet an outstanding need for long term recovery support, FEMA chose to provide support for LTCR through the PA-TACs. Recently, in order to better address this need and accomplish the LTCR mission, FEMA has entered into a stand-alone Indefinite Delivery Indefinite Quantity (IDIQ) contract for LTCR technical assistance and support.

FEMA concurs or partially concurs with the draft report's five recommendations. While we will be providing corrective action plans in our 90-day response, we provide the following information relative to the five recommendations:

Appendix B

Management Comments on the Draft Report

Recommendation #1:

- Follow through on its request for an opinion to the Office of Legal Counsel, or the Federal Programs Branch, Civil Division, at the Department of Justice regarding how the *Brooks Act* applies to the awarding of individual Public Assistance-Technical Assistance Contract task orders and
- If the Department of Justice finds that the current method of awarding Public Assistance-Technical Assistance Contracts does not adhere to the *Brooks Act*, work with applicable agency officials to ensure that future task order awards follow the legally required process.

Response: FEMA partially concurs with this recommendation in that we are coordinating with the Department of Homeland Security's Office of General Counsel which intends to review the issue and will transmit a request for an opinion to the Department of Justice, if necessary.

Recommendation #2:

- Establish performance expectations and develop performance and evaluation criteria for the Public Assistance-Technical Assistance Contracts,
- Ensure that Public Assistance-Technical Assistance Contracts contractor performance is being evaluated using the criteria established, and
- Ensure that there are consequences for failure to achieve performance expectations.

Response: FEMA concurs with this recommendation and is in the process of developing a Technical Evaluation Worksheet to evaluate contractor performance. For clarification, the PA-TAC contracts issued under the contract numbers HSFEHQ-06-D-0487, 0488 and 0489 were awarded as standard statement of work contracts, as opposed to performance based contracts. However, in order to better be able to assess contractor performance, FEMA is developing a Technical Evaluation Worksheet. The FEMA Public Assistance Division distributed a draft Technical Evaluation Worksheet to FEMA Regional Recovery Divisions for review and comment in August 2010. Once reviewed and approved, the Contracting Officer's Technical Representative (COTR) and the Contracting Officer (CO) plan to utilize the Technical Evaluation Worksheet as the primary tool to capture performance. The Technical Evaluation Worksheet will also be used by the Task Monitors in the Regions to evaluate contractor performance on each task order. FEMA will use the results of the evaluation from the Task Monitors, along with the COTR and CO assessments, to develop the contractors' annual past performance evaluation.

Recommendation #3:

- Develop policies, procedures, and processes that define and direct the Public Assistance Task Monitor role and responsibilities for monitoring and evaluating contractor performance and for certifying and reconciling contractor invoices and supporting documentation.

Appendix B Management Comments on the Draft Report

- Develop a formal training program to instruct the Public Assistance Task Monitors on their roles and responsibilities.
- Develop a certification program for Public Assistance Task Monitors.

Response: FEMA concurs with the recommendation and will develop policies, procedures, and processes that define and direct Task Monitors. A formal training program for the Task Monitors will also be developed as well as a certification program for Task Monitors. Recommendation #3 will be implemented no later than September 30, 2011.

Recommendation #4: Develop performance expectations, evaluation criteria, and a monitoring plan to assess the success of:

- The new Long-Term Community Recovery contractor, and
- The new Disaster Assistance Employee cadre for Long Term Community Recovery.

Response: FEMA accepts this general recommendation but disagrees with important elements of the analysis and the conclusions drawn, as noted above. The Business Management Division, which oversees the use of the new LTCR IDIQ contract will be working with the Public Assistance Division to adapt the model of Technical Evaluation Worksheets and contractor performance assessment to be applied to the use of the LTCR IDIQ contract. Additionally, FEMA is undertaking an overall revision to its disaster reserve workforce through development of the FEMA Personnel Qualifications System. The LTCR cadre will be participating in this effort to define qualifications and credentialing for DAEs.

Recommendation #5:

- Include all active Public Assistance-Technical Assistance Contract task order contract files in the contract management system,
- Reinforce employees' duties to comply with Federal Acquisition Regulation requirements, and
- Include the required quality assurance plans, project management plans, and status reports in the contract files to provide the government with the basis for evaluating contractor performance.

Response: FEMA concurs with this recommendation and is developing Standard Operating Procedures (SOP) stating that all active contracts will be entered into the contract management system, reinforcing employees' duties to comply with Federal Acquisition Regulation requirements and explaining contract file preparation and documentation. Additionally, the SOP will require each CO to ensure that the required procurement documents are included in the contract file and a detailed memorandum signed by the CO is in the file if the documents are not available. Recommendation #5 will be implemented no later than December 30, 2010.

Thank you again for the opportunity to comment on this draft report and we look forward to working with you on other issues as we both strive to improve FEMA.

Appendix C: List of Related Audit Reports and Testimonies on FEMA PA-TACS and Contracting

DHS OIG: *Assessment of FEMA's Public Assistance Program Policies and Procedures*, OIG-10-26, December 2009

DHS OIG: *FEMA's Sourcing for Disaster Response Goods and Services*, OIG-09-96, August 2009

DHS OIG: *Management Advisory Report: FEMA's Response to Hurricane Ike*, OIG-09-78, June 2009

DHS OIG: *Challenges Facing FEMA's Disaster Contract Management*, OIG-09-70, May 2009

DHS OIG: *FEMA's Implementation of Best Practices in the Acquisition Process*, OIG-09-31, February 2009

DHS OIG: *Internal Controls in the FEMA Disaster Acquisition Process*, OIG-09-32, February 2009

DHS OIG: *Challenges Facing FEMA's Acquisition Workforce*, OIG-09-11, November 2008

DHS OIG: *FEMA's Sheltering and Transitional Housing Activities After Hurricane Katrina*, OIG-08-93, September 2008

DHS OIG: *Acquisition Workforce Training and Qualifications*, OIG-08-56, May 2008

GAO: *Hurricanes Gustav and Ike Disaster Assistance: FEMA Strengthened Its Fraud Prevention Controls, but Customer Service Needs Improvement*, GAO-09-671, June 2009

GAO: *Department of Homeland Security: Progress and Continuing Concerns with Acquisition Management*, GAO-08-1164T, September 2008

GAO: *Department of Homeland Security: Better Planning and Oversight Needed to Improve Complex Service Acquisition Outcomes*, GAO-08-765T, May 2008

GAO: *Department of Homeland Security: Better Planning and Assessment Needed to Improve Outcomes for Complex Service Acquisitions*, GAO-08-263, April 2008

GAO: *Department of Homeland Security: Status and Accountability Challenges Associated with the Use of Special DHS Acquisition Authority*, GAO-08-471T, February 2008

GAO: *National Disaster Response: FEMA Should Take Action to Improve Capacity and Coordination between Government and Voluntary Sectors*, GAO-08-369, February 2008

**Appendix C: List of Related Audit Reports and Testimonies on FEMA
PA-TACS and Contracting**

GAO: *Department of Homeland Security: Improved Assessment and Oversight Needed to Manage Risk of Contracting for Selected Services*, GAO-07-990, September 2007

GAO: *Hurricane Katrina: Planning for and Management of Federal Disaster Recovery Contracts*, GAO-06-622T, April 2006

GAO: *Agency Management of Contractors Responding to Hurricanes Katrina and Rita*, GAO-06-461R, March 2006

Testimony of Craig Fugate, FEMA Administrator, before the House Committee on Transportation and Infrastructure, Subcommittee of Economic Development, Public Buildings and Emergency Management, *Post-Katrina: What It Takes to Cut the Bureaucracy and Assure a More Rapid Response after a Catastrophic Disaster*, July 27, 2009

Appendix D Report Distribution

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