



# Department of Homeland Security Office of Inspector General

## Design and Implementation of the Federal Emergency Management Agency's Emergency Management Performance Grant





Homeland  
Security

APR 21 2011

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 prepared as part of our oversight responsibilities to promote economy, efficiency, and effectiveness within the department.

This report addresses the strengths and weaknesses of the design and implementation of the Federal Emergency Management Agency's Emergency Management Performance Grant Program. It is based on interviews with employees and officials of relevant agencies and institutions, direct observations, and a review of applicable documents.

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

A handwritten signature in cursive script that reads "Anne L. Richards".

Anne L. Richards  
Assistant Inspector General for Audits

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## Acronyms and Abbreviations

DHS	Department of Homeland Security
EMPG	Emergency Management Performance Grant
FEMA	Federal Emergency Management Agency
FY	fiscal year
OIG	Office of Inspector General

# OIG

*Department of Homeland Security  
Office of Inspector General*

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## **Executive Summary**

The Emergency Management Performance Grant Program is the Federal Emergency Management Agency's principal program to enhance state and local governments' emergency management capabilities. Our objectives were to determine whether the Emergency Management Performance Grant Program's design, implementation, and performance measurement strategy facilitate improved emergency management and preparedness for its grantees.

The Emergency Management Performance Grant Program is designed to facilitate emergency management and preparedness for its grantees.

The Federal Emergency Management Agency can improve implementation of the program by awarding grant funds in a timelier manner. From fiscal years 2007 through 2010, the Federal Emergency Management Agency made annual awards 4 to 8 months after the beginning of the grant period of performance. As a result, grantees delayed spending or used their own funds to cover emergency management expenses until the Federal Emergency Management Agency made grant funds available.

The Federal Emergency Management Agency has developed, but not yet finalized or implemented, a strategy to measure the effectiveness of program funds. Consequently, the Federal Emergency Management Agency is not able to measure the value that grant funds are adding to state and local emergency preparedness.

We made two recommendations, which, if implemented, will enhance the program's overall effectiveness. Federal Emergency Management Agency officials concurred with one recommendation and the intent of the other recommendation. Written responses to the recommendations from Federal Emergency Management Agency officials are included in the report as Appendix B.

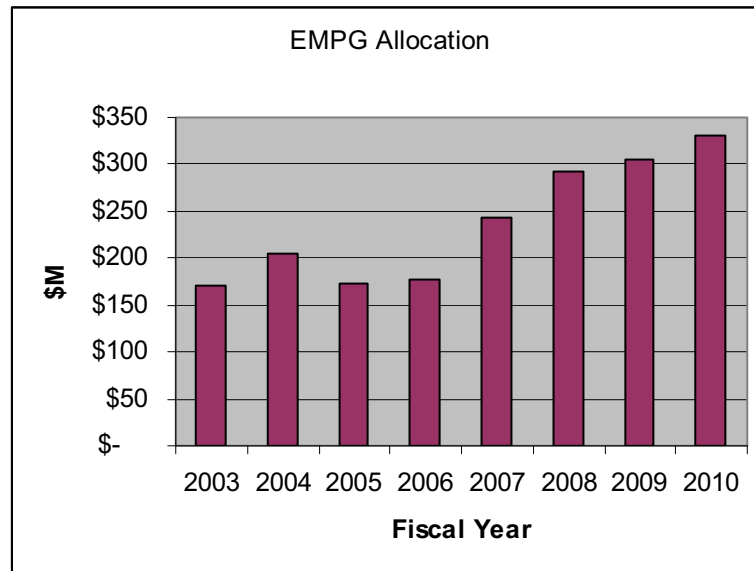
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## Background

The Federal Emergency Management Agency's (FEMA) mission is to lead the Nation in a comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation. The Emergency Management Performance Grant (EMPG) Program aids FEMA's mission by enhancing and sustaining state and local governments' emergency management capabilities. EMPG is FEMA's principal program for funding all-hazards planning, training, exercises, and emergency management personnel.

All 50 states and 6 territories, as well as the Republic of the Marshall Islands and the Federated States of Micronesia, are eligible for EMPG funds. EMPG is a formula grant that allocates each grantee (state or territory) a base amount, plus an amount determined by population. Congress appropriates EMPG funds annually, with a two-year period of performance. Figure 1 shows EMPG allocations from fiscal years (FYs) 2003 through 2010.

**Figure 1. EMPG Allocations, FYs 2003 through 2010**



Source: FEMA.gov

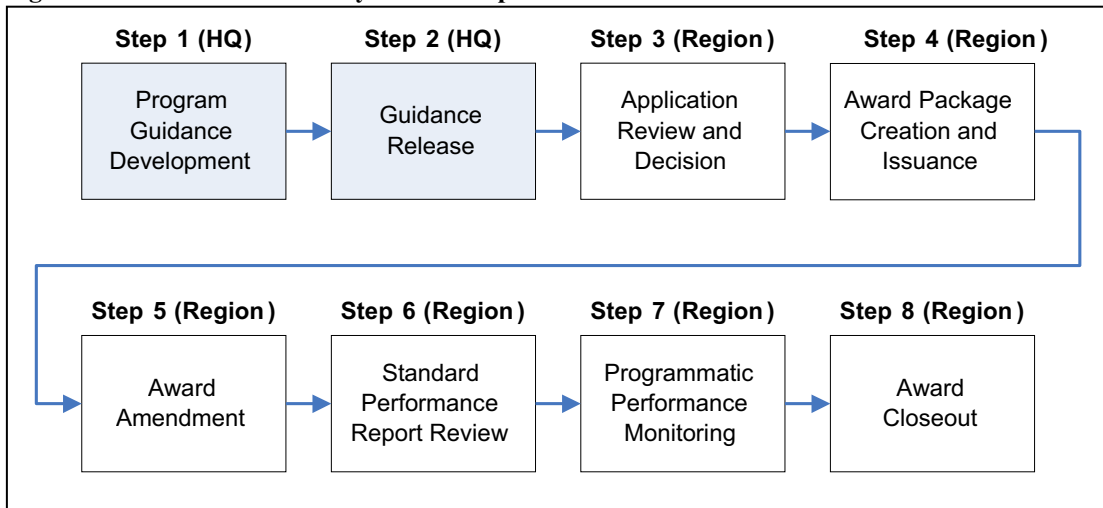
*Note:* In 2004, the Department of Homeland Security (DHS) allocated additional funds to EMPG above the amount that Congress appropriated. In 2007, Congress appropriated an additional \$50 million for EMPG in the *U.S. Troop Readiness, Veterans' Care, Katrina Recovery and Iraq Accountability Appropriations Act* (P.L. 110-28).

FEMA awards the funds to the grantees, which have the option to pass funds to subgrantees in local jurisdictions. EMPG requires a

50% federal and 50% grantee match of funds. Each grantee decides how much of the match requirement the subgrantees must meet.

FEMA is organized into 10 geographical regions, each of which oversees a number of grantees (see Appendix C). In FY 2010, FEMA transferred many EMPG programmatic and financial grant management functions from FEMA headquarters to the regions. FEMA headquarters publishes annual guidance that provides information to the grantees on applying for and obtaining funds. The regions manage most other grant-related functions, including reviewing grant applications, making award decisions, monitoring grant activities, and providing grantee customer service (see Figure 2).

**Figure 2. EMPG Grant Life Cycle and Responsibilities**



Source: FEMA

The *Post-Katrina Emergency Management Reform Act of 2006* (P.L. 109-295) directed FEMA to develop robust regional offices that work with state and local governments, among other entities, to address regional priorities. FEMA is evaluating regionalization of preparedness grants, including EMPG, through efforts such as the Regionalization Implementation Grants Task Force. FEMA formed this task force to identify issues surrounding responsibilities for managing preparedness grants. Task force participants included staff from FEMA headquarters and each of the 10 regional offices, along with selected state and local grantees. In addition, FEMA is reviewing regional resource levels needed to take on new grant roles and responsibilities.

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## Results of Audit

The EMPG Program is designed to facilitate emergency management and preparedness at the grantee level. FEMA can improve program implementation by awarding grant funds more efficiently. From FYs 2007 through 2010, FEMA waited to issue guidance, review grantee applications, and make awards until Congress appropriated funds. This practice delayed annual awards between four and eight months after the beginning of the period of performance. As a result, grantees delayed spending or used their own funds to cover emergency management expenses until FEMA made grant funds available.

FEMA has developed a strategy to measure the effectiveness of program funds, but has not yet finalized or implemented it. As a result, FEMA is not able to measure the value that EMPG funds are adding to state and local emergency management and preparedness.

### EMPG Program Design Facilitates Emergency Management

The EMPG Program is designed to provide funds that assist grantees in enhancing and sustaining their emergency management capabilities. We identified and evaluated four major design components of the program:

- **Allocation Formula:** The EMPG allocation formula, designed by Congress to be partially based on population, is appropriate to meet the intent of the grant. The formula acknowledges the need for emergency management capabilities in all states and territories. Both FEMA and grantee emergency management officials supported the noncompetitive nature of EMPG.
- **Period of Performance:** Although EMPG is an annual grant, FEMA allows a two-year period of performance. This gives state and local emergency management agencies the flexibility to plan and execute the use of EMPG funds.
- **Allowable Cost Categories:** The allowable cost categories, selected by FEMA, support a broad range of staffing, planning, training, equipment, and maintenance expenses. These categories are consistent with the mission of the grant.
- **Match Requirement:** The congressionally mandated 50% federal and 50% grantee match requirement promotes shared responsibility for funding emergency management. Some grantees and subgrantees reported that the economic downturn affected their

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ability to meet the match. However, state and local officials generally agreed that the match requirement was fair.

## **Implementation of EMPG Grant Life Cycle Delays Awarding of Funds**

FEMA’s implementation of the EMPG grant life cycle prevents funds from reaching the grantees in a timely manner. FEMA has historically awarded funds approximately four to eight months after the start of the EMPG period of performance (see Table 1).

**Table 1. Comparison of EMPG Period of Performance Start Date to Award Date**

<b>Fiscal Year</b>	<b>Start of Period of Performance</b>	<b>Most Common Award Date</b>	<b>Elapsed Time (approx.)</b>
2007	10/1/2006	2/27/2007	5 months
2008	10/1/2007	5/16/2008	7.5 months
2009	10/1/2008	2/13/2009	4.5 months
2010	10/1/2009	6/01/2010	8 months

*Note:* “Most Common Award Date” is based on the 19 grantee files we reviewed. Some awards were made on slightly earlier or later dates.

The annual EMPG grant guidance specified that the period of performance starts on October 1, the beginning of the federal fiscal year. This provided grantees with continuous periods in which to charge year-round expenses, such as salaries, to the grant. It also gave grantees assurance that all eligible expenditures would count toward the match requirement.

In FYs 2007, 2008, and 2010, Congress appropriated funds for EMPG after the start of the periods of performance. In FY 2009, Congress appropriated funds on September 30, 2008, one day before the start of the period of performance. In each of these years, FEMA did not finalize the EMPG guidance until after Congress appropriated funds for that year’s grant. This delayed the guidance issuance, application submissions, application reviews, and award notifications. Consequently, FEMA did not award funds to grantees until several months into the period of performance. The timelines in Appendix D illustrate the sequence of key events in the grant life cycle for FYs 2007 through 2010.

A FEMA official said that historically, FEMA’s practice had been to issue grant guidance only after Congress had passed a related appropriations bill. Other FEMA officials expressed frustration that this practice has delayed availability of funds to the grantees.



Grantees reported challenges in meeting their emergency management obligations because FEMA did not award funds in a timely manner. For example, one state official said that state law prevented the grantee from forwarding any funds to subgrantees until FEMA made the funds available. An official from another state said that the state had to redirect substantial state funds to cover qualified grant expenditures until FEMA awarded the funds.

The delay in the availability of funds creates an administrative burden for both the grantee and FEMA. Many grantees have to file for grant extensions because they have remaining balances at the end of the original period of performance. Remaining balances are caused in part by the delayed availability of funds, but they may also result from project delays, changes in grantee staff, or other reasons. Depending on the fiscal year, 71% to 95% of grantees had remaining balances at the end of the original period of performance (see Table 2).

**Table 2. Remaining Balances at the End of the Original Periods of Performance**

<b>Fiscal Year</b>	<b>Number of Grantees With Remaining Balances</b>	<b>Percentage of Grantees With Remaining Balances</b>	<b>Total Remaining Balance</b>	<b>Percentage of Total Award Remaining</b>
2007	41 out of 58	71%	\$23,772,953	12%
2008	51 out of 58	88%	\$61,909,824	21%
2009	55 out of 58	95%	\$92,641,427	30%

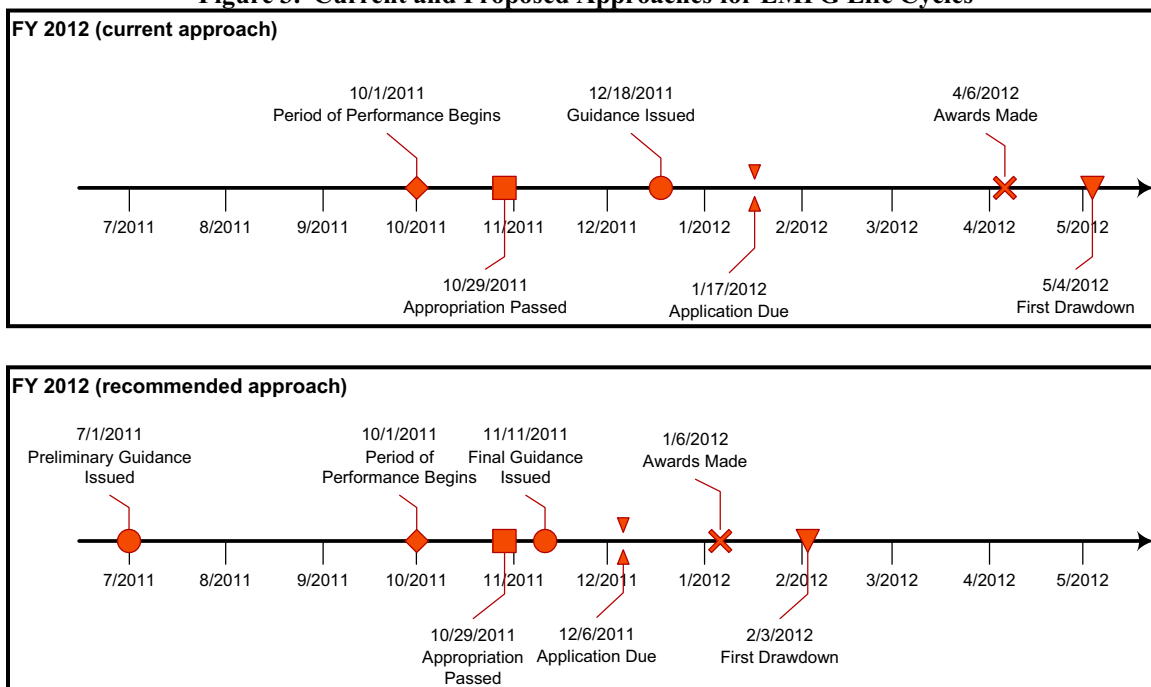
*Note:* FY 2010 is not included because the original period of performance was still ongoing during the course of this audit. FY 2007 figures do not include the \$50 million supplemental appropriation.

EMPG guidance specifies that remaining funds will be returned to the federal government at the end of the closeout period, 90 days after the end of the original period of performance. Therefore, grantees with open balances at the end of the closeout period must file for extensions or return the remaining funds to the federal government. All extension requests must be submitted at least 60 days before the grant period of performance expires. While FEMA officials must review all close-out reports, reviewing extensions creates additional work.

FEMA can distribute funds in a timelier manner by starting the EMPG application cycle earlier in the year. FEMA could issue preliminary guidance with target allocations several months before the start of the period of performance. Grantees could work with FEMA to develop preliminary grant applications that they could amend following the final appropriation.

A FEMA official with whom we discussed this proposal said that FEMA could accomplish most of the application review work before the release of the final appropriation. Grantees could include options in their applications in case the target allocations varied from the final appropriation. These options would reduce additional work if the final appropriation differed from the preliminary guidance. Historically, Congress has not changed the EMPG requirements in the appropriation bills (see Appendix E). This stability should give FEMA and grantees confidence that future appropriation bills will not make significant alterations to the preliminary guidance. Figure 3 illustrates how FEMA can accelerate the award date by issuing preliminary guidance before the start of the period of performance.

**Figure 3. Current and Proposed Approaches for EMPG Life Cycles**



*Note:* All dates for the “Current Approach” are based on average dates of FYs 2007 through 2010 (see Appendix D).

## Recommendation

We recommend that the Assistant Administrator, Grant Programs Directorate:

**Recommendation #1:** Issue preliminary EMPG guidance and begin reviewing applications several months before the start of the grant period of performance.

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## **Management Comments and OIG Analysis**

FEMA concurred with the intent of the recommendation and is working with senior leadership in FEMA, DHS, and the Office of Management and Budget to finalize and publish FY 2011 EMPG guidance as soon as possible. FEMA is working to finalize performance measures that will be included in the guidance. Once the measures are finalized, FEMA anticipates immediately posting the guidance and opening the EMPG application period.

The proposed action by FEMA, if achieved, would address this recommendation for FY 2011. However, in order to resolve the recommendation, we would need to see a timetable for implementing the recommendation for FY 2011 and establishing a policy for future year grant guidance. The recommendation will remain open and unresolved until these actions are addressed. Within 90 days, the FEMA Administrator needs to outline a corrective action plan to implement the recommendation.

### **FEMA Has Developed But Not Implemented EMPG Performance Measures**

FEMA has developed but not implemented a strategy to measure the effectiveness of the EMPG Program. FEMA developed this strategy by assembling a working group of headquarters and regional staff with subject matter expertise. The group developed a number of performance measures, identified data to collect, and proposed tools and methods to collect the data.

The working group developed 24 performance measures, of which 6 are ready to deploy. These measures focus on areas such as the completeness of emergency operations plans, the timely filing of reports, and the number of trained emergency management personnel. We evaluated the six ready-to-deploy performance measures and concluded that they are generally sufficient to measure EMPG's performance, provided that FEMA uses accurate and complete data.

In addition to the 24 developed performance measures, FEMA uses one existing performance measure known as the Emergency Management Accreditation Program Standard. The Emergency Management Accreditation Program is a voluntary review process, developed with input from emergency managers and government officials. Using self-assessments and peer reviews, an independent commission accredits jurisdictions that demonstrate compliance with 63 national standards for

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emergency management. FEMA reported that the program had accredited 39% of states and territories for FY 2009.

FEMA has not implemented the six performance measures because it traditionally uses the grant guidance to first notify grantees of new measures. FEMA officials said that information relating to the six new measures will not be included in the FY 2011 guidance. A FEMA official said that the final version of the measures was not ready in time to meet the review deadlines for the guidance.

FEMA cannot analyze grantee performance data for at least an additional grant cycle because it did not include the performance measures in the FY 2011 guidance. As a result, it is unable to measure and report on the impact and value of the EMPG funds or focus on where to improve the program.

## **Recommendation**

We recommend that the Assistant Administrator, Grant Programs Directorate:

**Recommendation #2:** Finalize and publish the performance measures in the EMPG grant guidance as soon as possible.

## **Management Comments and OIG Analysis**

FEMA concurred with the recommendation and has decided to include performance measures in the FY 2011 EMPG guidance. FEMA is working with Office of Management and Budget officials to finalize acceptable performance measures.

The proposed action by FEMA would address this recommendation. However, until a timetable for implementation of the recommendation is provided, the recommendation will remain open and unresolved. Within 90 days, the FEMA Administrator needs to outline a corrective action plan to implement the recommendation.

## Appendix A

### Purpose, Scope, and Methodology

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Our objectives were to determine whether the EMPG's design, implementation, and performance measurement strategy facilitate improved emergency management and preparedness for the grantees.

To accomplish our objectives, we reviewed applicable laws and regulations, prior audit reports, EMPG grant guidance for FYs 2007 through 2010, and additional FEMA documents related to EMPG. Legislation we reviewed included the following:

- *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (P.L. 93-288)
- *Post-Katrina Emergency Management Reform Act of 2006* (P.L. 109-295)
- *Implementing Recommendations of the 9/11 Commission Act of 2007* (P.L. 110-53)
- Annual appropriation legislation (listed in Appendix E)

We interviewed FEMA officials at FEMA headquarters. We selected three FEMA regions for site visits based on geographical distribution, size of the region's allocation, reported remaining balances, and recent major disasters. We selected and visited one state in each region:

- Region I – Boston, MA; State – Connecticut
- Region IV – Atlanta, GA; State – Tennessee
- Region VI – Denton, TX; State – Louisiana

At each FEMA region we visited, we interviewed EMPG program managers and preparedness grants financial specialists. At each state we visited, we interviewed EMPG program officials to determine the impact of the allocation formula, period of performance, allowable costs, and the match requirement. We also selected and interviewed 19 subgrantees from the visited regions.

In addition, we obtained copies of grant files from FYs 2007 through 2010 for the 19 grantees in FEMA Regions I, IV, and VI. We reviewed the grant applications, award documents, grant modifications, correspondence, and extensions.

To calculate the remaining balances of EMPG funds, FEMA provided EMPG drawdown data for all grantees from October 1, 2006, through September 30, 2010. We then calculated the remaining balances for each EMPG award from FYs 2007 through 2010. We did not verify the reliability of the data that FEMA

## Appendix A

### Purpose, Scope, and Methodology

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provided. However, based on our testing, we believe that the data are sufficiently reliable to meet our audit objectives.

We evaluated FEMA's proposed performance measures to ensure that they were logical and consistent. However, because FEMA has not collected data for the performance measures, we were unable to test the effectiveness of the measures.

We conducted this audit between August 2010 and January 2011, under the authority of the *Inspector General Act of 1978*, as amended, and according to generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe the evidence obtained provides a reasonable basis for our findings based on our audit objectives.

## Appendix B Management Comments to the Draft Report


U.S. Department of Homeland Security  
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Washington, DC 20472



# FEMA

MAR 31 2011

MEMORANDUM FOR: Anne L. Richards  
Assistant Inspector General for Audits  
Office of Inspector General

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

SUBJECT: Comments to OIG Draft Report, *Design and Implementation of the Federal Emergency Management Agency's Emergency Management Performance Grant Program (EMPG)*

Thank you for the opportunity to comment on the draft report. The findings in the report will be used to strengthen the effectiveness and efficiency of how we execute and measure the program. We recognize the need to continue to improve the process, including addressing the recommendations raised in this report. Our responses to the recommendations are as follows:

**Recommendation 1:** We recommend that the Assistant Administrator, Grant Programs Directorate issue preliminary EMPG guidance and begin reviewing applications several months before the start of the grant period of performance.

**FEMA Response:** FEMA concurs with the intent of this recommendation. FEMA has considered this recommendation for FY 2011 and is working with senior leadership in FEMA, DHS, and OMB to finalize and publish the guidance as quickly as possible. The Grant Programs Directorate (GPD) is working with the National Preparedness Division (NPD) to finalize performance measures that can be included in the guidance. Once these measures are finalized we anticipate the guidance will be immediately posted and the application period will be open.

**Recommendation 2:** We recommend that the Assistant Administrator, Grant Programs Directorate finalize and publish the performance measures in the EMPG grant guidance as soon as possible.

**FEMA Response:** FEMA concurs with this recommendation. At the time of the exit interview, this option was still being considered and a determination has since been made that performance measures will be included in the grant guidance for FY 2011. FEMA (GPD and NPD) is working with OMB/NSS to finalize acceptable performance measures for inclusion in the FY 2011 EMPG Guidance.

[www.fema.gov](http://www.fema.gov)

**Appendix C**  
**FEMA Regions and Assigned States/Territories**

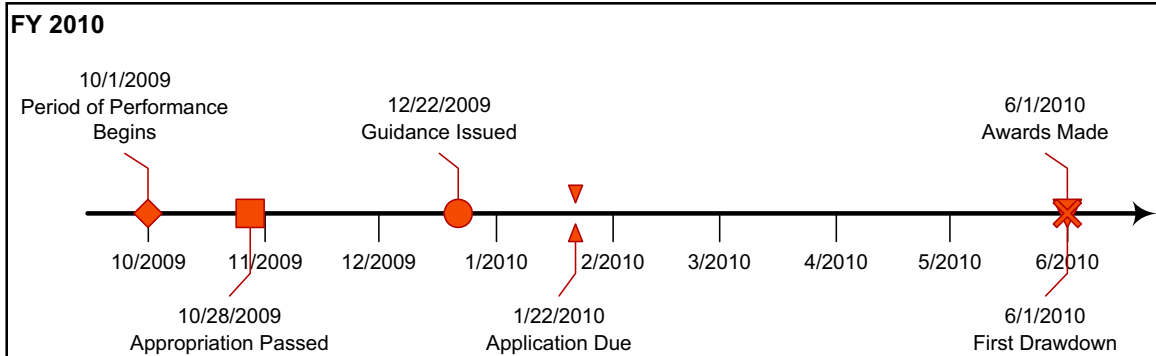
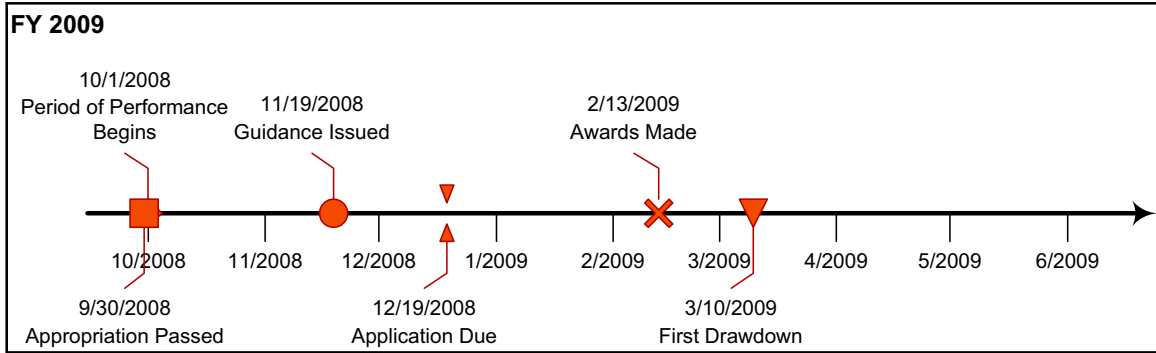
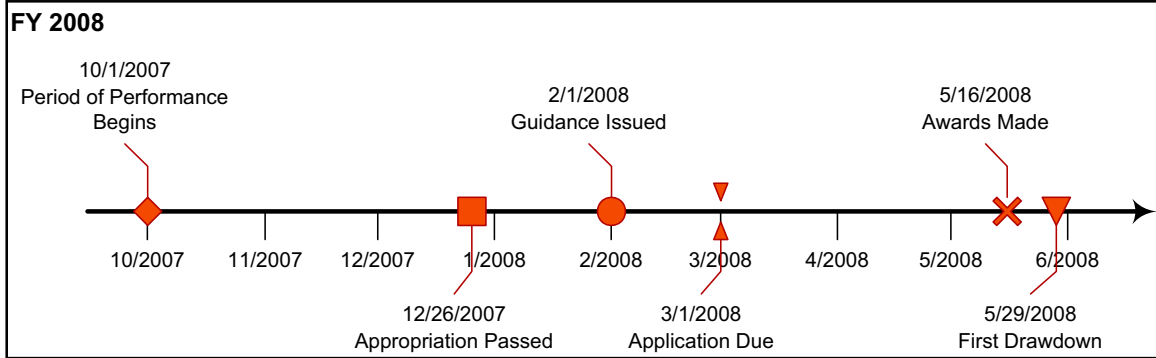
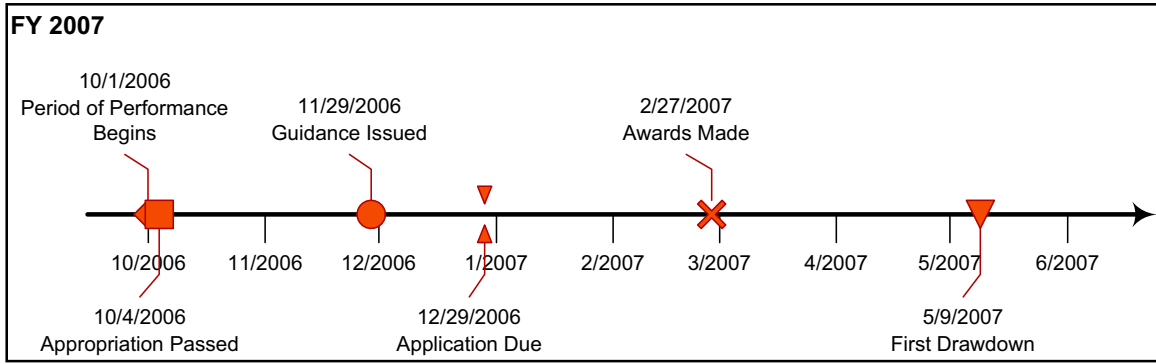
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<b>Region</b>	<b>State/Territory</b>
<b>I</b> Boston, MA	Connecticut
	Maine
	Massachusetts
	New Hampshire
	Rhode Island
	Vermont
<b>II</b> New York, NY	New Jersey
	New York
	Puerto Rico
	U.S. Virgin Islands
<b>III</b> Philadelphia, PA	Delaware
	District of Columbia
	Maryland
	Pennsylvania
	Virginia
	West Virginia
<b>IV</b> Atlanta, GA	Alabama
	Florida
	Georgia
	Kentucky
	Mississippi
	North Carolina
	South Carolina
	Tennessee
<b>V</b> Chicago, IL	Illinois
	Indiana
	Michigan
	Minnesota
	Ohio
	Wisconsin

<b>Region</b>	<b>State/Territory</b>
<b>VI</b> Denton, TX	Arkansas
	Louisiana
	New Mexico
	Oklahoma
	Texas
<b>VII</b> Kansas City, MO	Iowa
	Kansas
	Missouri
	Nebraska
<b>VIII</b> Denver, CO	Colorado
	Montana
	North Dakota
	South Dakota
	Utah
<b>IX</b> Oakland, CA	Wyoming
	American Samoa
	Arizona
	California
	Federated States of Micronesia
	Guam
	Hawaii
	Nevada
	Northern Mariana Islands
	Republic of the Marshall Islands
	<b>X</b> Seattle, WA
Idaho	
Oregon	
Washington	



**Appendix D**  
**Timelines of EMPG Grant Life Cycle, FYs 2007 Through 2010**



**Appendix E**  
**EMPG Appropriation Legislation**

<b>Bill</b>	<b>Appropriation Language</b>	<b>Other Provisions Relating to EMPG</b>
Consolidated Appropriations Resolution, 2003 P.L. 108-7	\$165,000,000 shall be for emergency management performance grants	None
<i>Department of Homeland Security Appropriations Act, 2004</i> P.L. 108-90	For necessary expenses for emergency management performance grants, as authorized..., \$180,000,000	<i>Provided</i> , That total administrative costs shall not exceed three percent of the total appropriation.
<i>Department of Homeland Security Appropriations Act, 2005</i> P.L. 108-334	For necessary expenses for emergency management performance grants, as authorized..., \$180,000,000	<i>Provided</i> , That total administrative costs shall not exceed three percent of the total appropriation.
<i>Department of Homeland Security Appropriations Act, 2006</i> P.L. 109-90	For necessary expenses for emergency management performance grants, as authorized..., \$185,000,000	<i>Provided</i> , That total administrative costs shall not exceed three percent of the total appropriation.
<i>Department of Homeland Security Appropriations Act, 2007</i> P.L. 109-295	For necessary expenses for emergency management performance grants, as authorized..., \$200,000,000	<i>Provided</i> , That total administrative costs shall not exceed three percent of the total appropriation.
<i>U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (2007 Supplemental Appropriation)</i> P.L. 110-28	For an additional amount for "Emergency Management Performance Grants," \$50,000,000.	None
<i>Consolidated Appropriations Act, 2008</i> P.L. 110-161	For necessary expenses for emergency management performance grants, as authorized..., \$300,000,000	<i>Provided</i> , That total administrative costs shall not exceed three percent of the total amount appropriated under this heading.
<i>Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009</i> P.L. 110-329	For necessary expenses for emergency management performance grants, as authorized..., \$315,000,000	<i>Provided</i> , That total administrative costs shall not exceed three percent of the total amount appropriated under this heading.
<i>Department of Homeland Security Appropriations Act, 2010</i> P.L. 111-83	For necessary expenses for emergency management performance grants, as authorized..., \$340,000,000	<i>Provided</i> , That total administrative costs shall not exceed 3 percent of the total amount appropriated under this heading, and an expenditure plan for program administration shall be provided to the Committees on Appropriations of the Senate and the House of Representatives within 60 days of the date of enactment of this Act.

**Appendix F**  
**Major Contributors to this Report**

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Michael Sivi, Director  
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**Appendix G**  
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