

Ms. Sima Merick

Executive Director, Ohio Emergency Management Agency

STATEMENT FOR THE RECORD

**On behalf of the
National Emergency Management Association**

**Submitted to the House Transportation & Infrastructure Committee
Subcommittee on Economic Development, Public Buildings, and Emergency Management**

“Disaster Preparedness: DRRA Implementation and FEMA Readiness”

May 22, 2019

National Emergency Management Association
444 N Capitol Street, NW, Suite 401
Washington, D.C. 20001
202-624-5459

Thank you, Chairman Titus, Ranking Member Meadows, and distinguished members of the Committee for allowing me to testify before you today.

I am proud to testify today as Vice President of the National Emergency Management Association (NEMA). NEMA represents the state emergency management directors of all 50 states, territories, and the District of Columbia. On behalf of my colleagues in state emergency management, we thank you for holding this discussion on implementation of the Disaster Recovery Reform Act (DRRA) and FEMA readiness.

No discussion of the DRRA would be complete without us again expressing our appreciation for the hard work of this committee in securing passage of that transformative reform package. NEMA was an ardent supporter as DRRA worked through the legislative process and appreciated the receptiveness of you and your staff to engage in constructive dialogue. I will discuss the DRRA in more detail shortly but will first address the other topic of this hearing – FEMA readiness.

STATE READINESS MEANS FEMA READINESS

FEMA readiness must be viewed through the lens of state and local readiness. In the absence of the state and local building blocks of the emergency management foundation, the response and recovery to a major event will falter.

In assessing state readiness, the events of the 2017 and 2018 disaster seasons remain in the forefront of all our minds. We were fortunate in Ohio to be spared the brunt of Mother Nature, but still managed two Major Disasters Declarations for severe storms. Many of my colleagues, however, would tell a much different story.

Tennessee, California, and Wyoming would talk about the devastating affects of wildfires. Florida would undoubtedly highlight concerns with debris removal and pre-event contracting. Texas realized the difficulties in managing the housing mission but continues to persevere. North Carolina now understands first-hand the lack of coordination between federal disaster programs and continues educating the NEMA membership on danger zones in managing the Community Development Block Grant – Disaster Recovery of the Department of Housing and Urban Development. Regardless of the various challenges, they would share some common sentiments.

In addition to the physical disasters which swept the nation, we saw several examples of missteps in utilizing alert and warning systems. The management of these systems, however, varies from state to state, so Congress should carefully consider any broad, sweeping changes as any issues may be isolated to specific instances. Typically, the one-size-fits-all mantra does not apply to emergency management policy.

Citizens across the country as well as political leadership must understand the roles and responsibilities in responding to and recovering from disasters. The Federal Emergency Management Agency (FEMA) is not a first responder, and the Governor maintains ultimate authority over managing the disaster, but without robust local emergency management, the execution of programs and projects will falter.

Finally, one of the most sensitive issues post-disaster is managing housing programs. In 2017 we saw states such as Texas take bold steps in managing their own housing programs. Through this process, we learned of some opportunities for better performance overall in the hierarchy of national housing programs and sheltering. Even if the programs are found to be satisfactory, we must consider how best to communicate and manage the relocation of thousands of citizens, and carefully explain the intent of assistance programs which aim for ultimate repatriation. In recent years, FEMA made intimations of deferring management of the housing mission to states through a block grant, citing regulatory and compliance difficulties. If fundamental problems exist within the housing programs, we should err on the side of make appropriate adjustments, not arbitrarily shifting responsibility to the states which every Governor may not want

BUILDING CAPACITY

Three fundamental pieces stand-out when looking at state capacity to respond to and recover from disasters – How States Help Themselves; How States Help One Another; and The State-Federal Partnership.

How States Help Themselves. As stated previously, FEMA is not a first responder. According to a report produced by NEMA and the International Association of Emergency Managers, in FY18, state and local emergency management organizations managed 23,331 events without federal assistance. Furthermore, we must set expectations in what federal programs can, cannot, should, and should not be able to accomplish.

According to NEMA's 2018 Biennial Report, 26 states maintain their own state-funded assistance program to help citizens and businesses when a disaster or emergency does not meet the criteria for a federal declaration. Of those, 22 have public assistance programs; eight have individual assistance programs; five offer unmet needs programs; eight have other assistance programs; and one state has an economic/business recovery disaster assistance program. Other assistance programs also exist to meet shortfalls such as short-term housing assistance, hazard mitigation programs, housing and personal property losses, and shortfalls in local budgets due to damage incurred by a disaster.

How States Help One Another. No state has all the resources they would need to fill every shortfall for every possible disaster. The Emergency Management Assistance Compact (EMAC) is the system states turn to in times of need. EMAC is implemented by the state emergency management agencies allowing for an efficient, effective, and coordinated response between states. Since Congress ratified Public Law 104-321 in 1996, EMAC grew to include all 50 states, the District of Columbia, the U.S. Virgin Islands, Puerto Rico, and Guam.

In 2016, Ohio utilized EMAC to bring in over 1,070 law enforcement officers from seventeen states including California, Florida, Georgia, Indiana, Kansas, Massachusetts, Michigan, Missouri, North Carolina, New Jersey, and Wisconsin in providing security for the Republican National Convention. Officers arrived trained, experienced and equipped enabling the City of Cleveland to fully implement their security plan.

The diversity of EMAC in the availability of disciplines and ability to handle any range of hazards is

unparalleled. I know that should Ohio need search and rescue, animal response, public health, emergency medical services, medical, fire, mass care, cybersecurity, utility workers, telecommunications, National Guard, or resources from other disciplines; we can request and will receive them through EMAC. The ability to utilize resources from across the nation who arrive trained and experienced is invaluable. It also leverages federal grant dollars invested in building capabilities and provides experiences that can be taken back home to improve plans and procedures.

Since 2016, nearly 26,000 personnel deployed through EMAC for hurricanes, wildfires, severe weather, gas explosions, a measles outbreak, an active shooter event, a volcano, and an earthquake. Most recently, resources from Minnesota, Kansas, and Washington recently deployed in response to major flooding in Nebraska. Meanwhile, Arizona, Colorado, Kentucky, New York, Oregon, Tennessee, and Nevada deployed personnel to Alaska in support of the earthquake.

In large-scale disasters, states also deploy teams to FEMA's National Response Coordination Center and the Regional Response Coordination Centers to coordinate the state response through EMAC with the federal response. In 2017, the first team to stand-up the EMAC liaison desk was from the District of Columbia. These teams worked with FEMA to garner critical support for transportation to both the U.S. Virgin Islands and Puerto Rico as well as housing for first responders.

States are continually working to improve the implementation of EMAC, making changes to EMAC procedures and finding innovative ways to utilize the Compact. Following Hurricane Harvey, Texas innovated the process by offering a 75 percent reimbursement advance to assisting states to shorten the length of time before states recouped expenses. In 2017, states in Region VI – Arkansas, Louisiana, New Mexico, Oklahoma, and Texas utilized the Interstate Emergency Response Support Plan (IERSP) that accelerates the EMAC response by pre-identifying resource shortfalls and resource providers who immediately deploy when triggers are met. Similarly, states in Region IV utilized the FEMA Unified Planning Coalition relationships to quickly and efficiently share resources through EMAC.

Robust national response through EMAC has made the Compact invaluable and the impact of it on the lives of our citizens is immeasurable. To quote the EMAC Response to the 2017 Hurricane Season After Action Report, "At its core, EMAC is a commitment between all 50 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and Guam to provide aid to each other during their most desperate times of emergency. The 2017 hurricane season demonstrated an exceptional level of commitment to the compact, as states across the Nation came together in an overwhelming show of unity and sacrifice. It is clear the support provided by EMAC saved lives and minimized damage to property."

The State-Federal Partnership. One of the key ways in which emergency managers build capacity is through programs such as the Emergency Management Performance Grant (EMPG). With a one-to-one matching requirement at the local and state levels, this program represents one of the best values in federal investment. EMPG continues as a critical driver of progress and success made across the country in preparing for, responding to, and recovering from all hazards. The program's success is shared by all levels of government and relies heavily on the continued, and decades-long, commitment of Congress.

In 2018, the federal investment in EMPG was \$350 million — a little more than \$1 per citizen — and

with the match requirement and additional state and local investment, the return on investment exceeded \$700 million and was felt in communities from Maine to California. Every investment the federal government makes is matched dollar-for-dollar and, in most cases, states, locals, and tribes match even more, illustrating that any cuts to EMPG funding will have far-reaching and long-term impacts on readiness. In almost every category of positive community impacts the EMPG creates, emergency managers at the state and local level report improvements since last year's programmatic data.

For these reasons in FY19, NEMA joined with colleagues of the International Association of Emergency Managers (IAEM), representing local emergency management, in requesting a modest five percent inflationary increase for EMPG to \$368 million. Given the matching requirement of EMPG, many of which states and locals far exceed, this \$18 million increase will have a combined impact totaling at least \$36 million nationwide. Few other federal programs can demonstrate that rate of return. While Congress did not act on this request in the FY18 Omnibus, we continue to emphasize the importance of this program and the need for additional funding in FY19.

DRRA IMPLEMENTATION

Emergency management is a profession of evolution as we continually evolve from each subsequent event. When considering how best to prepare for the next disaster season, any changes to policy, statute, or processes must be done with an eye toward comprehensive solutions. For the most part, the DRRA accomplished this needs assessment. No sooner did the victory of DRRA passage settle in then it was time to look toward implementation.

We urge FEMA to use the occasion of DRRA implementation to think strategically and beyond the confines of their traditional roles and responsibilities. Examples of such opportunities include:

National Public Infrastructure Pre-Disaster Mitigation Assistance. This program will forever shift the paradigm of mitigation funding in this country. Allowing six percent of disaster costs to fund pre-disaster mitigation, however, is a massive influx of funding for a program historically underfunded. To date, the lack of information and vision provided by FEMA on this program remains disappointing. While focusing on name changes not included in statute, the agency seems unable to expand their vision beyond the current pre-disaster mitigation grant program. This creates frustrations among the federal interagency as well as stakeholders such as NEMA.

The DRRA was not exclusively written for FEMA, and the agency should be actively engaging the interagency and encouraging those of us at the state level to do the same. The hundreds of millions of dollars which will flow through this program in coming years cannot be an emergency management-only effort. So, we continue encouraging our members to work with any state agency which could help ensure the efficacy of new mitigation projects rapidly adjust to changing needs.

NEMA will soon be prepared to present a set of forward-leaning recommendations to FEMA, the Office of Management and Budget, and the National Security Council in the coming weeks. But make no mistake, we will not make these recommendations through the lens of the existing pre-disaster mitigation program and instead look to expand the traditional definition of "mitigation;" leverage efforts of existing

federal programs; ensure transparency for the American Taxpayer; and ensure the priorities of smaller or rural states remain prominent.

Management Costs. The increase in management costs for Public Assistance (PA) and the Hazard Mitigation Grant Program (HMGP) was a long-time coming for our members, and we remain appreciative. Especially as we continue working with FEMA on their State-Led PA concept, the jump from 3.34 percent to seven and 10 percent respectively will greatly increase the ability for us to build capacity. We understand the issues at play in the speed at which FEMA had to initiate the current guidance, but fundamental questions remain in how this change integrates with existing program and procedures. If states are going to be encouraged to build capacity and manage FEMA's Public Assistance Program, thus reducing the cost of the federal footprint, a change in management costs or incentive for states to invest, is critical for its success.

As management costs are now split between state and local governments for the first time, clarity must be gained on how or if responsibilities will shift between federal, state, and local emergency management, oversight of reporting requirements, and procedural changes in response processes.

The amounts managed after disasters can equal billions of dollars in Federal grants through FEMA. Currently, management costs are limited to each specific disaster and regulations do not allow grantees to economize by managing workloads across all open disasters. As FEMA continues evolving this new management cost policy, they should allow grantees to utilize management costs across all open disasters which will ensure building recovery and mitigation capacity; incentivize disaster close-out; and drive down the costs of disasters.

In June of last year, NEMA and IAEM came together and submitted a proposal to FEMA on implementing this change, a copy of which is being included with this statement for the record. While this could be done administratively, Congressional persuasion often goes a long way toward affecting change, so we would appreciate any such support the Committee would be willing to provide.

Overall, we appreciate the time and effort Members of the Committee and their staff dedicate to completing work on the DRRA and look forward to an equally as productive partnership as we monitor the implementation.

CONCLUSION

On behalf of the state emergency managers, thank you again for holding this hearing and drawing attention to the needs of the emergency management community. Often in the wake of a major disaster or series of disasters; judgment is cast on federal programs and perceived successes or failures sometimes even before the flood waters recede. As you look at the topics of this hearing, remember specifically that state and local readiness is FEMA readiness, and more staffing at the federal level is not necessarily the silver bullet to managing disaster response. Daily across the nation, state and local emergency managers are still recovering from the last event and conducting the planning, building the capacity, and setting the stage for the next storm to approach, all while working diligently to implement and manage complicated federal programs.