

REBUILDING FEMA: PREPARING FOR THE NEXT DISASTER

Y4. G 74/89: S. HRG. 103-527

Rebuilding FEMA: Preparing for the...

HEARING BEFORE THE COMMITTEE ON GOVERNMENTAL AFFAIRS UNITED STATES SENATE ONE HUNDRED THIRD CONGRESS

FIRST SESSION

MAY 18, 1993

Printed for the use of the Committee on Governmental Affairs



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REBUILDING FEMA: PREPARING FOR THE NEXT DISASTER

TUESDAY, MAY 18, 1993

U.S. SENATE,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 9:34 a.m., in room SD-342, Dirksen Senate Office Building, Hon. John Glenn, Chairman of the Committee, presiding.

Present: Senators Glenn, Roth, and Akaka.

OPENING STATEMENT OF CHAIRMAN GLENN

Chairman GLENN. The hearing will be in order.

Today the Committee on Governmental Affairs meets to consider how we can improve the Federal response to disasters, particularly those of a catastrophic nature, like Hurricane Andrew.

I am particularly pleased to have back before us the newly-confirmed Director of FEMA, Mr. James Lee Witt, who I think brings the experience and perspective and commitment necessary to turn FEMA around.

I also look forward to hearing from Dexter Peach on the final results of GAO's investigation, which I had requested, on disaster management. He and his staff have done yeoman's work in this area. I should note that Mr. Peach will be making recommendations directly to the President, whose leadership on this issue is vital.

In order to get a sense of perspective for this hearing, I asked my staff to review the Committee's work, which goes clear back to 1978, on President Carter's reorganization plan which created FEMA. The goal was to consolidate disparate agency programs under one central roof and to provide strong leadership focus and attention for emergency management activities. It has been 15 years. The level of coordination that we had anticipated at that time, I think it would be fair to say, has certainly not happened as of yet.

In fact, we hear the cries from the very people FEMA was set up to serve, those Americans who are victims of natural catastrophes and who have bitterly complained that FEMA's follow-up on many occasions was an even bigger disaster.

I don't know whether we expect too much or whether there are different levels of responses depending on the type of disaster, whether it is a small tornado or flood that the local police and fire department can handle, as opposed to things where we should be

moving in the National Guard on a more rapid basis, but we really have to get control of this thing.

I also came across, incidentally, a comment made by Mr. George Elsey, then head of the Red Cross, who told this Committee some 15 years ago how fortunate it was that South Florida, with its tremendous increase in population density, had not experienced a major hurricane in some time. Those words certainly have come back to haunt us in a very deadly and a costly manner, and I guess our luck finally ran out.

Given the severity of catastrophic disasters which we have experienced lately and what has appeared to be a painfully slow Federal response, some people have called for FEMA's abolition. While it is true that since its inception FEMA has been plagued by a host of problems with scant attention from either the White House or Congress, I think it does a great disservice to the many career employees in FEMA who have worked so hard under such adverse circumstances.

We are no longer fighting the Cold War. That is history. But recent reports in the media have indicated that during the Cold War, FEMA spent a much greater proportion of its funds on nuclear war preparedness than natural disaster relief.

There has been some writing about the Continuity of Government, the COG program as it is called, and we know that that assumed a very large proportion of the activities of FEMA, even though it was kept very quiet, was one of the most classified areas of government activity for a long period of time.

I think it is time for that to change, because we do know it is only a matter of time, be it days, weeks, or months, until our own citizens are victimized by a major catastrophe. In fact, some experts, such as Dr. Bob Sheets, who is here today, have predicted that we are at the start of such a cycle.

I think we can make FEMA a more proactive and responsive agency and one that embodies Presidential leadership, attention, and respect. I think we must change FEMA's focus from nuclear attack to civil emergencies and natural disasters. Finally, we must ensure that States are contributing their fair share towards disaster mitigation, training, and planning. After all, this is a partnership and we can't always expect the feds to cut a blank check if the States themselves have skimmed on disaster management programs.

I was reminded of an article¹ by Steve Twomey in the *Washington Post* in April of this year, just a few weeks ago, about one of our suburbs of Washington, Herndon, putting in for \$23,000 for snow removal out here during the April snow, and FEMA apparently paid \$30-some million up and down the coast to help in snow removal. Now that was hardly what we envisioned, I think, when FEMA was established and when the funds are given out.

Was there some inconvenience to people in communities during that period of time? Yes, there certainly was. Is that a function to step in and spend some \$30-some million to assist in snow removal? I would hope that that money gets recouped one of these days when we have a year in which there is very little snow and

¹The article referred to appears on page 145.

these same communities don't have to spend their money out there on snow removal. Maybe they can gratefully repay the U.S. Government now for the \$30-some million that was spent this year.

PREPARED STATEMENT OF CHAIRMAN GLENN

Good morning. Today the Committee on Governmental Affairs meets to consider how we can improve the Federal response to disasters, particularly those of a catastrophic nature, like Hurricane Andrew. I am particularly pleased to have back before us the newly-confirmed Director of FEMA, Mr. James Lee Witt, who I think brings the experience, perspective, and commitment necessary to turn FEMA around.

I also look forward to hearing from Dexter Peach on the final results of GAO's investigation, pursuant to my request, on disaster management. He and his staff have done yeoman's work in this area. I should note that Mr. Peach will be making recommendations directly to the President, whose leadership on this issue is vital.

In order to get a sense of perspective for this hearing, I asked my staff to review the Committee's work—back in 1978—on President Carter's reorganization plan which created FEMA. The goal was to consolidate disparate agency programs under one central roof and to provide strong leadership, focus, and attention for emergency management activities. Well, it's been fifteen years and that still hasn't happened.

In fact, we hear the cries from the very people FEMA was set up to serve—those Americans who are victims of natural catastrophes—who have bitterly complained that FEMA's follow-up was even a bigger disaster.

I also came across, incidentally, a comment made by Mr. George Elsey, then-head of the Red Cross, who told this Committee some 15 years ago how fortunate it was that south Florida—with its tremendous increase in population density—hadn't experienced a major hurricane in some time. Those words certainly have come back to haunt us in a very deadly and costly manner. I guess our luck finally ran out.

Given the severity of catastrophic disasters which we've experienced lately—and what has appeared to be a painfully slow Federal response—some people have called for FEMA's abolition. While it's true that, since its inception, FEMA has been plagued by a host of problems—with scant attention from either the White House or Congress—I think it does a great disservice to the many career employees who have worked so hard under such adverse circumstances.

We are no longer fighting the Cold War. That's history. Recent reports in the media, however, have indicated that during the Cold War, FEMA spent a much greater proportion of its funds on nuclear war preparedness than natural disaster relief.

It's time for that to change, because we do know it's only a matter of time—be it days, weeks, or months—until our own citizens are victimized by a major catastrophe. In fact, some experts such as Dr. Bob Sheets, who is here today, have predicted we are at the start of such a cycle.

I think we can make FEMA a more proactive and responsive agency, one that embodies Presidential leadership, attention, and respect. We must change FEMA's focus from nuclear attack to civil emergencies and natural disasters. Finally, we must ensure that States are contributing their fair share toward disaster mitigation, training, and planning. After all, this is a partnership and we can't always expect the feds to cut a "blank check" if the States themselves have skimped on disaster management programs.

In the next few days, Senator Mikulski and I, plus some of our colleagues, will be introducing comprehensive FEMA reform legislation which embraces these principles. I know it will take some effort to get this moving, and there's always room for improvement, but the time is ripe to start.

Let me mention a couple of other points. One is the increase in Presidential disaster declarations—from 11 in 1988, to 43 in 1991, with 35 such declarations last year. We're not talking small change here; we've spent nearly \$10 billion on response and recovery efforts since 1988.

Certainly, Mother Nature, in all her power and grandeur, is the primary culprit but there are other factors as well. While we tend to think of natural disasters in terms of tornadoes, floods, and hurricanes, FEMA funds in recent years have flowed to the Chicago tunnel flood, the L.A. riots, the World Trade Center bombing and, recently, for snow removal up and down the East Coast.

I do not question the severity of any of these incidents, or the tragic loss of human life, threats to public safety and health, or destruction of property. But I do want to note that the definition of what constitutes a "disaster" has been expanding over the years and new demands are being placed on the Federal Government—in terms

of money and resources—for events over which we traditionally depend on States and localities to have primary control, the adequacy of local building codes or routine infrastructure maintenance, for example.

There is no doubt in my mind, however, that in terms of responding to truly catastrophic disasters we do have a higher burden than in the past, particularly with the advent of satellite TV and remote cams. The shock, frustration, and grief felt by victims of these tragedies are carried instantaneously into our living rooms. All Americans share their pain and want to reach out and help. In these instances, we must accept the fact that all eyes—and expectations—turn to Washington, and rightly so. For we do have an array of state-of-the-art technologies, life-saving equipment, and skilled personnel at our disposal, all funded by taxpayers.

In closing, we should appreciate that how fast and how well we respond becomes a reflection of the Federal Government itself. We must show, when people's lives, safety, and health are at stake that Government can work. That it can help, and that it can make a difference.

I know Mr. Witt has confronted many of these issues as an Arkansas State Director, and has already begun to undertake changes in FEMA's operation and organization. I applaud these initiatives, and I look forward to working with him to provide the proper legislative authority. I'd also like to acknowledge the efforts of President Clinton himself who, I understand, is looking at how to improve disaster communications, monitoring, and reporting. This is a laudable goal, and if it works right, it'll be nice to know he shouldn't have to rely on CNN for news of these disasters.

So I want to welcome our distinguished witnesses here today, and am eager hear their testimony.

Chairman GLENN. In the next few days, Senator Mikulski and I plus some of our colleagues will be introducing comprehensive FEMA reform legislation which embraces some of the principles I mentioned earlier. I know it will take some effort to get this moving, and there is always room for improvement, but I think the time is ripe to start.

Let me mention a couple of other points. One is the increase in Presidential disaster declarations, from 11 in 1988 to 43 in 1991, with 35 such declarations last year. And we are not talking small change. We have spent nearly \$10 billion on response and recovery efforts since 1988.

Certainly Mother Nature in all her power and grandeur is the primary culprit, but there are other factors as well. While we tend to think of natural disasters in terms of tornadoes, floods, and hurricanes, FEMA funds in recent years have flowed to the Chicago tunnel flood, the L.A. riots, the World Trade Center bombing, and recently, as I mentioned, for snow removal up and down the East Coast. Now maybe all of these are valid, but if they are then we should say that type of emergency to be covered also and not leave it up just to a whim of the moment as to what we do and don't do.

I don't question the severity of any of these incidents or the tragic loss of human life, or the threats to public safety and health, or destruction of property. I do want to say that the definition of what constitutes a disaster has been expanding over the years and new demands are being placed on the Federal Government, in terms of money and resources, for events over which we traditionally depend on States and localities to have primary control, like the adequacy of local building codes or routine infrastructure maintenance, for example.

There is no doubt in my mind, however, that in terms of responding to truly catastrophic disasters we do have a higher burden than in the past. We immediately see the results of some of these natural disasters on TV, sometimes within minutes and certainly within

hours after the time they occur. The shock, the frustration and grief felt by victims of these tragedies are carried instantaneously into our living rooms. All Americans share their pain and want to reach out and help.

In these instances, we must accept the fact, rightly or wrongly, that all eyes and expectations turn to Washington. We do have an array of state-of-the-art technologies and life-saving equipment, skilled personnel at our disposal, all funded by taxpayers.

In closing, we should appreciate that how fast and how well we respond sometimes becomes a reflection of the Federal Government itself, and I think we need to show that when people's lives, safety, and health are at stake that government—at all levels—can work. That the Federal Government can help and it can make a difference, especially when there are severe damages.

I know that Mr. Witt has confronted many of these issues as an Arkansas State Director. He has already begun to undertake changes in FEMA's operation and organization. I applaud these initiatives and look forward to working with him to provide the proper legislative authority.

I would also like to acknowledge the efforts of President Clinton himself, who I understand is looking at how to improve disaster communications, monitoring, and reporting, which has been a little flimsy, at best, in the past. That is certainly a laudable goal, and if it works right, it will be nice to know that he shouldn't have to rely on CNN or the networks or whatever for news of these disasters.

I want to welcome our distinguished witnesses here today. I am eager to hear their testimony, and we have a lot of questions once they testify.

We also have Curt Weldon. I was just passed a note that he has been delayed and he will be here a little bit later, so we will get his testimony later on.

Our first witness then this morning will be the Hon. Dexter Peach, Assistant Comptroller General, General Accounting Office. Mr. Peach is no stranger to this Committee. He has been here many times and we always look forward to his testimony, as we do this morning.

Dexter, if you would introduce your colleagues with you this morning for the record so we will have their names here, we would appreciate it.

TESTIMONY OF THE HON. J. DEXTER PEACH,¹ ASSISTANT COMPTROLLER GENERAL, U.S. GENERAL ACCOUNTING OFFICE, ACCOMPANIED BY JUDY ENGLAND-JOSEPH, DIRECTOR, RESOURCES, COMMUNITY, AND ECONOMIC DEVELOPMENT DIVISION; HENRY L. HINTON, DIRECTOR, NATIONAL SECURITY AND INTERNATIONAL AFFAIRS DIVISION; AND STAN CZERWINSKI, ASSISTANT DIRECTOR, RESOURCES, COMMUNITY, AND ECONOMIC DEVELOPMENT DIVISION

Mr. PEACH. Thank you, Mr. Chairman.

¹The prepared statement of Mr. Peach appears on page 75.

We are pleased to have the opportunity to be here today to discuss, as you say, the final results of our work on the Nation's approach to handling major natural disasters.

Chairman GLENN. Let me ask a question. We don't have copies of that to be released yet, do we? The printed copy will be out when? Do you have a date for that?

Mr. PEACH. The testimony itself will be the final copy, would be the final product that we are looking at. It includes our recommendations right within the testimony, and we will be transmitting that testimony today with the recommendation, for example, to the White House as well as with the recommendations to FEMA.

Chairman GLENN. OK. Are you going to publish the usual little blue-covered book on that? When will that be available?

Mr. PEACH. We were not looking to publish it as a blue-cover but to publish it as the testimony.

Chairman GLENN. OK, fine. We will have copies of that made and have them available for the press later on then. Copies are already there, I am told. I am one step behind the program here.

Mr. PEACH. Right. We pre-supplied a number of copies at this point.

Chairman GLENN. All right.

Mr. PEACH. And we will have full distribution available for other people who inquire at our office who are looking for it.

Chairman GLENN. I understand we have copies on the press table now, so that is good.

Mr. PEACH. I am accompanied today, Mr. Chairman, by Judy England-Joseph, who is director of our work in housing and community development issues, which covers the Federal Emergency Management Agency; also by Henry L. Hinton, Jr., who is the Director of Planning in our National Security and International Affairs Division at my far right; and at my left, Stan Czerwinski, who was project director for the work that we did in these disaster areas.

I think in reflecting on the kind of coordination that is required to respond to these disasters, it also required that kind of coordination at the General Accounting Office because, in the case of this disaster, we needed the people who both had experience on FEMA activities but we also needed the people who had experience in dealing with Department of Defense activities because of the massive defense response that was required. So this was truly a cooperative effort at GAO between our people in two divisions working together.

Since the recent catastrophes, especially last year's Hurricane Andrew and the growing dissatisfaction with the Nation's system for responding to large disasters, you and a number of other Congressional leaders asked us to examine the adequacy of Federal strategy for responding to disasters and to develop solutions for improving it.

My statement today summarizes the conclusions presented in earlier hearings before the Senate Appropriations and House Public Works and Transportation Committees, provides additional analysis on disaster management, and discusses fundamental changes we believe are essential in the Federal response to disasters.

We focused our review on the immediate response to catastrophic disasters, those that require life-sustaining, mass care services within 12 to 24 hours following a disaster. Our work is based on a review of the National disaster response activities at all levels of government, particularly in South Florida, and reflects the insights of natural disaster experts with whom we consulted.

I would ask that my entire statement be placed in the record and then I will proceed with a brief oral summary.

Chairman GLENN. Your entire statement will be included in the record as if delivered.

Mr. PEACH. Our three key findings, in brief, are first, there must be Presidential involvement and leadership before and after catastrophic disasters strike to improve both Federal preparedness and response. We believe this step is fundamental to the long-term success of any effort to improve the Federal response to disasters.

Second, FEMA should establish a disaster unit dedicated to improving Federal decision making on providing help to State and local governments, both during actual disaster response and during day-to-day preparations for such disasters.

Third, for catastrophic disasters, FEMA should strengthen the Federal role in providing mass care by increasing its reliance on DOD when there is a gap between what State, local, and volunteer networks can provide and what disaster victims need.

Although my testimony today highlights improvements we believe are necessary in the Federal response to disasters, State and local governments are integral parts of an effective natural disaster response system. The success or failure of any changes in the Federal role in that system will always be heavily affected by the efforts of State and local responders.

Because we believe State and local governments should remain, to the extent possible, the first responders to all disasters, FEMA needs to enhance its level of preparedness and response capabilities so that they are as effective as possible. FEMA also needs to ensure that State and local governments contribute their fair share to disaster response, commensurate with their level of preparedness so that the use of Federal resources is minimized.

Let me be more specific about our findings on the Federal response to catastrophic disasters. Basically, Hurricane Andrew in South Florida showed that FEMA's response strategy, implemented through its Federal Response Plan, does not adequately deal with catastrophic disasters. The plan lacks provisions for the Federal Government to comprehensively assess damage and the corresponding needs of disaster victims and to provide them with quick, responsive assistance.

We also found that the Federal Government does not have explicit authority to adequately prepare for a disaster when there is a warning. Currently, Federal agencies may fail to prepare before a disaster because of uncertainty about being reimbursed in the event their assistance is not required. Federal agencies need to mobilize resources and deploy personnel in anticipation of a catastrophe, and we believe that Congress should provide them with explicit legal authority to do so.

Finally, State and local governments, for the most part, do not have adequate training and funding to enable them to respond to catastrophic disasters on their own.

In the case of Hurricane Andrew, the combination of these factors resulted in such shortcomings as inadequate damage assessments, inaccurate estimates of needed services, and miscommunication and confusion at all levels of government, all of which slowed the delivery of services vital to disaster victims.

For example, during the first 3 critical days after the storm, State, local, and voluntary agencies could provide enough daily meals to feed about 30,000 to 50,000 disaster victims, even though an estimated 160,000 to 250,000 were homeless. As a result, some victims told us that they survived by looting grocery stores, drinking potentially contaminated water, and living in makeshift dwellings to defend the remnants of their property from looters.

The responses to Hurricanes Andrew and Iniki also demonstrated the effectiveness of the military in providing a variety of supplies and services and in establishing the infrastructure necessary to restore order and meet the immediate needs of the victims. However, the Federal Response Plan has no explicit provisions for turning to the U.S. military to quickly provide this kind of assistance to victims of catastrophic disasters.

FEMA currently relies on the American Red Cross and other volunteer organizations to meet mass care needs with support from the Department of Defense and other Federal agencies. For all but the most severe catastrophic disasters, the Red Cross and its large network of volunteers may be well suited to meet this responsibility.

However, for disasters as devastating as Hurricane Andrew in South Florida, the needs of disaster victims are so overwhelming that there is a gap between victims' needs and the level of resources the Red Cross and other voluntary organizations can provide.

Although the Red Cross responded immediately to the needs of Hurricane Andrew's victims, sheltering those who evacuated South Florida and providing some mass care after the storm, sufficient private and voluntary resources were unavailable for a disaster of this magnitude. Only the Department of Defense can quickly escalate the response if, as was the case in South Florida, the destruction and need for mass care is far greater than first anticipated.

Given these findings, let me highlight the fundamental changes we believe are needed to improve the Nation's response to catastrophic disasters.

Because the necessary Federal response is so fundamentally different, bigger and more urgent than to less-severe events, the person or organization directing the Federal response must explicitly and demonstrably have the authority of the President in managing the disaster. The presence of Presidential leadership creates a powerful, meaningful demonstration that the Federal Government recognizes an event as catastrophic, is in control, and is going to use every means necessary to meet the immediate mass care needs of disaster victims.

Further, Presidential leadership during times when the Federal Government is not engaged in responding to a catastrophic disaster

creates an ongoing sense of the importance of emergency management responsibilities that translates into a better commitment to preparedness and response by all Federal agencies involved.

The best way to underscore the commitment of the President is to place responsibility for catastrophic disaster preparedness responsibilities with a key official in the White House. Doing so would institutionalize the direct Presidential involvement that has happened on an ad hoc basis in two recent disasters.

I might emphasize, in two of the recent large disasters, there has been placed an ad hoc official, a cabinet secretary, to be in charge during those particular events, as opposed to having someone that would have a continuing involvement where there is catastrophic disaster and develop the experience and have the leadership in that area.

When a catastrophic disaster is imminent or has happened, managing the Federal response would be a full-time responsibility for the White House official. At other times, disaster planning and preparedness oversight would be a part-time duty. In addition, we did not foresee the need for a disaster response staff in the White House. Rather, the designated official would receive advice from the FEMA Director and assistance and information from the disaster unit that we suggest is needed.

Given the shortcomings we saw primarily in South Florida, we do believe FEMA needs a disaster unit whose sole mission is planning for and responding to catastrophic disasters. This unit's mission would be two-fold. One, just before, when there is a warning, or immediately following a disaster, it would be charged with such duties as estimating the extent of damage and relief needs. And two, when not actually engaged in disaster response, it would have an ongoing responsibility to plan for and predict the effects of a variety of catastrophic disasters.

This unit would consist of a core staff located in FEMA plus additional staff in participating Federal agencies, such as the Department of Defense and the Public Health Service, serving as permanent liaisons to the unit. The disaster unit's core should be comprised of both staff from FEMA's State and Local Programs and Support Directorate who already have disaster response experience and existing resources from FEMA's National Preparedness Directorate.

National Preparedness' current mission entails rapid deployment in response to a nuclear threat. As such, it places a premium on people with such skills as strategic and tactical planning, logistics, command and control, and communication. Its resources include communication, transportation, life support, and sophisticated computer modeling equipment.

Reorganizing FEMA is crucial to the disaster unit's success. To successfully develop the capabilities we envision for FEMA's disaster unit, it must permanently combine staff and resources. However, the two FEMA directorates I just mentioned whose resources would form the core of the disaster unit historically have pursued their missions in isolation from one another. This isolation is longstanding and has persisted since FEMA's inception. As a result, we believe FEMA should receive direction from its oversight commit-

tees in the Congress to reorganize its staff and resources to meet the responsibilities we discussed for the disaster unit.

Improving the Nation's disaster response capability is essential, as we may face disasters or emergencies that could affect even more people than Hurricane Andrew. We could experience stronger hurricanes and earthquakes or radiological or hazardous materials releases.

Accordingly, the recommendations we present today are aimed at assuring the Federal Government has both capacity and leadership to effectively respond to future catastrophic disasters.

And as you noted in your opening statement, Mr. Chairman, our first recommendation we make today is to the President, and it is unusual for GAO to make such a recommendation. Often they are addressed to the heads of agencies. But we believe it is important enough in this case to recommend that the President designate a senior official in the White House to oversee Federal preparedness for and responses to catastrophic disasters.

This official should not only monitor the initial Federal response to catastrophic disasters but also have ongoing responsibility for oversight of FEMA and other Federal agencies' efforts to plan, prepare for, and respond to such disasters.

Ultimately, the choice of which official should have this responsibility is the prerogative of the President. However, we believe the primary criteria that must be used in designating this official are two-fold. One, the official must have sufficient public recognition so that he or she is perceived as having the authority and the attention of the President in managing the disaster. And two, the official must have access to and confidence of the President.

And I might underline, Mr. Chairman, that this recommendation is directed towards the involvement with catastrophic disasters, and if you look at the history of FEMA, there are numerous disasters being declared each year, and perhaps a very small percentage—and we have looked at disasters over the last few years—you may find a small percentage, of something in the range of less than one in 20 or 25 of the disasters would even be a candidate for the catastrophic disaster designation, whether or not it would ultimately be declared to be such a disaster. But you have a small number that are a candidate for this type of attention. But where they happen, as we found out in Andrew, we have very serious consequences to deal with.

In terms of recommendations to FEMA, we recommend that they work to develop a catastrophic disaster response capability that would be headquartered in FEMA. It would be comprised of a core of FEMA staff and would be augmented by resources and staff from other key Federal agencies. The unit would, using analyses of State and local governments' capability and preparedness to respond to catastrophic disasters, predict, plan for, and assess the damage resulting from such disasters.

It would also translate its damage assessments into assessments of immediate response needs, including the extent to which FEMA and other Federal participants are needed to meet those needs. On the basis of its assessments and needs determinations, the unit would make concrete recommendations to the governor of the affected State regarding the amount, type, and cost of Federal assist-

ance that should be provided, and then the disaster unit would direct any needed Federal effort.

Again, Mr. Chairman, looking at the experience in Andrew and just relating this recommendation to that, you often have a kind of a dance that goes on around what is needed to deal with this disaster—you have FEMA waiting for the State to tell them what they need and you have the State not knowing what they are dealing with and understanding what may be available to them readily. So you have all this uncertainty going on, and this translated, in part, to that delay, this lack of understanding of what they are dealing with for 4 days in the case of Andrew.

I need to also emphasize that at the hearings earlier this year before Senator Mikulski, we made a number of recommendations to improve the way FEMA decides whether State and local governments need help, to use existing authorities to provide that help, and to enhance State and local preparedness to minimize the amount of Federal assistance needed. We also suggested areas where Congress should consider providing additional legislative authority to agencies.

Specifically, we recommended that FEMA develop a catastrophic disaster response capability by conducting its independent and comprehensive damage needs assessments, using existing authority to aggressively respond to catastrophic disasters, including actively advising State and local officials of identified needs and Federal resources available to them, actively determining when DOD resources will be needed to supplement those of the Red Cross in meeting mass care needs, and enhancing the capability of State and local governments to respond to catastrophic disasters by continuing to give them increased flexibility to match grant funding with individual response needs, upgrading training and exercises specifically geared toward catastrophic disaster response, and assessing each State's preparedness for catastrophic disaster response.

Additionally, we suggested that the Congress consider giving FEMA and other Federal agencies explicit authority to take actions to prepare for catastrophic disasters where there is warning, and giving DOD the authority to activate reserve units for catastrophic disaster relief.

And those recommendations continue to be on the record, together with the additional recommendations that we are making today on establishing the disaster response unit and establishing clear Presidential authority and involvement when dealing with catastrophic disasters.

Mr. Chairman, that concludes my testimony. I and my colleagues would be pleased to respond to questions from you.

Chairman GLENN. Thank you. Before we get to that, Senator Roth, do you have any opening comments?

Then I believe Congressman Weldon is with us here. We will get his comments next before we proceed with questions.

OPENING STATEMENT OF SENATOR ROTH

Senator ROTH. Thank you, Mr. Chairman. I apologize for being late. Unfortunately, my train had problems and was canceled.

I do want to compliment you for having these hearings, as FEMA does have a vital role to play in coordinating Federal agencies in the event of a disaster. But unfortunately, the agency has been plagued with a variety of internal management organizational problems.

In the past few months, both the FEMA IG and NAPA have released reports critical of FEMA, and of course we have the new GAO report providing their assessment of FEMA with regard to Hurricane Andrew. Today the Committee will review the issues raised in these reports.

Now over the years, there has been a great deal of criticism of FEMA's ability to respond quickly, efficiently to disasters. Of course, FEMA is in the unfortunate situation of being observed under a microscope as a response to catastrophic events, events which are generally unpredictable in their timing, unique in their force and destruction, but consistently painful in terms of the human suffering and the loss of property which they impose.

There is no doubt that planning and responding for the unknown is a difficult task. I personally believe that we can find better ways to organize and coordinate our Federal resources to meet these needs as they arise.

One point of caution I want to raise today is the fact that within the area of emergency management we have protected our Federalist system of government, and we need to maintain respect for the system and not move in the direction of imposing costly Federal mandates or promoting unwelcome or unwarranted Federal intrusion.

Throughout the country, at the State and local level there is a great deal, a great diversity of resources, capabilities which are committed to this work. They include State-level emergency preparedness offices, emergency medical specialties, city rescue organizations, and as in my State of Delaware, thousands of volunteer firemen organized to respond at any hour to an emergency call, along with countless other charitable organizations such as the American Red Cross and the Salvation Army.

Much of the debate surrounding the future of emergency preparedness is the need for all-hazard planning. Every part of the country has a need for quick emergency response, whether it is a major natural disaster, such as hurricanes, floods, earthquakes, or other emergencies such as a plane crash, chemical fire, or other man-made tragedies.

State and local emergency capabilities have provided and must continue to provide, at least in my judgment, the first response to the vast majority of disasters. FEMA cannot play this role, and for its part, FEMA must be an agency which enhances and supports other actors in the system.

FEMA needs to be organized so that they are capable of integrating, identifying, or bringing together all available resources in order to provide quick, flexible response when people are in need.

Mr. Chairman, in the interest of time, I would ask that my full statement be included in the record.

Chairman GLENN. It will be included in the record.

PREPARED STATEMENT OF SENATOR ROTH

Thank you, Mr. Chairman.

The Committee undertakes one of its most important functions this morning as it considers how governmental organization can be improved to enhance its ability to meet the needs of the American people. I strongly believe we need this type of review for the entire executive branch, and while we undertake an indepth review of an agency directly under this Committee's jurisdiction, I also look forward to working with the Chairman and others in pursuing the bi-partisan commission to handle the broad organizational review.

FEMA has a vital role to play in coordinating Federal agencies in the event of a disaster, but unfortunately the agency has been plagued with a variety of internal management and organization problems. In the past few months, both the FEMA IG and NAPA have released reports critical of FEMA; and we also have a new GAO report providing their assessment of FEMA with regard to Hurricane Andrew. Today the Committee will review the issues raised in those reports as we evaluate whether FEMA's mission should be redirected or redefined.

Over the years, there has been a great deal of criticism of FEMA's ability to respond quickly and efficiently to disasters. Of course, FEMA is in the unfortunate situation of being observed under a microscope as it responds to catastrophic events, events which are generally unpredictable in their timing, unique in their force and destruction, but consistently painful in terms of the human suffering and the loss of property which they impose. There is no doubt that planning and responding for the unknown is a difficult task. I personally believe, however, that we can find better ways to organize and coordinate our Federal resources to meet these needs as they arise. I hope this hearing and any subsequent work of the Committee will move us closer to that goal.

One point of caution I want to raise today is the fact that within the area of emergency management we have protected our federalist system of government. We need to maintain respect for this system and not move in the direction of imposing costly Federal mandates or promoting unwelcome or unwarranted Federal intrusion.

Throughout the country—at the State and local level—there is a great diversity of resources and capabilities which are committed to this work. They include State level emergency preparedness offices, emergency medical specialties, city rescue organizations—and as in my State of Delaware, thousands of volunteer firemen, organized to respond at any hour to an emergency call—along with countless others from charitable organizations such as the American Red Cross and the Salvation Army.

Much of the debate surrounding the future of emergency preparedness is the need for ALL HAZARD planning. Every part of the country has a need for quick emergency response—whether it is to major natural disasters, such as hurricanes, floods, earthquakes or volcanic eruptions—or other emergencies such as a plane crash, a chemical fire, or any number of other man-made tragedies waiting to happen.

State and local emergency capabilities have provided and must continue to provide the first response to the vast majority of disasters. FEMA cannot play this role. For its part, FEMA must be an agency which enhances and supports other actors in the system. FEMA needs to be organized so that they are capable of integrating and identifying for bringing together all available resources in order to provide quick and flexible response when people are in need.

As we hear testimony this morning I will be listening for ideas which suggest how the Federal Government can better accomplish this.

Training and professional development are specific areas in which FEMA can enhance resources at all levels of government. The agency has demonstrated its ability to provide information and instruction through the U.S. Fire Administration and the Fire Academy. I suspect that FEMA can build on this experience with equal success in the broader area of emergency management. By combining training, education and shared missions for emergency responders, it may help to knit together a professional community of volunteers and careerists from across the country.

There are a number of other important issues, but I won't raise everything at this time. I'll simply add that I support the Chairman's initiative to bring about a stronger FEMA and a stronger emergency capability at all levels of government.

Chairman GLENN. Congressman Weldon, we are glad to have you with us this morning. Do you want to proceed with your testimony?

**TESTIMONY OF THE HON. CURT WELDON,¹ REPRESENTATIVE
IN CONGRESS FROM THE STATE OF PENNSYLVANIA**

Mr. WELDON. Good morning, Mr. Chairman and Senator Roth. It is a pleasure to be here and I thank you for inviting me back for this rescheduled hearing.

It is an honor to be here before you, Senator Glenn. There is no other public official I know that has a fireboat named after him, and I am well aware that the D.C. fireboat is the Honorable Senator John Glenn—

Chairman GLENN. That is right.

Mr. WELDON [continuing]. And that may be a token of your leadership, but we also know that you are the leader in this Congress on the issue of arson in this country. I can tell you that the emergency response community in this country greatly appreciates your leadership.

Senator Roth, there is perhaps no better champion of the 1.5 million men and women who serve as our first-line emergency responders in America than you. Your State is an example of probably the best-run and best-prepared State for a disaster in the country, and that is directly because of those people that you support.

We appreciate your leadership, and especially as related to problems in the past with the U.S. Fire Administration and the Fire Academy. I can tell you the Fire Service of America appreciates that as well.

I apologize for being late today. It is primary day in Pennsylvania, and I would ask unanimous consent to have my statement inserted and I will just speak extemporaneously for a few moments.

Chairman GLENN. Without objection, your entire statement will be included in the record.

Mr. WELDON. Senator, as you perhaps know, my background is in local government, where I served as mayor for 5 years of a community with very serious hazards, a major port facility, and the largest fire in America in 1975. Before that, I was the fire chief of the community and the emergency response director of that community. I went on to county government where I served for 5 years on the county commission and eventually as the chairman of the county government which served 600,000 people, and again had responsibility for emergency management before coming to Congress.

My professional career has also been involved in emergency response. I have a degree in fire protection, besides my other degrees, and I worked for the INA Cigna Corporation developing risk management programs for public entities around the country professionally. So my comments will be reflective of both of those backgrounds and experiences.

Since coming to Congress, I have addressed and tried to concern myself with the issues involved with emergency preparedness and response in this country. Five years ago, I formed what is now the largest caucus in the Congress, the National Fire and Emergency Services Caucus, which has some 427 members of the House and Senate, and both of you are very honored members. Senator Roth is one of our co-chairs.

¹ The prepared statement of Mr. Weldon appears on page 88.

As a matter of fact, the day before your last hearing was to be held, Vice President Al Gore was the keynote speaker before 2,000 of our leaders nationwide here in Washington, and for the last 5 years we have worked the issues that you are dealing with today, and that is the need to realign FEMA and to deal with the issue of emergency preparedness and response in this country.

As a member of the House Armed Services Committee, I am very much aware of the calls that are being made to involve the military more directly in emergency preparedness and response. While I am a strong supporter of the military, I think we have to understand their limitations and who really provides the first line of response in America.

By the way, personally I have visited the sites of every major disaster in this country for the last 7 years, such as the Loma Prieta earthquake, and the Valdez incident. I spent Labor Day weekend in Tent City in Homestead after Hurricane Andrew. I was up at the World Trade Center 2 days after the explosion occurred, and visited the wildlands fires in Yellowstone and California. So I have had the chance to interact with the first-line responders repeatedly over the past 5 and 6 years.

I would tell you that there are obviously problems with FEMA. I think the largest problem that everyone has acknowledged is that FEMA, in fact, has had the wrong mindset. It has, in fact, developed a fallout shelter mentality, concerned only with response to a nuclear attack. While that perhaps has been one major role, it certainly should not be its primary role today in terms of disasters in this country.

In addition, and I say this as a Republican, FEMA has been a dumping ground for retreat military career officers who really have no understanding of what emergency response preparedness is all about in this country. Since coming to Congress I have been involved in attempting to get people appointed to the FEMA leadership who are aware of that agency's responsibilities in terms of disaster preparedness and response in America.

I think that the most recent Director of FEMA, Wally Stickney, was the right type of person. Unfortunately, he was dealing with an entrenched bureaucracy that was very difficult to change, although improvements were made. I would point to the urban search and rescue effort, which was set up and working with our cities all across America, under the leadership of Wally Stickney that did a great job in allowing us to support cities to prepare for urban disasters, building collapses, underground subway accidents, and so forth. But FEMA definitely needs to be reoriented.

I am pleased with the current leader. I have met with him on several occasions. I think that James Lee Witt will do a good job as FEMA Director, primarily because he is willing to listen, and I say listen because the one group of people who have consistently not been heard from on this issue are those people who are the first people we ask to go in and respond to disasters.

I was taken aback by one of the statements that is being presented here today, I think it was the NAPA study, which states emergency management has almost no natural constituency base until an emergency or disaster occurs.

Mr. Chairman, there are 1.5 million men and women in this country who every day of their lives respond to disasters. If that is not a natural consistency base, I don't know what is. Two thousand of their leaders were in this city 2 weeks ago asking the Congress to listen and work with them on preparedness and response issues, and they have been out there for years. Long before it was the in thing to do, they were there dealing with these concerns all across the country. And 85 percent of them, as Senator Roth has pointed out, are volunteers, 30,000 organized departments across the country.

Unfortunately, we in the Congress don't always listen to these people. We listen to the academics and the theoreticians and they have a place and a role, but what I am saying is let us listen to the people who are going to be asked to put their lives on the line when the DC-10 crashes in Sioux City, when the Albianca crashes in Long Island, when the wildlands fires occur in Yellowstone, or when Hurricane Andrew, Hurricane Hugo, Loma Prieta Earthquake occur, or all the other disasters that they have to respond to. And in every incident, they are the first responders.

But one of our major problems is that FEMA has not listened to this group of people. As a matter of fact, in the past several years, FEMA tried to wipe out the National Fire Academy, remove it totally and separate it from the Emergency Management Institute, and it was only through the efforts of this Committee and its counterpart in the House, that we were able to reunite the National Fire Academy with the U.S. Fire Administration. Now Senator Mikulski is going to introduce legislation this coming Thursday that will, in fact, give it the kind of recognition that Congress originally intended for it back in 1974 when the National Fire Prevention and Control Administration first established the Fire Academy.

Let me say this to you. While FEMA has problems, and I am the first to acknowledge that, they are solvable problems. But let me also say as a former local official that FEMA can't be blamed for some of the problems that we have seen in recent years.

For instance, if we examine what happened down in Florida with Hurricane Andrew, we can't blame FEMA for lax building codes that were not properly enforced or not properly put into place in areas where roofs were blown off, even though they were not in the direct path of Andrew but in areas where strict building code enforcement could have minimized the damage.

And we can't fault FEMA for Dade County, which I have the highest respect for, failing to have an ongoing recognized and followed-through planning process to deal with that kind of disaster. As a matter of fact, if you read the public statements, and I will be happy to provide them for the record, they acknowledge that their plan was on the shelf and had not, in fact, been even considered prior to that major incident of Hurricane Andrew.

Compare that to San Francisco. The Loma Prieta earthquake, where we had an earthquake of about the same magnitude on the Richter scale as the earthquake in Armenia. Over 25,000 people were killed in the Armenian earthquake compared to less than 100 in the Loma Prieta earthquake, even though it was in the heart of a metropolitan area. That didn't happen by accident. It is because

the building codes in San Francisco and Oakland are the toughest in the country and they are designed to deal with earthquakes.

So the local planning process and preparedness process and enforcement process by local government is very much focused on the kinds of incidents that they expect will occur.

In addition, 6 months before Loma Prieta, California had a major response exercise, coordinated with FEMA, by the way, in the southern part of that State that allowed them to be well prepared to handle that incident, and they did a fantastic job. So I would say to you that the success in San Francisco is not necessarily because of what FEMA did or did not do but primarily because of what the local and State governments did.

We have to make sure that FEMA has the ability to use that carrot-and-stick approach to get local governments to play their proper role, and both of you, I think, have acknowledged that here today. The planning and the response must first of all be local considerations.

Now let me say that there are also some problems with FEMA created by the Congress. How can we expect a Federal agency to know what its mission is when it has 20 separate committees overseeing it? It has 20 separate bosses, all of whom call it in to say, well, we think your mission is this, we think your mission is that. I am on the Armed Services Committee and we have a certain jurisdiction over FEMA.

So we in the Congress have, to some extent, I think, been part of the problem in terms of FEMA not having a clear mandate and a clear direction.

Therefore, I will mention a couple of ideas that I have been working on for the past couple of years, some of which are included in Senator Mikulski's bill. I have suggested that because Congress has so many jurisdictional problems with FEMA that perhaps we ask President Clinton to convene a Presidential task force on emergency preparedness and response that would last for 1 year and then be sunsetted, that would bring in the National leaders, not just the academic institutions and the think tanks, but the leaders of the first responder community, the International Association of Fire Fighters, the National Volunteer Fire Council, the American Ambulance Association, the National Association of Urban Search and Rescue, and all of those other groups that need to be heard from in this instance, and let them provide their testimony about what they feel should be done regarding national preparedness and response for disasters in America.

Congressman Rob Andrews, my Democratic colleague from New Jersey, and I wrote to President Clinton with that idea back in January, and Governor Mario Cuomo has endorsed that idea as a follow-up to the World Trade Center bombing, where some glaring deficiencies also were identified.

The second thing, and this is a piece of legislation that I have had under consideration in the House for two terms, is to establish a national disaster or emergency preparedness response inventory. What struck me most when I was out in San Francisco and Oakland for Loma Prieta was that as the fire fighters and the rescue personnel were searching for bodies along that collapsed interstate they were using dogs. And I asked the chief officer from Oakland

if he had asked the Navy for use of their thermal imagers, new devices that we have placed on all of our combat ships. They weren't even aware the Federal Government had them in the Navy.

Part of our problem is we have tremendous resources in the military, we have tremendous assets in terms of heavy equipment, construction, engineers, thermal imagers, you name it, but we don't have a computerized inventory that every local emergency response leader in America can have access to instantaneously.

Now FEMA has been moving in this direction for the last 3 years and they understand the need, but that is still, I think, a major priority. We have the resources in the country. The question is having local officials know where to get those resources in the quickest possible way to bring them to bear on the disaster. Senator Mikulski's bill has that as a major component of her effort to reorganize FEMA.

So what I would say to you, Mr. Chairman and Senator Roth, is that I think we can realign FEMA. I think we have to go carefully in terms of an enhanced role for the military. The military can do the job when we need to secure an area, when we need to have food supplies, as they did very well down in Homestead and Dade County, but the military can't be the first responder to every disaster in America. That is not going to be the case and we can't make it that way.

We need to listen to the first responders, the men and women who we ask to risk their lives every day of the year, who are out there doing the job. I would ask as you in this Committee consider ways to reorganize FEMA that you consider the recommendations of the 60-some-odd national associations who form a monumental constituency that is concerned with emergency planning and response in America.

I apologize for going over, perhaps, my allotted time, but as you can see, I feel very strongly about these issues. That is why I am here to give voice to that constituency that perhaps in the past, with the exception of perhaps the two of you and a few others in this Congress, has felt it hasn't had spokespeople here in Washington. Thank you.

Chairman GLENN. Thank you very much, Curt. Your enthusiasm is quite obvious.

Mr. WELDON. Thank you.

Chairman GLENN. That is a good subject, too.

Do you have any questions, Senator Roth?

Senator ROTH. No, I just want to thank you, Curt, for coming over here and sharing your expertise. No one has done more in this area than you. We appreciate your personal knowledge and understanding. I congratulate you once more for the fire caucus.

The one point that I think you have made at least twice in your opening statement that I think is critically important, that it is the State and local that are the first react. What we do is have to better help and assist, and not replace.

Mr. WELDON. Exactly.

Senator ROTH. You are wonderful to come over. Thank you very much.

Chairman GLENN. Thank you much.

We will proceed to questions for Mr. Peach.

Mr. PEACH. Mr. Chairman.

Chairman GLENN. Yes?

Mr. PEACH. I might, just to correct the record here before we start, as Congressman Weldon was testifying my staff brought me up to date. I was out of town last week, and they were telling me as our plans evolve we will have a blue-cover report that will be out in about a month that will be addressed to you and Senator Mikulski that would incorporate the basic thinking.

Chairman GLENN. OK.

Mr. PEACH. I don't expect you will see anything new, but it will be a way of pulling together what was in the testimonies.

Chairman GLENN. That is very good.

Mr. PEACH. That will be there.

Chairman GLENN. I was concerned mainly that we have it available for the press so they could comment on this, and I am glad we had copies this morning here. We will get wider distribution when they get their usual blue-cover one, obviously.

Who should be in charge of rapid response in the Federal Government? Why do you believe there needs to be a direct link to the White House? Can it not be run as it is now?

Mr. PEACH. I think the experience that we have had, particularly where you are dealing—and I am talking here about a catastrophic disaster, something that we would see as outstripping the ability of the State or local government to perform during that critical first 1 or 2 days after the disaster where you have potential for large numbers of people that are homeless, inability to get food, water, complete disruption of communications, that type of thing that occurs with a large hurricane, occurs with an earthquake potentially if it hits a large population center, that you need the leadership that can come out of the White House to assure that all of the resources that the Federal Government can bring to bear are provided very quickly.

You also need that leadership because ultimately the person there would be negotiating or working with the governor, who is also head of a sovereign entity, who has very important responsibilities in deciding on the level of response. And so that is why we chose to believe that you have that need where there is a catastrophic disaster.

I might draw a line and make a point. You see, you can categorize disasters into three levels. At one level, you have a kind of a disaster, something we think of as a disaster of a large plane crash or something else like that where basically your State and local people are responding to deal with the problem, and they are able to deal or respond with it.

Then you have another level of disaster which does outstrip their ability to perform, but it is not catastrophic in nature and the response can be something that is measured or provided within a reasonable period of time. That happens with some of the flooding, some areas like that where you may have severe drought, hurricanes where they don't hit major areas. And FEMA deals with a lot of those disasters and has dealt with them in, in many cases I think people would say, reasonably effective ways. And that is the majority of your disaster declarations.

Then you have these catastrophic disasters, and we have sort of avoided ones that create the real dire circumstances we had in Hurricane Andrew in the past, but when we saw it hit a major population area and you see up to a quarter-of-a-million people homeless, without ability to get food or other kinds of things and communications completely disrupted, you don't know what is going on. And we ultimately saw, after 4 days we finally decided, well, this is so bad that we need to bring more Federal resources to bear here.

But anyway, that is where we see in these catastrophic disasters this need to involve that leadership of the White House.

Chairman GLENN. Where do you think that leadership should be? NEMA, the National Emergency Management Association, has said the Vice President should be given that responsibility. NAPA, the National Academy of Public Administration, thinks there should be creation of a domestic crisis monitoring unit. Do you have any idea where this should be done?

Mr. PEACH. In making our recommendation, we chose not to be so prescriptive about exactly where it should be but to leave that decision up to each particular President as to who he would care to designate. The important thing is designating someone who you would feel would have the public recognition and would clearly be seen as having the access to and speaking for the President on that issue.

So we have generally dealt with setting out that type of criteria and that type of thinking. Others have tended to be more prescriptive about exactly where it should be, but we think the President should have some latitude in deciding exactly how he may organize that within the White House.

Chairman GLENN. Yes.

Mr. PEACH. The important thing is establishing a concept.

Chairman GLENN. Well, the way we have done sometimes in the past is we sort of ad hoc appoint somebody on the spur of the moment to coordinate activities. I don't think that is the answer.

Mr. PEACH. Well, we have seen that in the past, and it may be one person in one case, it may be another person in another case. We don't see that as giving them the continuity, the involvement with what is going on in the planning and thinking for catastrophic disasters so they can apply what they learn from situation to situation as they may evolve.

Chairman GLENN. On that matrix that FEMA has 26 or 27 different agencies of government—that have something to do with either communications, equipment, or assessing the damage, or something or other—who has primary responsibility and who has lateral. Here is a copy of it right here.¹

For somebody who is now in the middle of a crisis, you have something going on and people are out there hurting and all at once we appoint an ad hoc designee and the first time that person may even have seen this matrix of who has some piece of this emergency pie will be in the middle of the crisis itself. I just don't think that is the time to—

¹The information referred to appears on page 147.

Mr. PEACH. Well, there is the kind of question I see of how quickly someone would respond. I mean, basically FEMA has had this role to coordinate all these response activities when these situations occur, but the question is there for these other agencies, just how quickly they will be able to jump to provide the resources when FEMA calls. The first 2 or 3 days are very crucial to what happens in a response. It is not a thing where you are looking for delay when you are dealing with this catastrophic situation.

Chairman GLENN. It has always seemed to me we need to have some assessing, and FEMA has to be in on that. It seems to me, though, that that is primarily at the State level of responsibility, and maybe you disagree with this. You have looked at it in detail.

If I have a little tornado that touches down in Ohio and it knocks down a house or something, the local community is adequate to take care of that, the local fire fighters, the local police, the county, whatever, and we don't need somebody coming in on something like that.

If it gets a little bit bigger, then the State has to move in. Then if you get something like happened in Xenia, Ohio, back some years ago where a massive tornado went right down through the middle of town, it was a major disaster and a lot of people were killed. It seems to me then the State has an option of calling out the National Guard, and can they cope with it then.

But when you get to big-time disasters that are beyond the capability of a State to really take care of, it seems to me that is when we ought to get into FEMA. It should be an escalation of these things where it gets out of the ability of local fire fighters and churches and local branches of Red Cross to take care of something like that.

I guess my concern is we may have trivialized FEMA. Every time the wind blows through—for instance, I think \$30 million for snow removal up and down the East Coast, now maybe there were some places that needed that. Herndon out here put in, and I guess they got \$23,000. There were more branches that blew down for PEPCO a week ago here that I am sure it cost them far more than that.

Every time some windstorm goes through, is that a FEMA problem? I never envisioned FEMA as taking on all of these different things that local governments may find onerous as far as the budget goes, and now they want to turn everything over to FEMA. So I am concerned that we are trivializing what FEMA was designed to do. That is more a statement than a question, but would you comment on that?

Mr. PEACH. Well, I think in terms of the trivializing, I am not sure there is very clear criteria that exists right now other than looking at what is submitted, is developed, and deciding whether something meets the qualifications for a disaster or not. Maybe that has led to a situation where you have an ever-increasing number of things that come in as potential candidates for disasters.

As we did this work, we focused primarily on what happened in the case of this catastrophic disaster that hit South Florida and that led us to the conclusion that, at least at the FEMA level, that they need to have the kind of disaster response and planning unit that would have the capability to do the advance planning and thinking about how you deal with catastrophic disasters.

They can do this within the kind of resources they have by focusing more on an all-hazards approach and beginning to use some of the resources and capabilities that have been devoted solely to this national preparedness type area in a very effective way.

I will tell you one anecdotal thing that is sort of interesting and reflective of what happened in South Florida. As I understand it, in the national preparedness side, using some nuclear modeling capabilities, they did a modeling exercise to take a look at wind velocities and what they may do to the homes in South Florida if the storm hit in that particular area, to see if this is a model that could be adapted from the nuclear attack mode. It predicted within a very close number the amount of homeless people that you may have.

But that type of information wasn't a part of the disaster planning and thinking. It wasn't even information that was fed into the system. It was just an exercise that was done. But if you had that unit developed properly with the mission and role, you could do the advance type of planning for disasters where you have predictions of hurricanes coming into areas and the simulation or other types of things that would also help you in exercising, to plan how you deal with catastrophic situations.

Chairman GLENN. We always seem to do things by 100-day time limits here. We just finished all this super-duper analysis of what the President has done or hasn't done within 100 days, as though that is magic, for some reason or other.

What could be done in the next 100 days in this area of catastrophic disaster response? What would be your one, two, three, four, five wish list, if you had one?

Mr. PEACH. The kind of wish list I have, and one of the things I am uncertain of, and you are more an expert on this than I am, although I observe it frequently, is how quickly legislation might be able to move. You have discussed the fact that Senator Mikulski will be submitting a bill which you will be cosponsoring and working within that area, and that will be coming out shortly.

But certainly one of the things we suggested, a White House official could be designated. That could be done by executive order. It doesn't have to await legislation, although legislation over the long term may be desirable.

We think it is desirable that Congress act to increase the ability of Federal agencies to pre-prepare before a catastrophic disaster occurs. What we have found in looking at Hurricane Andrew is because you may not be reimbursed for expenses you incur in preparing for a disaster, then agencies may not do the effort to preposition, preplan, even where the high potential is there that you could have a catastrophic situation develop.

A third area would be in FEMA, reorganizing its existing personnel to create this kind of rapid response unit. Again, legislation could call for that to be done, but that is an action FEMA can take itself. We believe they are planning, thinking, and moving in that direction, but that is something they could better address, as I understand they will be testifying today.

FEMA could also work to better determine when DOD resources may be needed, in lieu of having Red Cross and other volunteer agencies provide the response. That is an action they can take now.

And there are also a number of actions that FEMA can begin to take to begin to develop better State programs for emergency management through providing more flexibility in how they can use funds to meet the kind of hazards they would expect to have in their States most likely occur, to do better training and better exercising.

So there are a number of things right now that FEMA should be doing to improve the situation and put them in a better position to deal with disasters, although I think in some of these areas over the longer term, legislative guidance would be appropriate in terms of what you want that agency to do.

Chairman GLENN. In your analysis of FEMA, did you get into the separation of their responsibilities under the Continuity of Government, and on the other hand, how they deal with natural disasters, things like that? In other words, did you get into the nuclear defense area as opposed to civilian defense from natural causes?

Mr. PEACH. We did look at that area, and, of course, as I alluded to in my testimony, those areas have been run for years as very separate areas with little use of the resources that are over in that civil defense area to meet the other disasters. It is almost like two separate worlds.

Chairman GLENN. Well, is this—

Mr. PEACH. There are many resources that could be used effectively to deal with the all-hazards philosophy here.

Chairman GLENN. The budgeting in that area of Continuity of Government was kept very highly classified for a long period of time. Are you permitted into the budgeting figures on that now, or is that still kept separate?

Mr. PEACH. A great deal of that has been declassified at this point in this year's budgeting, but we were permitted to look and deal with that information, but much of it in the earlier years was under a very heavily classified nature.

Chairman GLENN. Yes. Have you ever done an audit of that Continuity of Government function?

Mr. PEACH. I might ask whether there has been any work that has been done specifically.

Mr. HINTON. Not recently, no sir.

Chairman GLENN. Has there ever been one run?

Mr. HINTON. I think about 3 or 4 years ago, we had done some preliminary work in it.

Ms. ENGLAND-JOSEPH. The people who had responsibility for that work, sir, stand ready to brief you separately, because much of that work is highly classified.

Chairman GLENN. Well, it has been very highly classified, I know, and I have had some briefings on that in the past and we may want to do that again here to look at some of those particular areas.

Can you give us any idea, though, of breakdown, just in approximate ballpark figures, as to what percent of the budget goes to the Continuity of Government and to the nuclear function of FEMA as opposed to this disaster response we are talking about?

Mr. PEACH. In past years, roughly, it has been in the ballpark of 25 percent of the budget. Now as they have looked at the budget this year, it is my understanding that FEMA is relooking at this

kind of question with the changing world situation, about how much money should be going in that area.

Chairman GLENN. I had thought from newspaper reports, these are strictly newspaper reports, that it was just the opposite, that about one-fourth went to normal disaster response and about two-thirds or three-quarters went to the nuclear side. Is that incorrect?

Mr. CZERWINSKI. There has been change, Mr. Chairman. Over the past several years, there has been a decrease in the amount of funds going into the national preparedness area. If you look at FEMA's operating budget, it is typically about \$400 million a year. National preparedness is around \$100 million, which has been, as you know, highly classified. In this current year's budget, though, only \$7 million is classified. The other \$93 million has been made available to an all-hazards approach.

Chairman GLENN. We may want to go into that separately rather than pushing it on today.

Ms. ENGLAND-JOSEPH. Sir, if I might go back to your 100-day question, one additional point I would make is Hurricane Andrew was the first time the Federal Response Plan was used. That was a plan that really resulted out of our lessons learned from Hurricane Hugo. The Federal Response Plan is supposed to be the Federal road map in helping to determine how Federal agencies and volunteer agencies work with State and local government.

I think in this first 100 days, the other very key point that needs to be emphasized is that we have not really tested that plan other than in Hurricane Andrew and we really need to work, FEMA does, in taking the leadership of actually practicing and coordinating that effort before we have to use that plan again. At this point, we have really never practiced that plan, other than with Andrew.

Chairman GLENN. Well, it seems to me it is always easy in hindsight to say, well, Andrew was big and we should have jumped in there sooner, but when something like that is developing, you don't know what is going to happen. There may have been very little damage from a storm like that.

It seems to me much of this is up to local people, local authorities, and the governor within each State to assess what the damage is and call for FEMA if necessary, if it is beyond the governor's capability and the local Red Cross and people like that. I think we have drifted into a situation where we call for FEMA first and worry about the local assets second.

Mr. PEACH. I think there is one point we need to—at least, I would emphasize the difference between this catastrophic situation and the planning and thinking for that, because what happens is the governor doesn't often know what he is dealing with.

Now there can be more done with training the people at the State and local level in assessing disasters. There has not been much done in that.

Chairman GLENN. If the governor doesn't know what is happening in his State, though, who does? I don't know how you say—who should have responsibility, then? FEMA shouldn't be required to come in and tell the governor what is going on in his State, should they?

Mr. PEACH. If you are dealing with a catastrophic situation, we think the Federal Government probably has some capabilities that

the individual State governments may not have to tell how bad the damage is, what help is available, and how quickly that help can be provided.

But if you look at what happened in the case of Hurricane Andrew's situation, as we studied it, we had about 4 days before there was a call to bring in the military, and during that 4-day period, FEMA was basically waiting for the State government to tell them what, if anything, they thought they might need, although the suspicion began to grow that they were dealing with a much more catastrophic situation.

What happened is they had a complete knocking out of all the communications with a storm of that scope coming in and it took about 2 or 3 days for it to sink in that they had a quarter-of-a-million people, potentially, that were outside of homes, not able to get food, not able to get drinking water or other kinds of supplies which could have been provided.

Ms. ENGLAND-JOSEPH. We were on the ground about a week after the storm hit, walking through some of the devastation with the military, and these are individuals that have over 20, maybe 30 years of experience in the military. They said the disaster sites that they visited south of Miami was as close to a nuclear detonation that they had ever seen in their career.

So we really need to understand the extent and damage that we saw down there. It wasn't just that communication lines were completely destroyed. People had no wherewithal to determine how they could even get from point A to point B. So it really was a bad, bad situation.

Nothing you said is incorrect in terms of the responsibility of the State governor and certainly local officials and being in a position to try to determine and assess damage, but what I think we found was the State and local officials were not prepared for that type of devastation.

I mean, in many cases they were waiting for a return call to hear whether everything was OK, and when they didn't get a call, they thought everything was fine. Well, they didn't realize nobody even had a phone to even call them to say, we are in desperate need. Half of Miami was also blacked out. I mean, we couldn't even get in and out of airports during several days, several hours after the storm, and some people in North Miami were calling the governor's office and saying, we made it, we survived.

I think much of the kind of information that States get in those times of disaster circumstances, if they are not prepared for the worst case, they won't anticipate the kinds of needs that they have.

Chairman GLENN. I know, but you are talking about ground communications, basically, now. All it needs is one helicopter to circle around that area and it is quite obvious what happened.

What was wrong with that? Why did it take 4 or 5 days to get that kind of an analysis?

Ms. ENGLAND-JOSEPH. Well, that analysis probably occurred within the first 48 hours, and in some cases they may claim that it occurred earlier than that, but part of the difficulty was the expertise that you needed to go in that helicopter around that devastated area to really determine need wasn't on the helicopter.

Chairman GLENN. Well, there is no particular expertise needed to fly a helicopter after the storm is done.

Ms. ENGLAND-JOSEPH. Well, in terms of knowing how much of what you need, in terms of heavy debris removal equipment, the type of heavy-lift helicopter you need, to be able to assess how many people might be homeless, because some folks felt that many of those individuals that reside down there had been evacuated so there would be no need to go back into that area and provide any life-sustaining support. And even though a number of people, hundreds of thousands of people, were evacuated, what we didn't anticipate would be that they would all go back home within hours after the storm.

Chairman GLENN. Well, what—

Mr. CZERWINSKI. Mr. Chairman, there is a technology for estimating damage that combines on the ground inspections with what you get from the air. It is very, very difficult in a situation like Hurricane Andrew to get people on the ground because of the tremendous amount of debris, closed-up airports, et cetera.

What we are talking about is mobilizing a team that would compare information from over-flights, satellite technology, and also possesses the ability to inject people into a disaster area to come up with a combined assessment rapidly. Our feeling is that the Federal Government with agencies such as DOD, NASA, etc., already has the capability to do that. To expect each State or local government to replicate that ability probably isn't efficient.

Chairman GLENN. No, but I think, and this is not the place where we should debate all this, I realize that, but I think you have one organization that is set to go into any situation like that. What is the problem in a situation like that? You don't have food, you don't have shelter, you don't have control of things, you don't have communications. As you said, you don't have all these things.

There is one organization, and that is the military, that is accustomed to operating under what basically are combat conditions. There is devastation there that is akin to combat, and that is why they are activating a National Guard and they can be in there in a matter of 24 hours or even less than that in many cases. You have meals-ready-to-eat, you have field kitchens, you have tents they can throw up, you have all these things.

It just seems to me that it is ideal that they respond to something like that and not wait for days and days and days for some FEMA assessment or something. I think every head of State government, as I understand it, at least, can activate the Guard for a purpose like that. If not, we certainly can give them that kind of authority so that once they make an assessment that this is a bad situation, they put people in there who are accustomed to operating in devastation. That is what they are trained to do. To me, that would be the first thing to happen.

Mr. HINTON. Senator Glenn, the National Guard has predominately combat capability. The type of support you need for disaster assistance—your medics, your cooks, your engineers—rests largely in your combat support and combat service support units of your Army Reserves.

One of the points that we were making is that some legislative clarification is needed on the authorization to be able to call up these reserve units.

Chairman GLENN. I disagree. You don't need to go to Reserves on something like that. I am reminded of Fritz Hollings telling me when Hugo went across South Carolina and they were fussing around, and there was a lot of criticism of FEMA and who was doing what and who was declaring what and who is trying to assess this and that. He finally got so disgusted he got on the phone and called, I believe it was the Marines up at Camp LeJeune, and said, we have a bad situation, how soon can you be there? They were there within hours. They threw the stuff on the trucks and they were down there within a very short period of time.

So it is not all limited to Guard and Reserve. If you have a disaster like that going on, and you remember those pictures where they had boats piled up and all that kind of stuff? That was about a mile from Fritz's home down there. They were just like little toys that you poured out of a box over there, it was that kind of devastation. You have military available. They have stuff on any military base in the country that they can throw on the trucks and go, whether it is National Guard or not.

So with the Guard, if you had to activate people or things like that, that might be a factor, but I think in a disaster situation like this the military stands ready to respond, whether active, Reserve, Guard, or what they are, and I think——

Mr. PEACH. The military very much, I think, want to do what they are asked to do. They don't want to be the people to be in charge of it because they see that separation of the military dealing with a domestic situation, so they want to be tasked with what to do.

I think one of the reasons in looking for the Guard, or at least the ability to call up the Reserves, from the military argument, was that it would give them some more flexibility. They didn't argue they couldn't respond with the existing troops they had, but if they were involved in other situations around the world that required some of their troops to be deployed, it gave them flexibility in using heavy units that had the kind of capability that Mr. Hinton was referring to.

Chairman GLENN. Yes. I don't want to oversimplify things, but it just seems to me it would be pretty simple if you just called the Pentagon and said, you have Reserves, you have the Guard, you have active duty people, who can be there the fastest and with what type equipment——

Mr. PEACH. But the question is——

Chairman GLENN [continuing]. And food and tents and everything else.

Mr. PEACH. Let me plant one other seed in your mind. The question is, what do you need and how much? I will give you one impression I have from looking at the Hurricane Andrew situation.

We had about 4 days that transpired before they called for the military to come in. The military responded massively to that call because there was a lot of uncertainty about what was going on. A tremendous amount of equipment was brought in and deployed within a very short period of time.

I think there is a question as to whether we threw more at it at that time than was needed because of the way the situation had deteriorated. If we had a better assessment of what was needed, how, and when, we might have been able to even come up with a more measured response that would have still met the needs.

The cost is not going to be inexpensive when the final bill is in for dealing with Hurricane Andrew and the call up of the military. It is already running at an excess of \$500 million in terms of costs that we know now. So having the ability to better assess what you are dealing with and what you need, and again, in catastrophic cases, not for every disaster, could be a big help.

As it turned out in Louisiana, they did not have to have a response that went beyond the Guard and the ability of the Red Cross and other agencies, but had that roared right up the bayou and into New Orleans instead of where it did hit, again, I am not sure about what kind of situation you would be dealing with. As it was, it happened to hit a less-populated area.

Chairman GLENN. I know we are going on at great length here, but who should do the assessing? Should it be FEMA? Should it be the governor? Who should say when we have forces ready to come in that can help you here and here is the measured response, as you put it, rather than just throwing a lot of people in there?

Incidentally, if I was in a situation like that, I wouldn't mind having a few extra people in there, an over-response.

Mr. PEACH. You want to err on the side of being responsive.

Chairman GLENN. That is right.

Mr. PEACH. That is correct. Again, we are suggesting and recommending that you need this disaster response unit for catastrophic disasters in FEMA, and it could be done by combining some of the capabilities that have been existing in that national preparedness area together with other capabilities they have where they could do the pre-planning, the pre-thinking, and they could also deal with the kind of training that you want to have happen to the States and understanding what State capabilities are to be able to respond in a situation.

Chairman GLENN. Yes.

Mr. PEACH. And what you want to do is be in a position where they can go in to the governor and say, "Governor, this is our assessment of what the situation is that you are dealing with here and these are the kind of resources we have that we can offer to you that we think might be able to help in this situation," rather than sitting back and saying, "what do you think, Governor?"

Chairman GLENN. Yes.

Ms. ENGLAND-JOSEPH. We also are not suggesting that this unit would simply be Federal employees or part of FEMA. We are saying that we need to work very closely with State and local officials. So we are talking about a group of people who are most familiar with how to assess the damage, both from a local perspective as well as from a Federal technology perspective.

Chairman GLENN. Were any of the NP assets, the National Preparedness assets, used down there in Andrew?

Mr. PEACH. Yes, there were some that were deployed down there, basically some of the communication vehicles that they have.

I might add that those were deployed down there but we don't necessarily think they were used in an effective manner. Certainly they weren't even connected in earlier. They had not been used to being exercised or being used to meet these natural disaster kind of situations. So I think some were brought down but they were not used in the early stages in a very effective manner. Later on, they got some use.

Chairman GLENN. You have mentioned several times that what we should be dealing with here are catastrophic disasters. Did you get into FEMA's operation enough to give us an assessment of what is—I guess trivial is the wrong word to use, but I used it before anyway—what is less important and what are really catastrophic situations that they deal with? Did you make a breakdown of their operations in that regard?

Mr. PEACH. We didn't do a complete breakdown of their operations. We did define "catastrophic" as where it outstrips the capability of the State and local government to respond within the first 12 to 24 hours of the disaster.

Chairman GLENN. Yes.

Mr. PEACH. We know and we did take the kind of look that says there are numerous disasters that FEMA is asked to respond to, most of which fall far short of what you would consider catastrophic. That is one of the reasons why, although a lot of people were saying, do you need to abolish FEMA, or you don't need it, or it is not doing its job, is that they have numerous disasters of a lesser character to respond to and they have been responding to those over the years and the government is going to need that capacity to respond to those kind of disasters alongside the catastrophic disasters.

Chairman GLENN. No, I agree with that. I was just trying to get a feel for how much of their budget goes for things that—the example I used was the snow removal case, and maybe that was justified in some communities, I don't know.

I was just using that as an example. I was wondering if the bulk of their money is going to things like that where communities feel, hey, we might as well put in for it because everybody else is getting it, we might as well too, if that is a major part of the operation as opposed to catastrophic situations like we were talking about here.

We had the "Reagan revolution", so-called, in which all of these responsibilities were being passed back to the States. They were supposed to pick this stuff up and do things locally. Now maybe they are not able to do that.

Mr. CZERWINSKI. The majority, Mr. Chairman, of FEMA's response budget is devoted to those smaller-type disasters.

Chairman GLENN. It is? Do you have any breakdown budget-wise as to how much of the FEMA budget goes to the smaller considerations?

Mr. CZERWINSKI. Virtually all of it. Very little goes to the catastrophic. The simplest way to look at FEMA's budget is to say that there is about a quarter of it that goes, as we mentioned, to National Preparedness, which had the classified function. About a quarter of it goes to grants to State and local governments to help them prepare for their own disasters. About a quarter also goes to

other functions, such as the Fire Academy, etc. The rest is left for FEMA's response to all types of disasters, and the majority of that is for what you would call the run of the mill.

Now FEMA is realigning its budget for 1994 and there are some significant changes. It is probably more appropriate for Mr. Witt to talk about that, but it looks to us like there is a reorientation towards greater resources being given towards a Federal response to catastrophic disasters.

Chairman GLENN. That sounds like a lead-in for Mr. Witt.

Mr. PEACH. And there is—

Chairman GLENN. Mr. Witt, we are all set for you here.

Go ahead, Dexter, and then we will end this.

Mr. PEACH. One of the issues, though, of course, is you have the regular budget they are dealing with and they get these supplemental appropriations that come in on an emergency basis to deal with the large disasters.

One of the things, as you sort of alluded to or noted in your comments, this has been going up, the overall supplemental money that is having to come in and deal with disasters. In 1992, those appropriations exceeded \$4 billion to cover not only things like the Hugo and Loma Prieta earthquake, the Chicago flooding, Los Angeles riots, Hurricane Andrew, Iniki, a whole variety of things where they have gotten supplemental money to deal with some of those that come in in addition.

Chairman GLENN. We may have additional questions for you. If you would respond to them, we will send you a list of those from other members or after our review of the record here.

We appreciate your being here this morning.

Mr. PEACH. We appreciate the opportunity, Mr. Chairman. We would be glad to continue to work with you, because we think legislation in moving forward in this area is very important.

Chairman GLENN. Good. Thank you much. We appreciate it.

Our next witness is the Hon. James Lee Witt, the Director of the Federal Emergency Management Agency.

Mr. Witt, we are glad to have you with us here. This will be one of your first times at testifying at a post-confirmation hearing. We welcome you back again.

TESTIMONY OF THE HON. JAMES LEE WITT,¹ DIRECTOR, FEDERAL EMERGENCY MANAGEMENT AGENCY

Mr. WITT. Thank you, Mr. Chairman.

It is a pleasure to appear before this Committee again. President Clinton honored me when he nominated me for the position of Director of the Federal Emergency Management Agency, FEMA. I am grateful to this Committee for the swift action you took on my confirmation.

In my confirmation hearing, I made a number of commitments to this Committee. This morning, I would like to give you a progress report on my accomplishments and then follow that with comments on my vision and plans for the future direction of FEMA.

But first, I would like to tell you about my trip to Dade County, Florida. I have been to many disaster sites and have seen more

¹ The prepared statement of Mr. Witt appears on page 91.

than enough damage and suffering, but I have never seen anything like the results of Hurricane Andrew in South Florida. During that visit, I identified several major problems severely affecting victims and the rebuilding process.

I was most affected by the condition of the people who, at that time, were living in St. Anne Tent City. I hate to think what their life would have been like after the rainy season had started.

Another problem that especially concerned me was debris removal. I saw houses that had been rebuilt, but the occupants could not move back in because of piles of debris around their houses. It was demoralizing.

I was determined to help these victims. Since my return from Florida, I have taken the following actions to help these people. We worked with Dade County to put more debris contractors to work, especially around the rebuilt homes. The tent city has been closed and virtually all of the families have been provided FEMA trailers or vouchers for other housing. We have extended the deadline for disaster assistance applications to provide an opportunity for all victims to apply for the assistance for which they are eligible.

On the renewal of FEMA, one of the first things I did after being sworn in as Director was to review the statements that I had made during the confirmation process and then prepare a checklist of actions to be taken on a priority basis.

I would like to describe the majority of the activities, because they provide a picture of where FEMA is going under my leadership. These activities are grouped according to the five priorities I set: Preparing to respond effectively to any disaster; revitalizing the agency and improving employee morale; creating a national emergency management partnership involving FEMA, other Federal agencies, State and local governments, and private organizations; establishing mitigation as the foundation of the Nation's emergency management system; and examining FEMA's mission and organization.

On an effective disaster response, I am determined to be as prepared as possible for any major disasters that occur during my administration.

One of my first activities was to review our response readiness, to determine what our current capabilities are, and what we need to do to be well prepared. I have met with the representatives of other Federal agencies involved in the Federal Response Plan and have written to the State and territorial directors to begin the process of improving coordination and working relationships.

In addition, I have asked the FEMA regional directors to assign an employee to work with the Governor and Emergency Management Directors at the State emergency management operations center immediately upon occurrence of a disaster, warning or event. These assignments have been made and this procedure has already been applied in a recent disaster situation.

A FEMA representative worked closely with the Oklahoma Governor and his staff as they dealt with the recent flooding and tornadoes in that State. As a result, Governor Walters requested a personal meeting to thank FEMA for their support and swift action.

We are currently examining options for pre-positioning resources for an anticipated disaster and for establishing rapid deployment

teams for use when the event does occur. We are reviewing our authority to take more of these proactive actions than we have in the past.

I am especially concerned about the oncoming hurricane season and have taken a number of steps to prepare for such an event. We have done a preliminary review of the readiness of the 22 coastal States. In addition, I will be meeting with the Emergency Management Directors of the hurricane-prone States next week to discuss their needs and how we can assist them should a hurricane occur.

On employee morale, one of my first acts as Director was to greet each headquarters FEMA employee as they reported for work the next morning. I wanted to let them know, in the clearest possible way, that I will be listening to them and including them in the process of rebuilding FEMA.

Following those meetings, I instituted an open door policy. I have set aside time each week specifically for FEMA employees to talk with me about their ideas on how we can improve emergency management in this country and make FEMA an Agency we can all be proud of.

I have met with representatives of our union at the headquarters. I told them that I want their ideas and support in making FEMA a better Agency and a better place to work.

In addition, I have asked all employees to give me their ideas on how we can make FEMA a better agency and a meaningful place to work. In fact, since this request went out, we have been overwhelmed by the response. I want each employee to share in my excitement about what we can do to accomplish this while we build the best emergency management system in the world.

On building emergency management partnership, I have initiated a partnership with State and local agencies, private organizations, and other Federal agencies through the following actions.

I have written to each State and territorial Emergency Management Director to state my ideas for a risk-based all-hazards emergency management system, based on a foundation of mitigation. To further this partnership, I have invited those Directors to meet with me at the Emergency Management Institute in June to help in the development of the partnership and associated emergency management system.

I have met with the Catastrophic Disaster Response Group. This interagency group is the focal point for FEMA coordination within the Federal Government for planning and responding to major disasters. In addition, I have had extremely productive meetings with Secretary Cisneros, Secretary Pena, and Acting Secretary of the Army Shannon to discuss our mutual responsibilities in the event of a major disaster.

I have initiated the development of a draft interstate compact and will encourage the States and territories to adopt it as a mutual aid agreement. Of course, after the compact is adopted, it would have to be ratified by Congress.

We are preparing a draft model agreement that will define how FEMA and each State and territory will work together in the event of a major disaster. These agreements will then be individually negotiated with each State and territory. The agreements will define

how we will work together on major events, especially during the initial period after the prediction of a disaster.

Under the Federal Response Plan, we have a special group addressing the problem of initial damage and situation assessment. I have asked that any new assessment process be designed with the participation of appropriate State and local and private organizations. We know that damage and situation assessment has to be fact, accurate, and complete. We can accomplish this by working together through the partnership.

I have initiated a review of the administrative load on the State and local agencies receiving FEMA funds. I want to give the States the flexibility to develop their own programs and corresponding priorities without undue restrictions from FEMA. Our requirements should be performance-based and focused on program accomplishments. I have also initiated a project to see if we can reduce administrative reporting requirements on the States.

As a general practice, I have asked headquarters and regional personnel to spend as much time as possible working with State and local organizations. This practice will enable FEMA personnel to become better acquainted with our counterparts at the State and local level and to better understand the emergency management organizations, policies, and procedures used by these agencies.

On mitigation, I believe that mitigation must become a recognized national priority. While mitigation makes good sense, it often isn't a priority for communities. We will work to change that mindset and provide solid, cost-effective tools and incentives to encourage mitigation actions. The entire Nation needs to make the commitment now to invest in the long-term payoff of mitigation, and I plan for FEMA to provide the leadership to accomplish this effort.

In my letter to State and territorial directors and to various constituency groups, I announced that mitigation would be the foundation for developing a stronger emergency management system. I have also discussed this issue with members of my staff to begin the process of integrating mitigation into all our programs.

There are several programs at FEMA which currently emphasize mitigation. We need to build on these programs, especially at the State and local level. We know that mitigation at all levels can help reduce the disaster assistance costs and it makes good economic sense.

On FEMA's mission and organization, I have initiated a project to determine the need to revise FEMA's mission, organization, and policies. This is being accomplished in two ways.

First, I am involving FEMA employees in the process. A letter was sent to all employees informing them of the project and inviting their participation. In addition, we are using several existing ad hoc employee committees to develop ideas and recommendations. We are using an open approach. FEMA's mission and organization will come from the people, the people who are responsible for the agency and the people served by the agency.

We are reviewing all of the recent recommendations concerning FEMA that have been made by various organizations and investigative teams. We will analyze them and develop a plan for implementation. For example, I have recently met with the National

Academy of Public Administration officials to discuss their recommendations and how they can support us as we go through the review process.

In reviewing FEMA's mission and organization, I have two guiding principles. Nothing will be changed for the sake of change but only to do what is necessary to achieve our goals. The ideas of State and local government representatives, as well as those of the volunteer communities, will be sought throughout the process.

In closing, I again want to thank the Committee for the confidence it has shown in me and for the opportunity to share with you my recent actions and plans for the renewal of FEMA.

I have described my commitments to this Committee, the Congress, the administration, the emergency management community, and the American public. However, I cannot meet these commitments alone. I must have the support of FEMA personnel, State, local, and private emergency management officials, and the support of Congress.

While I am willing to make these commitments to you this morning, I challenge each of you to, in turn, make a commitment to support the new FEMA and the new emergency management partnership.

I thank you for your time and your attention, and I will try my very best to answer all your questions. I may not be able to answer all of them, but if I cannot answer it, I will provide it to you in writing.

Chairman GLENN. Thank you, Mr. Witt. Thank you very much.

I want to compliment you. I know you want to revitalize FEMA and I know you want to make it proactive and more responsive with better coordination with the States and boosting morale and all the things that you have talked about. I compliment you for getting started on the path of doing exactly that, and we want to work with you in that area.

Do you agree with Mr. Peach's recommendation that in the case of catastrophic disasters, the President must step in to take official responsibility for directing the Federal response? In other words, that there has to be somebody designated right in the White House to do that?

Mr. WITT. In the past few weeks, we have worked with the White House in establishing a strong information flow from FEMA to the White House situation room. They have assigned someone at the White House to work with FEMA in time of a disaster.

During the Oklahoma floods and tornadoes that have just happened recently, this information flow worked very well, very quickly. The President was advised immediately of the situation, and in turn called Governor Walters in Oklahoma when he received the information, just after Governor Walters got back from touring it with a helicopter.

So the information flow that we have established with the White House and the very close working relationships that we have had done very well.

Chairman GLENN. Who is this assigned person that you have, then, as your direct liaison in the White House?

Mr. WITT. Steve Silverman.

Chairman GLENN. Steve Silverman. Now is that just temporary, or is he supposed to take on all these functions now that NEMA and some of the other groups are suggesting should be done by the Vice President or by a coordinating group in the White House?

Mr. WITT. As far as I know, Mr. Chairman, it is a permanent assignment.

Chairman GLENN. A permanent assignment, OK.

Is the idea, then, that when you want to exercise some of the different functions in the Federal Response Plan Matrix, would you call those people directly now or would Mr. Silverman be the one that would call them and tell them they have to comply?

Mr. WITT. Under the—

Chairman GLENN. In other words, what I want to know is if you have a catastrophic situation and you call up and say, Les Aspin, this is Jim Witt and I need stuff for 12,000 people who are out in the open down there, I need field kitchens for 12,000, tents for 12,000, and so on. Is he going to say, Jim, great, you have them on the way, or does somebody else have to approve it? Are there different levels of control? Or do you have to give this to Mr. Silverman and he calls Les Aspin and tells him that this stuff has got to go?

Mr. WITT. As we look at redefining the mission of FEMA and reorganizing FEMA, then I would expect that if the President had confidence in me to appoint me for this position, then I would expect that he would have the confidence in me to help carry out this mission, and we would work towards organizing the agency in that way.

Chairman GLENN. I don't doubt that President Clinton has the utmost confidence in you. You have known each other a long time and you have worked together. I don't question the confidence he has in you. What I am concerned about is who is giving the orders during a catastrophic situation and can expect a response from up and down the line and has the authority to do it?

Mr. WITT. Under the Federal Response Plan, FEMA has that responsibility.

Chairman GLENN. Yes, but that hasn't worked right in the past and that is what we are trying to correct here. You know, every time we've been faced with this in the past, we had to designate somebody in the cabinet to suddenly take over during the emergency to work with FEMA so that you had the top White House people on board, including the President, and everybody knew then that the President was completely behind what was going on, what decisions were being made, and what orders would be carried out because of that.

Now what you are telling me is that you are going to have authority to do this but, you would get approval from Mr. Silverman then, or what?

Mr. WITT. If I needed to, yes sir, but that is something that we are looking at under the Federal Response Plan with the task force now. However, FEMA has the lead role of the Federal agencies.

Chairman GLENN. I understand that, but that hasn't been adequate in the past. You are telling me you think it is different now?

Mr. WITT. If it is not, Mr. Chairman, then we will be sure and address it.

Chairman GLENN. OK. I hate to wait until we get in the middle of a big disaster of some kind and then be straightening out our lines here if they are not adequate. That concerns me somewhat.

Mr. WITT. I agree, sir.

Chairman GLENN. Either Mr. Silverman is going to be able to tell you yes, it is OK, or—if something happened right now, we got word there is a big blowup someplace and we have 10,000 people out, or there is an earthquake in California or whatever and you wanted to start sending people—would you have to ask Mr. Silverman? Would you notify him and say, is it OK to do this, and he would give you the OK, or would you go ahead and tell the Defense Department, I have authority, the President has vested this authority in me, go do it?

Mr. WITT. That is what I would tell Mr. Aspin, yes sir.

Chairman GLENN. OK, and I hope he would respond.

Mr. WITT. I do, too.

Chairman GLENN. OK. I just think we have to work these things out and Les Aspin has got to understand that if he gets a call from you and you tell him this, that you are in turn speaking for the President, then, if the President has given you that authority, because that is one of the problems in the past.

I would think it wouldn't be at all bad to formalize this with some sort of written material that goes to each one of the agencies, part of your matrix here, all, what is it, 27 different units of the government that have some piece of this thing, and it wouldn't hurt to have each one of those people understand that in an emergency, then, you speak for the President, and if not, who does.

Mr. WITT. I agree with you, sir.

Chairman GLENN. And that is the reason that NEMA and NAPA have suggested somebody in the White House, because that has been found to be necessary before.

If you have this working relationship with the President, I would suggest that if it is going to work in an emergency, it might not be a bad idea to get the President to sign off and send all these people a letter that you speak for him when an emergency occurs and they are to respond.

Mr. WITT. I agree with you, Mr. Chairman.

Chairman GLENN. Thank you. My time is up.

Senator Akaka.

OPENING STATEMENT OF SENATOR AKAKA

Senator AKAKA. Thank you very much, Mr. Chairman. I wish to commend you for holding this meeting.

Chairman GLENN. You had some experience in this area recently.

Senator AKAKA. Yes, we all have, and I thank you for your leadership in examining ways to improve the effectiveness of FEMA and FEMA's response to disasters.

I wish to welcome other witnesses before the Committee today and especially our friend, Mr. Witt.

In the closing part of his statement, he referred to the confidence that we have in you, and we certainly do, and we look forward to trying improve our mechanisms so that we can serve the country better when disasters come.

Mr. Chairman, I simply wish to note that major structural and operational changes in FEMA are long overdue. Recent disasters, including Hugo, Loma Prieta, Andrew, and Iniki have demonstrated that FEMA as currently organized cannot address the type and number of emergencies that confront this agency.

In this respect, I agree with many of the recommendations that have been recently put forward by a number of our colleagues, including yourself, Mr. Chairman, the GAO, the National Academy of Public Administration, and the National Emergency Management Association. During Mr. Witt's confirmation hearings a few weeks ago, I was gratified to learn that you, Mr. Witt, also have embraced many of these same recommendations.

Thus, Mr. Chairman, for the first time in many years, it appears that all the planets are aligned— [Laughter.]

For a landmark transformation of this important agency, and we have confidence in you, Mr. Witt, and we look forward to effective changes that will certainly help our Nation in case of disaster.

Thank you very much, Mr. Chairman, and I have questions, if I may proceed.

Chairman GLENN. Certainly.

Senator AKAKA. Getting information on FEMA programs, Mr. Witt, and activities to local agencies and individuals before, during, and after a disaster is considered sometimes a weakness of FEMA. What are your plans to improve this function? For example, are you considering expanding the public affairs staff and identifying key community groups so that information and assistance is available to consumers?

Mr. WITT. Senator, thank you for your kind remarks. We are asking for ten positions in our 1994 budget to strengthen the public affairs office, one in each of the regions, particularly, because it is very important that a good, strong public affairs office is in place, particularly when there is a disaster situation, to work with that Governor and that State director and the local media so that you can get the information out to those disaster victims and the general public as fast as possible.

Senator AKAKA. FEMA, Mr. Witt, will soon be conducting an earthquake exercise called Response 1993 in the State of Utah. This is the first such exercise in some time. How does FEMA plan to use lessons learned from Andrew and Iniki in this exercise?

Mr. WITT. Senator, I have not seen the scenario of the exercise but it is an Earthquake 1993 Response exercise consisting of all of the Federal agencies and State and local government. Even the Governor of Utah is planning to exercise the 4 days.

The lessons that we have learned will be incorporated into the Federal Response Plan, and then as we exercise that Federal Response Plan down to the State and local level, incorporating their emergency operations plans as well. So I think the lessons learned will help us to see how we need to reorganize FEMA and to see how we need to reorganize the Federal Response Plan so we can respond better.

Senator AKAKA. Mr. Witt, most of FEMA's programs are implemented on the regional level. Shouldn't staffing between the regions and headquarters reflect this fact? In other words, shouldn't staffing be increased in the regions and reduced in Washington?

Mr. WITT. That is something that we will be addressing in our reorganization plan and be looking at. The regional offices are the offices that carry out the policies and also implement the training and exercise programs down on the State level.

Senator AKAKA. As you know, FEMA generally is praised for its response to small and medium-sized disasters. It is with respect to catastrophic disasters that FEMA has difficulties, which has caused many critics to call for DOD to take over in the event of major disasters.

Is there currently a threshold written into the Federal Response Plan in terms of the degree of DOD involvement in responding to various levels of disasters, and if not, should there be such?

Mr. WITT. I think it is important that we on the Federal level, as well as the State and local level, look at some type of system that will give a Governor or State director, and even us on the Federal level, an idea of the level of the disaster, where we will know how much to send to respond to if they need us. We are looking at that process now and probably will be coming back to the Administration, OMB and Congress very soon with a proposal that would give everybody an idea of the level of that disaster and what would be needed to respond with.

Senator AKAKA. I do not know for a fact if this is true or not, but I have been told that there may exist a Holiday Inn mentality within FEMA that reduces its effectiveness with respect to major disasters. By this I mean that some employees may be more worried about staying at a nice hotel, getting a nice rental car, and returning home as soon as possible rather than committing themselves fully to helping disaster victims. These are individuals who complain about the food or are unprepared to sleep on the floor or undergo other sacrifices that may be called for in certain circumstances in disaster areas.

Of course, this is not to say that all or even most FEMA employees have this attitude, but I have been told that such an attitude apparently exists, which, of course, can only undermine FEMA's humanitarian mission.

To your knowledge, does such an attitude exist? If so, what can you do to inspire a more positive public service attitude in FEMA staff?

Mr. WITT. We are trying to work in establishing stronger morale and build these people up to where they can say, I am proud to be an employee of FEMA and I am proud of what I do.

Let me tell you about the people that have responded to disasters, and we have talked about Andrew. A lot of these people are still there that were there on the initial start. Those people are dedicated and they are as hard-working as, well as just about all of the employees at FEMA. What they need is a chance to prove themselves, and I hope that I can give them that chance. I am going to try.

Senator AKAKA. Well, you certainly are trying with your meeting with staff members, as you are now, once a week.

My time is up, Mr. Chairman, and I will have other questions.

Chairman GLENN. Thank you, Senator Akaka.

How do you make your judgments right now, and address my snow problem I mentioned earlier. FEMA can't be a 911 responder

every time the weather changes and every time a limb blows off a tree or something. You want to save it for things that are of some size, and yet you just heard testimony from GAO, they feel that most of your money is going to fairly small projects. Now fairly small projects are very important to the people in a particular spot, I don't doubt that.

But who makes the decisions on something like this? I don't know whether that article in the paper I referred to earlier out of the *Washington Post* actually said specifically that the money got paid, but they put in for \$24,763.09. Was that paid to help out in snow removal out here at Herndon during that spring snowstorm we had? Did that get paid?

Mr. WITT. I don't know if that particular bill got paid. I would be glad to provide it to you, Senator.

Chairman GLENN. I would like to know.

Mr. WITT. I certainly will. I will be glad to provide that to you.¹

When it is beyond the local and State government's capability to take care of their constituents, then they ask for assistance. The assistance that they needed was to get an emergency route opened for your police, fire, paramedics, emergency Medical Technicians (EMTs) and your power and light people. Actually there were more lives lost during this snowstorm than there were during Hurricane Andrew and it was an emergency situation.

These people were not prepared for that type of a snow in some of these areas. They didn't have snow plows. So it was very critical that emergency routes be opened up, and that is what the assistance was used for; to open emergency routes and get debris off the power lines so power could be restored.

Chairman GLENN. Well, I would like an analysis of that one because that is not the way it was written up in the paper. It was a spring snowstorm and they decided their costs had gone up. They didn't need additional plows, as I understand it. They had to do some overtime work and things like that, I gather, and that is normal. Then another year they will be \$24,763.09 below their budget probably and save money in that year.

Every time somebody comes up with a few dollars extra expense in the community, is it fair game that they come into FEMA, oh my goodness, we had to spend a little more than we budgeted for this year. Please make it up for us out of the Federal treasury.

How do you make judgments on things like that? That seems to me pretty fundamental in running your business there.

Mr. WITT. You look at the damage and do a damage assessment with the State and locals and write up those damage assessment reports to see and identify if it is beyond their capability, and—

Chairman GLENN. No, but this is after the fact. They already went ahead and plowed it out, as I understand it, and then put in to you to pay the bill. The emergency was done.

Mr. WITT. I don't know about that particular bill, Mr. Chairman, but—

Chairman GLENN. Well, I think you ought to look into that one.

Mr. WITT. I will.

¹ The information referred to appears on page 150.

Chairman GLENN. If that is where most of the money in FEMA is going, and GAO indicated apparently there is a lot of it going in that direction, I think we really have to take a look at things because I don't think that is what was envisioned. We are talking about real emergencies here and we want to cover really catastrophic problems and cover them well.

I think this idea that every time somebody runs a little over on their town budget, that they can put into FEMA and get money out of the Federal treasury to pick it up, I think that is just the wrong mentality here and we are going to have to change that mindset, that is for sure.

Can you tell me as much as you can, I know part of it is classified, on the Continuity of Government? Let me first ask a question on that. Do you think that should be transferred to DOD or do you think that would be best administered continuing under FEMA? Have you had a chance to really look at COG yet?

Mr. WITT. Not all of it, no sir, Mr. Chairman.

Let me tell you of an example of Continuity of Government from a county perspective and also as a State Director. Continuity of Government works in many ways, not just for national preparedness. It also works during times of catastrophic disaster. When you establish that chain of people who are in command if there is something that happens in that State or local level, then it is important in times of disaster, too.

But there is a tremendous difference in the classified and non-classified portions of our budgets that has changed a great deal, and those assets and those people are going to be used more in all-hazard approach than they have been in the past.

Chairman GLENN. GAO said a little while ago that you have some of your COG people used, some of their communications equipment was finally moved in down there. Was there anything that was necessary out of that that DOD couldn't already provide in the realm of communications?

Mr. WITT. I am not sure if there is anything. DOD can provide a lot, but the communications systems that we have now that have been freed up to respond to disasters and also on exercises and training programs are very important, to not only FEMA but also to State and locals. They were very important during Andrew. They provided the communications capability there that even DOD did not have.

Chairman GLENN. Can you break down your budget for us between COG and your other disaster response functions?

Mr. WITT. I don't have all those figures here, Senator, with me, but I will be glad to provide them to you.

[Subsequently, the following information was furnished by Mr. Witt.]

The 1994 budget request contained a total of \$7.5 million for national security (COG) related items. Other funds requested for disaster planning and response at the Federal, State and local level—whether the cause of the disaster is natural, technological or manmade—total \$234 million.

Chairman GLENN. All right, if you would. We would like the unclassified figures, if you could, so that we can include those in our report, and break down as much as you can give us on that.

Mr. WITT. I will, Mr. Chairman.

Chairman GLENN. Fine, thank you. My time is up.

Senator Akaka, do you have more questions?

Senator AKAKA. Thank you very much, Mr. Chairman.

Mr. Witt, the Pacific insular states, that is American Samoa, the Commonwealth of Northern Marianas Islands, Hawaii, Federated States of Micronesia, Palau, and the Republic of Marshall Islands received assistance in major disasters from FEMA. What assistance is provided by FEMA to these States to help them develop the emergency management infrastructures necessary to manage their programs and apply for assistance? You can provide this for the record if you don't have the information at hand.

Mr. WITT. Senator, they share in the program through the CCA, EMA funds, just as the State or locals would here. The territories all share in those funds, and that is a 50/50 match fund. But I will provide you the figures that each one of them receives.

Senator AKAKA. Hawaii, Mr. Witt, and the Pacific, an area that suffers more disasters than any other region, is currently under Region Nine, which also covers the West Coast, yet the Pacific insular area experiences different types of disasters and disaster-related problems than California, Arizona, or Nevada, which are also within the jurisdiction of the Region Nine office. For example, there are significantly different problems posed by geography, language, political structure, and culture.

Just in terms of distance, I would point out that American Samoa is more than 4,100 miles from San Francisco, where Region Nine is headquartered. Similarly, the Republic of Palau is 3,450 miles away.

While I understand that the new Hawaii satellite office promises to make FEMA more responsive to the unique needs of the Pacific, a separate regional office entirely devoted to the Pacific insular region would appear to be more advantageous. In fact, I am considering introducing legislation today to require an eleventh FEMA region for the Pacific.

What are your thoughts regarding the establishment of a separate regional office for the insular Pacific area, and how much would it cost, if you know, and what additional resources would it take to upgrade the Hawaii satellite office to a fully-fledged regional office?

Mr. WITT. Senator, we will be glad to work with you and get that information for you and the dollar figures as well. Of course, we have the satellite office now in Hawaii but also we have one in Puerto Rico, and we can get the dollar costs of each of those satellite offices and combine those for you so it will give you a realistic figure on what it would cost to have a Region Eleven in Hawaii.

Senator AKAKA. FEMA, Mr. Witt, has significant experience that it can offer other countries. For example, it is probably no accident that Loma Prieta, which was similar in intensity to the earthquake that devastated Armenia 5 years ago, resulted in 65 dead versus the 25,000 that died in Armenia. At least in part, this is obviously because FEMA does some things very well.

Do you envision a more active role for FEMA in terms of offering assistance to other nations?

Mr. WITT. We are going to be meeting with the International Decade for Disaster soon, I believe it is Friday. I will meet with

some of the people who work with them, and we are going to try to offer more technical and coordinating advice with them in the future, yes sir.

Senator AKAKA. In your confirmation hearings, you expressed a strong interest in the National Disaster Medical System, NDMS. How do you plan to assure that NDMS is fully integrated into our Federal disaster response plan? Do you believe that NDMS should be removed from the Department of Health and Human Services to FEMA? And if so, how would you assure that it received appropriate visibility and resource support?

Mr. WITT. That is a good question, Senator. First, I have met with Dr. Mattingly and Mr. Young from HHS about a week ago and I asked them about the NDMS program and told them that I was very concerned about it. I asked for a senior policy meeting. We are meeting tomorrow on NDMS.

I am concerned about NDMS because it is very important to the Federal response program. It is very important to those States and those locals to have that capability to respond when we have a catastrophic disaster with that medical capability.

I will know more tomorrow after I meet with them on the future role which I feel like we need to play. It needs to be stronger, there is no doubt about that.

Senator AKAKA. The State Department, Mr. Witt, maintains an office of Foreign Disaster Assistance, or FDA, which possesses resources and expertise that may be potentially useful to FEMA or other agencies in responding to disasters. FDA has access to training, supplies, and military support that are separate from that available to FEMA or other agencies. For example, FDA has experience in responding to requests for assistance from the foreign governments in the Pacific. FDA's experience and resources in this area could have been used to support FEMA's responses to emergencies in American Samoa or Guam.

What are your thoughts with respect to integrating FDA with FEMA?

Mr. WITT. We will work with OFDA and other agencies as well in trying to identify all the resources that are available and incorporate that into our resource capability, and I think it is very important.

Senator AKAKA. Mr. Chairman, if I may have one more question?

Chairman GLENN. Yes, go ahead.

Senator AKAKA. During your confirmation hearings, in response to my question, you indicated that there should be a better way to coordinate the collection and delivery of private donations across the country. Subsequently, I was informed of an important program run by Volunteers in Technical Assistance, that is VITA, which is funded through an OFDA grant that coordinates information on disaster assistance. This includes donations from the private sector, which are used primarily to assist victims of foreign disasters.

I understand that FEMA has used VITA to some extent for domestic disasters. What role could VITA play with respect to your own plans to facilitate donation management?

Mr. WITT. After the confirmation hearing, Senator, and after I had been confirmed, I met with the FEMA Directorate of State and

Local Programs, and asked them to establish a committee to look into how we can receive donated goods, and how we can better disburse them. They are working on that now and should have a report for you very soon, hopefully this next month. Each of the private organizations, the volunteer organizations and Red Cross and everybody will be involved in this.

Senator AKAKA. Well, that is great. I am glad to hear that you are moving on it and it is underway.

Thank you very much, Mr. Chairman.

Chairman GLENN. Thank you, Senator Akaka.

Just one other area here. I mentioned wanting a rundown on the Herndon thing out here. I want to use that as a little example here, because there was apparently \$34 million that went out to 17 States after that snowstorm. Maybe that was justified; I don't know. If this is our policy, that we recompense communities for their expenses, then that should be our policy, we know about it, and appropriate funds for that purpose. If not, it seems to me that FEMA has gotten off on a wrong track here as to defining what emergencies are and what they are not.

You probably have a copy of this article. I gather you probably have seen it. If not, we can surely give you a copy. Do you have a copy of it?

Mr. WITT. I am not sure, Mr. Chairman.

Chairman GLENN. We will give you a copy to take with you. In this, it talks about the Mayor—this is Steve Twomey's article out of the April 26 *Washington Post*—and in that it talks about some \$34 million went out to 17 States after that late snowstorm and used this as an example out here at Herndon. One of the council members, Connie Hutchinson, said, "I felt it was a misappropriation of Federal funds." Mayor Thomas Rust and the three other council members, however, voted to take the cash. Because Herndon needed it? Absolutely not. "That is the irony of it," Rust says. Later on, he is quoted also as saying—something which is called the Mount Everest Theory—if it is there, we ought to do something about it. "It would have been irresponsible for us not to have taken it," Russ says, meaning voters would have looked askance at passing up painless revenue. Rust adds that if Herndon didn't get it, another jurisdiction would.

Now if that is the attitude people have who are coming to you and you are passing out many millions of dollars, \$34 million in this case, on that basis, and people will figure, well, we might as well get it because somebody else is going to if we don't, then we have to really look at your budgeting over there, very carefully.

I want to support you in your activities, as you know. You and I met before and I am all for what you are doing and I am all for the compassion that we all feel when there is a big disaster and want to help out, and you are our front line in that area. But I also think you may be being nickel-and-dimed to death on your budget by some things like this that never should have happened.

So if you could give me a report back on where that whole \$34 million went, if his figures are correct here, I would appreciate it

very much. Give us a rundown on it and what the justification for that \$34 million was.¹

Mr. WITT. We will be glad to.

Chairman GLENN. Thank you very much. We may have additional questions that we will send to you from other Members of the Committee. We would appreciate your early response.

Mr. WITT. Thank you, Mr. Chairman.

Chairman GLENN. Thank you for being here.

Chairman GLENN. Our next panel consists of Dr. Robert Sheets, Director of the National Hurricane Center, Robert Scott Fosler, President, National Academy of Public Administration, usually called NAPA, Dale Shipley, Deputy Director, State of Ohio Emergency Management Agency, who we have dealt with in the past a number of times, and Dale is also Immediate Past President of the National Emergency Management Association (NEMA), and Dr. Richard T. Sylves—how do you pronounce it?

Mr. SYLVES. Sylves.

Chairman GLENN. Sylves, all right, Dr. Richard Sylves, Professor of Political Science, University of Delaware.

Dr. Sheets, if you would lead off for us, we would appreciate it.

TESTIMONY OF ROBERT C. SHEETS, PH.D.,² DIRECTOR, NATIONAL HURRICANE CENTER

Mr. SHEETS. Thank you for the opportunity to be here. I guess I am sort of unique among the people that are here, that indeed I lived where Andrew struck. I have lived there for about 25 years and have responsibilities for warning purposes.

Chairman GLENN. Where is your center, in Coral Gables?

Mr. SHEETS. Yes, it is.

Chairman GLENN. You caught the brunt of some of this right there.

Mr. SHEETS. Well, my home and many of our families' homes caught much more than our center did, but indeed we did suffer considerable damage at our center. In fact, you have before you, a little gray brochure, and in that brochure, is a satellite picture of Andrew. Also in that folder is a radar picture of the eye wall of Andrew.

I sat here and listened with interest to some of the discussions about what did and did not take place in Hurricane Andrew. That is not part of my testimony that I am going to talk about later, but I would like to address some problems that deal primarily with the threat from the hurricane, the potential losses, the forecast warning and response issues, but not the recovery. That is not my area of expertise.

First, I would like to have my total testimony included in the record.

Chairman GLENN. It will be included in the record. All of your statements, if you have longer statements, will be included in the record as though delivered.

Mr. SHEETS. Now to date, during the past few major hurricanes, Hugo, Bob, and Andrew, the response and protection of life was

¹ The information is contained in Mr. Witt's "questions and answers." See page 134, para. 3.

² The prepared statement of Mr. Sheets with attachments appears on page 93.

very good. It went very well if we look at the numbers of lives that were lost from these major disasters, and that did not happen as a result of what happened on the day of the hurricane.

I heard a lot of FEMA bashing and Red Cross bashing and things like that, and I can say that as a resident of South Florida as well as the Director of the Hurricane Center, there are a lot of bad knocks out there that are not deserved.

In terms of preparation for hurricanes, the reason we did not have the large loss of life during Hugo, Bob, and Andrew is because for 5 years or more before they occurred we had been planning for that day. We had worked together with FEMA, we had worked together with the Army Corps of Engineers, we had worked together with the local and State officials, that is the emergency management officials, and we worked together with the media. It takes that team to be able to respond to a hurricane, and we have been quite successful in that response.

Today we know how long it takes to respond to a hurricane of any particular size to any particular community. Now that is a frightening thing, because people think Andrew was the big one. By far, it was not the big one, but it came within a gnat's eyelash of being our nightmare and the big one. I will describe that in some documents that you have here in that gray folder.

The evacuation times for respond to hurricanes are large. For instance, New Orleans, it is 60 to 80 hours. The Florida Keys, it is more than 30 hours. If you look at the Southwest Florida area, or the Tampa Bay area, it is in the 30-hour range. Similar times are required around the coast. That is the situation we have today.

We don't have the skills meteorologically speaking to provide a sufficient warning for those long lead times. There is no way I am going to have 70 hours of lead time for New Orleans to respond to a hurricane.

And yet to date, there is no last resort refuge plan in place in New Orleans. What I mean by that is if a major hurricane were to strike New Orleans as Andrew came so close to doing, the city of New Orleans would have gone under 18 to 20 feet of water. There is no plan there to tell those people what to do. The plan is, everybody is going to be out and gone. We know that didn't happen during Andrew and we know that there are going to be times when that does not happen in the future.

We know the same situation exists in Port Aransas, Texas and on North Padre Island. We know that situation exists in many other areas. The only place to date that has taken this problem serious and addressed it has been the Florida Keys. They exercised that plan during Hurricane Andrew.

The reason we are in this situation is it seems to be human nature to always wait until after the disaster to try to correct the problems.

It was indicated earlier that we have been able to reduce loss of life from earthquakes here in the United States relative to the rest of the world. The same thing is true in hurricanes. We don't lose a half-a-million people like they do in Bangladesh, but we did lose 6,000 people in Galveston in 1900 when people were trapped on the barrier islands. That is ten times more than the great San Fran-

cisco earthquake of 1906, and most people don't even know about the Galveston hurricane experience.

In the 1970s and 1980s, we had increases in damage from hurricanes. Look at attachment A in this document.¹ Shown there is a graph of deaths and damage by decade. You find at the turn of the century we lost over 8,000 people as a result of hurricanes, and then the loss has gone down. Through the decade of the 1980s, it was 125. And so far in the decade of the 1990s, it is 41.

Now on the other side of that page is damage. What you see is the loss going up almost exponentially through the decade of the 1960s. Then in the decade of the 1970s and 1980s, it essentially leveled off. Those numbers are all adjusted for inflation. Notice for the decade of the 1990s it is already above \$27 billion and we are only 3 years into the 1990s. Is that going to go off scale? I don't know, it probably will. We have already adjusted the scale on the basis of what happened here with Andrew.

But what happened in the 1970s and the 1980s? Well, look back to the next two or three figures. You will see the tracks of major hurricanes. The first one is the decade of the 1940s. These are Category Three or stronger hurricanes. You will see that they essentially struck anywhere. There were eight major hurricanes. It didn't matter if it was the Texas Coast, the Gulf Coast, or the East Coast.

What you see is that there were ten major hurricanes and a good portion of those were over Florida, some on the East Coast, and two or three in the Gulf of Mexico. That is a lot of hurricane activity. The population in Florida in the 1940s was quite small. The property at risk was quite small.

The next figure is for the decade of the 1950s. Those major hurricanes primarily struck the East Coast. You may remember the Hazels, the Connies, the Carols, the Donnias, the Ednas, the Iones, and so on. There were eight major hurricanes in this decade.

As a result of the numerous hurricane strikes of the 1940s and 1950s, in the mid-1950s in particular, there were special hurricane research programs that were started. Those have all been going downhill for the last 20 years. We are doing less today than we did in the mid-1960s for hurricane research. That is in our own meteorological field, for instance. In my opinion, that situation has resulted primarily as a result of reduced major hurricane strikes on the U.S. mainland from the 1960s through the mid-1980s.

If you look at the 1960s here, you see that there were no major hurricanes over Florida or the East Coast except with Hurricane Betsy that came through the upper part of the Florida Keys.

And then if you look at the 1970s, you will see that the number of major hurricanes was four, not ten, only four, and none over Florida and the East Coast.

And now the final figure in that series is the decade of the 1980s. Starting in the mid-1980s, there was Hurricane Gloria in 1985, and then Hugo in 1989 and now Bob, in 1991, and now Andrew in 1992. It seems we are heading back into a more active period of hurricane activity. What that means is that for two decades it was out of sight and out of mind in terms of the hurricane problem.

¹ The document referred to appears on page 154.

If you look at the next series, there is some scientific reasoning, primarily by Professor Bill Gray at Colorado State University, that indicates that perhaps some of these cycles of hurricane activity are related to rainfall patterns over Africa. There is a drought and a wet phase there, on roughly a 20-year cycle. In the left upper diagram, there are three major storms that occurred during the "dry" phase, and on the right, with essentially the same size of sample, you see much more activity when the rainfall was above normal.

In the lower right, you will see that the Gulf and Atlantic coastal county population has been rising markedly from ten million starting in 1900, and now is more than 44 million in permanent population in 1990, in these areas vulnerable to hurricanes. A graph of damage is next to the population chart and you see that the damage was rising in tandem with the population until the 1970s and 1980s when it leveled off due to reduced hurricane strikes on the U.S. coasts. Now the 1990s look like the damage rise is going to catch up with the population.

I indicated earlier that Andrew was not the big one, but Andrew came within what I call meteorological gnat's eyelash of being that. If you look on the upper left in the next figure, shown is the track that Andrew took as it crossed South Florida and into Louisiana. Over in the upper right is the nightmare storm! That is the big one! That is Andrew at the strength it was, moving across downtown Miami rather than South Dade County, then not over the Everglades on the West Coast of Florida, but across the Fort Myers-Naples area, and then makes a direct hit on New Orleans.

The meteorological conditions that would create the difference between those two tracks, is not detectable by the present observing system.

What difference would this hypothetical track make in South Florida? There was an article by Steve Doig, a *Miami Herald* science writer assessing this possibility. The estimated damage in Hurricane Andrew in South Dade at the time was \$20 billion. I find it somewhat amazing that now when we talk about hurricanes the uncertainty in damage is the order of \$5 billion rather than \$200 or \$300 million, but in the case of Andrew, that was the uncertainty, because it is now \$25 billion, not \$20 billion.

At the time this study was done, it was \$20 billion. This core region, the radar picture that I showed you there with the doughnut shape of the eye wall, that 20-mile wide sector is described by this yellow zone there. Shown are the property values at risk in the 20-mile wide sector that was impacted by that core region of the hurricane where most of the \$25 billion in damaged occurred.

If you move that hurricane track 20 miles farther north, you increase the damage by a factor of three in South Florida alone. That is, it is a direct hit on Miami Beach, Fort Lauderdale, Hallandale, Hollywood, and Miami International Airport looks like Homestead Air Force Base. We are going to show you a couple pictures later of the Burger King World Headquarters. That is what Miami downtown would look like.

The end result is that had Andrew, at the strength it was, with the same ratio of damage occurred 20 miles farther north, the losses would have been of the order of \$70 billion on the East Coast of Florida alone.

In terms of people, in the right, the yellow zone is where the storm struck, 350,000 people. Twenty miles farther north, 1.6 million people.

Now the real frightening case is continuing this track into New Orleans. That is in the next picture. In the lower part of the next frame you see a satellite picture of Andrew as it was south of New Orleans. That exact same strength of storm, displaced again to the north on the track illustrated, is the one that makes a direct hit on New Orleans. Now we have used what is called the Slosh model to try to define the risk areas and worked with FEMA to do that, so we know the problems in New Orleans.

This hurricane displaced on the same west-northwest track shown moving inland just to the south of New Orleans will drive the water up into Lake Borgne and Lake Pontchartrain and empty that water into the city of New Orleans! The city will be under 20 feet of water and there is no plan for the people who may be in their cars on the streets in that situation. The plan is that they have all gotten out! We know that not all will be out of the city. We are not going to provide enough lead time for that.

What I wanted to try to do was put Andrew into perspective relative to what could just as easily have happened. As I said, Andrew was up close and personal for my family, our staff at the National Hurricane Center and many of our friends that live there.

First of all, Andrew was unprecedented. I have looked in the wake of every hurricane from 1965 to the present in my position in research as well as my position with the National Hurricane Center, and when I first observed what had occurred in Andrew, it was totally unparalleled. Nothing, even Camille did not compare to what we saw there because of the widespread nature of the damage.

We have researched and looked at why so much damage occurred with Hurricane Andrew. We have found that Andrew actually strengthened as it moved ashore. It was stronger than we first thought when we actually warned. At the time, we were warning for 140-mile-per-hour winds with gusts to 175. The after-the-fact analysis indicates that the sustained winds were 140 to 150, with gusts to 170 to 180, and some tornado experts have said that there were isolated streaks of damage where winds probably exceeded 200 miles per hour! I will show you some of that damage in a moment.

So it is unprecedented. In fact, you look at the \$25 billion figure and the top 20 hurricanes in terms of dollar damage adjusted to 1990 dollars. You can take the three previous worst hurricanes and add them up and they won't reach the losses from Andrew. Or you can take the two worst hurricanes and the Loma Prieta earthquake and add them up and the total will not reach that of Andrew. Andrew was the third strongest hurricane of this century to strike the continental United States.

Now the next series of pictures I wanted to show you deal with the causes of the large losses I have heard some discussion here and up and down the coast which indicate a false sense of why the damage occurred. Last night I was in Massachusetts, yesterday I was in New Jersey, and I have seen quotes from officials in South Carolina, from Florida, other locations outside of that area, who

have stated that the reason for the damage in South Florida was due to "shoddy construction." The highest number I have heard from anyone for damage due to shoddy construction, even those who advocate that factor for insurance purposes or whatever, is of the order of 15 or 20 percent was due to shoddy construction. The true number is probably considerably less.

Had Andrew struck any community except South Florida, the damage per building would have been far worse than it was in South Florida, because of the building codes and building practices there. Yes, there was some shoddy construction, particularly in some newer developments. The problem was more design than any thing else.

In this next series of pictures, there on the upper left, is the area that got all of the attention right after the hurricane. I think that was because one of the media people lived there and sometimes that is how attention gets placed. It was the Country Walk area. It was a beautiful development with lots of green areas. There are lawsuits over this that are taking place today over "shoddy construction." These were primarily wood frame structures.

In the upper right you see in the background, the Dadeland Mobile Home Park. There were 425 mobile homes in that area. I am told that there were over 9,000 mobile homes prior to Andrew in South Dade, and after Andrew only nine were occupiable. Residents of these mobile homes were evacuated. There was only one person who lost their life in a mobile home park.

In the lower part of that same picture, you see what we have as standard construction in South Florida. You see, all the attention was placed on the kind of home that was in Country Walk, the wood frame structures. Those were a minority of structures. The majority of the structures in South Florida were what we call concrete block, steel-reinforced poured concrete tie beams and stucco, far stronger than houses are in Massachusetts, where I was at last night, far stronger than they are in New Jersey, far stronger than they are on the West Coast of Florida or Texas or wherever else you want to name.

You see that the roofs and the walls are still there but windows and doors failed and you had tremendous internal damage. And in fact, in the lower right in that picture you will see a whole community of CBS homes which all stood. These were in the core areas of the hurricane.

There were areas of concrete buildings that did, indeed, have failures, and in the next series of pictures you see what we call the steel-reinforced tie beam with tie straps that hold the roof on. You didn't see roofs taking off like you saw in "Eye Witness Video" in Iniki. If you looked at the videos that were done there, you saw the entire roofs taking off. That basically didn't happen in South Florida because the roofs are much better attached in South Florida using these straps shown. Those connections are four to five times stronger than what is used in Texas, Louisiana, Mississippi, Alabama, and almost anywhere else outside of Southeast Florida.

We saw streaks of damage. People thought they were tornadoes. You see it on the upper right picture over here. What is happening is wind is flowing up and over the top of the building and with a

design shown here of the mansard roof it lifts that roof up. In that building shown, one person died.

In the next series of pictures, there is a streak of damage across what is called Naranja Lakes. A 67-year-old widow was in the home that is in the upper right. She stayed there because she had five cats. No place to go. She died; she was pierced by a two-by-four.

In the lower left, you see that around the top of the wall there was a solid concrete tie beam. Strong construction, but they did not tie it down to the footing. There needs to be a tie column that connects the tie beam to the footing.

There are structures, that stood up very well. Engineered buildings, and individual homes can do very well if they are constructed properly.

In the next series of pictures, we see the message relative to mobile homes. In the foreground you see the community center that was concrete, steel reinforced, etc. that is there. Seventeen people were in this building during the hurricane. No one was in the mobile homes. In the background you see a government subsidized senior citizen development. It suffered damage, but if it had good covers on the windows it probably would not have. That was a key element in reducing damage that occurred in South Florida. There are other things I don't have time to go over but they are written underneath the pictures.

The next series shows types of construction in South Florida today. First, over on the left side, you see a building with a concrete first floor and a wood frame second floor that is destroyed. My daughter's home was right next to this house. On the right side, you see concrete all the way through the second floor and it is intact. What is the difference in cost between the two? It is minimal, and yet you saw that mixture of construction all over South Florida in newer developments. The person who built like that on the right, has the walls and roofs still there. The person who built like that on the left, the same developer in this case, had severe damage.

Just below the picture on the left is a rebuild by that same developer in another community. Notice that they have added the concrete on the second floor rather than the original wood.

Now I said earlier that the construction in South Florida is far better than it is anywhere else in the continental United States. On the right side is a picture that I took in Myrtle Beach, South Carolina—Garden City, to be precise—about a month ago. These are the type of structures that are going up all along our coasts today. The connections there are about one-fourth the strength of those that were used in South Florida. The walls there are about one-fourth the strength of those that were in South Florida.

I was certainly pleased by Mr. Witt's comments about mitigation. I think that is an area we have got to move more aggressively into. We are going to be forced to do that because we cannot get insurance today.

The next series is a lesson about condominiums and engineered buildings. In the upper left is the Burger King World Headquarters. It is just south of my home in South Dade County. In the upper left, you will see on the top floor, there is an opening. These

windows were designed to withstand 150-mile-per-hour winds. This building faced Biscayne Bay. The windows failed. In the upper left, you see a little bit of a hole, like a little patio area that is outside. In the lower right is the CEO's desk looking over what is inside of that building. The other three pictures here are showing what the inside of the Burger King building looked like after Andrew.

The lesson to be learned here is that high-rise condominiums that we have along our coasts, at Hollywood, Fort Lauderdale, and Miami Beach, would look like the inside of the Burger King building if Andrew had struck there. The frightening thing is that 30 percent of the people in those areas of Miami Beach, Hallandale, and Hollywood did not evacuate. They were in engineered buildings like this and they think they are safe. This perception of safety in these types of buildings is true all along our coast today!

We need to get on with an educational program to try to resolve some of those problems. The failure of external and internal walls in engineered buildings occurred throughout the high wind area. I am showing you two or three other buildings in the next series of slides, that had similar problems.

This next picture illustrates the power of this storm. In the left side is the most unusual picture I have ever seen in a hurricane. It is a two-car garage. There are only two cars in there. That is not the unusual part, but the fact that they are parked in there upside down is unusual. They were parked outside of the garage before the hurricane. The garage door failed and the roof came off. These automobiles were flipped end over end, and were driven by the wind upside down right into the garage. Next, you see the plywood through the palm tree, and the beams across the cars.

Now the message there is that the hurricane was strong and also you don't want people caught on the highways when the storm arrives. The numbers of people who say today that they are going to evacuate South Florida if another hurricane strikes is so great that we know we are going to have them caught on the highways. We know there is going to be a gridlock situation where people are not going to get out of Miami Beach. They are not going to get out of the Florida Keys. The result will be large loss of life in such a situation in addition to the large loss of property that we experienced in Andrew.

So we need to move on with actions to try to prevent such losses. One is obviously mitigation. I want to touch on about three issues listed in my prepared statement.

One is we need to reduce required evacuation times. To do that we must provide safe in-place sheltering. We need to move people two to 10 miles not 200 miles. As we have seen, there are engineered buildings that can be used as in-place shelters or refuges. There is no way that the roadway system can handle the population that is in Southeast or Southwest Florida and get them to Orlando, for instance. Also, we know there are not enough shelters there for the possible evacuees. We need FEMA working with the rest of the community to try to develop better evacuation methods and better in-place sheltering.

The next area we need to work on is to provide last resort refuges where people can be trapped by rising waters. I won't mention the specific city, but in Texas there is a city with 10,000 residents

on a barrier island and there are only two ways out of that city. One is by ferry and the other is by a causeway that goes underwater in a high tide, and moderate winds. The plan is that they will get off that barrier island.

And I asked the official in charge, what if a Juan develops in the area? Now Juan was a hurricane that developed on an old frontal zone, and so the winds were already there before the storm developed. That is, escape routes would be cut off before any evacuations might occur. What if a Juan develops? What plan do you have for your 10,000 residents? The answer was I don't know. I don't have a plan. And that is the situation we have almost everywhere along our barrier islands and in New Orleans. People would simply be on their own in that situation.

So I strongly urge that we get a last resort refuge plan in place around our coastal areas. FEMA could help in doing that. The Florida Keys are the only place that has done that and they used that plan during Andrew. This year was the first time that it has ever been done. Everyone is afraid of the liability issues, and there are severe liability issues.

But I don't think it is reasonable for government officials to simply say to the 5,000 or 10,000 people that may be trapped on the outer banks of North Carolina or wherever else you want to talk about and simply throw their hands up in the air and say, sorry folks, our plan was you were going to get out. You didn't get out and now you are on your own. We need to plan for those kind of contingencies.

The next recommended action I listed was to improve the forecast accuracies. We know that the present computer models we have today in our scientific field are far better than the data we are putting into them. The data-gathering systems throughout the Caribbean, throughout the tropical world have deteriorated from what we had in the 1960s and 1970s. We have satellite data which is much better than we had back then, but it is not of the accuracy and the quantitative nature required for the numerical models.

We have tested and demonstrated that we can improve the forecast by the order of 20 percent with just having reasonable data around the hurricane throughout the troposphere. We don't have a means of getting that data today. But we know how to do that.

The budgetary situation was such last year that we quit sending up upper-air soundings in the Caribbean half the time. We reduced them by 50 percent. Even with those soundings, we have about four million square miles where we have only one sounding, at Bermuda, between the United States and Africa. Because of budgetary reasons, we only had one per day. Over the continental United States, we have one for every 40,000 square miles twice per day. Down through the Caribbean, where all these storms come from, we didn't have that data.

The National Weather Service scrounged up some money some way and reinstated portions of those soundings during the hurricane season, and we believe those funds are available to us during this season to be able to get some of those basic soundings. But even with those soundings we don't have the data that we need to take advantage of the technology and the science to improve the forecast.

A 20-percent improvement in the forecast means much less overwarning. Whether a hurricane ever strikes or not, the average warning costs something in the order of \$50 million to prepare the coastline. That is what it costs for the individuals to board up, close down businesses—we are not talking about the loss of business but the cost of preparation for an average 300-mile section of the coast.

If we have to warn 30 hours in advance, the overwarning can be large. For example, for Hurricane Andrew on the West Coast of Florida we would include the greater Tampa Bay area. In fact, the uncertainty in our forecast was such that we had to include that area in a watch.

Now we waited a little bit longer to put up our warning, for the West Coast, and we were able to move the warning area south of the Tampa Bay area, from Venice area southward on the Southwest Coast of Florida. That alone probably saved on the order of \$30 million just in preparation costs for the community that did not have to respond.

With better forecast accuracy that we have available to us in terms of the technology, then we would have more confidence in our forecast and we would do less overwarning.

On the East Coast as Andrew approached, we had to put Cape Kennedy in the watch area. We didn't put them in the warning area, but the shuttle was on the launch pad and three other rockets were out there that we were dealing with. So it was a very iffy situation because they have to take actions 48 hours in advance of a hit. We don't have the skills to refine the watch and warning down to be very precise 48 hours into the future.

The final thing that I have listed is protection of property. The recommendations are to restrict development and redevelopment in high-risk areas, with some of the mitigation programs that have been mentioned here.

Establish and enforce hurricane resistant building codes. What I find is that there seems to be a pride in each individual community's particular building code. Also, there are all of these home rule situations where you don't tell me what to do from another level. If a hurricane strikes my area, we decide we are going to invent a new code.

We have the technology today to have a good uniform code. Let us use the power, the carrot-and-stick approach, that may be there through FEMA or whatever Federal funding that may be there, to enforce a good hurricane resistant code in our coastlines.

You see, some of the things that we do in the Federal Government are counterproductive to this whole problem. We will go in and put Federal funds into Gulf Shores, Alabama, after Hurricane Frederick to put in a new sewage system and a new water system and a new four-lane road so that where we had 100 families, now we have 1,000 as a result of that development, and we still only have one road out over the causeway. So where there was one condominium in Gulf Shores, Alabama, in 1979 prior to Frederick, I have counted over 104 condominium groups there today. That is all since 1979.

That would not have been possible—in fact, I have had some of the developers tell me that they planned to do this development over a period of 15 to 20 years, and they were able to do it in 5

to 10 years because the infrastructure was put in through Federal funding. So let us tie these things together in terms of where and how we build.

Those are the primary areas that I had to present. Thank you.

Chairman GLENN. Very good and very interesting. Let me ask a couple questions before we go on to the other statements here.

You said that Andrew actually strengthened after it came ashore. Was the land warmer, or what happened?

Mr. SHEETS. No, what happens is the mechanism—in fact, the pressure was lower on the coast and slightly inland than it was off the coast. What happens—and our numerical models have shown this for years and something similar happened in Hugo over the Francis Marion National Forest—is that the eye wall, that doughnut that you see in that radar picture, the eye wall became more vigorous as the hurricane moved ashore. The source of energy is still the ocean, still the warm waters, but because there is friction over land, you have an inflow angle over water that is less than that over land and so there is a convergence in the boundary layer, in the surface layer in that eye wall region and that is the fuel that drives that mechanism.

So it strengthened for the next 30 to 40 minutes as the center of the storm came ashore. The picture that I showed where the lady died with the five cats, there were three people who died, in that development. By the way, there were 1,500 units there that are totally being leveled. Gone, 5,000 people, no home. It is a permanent situation, leveled, gone, and the thing that was missing there was the tie column.

So when it came ashore, that damage occurred in that community on the back side of the hurricane because of the strengthening that wrapped around the eye wall. We lost our radar at the National Hurricane Center as the storm came ashore. We were outside of the eye wall. But we had the Tampa radar and the new modernized National Weather Service radar so we were able to track the storm very well. By the way, that new radar is a fantastic system, so we are anxious to see it going in across the country.

We were able to track it, but we saw this strengthening taking place. There were all the arguments from wind engineers over how strong the winds were. Well, they failed to look at the observations. They went out on a limb very quick and said the winds were thus and thus and they were wrong, absolutely wrong.

Chairman GLENN. Let me ask just one other question, and this gets into the direct relation to FEMA and FEMA planning. In the weather cycles that we have gone through, this 11-year cycle or 22-year cycle that appears to occur in the weather, if you can use that kind of a projection, does that indicate more hurricanes then? What part of that cycle are we in now?

First, is it a valid cycle? No. 2, what part of that cycle are we in and can we expect more hurricanes or less over, say, the next 10 or 11 years?

Mr. SHEETS. No one can tell you with scientific confidence that we are coming into the strong cycle or in a weak cycle. All we can do is look at the cycles themselves. We do have that relationship, the rainfall over Africa, and no drought has lasted more than 24

years. We are coming up near the end of that 24-year period and we see the rainfall coming up to near normal over there.

Whether it is going to be this year or not, I don't know. If you are asking my analysis of what is taking place, I think that if we look back 10 years from now we will indeed see that we were coming into a more active period, of strong hurricanes. That is really not a difficult statement because, after all, the last two decades were an inactive period which was abnormal if you look at 100 years of records, and nature really hasn't changed. What has changed is where we have built and how we have built. Nature hasn't changed.

Chairman GLENN. Well, we could talk about this all afternoon. This is intensely interesting, but we do have to get on to our other testimony here.

Mr. Scott Fosler, President, National Academy of Public Administration, NAPA. Mr. Fosler.

TESTIMONY OF R. SCOTT FOSLER,¹ PRESIDENT, NATIONAL ACADEMY OF PUBLIC ADMINISTRATION, ACCOMPANIED BY GARY WAMSLEY

Mr. FOSLER. Thank you very much, Mr. Chairman.

As you know, the National Academy of Public Administration is chartered by Congress to improve the effectiveness of government at all levels, Federal, State, and local. The Academy, pursuant to a Congressional mandate, recently completed a major study of Federal, State, and local governments' capacities to respond promptly and effectively to major natural disasters.

I am accompanied today by Gary Wamsley, who is the project director for our FEMA study, and I respectfully request that the executive summary and list of panel recommendations from the Academy's report, "Coping with Catastrophe," be inserted in the hearing record.²

Chairman GLENN. It will be included in the record.

Mr. FOSLER. Given several current efforts to examine the government's performance in recent major natural disasters, the Academy concluded that it could make a unique contribution by reviewing and analyzing the whole system of governmental organizations, private, and non-profit organizations and individuals involved in responding to major disasters. Moreover, it concluded that it could not examine the response to natural disasters in isolation from all emergency management functions—mitigation, preparedness, response, and recovery.

In addition, the Academy believed that an analysis of FEMA's roles and mission required an understanding of both the agency's major functions and how these functions related to the programs and functions of other related government agencies.

Simply put, we found that FEMA was like a patient in triage. The President and Congress must decide whether to treat it or let it die.

The present time and circumstances provide a unique opportunity for change. A small independent agency could coordinate the

¹ The prepared statement of Mr. Fosler appears on page 99.

² The Academy's report, "Coping With Catastrophe," appears on page 178.

Federal response to major natural disasters, but only under certain conditions, and absent these conditions, the President and Congress should consider dismantling FEMA and assigning its various functions either separately to other agencies or all together to a cabinet department or major agency. Otherwise, America's frustration with the timeliness and quality of the Federal response to major natural disasters very likely will continue.

The 1978 reorganization plan that created FEMA was adopted with several goals in mind. One goal was to make a single agency and a single official accountable for all Federal emergency preparedness, mitigation, response, and recovery activities, and to create a single point of contact for State and local governments.

The second goal was to enhance the dual use of emergency preparedness and response resources at all levels of government.

The third was to integrate the functions of emergency management—mitigation, preparation, response, and recovery.

And a fourth was to achieve significant economies through combining duplicate regional structures and redundant data processing and policy analysis systems.

But to date, each goal has been only partially met, if at all. In essence, the institution envisioned by the 1978 plan has not yet been built.

Concerns about FEMA's record have prompted numerous calls to let the military do it or to place FEMA in the Department of Defense, and such calls are certainly understandable in light of the military's laudable performance after Andrew. But close examination reveals that such an approach would be simplistic.

First, emergency management/disaster response must necessarily remain a secondary mission for the military, whose primary commitment must be a war-fighting capability.

Second, there are problems stemming from the *posse comitatus* law in using the Armed Forces to maintain law and order unless the President or a governor are willing to declare an insurrection.

And third, given its commitments to prepare for war and other international crises, the military should be rapidly called upon only when the civilian arms of government and private relief agencies are overwhelmed.

Unless the Nation is prepared to abandon more than two centuries of federalism, it cannot make the Federal Government the 911 first responder. Our constitutional structure is fundamentally bottom-heavy. Most emergencies and even most incidents we call disasters are met by private voluntary groups and by local and State units of government. Even in catastrophic situations, there are ways to improve the Federal disaster response without altering the traditions of federalism.

Federal-State-local relations are complex and often highly conflicted regarding emergency preparedness, response, and recovery. We believe that Congress needs to clarify Federal, State, and local emergency management responsibilities by shifting the emphasis from nuclear attack preparedness to domestic emergencies and natural disasters. Even if the Federal Government strengthens its own response role in catastrophic disasters, it still must help increase the capacity of State and local governments.

That effort, however, should involve building capacity rather than increasing controls. Means of doing so include setting performance standards, monitoring State emergency management plans, evaluating State plans and States' efforts to help local governments create their own compatible plans and capabilities, and making grants conditional on effective State performance. In addition, FEMA should encourage regional planning and preparedness efforts, such as those for interstate earthquake or hurricane planning.

As for FEMA itself, we made numerous recommendations designed to create a high-performance, high-reliability agency, which boil down to several conditions which we have listed in the report and in our executive summary. If, after a reasonable period, most of those conditions are not met, the President and Congress should consider and take action on a more drastic scale of the kind that I mentioned above.

Many of FEMA's problems with disaster response are traceable to a preoccupation with national security emergency preparedness. We have recommended that the responsibility for the major national security functions be transferred to the Department of Defense and that FEMA's operations be declassified.

Congress plays a leading role in developing emergency management policy and the Federal response to natural disasters. Its jurisdiction over these functions in FEMA is so splintered, however, that no single authorizing committee has the ability or interest to examine either one in its totality. This splintered jurisdiction also reinforces fragmentation within the agency and authorizations tied to specific kinds of disasters, such as earthquakes or radiological hazards. In addition, FEMA's relations with Congress are needlessly time-consuming, complex, and often contentious.

We believe that Congress should enact a comprehensive emergency management charter by revising the Stafford Act to encompass emergencies and disasters of all types. Congress also should designate a single committee in each chamber of Congress with jurisdiction over emergency management and the laws applying to FEMA. We have urged the Joint Committee on the Organization of Congress to give this matter priority attention.

We are encouraged by some actions that the new administration and FEMA have already taken to respond to our recommendations. James Lee Witt, the new FEMA Director, is the first person to head the agency with a background and practical experience in emergency management. He also has ties to the President that should facilitate the Federal response to future disasters and provide the necessary support for building a high-performance, high-reliability institution. We are pleased that he has begun a strategic goal-setting process involving FEMA managers and rank-and-file employees, and we are encouraged to hear his testimony before the Committee this morning.

In addition, FEMA has established a task force with other Federal agencies to act on the lessons learned from last year's catastrophic storms. Hurricanes Andrew and Iniki provided the first real test of the Federal Response Plan. Comments we heard from persons at all levels of government were positive toward the FRP as an important beginning. However, these individuals were un-

clear about when or under what circumstances the FRP will be invoked. This creates confusion among participating agencies, leading to crucial delays. Revision of the FRP should establish clear guidance as to when and how it goes into effect.

As to the task of reinventing FEMA, we strongly believe that this agency or any successor should become a professional, depoliticized organization capable of coordinating Federal, State, and local responses to disasters and meeting the needs of disaster victims. There is no Republican or Democratic way to perform emergency management. In "Coping with Catastrophe", we made several recommendations designed to create a high-performance, high-reliability agency, thereby strengthening the Federal emergency management function. Some of these recommendations are summarized in the seven essential conditions outlined in our report and executive summary.

The task of strengthening the Nation's emergency management system has begun, and we are hopeful that governments at all levels will be better prepared for the next hurricane season. However, the Nation's leaders must make a sustained effort over several years to address all of the problems outlined in our report and those of other organizations, such as the General Accounting Office.

Difficult challenges still lie ahead, such as reducing the number of political appointees, developing a common vision, mission, and values, and enacting a statutory charter. We will be working with FEMA over the next several months on implementing our recommendations.

This concludes my prepared statement, Mr. Chairman. I would be happy to answer any questions.

Chairman GLENN. Thank you, Mr. Fosler.

Our next witness is Dale Shipley, Deputy Director, State of Ohio Emergency Management Agency and Immediate Past President of NEMA, the National Emergency Management Association.

Dale, welcome to our hearing. I look forward to your statement.

TESTIMONY OF DALE W. SHIPLEY,¹ DEPUTY DIRECTOR, STATE OF OHIO EMERGENCY MANAGEMENT AGENCY AND IMMEDIATE PAST PRESIDENT OF THE NATIONAL EMERGENCY MANAGEMENT ASSOCIATION

Mr. SHIPLEY. Thank you, sir. It is a pleasure for me personally to be here again and to represent the National Emergency Management Association, an association of State directors appointed by their governors to deal with emergency management in their States.

I would like to summarize a few points out of my prepared testimony. First, I would like to recognize the timely nomination by the President of James Lee Witt to be the Director of FEMA, and equally important, the timely confirmation of his appointment.

I think in listening to his testimony, after 6 weeks in his position, it is obvious the knowledge and background that he is bringing to this organization and the forward thinking and vision that he has for it, and some of the many meetings and activities that he testified to here today.

¹ The prepared statement of Mr. Shipley appears on page 102.

As Senator Akaka has eloquently said, I think the planets are aligned and we are going to do great things with emergency management in this country.

I will spend no time, critiquing FEMA's performance as a result of Andrew other than to point out that it was one of 35 declarations last year, and although certain things obviously need to be done to prepare and to respond to such a catastrophic disaster, as has been mentioned already here today by a Member of the Committee, FEMA is routinely praised for responses to the other 35 and the dedication that they put in to assisting us in responding to disasters across the country.

The fact is, the response after Andrew, was too little and too late, and it was well publicized. But I would commit, sir, that some of the fault is shared by State and local governments in their preparedness and their activities following that disaster.

Emergency management must be a partnership. We have to be a team—local, State, and Federal. And as you said, sir, in your statement, we routinely have disasters that local officials respond to every day and every night. The bigger they are, the more help they may need from me at the State level. And if I don't have the wherewithal and the resources to effectively deal with whatever it is, then I need help from the Federal Government, and James Lee is behind us to provide that support as we need it.

But we need to build that team and we need to train that team and we need to practice as a team. As any athletic team or any soldier knows, you need to train the way you are going to fight, and we need to train this organization to respond to the big as well as the small.

I commend both the GAO and the NAPA reports to your serious consideration and action. They have both been well done. We at NEMA have been particularly impressed with the NAPA report and would like to specifically support their conclusion that no other department provides an ideal home any better than FEMA does for emergency management in the country.

We support their finding that the military has a very definite support role, and I think both words are important, they have a very definite role and it should be a support role to civilian government.

We believe, as they do, that the Federal Government needs to help build the capacity and the consistency of emergency management efforts at the State and local level. We do need to be consistent. We do need to be able to interface. We need to be compatible.

We believe Congressional oversight is a heck of a challenge, and agree that a more coherent legislative charter, greater funding flexibility and sustained support from maybe a single committee or a reorganization of the Committee oversight would be appropriate.

The Federal Response Plan is an excellent beginning. It is recognized as that. It was still being printed, I think, when they were trying to respond to Andrew. They recommend that we set in motion a review of that plan and particularly by DOD of the role of the National Guard, in both the total force structure, which the military obviously understands, but also the structure of the National Guard in emergency management and disaster response and

the needs of every governor to have at his disposal some minimum capability within his own State to respond.

Funding—the NAPA report calls for additional funding in the near term and believes that it is required. The result will be improved efficiency and program effectiveness that in the long run would reduce costs, and I hope both of those assumptions to be correct.

Legislation is recommended to develop a comprehensive emergency management charter, and as you indicated, that may be forthcoming in the very near term.

We do not agree with one recommendation out of the NAPA report and feel obligated to comment on that, and that is the comment of depolitization, if that is the correct word. We believe that James Lee should have a group of subordinates directly responsive to him and to the President of the United States, and that an enscenced bureaucracy might not be the most responsive, the most effective.

Professionals are there, and several of them are sitting behind me and I would recognize them by name. They are excellent in their job, but I think at the regional level there is something to be said for an administration establishing a team directly responsive to that team as opposed to long-term bureaucrats in those positions. That is a minor difference in their total report.

You asked me specifically, sir, to talk about performance and accountability and budget, particularly as it impacts training and response at State and local level. Our priorities, and I think they are defendable priorities, are to: (1) establish a staff, necessary critical staff; (2) train them, both State and local level I am referring to; (3) develop the planning to deal with those risks that we can assume in our jurisdictions; (4) to exercise those plans to ensure that they are effective and they will work and that everybody understands what their responsibilities are; and (5) finally we deal with mitigation, and mitigation is our last priority.

I do not have a member of my staff right now designated as a mitigation officer, one that I would like very much to have. We define mitigation as the opportunity to eliminate or reduce, at least, the impact of a disaster. It is important work, and Dr. Sheets has recognized it. Other testimonies here today have talked about the value of mitigation efforts, whether it is shelters or building codes or zoning to keep people from building in flood plains.

But the fact is, I think I can defend the other four as higher priority. I have got to have people, I have got to train those people in the very basics of developing plans. Those plans that we can develop have to show that they will work.

In the budget cuts that we experienced last year in Ohio, and they were not uncommon across many States in the last couple years, I have had to give up rain gauge monitoring systems, or at least pause in the development of that, an initiative generated by Shadyside flash flooding, obviously needed, obviously supported by the general assembly, and I had to pause because I just had to give up money somewhere.

I have yet to develop a geographic information system. That, I have faith, will be back in our biennial budget beginning in July, but I could not begin the development last year.

Communications, I have backup radio communications now to 32 counties out of 88. I believe that telephone systems are vulnerable and I would like to have that backup communication. It would help in our response. It would have helped, I think, in Dade County, had those communications survived.

But the budget won't support all that we want to do. Even FEMA's hazard mitigation program, a 50/50 grant program to help us develop some of these mitigation projects kicks in only *after* the disaster and is predicated on a function of the amount of public assistance that is given in the disaster. It would not be possible, for instance, to address Dr. Sheets' warning to build shelters before the fact. It is money that would be available to develop those shelters after the hurricane and prior to the next one.

The family protection program and how people can take care of themselves in the first 72 hours is another very important one, and the question was asked earlier about public affairs, and the education of the public is something we work hard on but it is something that gets little funding through FEMA.

I am saying in many ways our budgets are inadequate, and they are, and we know that they will continue to be less than what would be ideal to develop our systems. Therefore, we need increased flexibility in what we do with the money that is available, and FEMA needs to work with us in identifying the major risks in each of our jurisdictions, be sensitive to public demands, and attempt to improve the performance based on local needs rather than on stovepipe programs that come down with a little bit of money that must be spent in specific ways.

Natural disaster is our first priority. Radiological is one that the public is very, very sensitive to, both low-level and high-level wastes that have to be moved and stored, as well as the increased use of radiological materials by industry, by academia, and finally, hazardous materials.

We are not opposed, obviously, to being held accountable for how we use those funds. We would like to negotiate with FEMA to use the funding available to best meet our needs and our risks and establish performance standards to which we will be held accountable and against which they will evaluate our performance.

But it needs to be, as you have heard before today, a ground-up analysis and organization and commitment, because a lot of the dollars are local and State dollars to which we can add Federal funds and Federal standards.

Before I conclude, there is one piece of legislation that we would like to discuss, that of disaster recovery. The Stafford Act provides for 75/25 percent Federal/State cost share in public assistance. The President can waive that 25 percent. Those costs, that 25 percent, has a tendency to inhibit the use of resources that may be available to us. There is a hesitancy to even request some Federal assets because of the unknown costs that are associated with it.

I don't know what it costs, for instance, to have Air Force aircraft fly MREs in to feed people, but it is a very expensive proposition, and I think Director Witt addressed that when he talked about the proactive effort of FEMA to meet with the Governor of Oklahoma, for instance, and talk about what is available and address costs and what State shares would be.

I would suggest that Congress look at eliminating that 25 percent share in the initial response activities. Put a time limit, put a dollar limit on it, I don't care what kind of limit is put on it, but maybe the first 72 hours, the first 7 days, just to remove that uncertainty from the governor if he knows that the money is not there and is afraid, therefore, to ask for assistance. Whether or not that impacted Governor Chiles in Florida or not, I don't know.

In summary, sir, we think the NAPA report specifically challenges the FEMA Director, OMB, and the Congress to assist in the building of an institution that is needed. We think we know how to build an effective, responsive system. We are not afraid to analyze our hazards, to negotiate agreements with FEMA, and to be held accountable by our citizens and the Congress for what we negotiate, but we need the support and the resources to do it.

FEMA took a terrible bashing last year, and we in State and local agencies suffered with them, by name association, if nothing else. They were not supported well in last year's budget, nor in the previous decade, as a matter of fact, nor in the 1994 budget proposal released last month, which would cut them another four percent.

The new leadership in James Lee Witt will do well. I am sure of that. But the current funding will not build the system that our citizens and their representatives expect.

We are at the point, I think, of making some critical decisions in the evolution of the emergency management profession in the United States. Given the recent disaster experiences and the weather predictions of the next decade, emergency management should become a priority business of government at all levels.

While FEMA has received criticism following Hurricane Andrew, the numerous audits and investigative studies have reached a common conclusion. Our Nation needs a single Federal agency with the necessary leadership, authority and resources to coordinate this country's emergency management programs. NEMA has confidence that FEMA, with your support, can fill this role.

Thank you, sir.

Chairman GLENN. Thank you, Dale. Thank you very much.

Senator Roth had to go to the floor to speak on some of the nominees over there. He wanted to be here to introduce you in particular, Dr. Sylves. I know you are from Delaware. He asked that if he was not able to get back I put his introductory remarks in the record, which I am glad to do. We will have those remarks included and look forward to your testimony.

Thank you.

INTRODUCTION OF DR. RICHARD SYLVES BY SENATOR ROTH

Mr. Chairman, I want to take a minute to introduce one of our witnesses today—Dr. Richard Sylves of the University of Delaware, a serious student of emergency management issues. Dr. Sylves is a full professor in the University's Department of Political Science and also holds a joint appointment with the University's Marine Studies College.

He is known nationally as a scholar whose research in a number of public policy areas is widely respected. He is a prolific writer with extensive publications and is a founder and editor of the Emergency Management Dispatch, a newsletter of the Section of Emergency Management of the American Society of Public Administration.

A number of my staff have studied with Dr. Sylves. They all praise his abilities as a teacher, noting his insights into a broad range of issues, his patience and his accessibility and willingness to help his students.

A special feature of the University of Delaware is its commitment to developing both scholars and analysts in the field of public policy. As I mentioned, we have a College of Marine studies. The University also has a College of Urban Affairs and Public Policy. These programs as well as the Department of Political Science work hand-in-hand to study problems facing a State which has a highly urbanized metropolitan area as well as valuable but sensitive coastal and marine resources. Dr. Sylves brings experience from each of these areas. He recently presented a paper on "How the Exxon Valdez Accident Changed America's Oil Spill Emergency Preparedness;" and his book, "Cities and Disaster," highlights urban emergency preparedness. From his work in researching New York City's emergency preparedness for his book, he had an immediate analysis of the lessons to be learned in the wake of the Twin Tower disaster.

When we speak of an "all hazard" response capability for FEMA, we need input from people with the unique perspective which Rick Sylves possesses. I am pleased to have him testifying before the Committee and want to publicly thank him for his contributions to the field of emergency management.

TESTIMONY OF RICHARD T. SYLVES, PH.D.,¹ PROFESSOR OF POLITICAL SCIENCE, UNIVERSITY OF DELAWARE

Mr. SYLVES. Mr. Chairman, I would like to thank you, Senator Roth, and other Members of the Committee for the opportunity to speak today.

I am a professor of political science at the University of Delaware and a longtime disaster policy researcher. With me are two of my students. Sitting directly behind me is Jason McNamara, who is an urban affairs graduate student who has done extensive work for the University's disaster research center. He was dispatched to South Florida shortly after Hurricane Andrew to study the government's disaster response. Also here is Jennifer Harkin, an undergraduate international relations honor student who has taken my disaster and politics course. She is an emergency medical technician.

Let me begin by saying that FEMA is the Federal organizational embodiment of U.S. emergency management. If it were dismantled or broken up into pieces, shuffled off to other executive agencies, this would be a monumental setback to the continuing growth of public and private disaster expertise. State and local emergency management agencies might suffer a similar fate. FEMA needs reform, not dissolution.

Since its formation in 1979, FEMA has suffered from periods of poor leadership, some embarrassing political appointee behavior, and a poor public image stemming from slow, disorganized, and sometimes incompetent response to disaster. It has maintained a military and civil defense preoccupation that has not served the agency, the government, or the American public well.

Moreover, FEMA officials continue to evade any first responder disaster role, claiming to be only a disaster recovery agency. FEMA really needs to become a capable civilian Federal disaster agency that can quickly marshal the resources to augment State and local first responder operations. It does not have to become a Federal 911, but it must do more to help disaster victims in the response stage. Otherwise, the public will never hold FEMA in high regard.

¹The prepared statement of Mr. Sylves appears on page 106.

FEMA needs genuine authority to direct the Federal disaster response and recovery operations, and it needs a presence on the civilian basis in the Executive Office of the President. It also needs a director who is trusted by the President to assume a lead Federal role in disasters, and I hope Administrator Witt has the trust of President Clinton to lead the next Federal disaster, if one should occur in President Clinton's term.

FEMA wouldn't be able to improve its image or competence unless it becomes user friendly. Let me make a suggestion. President Clinton has proposed an ambitious program of national service under which students seeking college funding may secure Federal financial support in exchange for 1 or 2 years of voluntary service. As this legislation is developed, I think lawmakers should include a role for FEMA.

What I propose is that FEMA be given the capacity to train a fraction of the pool of national service volunteers. Once they have undergone training at FEMA's national emergency training center, and perhaps back in their home State emergency agency, they would be available to serve as post-disaster citizen advocates.

When a Presidential disaster declaration is issued, a group of these national service people would be sent to the damaged area. Each citizen advocate would be assigned to help perhaps no more than five families or small businesses. Knowing the range of government disaster assistance programs and armed with FEMA manuals, disaster assistance applications forms, relevant official phone numbers, and other needed materials, these advocates would be a new form of FEMA outreach after a disaster.

They would serve as an administrative expediter for the families or small businesses to which they are assigned. Perhaps they could accompany their assigned families or business people on visits to a FEMA disaster assistance center.

Another way to make FEMA more effective and user friendly is to demilitarize it. The agency's responsibilities for nuclear war/civil defense preparedness, "Continuity of Government," civil defense emergency communications give it the character of an intelligence agency, not a public service organization.

Black box programs and budgets, security checks of visitors to FEMA headquarters, security clearance requirements for FEMA people who really should be working exclusively on civilian programs, purchases of expensive national security technologies all are wrong for FEMA. Retaining these operations within FEMA keeps the agency on the periphery of emergency management as it is conducted by modern professionals.

Part of demilitarization means ending the charade of dual use emergency planning. A former FEMA official reportedly argued that agency bosses pay lip service to dual preparedness but private-emphasize nuclear attack. My view is that FEMA should no longer be forced under law to employ the dual use concept of reconciling preparedness for nuclear war disasters and emergencies with civil defense against nuclear attack.

The United States suffers the highest fire losses among industrialized nations, but FEMA has regularly cut back fire and training funds. At the same time, relatively large sums of FEMA money are directed to war-related national security operations.

I think FEMA's National Emergency Training Center performs an outstanding public service in sponsoring workshops, training sessions, and especially role-playing disaster simulations for State, local, educational, and non-profit officials. This activity should be continued and expanded.

Baltimore County Fire Captain Lee Kaufmann believes that FEMA's Emergency Management Institute should be combined with the National Fire Academy to form a National Emergency Services Academy. This merger might improve FEMA's bumpy relations with the fire service community, but the Academy must respect the multi-professional world of emergency management.

FEMA gets high marks for promoting emergency planning but modest to low grades for its participation in the exercises and drills it induces State and local authorities to conduct. Too often, major State and local drills for a disaster involve all key officials except those at FEMA. If FEMA is there at all, one FEMA representative might be present. If the modeled disaster were genuine, conceivably hundreds of FEMA people might show up, but State and local officials have little idea what to expect from FEMA when the agency ignores test exercises.

More FEMA people and resources need to be devoted to presenting public education programs on disaster preparedness. FEMA needs to better integrate academic and professional scholarship into the training and education programs it provides its own people. By creating more academic advisory boards, FEMA may be able to modernize its research and training capability at relatively low cost.

For example, FEMA should be doing more research on risk reduction and risk management. This work would facilitate preparedness and draw the insurance industry closer to emergency managers.

Local emergency management people are a potentially powerful support base for FEMA. Police, fire services, emergency medical authorities, and a host of others should be cultivated by FEMA. The profession of emergency manager continues to advance and can furnish the local support base that could help local officials become convinced of the need to commit more qualified people and resources to emergency management functions at their level of government.

Since FEMA is not a regulatory agency, it cannot expect to induce or encourage local emergency management reform unless it provides planning grants, federally subsidized training, and perhaps demonstration projects. If FEMA funding continues to shrink, so will any leverage FEMA has in its dealings with State and local government.

At the State government level, FEMA should promote a model of good emergency management organization through its Emergency Management Assistance Funding program. This might encourage more State-to-State uniformity in emergency management and services. Also, money saved from ending war preparations/civil defense could flow through the program as a peace dividend aimed at improving State and local emergency management.

FEMA needs to continue to form better pre-disaster agreements with State authorities and emergency officials. Also, FEMA should

induce some States to demilitarize their own emergency management departments.

FEMA needs its regional offices strengthened, not weakened, cut back, or consolidated into fewer numbers. FEMA region offices help to build State emergency management authority. Moreover, FEMA region offices should help distribute block grants rather than categorical grants to the States. FEMA region and headquarters people should monitor State emergency programs, not individual State emergency managers, as it seems to be doing now in some of its programs.

Regarding FEMA budgetary matters, it would be wise to consolidate FEMA's multiple appropriations sources in any contemplated reorganization. This would simplify FEMA's budget management and would give the agency fewer, instead of many, Congressional oversight committees.

FEMA needs to reduce the number of its political appointees and should encourage more professionalization in advancement of its career staff.

As for my conclusions, the weak institutional status of emergency management agencies, especially at the National level, the fragmentation of disaster crisis responsibilities at each level of government, weak undercultivated political constituencies advocating improved emergency management, and severely constrained budgetary authority has weakened FEMA's ability to promote better State and local emergency management.

FEMA needs a consolidation of its funding, an end to managerial disarray, a termination of its now outdated civil defense/nuclear attack mission, and an overhaul of its research and training programs so that each better reflects state-of-the-art emergency management.

The agency should be given a role in the National service program, especially through use of post-disaster citizen advocates.

FEMA should promote more coherence in State and local emergency management authority and functions. It should continue to promote integrated emergency management and the Incident Command System to State and local officials.

FEMA, like comedian Rodney Dangerfield, deserves more respect but it must adapt in order to earn that respect.

Thank you.

Chairman GLENN. Thank you very much.

We are going to have to leave most of our questions to be sent to you, we have gotten so late here today and we have a Democratic Conference and a Republican Conference that meets at 12:30 and I am already late for those, so we are going to have to go, but I want to ask just a couple of questions before I leave.

Dr. Sylves, you indicated a complete separation of DOD from most of this. Now you don't have any problem, though, with an emergency where the military can come in and provide kitchens and tents and things like that?

Mr. SYLVES. None at all. I think that in my written statement I had that point, that it should continue to provide mass care in the aftermath of major disasters.

Chairman GLENN. Yes, it is just the COG functions, the Continuity of Government functions, you think should be turned over to DOD? Is that mainly it?

Mr. SYLVES. Well, I believe that and I believe that civil defense against nuclear attack functions, maybe some of the National Preparedness Directorate functions in that regard don't belong there anymore and I think that has been corroborated in other testimony you have heard today.

Chairman GLENN. Well, the COG was a major part of that, a major budget part of it anyway.

Mr. SYLVES. I don't think it belongs there.

Chairman GLENN. Dale, in your testimony you say that mitigation is "the foundation of emergency management." However, State and local governments find it difficult to implement and enforce building codes, and land use regulations. We have heard talk earlier this morning, Dr. Sheets, about that, of course.

Is this something the Federal Government has to get into, or should States and local communities do this on their own?

Mr. SHIPLEY. Personally, I believe it is a responsibility of State and local governments to make wise choices and be willing to stand up against the decisions and the zoning, etc., that they make. We had an incident with a flash flood in Ross County, in Masseyville, just last year, where the county commissioners were willing to stand up after that flash flooding and preclude some rebuilding in the floodway as a result of that, and it has worked a hardship on a business owner there that is difficult to deal with, but those are the type of tough decisions that, I think, have to be made and have to be enforced at the local level.

I think it is beyond the capability of the Federal Government to get into zoning and building codes. There are Federal standards for building codes that are adopted or not adopted at the State and local level already.

Chairman GLENN. In 1983, Ohio passed a law to allow Red Cross-trained State employees some limited paid leave to help in responding to disasters. How has that worked? Do you have any report for us on that, or could you give us a letter on that later maybe that would give details?

Mr. SHIPLEY. We are proud of that. Those who are trained and certified by the Red Cross, State employees I am talking about, who are requested by the Red Cross to serve in a disaster, with the permission of their supervisor, can serve for up to 30 days and continue to be paid by the State of Ohio while they serve the Red Cross in a disaster function.

Chairman GLENN. Do many other States have that, do you know?

Mr. SHIPLEY. Sir, I do not know. I know that several State directors have asked me for copies of our Ohio Revised Code that addresses that, but I cannot tell you how many States may have that.

Chairman GLENN. Mr. Fosler, Mr. Shipley has pointed out that most State emergency management agencies have been forced to reduce programs in order to absorb State budget cuts. Do you believe the level of Federal funding given to States and localities for disaster preparedness response is adequate? Should it go up, down, whatever?

Mr. FOSLER. We are always looking for ways that we can do things more efficiently, and that is obviously a big push under the current administration through the National performance review.

We do have a concern, given the increasing responsibilities, the changing conditions that we have heard a little bit about earlier in the testimony, and also given the record of budgets for FEMA over recent years, that given the transition we are in, the agency and the State and local governments may not have the resources that they currently need to meet immediate needs and to undertake this transition.

We do think, however, that there is a substantial opportunity over the long run, if we really do adopt these fundamental changes in the system, that investments that we make at the present time could lead to substantially lower costs for what we are able to achieve in the emergency management system.

Chairman GLENN. Yes, just one other question. I would ask you each to comment on this. You all have watched this system through the years, you have looked at it, you have worked in it, or been observers of it, one or the other. Is it gradually drifting into a 911 situation?

You heard my references earlier this morning to the snow removal, and maybe I overblew that, but I don't think I did. If we are getting to that kind of a Federal agency where every time there is a few thousand dollars over on some local budget, it is expected to be replenished out of the Federal treasury. That was never the intent of having something like FEMA.

Dale, you lead off on that. Has there been more of a tendency in your view, not just in Ohio but across the administration of FEMA in general, for people to say, well, maybe we can get some Federal money there so we will put in for it, and too often they get it?

Mr. SHIPLEY. Sir, I think there is a tendency in that direction. I think the Stafford Act, when Congress passed that, they very specifically said that there would not be an objective measure for kicking in the Presidential disaster declaration. It is a subjective thing.

I believe that it would be possible to develop through a formula, and I don't know how you would ever get an agreement on it, but based on budgets of the States and incomes of the States and the tax base of States, I suspect that we could come up with a formula that would say that any disaster up to a certain amount, State, you are just going to have to suck it up and bear the cost. And beyond some stage, the Federal Government will come in to help.

There has been talk of that being \$10 a head. I suspect \$10 in West Virginia may be different from \$10 in the State of Ohio as far as tax base and ability to pay and State budgets. I don't know that for a fact, but I think we ought to look at that.

In that snow emergency March 13th and 14th, the Governor in Ohio declared 24 counties disasters because we had to go to some extraordinary measures with the Department of Transportation. We called up several National Guard resources to help the counties respond to that.

There is room for me to be criticized for not going to the Federal Government saying, "we want to jump on that same \$34 million bandwagon." I had 24 counties and why shouldn't I share in that? And if you take the attitude as you read there in the article that

the program is there, you are not serving your citizens if you don't apply, then there is a lot of pressure to apply. They will either pay it or they will turn me down, but it is their decision, not "the governor's decision."

It puts me in a tough position, and I would support an objective measure of when is it the Federal Government comes in and what will I be expected to pay.

Chairman GLENN. Thank you.

Mr. Fosler.

Mr. FOSLER. The concern you raised, Mr. Chairman, is quite legitimate. There very clearly is a pattern of increasing requests from the State and local level for Federal assistance. The figures are very clear on that.

There may be some justification to the extent that we have not done an adequate job of mitigation and that there are more potential disasters as a consequence of the failure to, in essence, keep people out of potential harm's way.

By the same token, the system is very loose and there is a tendency to continually ratchet up the demands and to take advantage of the situation when it arises. I think what we are proposing here is the need to tighten up this system and to begin to very clearly place the prime responsibility at the local and State level and only have the Federal Government step in when there is a very clear justification for it.

Chairman GLENN. Thank you.

Mr. Sylves.

Mr. SYLVES. I just would like to add another point, that one of the things that commonly happens after either major disasters or relatively small ones is that legislators would like to be politically responsive, and part of being politically responsive, including at the Presidential level, is to issue and grant a Presidential disaster declaration.

Over the years, there have been studies as to whether all of those declarations have been warranted or not. I understand in one period the peach crop failed in Georgia and there was a Presidential disaster declaration issued for that back in the 1970s.

There are problems because of the need for legislators to be politically efficacious by forcing administrative agencies to be more responsive in the aftermath of a disaster. What I am saying is we have created a system in which it invites application for Federal assistance at the State and local level, and I think continuing to have a good number of political appointees, even at region-level offices, may actually encourage this request for Federal disaster monies back through.

The problem is not the flow of monies necessarily, it is, and I am sure you agree, whether it is absolutely needed or not, and a lot of the problem rests in appropriate damage assessment, and much property assessment could be done ahead of time. You could estimate the value of the property, the facilities that the State and local government owns and use those estimates and try to come up with some fairer burden sharing between what share of the cost the State and local governments will pay, what share the national government will pay.

But I agree that there should be some concern about some exploitation of the Federal Government in these programs.

Chairman GLENN. Yes, I think it has gone too far.

Thank you all. You have been very patient. It has been a long hearing this morning. We will have additional questions for you and we hope you can respond early so we can include them in the record. Thank you.

The hearing will stand in recess, subject to the call of the chair.

[Whereupon, at 1:05 p.m., the Committee adjourned subject to the call of the chair.]

A P P E N D I X

PREPARED STATEMENT OF SENATOR SASSER

Mr. Chairman, I'm pleased that we are here today to discuss the Federal Emergency Management Agency.

Because frankly, we have seen some very troubling problems at this agency.

Your work in this area, Senator Glenn, is very thorough—as usual, I might add—and I support your efforts to look at FEMA and its operations in a comprehensive manner.

I would like to focus my comments at this time on three specific areas. These areas are, first, the proportion of FEMA's resources spent in preparation for nuclear war; second, the need to prepare for a major disaster on the New Madrid fault; and third, FEMA's ability to communicate with local officials before and during natural disasters.

FEMA was established to respond to disasters of all kinds. We most commonly hear about FEMA in the context of peace-time disasters, whether natural or artificial. For example, we are all familiar with FEMA's response to Hurricane Andrew, and Hurricane Hugo, and even the Los Angeles riots.

Fewer people realize that a considerable portion of FEMA's staff and resources are devoted to preparation for nuclear holocaust.

Public reports have estimated that FEMA spends well over one billion dollars on activities that would take place only if this country is attacked with nuclear weapons. The precise dollar figure is classified, but I think it is safe to say that FEMA devotes a substantial amount of taxpayer dollars for this purpose.

I believe we have to ask ourselves a basic question: Is an expense of this magnitude necessary, now that the cold war has come to an end?

Frankly, I find it very difficult to believe we need to spend a billion dollars every year to ensure continuity of government in the event of a major nuclear war.

It appears to me that this is yet another relic of the cold war, and it's a major expenditure that could be put to better use by addressing our domestic problems here at home.

Even if we were to assume these preparations for nuclear war are necessary, and I think we should always maintain some level of readiness, I believe we must make every effort to ensure this taxpayer-funded program is used in the most efficient possible manner. We should not spend a single dollar in this area that is not necessary for the maintenance of an adequate level of preparedness.

FEMA must make every effort to ensure its operations do not duplicate efforts of the military to prepare for war, and its own war preparations must not duplicate its own efforts to prepare for natural disasters and domestic problems.

If this means transferring some functions to defense, or declassifying some FEMA operations for the sake of uniting them with other, non-classified functions, then so be it.

My second line of comments deals with the New Madrid fault. This is the fault that threatens to cause a major earthquake in the heartland of this country within the next 50 years. I'm sure Mr. Witt, an Arkansan, is very familiar with the New Madrid fault and the potential hazard to Arkansas, Missouri and Tennessee, as well as other States.

If a major earthquake strikes on the New Madrid fault, the damage to the city of Memphis as well as parts of Arkansas and Missouri and other States would be devastating.

Fortunately, the city of Memphis has already begun preparing for this eventuality. Building codes enacted a few years ago, if fully implemented, would save literally thousands of lives and billions of dollars in the event of a major earthquake—one which would register an eight on the Richter scale.

I applaud and support the city's efforts to prepare—but no one would seriously argue that Memphis should face such a major earthquake on its own.

Clearly, FEMA should be prepared to marshal all available Federal resources at the first hint of danger.

I would inform those not familiar with the New Madrid fault that the idea of such a major earthquake in West Tennessee is not as far-fetched as it might sound.

In 1811 and 1812, a series of earthquakes hit West Tennessee which registered somewhere around an eight on the Richter scale. The evidence of this earthquake is still visible today.

These earthquakes opened a tremendous gorge directly adjacent to the Mississippi River in what is now Lake County, Tennessee. According to contemporaneous reports and the folklore of the day, it took 3 days for the flow of water from the Mississippi River to fill this void. Vessels as far south as New Orleans were said to be baffled by the reversal in the flow of the river caused by the rush of water into the newly created crevice. The body of water created in upper West Tennessee during these earthquakes is today known as Reelfoot Lake.

If an earthquake of this magnitude struck today, the loss of life and damage to property in Memphis and other areas would be phenomenal. While Memphis has taken some steps to prepare for such a disaster, the fact remains that this part of the country is not equipped to deal with earthquakes like those in other States such as California, where they have dealt with earthquakes in the more recent past.

I urge FEMA to remain vigilant in monitoring this situation and preparing for a well-coordinated response to an earthquake along the New Madrid fault.

Finally, I would like to comment briefly on FEMA's ability to deal with local officials and provide assistance at the local level.

We have seen examples of how FEMA failed to communicate in a timely manner with local officials, such as in Florida during the most recent major hurricane.

We have seen how FEMA is a reactive organization that waits for specific requests for assistance from State officials. State officials, in turn, often rely on local officials for specific information in the event of a disaster.

Unfortunately, local officials are too busy heading for higher ground. They are in no position to deal with bureaucrats in their own State capital or in the FEMA regional office.

Time and time again, we have seen FEMA sit back and wait while the Red Cross and the military take the initiative to provide assistance before local officials find time to pick up a phone and call for help.

Clearly, FEMA must make major improvements, and I would like to emphasize two areas which I'm sure will arise at this hearing.

First, FEMA must take the initiative to help local victims, even before a formal request, when the need for assistance is obvious. It must be prepared to go out and get its own hands dirty, rather than sit by the phone and wait for a formal request.

Second, FEMA must streamline the different types of assistance that are available.

Presently, there are grants and loans. These grants and loans may be available to certain individuals, depending on income. They may be available to businesses. They may be available only to State and local governments, or charitable organizations, and they may be administered by one of a myriad of different Federal agencies.

In short, Federal disaster assistance is a perplexing, bureaucratic nightmare.

FEMA must simplify and streamline the disaster assistance process. Federal assistance should be more "user friendly."

Understandably, those who need Federal disaster assistance are under enough strain as it is. They don't need unnecessary hassle and confusion to obtain the Federal assistance to which they are entitled. I hope FEMA will act to simplify this process.

Thank you, Chairman Glenn. This concludes my remarks.

ADDITIONAL STATEMENT OF SENATOR SASSER

Mr. Witt, as you are here for the first time since your confirmation, I would first like to offer my congratulations to you. Given your experience and skill, I believe President Clinton has made a fine selection for Director of the Federal Emergency Management Agency.

I believe your experience as head of the Arkansas equivalent to FEMA provides you with unique qualifications to deal with one of the greatest problems FEMA has experienced throughout its existence—a lack of full coordination and communication with State and local officials.

As Chairman of the Subcommittee here which oversees relations between the Federal Government and State and local governments, I can tell you that the disaster

management area has not been an ideal model of federalism at work. From your experience in Arkansas, you undoubtedly know better than I many of the specific shortcomings of our present system. Most notably, we have seen occasions where the Federal Government was not as helpful as it could have been during major disasters, when State and local governments were overwhelmed.

Senator Glenn and our other witnesses are fully prepared to address the problems at FEMA in great detail, and at the present time I have full confidence in your ability to steer FEMA in the right direction and respond to the concerns we have at this Committee, as well as those of our other witnesses here today.

I want to call particular attention, however, to a potential problem I'm sure you already know well. I am particularly concerned about the possibility of a major earthquake along the New Madrid fault.

A few years ago, there was a tremendous scare in Memphis and nearby areas because of predictions, subsequently proven errant, that the "big one" was coming soon. In response to those concerns, Memphis upgraded its building codes to ensure greater preparedness for earthquakes, and Federal officials also took a look at the problem.

Those fears of an imminent earthquake have now subsided, but in reality the threat of a major earthquake, one which could register eight or higher on the Richter scale, hasn't gone away.

As you know, an earthquake of that magnitude would overwhelm the area's residents. That part of the country, including your home State and mine as well, has not had to deal with a disaster of that magnitude in recent memory. I am concerned that, without experience as a guide, the destruction and loss will be even greater than it need be.

Mr. Witt, I would appreciate your reviewing FEMA's plan to respond to an earthquake along the New Madrid fault and providing this Committee with a summary of such a plan. I believe you, as an Arkansan, have a great deal at stake in this matter personally, and for that reason I think your review of this matter would be fruitful.

I would also be fully prepared to assist you in any way I can, given the importance of this matter to my home State. I trust you'll let me know if there is any way I can be of assistance.

PREPARED STATEMENT OF SENATOR LIEBERMAN

Mr. Chairman, thank you for the opportunity presented in today's hearing to examine and explore elements of improving the Federal Emergency Management Agency's responsiveness to major catastrophes and natural disasters. FEMA has an incredibly important and publicly visible mission. It is never more imperative that government work well than following a disaster, when people most rely upon, and need it, to do so.

Mr. Chairman, we have witnessed the devastation inflicted by Hurricanes Hugo and Andrew, and the tragedy of the Loma Prieta earthquake in recent years. In December 1992, Connecticut faced the storms of the northeast. These disasters could not have made a clearer case for the crucial importance of effective lines of communication between Federal, State and local governments in the aftermath of natural disasters. Effective communication is an important key to an effective crisis response.

But in order to enhance and improve upon the levels of responsiveness in time of crisis, it is the state of day-to-day preparedness and overall emergency management operations which must receive thorough review. This review must either reveal the existence of well-defined procedural guidelines and strategies in place to effectively address catastrophic disasters—or introduce comprehensive, before, during, and after, structural reform mechanisms which will insure these provisions.

In the wake of a catastrophic disaster, time is both precious and at a premium to the victims left behind, anxious to resume their lives. Recommendations before this Committee—such as the establishment of FEMA "strike teams" to perform damage assessment immediately following a disaster and limited period waivers of the cost share requirements for Federal assistance—serve to initiate a dialogue on ways to significantly reduce the anxieties of these victims. I anticipate that testimony given today will provide a wealth of analyses from which constructive implementations can be offered, and serious consideration given.

Mr. Chairman, in this post-Cold War era, necessity dictates that new parameters be set for many Federal agencies, tailoring the focal point of their overall mission to reflect present and future challenges. However, many threats of the Cold War era remain, and have been joined by new ones. The recent bombing of the World Trade

Center serves to remind us that the Federal Government must be ready to address and protect our population against the aftermath of acts of domestic terrorism, including potential chemical, nuclear or biological terrorist attacks.

As we re-evaluate the civil defense component of the Federal Emergency Management Agency, the reality of the World Trade Center bombing—and the reality of yet to be resolved conflicts in the former Soviet Union and around the world—must generate an approach to restructuring which is mindful of this uncertainty.

Just as with our deliberations over downsizing the Department of Defense, we must start with an assessment of the threats against which we must plan. Let us proceed then, exercising required restraint by making these decisions on a case by case basis, insuring availability of response contingencies befitting the circumstances presented.

Mr. Chairman, I want to welcome the members of the panels before us today. I am especially encouraged by Mr. Witt's participation today and his assumption of his new office. It is the first time in many years that a true "hand on" emergency management manager has represented the Federal Emergency Management Agency, having served at the State level for a number of years. His experience in disaster management will be critical. Welcome.

PREPARED STATEMENT OF SENATOR COHEN

Mr. Chairman, I want to commend you for holding this hearing today to look at the performance record of the Federal Emergency Management Agency (FEMA) in times of major disasters. The devastation left in the wake of Hurricanes Andrew and Iniki are still fresh in our minds as are the criticisms that have been voiced about FEMA's response time and effectiveness in responding to catastrophes of this proportion.

FEMA is tasked with an extremely difficult mission as it is responsible for coordinating federal efforts among the many different federal agencies that may be called upon to respond to major disasters or emergencies when needs exceed the available resources of state and local governments. Mr. Chairman, my own state of Maine suffered three natural disasters in 1991 alone, causing substantial damage to public roads and bridges and private property throughout the state.

Hurricane Andrew, one of the worst natural disasters in U.S. history, left many people dead or injured and hundreds of thousands of others homeless in Florida and Louisiana. Our sympathies went out to the residents of these areas as they struggled to deal with their losses and wondered whether their lives could ever be restored. Unfortunately, we were also frustrated as the victims stood amongst the ruins of what had once been their homes and asked where was the federal assistance and why was it taking so long to reach the people who so desperately needed it?

Criticism of FEMA's ability to respond to major disasters has certainly grown in recent years. The Agency has been plagued with internal management and organizational problems which have contributed to the delay in getting federal disaster assistance to people in need. The General Accounting Office (GAO), the FEMA Inspector General and the National Academy of Public Administration have made recommendations on ways to improve the federal government's response time and make the Agency more effective and proactive. Others have called for the abolition of FEMA. As you are well aware, Mr. Chairman, preparing for nuclear war and other national security emergencies has been one of FEMA's top priorities in the past. In light of the many changes that have occurred around the world in recent years, any discussion of FEMA reform will most certainly include evaluating what FEMA's role should be now in the post Cold War era.

As the Ranking Minority Member on the Special Committee on Aging, Mr. Chairman, I am also very concerned about what efforts are made to help our nation's seniors during a major disaster such as Hurricane Andrew. Elderly citizens are certainly among the most vulnerable members of our population in times of disaster and our efforts to assist them, particularly during evacuation procedures, must be sensitive to their special needs. I was concerned by early reports during Hurricane Andrew that evacuation efforts had not adequately targeted the senior population in Florida and believe that any reorganization of FEMA should pay specific attention to the needs of special populations within disaster areas.

I am pleased that the new Administration's FEMA Director, James Witt, is here with us today. He has identified a number of his priorities including preparing to effectively respond to any disaster, examining the Agency's mission and organization, and revitalizing the Agency. These are, indeed, difficult goals and I commend the Director for the efforts he has already initiated in these areas.

Mr. Chairman, the number of natural disasters nationwide has increased in recent years and we will most assuredly face catastrophes of equal or greater magnitude to that of Hurricane Andrew in the future. Despite the varying recommendations that have been made to reform FEMA, I believe we all share a common goal—to ensure that our federal disaster response policy provides efficient and expeditious assistance to disaster victims. Mr. Chairman, I look forward to hearing the testimony from today's witnesses and working with Director Witt toward achieving this end.

PREPARED STATEMENT OF J. DEXTER PEACH

We appreciate the opportunity to be here to discuss our work on how the Nation responds to disasters. Several recent catastrophes—especially Hurricane Andrew in South Florida—have led to growing dissatisfaction with the Nation's system for responding to large disasters. As a result, you and a number of other congressional leaders asked us to examine the adequacy of the Federal strategy for responding to disasters and to develop solutions for improving it. My statement today summarizes our conclusions presented in earlier hearings, provides additional analyses and conclusions on disaster management, and makes recommendations for fundamental changes we believe are essential in the Federal response to disasters.¹ This testimony presents the final results of our work.

In summary, as we testified earlier, the Federal strategy for responding to catastrophic disasters is deficient because it lacks provisions for the Federal Government to (1) comprehensively assess damage and the corresponding needs of disaster victims and (2) provide food, shelter, and other essential services when the needs of disaster victims outstrip the resources of the private voluntary community. Moreover, the Federal strategy does not allow adequate preparedness when there is a warning that a disaster will strike because preparatory activities are not clearly authorized until the President has issued a disaster declaration. To prepare for a disaster, the Federal Emergency Management Agency (FEMA) could make better use both of its own resources as well as those it provides to State and local governments to improve overall preparedness for catastrophic disasters. Finally, we found that the person directing the Federal response to a catastrophic disaster must explicitly and demonstrably have the authority of the President in managing the disaster.

As a result of these findings, I am making two recommendations today aimed at ensuring that the Federal Government has both the capacity and the leadership to effectively respond to future catastrophic disasters. First, FEMA should establish a disaster unit to independently assess damage and estimate response needs following a catastrophic disaster. Second, the President should designate a senior official in the White House to oversee the initial Federal response to catastrophic disasters. This official should also have ongoing responsibility for oversight of FEMA and other Federal agencies' efforts to plan, prepare for, and respond to catastrophic disasters.

These recommendations go hand-in-hand with our earlier recommendations aimed at improving the way the Federal Government (1) decides whether State and local governments need assistance, (2) uses existing authority to effectively provide assistance, and (3) enhances State and local preparedness in order to minimize the amount of Federal assistance needed.

BACKGROUND, SCOPE, AND METHODOLOGY

FEMA was established in 1979 during the Carter Administration to consolidate Federal emergency preparedness, mitigation, and response activities. FEMA has a number of responsibilities, including the coordination of civil defense and civil emergency planning and the coordination of Federal disaster relief. The disasters and emergencies to which FEMA may respond include floods, hurricanes, earthquakes, hazardous material accidents, nuclear accidents, and biological, chemical, and nuclear attacks.

The fundamental principles that guided FEMA's creation included implementing the disaster priorities of the President; drawing, to the extent possible, on the resources and missions of existing Federal, State, and local agencies; and emphasizing hazard mitigation and State and local preparedness—thereby minimizing the need for Federal intervention. Consequently, FEMA's primary strategy for coping with disasters has been to (1) enhance the capability of State and local governments to

¹ *Disaster Management: Recent Disasters Demonstrate the Need to Improve the Nation's Response Strategy* (GAO/T-RCED-93-4, Jan. 27, 1993 and GAO/T-RCED-93-13, Mar. 2, 1993).

respond to disasters, (2) coordinate with 26 other Federal agencies that provide resources to respond to disasters, (3) give Federal assistance directly to citizens recovering from disasters, (4) grant financial assistance to State and local governments, and (5) provide leadership—through grants, flood plain management, and other activities—for hazard mitigation. FEMA conducts its disaster response and civil defense activities primarily under the authorities of the Robert T. Stafford Disaster Relief and Emergency Assistance Act and the Federal Civil Defense Act of 1950, as amended.

The Federal Response Plan is FEMA's blueprint for responding to all disasters and emergencies. The plan is a cooperative agreement signed by 26 Federal agencies and the American Red Cross for providing services when there is a need for Federal response assistance following any type of disaster or emergency. The present version of the plan—developed following dissatisfaction with the response to Hurricane Hugo in 1989—was completed in April 1992. Hurricane Andrew was the first time the plan was fully used.

The plan outlines a functional approach to Federal response and groups the types of Federal assistance that may be needed into 12 categories, such as food, health and medical services, transportation, and communications. For each function, one agency is charged with being the primary provider of the service, with several other agencies responsible for supporting the primary agency. For the mass care functions (such as food and shelter), the primary agency is the American Red Cross.

In order for FEMA to activate the Federal Response Plan and for a State to receive life-sustaining and other services from the Federal Government, the Stafford Act requires a governor to obtain a presidential declaration that a major disaster or emergency exists. The governor's request must be based on a finding that the scope of the disaster or emergency is beyond the State's ability to respond. After the President declares a disaster, FEMA supplements the efforts and resources of State and local governments and voluntary relief agencies, which are expected to be the first responders when a disaster strikes. Over the past 10 years, presidents have declared an average of about 35 disasters annually. FEMA officials stated that catastrophic disasters requiring life-sustaining services from the Federal Government occur, at most, one to two times a year in the United States.

We reviewed the organizational structure and disaster response activities of FEMA. We also reviewed the Federal, State, local, and volunteer response to Hurricane Andrew in Florida and Louisiana and Hurricane Iniki in Hawaii. Most of our work focused on South Florida because of the tremendous amount of damage resulting from Hurricane Andrew. At each location we met with representatives from State and local emergency management organizations. We also consulted with a panel of experts who represented a cross section of views on disaster response. These experts included a number of former Federal agency heads and other high-level officials from the Department of Defense (DOD), FEMA, and FEMA's predecessor agencies; an emergency medical program director; State Emergency Management Directors; and members of academia specializing in intergovernmental relations during disaster response.

As you requested, we focused our review on the immediate response to catastrophic disasters. Therefore, we address neither long-term recovery activities for catastrophic disasters nor any aspect of the response to less severe disasters. We define catastrophic as any disaster that overwhelms the ability of State, local, and volunteer agencies to adequately provide victims with such life-sustaining mass care services as food, shelter, and medical assistance within the first 12 to 24 hours.

RESPONSE TO HURRICANE ANDREW IN SOUTH FLORIDA REVEALS INADEQUACIES

Our review of Hurricanes Andrew and Iniki uncovered several problems with the response efforts, although virtually all of these were revealed in South Florida because of the magnitude of that disaster. Specifically, we found that the Federal Response Plan is inadequate for dealing with catastrophic disasters such as Hurricane Andrew in South Florida because, among other things, it lacks provisions for a comprehensive assessment of damages and the corresponding needs of disaster victims. In addition, the response in South Florida suffered from miscommunication and confusion at all levels of government—which slowed the delivery of services vital to disaster victims.

In contrast, we found the response to Hurricane Andrew in Louisiana and Hurricane Iniki in Hawaii to be more effective. But most of the improvement, such as sending supplies to the island of Kauai before local officials requested them, were introduced in an ad hoc manner—rather than as part of an orderly, planned response to catastrophic disasters. We have provided a more detailed discussion of our findings in the initial responses to Hurricanes Andrew and Iniki in appendix I.

IMPLICATIONS OF AN INADEQUATE FEDERAL RESPONSE STRATEGY FOR FUTURE
DISASTERS

In the long term, the Nation is likely to face far greater disasters than Hurricane Andrew. Recent predictions indicate that future hurricanes will be more powerful and destructive, in part because of changing weather patterns and increased development in vulnerable coastal areas. We also could face terrorist and nuclear hazards, biological disasters, and large earthquakes—all threats that government officials must take seriously. To illustrate, if another earthquake occurred near Memphis, Tennessee, similar to one that occurred there in the winter of 1811–12 on the New Madrid fault and exceeded 8 on the Richter scale, thousands of people could be hurt and 60 percent of the natural gas supply to the Northeast could be disrupted.

Therefore, we believe the Federal Government needs to take three important actions to improve the National response system for catastrophic disasters. First, establishing a FEMA disaster unit would improve Federal decision making on providing help to State and local governments, both during actual disaster response and during day-to-day preparations for such disasters. Second, increasing reliance on DOD to provide mass care would strengthen the Federal role following a catastrophic disaster when there is a gap between what the private sector can provide and what disaster victims need. Third, ensuring presidential involvement and leadership before and after catastrophic disasters strike would improve both Federal preparedness and response.

Although my statement today highlights improvements we believe are necessary in the Federal response to disasters, State and local governments are integral parts of an effective national disaster response system. The success or failure of any changes in the Federal role in that system will always be heavily affected by the efforts of State and local responders. Because we believe State and local governments should remain to the extent possible the first responders to all disasters, FEMA needs to enhance their level of preparedness and response capabilities so that they are as effective as possible. FEMA also needs to ensure that State and local governments contribute their "fair share" to disaster response, commensurate with their level of preparedness, so that the use of Federal resources is minimized.

In prior testimonies during this review, we have recommended ways FEMA can make better use of State and local resources available to respond to catastrophic disasters. These include increasing the flexibility afforded States in the use of civil defense funds; providing training focused on catastrophic disaster response; and improving oversight of State and local readiness. However, FEMA should recognize that factors particular to each State, such as the support of the governor and State legislature for emergency management, perceived threat of a disaster, and the State's fiscal soundness, also affect levels of preparedness. We have provided a more detailed discussion of these issues in appendix II of my statement.

I would now like to discuss each of the three areas in which we suggest improvements in the Federal strategy for disaster preparedness and response.

ESTABLISHING A FEMA DISASTER UNIT WOULD IMPROVE FEDERAL DECISION MAKING
ON PROVIDING HELP

Given the shortcomings we saw primarily in South Florida, we believe FEMA needs a disaster unit whose sole mission is planning for and responding to catastrophic disasters. This unit's mission would be twofold: (1) just before (when there is warning) or immediately following a disaster, it would be charged with such duties as estimating the extent of damage and relief needs² and (2) when not actively engaged in disaster response, it would have an ongoing responsibility to plan for and predict the effects of a variety of catastrophic disasters. This unit would consist of a core staff located in FEMA plus additional staff in participating Federal agencies (such as DOD and the Public Health Service) serving as permanent liaisons to the unit.

In order to ensure the commitment of the entire Federal Government, both in day-to-day preparation and during actual disasters, the unit should work closely with a designated White House official. I will elaborate later in my statement on the roles and responsibilities we believe the White House should have in disaster preparedness and response.

²The Federal Government is explicitly authorized to appraise the types of relief needed after a disaster is declared. However, as we pointed out in an earlier report, *Disaster Assistance: Federal, State, and Local Response to Natural Disasters Need Improvement* (GAO/RCED-91-43, Mar. 6, 1991), legislative action may be needed to deploy staff to a disaster area prior to a major disaster declaration.

WHAT THE DISASTER UNIT WILL DO

In order to be better prepared for catastrophic disasters, FEMA needs a unit that has responsibility for immediate action when a catastrophic disaster has happened or is imminent, as well as day-to-day responsibilities for predicting and planning for the effects of catastrophic disasters. Specifically, the disaster unit should be able to quickly deploy FEMA and other Federal agency staff to the disaster area to conduct comprehensive damage assessments. By doing so, the disaster unit would then translate its damage assessments and any other relevant information about the disaster area into estimates of immediate response needs. These estimates should include the extent to which FEMA and the other Federal participants are needed to meet those needs and how soon they could be met.

An integral component of this analysis would be FEMA's estimate of the State and local governments' preparedness and capability to respond to the disaster. The end result of all these assessments would be concrete recommendations to the governor of a State on the amount, type, and cost of Federal assistance that should be provided.

The disaster unit should coordinate the initial response phase of the Federal role until State and local capabilities have reconstituted themselves and normal recovery operations can begin. As soon as State and local responders can resume their roles, the disaster unit's role would end, and the transition to recovery would begin.

A rapid response requires day-to-day efforts to predict and plan for catastrophic disasters. These include refining the capability to predict and analyze the impact of a wide variety of disasters using such techniques as modeling, demographic analysis (including mapping), gaming, and other simulations. Using its predictions and analysis, the disaster unit would help prepare FEMA and other Federal agencies for a rapid response by leading exercises devoted to planning and executing the Federal response. In addition, the disaster unit would incorporate FEMA's assessments of individual States' preparedness and vulnerability into both its plans and response strategies. To do this, the unit would work with the FEMA staff who already review individual State emergency operating plans on an annual basis. These staff look for compliance with requirements for less-than-catastrophic disasters. This information, coupled with the disaster unit's added analysis, would be incorporated into the unit's day-to-day planning and immediate response strategies.

FEMA HAS THE CORE OF THE RESOURCES NEEDED FOR THE DISASTER UNIT

We believe that the core of the disaster unit should be housed within FEMA, combining existing staff who have disaster response experience with existing staff and resources from FEMA's National Preparedness Directorate (NP). NP is currently assigned the mission of "maintaining the Federal Government's capability to deliver effective emergency management during all phases of any national security emergency." The Directorate includes about 900 employees and has an annual appropriation of about \$100 million—significant assets that could be used more effectively to help guide the Federal Government's response to catastrophic natural disasters, especially in light of the changing nature of national security emergencies.

In general, the Directorate has many of the people and resources that could help form the nucleus of the disaster unit I referred to earlier. Its current rapid response mission places a premium on people with such skills as strategic and tactical planning, logistics, command and control, and communications. Its resources include communications, transportation, life support, and sophisticated computer modeling equipment. Through constant planning and exercising, the Directorate maintains a high level of readiness and is, therefore, able to instantly deploy people and resources from a number of locations to anywhere in the United States.

REORGANIZING FEMA IS CRUCIAL TO THE DISASTER UNIT'S SUCCESS

In order to successfully develop the capabilities we envision for it, FEMA's disaster unit must permanently combine staff and resources. The two FEMA directorates whose resources would form the disaster unit—National Preparedness and State and Local Programs and Support—have historically not worked well together and have pursued their missions in isolation from one another. As a result, we do not believe anything short of a complete reorganization can overcome the institutional and cultural barriers that have prevented effective cooperation between the two directorates.

OTHER FEDERAL AGENCIES ARE PART OF THE DISASTER UNIT

Although FEMA has the core of the resources needed for a disaster unit, other Federal agencies also possess assets essential for the rapid Federal response such

a unit should guide. Other Federal agencies should designate staff who, as part of their day-to-day responsibilities, will serve as liaisons to FEMA's disaster unit. Like the core FEMA members of the unit, other agencies' staff will have dual responsibilities: Planning and preparedness activities conducted when no disaster response is ongoing and directing the resources of their respective agencies during actual responses to catastrophic disasters. The disaster unit will develop working agreements and operational procedures with other Federal agencies to draw on their existing resources and capabilities as needed.

We envision that each agency participating in this team would probably have to designate just one to two staff to serve as liaison(s) to the disaster unit. These staff, in this capacity, would serve two functions: (1) in the initial response to catastrophic disasters, they would direct the resources of their respective agencies on the basis of damage and needs assessments, analysis, and direction from the FEMA-based disaster unit; and (2) periodically, they would participate with FEMA in the kinds of planning exercises and simulations discussed earlier to improve their own preparedness and response capability. For this second function, all Federal agencies with disaster response activities would help develop and participate in FEMA's exercises and simulations in order to better prepare them for the demands their liaisons will be placing on them during an actual catastrophic disaster.

We have identified the following resources and/or capabilities that already exist in other Federal agencies.

TABLE 1—RESOURCES AND CAPABILITIES OF FEDERAL AGENCIES FOR DISASTER RESPONSE

Agency	Resource, capability
Department of Defense	Damage assessment; mass care (food, mobile kitchens, medical facilities, shelter); transportation; debris removal; communications
Forest Service	Damage assessment; incident command teams; transportation; short-term food supplies (mobile feeding units); logistics support; debris removal (chain saw crews)
National Aeronautics and Space Administration (NASA)	Aerial reconnaissance (for damage assessment)
Public Health Service	Disaster Medical Assistance Teams
Department of Energy	Emergency power and fuel

FEMA WOULD ONLY MOBILIZE AND DEPLOY THE DISASTER UNIT FOR CATASTROPHIC DISASTERS

The disaster unit's mobilization and deployment should begin when a disaster is imminent or has happened. At this time, the unit would be actively collecting information about actual or likely damages and needs. When the disaster unit collects enough information to determine that a disaster is truly catastrophic, it should function as an initial response management team. Unlike FEMA's normal response for less-than-catastrophic disasters, mobilizing and deploying the disaster unit should not be contingent on a presidential disaster declaration. Mobilization and deployment is most likely to precede such declarations, and in no case should the disaster unit be constrained from initiating response activities where it sees or has identified immediate, unmet needs.³

FEMA should mobilize and deploy the disaster unit—and thus decide that a catastrophic disaster is imminent or has happened—on the basis of two broad considerations: Past experience and predisaster planning, modeling, and vulnerability assessments.

FEMA already has significant experience in dealing with a variety of disasters for which it can estimate beforehand the extent of damage and the immediate response needs the affected areas will have. These kinds of disasters include some for which there is advance warning, such as hurricanes, typhoons, and widespread flooding, as well as unexpected disasters, such as tornadoes and earthquakes. This experience has generated criteria for when a disaster unit would be used. These include the expected magnitude of the disaster, accessibility of the affected area(s), potential for loss of life and/or shelter, the capability of State and local governments to respond, and the potential for State and local response capabilities to be destroyed.

FEMA faces a special challenge in planning how it will activate such a unit when it is faced with a disaster with which it has little or no experience, such as radiological or hazardous material releases. In these cases, it is especially critical that this

³ However, as we noted earlier, legislative action may be needed to authorize FEMA to deploy staff to the disaster area prior to a major disaster declaration.

disaster unit conduct (as part of day-to-day operations) planning exercises, modeling, demographic analysis, mapping, and other simulation techniques so that the unit can predict the impact of the kinds of disasters FEMA has not yet faced. Using these analyses, FEMA could then develop and plan for additional criteria for activating its disaster unit and test these criteria in the exercises it conducts with other Federal agencies.

INCREASING RELIANCE ON DOD TO PROVIDE MASS CARE COULD STRENGTHEN THE FEDERAL RESPONSE TO CATASTROPHIC DISASTERS

The key to successfully responding to a catastrophic disaster is rendering sufficient life-sustaining assistance, such as food, water, shelter, and medical care, and dealing with mass psychological trauma within a short period of time. With the current disaster response system's reliance on State- and locally-identified needs, FEMA cannot ensure a timely or adequate response. Furthermore, FEMA lacks procedures that specifically guide how the Federal Government will offer mass care when State, local, and volunteer efforts fall short.

The responses to Hurricanes Andrew and Iniki demonstrated the effectiveness of the military in providing a variety of supplies and services and in establishing the infrastructure necessary to restore order and meet immediate needs of victims. However, neither the responses to those storms nor the experts with whom we consulted indicated DOD should have overall management responsibility for disaster relief and recovery.

Often, when a catastrophic disaster leaves a gap between what volunteers can provide and the needs of disaster victims, DOD is the only organization capable of providing, transporting, and distributing sufficient quantities of the items needed to fill that gap. For example:

- DOD has trained medical and engineering personnel, mobile medical units, storehouses of food and temporary shelters, contingency planning skills, command capability, and other requirements for mass care, as well as the transportation to deploy them. Building up response capability in other organizations, such as FEMA, would be redundant.
- Catastrophic relief activities mirror some of DOD's wartime support missions. Soldiers are trained for similar missions and catastrophic disaster relief provides soldiers with additional training.
- Catastrophic disaster responses, such as those for Hurricane Andrew, are smaller than many military operations and do not significantly affect DOD's military readiness in the short term.

The American Red Cross currently is responsible for providing mass care as well as for coordinating support for this function with DOD, the U.S. Department of Agriculture, and other voluntary organizations. For all but the most severe catastrophic disasters, the Red Cross and its large network of volunteers may be well suited to meet this responsibility. In fact, in Louisiana, the State and volunteer agencies were able to provide almost all of the mass care services needed with relatively little Federal assistance.

However, for disasters as devastating as Hurricane Andrew in South Florida, the needs of disaster victims are so overwhelming that there is a gap between those needs and the level of resources the Red Cross and other voluntary organizations can provide. Although the Red Cross responded immediately to the needs of Hurricane Andrew's victims—sheltering those who evacuated South Florida and providing some mass care after the storm—a gap between immediate need and available private voluntary resources was inevitable for a disaster of this magnitude. Only DOD can quickly escalate the response if, as was the case with Hurricane Andrew, the destruction and need for mass care is far greater than first anticipated.

USING FEMA'S DISASTER UNIT TO OBTAIN MASS CARE RELIEF FROM DOD

While we clearly see a major role for DOD in providing mass care, we do not advocate turning over the entire disaster response, relief, and recovery operations to the military. If FEMA had the disaster unit we discussed earlier, that unit would be in the best position to determine when to turn to the military to play a major role in providing mass care to catastrophic disaster victims. Because the disaster unit will translate damage assessments into estimates of immediate response needs and determine the extent to which FEMA and other Federal participants (including the Red Cross) can meet those needs, the unit will be in the best position to determine when mass care needs are outstripping the private sector's capacity to respond. Therefore, the disaster unit should decide when to recommend to the State that increased military assistance be provided.

RETAINING CIVILIAN CONTROL OVER ANY DOMESTIC DOD MISSION

DOD's role in disaster response needs to remain under the direction of a civilian authority outside of the Department for two important reasons: (1) DOD's first and foremost responsibility is to deal with those military matters affecting national security; a full-time DOD mission of managing disaster preparedness and relief could detract from the Department's primary responsibility; and (2) DOD officials strongly believe, and we agree, that assuming overall management responsibility could create the impression that the military is attempting to make or direct domestic policy, which runs contrary to principles that have guided the military's role in the United States. Throughout our review, military officials repeatedly emphasized their willingness to work for and support a civilian-led disaster response.

PREPARING OTHER FEDERAL AGENCIES TO RESPOND WHEN DOD'S RESPONSE ROLE MUST BE LIMITED

Any increased role that DOD might be assigned in disaster response must be accompanied by appropriate and sufficient backup capabilities elsewhere in the Federal Government in the event DOD is engaged in responding to world events at the time. DOD officials noted that responding to a catastrophic disaster will not adversely affect short-term military readiness. However, if Hurricane Andrew had occurred during Operation Desert Storm, DOD would not have been able to provide as much airlift to transport personnel, equipment, and relief supplies to the disaster area. It also is questionable whether it could have provided the same number of personnel to assist in disaster relief efforts.

During such times, the Federal response strategy needs to be able to rely on another Federal agency, such as the Forest Service, to step in. Forest Service officials told us that their resources directed to fighting forest fires could also lead an initial response management team. Using the Incident Command System model,⁴ the Forest Service is able to deploy an incident command team quickly and activate pre-negotiated contracts for support services such as transportation and mobile kitchens.

An additional factor affecting the response capability of DOD is the reduction in its forces. To some extent, this limitation could be overcome through greater use of the Reserves, which possess many of the skills and services that are needed for effective disaster relief operations. Under current law, however, the Reserves may be asked to volunteer to perform disaster relief operations but may not be required to do so.

IMPROVING PREPARATION BY ALL FEDERAL AGENCIES

To respond more quickly, DOD and other Federal agencies also need to mobilize resources and deploy personnel in anticipation of a catastrophe. Federal response time could be reduced by encouraging agencies to do as much advance preparation as possible prior to a disaster declaration—and even earlier for disasters, such as hurricanes, where some warning exists. However, current law does not explicitly authorize such activities. Therefore, Federal agencies may fail to undertake advance preparations because of uncertainty over whether costs incurred before a disaster declaration will ultimately be reimbursed by FEMA. For example, DOD officials told us that they take some actions to prepare for a disaster when there is warning—such as identifying quantities, locations, and transportation requirements for mass care supplies—but they take no additional measures because the Department might have to pay for the expenses if FEMA ultimately does not request its assistance.

ENSURING PRESIDENTIAL INVOLVEMENT AND LEADERSHIP BEFORE AND AFTER CATASTROPHIC DISASTERS STRIKE

Because the necessary Federal response to catastrophic disasters is so fundamentally different—bigger and more urgent—than to less severe events, the person or organization directing the Federal response must explicitly and demonstrably have the authority of the President in managing the disaster. The presence of presidential leadership creates a powerful, meaningful perception that the Federal Government recognizes an event is catastrophic, is in control, and is going to use every means necessary to meet the immediate mass care needs of disaster victims. Further, presidential leadership during times when the Federal Government is not en-

⁴The Incident Command System is a management tool consisting of procedures for controlling personnel, facilities, equipment, and communications at the scene of an emergency. Originally developed for wildland settings, it has evolved into an "all-risk" system appropriate for all types of emergencies.

gaged in responding to a catastrophic disaster creates an ongoing sense of the importance of emergency management responsibilities that translates into a better commitment to preparedness and response by all Federal agencies involved.

The best way to underscore the commitment of the President is to place responsibility for catastrophic disaster preparedness and response with a key official in the White House. Doing so would institutionalize the direct presidential involvement that has happened on an ad hoc basis in two recent disasters. Further, this organizational arrangement can be a tool by which emergency management responsibilities throughout the government continually receive heightened levels of attention, not just in times of catastrophic disasters.

WHITE HOUSE LEADERSHIP FOR CATASTROPHIC DISASTERS

The Director of FEMA should work closely with a designated White House official, both during a catastrophic disaster as well as during day-to-day operations to ensure that FEMA and all involved Federal agencies are meeting preparedness requirements for catastrophic disasters. When an event such as Hurricane Andrew has happened or is imminent, the Director should notify the White House official that (1) a catastrophic disaster has occurred or is likely to occur, (2) the stricken area will almost surely require a great deal of immediate and long-term Federal assistance, and (3) in the Director's judgment the disaster unit should deploy to the affected State(s), assess the situation, and, if necessary, direct the Federal resources needed to meet the immediate mass care needs of disaster victims.

The designated White House official will then actively monitor all Federal response efforts to ensure that Federal responders treat the catastrophe as their immediate top priority and to determine when backup response capabilities, such as we discussed in reference to the Forest Service, are required. In order to do so, this designated official will rely extensively on the FEMA Director and the staff of the disaster unit deployed to the affected area.

PROVIDING WHITE HOUSE LEADERSHIP FOR FEMA'S DAILY OPERATIONS

The designated White House official should not only monitor the initial Federal response to catastrophic disasters but also have ongoing responsibility for oversight of FEMA and other Federal agencies' efforts to plan, prepare for, and respond to such disasters. This ongoing leadership would offer the disaster unit two key benefits:

- First, it would ensure on a continuing basis the commitment and cooperation of other Federal agencies in FEMA's efforts to prepare all Federal responders for catastrophic disasters. FEMA would no longer be forced to rely on its powers of persuasion to get the commitment and cooperation it needs from other Federal agencies.
- Second, it would familiarize the White House official with the manner in which the Federal Government plans for and responds to such disasters. This official would then have a working knowledge of immediate response and recovery activities. In contrast to a cabinet secretary who is selected on an ad hoc basis to manage the Federal response (as happened with Hurricane Andrew), the White House official would probably have had ample time to learn and rehearse this response role before actually facing a catastrophic disaster. This ongoing responsibility would not be a full-time effort but should ensure commitment and cooperation across the Federal Government to anticipate, prepare for, and respond to catastrophic disasters.

Ultimately, the choice for which official should have this responsibility is the prerogative of the President. However, we believe the primary criteria that must be used in designating this official are twofold: (1) the official must have sufficient public recognition so that he or she is perceived as having the authority and attention of the President in managing the disaster; and (2) the official must have access to and the confidence of the President.

CONCLUSIONS

Mr. Chairman, we believe it is imperative that the actions we recommended in our interim testimonies and those additional recommendations we make today receive prompt and deliberate attention in the Congress and the Executive Branch. We have been fortunate so far—relatively few lives were lost in Hurricanes Hugo, Andrew, or Iniki. But we could easily face much worse disasters.

Specifically, we have already recommended that FEMA develop a catastrophic disaster response capability by (1) conducting independent and comprehensive damage and needs assessments; (2) using its existing authority to aggressively respond to

catastrophic disasters, including actively advising State and local officials of identified needs and the Federal resources available to address them; (3) actively determining when DOD resources will be needed to supplement those of the Red Cross in meeting mass care needs; and (4) enhancing the capacity of State and local governments to respond to catastrophic disasters by continuing to give them increasing flexibility to match grant funding with individual response needs, upgrading training and exercises specifically geared towards catastrophic disaster response, and assessing each State's preparedness for catastrophic disaster response.

We also noted that the Congress should consider (1) giving FEMA and other Federal agencies explicit authority to take actions to prepare for catastrophic disasters when there is warning and (2) removing statutory restrictions on DOD's authority to activate reserve units for catastrophic disaster relief.

In responding to disasters, State, local, and volunteer agencies should do as much as possible before turning to the Federal Government for help. However, it is essential to recognize that the magnitude of certain disasters, such as Hurricane Andrew, will quickly outstrip the capacity of all but the Federal Government to respond. If we do not recognize the extraordinary demands a catastrophic disaster places on all levels of government and build that recognition into appropriate legislative authority, planning exercises, operational procedures, and response strategies, we run the risk of far greater loss of life than we saw in South Florida, Louisiana, and Hawaii.

We earlier noted that we found a consensus among a wide variety of officials that the Federal Government must be prepared to rapidly respond when a disaster outstrips the resources of the State, local, and private voluntary components of our disaster response system. Unfortunately, the Federal Government is not yet prepared to be a rapid responder. Therefore, we believe the time is right for a fundamental reexamination of the manner in which we provide Federal leadership to plan, prepare for, and respond to catastrophic disasters.

Tornadoes and hurricanes occur every summer and fall—just months away—while other types of disasters could happen at any time. Beyond the problems experienced by disaster victims, the response to Hurricane Andrew in South Florida is even more troubling in light of the kinds of disasters with greater damage and loss of life that we have not yet faced but that experts tell us may well happen. We could experience stronger hurricanes, earthquakes, radiological or hazardous material releases, or terrorist and nuclear attacks. This Committee's recent work to improve government organization and performance, including, Mr. Chairman, your statement that a unique opportunity for change is before us, is particularly crucial for FEMA. The steps we have proposed represent a substantial improvement in and re-assessment of the Federal response to catastrophic disasters and, we believe, should be the foundation for changes that you and the Administration consider as we work together to reconstitute FEMA.

RECOMMENDATIONS TO FEMA

The Federal Government needs to develop a catastrophic disaster response capability. Accordingly, FEMA should

—*Establish a disaster unit headquartered in FEMA.* This unit would be comprised of a core of FEMA staff and would be augmented by resources and staff from other key Federal agencies. The unit would—using analyses of State and local governments' capability and preparedness to respond to catastrophic disasters—predict, plan for, and assess the damage resulting from catastrophic disasters. The unit would also translate its damage assessments into estimates of immediate response needs, including the extent to which FEMA and the other Federal participants can meet those needs. On the basis of its assessments and needs determinations, the unit would make concrete recommendations to the governor of the affected State regarding the amount, type, and cost of Federal assistance that should be sought. The disaster unit should direct any needed Federal relief effort.

RECOMMENDATION TO THE PRESIDENT

The President should:

—Designate a senior official in the White House to oversee Federal preparedness for and responses to catastrophic disasters. This official should not only monitor the initial Federal response to catastrophic disasters but also have ongoing responsibility for oversight of FEMA and other Federal agencies' efforts to plan, prepare for and respond to such disasters.

Mr. Chairman, this concludes my prepared statement. I would be pleased to respond to any questions that you or Members of the Committee may have.

RESPONSE TO HURRICANE ANDREW IN SOUTH FLORIDA REVEALS INADEQUACIES

INADEQUACIES IN FEMA'S FEDERAL RESPONSE PLAN

Hurricane Andrew in South Florida showed that FEMA's response strategy, implemented through the Federal Response Plan, is not adequate for dealing with catastrophic disasters. The plan is based upon the premise that an increasing number of the 12 functional response areas will be activated, depending on the gravity of the disaster. Although all of the plan's 12 functional areas were activated for Hurricane Andrew, the response was neither immediate nor adequate. The key reasons for the plan's failure included the absence of provisions for rapid assessment of the disaster's magnitude and the lack of a specific functional responsibility for escalating the Federal response to meet the extraordinary requirements of a catastrophic disaster.

The Federal response to Hurricane Hugo in 1989 highlighted the fact that the Federal Government may be the only entity capable of quickly providing the large amounts of life-sustaining services needed immediately after a catastrophic disaster. For example, FEMA's own internal evaluation of the lessons learned from Hurricane Hugo noted that "it is quite clear that in an extraordinary or catastrophic event that overwhelms the State, the Federal Government may be the principal responder."⁵ In addition, the report recommended that a plan be developed to address the need for a Federal response to significant natural disasters.

The Federal Response Plan developed by FEMA after Hurricane Hugo, however, does not have a support function for damage and needs assessments, even though the plan itself recognizes that the magnitude of damage to structures and lifelines will rapidly overwhelm the capacity of State and local governments to assess the disaster and to identify and respond effectively to basic and emergency human needs. In spite of this, FEMA relies on State and local governments to identify services needed from the Federal Government once they have determined that they cannot adequately meet their needs.

Conducting damage and needs assessments as soon as a disaster occurs would enable local, State, and Federal agencies to know what type and how much response is needed within 12 to 24 hours. The lack of both a comprehensive damage assessment and the ability to translate that assessment into an overall estimate of the services needed was one of the most glaring deficiencies in the response to Hurricane Andrew. Absent any provisions for FEMA to either oversee or conduct a comprehensive damage assessment that can be used to estimate the services needed by disaster victims, it followed its normal procedures following the disaster declaration in South Florida. These procedures are based on the assumption that State and local governments already have conducted such surveys and will then use that information to request specific Federal assistance.⁶

Although FEMA headquarters officials realized that massive amounts of relief would be needed from the Federal Government—and that Florida was not asking for the aid it needed—FEMA's Director told us that FEMA is limited by the Stafford Act to responding only to State requests for assistance. Therefore, he said, FEMA could not help the State unless it asked for assistance and specified how much it needed.

We believe that FEMA is authorized to take much more aggressive action than it took in Hurricane Andrew. For example, once the President has declared a disaster, FEMA has ample authority to conduct its own damage and needs assessment and then recommend to the State specific amounts of assistance that should be requested. Further, FEMA has the assets—in its National Preparedness Directorate—that could have been instrumental in such tasks as assessing damage, and establishing communication links between local, State, and Federal officials at the disaster site. However, they were not fully used to respond to Hurricane Andrew and other recent disasters, in part, because the Federal Response Plan lacks procedures for using the Directorate's assets to respond to natural disasters.

As illustrated by the response to Hurricanes Andrew in Louisiana and Iniki in Hawaii, the Federal response worked better in disasters of less magnitude and impact. Because Hurricane Andrew was less severe when it hit Louisiana and because

⁵ "Response to Hurricane Hugo and the Loma Prieta Earthquake: Evaluation and Lessons Learned," FEMA, May 1991. Unpublished.

⁶ Currently, FEMA and officials from affected States conduct a preliminary damage assessment before the State requests a presidential disaster declaration. The information collected is used by the State as a basis for the Governor's request and by FEMA for the purpose of determining whether it will recommend to the President that the request be granted.

Hurricane Iniki hit a less populated area, a smaller Federal response was necessary. For example, FEMA's funding authorizations for all agencies' response and recovery missions totaled about \$820.5 million. Of this total, \$726.4 million was for Florida, \$83 million for Hawaii, and \$11.1 million for Louisiana.⁷

Although damage assessment procedures were similar in all three locations, there was less confusion about needs in Louisiana and Hawaii. In Louisiana, FEMA worked with State officials to develop a list of specific goods and services needed, including food and water, prior to the presidential disaster declaration. In contrast, in Florida, State and local governments were unable to specify needs because of the overwhelming nature of Hurricane Andrew and the resultant confusion, causing delays in the provision of services. In addition, FEMA appeared to be more proactive in Louisiana and Hawaii than it had been in South Florida in working to accelerate response activities. For example, in Hawaii, FEMA, in collaboration with DOD, arranged for the military to provide mass care and other assistance within 7 hours of the presidential disaster declaration. In South Florida, the President decided to call in the military 4 days following the disaster declaration. Federal troops were not requested by Louisiana.

RESPONSE TO HURRICANE ANDREW IN SOUTH FLORIDA DID NOT MEET NEEDS

In South Florida, State, local, and volunteer agencies fell far short of providing the amount of life-sustaining services needed in the immediate aftermath of Hurricane Andrew. For example, during the first 3 days after Hurricane Andrew, FEMA reports indicate that the combined efforts of Federal, State, local, and volunteer agencies provided enough meals to feed about 30,000 to 50,000 disaster victims a day, although Andrew left about 160,000 to 250,000 people homeless and potentially in need of mass care.⁸

A number of disaster victims in South Florida told us that the relief effort was inadequate. They said that they survived by resorting to such actions as looting grocery stores to feed their families, drinking potentially contaminated water from leaking faucets, and staving off looters by living in makeshift dwellings set up in front of their homes.

In addition, local officials, who in many cases were victims of the storm, knew that they were unable to meet their citizens' needs for life-sustaining services. However, they were having trouble communicating with one another and with the State, and were unable to request specific quantities of assistance.

FEMA regional officials told us that they knew by the second day after the disaster that more resources beyond those of the American Red Cross would be needed to meet the mass care needs of the disaster victims. These officials then offered to provide the State with whatever assistance it requested. However, Florida did not immediately request significant amounts of additional mass care because it had the impression that the State/local/volunteer network was doing an adequate job. For example, according to the State official who co-managed Florida's emergency operating center, the American Red Cross officials informed him that it had established feeding centers in Homestead and Florida City. The Red Cross later learned that some of the mobile feeding units it sent to the areas were not able to reach these cities because debris was still blocking the roadways. In fact, Homestead and Florida City—perhaps the two hardest-hit areas—did not get large scale feeding operations until the military supplemented voluntary efforts with field kitchens there 5 days after the disaster.

By the second day after the disaster, FEMA headquarters officials said that they had realized that a massive amount of relief would be needed from the Federal Government—and that Florida was not requesting it. To deal with this problem, concurrent with the designation of the Secretary of Transportation to oversee relief operations, the President also directed increased Federal assistance, particularly from the military, to South Florida. At that point, significant amounts of relief supplies began flowing into the region.

⁷ Actual costs incurred could vary from the amount authorized. To illustrate, DOD's incurred costs as of February 1993 totaled about \$553 million of which \$512 million was for Florida, \$34 million for Hawaii, and \$6.8 million for Louisiana.

⁸ The figures provided should be viewed as rough indications only. GAO found no accurate statistics to precisely measure the mass care shortfall. Reports on meals served during the first 3 to 4 days after landfall were often incomplete. However, State and local officials agreed that there was a large gap between the amount of the mass care provided and the actual need.

RESPONSE IN LOUISIANA AND HAWAII WAS ADEQUATE

We found that the response to Hurricane Andrew in Louisiana and Hurricane Iniki in Hawaii was viewed as adequate by State and local officials, in contrast to Florida. State and local officials we spoke with in Louisiana and in Hawaii told us that overall the response was satisfactory. In fact in Louisiana, we were told that offers of Federal assistance were more than adequate. State officials from Louisiana and Hawaii told us that the response efforts were successful for a variety of reasons, including a much smaller need for Federal assistance and close coordination among all levels of government and volunteer organizations. Although some problems, such as communications, were experienced, these did not delay the delivery of services.

Officials also told us that although no comprehensive damage assessment was conducted in either State (as was the case in Florida), Louisiana and Hawaii were generally able to identify their specific needs. In fact, FEMA assisted Louisiana officials in preparing a list of needed Federal provisions and services, which was incorporated into the request for a presidential disaster declaration.

APPENDIX II

MAKING BETTER USE OF STATE AND LOCAL RESOURCES AVAILABLE TO RESPOND TO CATASTROPHIC DISASTERS

IMPROVING USE OF CIVIL DEFENSE FUNDS

Approximately \$100 million is provided annually under civil defense authorities to develop State and local emergency response capabilities. Civil defense activities, which include the construction of emergency operating centers and training for key personnel, are carried out under the authority of the Civil Defense Act of 1950, as amended. The 1950 act originally was intended to develop a civil defense capability in the event of nuclear attack. However, a 1981 amendment to the act permits States to spend these funds on an all-hazards approach. That is, States may use civil defense funds to prepare for natural disasters to the extent that such use is consistent with, contributes to, and does not detract from attack-related civil defense preparedness.

Many State and local officials have told us that FEMA very closely controls what types of activities qualify for civil defense funding. According to these officials, nuclear defense concerns still predominate. The State and local officials stated that civil defense funding did not correspond to their areas' disaster response priorities and they would like additional flexibility to use civil defense funds to meet their priorities.

FEMA officials are aware of the benefits that increased flexibility would provide State and local entities and are considering merging the various programs into broader categories to enable a more diversified use of the funds. Some civil defense programs have been suspended for the current year while awaiting the results of FEMA's study of civil defense requirements, which is nearing completion. This study is intended to identify needs at the State and local level and establish appropriate funding levels for civil defense activities.

BETTER TRAINING FOR STATE AND LOCAL GOVERNMENTS

The amount of Federal resources needed to respond to a catastrophic disaster is lessened if State and local government response capabilities are increased. We believe that FEMA could do more to ensure that State and local governments prepare for catastrophic disaster response. Our review uncovered shortcomings both in the way FEMA helps State and local governments train and conduct exercises in anticipation of catastrophic disasters and in the way it monitors State and local preparedness.

FEMA's own evaluation and our report on Hurricane Hugo recognized a number of training deficiencies.⁹ These included the need to provide State and local governments with training specifically geared towards developing such necessary catastrophic disaster response skills as assessing damage and estimating the amount of mass care needs. However, State and local officials have not received such training. For example, Dade County's Emergency Management Director told us that instead of training her in such skills as conducting damage and needs assessments, FEMA typically offered generic management training designed to enhance skills such as

⁹Disaster Assistance: Federal, State, and Local Responses to Natural Disasters Need Improvement (GAO/RCED-91-43, Mar. 6, 1991).

keeping program budgets. One of the biggest problems with the response to Hurricane Andrew in South Florida was the inability of State and local officials to determine how bad the disaster was and to specify how much assistance was needed.

FEMA officials told us that its Emergency Management Institute (EMI) is developing courses to enhance State and local officials' ability to respond to catastrophic disasters. However, EMI officials told us that they further delayed development of many disaster response courses until the completion of the Federal Response Plan, which was not finished until April 1992. Because such courses usually require about 2 years to develop, most were not available in time for Hurricane Andrew.

Most State officials believe that their State disaster exercises do not adequately prepare them to respond to catastrophic disasters. These officials cite such problems as too few exercises, low Federal participation, and failure to act on weaknesses identified. To illustrate, Dade County conducted only one hurricane preparedness exercise in the past 4 years. There were 144 participants for the 1991 exercise—and none were from the Federal Government.

In 1991, FEMA staged two major earthquake exercises, involving one along the New Madrid fault (near Memphis, Tennessee) and one near Puget Sound, Washington, to test the draft Federal Response Plan. The New Madrid exercise identified such problems as (1) an individual Red Cross chapter's inability to handle a catastrophic disaster by itself, and (2) participants who had not had sufficient training on their roles in the plan. The Puget Sound exercise identified problems such as (1) inadequate State requests for assistance, (2) hesitation by Federal personnel that could have resulted in numerous delays in procuring essential supporting services, and (3) communications system failures. These identified problems proved to be accurate, as shown by the events of Hurricane Andrew in South Florida. However, these shortcomings have not yet been corrected.

IMPROVING OVERSIGHT OF STATE AND LOCAL READINESS

Greater preparedness and accountability for State and local governments is needed to ensure that they, as well as participating Federal agencies, make maximum efforts to effectively respond to disasters. However, FEMA is neither organized for, nor carries out, the type of oversight needed to ensure that deficiencies are identified and corrected.

FEMA headquarters sets policies and establishes training programs but does not monitor State performance. Regional offices implement headquarters' initiatives and interact directly with the States. However, regional offices report directly to the FEMA Director, not to the policy-setting program offices in headquarters. Headquarters officials told us that, as a result, they do not have comprehensive knowledge of State readiness.

Regional officials told us that headquarters has neither established performance standards nor developed a program for evaluating State and local preparedness for catastrophic disaster response. Therefore, the regions have no uniform national standards that can be used to judge State and local readiness. By creating performance standards and then evaluating how well State and local governments perform, FEMA can increase the accountability for all participating agencies.

Accountability can also be increased by allowing the States greater flexibility to channel FEMA funding to their own high-priority threats and by supporting this added flexibility with increased FEMA outreach efforts. Allowing States to take on a larger role in managing and addressing their greatest threats makes them more of a stakeholder in the outcome. Increased outreach efforts would provide FEMA with needed understanding of local strengths and weaknesses. This increased understanding would allow FEMA to work as a true partner with State and local governments—rather than to simply prescribe efforts from a Federal perspective.

In an effort to increase coordination and sharing of resources within and among States, several States have formulated compacts or mutual aid agreements in order to provide resources and assistance in the event of a disaster. For example, the Southern Governors' Association has recently formed a steering committee to prepare a cooperative agreement that will set forth an executive plan and inventory. The plan will outline the operations, resources, and activities that may be activated when a disaster strikes a member State.

SUPPORT OF THE GOVERNOR AND STATE LEGISLATURE AND STATE'S FISCAL SOUNDNESS AFFECT PREPAREDNESS

Factors unique to each State influence its level of preparedness. These factors include the commitment on the part of the governor and State legislature to emergency management, the reality of a perceived emergency threat, and the State's fiscal soundness.

Officials from State and local government organizations told us that support from the governor and State legislature as well as the reality of a perceived threat have the greatest influence on emergency management. These officials often cited the State of California as a case in point. Even though California has been so financially stressed that it ended fiscal year 1992 with a negative balance, it has a strong emergency management program that is based upon the reality of its earthquake threat. In fact, California is considered to be one of the best prepared States in the Nation and has its own specialized training institute that offers courses to State, local, and other officials in responding to such problems as earthquakes, floods, and hazardous materials spills. Officials also told us that other smaller States, such as Tennessee and North Carolina, have strong emergency management programs because of the strong support by the governors and State legislatures, as well as the perceived threat of disasters.

In contrast, some financially stressed States may believe that there is no real threat of a disaster and adjust their funding decisions accordingly. For example, several years ago the State of Colorado scaled back its emergency management program because of (1) lack of a perceived threat and (2) budgetary constraints. Activities related to emergency management were placed in two separate State agencies.

Over the past 3 years, States have been under continuing fiscal pressures. In general, State and local governments are running a deficit in financing current operations, and expenditures have been increasing faster than revenues. For example, the State of Florida has experienced financial pressures that have had a negative impact on its emergency management program. In a 1992 report, the State noted that over the previous 3 fiscal years, general revenue funding for the program had decreased 31 percent, while Federal and local funding increased. However, overall funding to support the program had not kept pace with the State's population growth. According to the report, the continuing decline in State general revenue funds has "eroded the emergency response capabilities of the State and its political subdivisions."

PREPARED STATEMENT OF CONGRESSMAN WELDON

INTRODUCTION

Thank you for the opportunity to testify at this morning's important hearing on rebuilding the Federal Emergency Management Agency (FEMA). Before I begin my substantive comments, I want to commend the Committee for focusing its attention on the problem of immediate disaster relief. In particular, I commend the Committee's Chairman, Senator Glenn, for his long-standing leadership on fire and emergency service issues.

We are here because of the public outcry about the problems with our nation's system for immediate response to large-scale disasters. As a result of perceived failures in the federal government's reaction to Hurricane Andrew, Congress required the United States General Accounting Office (GAO) and the National Academy of Public Administration (NAPA) to report on the effectiveness and organization of FEMA. While many of the recommendations proposed by these two organizations are excellent, I am concerned by the conspicuous absence of comments and suggestions from emergency responders. As a former fire fighter, I am absolutely convinced that input from people who actually respond to natural and man-made disasters is imperative if our Nation is to adequately prepare for the next disaster.

The question is not whether another natural disaster like Hurricane Andrew will strike the United States, but when. It is inevitable. Improvements in our nation's emergency response capabilities could one day prove to be the difference between life and death. For this reason, I am pleased to participate in this review of our nation's disaster preparedness, mitigation, response, and recovery program and to provide a first responder perspective to this discussion.

BACKGROUND

As you may know, I have an intense personal and professional interest in fire and emergency service issues. Following in the footsteps of my father and six brothers, I joined the Viscose Fire Company in Marcus Hook, Pennsylvania at the age of 18. Over the course of many years as a volunteer with the fire company, I worked my way up through the ranks to become President and Chief.

As a member of a volunteer fire company, I obtained an appreciation of the importance of adequate fire fighter education and training. Consequently, I decided to attend Delaware County Community College at night, and in 1972, I received an A.A.S. Degree in Fire Protection. In addition to this graduate degree in fire science,

I earned certification as a State Fire Instructor from the Pennsylvania State Fire School and became the first Administrator of the Delaware County Fire Academy. In this position, I managed training programs for 77 fire companies and directed approximately 200 separate training courses.

Like many volunteer fire fighters, I have had to respond to major disasters. For example, in 1975, I served as Assistant Chief following the collision of an American chemical cargo ship, the Edgar M. Queeny, and the Corinthos, a Liberian tanker, at the Delaware River docks. The impact triggered a violent explosion and fire that killed 29 people. In the aftermath of the accident, I wrote a technical assessment of the incident, entitled, "The Corinthos Disaster." This assessment report also focused on marine and refinery fire safety issues.

In January of 1977, I combined careers and interests and joined INA Corporation, now Cigna, as director of training and manpower development. As director, I was responsible for the development of programs and activities in the area of risk management, which included fire protection, arson, hazardous and toxic waste handling, industrial hygiene, and environmental liability.

Ironically, I was asked to testify before several Committees in the Congress prior to my own election in 1986. In addition to appearing before various legislative bodies, I participated in numerous training seminars and spoke before many State and National Fire Conventions.

Although I decided to run for a seat in Congress for other important policy reasons, I quickly became alarmed by the lack of attention to fire service issues. To this end, I joined with several of my colleagues in both the House and Senate to establish the Congressional Fire Services Caucus (CFSC). The CFSC, which is the largest such organization on Capitol Hill, heightens awareness about the fire service and advocates on its behalf.

FEDERAL DISASTER RESPONSE

As the brief description above of my background illustrates, a major portion of my life has been devoted to fire protection and emergency response. Therefore, I believe that I am qualified to address the subject matter of this hearing from the dual perspective of first responder as well as policy-maker.

For too many years, the views of fire fighters, ambulance drivers, disaster medics, and other responders have been ignored or shoved to the side by civil defense experts and/or military personnel. In order to have a meaningful discussion about the fate of FEMA and the federal disaster response plan, it is important to take the time to evaluate carefully the views of my peers in the American Fire Service. This is not happening. The NAPA study, for example, states that "emergency management has almost no natural constituency base until an emergency or disaster occurs."

This statement is ironic considering that on April 28 at the Washington Hilton approximately 2,000 fire fighters from across the country attended the 5th Annual Fire and Emergency Services Dinner. For a non-existent constituency, that's a pretty good turnout. While I do not necessarily disagree with the NAPA study conclusions about administrative and Congressional neglect of FEMA, poor coordination between the various levels of government, and a lack of clear mission for FEMA, the report neglects to solicit the views of a readily available constituency.

In preparation of its report, the GAO talked with the National Emergency Management Associations (NEMA), an outstanding organization that I have had the pleasure to work with over the years. However, NEMA is only one of the many groups that comprise the fire and emergency services community. Did anyone at NAPA and the GAO talk with the International Association of Fire Chiefs, the International Association of Fire Fighters, the National Volunteer Fire Council, or the National Association of State Fire Marshals. These four groups alone represent approximately 1.5 million first responders. Considering that these people risk their lives on a daily basis responding to all sorts of emergencies, it would make some sense to talk with them.

Following Hurricane Andrew, many in Congress began to call for the abolition of FEMA and a complete overhaul of the federal disaster response plan. Prior to taking any drastic action or hasty steps, we must review FEMA in the context of its history. It is easy to criticize FEMA, and in my opinion, much of it is very well deserved. I have been outspoken on many occasions, but I also realize that our nation's shortcomings in immediate disaster response are not all FEMA's fault. It is a complex problem that has many causes.

In the past, FEMA has been a political dumping ground for retired generals and civil defense bureaucrats who had little practical understanding of, or interest in, emergency issues. The agency focused on fall-out shelters and civil defense, not on

emergency response. It should come as no surprise, therefore, that FEMA has had difficulty responding to natural disasters.

Aside from the problems with FEMA's policy orientation, the agency has only attempted in recent years to solicit the participation of emergency responders. Many policy-makers have advocated transferring responsibility for immediate disaster response to the Department of Defense (DOD). Even the GAO supports an enhanced role for our military in the disaster response and recovery program. While this would presumably supply the military with a new funding justification in a post Cold War world, it has many serious policy implications and fails to solve the issue of involving local authorities and responders.

Speaking as a former local official, I think it is important to respect the Constitutional principle of federalism. State and local civil agencies know their resources and response capabilities better than the federal government, and they should take the lead role in assessing immediate damage. While the DOD played a critical role in responding to the victims of Hurricane Andrew, the military's primary purpose is to protect and defend the United States from armed threats. This mission is completely different from disaster relief, which is by necessity a State and local issue.

When I was Chairman of the CFSC, I had the opportunity to observe first-hand the federal response to a number of natural and man-made disasters including: The World Trade Center Bombing, Hurricane Andrew, the Loma Prieta Earthquake, the Yellowstone Wildfire, and the Valdez Oil Spill. In these situations, the failure to adequately plan and prepare at the local level caused significant problems. Metro Dade's difficulties with the enforcement of building codes, for example, cannot be blamed on FEMA, while Oakland's success in locating and extricating victims from the collapsed highway cannot be credited to the federal government.

There is also the problem of Congressional oversight. Twenty subcommittees in both chambers have jurisdiction over some part of FEMA. Obviously, this overlapping committee structure makes it difficult to review comprehensively FEMA's operations and has caused great confusion about its mission and mandate. According to testimony of Deborah Hart, Assistant Inspector General for Inspection at FEMA, many of the problems with immediate response are tied to a perceived lack of authority to act. FEMA officials, for example, thought they lacked authority to preposition equipment before Hurricane Andrew and to make preliminary damage assessments in its aftermath.

Even after former President Bush declared South Florida a federal disaster area, FEMA officials waited to respond until Florida Governor Lawton Chiles requested federal assistance. Due to outrage over the slow federal response, the Bush Administration appointed Transportation Secretary Andrew Card to the position of disaster czar. As a result of DOD involvement, FEMA's statutory responsibility, and Secretary Card's new role, there were no clear lines of authority among the various federal responders. Confusion of this type can be clarified if Congress would better define FEMA's mission.

Many of FEMA's shortcomings, as detailed in the GAO and NAPA reports, have already been well documented. In fact, FEMA conducted an exhaustive study of its performance that uncovered weaknesses in its federal response plan. But, for whatever reason, FEMA failed to publish this study entitled, "Response to Hurricane Hugo and the Loma Prieta Earthquake: Evaluation and Lessons Learned." Although this document was circulated internally within FEMA, its recommendations were ignored and the same mistakes, even well known ones, were sadly made again in response to Hurricane Andrew.

CONCLUSION

In short, it is unfair to blame FEMA completely for weaknesses with the federal response to natural and man-made disasters. The failure of past administrations to make disaster response a priority, the lack of clear, strong mandate from Congress, and inattention to mitigation and preparedness by State and local governments have also greatly contributed to the many shortcomings of FEMA.

FEMA does not need to be abolished. By making common sense adjustments to FEMA's operations, our Nation can be sure that victims will be cared for in the event of a catastrophic event. For example, the White House should appoint a point-person to work with FEMA to help coordinate the response at all levels of government. FEMA should set-up workshops with State and local officials in different regions of the country that are prone to earthquakes, hurricanes, tornadoes, etc. to discuss specific mitigation, preparedness, response, and recovery programs.

As a former fire fighter, I would like to express my appreciation for the opportunity to appear before this Committee to address this issue. It is important that

responders have input in this review process, and I look forward to continuing this dialogue.

PREPARED STATEMENT OF JAMES L. WITT

It is a pleasure to appear again before this Committee.

President Clinton honored me when he nominated me for the position of Director of the Federal Emergency Management Agency (FEMA). I am grateful to this Committee for the swift action you took on my confirmation.

In my confirmation hearing I made a number of commitments to this Committee. This morning I would like to give you a progress report on my accomplishments. And, then follow that with comments on my vision and plans for the future direction of FEMA.

But first, I would like to tell you about my trip to Dade County, Florida. I have been to many disaster sites and have seen more than enough damage and suffering. But, I have never seen anything like the results of Hurricane Andrew in South Florida. During that visit I identified several major problems severely affecting victims and the rebuilding process.

I was most affected by the conditions of the people who at that time were living in the St. Anne Tent City. These people lived in tents that were leaking, and they had to evacuate several times because of storms. I hate to think of what their life would have been like after the rainy season started.

Another problem that especially concerned me was debris removal. I saw houses that had been rebuilt, but the occupants could not move back in because of piles of debris around their houses, and it was demoralizing.

I was determined to help these victims. Since my return from Florida I have taken the following actions to help these people:

1. We worked with Dade County to put more debris contractors to work—especially around the rebuilt homes.
2. The tent city has been closed and virtually all of the families have been provided FEMA trailers or vouchers for other housing.
3. We have extended the deadline for disaster assistance applications to provide an opportunity for all victims to apply for the assistance for which they are eligible.

THE RENEWAL OF FEMA

One of the first things I did after being sworn-in as director was to review the statements that I had made during the confirmation process, and then prepare a checklist of actions to be taken on a priority basis. I would like to describe the major activities because they provide a picture of where FEMA is going under my leadership. These activities are grouped according to the five priorities I set:

1. Preparing to effectively respond to any disaster.
2. Revitalizing the Agency and improving employee morale.
3. Creating a national emergency management partnership involving FEMA, other Federal agencies, State and local governments, and private organizations.
4. Establishing mitigation as the foundation of the nation's emergency management system.
5. Examining FEMA's mission and organization.

FOR AN EFFECTIVE DISASTER RESPONSE

I am determined to be as prepared as possible for any major disasters that occur during my administration.

One of my first activities was to review our response readiness, to determine what our current capabilities are, and what we need to do to be well prepared. I have met the representatives of other Federal agencies involved in the Federal Response Plan, and have written to the State and territorial directors to begin the process of improving coordination and working relationships. In addition, have asked the FEMA Regional Directors to assign an employee to work with the Governor and emergency management director at the State Emergency Operations Center immediately upon occurrence of a disaster warning or event. These assignments have been made and this procedure has already been applied in a disaster situation. A FEMA representative worked closely with the Oklahoma Governor and his staff as they dealt with the recent flooding and tornadoes in that State. As a result, Governor Walters requested a personal meeting to thank FEMA for our support and swift action.

We are currently examining options for prepositioning resources for an anticipated disaster, and for establishing rapid deployment teams for use when the event does occur. We are reviewing our authority to take more of these proactive actions than we have in the past.

I am especially concerned about the on-coming hurricane season, and have taken a number of steps to prepare for such an event. We have done a preliminary review of the readiness of the 22 coastal states. In addition, I will be meeting with the emergency management directors of the hurricane-prone states next week to discuss their needs and how we can assist them should a hurricane occur.

ON EMPLOYEE MORALE

One of my first acts as Director was to greet each Headquarters FEMA employee as they reported for work the next morning. I wanted to let them know, in the clearest possible way, that I will be listening to them, and including them in the process of rebuilding FEMA. Following those meetings I instituted an "Open Door" policy. I have set aside time each week specifically for FEMA employees to talk with me about their ideas on how we can improve emergency management in this country and make FEMA an agency we can all be proud of.

I have met with representatives of our union at Headquarters. I told them that I want their ideas and support in making FEMA a better Agency and a better place to work.

In addition, I have asked all employees to give me their ideas on how we can make FEMA a better agency and meaningful place to work. In fact, since this request went out, we have been overwhelmed by the response. I want each employee to share my excitement about what we can do to accomplish this while we build the best emergency management system in the world.

EMERGENCY MANAGEMENT PARTNERSHIP

I have initiated the partnership with State and local agencies, private organizations, and other federal agencies through the following actions:

- a. I have written to each State and territorial emergency management director to state my ideas for a risk-based all hazard emergency management system, based on a foundation of mitigation. To further this partnership, I have invited these directors to meet with me at the Emergency Management Institute in June to help in the development of the partnership and associated emergency management system.
- b. I have met with the Catastrophic Disaster Response Group. This interagency group is the focal point for FEMA coordination within the Federal government for planning and responding to a major disaster. In addition, I have had extremely productive meetings with Secretary Cisneros, Secretary Pena, and Acting Secretary of the Army Shannon to discuss our mutual responsibilities in the event of a major disaster.
- c. I have initiated the development of a draft Interstate Compact, and will encourage the States and territories to adopt it as a mutual aid agreement. Of course, after the Compact is adopted it will have to be ratified by Congress.
- d. We are preparing a draft model agreement that defines how FEMA and each State and territory will work together in the event of a major disaster. These agreements will then be individually negotiated with each State/territory. The agreements will define how we will work together on major events—especially during the initial period after the prediction or disaster.
- e. Under the Federal Response Plan we have a special group addressing the problem of initial damage and situation assessment. I have asked that any new assessment process be designed with participation of appropriate State, local, and private organizations. We know that damage and situation assessment has to be fast, accurate, and complete. We can accomplish this by working together through the partnership.
- f. I have initiated a review of the administrative load on State and local agencies receiving FEMA funds. I want to give States the flexibility to develop their own programs and corresponding priorities without undue restrictions from FEMA. Our requirements should be performance-based and focused on program accomplishments. I have also initiated a project to see if we can reduce administrative reporting requirements on the States.
- g. As a general practice, I have asked Headquarters and Regional personnel to spend as much time as possible working with State and local organizations. This practice will enable FEMA personnel to become better acquainted with their counterparts at the State and local level, and to better understand the

emergency management organizations, policies and procedures used by these agencies.

MITIGATION

I believe that mitigation must become a recognized national priority. While mitigation makes good sense, it often isn't a priority for communities. We will work to change that mindset and provide solid cost-effective tools and incentives to encourage mitigation actions.

The entire nation needs to make the commitment now to invest in the long term payoff of mitigation and I plan for FEMA to provide the leadership to accomplish this effort.

To that end, in my letter to State and territorial directors, and to various constituency groups, I announced that mitigation would be the foundation for developing a stronger emergency management system. I have also discussed this issue with members of my staff to begin the process of integrating mitigation into all of our programs. There are several programs at FEMA which currently emphasize mitigation—we need to build on these programs, especially at State and local levels. We know that mitigation at all levels can help reduce disaster assistance costs—it makes good economic sense.

FEMA MISSION AND ORGANIZATION

I have initiated a project to determine the need to revise FEMA's mission, organization and policies. This is being accomplished in two ways:

- a. First, I am involving FEMA's employees in the process. A letter was sent to all employees informing them of the project and inviting their participation. In addition, we are using several existing ad hoc employee committees to develop ideas and recommendations. Thus, we are using an open approach—FEMA's mission and organization will come from the people—the people who are responsible for the Agency and the people served by the Agency.
- b. We are reviewing all of the recent recommendations concerning FEMA that have been made by various organizations and investigative teams. We will analyze them and develop a plan for implementation. For example, I have recently met with National Academy of Public Administration (NAPA) officials to discuss their recommendations and how they can support us as we go through the review process.

In reviewing FEMA's mission and organization, I have two guiding principles: (1) Nothing will be changed for the sake of change—but only to do what is necessary to achieve our goals; (2) The ideas of State and local government representatives as well as those of the volunteer community will be sought throughout the process.

CONCLUSION

In closing, I again want to thank the Committee for the confidence it has shown in me, and for the opportunity to share with you my recent actions and plans for the renewal of FEMA.

I have described my commitments to this Committee, the Congress, the Administration, the emergency management community and the American public.

However, I cannot meet these commitments alone. I must have the support of FEMA personnel, state, local, and private emergency management officials, and the support of Congress. While I willingly make these commitments to you this morning, I challenge each of you to, in turn, make a commitment to support the renewed FEMA, and the new emergency management partnership.

Thank you for your time and attention—I welcome any questions you may have.

PREPARED STATEMENT OF DR. ROBERT C. SHEETS

Mr. Chairman and Members of the Committee:

My name is Dr. Robert C. Sheets. I am Director of the National Hurricane Center of the National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce.

Tropical cyclones are recognized as nature's most destructive phenomena due to their frequency of occurrence and size. In 1900, a hurricane struck Galveston, Texas, resulting in more than 6,000 deaths. This remains the largest natural disaster in the history of the United States. By comparison, the great San Francisco earthquake resulted in 600 deaths. Nearly 2,000 deaths resulted from a hurricane in 1893 in the offshore islands near Charleston, South Carolina. Nearly the same

number of deaths resulted from the 1928 hurricane that emptied Lake Okeechobee onto the surrounding communities of Florida. In 1926, a hurricane caused major damage in southeast Florida with estimates of loss of life ranging from near 250 to 500. In 1935, a hurricane striking the Florida Keys killed more than 400 people. A hurricane in 1947 produced wind gusts to 155 mph just south of Palm Beach County in Florida and in 1969, Camille struck the Mississippi coast with winds estimated to be near 175 mph and gusts near 200 mph. This hurricane produced a storm surge (dome of water accompanying the storm as it moved ashore) of 25 feet above normal tides with waves on top of that. More recently, Hurricane Hugo moved ashore in a relatively low population density area in South Carolina and produced more than \$7 billion in property losses. In 1991 Hurricane Bob moved up the east coast and resulted in property damage of about \$1.5 billion dollars.

Hurricane Iniki crossed the Island of Kauai, Hawaii, in September of 1992. With steady winds moving over 120 mph and localized steady winds over 150 mph, Iniki touched about every structure on the Island. Estimates of the damage wrought by Iniki total approximately \$1.8 billion.

Hurricane Andrew in 1992 resulted in the largest economic loss from a natural disaster in United States history. Total losses are estimated to be about \$25 billion, which is more than the total of the three previous most costly hurricanes, or the two most costly hurricanes and the Loma Prieta earthquake. Insured losses now exceed \$16.5 billion, which is more than four times the previous record payout which occurred with Hurricane Hugo. State Farm Insurance had the record for a payout by a single insurance company with nearly \$500 million for Hurricane Hugo. A representative of the insurance industry recently reported at the National Hurricane Conference that State Farm had now paid out more than \$3.6 billion for losses that occurred in Hurricane Andrew, more than seven times the previous record. Eight insurance companies have failed and, as reported by Florida's Insurance Commissioner, major problems are ahead in the insurance situation for all coastal areas subject to hurricanes. This in turn can have considerable impacts upon the economy. An insurance representative from the Caribbean reported that re-insurance costs have doubled and tripled in the past 2 to 3 years, resulting in major economic problems for many small countries in the region.

And yet, we were lucky. It is difficult for me to convince my neighbors, those of us who live in the core region in South Dade County where Hurricane Andrew struck, of that fact. However, had Hurricane Andrew been displaced only 20 miles north of its track over South Florida, two different studies show that losses would have exceeded \$60 billion in southeast Florida alone. A continuation of that same track across Florida would have resulted in major losses in the Ft. Myers area and would have resulted in our nightmare storm hitting New Orleans, putting that city under 18 to 20 feet of water. Casualties in the southeast Florida area would have been large because more than 30 percent of the people did not evacuate the condominium complexes on Miami Beach, Hallandale and Hollywood. Casualties in New Orleans could have been very large with people drowning because, as far as I am aware, there is no plan of "Last Resort Refuge" in place anywhere in the United States except in the Florida Keys. Additionally, Andrew's inland impact could have been much more severe. It is easy to imagine a slower-moving and much wetter decaying tropical system tracking up the Appalachian Mountains, resulting in widespread devastation due to inland flooding and mudslides similar to what accompanied Hurricane Agnes in 1972 and Hurricane Camille in 1969. Such flooding could add dozens fatalities and billions of dollars in damages to the loss list, let alone add incredible stress to the emergency response and recovery efforts at all levels (local, State and Federal).

Those are certainly frightening numbers, both economically and related to the potential loss of life. Indeed, one of my major concerns in my responsibility for providing adequate warnings, is that the meteorological conditions that would create the difference in these two courses of movement are essentially undetectable with our present observing systems. Certainly, our ability to forecast these differences 24 hours or more in advance with a high degree of confidence is very limited. Computer models have advanced markedly, with great achievements and advancements at the temperate latitudes, but much less success at the tropical and subtropical latitudes. One major limitation is the availability of quantitative data. That is, the models today are far better than the data we are putting into them. The quantitative data availability in the tropical and subtropical regions in many ways is worse today than it was one to two decades ago. Also, as Professor William Gray reported at the recent National Hurricane Conference, support for Hurricane Research is far less today, in a relative sense than it was in the 1960s and 1970s. Even in a preparedness and mitigation sense, we seem to have a large imbalance in resources being directed toward solving our problems associated with hurricanes.

At the recent National Hurricane Conference, it was reported that FEMA spends nearly \$50 on earthquake related programs for every one dollar it spends upon hurricane programs, excluding relief efforts. This does not mean that the earthquake problem is any less important than it has been, but clearly the hurricane problem has not received the attention that it needs. I was pleased by the remarks made by the new Director of FEMA, Mr. James Witt, at the National Hurricane Conference 2 weeks ago. He stated that he recognized this imbalance of resources and plans to address these problems as rapidly as possible.

In my opinion, the reason that we have arrived at this situation is that in some ways we have been a victim of our own successes and the fortunate period of a very limited number of major hurricane strikes on our coasts. That is, we have been quite successful in our forecasts, warning and response systems with the recent major hurricane strikes of Gilbert, Hugo, Bob and now Andrew. Loss of life has been relatively small and people probably believe that we are better at forecasting and responding to these events than we are. I wish that this situation continues into the future, but the case seems unlikely.

Before Hugo and Andrew, fortunately, strong hurricanes striking the U.S. coastline had been infrequent events during the two to three previous decades. However, recent research has indicated that we are likely to return some time in the near future to a frequency of hurricanes similar to those experienced in the 1940s, 1950s and 1960s. If those frequencies of hurricanes return, we will see multi-billion dollar losses of property almost every year and potentially large loss of life because of the rapid coastal development.

The coastal county population from Texas to Maine now exceeds 44 million people. A substantial portion of that population and associated property at high risk to the elements of the hurricane reside on barrier islands. The rapid development on these islands has frequently been supported by federal funds for the infrastructure of a community such as highways, bridges, water and sewage systems, and shoreline reinforcements. Also, insurance encourages this development, either in the form of the National Flood Insurance Program or forced "risk pool" wind insurance from the private sector. As I indicated earlier, this situation is about to change drastically for private sector insurance. However, the success of any of the National Flood Insurance Program reform measures now pending in Congress cannot be assured. In any case the coastal development programs of the past and present are counter-productive with respect to attempts to reduce the people and amount of property at risk from hurricanes.

The most rapid growth of the permanent coastal county population for the Gulf and East coasts has been in the "sunbelt," i.e., Texas through North Carolina with extreme growth rates in Florida. Although some of the mid-Atlantic and New England States have shown lower growth rates for permanent residents than for the "sunbelt," their vacation and weekend population and property at risk growth rates have been tremendous. A prime example of that situation is Ocean City, Maryland, where the permanent population of Worcester County (contains Ocean City) was a little over 35,000 in 1990, but an estimated 350,000 people were there on Memorial Day weekend of 1991 with a total of some 3,791,339 visitors from that weekend through Labor Day weekend in 1991 (source—Ocean City, Maryland Chamber of Commerce). A similar phenomenon occurs at many other locations such as Padre Island, Texas; Gulf Shores, Alabama; Panama City, Florida; the outer banks of North Carolina and northward through New England. When these weekend, seasonal, and holiday populations are considered, the number of people at risk on barrier islands is much more than the permanent population statistics would indicate, increasing by 10- to 100-fold or more in some areas.

A large portion of these same barrier islands with high population densities (either permanent or seasonal) is subject to inundation from the rapidly rising waters known as the storm surge created by the winds of the hurricane driving the water ashore. Historically, it has been these surge waters that have resulted in the large loss of life and extreme property damage associated with hurricanes. Over the past several years, the warning system has provided adequate time for the great majority of the people on barrier islands and along the immediate coast to move inland when hurricanes have threatened.

However, it is becoming more difficult each year to evacuate people from these areas, due to roadway systems that have not kept pace with the rapid population growth. That is, in most coastal regions, it now takes much longer to evacuate a threatened area than it did a decade ago. Further, roads improved for evacuation purposes usually act to encourage coastal population growth, since density and other controls are not imposed to counter increased development pressures that accompany improved access to the coast. This means that longer and longer lead times

are required for safe evacuation from threatened areas. Unfortunately, in my opinion, these required longer range forecasts suffer from increased uncertainties.

Also, as I mentioned earlier, to my knowledge, only the Florida Keys has a plan of "last resort refuge" for residents who may be trapped by rising waters. That is, when people are trapped on these barrier islands or, for example, in the city of New Orleans when the levee system is about to be topped, thousands of people are simply on their own to seek some sort of refuge. The result will be countless loss of life as it was in Galveston in 1900. Fortunately, the Florida Keys have blazed a trail that hopefully others will follow. They now have a plan of "last resort refuge" in place with phased evacuations. That plan was exercised during Hurricane Andrew and worked quite smoothly. Many other areas need to emulate this plan. Hopefully, FEMA can play a lead role in this activity.

One factor that had remarkably little widespread public or political awareness prior to Hurricane Andrew was the potential economic losses due to direct destruction from a major hurricane. Had hurricane related losses continued to spiral upward in tandem with the coastal population growth during the past two decades as they had during the previous three decades (Figure 1), average annual losses would now exceed \$3 billion and would continue to escalate at a rapid rate. Such losses likely would have spurred mitigation actions similar to actions resulting from the repetitive losses in southeast Florida in the late 1940s and early 1950s. Hopefully, the losses from Hurricane Andrew will now spur such action.

A study in 1988 by the All-Industry Research Advisory Council (AIRAC) showed trends in insured coastal property that are astonishing. The shocking numbers from this AIRAC study reveal that "insured property exposures for the first tier of coastal counties (Gulf and Atlantic coasts of U.S.) came to \$1.86 trillion, an increase of 64 percent over the 1980 total . . ." Even with adjustments for inflation (approximately 29 percent), this is a phenomenal figure, and does not include national flood insurance! A close examination of these numbers shows that they reflect more than just the permanent population trends, but also are a measure of major developments for tourism and summer or vacation homes. One such example is Worcester County, Maryland (includes Ocean City), where the insured property increased by 67 percent (near 40 percent after an adjustment for inflation) from 1980 to 1988 while the permanent population increased by only a little over 11 percent from 1980 to 1990.

One question which was often asked, is "what would be the loss of life and property if a hurricane like the 1926 hurricane was to strike the Miami area in 1992?" Hurricane Andrew has now answered some of those questions. It is impossible to estimate the loss of life due to the short-term actions that may or may not be taken at the time of the storm. However, property damage estimates can be made, and as reported at the recent National Hurricane Conference by Ms. Karen Clark, the numbers are extremely large for any major metropolitan area such as the Galveston-Houston area (\$80 billion), New Orleans (\$52 billion), southeast Florida (\$106 billion), Virginia-Maryland (\$68 billion) and New England (\$104 billion) all not counting flood insurance.

With these figures, it is not difficult to envision a national economic catastrophe for the future. If the frequency of major hurricane strikes on the continental U.S. returned to those of the 1940s through 1960s, multi-billion dollar losses would be experienced nearly every year. A study by AIRAC (1986) indicated that two successive \$7 billion dollar catastrophes (similar to Hugo), "would do severe damage to the property-casualty insurance industry in the U.S. and abroad," which of course would have major economic implications for the economy as a whole. Of course, Hurricane Andrew has already shown what one hurricane can do and, indeed, it has severely damaged the property-casualty insurance industry.

The present populations and property at risk to hurricanes in the United States clearly present the potential for large loss of life and property for numerous possible hurricane scenarios. We have been fortunate during the past two decades when major hurricane strikes were infrequent. However, we need action at local, State and Federal levels now to prepare for a return to potentially more frequent major hurricane events in order to minimize life and property losses. Such a conservative strategy may yield great dividends.

There are three primary types of direct losses from hurricanes. These are:

1. Loss of life.
2. Direct property destruction and associated loss of commerce.
3. Costs of "overwarning" for preparations and loss of commerce.

The protection of life is the highest priority goal of the hurricane forecast and warning process and as such, is primary factor that determines the degree of "overwarning." As much as 30 hours or more is now required to evacuate people from such vulnerable areas as Galveston Island, the Florida Keys, New Orleans, Ocean City, Maryland. (See companion paper for evacuation times for selected coastal loca-

tions.) Such decisions for protection of life now must be based upon 36-hour or longer range forecasts. The uncertainty in those forecasts, as discussed earlier, is such that relatively large "over-warning" is required in order to minimize the potential for large loss of life. Even with this "over-warning," there could be an unforeseen meteorological development such as a rapid change in course (Elena, 1985), or rapid change in intensity which would not permit adequate warning time. Also, there could be some hindrance to the evacuation process (accidents, barge taking out a bridge, slow start of evacuation) which could also result in incomplete evacuations with literally thousands of people trapped on barrier islands and roadway systems as the life threatening elements (rising waters, increasing winds) of the hurricane approach. Clearly, efforts must be made to address these problems.

Some mitigation activities that could be directed toward alleviating these problems are:

1. *Reduce required evacuation times.* This can be accomplished through improved community development and planning including improved roadway systems, limiting growth, minimizing the numbers of people that must be evacuated through use of better building practices including "setbacks," modern building codes and enforcement, providing safe in-place sheltering for manufactured and mobile home communities, and local shelters for people who might otherwise attempt to leave the area. That is, optimize the response process by moving people 2 to 10 miles rather than 200 miles or more.

2. *Provide last resort refuge.* This, perhaps, would not be publicized so that people would not delay their actions knowing a "last resort" shelter existed, but would provide a means of minimizing potential loss of life when complete evacuations cannot be accomplished for whatever reason. It is always best to get people away from the problem to where services can be provided. That is especially true where hurricanes are prolonged events. However, for the Mid-Atlantic States, New York and New England where the hurricane is a short lived event (Hurricane Bob was a 2-hour event in Massachusetts), it may be prudent to provide in-place safe refuge rather than go through a lengthy evacuation process with several potential "false alarms." Exceptions would be for regions such as Fire Island, New York, where massive destruction from the storm surge might be expected and access cut off for days rather than a few hours. (Preparation costs for a hurricane whether it actually strikes or not are estimated to be about \$175,000 per mile or more than \$50 million per average warning. Of course, these costs are higher for major metropolitan areas.)

3. *Improve forecast accuracies.* Forecast accuracies are improving, but unfortunately not nearly fast enough to offset the loss of accuracy associated with required longer-range forecasts. However, computer models have improved markedly during the past decade and research studies have shown that given correct quantitative data in the hurricane and its near environment through the depth of the troposphere, substantial improvements in forecasts of track and intensity are possible. Technology exists to provide that data, and NOAA recognizes the need to explore options for an improved aircraft reconnaissance system coupled with advancing satellite and conventional technology in order to realize these potential forecast improvements.

The final item of potential loss mentioned above is the direct destruction of property. Hurricane Andrew again has shown this impact, but as I mentioned earlier, it could have been so much worse with a nearly undetectable change in the meteorological conditions. Clearly, the Nation as a whole pays for such losses through various means including insurance premiums, tax subsidized disaster relief funds, charitable contributions, higher prices for goods due to loss of productivity and natural resources. For instance, more potential lumber volume was lost in Hurricane Hugo than in the Mt. St. Helen's eruption and Yellowstone National Park fires combined. Other agricultural losses are frequently large. Also, there are usually considerable amounts of under-insured property that result in business failures, individuals not being able to meet their financial obligations, etc., erosion of tax bases for a community that has been devastated, and the compounding effects of such losses. Reports have indicated that more than 80,000 jobs were lost in South Dade County alone due to Hurricane Andrew. Also, as mentioned earlier there is an enormous amount of insured property at risk, where major losses could cause the failure of some fringe insurance companies as they did in Hurricane Andrew.

Some mitigation activities that could be directed toward alleviating the direct destruction of property problem are:

1. *Restrict development and redevelopment in high risk areas.* Several programs including the Coastal Barrier Improvement Act of 1990 have been aimed at accomplishing this goal. However, those programs have met with mixed success where massive losses have been experienced, such as after Hurricane

Hugo. That is, under public and political pressure, rules and laws are waived or modified. State coastal zone management programs funded by NOAA and the National Flood Insurance Program's hazard mitigation provisions should play major roles in discouraging inappropriate development in the coastal zone.

2. *Establish and enforce hurricane resistant building codes.* There are at least two or three proven codes for resisting damage due to wind and water at minimal increases in cost over conventional construction. People thought that the southeast Florida code was adequate. However, some small changes in the code and interpretation of the code had crept in which caused massive losses and some loss of life. Even with these deficiencies, the code and building practices in Dade County were far superior to most other hurricane prone areas. It often is a problem of education rather than the small increase in cost required to have a good code in place. For example massive losses occur even in exclusive developments such as DeBordieu Beach, South Carolina, where the small cost of the application of hurricane resistant codes was not a factor. The developer of that community and others in the South Carolina area expressed surprise at the destruction from Hurricane Hugo and a lack of knowledge of existing hurricane resistant construction codes. Most people vowed to build back using such codes, but were confused about which code they should use.

Generally, after each major loss, the affected community looks for some improvement in building practices. This frequently consists of developing some new code or selected applications of parts of codes used in other areas. It seems that an adequate experience level exists today, at least from a technical standpoint, where an effective, relatively low cost, uniform code, could be adopted and applied for each type of structure along the coasts. One such code has been produced by the Southern Building Code Congress International (1990). However, the process of uniform adaptation in the past has apparently been hampered by jurisdictional considerations. Unfortunately, such codes and enforcement practices are rare in most coastal areas. Some areas have improved building practices (codes, enforcement, setbacks) in recent years, but with the exception of southeast Florida, almost all other coastal areas remain under government enforced insurance "risk pool" situations for wind damage insurance. Now after Hurricane Andrew, southeast Florida is under a similar situation. Policy holders outside of the "risk pool" areas are probably subsidizing the policy costs for those in the pool situation.

The potential success of the mitigation efforts mentioned above is dependent upon an informed public. Most educational programs to date have rightfully been directed at protection of life. Certainly, those programs need to continue and at enhanced levels due to the increased population at risk and the potential for more frequent, strong hurricanes as mentioned earlier. However, it is past time to educate the public concerning the hurricane related economic factors described earlier, before catastrophic financial disasters occur, rather than afterward.

Such education, of course, will aid in the protection of life as well as possibly leading to mitigation efforts to avert financial disaster. Literature needs to be developed for widespread distribution that points out that considerable protection from wind damage can be obtained with minimal increases in construction costs. Simple illustrations of construction elements such as connections have proven quite effective in demonstrating to the lay person that such protection is reasonable and "affordable." The term "affordable housing" has been used by some builders' associations as a reason for opposing implementation of hurricane-resistant construction practices. This literature should demonstrate that such arguments are based upon flawed reasoning. Preventative measures are usually cost effective in the long-run. I believe that FEMA is making some progress in this area, but those efforts need to be enhanced. Showing what a hurricane resistant house looks like will hopefully influence buyers which will then influence the construction industry. As we learned from Hurricane Andrew, a lot has to do with the "style" of the home along with connectors.

SUMMARY

There are now more than 44 million people living in hurricane-prone coastal counties from Texas to Maine with continued rapid growth rates, particularly in the "sunbelt." The infrastructure of these rapidly growing coastal communities, particularly roadway systems for access to the mainland from many of the barrier island communities has not kept pace with the population growth. However, any roadway improvement must be accompanied by adequate controls on population density, to prevent further development which will place even more people and property at risk from hurricanes. The result is that longer and longer warning lead times are required in order to safely evacuate these areas in the event of a hurricane threat.

Forecast skills are such that it is unlikely that warnings for all hurricane situations will be sufficient for safe evacuation from the area. This means that residents could be trapped on barrier islands and associated roadway systems while winds and waters are rising around them. Furthermore, only one or two communities have plans in place for "last resort refuge" to deal with this situation, or one created by a failure in the evacuation system due to other reasons such as accidents.

In addition to the threat to life, considerable property is at risk. The value of insured property at risk in the same coastal counties mentioned above (not counting national flood insurance) is now approaching \$2 trillion. A return to continental United States hurricane landfall frequencies of the 1940s through 1960s would mean frequent multi-billion dollar losses having national impacts on the economy. Coordinated efforts by the hurricane preparation and coastal hazards mitigation programs of FEMA and NOAA could assist in minimizing losses, but these efforts are needed now if they are to have significant effects.

Mr. Chairman, this concludes my testimony. I will be happy to answer any questions the Committee members may have.

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PREPARED STATEMENT OF R. SCOTT FOSLER

Mr. Chairman and Members of the Committee: My name is Scott Fosler, and I am President of the National Academy of Public Administration. The Academy is a private, non-profit and non-partisan organization chartered by Congress to improve the effectiveness of government at all levels—Federal, State and local. I am pleased to respond to your invitation to appear at this hearing on rebuilding the Federal Emergency Management Agency (FEMA) and preparing for the next disaster.

The Academy, pursuant to a congressional mandate, recently completed a major study of Federal, State, and local governments' capacities to respond promptly and effectively to major natural disasters. Congress ordered the study in light of widespread criticism of how FEMA, in particular, and the Federal Government, in general, responded to Hurricane Andrew last year. I respectfully request that the executive summary and list of panel recommendations from the Academy's report, *Coping with Catastrophe*, be inserted in the hearing record.

Given several current efforts to examine the government's performance in recent major natural disasters, the Academy concluded that it could make a unique contribution by reviewing and analyzing the whole system of governmental organizations, private and non-profit organizations, and individuals involved in responding to major disasters. Moreover, it concluded that it could not examine the response to natural disasters in isolation from all emergency management functions: Mitigation, preparedness, response, and recovery. In addition, the Academy believed that an analysis of FEMA's roles and mission required an understanding of both the agency's major functions and how these functions related to the programs and functions of other related government agencies.

Simply put, we found that FEMA was like a patient in triage. The President and Congress must decide whether to treat it or let it die. The present time and circumstances provide a unique opportunity for change. A small independent agency

could coordinate the Federal response to major natural disasters, but only under certain conditions. Absent these conditions, the President and Congress should consider dismantling FEMA and assigning its various functions either separately to other agencies or, all together, to a Cabinet department or major agency. Otherwise, America's frustration with the timeliness and quality of the Federal response to major natural disasters very likely will continue.

The 1978 reorganization plan that created FEMA was adopted with several goals in mind.

One goal was to make a single agency and a single official accountable for all Federal emergency preparedness, mitigation, response, and recovery activities, and to create a single point of contact for State and local governments.

A second goal was to enhance the dual use of emergency preparedness and response resources at all levels of government.

A third was to integrate the functions of emergency management—mitigation, preparation, response, and recovery.

And a fourth was to achieve significant economies through combining duplicate regional structures and redundant data processing and policy analysis systems.

But to date, each goal has been only partially met, if at all. In essence, the institution envisioned by the 1978 plan has not yet been built.

Concerns about FEMA's record have prompted numerous calls to "let the military do it" or to place FEMA in the Department of Defense. Such calls are certainly understandable in light of the military's laudable performance after Andrew. But close examination reveals that such an approach is simplistic.

First, emergency management/disaster response must necessarily remain a secondary mission for the military, whose primary commitment must be a war-fighting capability.

Second, there are problems, stemming from the *posse comitatus* law, in using the Armed Forces to maintain law and order unless the President or a governor are willing to declare an insurrection.

Third, given its commitments to prepare for war and other international crises, the military should be rapidly called upon only when the civilian arms of government and private relief agencies are overwhelmed.

Unless the Nation is to abandon more than two centuries of federalism, it cannot make the Federal Government the "911" first responder. Our constitutional structure is fundamentally "bottom-heavy." Most emergencies—and even most incidents we call disasters—are met by private, voluntary groups and by local and State units of government. Even in catastrophic situations, there are ways to improve the Federal disaster response without altering the traditions of federalism.

Federal/State/local relations are complex and often highly conflicted regarding emergency preparedness, response and recovery. We believe that Congress needs to clarify Federal, State and local emergency management responsibilities by shifting the emphasis from nuclear attack preparedness to domestic emergencies and natural disasters. Even if the Federal Government strengthens its own response role in catastrophic disasters, it still must help increase the capacity of State and local governments. That effort, however, should involve building capacity rather than increasing controls. Means of doing so include: (1) setting performance standards; (2) monitoring State emergency management plans; (3) evaluating State plans and States' efforts to help local governments create their own compatible plans and capabilities; and (4) making grants conditional on effective State performance. In addition, FEMA should encourage regional planning and preparedness efforts, such as those for interstate earthquake or hurricane planning.

As for FEMA, we made numerous recommendations designed to create a high-performance, high-reliability agency. They boil down to several conditions that must be met:

1. Reduction of political appointees to a director and deputy director, development of a competent, professional career staff, and appointment of a career executive director.

2. Access to, and support of, the President through the creation of a Domestic Crisis Monitoring Unit in the White House.

3. Integration of FEMA's subunits into a cohesive institution through the creation of a common mission, vision and values; an integrated development program for career executives; and effective management systems.

4. Development of structure, strategy and management systems to give agency leadership the means to direct the agency.

5. A new statutory charter centered on integrated mitigation, preparation, response, and recovery from emergencies and disasters of all types.

6. Joint assessment teams and a graded response scale for more timely and effective responses to disasters, including catastrophic.

7. Development of functional headquarters-field relationships.

Some additional funding in the near term may be required to meet these conditions, but we believe that the longer run result will be improved efficiency and program effectiveness that reduces costs. Given the current government-wide budget stringencies, FEMA must do everything possible to economize and make the best use of any additional resources.

If after a reasonable period, most of those conditions are not met, the President and Congress should consider and take action on more drastic options, such as those I mentioned above.

Many of FEMA's problems with disaster response are traceable to a preoccupation with national security emergency preparedness. We have recommended that the responsibility for the major national security functions be transferred to the Department of Defense and that FEMA's operations be declassified.

Congress plays a leading role in developing emergency management policy and the Federal response to natural disasters. Its jurisdiction over these functions and FEMA is so splintered, however, that no single authorizing committee has the ability or interest to examine either one in its totality. This splintered jurisdiction also reinforces fragmentation within the agency and authorizations tied to specific kinds of disasters, such as earthquakes or radiological hazards. In addition, FEMA's relations with Congress are needlessly time-consuming, complex and contentious.

One side effect of this splintered jurisdiction has been FEMA's reluctance to propose a restructuring of its authorizing statutes. Several laws apply to emergency management programs. The two most prominent are the Stafford Act and the Federal Civil Defense Act of 1950, as amended. But certain emergency management functions are governed by the National Security Act of 1947 and the Defense Production Act of 1950. Agriculture and small business loan programs are authorized separately by committees with little or no interest in mainline emergency management programs. The result is a hodge-podge of statutory authorizations providing sometimes conflicting and outdated guidance which, in our judgment, slows and materially complicates the Federal response to natural disasters.

Congress should enact a comprehensive emergency management charter by revising the Stafford Act to encompass emergencies and disasters of all types. Congress also should designate a single committee in each chamber of Congress with jurisdiction over "emergency management" and the laws applying to FEMA. We have urged the Joint Committee on the Organization of Congress to give this matter priority attention.

Changes of the magnitude needed will require strong, sustained White House and Congressional leadership attention and support. Given the nation's economic and social problems and foreign policy challenges likely to occupy the political leadership, we believe a galvanizing event may be needed before the Federal Government and the States can reach a new compact on how the Nation will prepare for, and respond to, emergencies and who will pay for them. Such a galvanizing event might be a White House or governors' conference on emergency management, a summit meeting between the President and the governors, or a national commission chartered by Congress or appointed by the President.

We are encouraged by some actions that the new administration and FEMA have already taken to respond to our recommendations. James Lee Witt, the new FEMA director, is the first person to head the agency with a background and practical experience in emergency management. He also has ties to the President that should facilitate the Federal response to future disasters and provide the necessary support for building a high performance, high-reliability institution. We are also pleased that he has begun a strategic goal-setting process involving FEMA managers and rank-and-file employees.

In addition, FEMA has established a task force with other Federal agencies to act on the lessons learned from last year's catastrophic storms. Hurricanes Andrew and Iniki provided the first real test of the Federal Response Plan (FRP). Comments we heard from persons at all levels of government were positive toward the FRP as an important beginning. However, these individuals were unclear about when or under what circumstances the FRP will be invoked. This creates confusion among participating agencies, leading to crucial delays. Revisions of the FRP should establish clear guidance as to when and how it goes into effect.

Currently, the FRP is presently as much conceptual as operational. The FRP should provide the basis for developing operational plans under each emergency response function which articulate with regional State and local operational plans. The FRP is a promising start for Federal disaster response planning and coordination—but it is only a beginning. To give the plan and FEMA's role in it additional stature, we recommend that the FRP become the *President's* response plan.

As to the task of "reinventing FEMA," we strongly believe that this agency, or any successor, should become a professional, depoliticized organization capable of coordinating Federal, State and local responses to disasters and meeting the needs of disaster victims. There is no Republican or Democratic way to perform emergency management. In *Coping with Catastrophe*, we made several recommendations designed to create a high-performance, high-reliability agency, thereby strengthening the Federal emergency management function. Some of these recommendations are summarized in the seven essential conditions outlined above.

The task of strengthening the nation's emergency management system has begun, and we are hopeful that governments at all levels will be better prepared for the next hurricane season. However, the nation's leaders must make a sustained effort over several years to address all of the problems outlined in our report and those of other organizations, such as the General Accounting Office. Difficult challenges still lie ahead, such as reducing the number of political appointees; developing a common vision, mission and values; and enacting a new statutory charter. We will be working with FEMA over the next several months on implementing our recommendations.

Mr. Chairman, this concludes my prepared statement. I would be pleased to respond to any questions.

PREPARED STATEMENT OF DALE W. SHIPLEY

Mr. Chairman and Members of the Committee, thank you for the opportunity to appear before you today to discuss how to improve our nation's organization and system for responding to and recovering from large disasters.

Let me begin by voicing NEMA's appreciation for your quick confirmation of James L. Witt as Director of the Federal Emergency Management Agency. We are extremely pleased that the President has selected an individual with an outstanding record as a State Emergency Management Director. At this critical time, our Country cannot afford the delays caused by leaders who are uninformed and lack professional emergency management experience. We look forward to seeing other excellent professionals appointed who understand the nature of our challenges and can lead the revitalization of the emergency management system. There are urgent organizational, leadership and policy problems that should be immediately addressed by the new Director and his staff.

We have an unprecedented opportunity to capitalize on the lessons from Hurricane Andrew; to develop a strong, resilient, victim-oriented Federal response capability that is community-based; and, to officially and formally establish that hazard mitigation will be the foundation for our country's emergency management system.

ALL-HAZARDS EMERGENCY MANAGEMENT PROGRAM

For many years, there has been much debate and subsequent shifting of philosophy concerning whether FEMA should retain its civil defense focus, or redirect it toward a true multi-hazard emergency management philosophy designed and organized to deal with the consequences of disaster regardless of cause. While some contend that a program which prepares the Nation for national security threats must be separate from one which prepares the Nation for natural and technological hazards, we believe that since the same responders and emergency management infrastructure will respond to the disaster regardless of the cause, the time has come to end this debate in favor of the multi-hazards philosophy.

We have an opportunity to establish an effective all-hazards emergency management system and organization to prepare for natural and technological hazards, as well as national security threats. The "lessons learned" from recent major disasters have provided emergency managers at all levels of government with a wealth of information not previously comprehended. Incorporation of the predictable consequence information into our planning activities, including infrastructure destruction (transportation, energy distribution, communications systems and other vital services facilities), loss of housing, and cultural differences within our society (language barriers, ethnic food requirements, and awareness of cultural ways and traditions) will allow emergency planners to anticipate resource requirements and establish contingencies to meet the demands during the planning phase, rather than in the throes of the actual response.

PARTNERSHIP

There is a need to develop a new partnership in providing emergency management services. The White House, Congress, FEMA, State and local emergency management agencies, and private organizations, must establish a program wherein we

are "partners" in planning and executing the nation's emergency management program. By incorporating the views of all parties, response and recovery activities can be coordinated through planning and exercises, thus building cooperative relationships.

The new FEMA management must recognize the need for innovative national leadership. It is essential that the new Director develop and implement FEMA programs, policies, and procedures in cooperation with all involved parties, including Federal agencies, State and local emergency management agencies, and private organizations involved in disaster mitigation, preparedness, response and recovery.

This partnership can also serve to provide a strong, immediate, and unified response to future catastrophic disasters. If properly organized, staffed and resourced, there exists among these entities the knowledge and commitment to effectively respond to the demands of future catastrophic disasters anywhere in the country.

ORGANIZATION OF FEMA

FEMA deserves strong support, cooperation, and coordination from the White House and the Congress during disaster situations. Recently, FEMA's authority was superseded in several situations by other Federal agencies that lacked its experience in crisis management. These actions indicate a previous lack of confidence held by the White House and other parties in the efficacy of FEMA.

An official role should be established for the White House in overseeing the coordination of response and recovery for catastrophic disasters. The perception of Presidential control and involvement is critical to managing the first days or weeks after a catastrophic disaster.

To strengthen the link to State and local governments during disasters, FEMA should assign skilled personnel, as warranted, to each of the States and territories to provide insight, guidance, and oversight in the enhancement of the State emergency management program, provide Federal coordination at the onset of disasters, and assist in the development of minimum functional response capabilities.

FEMA must use available funds that support State and local emergency management agencies more wisely. Currently, Federal dollars are tied to largely uncoordinated objectives, particularly between traditional civil defense, hazardous materials, as well as technological and natural hazards programs. This increases administrative costs and limits local and State capabilities to use available funds to accomplish the broad objectives necessary to enhance capabilities for managing the consequences of major emergencies.

Most State organizations in recent years have been forced to absorb State budget cuts. Managing such budget reductions necessitates maximum flexibility in setting priorities. Available funds—State and Federal—must be used creatively to develop integrated emergency management systems. Current FEMA program policies, and the programs of other Federal agencies that administer hazardous materials funds, make it difficult to use Federal dollars in a manner that enhances an overall emergency management system at the State and local level. It doesn't matter whether a hazardous material spill is caused by a train wreck or an earthquake—we must respond to the emergency. I recommend that the Congress approve funding flexible enough to enhance capabilities at the local and State levels to focus on prioritized, risk-based emergency management and mitigation programs.

MITIGATION AS THE FOUNDATION OF EMERGENCY MANAGEMENT

The foundation of the emergency management program must be hazard mitigation, whose primary focus is to solve problems before they occur, and to do everything reasonably possible to eliminate or reduce the impact of hazards on communities. By establishing a strong coalition among all levels of government and the private sector, and by actively focusing on mitigation now (through structural and non-structural methods), we can save lives, protect property, significantly reduce resource demands and disaster recovery costs in future disasters, and, contribute to the economic well-being of our nation.

Section 409 of the Stafford Act is the impetus for involvement of State and local governments to evaluate and mitigate natural hazards as a condition of receiving Federal disaster assistance. While Section 409 has focused attention on the role of mitigation and its importance, the program overall has had limited success. One explanation for this is the fact that the program is only implemented after a declared disaster, and therefore remains a "reaction" to a problem versus solving the known problem before it occurs. Additional problems such as delays in project approval and implementation, restrictions in the use of mitigation funds, and the 50 percent match requirement, have added to the difficulty in sustaining program interest and momentum.

NATIONAL INTER-GOVERNMENTAL RESPONSE ENHANCEMENT

Our nation's approach to emergency management is based on the inter-governmental "system" in which each level—local, State and Federal—has a role. When one link becomes weak or fails, the entire system breaks down, as evidenced in Florida following Hurricane Andrew. It would be unwise, however, to conclude that fundamental changes in the relationship between Federal, State and local governments are needed based on an event or experience that may not be representative of State emergency management systems or capabilities.

FEMA should be adequately staffed, funded, organized and equipped to carry out its role as our nation's focal point for coordinating the efficient use of Federal resources before, during and after a disaster. More specifically, a newly-reorganized, re-invigorated FEMA should:

1. Place greater emphasis on Federal response planning to include the utilization of resources in the National Preparedness Directorate.
2. Develop a 24-hour operative center located in Washington, D.C., capable of monitoring emergency situations and receiving requests for assistance from the States.
3. Work closely with State and local governments and the private sector to develop a mutual-aid network and system to identify, inventory, organize and utilize the specialized resources across the Nation required to meet demands anywhere in the country.
4. Utilize non-impacted State and local government emergency management personnel, specially trained in disaster response and recovery, as members of Disaster Management Support Teams to assist and support Federal, State and local efforts.
5. Be legislatively empowered to utilize all Federal resources to fulfill victim and community requirements and to meet the public's expectations.

PUTTING THE VICTIM FIRST

Action must be taken to ensure that State and Local governments have the resources and flexibility to develop and maintain a level of readiness and response capability that is commensurate with their exposure to natural and technological hazards. To accomplish this, more resources must be committed to conducting multi-jurisdictional exercises for catastrophic disaster response; and, performance standards (i.e., minimum functional response capabilities) should be established to assess State and Local readiness capabilities.

Primarily through funding and support from the Federal Emergency Management Agency, American Red Cross and a number of other private sector organizations (Weather Channel, National Coordination Council on Emergency Management), various types of disaster preparedness training are delivered. For the most part, training is conducted through financial support provided through the FEMA—Emergency Management Training (EMT) Program.

Building on the operational concept of the Federal Response Plan, there is a need for development and delivery of additional training programs. Specifically, because of the complexity of a disaster response which incorporates State and Federal assistance, additional training modules need to be developed which illustrate this integrated response. Topics for delivery include an explanation of what to expect during the first 72 hours after a disaster, how to request State and Federal assistance, how to conduct a damage assessment, and how to implement and administer the provisions of the Stafford Act.

The general public also deserves additional awareness and training. While FEMA has supported this effort, little funding has been targeted toward supporting the delivery of family preparedness training. Specifically, adequate resources must be committed to support the delivery of family preparedness programs, with focus on training the general public on the consequences of disaster, therefore, reducing the demands on government for basic victim assistance in the early period after disaster impact.

FEDERAL DISASTER RECOVERY LEGISLATION

We have an opportunity to correct a problem which now inhibits State and Local governments from requesting Federal assistance during the response phase. The Stafford Act authorizes FEMA to pay 75 percent of the costs of specified response and recovery services provided by the Federal government after a Presidential Declaration of a "Major Disaster." The Act also permits the President to waive the remaining 25 percent State and Local contribution associated with the Public Assistance Program. Because we are initially expected to pay this portion, which may be

significant depending on the magnitude and location of the resources requested, there is generally a hesitation to use these services prior to conducting budget analyses. Finances should not delay actions to protect lives and property during the initial throes of a disaster. A method must be found to alleviate this problem.

Congress should eliminate the requirement for a 25 percent State and local contribution during the initial emergency response phase. The current cost-sharing provision has the unintended consequence of delaying acceptance of needed Federal assistance because of potentially high costs involved.

DISASTER RECOVERY PROGRAM VICTIM ORIENTATION

While it is essential to have rules, regulations, and a structure in place to guide disaster assistance, there is an inherent bureaucratic tendency to allow rules and regulations to drive the mission. While the overriding concern should be to rapidly provide for the needs of disaster victims, a delicate balance exists between what seems rational and humanitarian at the time and that which is legal or authorized.

A critical review of the provisions of the Stafford Act should be guided by the following objectives:

1. The need to balance financial and legal accountability with needs and expectations of disaster victims. A recent public opinion poll conducted in North Carolina revealed that 64.8 percent of the general public and 41.4 percent of the public officials, including members of Congress, expect victim financial assistance to be delivered within 7 days. The current accountability required in administering the FEMA Individual Assistance Programs virtually prohibits these expectations from being legally met.

2. The need to accommodate the immediate, post-disaster needs of a society that is increasingly diverse—ethnically, socially and culturally.

3. The need to streamline the programs to maximize efficiency, minimize confusion, and accelerate the recovery process.

Under the current system of Federal disaster assistance, the burden is placed upon the victim to understand, apply for, and comply with regulations regarding a complex array of programs that often overlap. As a first step, FEMA and the Congress should examine the feasibility of simplifying the application process for existing programs that provide for basic human needs during the first 60 days following a disaster. Programs that should be examined include the Temporary Housing Grant Program, Individual and Family Grant Program, and the Small Business Administration disaster loan programs. Again, the objectives are to:

1. Anticipate the range of problems and needs of disaster victims;
2. Simplify and streamline program delivery;
3. Provide for maximum flexibility in program administration; and,
4. Develop a system that rewards ingenuity and resourcefulness in meeting the needs of disaster victims under extraordinary circumstances.

INDEPENDENT REVIEWS

The National Academy of Public Administration (NAPA), General Accounting Office (GAO) and the FEMA Inspector General (IG) have all reviewed FEMA's performance since Hurricane Andrew and reported their recommendations. All have done an excellent job of identifying shortcomings and articulating recommendations. The NAPA report has been especially well received. The Academy has been true to its Congressional charter "to improve governance at all levels—Federal, State and local." We commend their recommendations to your serious consideration and action, as all contribute to that end. We concur with their discussion of FEMA leadership, the support role of the military, requirements for States and localities, the need for reorganization of Congressional oversight of FEMA, continued development of the Federal Response Plan, funding and legislation.

BUDGET

The NAPA report very gently states that "Notwithstanding the demands for deficit reduction, the President and Congress should provide the funding needed to build an effective emergency management agency." It goes on to specifically challenge the new FEMA Director, OMB, and the Congress for action "to assist in building the institution needed for the alleviation of human suffering."

This is really the bottom line to the \$400,000 study Congress directed NAPA conduct. We think we know how to build an effective, responsive system. We are not afraid to analyze our hazards, negotiate agreements and be held accountable by our citizens and the Congress. But we need the support and the resources to do it.

FEMA took a terrible bashing last year, and we in State and local agencies, suffered with them. They were not supported well in last year's budget, nor the previous decade, nor in the 1994 budget proposal released early this month which cuts them another 4 percent. The new leadership will do well, but current funding will not build the system our citizens and their representatives expect.

SUMMARY

In closing, we are at a critical crossroads in the evolution of the emergency management profession in the United States. Given the recent disaster experiences and weather predictions for the next decade, the time has arrived for emergency management to become a priority business of government at all levels. While FEMA has received criticism following Hurricane Andrew, the numerous audits and investigative studies have reached a common conclusion—our Nation needs a single Federal agency with the necessary leadership, authority and resources to direct and coordinate this country's emergency management programs. NEMA has confidence that FEMA with your support, can fill this role.

PREPARED STATEMENT OF RICHARD T. SYLVES

INTRODUCTION

The U.S. Federal Emergency Management Agency (FEMA) is a key component of United States emergency management and disaster preparedness policy. Formed in 1979 after the Three Mile Island nuclear power incident, FEMA was to provide a single point of contact for State and local governments and was to "optimize" the use of emergency preparedness and response resources at all levels of government by taking advantage of the similarities and response activities for both peacetime and attack emergencies.¹ By creating FEMA, the national government hoped to replace a patchwork of disparate agencies, councils, laws, and executive orders with a central, consolidated, and integrated emergency management agency.

Since 1979, FEMA has suffered from periods of poor leadership, some embarrassing political appointee behavior, and a poor public image stemming from weak, disorganized, slow, and sometimes incompetent response to disaster. It has maintained a military and civil defense preoccupation that has not served the agency, the government, or the American public well. Moreover, FEMA officials continue to eschew "first responder" disaster roles claiming to only be a "disaster recovery" agency, when what is actually needed is a capable civilian Federal disaster agency that can quickly marshal the resources to augment State and local "first responder" operations.

Owing to frequent unflattering post-disaster news reports, many Americans think FEMA is a remote, unsympathetic, ponderous organization of paper processors. This assumption is not wholly valid, however, people tend to believe it is true. Regrettably, many State and local emergency officials harbor the same opinions of FEMA.

How can FEMA be rebuilt, reformed, and improved? What follows are a series of recommendations. They consider "what's right and what's wrong with FEMA." Included are my suggestions and the proposals of several State and local emergency officials of the American Society for Public Administration's Section on Emergency Management.

FEMA is the Federal organizational embodiment of U.S. emergency management and disaster policy. If it were dismantled or broken up into components shuffled off to other executive agencies, this would represent a monumental setback to the continuing evolution of public and private disaster expertise. State and local emergency management agencies might suffer a similar fate. FEMA needs reorganization and improvement, not dissolution. There are ways it can be made to function better. It needs genuine authority to direct Federal disaster response and recovery operations and it needs a presence on a civilian basis in the Executive Office of the President.

DEMILITARIZE FEMA

It is important to open FEMA up so that for the public it is more "user friendly." This can best be advanced by demilitarizing FEMA. The agency's responsibilities for nuclear war civil defense preparedness, continuity of government, and civil defense emergency communications give it the feel of an "intelligence" agency, not a "public service" organization. Black box programs and budgets, security checks of visitors

¹ David McLoughlin, "A Framework for Integrated Emergency Management," *Public Administration Review*, Vol. 45 Special Issue (January 1985), pp. 165-172.

to FEMA headquarters, security clearance requirements for FEMA people who really should be working exclusively on civilian programs, purchases of expensive national security technologies akin to those of NSA, *all do not belong in FEMA.*

If such intelligence and post-Cold War national security duties should be continued at all, they belong somewhere else, not in FEMA. Retaining these operations within FEMA keeps the agency on the periphery of emergency management as it is conducted by State, local, and private sector professionals. Part of demilitarization means ending the charade of "dual use" emergency planning. FEMA promotes comprehensive emergency management. It is a winning organizing concept embedded in its Integrated Emergency Management System [IEMS] implementation strategy. Yet, because IEMS, as FEMA applies it, continues to give co-equal or paramount importance to emergency preparedness for nuclear attack, the concept is not as widely embraced at the State and local level as it should be.

FEMA political appointees of President Reagan gave high priority to preparing for nuclear attack. Some FEMA subordinates said "planning for such disasters as tornadoes and floods were all the worse off because of the agency's nuclear focus." One former FEMA official argued that "agency bosses pay lip service to dual preparedness but privately emphasize nuclear attack." In many ways this is not good. For example, the U.S. suffers the highest fire losses among industrialized nations, but FEMA has regularly cut back fire and training funds. Former FEMA assistant associate director for civil defense, John McKay, refuted these allegations. He argued that 85 percent of planning for nuclear attack applies to natural disaster too.²

FEMA should no longer be forced under law to employ the "dual use" concept of reconciling preparedness for non-war disasters and emergencies with civil defense against nuclear attack. As it is, the bulk of FEMA's budget authority and personnel remain dedicated to outmoded civil defense responsibilities that are controversial, dubious, and unnecessary given the end of the Cold War. These responsibilities were no less controversial and dubious "during" the Cold War.

The military itself performs important "mass care" functions in major disasters, like Hurricane Andrew, that should be continued under FEMA civilian supervision. However, FEMA's civil defense against nuclear attack preoccupation did not serve it well in the aftermath of Hurricane Andrew and is of little relevance now.

FEMA TRAINING AND EDUCATION ACTIVITY

Through education, training, and planning grant activities, FEMA has helped build State, local, and private awareness of disaster vulnerabilities and the need for preparedness. I think FEMA's National Emergency Training Center (NETC) at Emmitsburg, Maryland, performs an outstanding public service in sponsoring workshops, training sessions, and especially role-playing disaster simulations for State, local, educational, and non-profit officials. This activity should be continued and expanded. Baltimore County Fire-Rescue Academy Captain Lee J. Kaufmann believes that FEMA's Emergency Management Institute should be combined with the National Fire Academy to form a "National Emergency Services Academy." This merger might improve FEMA's bumpy relations with the fire service community, but the Academy must respect the multi-professional world of emergency management.

FEMA gets high marks for promoting emergency planning, but modest to low grades for its participation in the exercises and drills it induces State and local authorities to conduct. Too often major State and local drills for a disaster incident, such as a nuclear power plant accident, involve all key officials EXCEPT those of FEMA. If FEMA is there at all, one FEMA representative might be present. If the modeled disaster were genuine, conceivably hundreds of FEMA people might show up, but State and local officials have little idea what to expect from FEMA when the agency ignores test exercises. Ironically, FEMA invests consider effort to training others for disaster work, but it should draw together its own people and those of other Federal disaster assistance programs to practice and simulate the inter-agency transactions that take place at the Federal level after a disaster. Perhaps families that were victims of disaster could be introduced into these simulations.

More FEMA people and resources need to be devoted to presenting public education programs on disaster preparedness. For example, earthquake preparedness education initiatives have been well received in California. The Federal Flood Insurance program has received high marks for its promotion of local flood mitigation activity and for making the public more aware of the need to build and renovate in a way that minimizes flood vulnerability.

²Marsha Ginsberg and Dina Rasor, "Disaster Agency Has Crisis of Its Own," *The Washington Times*, April 10, 1990, B-5.

Unfortunately, between disasters the average American knows of FEMA through radio and television tests of the emergency warning broadcast system. Invariably such tests convey a "1950s" civil defense against nuclear attack mentality. This does not measurably advance civilian emergency preparedness for natural or non-war human-caused disasters. Instead FEMA should support public information broadcasts aimed at better preparing the public for hurricanes, tornadoes, earthquakes, hazardous materials accidents, nuclear power plant incidents, etc. There have, indeed, been a few public service broadcasts sponsored by FEMA which address public hurricane preparedness. These messages should be increased and nuclear attack warning test broadcasts should be curtailed.

FEMA should be given credit for refining and promoting integrated emergency management. It sought to "ensure that emergency preparedness actions at all levels are as responsive as possible to major crises of all types." Besides comprehensive emergency management, IEMS was based on intergovernmental agreements. For much of the decade of the 1980s, IEMS was not only the "rage" in FEMA, but was a buzzword that diffused through the entire U.S. emergency management community. IEMS is still an operative implementation strategy for FEMA, but the profession of emergency management has moved on to embrace other managerial concepts as well, the latest is the Incident Command System.³

FEMA needs to better integrate academic and professional scholarship into the training and education programs it provides its own workers. By empanelling academic advisory boards, FEMA may be able to modernize its research and training capability at relatively low cost. For example, FEMA should be doing much more to research on risk reduction and risk management. FEMA has a potential clientele support base within the insurance industry. Through its sale and maintenance of life, home, auto, business, and personal property policies, the insurance industry has a colossal vested interest in disaster mitigation, preparedness, response, and recovery. FEMA should seriously explore public-private insurance research projects that may lead to better disaster mitigation with lower costs to government and to private insurance firms. Also FEMA needs to educate its own people about the dynamics of State and local government because so much FEMA work involves intergovernmental transactions. The agency should devote more resources to funding outside evaluations of its own performance in disasters.

FEMA AND NATIONAL SERVICE

President Clinton plans to propose an ambitious program of "National Service" under which students seeking college funding may secure Federal college financial support in exchange for 1 or 2 years of "voluntary" service. As such legislation is developed, I think FEMA should be included. FEMA has regularly been criticized for inadequate and unsympathetic response to the plight of disaster victims. What I propose is that FEMA be given the capacity to train a fraction of the pool of "National Service" volunteers. Once they have undergone training at FEMA's National Emergency Training Center, and perhaps back in their home State emergency agency, they would be available to serve as Post-Disaster Citizen Advocates.

Once a presidential disaster declaration is issued, a FEMA-selected group of these National Service people would be dispatched to the damaged area. Each citizen advocate would be assigned to help perhaps no more than five families and/or small businesses. Knowing the range of government disaster assistance programs and armed with FEMA manuals, disaster-assistance application forms, relevant official phone numbers, and other needed materials, these advocates would be an arm of FEMA outreach after a disaster.

These advocates would individually meet with their assigned families or small business people and help them secure the assistance they need from Federal-State-local agencies. They would not be asked to provide forms of mass relief, nor would they be sent out as repair or rescue crews. They would serve as an administrative expediter for the families or small businesses to which they are assigned. Perhaps they could accompany their assigned families or business people on visits to a FEMA Disaster Assistance Center.

The Post-Disaster Citizen Advocate (PDCA) would be subject to FEMA oversight and could be removed or reassigned whenever FEMA officials determine that such action is necessary. Also, FEMA would be responsible for providing temporary housing and services for the citizen advocates (perhaps at undamaged Federal facilities or in emergency housing). It would be up to FEMA to decide when PDCA's have finished their work. PDCA's would have no authority to personally approve victim

³ See "Taking a Look at the Incident Command System," in *Hazard Monthly*, Vol. X, No. 3 (March 1990): 8, 9, 12.

applications or aid requests, they would merely facilitate the request and application process for family or individual disaster victims.

Between disasters, some National Service volunteers could serve as disaster mitigation workers assigned to help State and local emergency managers.

FEMA'S INTERGOVERNMENTAL WORLD

LOCAL ROLE

Emergency management in the United States is highly decentralized, but not atomistic. Local governments are almost always the first responders to disaster. But when local governments are devastated to the point that they cannot respond to, or recover from, an emergency or disaster, other governments provide help. Even the most cursory inspection of the U.S. Federal system of government presents a labyrinth of constitutional requirements, laws, and regulations that mandate or require "incorporated" local governments to provide for the public health and safety. Implicit is provision for disaster and emergency response. Less obvious are an array of rules pertaining to disaster mitigation and disaster recovery.

Therefore, local governments have to develop and maintain a program of emergency management to meet their responsibilities. Local emergency agencies are expected to work with other departments of local government and the private sector to develop "emergency plans and capabilities that can correspond to any natural or man-made hazard which threatens the community." Local emergency management responsibility is typically placed either in an agency that reports to a mayor or city manager, or in an existing department such as police, fire, or public safety. Local emergency managers often are preoccupied with preparedness and response, giving less attention to disaster mitigation and recovery. During an emergency they act in a staff capacity to the highest local official with responsibility to assume coordination among governmental and non-governmental forces and among higher and adjacent governments.⁴

Many complain that FEMA lacks strong clientele support. I believe that one FEMA clientele base has always existed but has not been well served by the agency. Local emergency management people are a potentially powerful support base for FEMA. Police, fire services, emergency medical authorities, public works, environmental emergency response units, emergency human resources agencies, and a host of others should be cultivated by FEMA. As the profession of emergency manager continues to advance in the U.S., a local support base could be formed that could convince local officials of the need to commit more qualified people and resources to emergency and disaster preparedness, response, and mitigation. FEMA must become a civilian-only emergency management agency aimed at local capacity building and continued local emergency manager professionalization.

Since FEMA is not a regulatory agency, it cannot expect to induce or encourage local agency emergency management reform unless it provides planning grants, federally subsidized training, and perhaps demonstration projects. If FEMA planning grants continue to shrink, so will any leverage FEMA has in its dealings with State and local government. One study shows that 45 percent of local emergency management agencies nationally surveyed received 50 percent or less of their budget from the local government. This means that a great many local emergency management organizations are heavily dependent on funds from FEMA and their State. Sadly, localism, lack of standardization, unit diversity, and fragmentation characterize many local emergency management agencies.⁵

STATE ROLE

State governments are not appendages of the national government. Thus, bargaining between national and State agencies is necessary. This is another dimension of FEMA's intergovernmental world. There is not only wide variation among the 50 States, each with its own governor and legislature, but there are more than 19,000 cities, more than 3,000 counties, 16,700 townships, and almost 29,000 special district governments.⁶ Consequently, one should expect variation from one jurisdiction to another. However, FEMA funds and services passed to and through State emergency offices, can be used to promote more uniformity. For example, FEMA should be tasked with promoting a model (or models) of good emergency management orga-

⁴ McLoughlin, 1985, p. 165.

⁵ Thomas E. Drabek, "The Professional Emergency Manager" (Boulder, Col.: Institute of Behavioral Science, Monograph No. 44, 1987, pp. 48-49.

⁶ Deil S. Wright, *Understanding Intergovernmental Relations*, 3rd ed. (Pacific Grove, Calif.: Brooks/Cole Publishing Company, 1988), p. 34.

nization through its existing "Emergency Management Assistance Funding" (EMAF) program. Money saved from the discontinuation of war-preparation civil defense could flow to EMAF as a "peace dividend" aimed at improving State, city, and county emergency management.

FEMA needs to develop and promote a standardized emergency management system, based on the modular management of the Incident Command System, that would allow State-to-State interchange in cases of major disaster. ICS would smooth out FEMA multi-State interaction in disasters. As it is, many State officials fear FEMA involvement in the wake of disaster because they do not know what to expect from that agency. Just as worrisome is what neighboring States might do or not do in helping out after a disaster.

Each of the 50 State governments has an emergency management agency of some type. State emergency management agencies, like their local counterparts, must have an effective organization, plus develop and maintain needed plans, facilities, and equipment. On a day-to-day basis each State must manage a State emergency management program that complements and nurtures local emergency management.

State officials are expected to gauge the emergency management needs of their political subdivisions, assess their own and Federal Government resources, and aid in the acquisition and application of these resources. State governments guide and assist local jurisdictions in program development and channel Federal guidance and sometimes funding to communities.⁷ Most States have a single agency that takes "lead" responsibility for emergency preparedness and response activities. There are five general types of State emergency management units: (1) a body within the executive office (of the governor), or emergency authority is delegated to (2) a civilian department, (3) the adjutant general, (4) the State police, or (5) a council which oversees departmental activities.⁸

FEMA needs to continue to form pre-disaster agreements with State authorities and emergency officials. FEMA should circulate "model" emergency management organizing plans to encourage more State-to-State uniformity in emergency and disaster agency organization. Some States must "demilitarize" their emergency management departments and offices. Too often State-level military people dominate State disaster organizations. If they have the foresight to abandon a nuclear attack preparedness mentality they may do a good job, however, many remain unreformed Cold Warriors who put civil defense for war far above State non-war disaster preparedness. Again, demilitarizing FEMA may encourage similar transformations at the State level if they are necessary.

NATIONAL IMPERATIVES

FEMA BUDGETARY ISSUES

The U.S. Federal Emergency Management Agency is the Federal Government's smallest independent agency. Its budget authority is microscopic when compared with other Federal departments and independent agencies. FEMA employs about 3,000 full-time workers, but has the capacity to mobilize an extensive network of volunteers who can staff Disaster Assistance Centers in or around areas hit by disaster. In addition, FEMA administers some trust funds and can draw funds from a Presidential Disaster Contingency Fund when a presidential declaration is issued. It would be wise to consolidate FEMA's multiple appropriation sources in any contemplated reorganization. This would simplify FEMA's post-disaster budget management and would give the agency two, instead of many, congressional oversight committees.

The bulk of FEMA's operating budget continues to be mortgaged to civil defense against nuclear attack. Besides a civil defense category directly, much of the Federal preparedness for domestic and national security emergencies category also goes to civil defense. Unfortunately programs like (non-nuclear attack) emergency food and shelter, flood insurance and mitigation administration, training and fire programs, the Disaster Relief Administration, earthquake-hurricane-unsafe dam and other hazard planning, and radiological and hazardous materials emergency preparedness, all receive very low funding and by inference low priority.

FEMA's operating budget has undergone dismal growth and frequent shrinkage over the 1980-90s, and prospects look no better for the mid-1990s. Admittedly, Federal spending goes up when major disasters occur that win presidential disaster declarations, but it should be remembered that these spending increases usually come

⁷ McLoughlin, 1985, p. 165.

⁸ McLoughlin, 1985, p. 165.

from emergency budget authority given the President and FEMA, most of which is money acquired from Federal borrowing. This is because too little money is held in reserve for disaster relief, except in the National Flood Insurance Program which has its own trust fund (in some years it too is exhausted).

For example, President Bush requested only \$270 million for his FY91 Disaster Relief Fund, from which he authorized Federal assistance to address Hurricane Hugo and the San Francisco/Loma Prieta earthquake. This amount is grossly inadequate when one considers that damage from the 1989 San Francisco/Loma Prieta earthquake exceeded \$5.6 billion. However, emergency contingency funds are high profile targets when drastic spending reductions are required for national deficit control. However, unrealistically low contingency funding only forces more deficit spending because these monies are quickly exhausted in the aftermath of major disaster.

Severe FEMA budgetary limitations badly impede FEMA between-disaster operations, such as mitigation work, responder training, public education, preparation, response exercises, demonstration projects, stockpiling of emergency resources, etc. Ironically, the collective resources of the 50 State emergency management offices far exceed the between-disaster resources of the national government's FEMA.

FEMA POLITICAL AND OPERATIONAL ISSUES

FEMA is handicapped by a relatively small budget and staff, as well as by weak and undercultivated clientele groups and a low public profile between disasters. One news story referred to FEMA as "the stepchild" of government.⁹

During the Reagan Administration several FEMA appointees, including its top administrator, resigned under suspicious circumstances. At least one congressional inquiry unearthed damaging mismanagement by politically appointed FEMA officials. Such public "black eyes" have hurt its reputation and its employee morale. Reduce the number of FEMA political appointees and encourage more professionalization and advancement of FEMA's career staff. As FEMA converts to a full civilian disaster agency, numerous position reclassifications will be necessary.

FEMA needs its regional offices strengthened, not weakened, cut back, or consolidated into fewer numbers. FEMA region offices help to build State emergency management authority. Moreover, FEMA region offices should help distribute "block" grants rather than categorical grants to the States. FEMA region and headquarters people should monitor State emergency programs, not individual State emergency workers. At least one FEMA monitoring program (CARL) requires excessive and unnecessary document reportage.

FEMA needs a better shelter management system. Replace nuclear attack shelter management training with "refugee/evacuee housing and shelter training and preparation." Hurricane Andrew proved that the Red Cross is not capable of shelter establishment and management in major disaster. This should be FEMA's job, perhaps assisted by the military. FEMA needs to gear up to get post-disaster temporary shelter up quickly and effectively.

Finally, FEMA needs a director who is trusted by the president to assume a lead Federal role in disasters. That leader needs the political and managerial clout to compel other Federal agencies to respond to the emergency. No longer should disaster-inexperienced cabinet secretaries (like several former Department of Transportation Secretaries) be charged with leading Federal disaster response. Whether the trend to tap cabinet officials instead of the FEMA administrator continues, will only be determined by what the president decides in the next major disaster.

CONCLUSIONS

U.S. intergovernmental relations, the weak institutional status of emergency management agencies (especially at the national level), the fragmentation of disaster/crisis responsibilities at each level of government, weak undercultivated political constituencies advocating improved emergency management, and severely constrained budgetary authority has weakened FEMA's ability to promote better State and local emergency management.

FEMA needs a consolidation of its funding, an end to managerial disarray, a termination of its now out-dated civil defense/nuclear attack mission, and an overhaul of its research and training programs so that each better reflects state-of-the-art emergency management as it is being advanced by forward thinking emergency managers, academics, and business people. The agency should be given a role in the proposed National Service program, especially through use of Post-Disaster Citizen

⁹ Ginsberg and Rasor, 1990, B-5.

Advocates. FEMA should promote more coherence in State and local emergency management authority and functions. It should continue to promote IEMS and the Incident Command System to State and local governments. FEMA, like comedian Rodney Dangerfield, deserves more respect but it must adapt in order to earn that respect.

LETTER FROM CARLOTTA WOOLCOCK ON BEHALF OF LETA ANTHONY,
EARTHSHOCK '89-'93 COMMITTEE

SANTA CRUZ, CA,
June 3, 1993.

Hon. JOHN GLENN, *Chairman,*
Governmental Affairs Committee,
U.S. Senate,
340 Dirksen Senate Office Building,
Washington, D.C.

HONORABLE CHAIRMAN: In all circles of authority, even among your fellow Senators, whose States have suffered disaster, it has been proclaimed that FEMA has been—"turned into a tool of political ambition" whereby the policies of an opportunistic reactionary segment is couched within a collection of equally reactionary bureaucracies and funneled through to those politicians who obtain and gain through a tax base, operating under the political persiflage of an organization of humanist concern and obligation, a role in which they add to reaction the very worst element of liberal incoherency.

Those in operation of FEMA's apparatus have moved away from the objectivity any concern with the needs the victims of disaster may manifest. FEMA has, instead, engaged in redistribution of the citizenry's tax contribution to disaster.

More than 44 States in the Nation have experienced increased taxation and cuts in services. FEMA is being used to squarely affix the price of regional, State and national emergencies directly upon those who suffer the most under the effects of crisis inflicted by FEMA's policies.

When 10 counties in northern and central California suffered the Loma Prieta Earthquake in 1989, it was reported that FEMA sent military detachments to minimize looting in higher income areas.

Critically needed food, housing, medical care, and long term funding was almost altogether absent, according to local observers.

The relief provided in any timely manner, has been provided by local organizations and associations. FEMA has consistently showed up late and short. This has been repeated in the declarations and minutes of town councils and County boards of disaster zones coast to coast.

Numerous local organizers in Florida, South Carolina, and Southern and Northern California have reported that official agencies under direction of the Office of Emergency Services (OES) actually hindered and attempted to stop local relief efforts, claiming insufficiency of arrangements as opposed to supplying what was lacking, such as facilities, resources, or trained personnel.

In the course of relief efforts, rumor campaigns fueled in the press, accused low income people of trying to get ahead in the situation, trying to accumulate more than they had lost, reinforcing the tendency of government funded agencies to deny low income people desperately needed assistance. Obviously, no disaster victim was going to accumulate wealth from a few extra cans of Dinty Moore stew and Campbells Soup; yet a campaign lined up the hapless victims as the culprits.

In Santa Cruz County; in 1989, the local government-funded food bank, designated an official agency for disaster relief by OES, reportedly began selling food items. Funded organizations began vying with each other for limited allocations and imposed strict requirements upon those requesting food assistance, in the face of having received tons of food donated specifically for the disaster.

The move to recognize only "official" disaster agencies reportedly resulted in "strong arming" by the Highway Patrol of a caravan of some 40 trucks sent into the area to assist local, independent efforts, redirecting the supplies to Red Cross storage sites. Some of these resources were given out to those in need, but others were simply warehoused. Four warehouses of inventory that had been missing were turned back over to the local organizations more than 3 months later by the storage donor. Some organizations were harassed because of their tremendous relief work until it became known they were *not* competing for Federal tax dollars.

FEMA allegedly encouraged discrimination against organizations that were not "official disaster relief agencies." One airline, for example, was willing to donate

passenger and freight space until they checked with FEMA, which discouraged the airline because the organization was not on the list of "approved organizations."

Low income families and individuals reported being given one-way bus tickets out of the earthquake affected areas and ending up in places like Stockton, San Diego, Sacramento and Northern California, arriving with no place to go and no money, dumped into areas out of the way of official disaster relief agencies.

The same thing happened after Hurricane Andrew, with areas as far north as the Finger Lakes region of New York reporting a huge influx of migrant labor that the local industry could not sustain, leaving thousands hungry, sick and without recourse.

Sixty percent of California homeowners and renters affected by the Loma Prieta earthquake who applied to FEMA for aid were denied assistance. More than two-thirds of the businesses were denied Small Business Administration (SBA) loans on the basis of insufficient "debt ration." Over 300 CALDAP applicants have still not received any assistance.

The checks and balances within FEMA's manifest are clear and easy to read; yet those in charge manage to find ways to leave out large sections of Congressionally inspired direction with only one view in mind: to adopt the ancient political process of gerrymandering—once used by machine politicians to pick and choose a favorable constituency of voters for a manipulative candidate—into a scheme to inflict the same policy into the tax question of a State or region.

In California, then Governor Deukmejian put in the first step of asking the President to declare the Earth shock region qualify for national Disaster Aid. Apparently administrative forces under advisement of reactionary workhorses inside their demography complied, passing on Federal stipend of aid, which was supposed to be passed out on an emergency basis to see the first wave of demoralized and impoverished victims of disaster through the first few weeks and months with funds for rent, repairs, transportation and ability to feed themselves until the economy could be stabilized to laissez-faire capitalization, corporate rebuilding and the second level of FEMA's financial contribution.

To obtain that second level, Governor Wilson was supposed to appoint a board, impartially selected, of inhabitants of the disaster area or those in the State familiar with it, who would ascertain the actual entrepreneurial need from which the governor would forward a financial request to FEMA's Federal structure, and await executive decision on how the government would react to the need of its suffering citizens.

California's Governor could be demanding 1.87 billion dollars from FEMA by setting up an Economic Recovery Planning Council under the Stafford Act and the Public Works and Economic Development Act to demand the Federal Government come through with previously earmarked disaster monies. The law provides a tremendous flexibility and capacity to draw resources necessary to fuel recovery.

Neither Gov. Deukmejian nor Gov. Wilson (who took office less than 3 months after the Loma Prieta Earthquake) ever formed a board. The closest the Governor came was to appoint a banker to the State Office of Emergency Services to the position, who could, if she decided to recommend it, see that a committee of that type be established to report. At a time when Presidential promises not to raise Federal taxes have been possible by placing an increasing burden for health and human services previously carried by the Federal Government upon the backs of the States, such a demand for *more* from the Federal Government certainly brings politics into play.

Instead, the State of California reportedly used its Federal grants for the disaster, as loans to victims, instead of grants. FEMA agents throughout the State resorted to an abstract methodology that did not exempt the literal duplicity of using the emergency funds federally available as grants, for loans. In many cases it reportedly went so far as signing the individuals first as a grant, and then, at the end of a year to 18-month period, reclassifying them, without notification, as loans, under 9 percent interest and a 6 percent penalty, during the time bank interest was running at only 4 to 5 percent.

Months after the disasters throughout the State of California from 1989 to the present, FEMA sent in a new wave of workers who rechecked all emergency grants apparently to recoup what FEMA had dispersed at the height of the emergency. Statistics indicate that they targeted low-income families. Where these FEMA workers found families who they now claimed didn't qualify for aid, they began threatening prosecution. From all the information we've been able to collect, it would appear that the requests were granted either through benign neglect or simply to get people off the streets. Those threatened generally had no idea what was going on. They were told assistance was available from FEMA; they applied; they received the needed assistance, and then were told their grant had been turned into a loan.

One mother of seven, who didn't speak English and who had used the State-provided monies to get new housing for her family, reported that she found the District Attorney pressing charges against her, claiming that she did not really live where she had claimed. She could not prove her residence because the trailer had been completely demolished in the earthquake and the man she was living with had gone back to his wife, who denied she ever existed. The woman was sentenced to a year in jail. Those who were targeted often spoke no English and say they had been taken for a ride by FEMA, which in turn characterized these victims as the obstacle to FEMA monies fueling a recovery! Those who profited from the earthquake relief gained a great deal more from it than those who received a few hundred dollars for survival of emergency losses. The District Attorney appears to have targeted those with minor records of transgressions and used their lack of understanding that got them in a mess before to target their very requests for FEMA assistance.

The paper used for this transfer was provided with clauses that condemned those in receipt to having repayment taken on their income tax returns, a process of guarantee which changed them into negotiable paper. When cities and counties began to manifest the need for FEMA funds, personified by the actions of Mayors Art Agnos of San Francisco, and Lionel Wilson of Oakland, the documentation for the "loans nee grants" was allegedly sent out to thousands of those who had signed the original documentation to receive the grants, notifying that a 9 percent stipulation had already been added against them, along with the codicil including the IRS.

Whether or not the loans were made from the grants given to the cities and counties, or the loans were made from the above referenced paper is irrelevant to the current purpose, which is to point out that FEMA seems to have drained away repayment from the poorest of the poor, in some cases threatening and inflicting jail time for incorrect information on the original application. The original application was for a grant, as is evident in the language of the documentation, including that records of expenditures should be saved and listed, to prove it went for grantable expense. The next notification, termed it as a loan instead.

The very abstractness of actions such as these make it difficult to explain to those with no education; yet it was one of the inexplicable changes Earthshock ran into when attempting to serve a volunteer population by coordination of actual donations to those who were impoverished further by the FEMA procedure than they were by the original Earthquake.

We ask that a total hearing be held on FEMA leadership and methodology. We will be submitting additional submissions further documenting FEMA's actions from Florida and South Carolina to New York, New Jersey and California.

Documentation of sufficient irregularity exists to make the private allegations of individuals something this Committee shouldn't miss.

Sincerely,

CARLOTTA WOOLCOCK,
ON BEHALF OF LETA ANTHONY,
Earthshock '89-'93 Committee.

LETTER FROM CARLOTTA WOOLCOCK ON BEHALF OF LETA ANTHONY,
EARTHSHOCK '89-'93 COMMITTEE

SANTA CRUZ, CA,
June 6, 1993.

Hon. JOHN GLENN, *Chairman,*
Governmental Affairs Committee,
U.S. Senate,
340 Dirksen Senate Office Building,
Washington, D.C.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE: To address disaster relief, few would disagree that the Federal Emergency Management Agency is currently unqualified. Senator Hollings after Hurricane Hugo stated "FEMA is totally inadequate and shot through with politics."

We applaud this Committee's efforts to enumerate FEMA's shortcomings, lest problems our people have endured be exacerbated by the proposed prescriptive itself.

We, Earthshock Committee '89-'93, represent an assortment of members within a broad strata already affected by lack of assistance and by disasters themselves. Our constituencies have paid for these disasters at least three times in taxes alone, robbing participation of consumers.

Some of Earthshock's member organizations have won awards from local police departments and the statewide development corporation as the most valuable statewide organization for disaster relief. Many have provided disaster relief under conditions where FEMA did an inadequate job. The local Rotary Club, Kiwanis, Vets Associations, Soroptomists, Girl Scouts, Boy Scouts, and other community organizations as well as, towns, cities and their volunteer associations, business, legal and medical associations, fire and police departments, other civic and church associations joined the Earthshock effort early on.

Earthshock representatives in Santa Cruz, California participated in founding the South County Community Disaster Relief Team (CDRT), along with the county and city agencies responsible for disaster relief.

FEMA PERFORMANCE IMMEDIATELY AFTER DISASTERS

In South Carolina FEMA opened business a full week after Hurricane Hugo hit landfall. FEMA then told applicants to come back in 2 weeks to fill out the forms, according to disaster victim Faye Thompson of Charleston. Shannon Chevrier and others were told it might be 2 months before they received any assistance. FEMA promised 2,000 trailers for emergency housing, but the trailers had still not been delivered a month after the hurricane, which destroyed 3,785 homes and 5,185 mobile homes while an additional 27,211 homes required major repairs. Households recovered only 45 percent of their losses by 1991.

Earthshock Committee stopped FEMA from shutting its office in Watsonville 2 months after the earthquake and thereafter by documenting hundreds of cases pending or unprocessed.

One member of Earthshock, who did extensive advocacy for earthquake victims, reported FEMA applying narrow causal tests for what constituted disaster-related damage. Maria G. stated that her father had died when a water storage tank fell on him during the earthquake where he worked. FEMA granted \$2,000 a month later, earmarked "for funeral services." The family received no other assistance and her father was not counted in the disaster death statistics because he died in Monterey County, not considered part of the disaster zone.

In Florida following Hurricane Andrew, the United States military pulled down the tent cities a month after the disaster, leaving at least 5,000 people homeless in South Dade County. Hurricane Andrew destroyed some 85,000 homes. Eight weeks after the hurricane, fewer than half the 154,000 people who sought FEMA aid had received it, according to the Greater Miami Legal Aid Society.

FEMA inspectors, according to CVL of Watsonville, California spent 5 minutes inspecting her home which had suffered a cracked foundation, sunken walls, split roof rafters, loose support joists, a toilet torn away from the wall and other damage. She was awarded a grant of \$215 to fix her fireplace. Upon appeal, she was denied on the basis she had not submitted her medical bills, although she was making no claim for medical expenses.

In California after the 1989 earthquake, 60 percent of homeowners and renters who applied were denied assistance. More than two-thirds of the businesses were denied Small Business Administration (SBA) loans on the basis of insufficient "debt ratio."

Similar stories were reported to local efforts organizing assistance in Humboldt County following the 1991 Northern California earthquake. Even with contractor's estimates and structural engineering reports, the hasty FEMA inspections have repeatedly led to awards a fraction of the costs of repair.

Local organizers in Florida, South Carolina, and Southern and Northern California reported official agencies under OES direction actually tried to shut down or hinder local relief efforts, claiming insufficiency of arrangements as opposed to supplying what was lacking, such as facilities, resources, or trained personnel.

In 1989 in Santa Cruz County the move to recognize only official disaster agencies was reported to have resulted in "strong arming" by the Highway Patrol of a caravan of some 40 trucks sent to assist local, independent efforts, redirecting the supplies to official agency storage sites. Some of these resources were given out to those in need, but others were simply warehoused, to be returned months later unused. Some organizations were harassed because of their extensive relief work until it became known they were *not* competing for Federal dollars.

In 1989, East Coast supporters attempting to get needed supplies to the California disaster areas, reported that one airline was willing to donate passenger and freight space until they checked with FEMA, which discouraged the airline because the organization destined to receive the aid was not on the list of "approved organizations."

Mayor Joseph P. Riley, Jr. of Charleston criticized FEMA for asking for a written assessment of need when they requested portable generators, even though everybody knew of widespread power outages.

In Homestead, Florida, hard hit by Hurricane Andrew, 6 months later only 9,500 of Homestead's 16,000 pre-storm utility customers were receiving electricity.

FEMA PROTECTED THE STATUS QUO, WHICH IS BIASED AGAINST RECOVERY FOR LOW INCOME VICTIMS

In California rumor campaigns fueled by the press accused low income people of trying to get ahead in the situation, to accumulate more than they had lost, reinforcing the tendency of government funded agencies to deny low income people desperately needed assistance, lining up the hapless victims as the culprits.

When FEMA finally offered its assistance, victims of the earthquake reported additional difficulties.

- Advocates who assisted disaster victims in filing for assistance reported that FEMA claimed only one grant could be given per household. FEMA interpreted the law to disqualify families forced to double up with others from receiving any assistance.
- Months later, FEMA sent in a new wave of workers who rechecked all emergency grants to recoup what FEMA had dispersed at the height of the emergency. They targeted low-income families. For all the information we've been able to collect, it would appear that the requests were granted either through benign neglect or simply to get people off the streets. Those targeted generally had no idea what was going on. They were told assistance was available from FEMA; they applied; they received the needed assistance; and then were told their grant had been turned into a loan, and they would have to pay it back.
- One mother of seven in Watsonville, who didn't speak English and who had used the monies to get new housing for her family, found the District Attorney pressing charges against her, claiming that she did not really live where she had claimed. She could not prove her residence because the trailer had been completely demolished in the earthquake and the man she was living with had gone back to his wife, who denied she ever existed. The woman was sentenced to a year in jail.
- Of those who received initial aid a year later, FEMA allegedly turned the grants into loans and demanded to be paid back at 9 percent interest rate with a 6 percent penalty fee, threatening people with legal prosecution if they did not pay the money back. As FEMA began squeezing money from victims, the government then used grants-turned-into-loans as negotiable paper, secured by involuntary collection through income tax refunds, guaranteeing their value against future failure to repay. The government can now sell the paper, removing one step further the ability of the victims to gain recourse.
- A certain portion of the population was forced into involuntary surrender of its right to borrow money under a penalization program when the prime rate is down to 2.5 percent. If the earthquake victims approached a banker, they could get a loan on the regular market for less.
- FEMA reported collecting \$500,000 from grant monies this way in South Carolina; with another 130 such letters outstanding. FEMA spokesman, Phil Cogan, shortly after FEMA arrived in Florida last year announced they intended to follow the same policy in Florida.
- Low income families reported being given one-way bus tickets out of earthquake-affected areas and ending up in places like Stockton, San Diego, and Sacramento, arriving with no place to go and no money, dumped into areas out of the way of official disaster relief agencies.
- The same thing happened after Hurricane Andrew, with areas as far north as the Finger Lakes region of New York reporting a huge influx of migrant labor that the local industry could not sustain, leaving thousands hungry, sick and without recourse.

THE LONG TERM IMPACT OF DISASTERS IS COMPOUNDED BY FEMA'S REFUSAL TO MEET OBLIGATIONS

According to California Controller Gray Davis, the 1989 earthquake caused over \$5.9 billion in immediate damage, killing 63 people, injuring at least 13,757 more, destroying 1,018 homes and damaging 23,408 more, wiping out 366 businesses and damaging 3,539.

Since then, Santa Cruz County has suffered the following:

- Watsonville lost 8 percent of the housing stock; 25 percent was for low-income residents; 300 were red-tagged, designated unsafe to enter; 800 damaged; 50 de-

molished. Rents skyrocketed, jumping by hundreds of dollars per unit, leading to hundreds of families doubled and tripled up in housing. When the first "affordable" housing units to be built with earthquake relief money finally became available in December of 1992, over 1,500 qualified families applied. The desperate have found shelter in abandoned buildings and sheds, or renting garages at \$200 a month per family.

- Ninety-five commercial structures were destroyed in Watsonville. Over 1,500 small businesses in Watsonville and 205 businesses in Santa Cruz were lost. The main recipients of SBA loans were businesses like Ford's Department Store, which received \$40 million, the largest SBA loan ever given, while Western Auto next door went out of business.
- Agriculture suffered \$20 million in damage.
- At least 1,500 jobs were lost, with the closures of Simplot Frozen Foods in Salinas, Valley Pride, United Foods in Salinas, Monterey Mushrooms' cannery in Santa Cruz, and Green Giant's relocation to Mexico, resulting in a decrease in expendable income as other businesses are closing for lack of customers who can afford their goods or services.
- The City of Watsonville reported a 30.6 percent unemployment rate a year after the earthquake, with the median wage in Watsonville dropping \$10,000 per year below the County median and the welfare roll increasing by 35 percent in 2 years.

In Oakland, California 2 years after the earthquake, four-fifths of the 1,492 damaged buildings had not been fully repaired. Only seven of the 24 commercial structures closed by the earthquake reopened. Some West Oakland homeowners continued to live in their heavily damaged homes, despite broken walls and fallen foundations, because their fixed incomes left them with no alternative; they were denied aid because their homes were "obviously habitable" since they were living there.

Since 1989 California has endured earthquakes of Federal disaster level in Humboldt County and Southern California and fires in Calaveras, Alameda and Shasta counties, destroying millions of dollars worth of property and timber resources. Los Angeles endured physical and economic decimation of an entire community, also declared a Federal disaster at the time. With more than one million Californians out of work, the population cannot afford to continue footing the bill.

In August 1992, over 330 homes were destroyed in Shasta County by fire, with 78 more suffering damage, and 37 businesses destroyed. Fountain Fire, one of the most destructive fires this century, was allowed to get out of control. Ironically, subsequent California budget manipulations have caused repeated cuts in fire department budgets for personnel and equipment

LACK OF SUFFICIENT FEDERAL FUNDING CAUSES LONG-TERM DISLOCATION

In 1955 Northern California suffered such disastrous flooding, it was labeled a "superflood." Everything north of Sacramento died in the State—17 canneries, including the entire fruit cocktail industry of Northern California, shut down.

The Federal Government did not provide the funding needed to revive industry. Lacking reconstruction monies, local efforts switched to courting Federal Government favor through construction of air bases and other government installations, which provided short term job assistance.

Thirty-six hundred independent farmers in three counties lost family holdings, median of 80 acres of orchard dipping down to 40.

This changed the area's entire demography, causing a one-third drop in community television outlets, a 25 percent drop in wholesale liquor distribution, a 50 percent drop in privately owned home appliance stores, a 25 percent drop in family owned grocery chain outlets, a 90 percent drop in irrigation supply and drilling companies and a 60 percent drop in home-owned industrial equipment companies. The local trucking facilities came to a virtual standstill.

Towns like Westgate and Northgate in Sacramento, Linda, Olivehurst, and Yuba, Richland and Sutter counties melted away into welfare populations and in the end left Sacramento with one surviving industry, Proctor and Gamble. The market dropped out of 1,000 housing starts, which canceled houses and 30-year loans on \$20,000 to \$30,000 homes, and wiped out a booming building industry that furnished thousands of jobs. Economics in the entire area failed, never to revive.

We do not want to see this type long-term decimation of disaster ridden communities. Economic destruction by FEMA's withholding of critical monies is not limited to California. FEMA's performance in South Carolina after Hurricane Hugo was so poor that residents reportedly threw rocks at them. The storm did \$6 billion in damage; FEMA spent \$500 million public assistance monies in the area.

Despite President Bush's commitment of 100 percent reimbursement to Southern Florida for public assistance following Hurricane Andrew, it has suffered the same fate toward long term recovery as the California communities. While total losses from Hurricane Andrew have been estimated at \$25 billion, an Earthshock observer in Miami said damages are undoubtedly higher due to the number of undocumented workers caught in the hurricane and the fact that the damage figure does not include lost wages.

FEMA didn't foresee the extent of the disaster, even after it was over. Houses built before regulations were passed setting minimum floor heights now can't meet regulations. Meanwhile, nine insurance companies have gone out of business and the rest are pulling out of Florida. Insurance will not be available at regular rates, while FEMA makes clear that it counts upon private insurance coverage to limit its own exposure.

CALIFORNIA'S FISCAL MEASURES TO OFFSET LACK OF FEDERAL SUPPORT HAS DECIMATED OUR COMMUNITIES

Congress allocated \$2.85 billion for Loma Prieta and Hurricane Hugo damages; on October 16, 1992, California's Controller issued a press release stating that FEMA had paid only 39 percent of committed disaster relief monies to State and local agencies. The public assistance grants were to cover \$517 million of the \$690 million in damages out of the overall \$6 billion in damage. To date, FEMA has only paid \$200.6 million. The Controller also requested waivers a year earlier for 100 percent Federal reimbursement, as was granted to Florida, Hawaii and South Carolina. A year later, FEMA still had not responded.

Faced with a \$7 billion plus budget deficit in 1990 California and its counties instituted multiple taxes upon the victims themselves, including a 13-month one-quarter-percent earthquake-relief sales tax, which brought the State \$800 million.

Santa Cruz County passed a 6-year, one-half-percent increase in its sales tax to accrue \$54 million in revenue directly from those hardest hit by the earthquake.

In 1991 the State cut county monies and told them to replace it with "fees" to the school districts and to charge cities and towns for county jail facility use and processing arrests. They instituted a 7 percent utility tax upon users paying less than \$600 per month utility charges (i.e., individual residents and small businesses, not large corporations with lobbying clout in Washington and Sacramento). This tax scheme was hatched in a behind-the-scenes Senate Subcommittee meeting as a last minute addition to Governor Wilson's budget package. It passed without notice to State representatives, school district administrators, county leadership or the population at large. It raised the ire of the property taxpayers and the School Districts, who stood to lose millions in the larger districts. Ultimately they secured repeal of the school tax, but suffered a doubling of State rental costs on mobile classrooms.

Earthshock Committee worked with School Districts and County Boards of Supervisors to procure a moratorium on collection of these taxes, using the right to the taxes as collateral for loans or other financial arrangements to fund the immediate shortfall while longer term solutions were sought. Four counties implemented the moratorium; others considered it.

In 1992, the State faced a \$10.7 billion deficit. To cover expenses, the State cut the counties and local governments by \$1.3 billion. The cuts were so controversial that legislators failed to approve the budget until after the 1991 budget had expired, leaving many, including attendant care workers, being paid in IOUs. It took a lawsuit to force the State to pay these domestic workers, who could ill afford to fund the State budget shortfall.

Recently the State Assembly proposed seizing \$2.6 billion from the county property tax base. Counties and cities statewide marched on the Capitol, demanding the Senate not pass the bill. County boards are passing resolutions to block property tax shifts. California now faces an \$8.6 billion budget deficit.

Charleston, South Carolina approved a 14 percent property tax increase to make up the deficit from hurricane losses. The reason for these emergency State measures is the withdrawal of Federal funding upon which they previously relied.

The financial treatment under FEMA mirrors a definite overall Federal trend to stop funding Federal programs at the State level, with the States taking money from the counties, which comes out of public services. The Federal Government cuts the money, but not the mandate for the programs, and tells the States to work it out. Most States are running in the red.

In 1974 then-governor Ronald Reagan implemented the Community Work Experience Program (CWEP) with the same notions later embodied in the Family Support Act of 1988. Some members of Earthshock, who have fought on behalf of low income workers for decades, pointed out in 1974 that the practical effect of so-called

workfare programs is to compel a vulnerable and virtually captive, low-wage work force to take jobs at low pay, in local government or private industry. That the program was not a step toward full employment and independence, but rather replaced civil service and union workers previously paid a living wage to do the same work.

The resulting economic deterioration of both inner-city and rural areas has been obvious. With less money in circulation, small businesses have fewer customers; local sources of employment close down or are taken over by larger operations able to utilize the taxpayer-financed subsidies of workfare, through the Job Training Partnership Act, and enterprise zone programs. These objections to the Family Support Act were submitted in June, 1988 to the Department of Health and Human Services.

That same year the Santa Cruz County Board of Supervisors adopted the analysis of a local grass roots drive to condemn the GAIN Program for its lack of results in elevating the economic situation of those involved in the program. The program simply put businesses on welfare without assisting the low income workers, while draining taxes. Over the past 3 years, the statewide GAIN Program averaged a cost to the State of \$42,000 per job that actually resulted in getting someone off welfare for a year or more with the workers penalized by loss of other assistance.

The overall atmosphere in favor of cutting State stipends at the Federal level has chilled even the willingness of State officials to resort to existing channels of recourse. What other rationale could explain the California Governor's failure to demand 1.87 billion dollars in previously earmarked disaster monies from FEMA by setting up an Economic Recovery Planning Council under the Stafford Act and the Public Works and Economic Development Act?

The law provides the governor may appoint a Council from the financial community to investigate the veracity and depth of the tragedy, drawing upon local bodies' knowledge of the needs, assessing damage from the earthquake, exacerbated by FEMA's failure to comply with congressional mandate for provisions of aid. The Council would file a demand in Washington for already Congressionally appropriated funds.

In California the Council was never appointed. The closest the Governor came was to appoint a banker to the State Office of Emergency Services to decide whether to recommend it, see that a Committee of that type be established to report.

No such Council has been appointed in Florida or South Carolina, either.

FEDERAL AID POLICIES DON'T MEET THEIR SUPPOSED OBJECTIVES

FEMA and FSA both exemplify how billions in tax-procured revenue have become an inducement toward bureaucracies in general and welfare bureaucracies in specific. It would be more than timely for your Committee to embark up the kind of direct review that programs of this nature should undergo. How can the Federal Government justify a program in which \$12 goes to "nuclear preparedness" for every \$1 that goes for disaster relief? Is this not similar to a program in which 85 percent of welfare appropriations are spent on administration?

CONCLUSION

We ask Congress to look further in your investigation of the problems of disaster relief and demand FEMA to fulfill its past responsibilities now to rebuild our communities, and to stop abandoning those responsibilities by shifting them onto the cities, counties and States.

We ask that we be notified of future developments with regard to the investigation of FEMA and the progress of the bill restructuring FEMA. Please place us on your mailing list for future announcements. We have information relating to numbers of categories where the effects of Federal policy were not in accord with what Congress intended, information which the Committee could not get from any other source.

We remain at the disposal of this Committee in the event that the Committee determines, as we have, that further testimony along these lines is necessary and desirable.

Sincerely,

CARLOTTA WOOLCOCK,
ON BEHALF OF LETA ANTHONY,
Earthshock '89-'93 Committee.

ATTORNEY GENERAL LEE FISHER,
30 EAST BROAD STREET, COLUMBUS, OHIO,
March 1, 1993.

Senator JOHN GLENN,
Chairman, Committee on Governmental Affairs,
U.S. Senate, Washington, DC

Attn: Paul Ellis

Re: Price-gouging bill

DEAR MR. ELLIS: We appreciate the opportunity to review and comment on your draft bill which seeks to protect consumers from price-gouging when a disaster has been declared.

The Consumer Protection Section of our office welcomes Senator Glenn's continued interest in protecting consumers. Improving consumer protection during times of disaster is a commendable goal, one that is generally shared in this office. We would agree that unfairly taking advantage of a consumer in a disaster situation, when the consumer may be particularly vulnerable, is reprehensible, and anyone engaging in such conduct is deserving of vigorous prosecution.

However, despite sharing these views and interests, we have neither proposed nor strongly advocated for either federal or state legislation of this sort, for several reasons:

1. The existing Ohio Consumer Protection Law (and the similar laws of most states) afford fairly good legal enforcement tools to prohibit the activity and conduct covered by your bill. Enclosed is a copy of the booklet we publish which contains the relevant Ohio law, and I would direct your attention to Section 1345.03, particularly the circumstances described in part (B) of that section. In our view, virtually all the activity to be prohibited by your proposed bill would be deemed unconscionable in violation of these provisions. Even if the conduct was not considered sufficiently serious to violate Section 1345.03 as unconscionable, the conduct might be considered unfair or deceptive in violation of Section 1345.02. We are fairly confident of our ability to prosecute a violation of these provisions where a supplier has unfairly taken advantage of a consumer in a disaster situation.

2. Our experience with consumer protection in disaster situations has suggested a different approach to the problem, one with which we have had reasonable success. Enclosed is some information about the Contractor Registration Program the Ohio Attorney General offers to communities which have experienced a disaster. If you or Senator Glenn is interested, we would be pleased to share additional information about this program and our experience. Among other things, our approach under this program (and our immediate presence at a disaster site) helps to avoid consumer problems entirely, rather than to be faced with later prosecution of violators.

3. In our previous review of state and federal legislative proposals dealing with this type of activity, we have found great difficulty in drafting appropriate and specific language. As a result, we have generally been more comfortable using the broad general definitions contained in our Consumer Sales Practices Act, a law which may already provide adequate remedies and penalties, rather than to draft language specific to disaster situations.

Within this general context, let me identify some of the specific features of your current proposal which raise questions or concerns:

SECTION 1

(a) As written, the last phrase, "and any other goods, equipment or services essential during recovery and reconstruction efforts in the area following a national disaster", may be read to modify the entire definition, thereby significantly limiting the scope of "consumer goods and services". Additionally, there is no definition of "essential", and without definition, this term is highly subjective. As written, does this definition allow excessive pricing for non-essential items?

(b) As defined, the term "supplier" may include not only those engaged in the business of selling etc. consumer goods and services, but also those who engage in casual sales.

Apparently, this definition includes both those who deal directly with the consumer and those who do not, anticipating that some of the excessive pricing may be the result of increases further up the supply chain. However, some of those transactions may occur outside the area described in Section 2(a), which suggests that only those who deal directly with the consumer within the disaster area are covered.

SECTION 2

(a) What about disasters declared by a Governor rather than by the President?

The discussion above in Section 1(b) raises the issue of price increases, some of which may be excessive, that occur further up the supply chain. Some sellers will merely pass these increased costs along to consumers, but this raises questions about existing inventory (which may be inadequate to meet demand) versus goods received at an increased cost. Additionally, how does a supplier factor in the additional costs which may be incurred in obtaining necessary goods and services, many of which may be scarce or more difficult (and costly) to obtain? I'm not sure this is entirely answered by Section 2. (b)(3).

The standard of proving an "unconscionably excessive price", even with the benefit of the prima facie evidence definition, may be fairly high, particularly in the context of a criminal felony and the addition of proving a "knowing" violation. The result might be a significant amount of unfair or "unknowing" activity and conduct by suppliers which is not covered by this proposed law. With these elements and standards, I would expect actual use of this proposed law to be minimal, particularly by states, like Ohio, which can proceed with a civil prosecution under Consumer Sales Practices Acts.

SECTION 3.(a)

While the requirement of a "knowing" violation may be necessary to create a new federal felony, the element may be quite difficult to prove.

(c)(d) Assuming these civil enforcement actions do not require proof of a "knowing" violation, these provisions would be quite attractive to consumers, local government, state attorneys general and others interested in taking action against violators. Have you considered allowing these actions to be prosecuted in state courts of general jurisdiction, as well as in United States District Courts? Of course by providing in Section 3.(e) that states would not be pre-empted, your bill, if enacted, would likely serve as the basis for corresponding state law allowing state prosecution and remedies.

These are items which are apparent on our preliminary evaluation of the proposed bill. Thus far, our review has been limited to the staff of our Consumer Protection Section, and Ohio Attorney Lee Fisher has neither reviewed nor approved these comments.

If you have questions or require additional information, please let me know. We're pleased you have provided an early opportunity for our participation in the discussions of these issues.

Sincerely,

LEE FISHER,
Attorney General.

ERIC S. BROWN,
ASSISTANT ATTORNEY GENERAL,
Assistant Chief, Consumer Protection Section.

ATTORNEY GENERAL LEE FISHER,
30 EAST BROAD STREET, COLUMBUS, OHIO.

CONTRACTOR REGISTRATION PROGRAM

I. HISTORY

The need for a contractor registration process/disaster relief program first made itself apparent following the tornado that struck the city of Xenia in the mid-1970's. Out-of-state and itinerate home improvement contractors flooded the area preying on consumers that were still in a state of shock. Literally hundreds of contractors received up-front monies for clean-up and repairs and then disappeared without performing the agreed work.

From an enforcement standpoint attempting to locate the culprits was a nightmare. With no paperwork generated by the transaction we were often left with only general physical descriptions of the contractors, or, in one case, "I think he was driving a white pickup truck." Needless to say, we were not very successful in pursuing resolutions to the hundreds of consumer complaints that were filed.

When the tornado hit the village of Cardington in the late 1970's the attorney general's office proposed the first contractor registration program to be implemented in Ohio. After the village fathers had issued a resolution requiring contractors to register, the Consumer Protection Division administered the registration process on behalf of the local government. Localized damage, the small size of the community, and brief national media exposure may have been contributing factors, but the re-

sult was very few rip-offs. Those complaints that did result were more readily handled due to our ability to identify the contractors involved.

In the late spring of 1985, a series of tornados struck a heavily populated area of northeastern Ohio and Pennsylvania. The cities of Niles and Newton Falls, as well as the unincorporated area of Liberty Township sustained millions of dollars worth of damage. Thousands of individual consumers were affected. The national media ran with the story and within days hundreds of contractors from as far away as Texas and Mississippi had poured into the area.

The attorney general sent his investigators to propose and assist in implementing the registration procedure. The local officials, already aware of the need, met our proposal with open arms. Three separate registration centers were established within the 30 mile area and registration was started within 24 hours of our arrival.

In the ensuing two week period over 600 contractors were registered. It has been estimated that at least that many more fled the area in Pennsylvania after learning of the mandate to be registered.

The Consumer Protection Division received only two consumer complaints in the months following the disaster. One of the complainants sued the contractor and won a judgment for damages in the amount of \$12,000.00.

Most recent were the tornados in Southwestern Ohio (Harrison and Fairfield) and the flood in Shadyside. Investigators from the Consumer Protection Division were on the scene within hours and stayed until local officials were able to assume control of the registration process. Consumer protection personnel provided assistance with the verification process for weeks after departing the areas. Our attempts to register contractors in the aftermath of disasters have been tremendously successful.

II. PURPOSE AND GOALS

Our primary purpose is to assist local government and its citizens in what could be their most difficult and demanding hour. We offer our expertise, manpower, and resources in an attempt to protect the consumer from potential damage and free local officials to tend to other matters.

A primary goal is to better educate the consumer so that they may be better able to protect themselves.

This is accomplished by way of peppering the effected area with flyers that outline consumer tips to be used when contracting for repairs, saturating the area with media announcements, and making Consumer Protection personnel available to the consumer at locations throughout the area.

Another goal is to make it inconvenient for the transient contractor to say in the area. When he learns that he must register and wait for verification to be completed it is our hope that the unscrupulous contractor will decide that it is not worth his time or effort to stay.

If he does stay in the area, the registration will, hopefully, provide sufficient information so as to be able to locate the contractor in the event of a problem.

III. REQUIREMENTS

The attorney general does not have the authority to order contractor registration, that power lies with local government.

In a situation where the disaster strikes a city we suggest that building codes already on the books be amended to require registration prior to work beginning. We also suggest a criminal penalty for non-compliance, this will allow local law enforcement to remove the non-compliant contractor off of the job and into custody.

In villages or unincorporated areas of the county we ask the commissioners to pass emergency resolutions asking that contractors register. If they do not choose to register we suggest that local law enforcement use 1345.21 to 1345.28 of the Revised Code to arrest the transient contractor on a misdemeanor charge.

The Home Solicitation Sales Act (O.R.C. 1345.21) specifies that if the supplier approaches the consumer and contracts for work at a price greater than \$25.00 there must be a completed contract and a verbal and written three day right to cancel. Work cannot begin in the three days unless the consumer provides a written, dated statement specifying the emergency and expressly waiving his right to cancel. Violation of this section is a minor misdemeanor.

WHAT WE DO

At the request/mandate of local government we will administer the registration procedure. We will provide the manpower, forms, and resources need to verify the information presented by the contractor. We will not approve or disapprove of any contractor.

For example, if a contractor discloses that he is from out of state, has been found guilty of larceny by trick, and refuses to provide any other information, then, if his assertions are true, we would consider his registration verified.

Once the contractor has submitted his Business Registration Form we will take it to Columbus and, when and if verified, return it to the disaster area. At this point the local officials can use the information to decide whether or not to issue permits, and consumers are urged to review the information before hiring the contractor.

WRITTEN QUESTIONS FROM CHAIRMAN GLENN TO J. DEXTER PEACH AND THE RESPONSES

Question 1. You propose that FEMA improve its organization to provide a rapid response capability and interpret the Stafford Act (the law which governs our response to natural disasters) to allow it to take advantage of the authority that it has to respond to a disaster.

What kinds of activities are we talking about here, and do you think it would be helpful to clarify existing pre-declaration statutory authority in this area? Would this be enough to turn FEMA into a rapid responder for catastrophic disasters?

Response: The Federal Government should be more proactive in terms of using its resources to determine the needs of disaster victims, actively consulting with a governor as to the type of Federal assistance the State may need, and in providing the assistance. In the case of a catastrophic disaster, this assistance would initially consist primarily of a visible, high level Federal presence of someone clearly representing and speaking for the President, the disaster unit that FEMA would immediately deploy to help identify victims' initial needs and guide the Federal response, and the U.S. military providing supplies and other assistance needed to save and sustain lives. This is not to say the Federal Government should be the "911" for all disasters. We agree with FEMA that the Federal Government's role in disasters is to supplement, not supplant, State, local and volunteer resources. When Federal help is needed, it should not be provided unilaterally, but rather in coordination with State and local responders.

With regard to pre-declaration statutory authority, we believe legislative clarification is needed here. There is much that can be done by FEMA and other Federal agencies prior to a disaster when there is advance warning. For example, personnel, supplies, and equipment could be made ready to deploy, perhaps relocated to a strategic location. But, there is no clear authority for FEMA or other agencies to do much prior to a Presidential disaster declaration, and agencies may be reluctant to do so for the fear of not being reimbursed for any costs they incur. To illustrate, the ability of the U.S. military to respond would greatly be enhanced by additional pre-declaration authority. Although the military has most of the resources needed to respond to a Hurricane Andrew-type catastrophe it needs some time to organize the materials, personnel, transport, and equipment to enable it to respond within 12 to 24 hours.

We believe Section 6 of Senator Mikulski's bill, which would add a new section 203 to the Stafford Act, is sufficient to provide the necessary pre-declaration authority.

Question 2. Do you have any idea of the cost figures if we implemented your recommendations?

Response: Most of the recommendations can be accomplished by reorganizing existing personnel and resources already within the Federal Government. Two of our recommendations, however, may lead to additional costs. Funding would be needed to support enhanced preparation before a disaster when there is warning. Also, earlier intervention by the Federal Government in catastrophic disasters could increase response costs by adding 3-4 days to the Federal activities. However, our testimony also contains several recommendations that would enable Federal, State, and local responders to better utilize the resources and funding for national preparedness and civil defense. These efficiencies could help offset any additional costs for a more proactive Federal response.

In addition, any increased response costs could be minimized by having a disaster unit accurately identify the resources needed to respond. For example, in the case of Hurricane Andrew, there was a tendency to bring in too many resources beginning 4 or 5 days after the storm because inadequate help had been provided in the first 3 or 4 days and Federal officials were uncertain about the appropriate level of response that was needed. Finally, the lives of disaster victims may hinge upon the prompt response, and our recommendations would cost little when compared to the total response and recovery costs of a catastrophic disaster.

Question 3. Do you know if National Preparedness (NP) assets—those used primarily for planning for nuclear attacks—were used in response to Hurricane Andrew?

Response: Yes. National Preparedness assets, most notably their deployable communications capability—known as MERS (Mobile Emergency Response Support) and MANS (Mobile Air Transportable Telecommunications System)—were used.

A total of 4 MERS detachments and one Mobile Air Transportable Telecommunications System vehicle were deployed to Florida to assist in the response to Hurricane Andrew. The first MERS detachment, from Thomasville, Georgia, arrived at the Orlando staging area the afternoon of August 24, and was subsequently moved to the Tamiami Park staging area south of Miami the next day to help establish communications there. On August 26, the Thomasville MERS moved to Miami International Airport to help establish communications at the Disaster Field Office there. A second MERS from Maynard, Massachusetts and the MATTS unit from Massachusetts were deployed to Miami on August 26 to help establish communications at the Disaster Field Office. By about 1 p.m. on August 26, these units had provided 24 telephone lines via satellite for use by Federal responders. On August 25, two additional MERS detachments from Denver and Denton, Texas were deployed to Louisiana to support the pending response in that State. After several days, both MERS were redeployed to Florida to support response efforts there.

These mobile units provide broad communications, automated data processing, and other capabilities, but they were not fully used during the response. During the first 3 days the mobile communications units focused on establishing communications at the Federal Disaster Field Office at Miami International Airport. However, they did not begin providing support to the State or such local governments as Homestead and Florida City until 4 days after the storm. This would have provided a FEMA presence in the most heavily damaged areas the day after the hurricane.

The Federal Response Plan provides no information on the use of National Preparedness communications assets, and FEMA's Inspector General reported¹ a general lack of knowledge among Federal responders regarding their capabilities, and confusion over the tasking process. For example, National Communications System (the primary Federal activity for communications in a disaster) personnel did not understand the procedures for tasking the MERS and MATTS units, and there was confusion over who was in charge of the units. Consequently, the National Communications System often attempted to use other alternatives before requesting MERS/MATTS support. Automatic data processing and other MERS/MATTS capabilities were also underused.

Question. What other NP assets do you believe could have been used and would have helped our response?

Response: A major potential resource that we became aware of during our review was NP's modelling capability for forecasting damage. The model was actually developed to estimate the damage occurring from a nuclear attack. The model which relies upon locality-specific demographic data, estimates the amount of damage that would be caused by such problems as high winds stemming from a nuclear detonation. As more of an unofficial exercise to see if the model had potential application in natural disasters, National Preparedness personnel attempted to estimate the nuclear blast equivalent that Hurricane Andrew represented, and ran those data through the model. Subsequent counts of damage and homelessness showed the model to be very promising. At the time of completion of our work, FEMA was modifying the model to specifically tailor it to use in natural disasters.

Question 4. As a result of the diminished nuclear threat to the United States, do you believe that civil defense resources and funding could be better used to support the all-hazards disaster response?

Response: Yes. FEMA is making strong progress towards eliminating nuclear-attack-only aspects of the civil defense programs. As we stated in our testimony, State and local officials told us that civil defense funding often did not correspond to their areas' disaster response priorities, and that they would like more flexibility on how to spend these funds. FEMA has suspended some of this year's civil defense programs, particularly those with a nuclear emphasis while it studies its civil defense requirements; in its 1994 budget, FEMA proposes a much more diversified use of the funds by State and local government.

Question 5. Hurricane Andrew saw the first use of the new Federal Response Plan, which governs how FEMA and other agencies coordinate activities in these disasters. From your investigation of how it worked then—and lessons learned

¹"FEMA's Disaster Management Program: A Performance Audit After Hurricane Andrew," FEMA, January 1993.

since—are we in any better position to respond should a major catastrophe hit us tomorrow?

Response: We may not be in a significantly better position to respond in the next disaster, but that is because it takes time to implement needed changes, not because of a failure to apply lessons learned from Hurricane Andrew. The Federal Response Plan needs modification to incorporate those activities unique to a catastrophic disaster, such as White House involvement, calling upon DOD to provide mass care, and recognition of the National Preparedness assets that can be employed; detailed implementing procedures must be developed; many State and local plans should be made compatible with the Federal Response Plan and State and local readiness needs improvement in many cases. Also, there have been several changes recommended by GAO, NAPA, and the FEMA IG, some of which require legislation. For example, we propose that the Congress consider (1) giving FEMA and other Federal agencies explicit authority to prepare for catastrophic disasters when there is warning, and (2) removing statutory restrictions on DOD's authority to activate reserve units for catastrophic disaster relief.

In the interim, we are hopeful that the response would be at least somewhat better should there be a major catastrophe tomorrow. One could easily see a different mindset evolving at FEMA, as Hurricane Andrew struck in Florida, then Louisiana, followed by Hurricane Iniki in Hawaii. In each case, one could see a more aggressive, proactive response. Also, there has since been a significant declassification of National Preparedness resources—facilitating their further use in natural disasters.

Question 6. Do you think it's possible to draw distinctions between the current threshold, categorized as a "major" disaster, and the type we're talking about here—"catastrophic" disaster—which would trigger a higher level of Federal response? What kinds of criteria might we consider if we moved in that direction?

Response: Whether a disaster is catastrophic or not comes down to whether State, local, and volunteer resources are overwhelmed to the point that life, health, and safety of the victims are at risk. It is for that reason that we recommend the rapid deployment of a disaster unit that can very quickly determine the needs of the victims, match this against the response resources on the scene or readily available, and from this make a determination as to whether the disaster is "catastrophic."

The kinds of criteria to be considered center on the magnitude of the disaster—e.g., Richter scale measurement of an earthquake, hurricane category, etc. There are also many other factors involved, such as adequacy of State and local preparedness, degree of flooding accompanying a hurricane, population and population density, stringency of building codes and their enforcement, climate, temperature, etc.

Question 7. One of the areas you touch on is to set some performance standards for State emergency management operations.

What kinds of standards should we look at?

Response: We believe that the results exercises—both table-top and on-location—are the most important standards as exercises in particular are the closest to the "real thing." If conducted realistically and intensively with all Federal, State, and local personnel interacting, they should provide the best basis for evaluating and testing each component's readiness.

There are a number of other factors FEMA should also consider when it establishes performance standards. These include completeness of State and local emergency operations plans, currency of State and local plans, number of personnel dedicated to preparedness and response, educational qualifications of personnel, adequacy and survivability of communications, and presence of inter-area mutual aid pacts.

Question. What do you think it will take on FEMA's part to ensure proper oversight so that any deficiencies found are identified and corrected?

Response: FEMA will need the necessary funds to visit the States and communities to assess their preparedness, and participate frequently in exercises. Another thing FEMA will need is either a carrot or a stick to help ensure compliance. This is a troublesome aspect, in at least one respect. If the Federal Government assures the Nation that it will always come in when needed and provide whatever is needed at little or no cost to the affected State and local governments or populace, will this serve as a disincentive to State and local preparedness efforts? Senator Mikulski's bill attempts to enhance State and local preparedness by having them face reduced recovery assistance from the Federal Government for not meeting the performance standards. In addition, we are recommending that to enhance State and local governments' capacity to respond to catastrophic disasters, FEMA should, in addition to assessing States according to performance standards, (1) give State and local governments increasing flexibility to match Federal grant funding with their individual threats; and (2) upgrade training and exercises specifically geared towards catastrophic disaster response.

Question 8. I've pointed out that in recent years, the frequency of Presidential disaster declarations—and the costs associated with them—have risen. Not to mention a host of different incidents which seem to have expanded the disaster definition. What factors do you attribute this to? Do you think as some have contended, that we're becoming a "Federal 911" responder?

Response: One need only look at recent disaster statistics to share your concern; for example, the trend in Federal disaster declarations in recent years:

1988	17
1989	29
1990	35
1991	39
1992	46

We have not examined this issue, and cannot speak with certainty to the cause. It could reflect a natural increase with respect to hurricanes or other disasters, as the frequency and severity of hurricanes apparently is cyclical; increased vulnerability of our society due to growth and development; changing criteria for the Federal declaration of a major disaster; or a reflection of the financial difficulties many of our State and local governments are in, which in turn could be affecting either their readiness or their need to rely on Federal financial aid.

Question. If we continued in this direction, what kind of cost liabilities do you see being borne by the Federal Government?

Response: The cost potential is almost limitless, regardless of the cause. As FEMA notes in its annual report "Principal Threats Facing Communities and Local Emergency Management Coordinators," disasters and emergencies with Federal participation are minute compared to the total number that occur. For example, FEMA reports the average annual economic loss from flooding to be \$2.2 billion, a national average of 783 tornadoes per year at an annual cost of \$590 million, and over 140,000 wildfires annually, just to mention three types of threats the Nation frequently faces.

WRITTEN QUESTIONS FROM CHAIRMAN GLENN TO JAMES LEE WITT AND THE RESPONSES

(A) FEMA-WHITE HOUSE COORDINATION (GAO RECOMMENDATIONS)

1. I understand President Clinton has already begun considering options to improve the communications network so that he can immediately be informed of major disaster through government channels. I understand he doesn't want to hear about these things first from CNN. Have you met with President Clinton or Vice President Gore to discuss these options? If so, what will your role and duties be? Does OMB have any responsibilities in this effort?

Question: Have you met with President Clinton or Vice President Gore to discuss these options?

Answer: President Clinton has requested discussion of the issues from FEMA through the Office of Cabinet Affairs and the Office of Management and Budget.

Question: If so, what will your role and duties be?

Answer: FEMA's role and duties will include the collection and analysis of data relevant to potential and actual emergencies and the timely reporting of this data to the President and Vice President. As director of FEMA, I will report this data directly to the President and Vice President or through briefings and written reports prepared for the Office of Cabinet Affairs. If an emergency results in a Governor's request to the President for a major disaster or emergency declaration under the Stafford Act, the request and FEMA analysis and recommendation will be communicated directly to the President and the Vice President through the Office of Cabinet Affairs. As an emergency unfolds, FEMA will maintain direct contact with the White House in order to provide timely and up to the minute data on the status of Federal response and recovery efforts and will prepare and deliver regular briefings to the President and Vice President. This line of communication between FEMA and the White House will be maintained for the duration of the emergency.

Question: Does OMB have any responsibilities in this effort?

Answer: OMB has been involved in the discussions of FEMA's and other department and agency roles in the information dissemination and notification process.

2. GAO has proposed the creation of an expert federal disaster unit—a "rapid response" team—to quickly determine such things as whether a Presidential disaster declaration is warranted, whether state and local response is adequate, and what kind of federal assistance can be provided, if necessary.

Question: I note this is something that you are presently undertaking, for which I commend you. Do you think FEMA has all the resources it needs to establish such a team and what assets from other federal agencies could be utilized?

Answer: FEMA does not currently have all the resources it needs to establish such a team, nor is the authority as comprehensive as possible to facilitate the purchase and/or stockpile the equipment and items necessary for effective teams. As demonstrated just recently in Exercise Response '93 (based on a simulated major earthquake on the Wasatch fault line in Utah), logistical problems associated with assessment and transportation of necessary assistance into affected areas remain a problem.

Each initial strike team element of the Federal Response Plan Emergency Response Team would consist of 54 persons made up of permanent, full-time staff supported by 17 dedicated Disaster Assistance Employees, representatives of the primary agencies for the 12 Emergency Support Functions and Headquarters personnel. As envisioned, the Team would be divided into two groups:

(1) Personnel in the management, oversight or support functions would be trained in emergency relief operations under very high stress survival conditions and would be well versed in logistics, interagency coordination and acquisition of essential items in emergency conditions.

(2) Field Teams (for reconnaissance/needs assessment), Operations Facility Coordination and personnel in the Technical Specialist Teams would be trained responders with specialized skills such as communications, structural engineering, logistics, hazardous materials, medical, search and rescue and feeding operations. Each team would be supported by necessary vehicles, communications systems, temporary office/distribution center facilities, and commodities from stockpile for distribution to disaster victims. For the most part, Technical Specialist Teams are self-sustaining and would not require support from affected State or local governments.

The Federal Government already has extensive civilian strike team capabilities—FEMA Urban Search & Rescue (US&R) teams, U.S. Forest Service Incident Management Teams, Hot Shot Crews, Prime Power Teams from the U.S. Army Corps of Engineers for emergency electric power, Disaster Medical Assistance Teams from the Department of Health and Human Services for critical medical services, Mobile Emergency Response Support MERS Detachments and Mobile Air Transportable Telecommunications System MATTS from FEMA, and feeding services from various Federal and private relief organizations. The only things missing right now are: (1) authority for a coordinated strike force capability to position needed personnel/material in before or immediately after an event; (2) necessary personnel strength to establish the initial strike team structure; and (3) authority for stockpiling and purchasing necessary material for use by the initial strike team.

Reviews of the Federal response to three major hurricanes and an earthquake in just three years have clearly shown that the current ad hoc approach is neither effective nor in the best interests of disaster victims. The Federal Government is the logical source of interim emergency assistance until full-scale disaster relief operations can begin. Yet unless the President moves in Federal troops, as was done in South Florida but which both FEMA and the military agree is not the long-term answer, the Federal Government has to rely on disaster relief processes that, of necessity, can take days to fully implement.

Once State and local resources can be reconstituted to begin identifying and assessing precise needs and the normal Federal recovery systems are in place, the initial strike teams can withdraw.

(B) NATIONAL PREPAREDNESS AND NUCLEAR ATTACKS VS. NATURAL DISASTERS

Many analysts have contended that the national preparedness (nuclear attack) and civil defense side of FEMA has long predominated—in terms of funding, resources, and staff—over the natural disaster side. Indeed, while FEMA's civilian emergency management side fought just to stay even during the early 1980's, or suffered cutbacks, FEMA's military-related programs were getting increased, due to our defense buildup.

Question: Do you agree with this contention? Given the end of the Cold War, is it time to shift the balance more toward civilian disasters? Where should FEMA's priorities lie?

Question: Do you agree with this contention?

Answer: What we refer to as the Civil Defense Program did not receive any significant increases during the defense buildup period of the early 1980's. For that reason, we have been trying to make the case in recent years that the Civil Defense Program should not be reduced along with many other defense-related programs.

Some FEMA programs were increased during the defense buildup, but they were within FEMA's Federal Preparedness activity. The Civil Defense program is a program designed to build and maintain State and local capability to prepare for and respond to any hazard. Within the spectrum of capability development, there was a requirement for State and local governments to prepare for nuclear attack. This requirement has been removed.

Question: Given the end of the Cold War, is it time to shift the balance toward civilian disasters?

Answer: Yes, it is time, and the administrators of the Civil Defense Program began shifting that emphasis even before the end of the Cold War (largely due to lessons learned from Hugo and Loma Prieta). To their credit, many States well ahead on moving their emphasis toward natural disasters.

Question: Where should FEMA's priorities lie?

Answer: FEMA should be giving emphasis to better preparedness of States for response operations in major disasters. This can and is being addressed by providing more funding, by developing additional detailed guidance for emergency operations planning, by revising and designing new training that emphasizes response operations, and by supporting an exercise program that results in realistic, full-scale, field exercises with heavy emphasis on testing capability and identifying deficiencies. FEMA should also continue to build on the existing planning for Federal response to major disasters in partnership with the States.

2. There were news reports in the wake of Hurricane Andrew that certain national preparedness (NP) resources—such as state-of-the-art telecommunications equipment, mobile field hospitals, and the like—were held back and not deployed to south Florida. Are these reports true? Are there any assets in the National Preparedness Directorate or for that matter, civil defense program, which cannot be utilized for civilian natural disasters—that do not have dual use capabilities?

Question: Are these reports true?

Answer: The reports are NOT true that resources were "held back." FEMA does have resources that were NOT deployed to south Florida, but this was because they were being used in other disaster areas (i.e., Louisiana, Hawaii, and Guam) or they were not needed. As in any disaster response, FEMA in conjunction with other Federal agencies and State officials, determine what support or capabilities are needed, from where, and the most efficient way to provide them. FEMA has and will continue to use its assets as well as those of other Federal agencies to support disaster response, based on the needs identified.

Question: Are there any assets in the National Preparedness Directorate or for that matter, civil defense program, which cannot be utilized for civilian natural disasters—that do not have dual use capabilities?

Answer: All civil defense program resources are dual use for any disaster. Prior to Hurricane Andrew and Typhoons Omar and Iniki, the assets of the National Preparedness Directorate were used only on a limited basis for response to natural disasters. FEMA now uses national security assets to the fullest extent possible to prepare for and respond to all hazards. Since FEMA has national security responsibilities, certain capabilities must be maintained to ensure national interests are met. To maintain capabilities, judicious application of resources may be required in certain circumstances. Further information about FEMA's national security responsibilities is classified, but may be provided to appropriate officials with necessary security clearances.

(C) WHAT IS A "FEDERAL" DISASTER?

1. The definition we use for "natural disaster" seems to be getting less clear. In the past couple of years, FEMA has been involved in "disasters" ranging from the Chicago tunnel flood, the L.A. riots, and more recently the World Trade Center bombing and the East Coast snow storm. And, as I noted earlier, we've seen an overall increase in the number of disasters declared, plus some heavy duty costs, mainly attributable to Hurricanes Andrew, Iniki, and Hugo, plus the Loma Prieta earthquake.

Question: Is this a natural progression in FEMA's mission, or could it be that States are getting bolder in terms of the kinds of event for which they will seek Federal money and assistance? Are we moving towards becoming the "Federal 911" first responder option?

Answer: Each incident is evaluated with regard to its impact on the area. The events described, while not clearly included in the definition of a "natural disaster", did have serious impacts to the State and local governments. This must be considered a natural progression of the Agency's mission. I do not consider that we are

becoming the "911" responder, though the agency has taken a more active role with the State immediately prior to and following an event.

Question: Are there other factors—besides the actual damage done in these disasters—which have also contributed to the rise in Federal costs?

Answer: For any event, the severity and magnitude of the incident must be beyond the capabilities of the State and local governments. Many factors are taken into consideration, including:

- The response capabilities and activities of the State and local governments;
- The resources committed by the State and local governments to the recovery effort;
- Imminent threats to public health and safety;
- Assistance available from other sources without a declaration;
- The insurance resources available;
- A sudden and intense impact on individuals or public services in a confined geographic area; and,
- The proportion of damage that impacts essential government services and functions.

2. *Question:* Do you anticipate being asked by the President for your advice, as FEMA Director, when he is considering a Governor's request for a Presidential disaster declaration?

Answer: As the Director of FEMA, I do make a recommendation to the President regarding each request for a major disaster or emergency declaration.

Question: If so, what factors will you look at in making your recommendations and under what circumstances would you advise that a Presidential disaster declaration not be granted?

Answer: Each of the factors described in my response to question C-1 are taken into consideration when making a recommendation to the President. The primary basis for not declaring a disaster is that the recovery effort is not beyond the State and local government capabilities. For example, adequate assistance may be available through other sources, such as insurance and voluntary organizations.

3. Each year, there are several (around 25 percent) "turndowns" of requests for Presidential disaster declarations. I'm interest in knowing what differentiates these "turndowns" from the other declarations granted.

Question: Could you, for the record, provide the rationale and/or recommendations made by FEMA to the President for those such cases in the last five years?

Answer: As I described in question 2, the basic criterion set forth in the Stafford Act is that the severity and magnitude of the event must be beyond the capabilities of the State and local governments. The specific rationale for each turndown recommendation is not available; however, from fiscal year 1990 through 1993, approximately 194 requests for assistance have been processed. Of these 44 recommendations for turndown of the request were made.

(D) FEDERAL RESPONSE TO CATASTROPHIC DISASTERS

1. You have indicated you're taking steps, such as pre-positioning of supplies, to make FEMA more proactive when there is sufficient warning of a catastrophic disaster. There is some question, at least in GAO's mind, of whether existing authority is adequate for FEMA and other agencies to effectively undertake these preparations. Do you think it would be helpful for us to clarify this authority and make it more explicit?

Question: Do you think it would be helpful for us to clarify this authority and make it more explicit?

Answer: There is a recognized need, in some instances, for FEMA and the Federal government to provide an immediate response capability in an area which is potentially or actually affected by a disaster, prior to the receipt of a request for a major disaster or emergency declaration by the Governor of the affected State. The scope of response authorities under the Stafford Act needs to be clarified with respect to activities carried in the Federal Response Plan. Of particular importance is the statutory basis for pre-declaration and pre-deployment activities. This authority would allow the advance deployment and positioning of teams, equipment and supplies near or in the impacted area to supplement or replace the available resources of the State and local governments in providing lifesaving and life-protecting assistance to the impacted population. It would also provide for the immediate identification and mobilization of Federal resources on a national basis to meet response requirements and would facilitate the early coordination with the State regarding the development of a strategy for conducting joint response and recovery operations.

2. Nobody disputes the role played by DOD in providing, transporting, and distributing relief supplies in the immediate aftermath of a catastrophic disaster, particu-

larly to help meet "mass care" needs. How do you see the military's role in this—when, where, and under what circumstances should they be called in—and how will FEMA coordinate those efforts with State and local governments, and with private service organizations, like the Red Cross?

Question: How do you see the military's role in this—when, where, and under what circumstances should they be called in—and how will FEMA coordinate those efforts with State and local governments, and with private service organizations, like the Red Cross?

Answer: The Department of Defense has a role as a primary or support agency for all of the Emergency Support Functions under the Federal Response Plan, including mass care. In the Plan, the American Red Cross is designated as the primary agency for the management of the mass care function. Under this arrangement, the Red Cross coordinates the provision of mass care by Federal departments and agencies and other voluntary agencies, and is supported by 10 other Federal agencies, including FEMA and the Department of Defense, in carrying out the mass care function. The Red Cross is working closely with the Department of Defense to identify how military resources will better be integrated into the overall mass care function.

3. FEMA's Federal Response Plan (FRP) is a blueprint for how it and 26 other federal agencies responds to all disasters and emergencies. Depending on the nature of the disaster, FEMA could use one of several different response plans. For example, FEMA has responsibilities for radiological releases and environmental accidents in addition to natural disasters.

Question: Do you see potential for confusion and delay in the federal response if a disaster should happen which involves jurisdiction of more than one plan? For instance, if Hurricane Andrew had so seriously damaged the Turkey Point nuclear reactor that it caused a radioactive release?

Answer: The Federal Response Plan is based on the premise that a significant disaster may require a broad spectrum of Federal assistance immediately to support State and local emergency response operations. It describes the basic mechanisms by which the Federal government will mobilize resources and conduct activities to augment State and local response efforts. To facilitate the provision of Federal assistance, the Plan uses a functional approach to group the types of Federal assistance which the State is most likely to need under 12 Emergency Support Functions (ESFs) in rendering assistance to the affected area.

The Federal Response Plan is flexible enough to accommodate more incident-specific plans and procedures under the overall Federal response structure. In some cases, existing incident-specific plans are being folded under the Federal Response Plan framework. For instance, the existing Federal Radiological Emergency Response Plan is currently being rewritten as an ESF for radiological emergencies.

In Hurricane Andrew, the potential response for the Turkey Point plant was coordinated as part of the Federal Response Plan activities with the Nuclear Regulatory Commission.

4. Let me ask you about another distinction which is growing less clear—that is, between a natural disaster and a national security emergency.

Question: Since the National Security Council (NSC) has historically been very protective of its jurisdiction in these matters, how will you resolve potential conflicts when a disaster has both domestic and national security implications?

Answer: FEMA receives policy guidance and oversight from both the national security and domestic arms of the White House. The national security guidance generally concerns the Executive Branch. It directs provisions for national leadership, emergency operating centers, and policies and procedures to assure effective operations under emergency conditions. On the other hand, the domestic guidance generally concerns the relationships with State and local government in providing funds and easing disaster situations. While certainly distinctive, the direction given has never conflicted. And because emergencies are common at their core, they often have benefited from the symbiotic relationship.

Operationally, FEMA deals with the consequences of Disasters, i.e., to save lives and protect property, which is not predicated on the cause of the event but rather the management of the consequences of the event (consequence management). In addition, consequence management recognizes that regardless of the cause of an emergency situation (natural, technological or national security), certain capabilities are necessary to respond to any emergency (e.g., personnel, plans, operating facilities, communications, equipment, training and exercises).

While Stafford Act definitions could be expanded to include any incident having a significant impact on the American public, there would be little problem for FEMA in responding to a national security disaster since the functions involved would be essentially the same as those required for natural or technological disaster response.

(E) FEDERAL ISSUES: WHAT SHOULD STATES BE DOING

You have indicated your desire, for which I fully agree, to make states more accountable for what they do—or in some cases don't do—in terms of their own preparedness and response programs. You also have supported establishing performance standards under which FEMA can assess the resources and performance of State emergency operations.

Question: How would you go about improving accountability, and what kinds of criteria would you look at in setting State performance standards?

Answer: The primary method of improving accountability will be through conduct of realistic, full-scale field exercises that are designed specifically to test capability, and which result in identification of deficiencies and remedial action programs to fix them. Another method of improving accountability is through the CCA process itself, wherein the States will be given a real partnership role with the FEMA Region during negotiations, in determining what activities shall be funded based on both Federal and State priorities.

Criteria that FEMA would be looking at in setting performance standards include: compatible up-down-lateral communications, warning, evacuation management, ability of government to survive and manage the disaster (SCM), training/experience of emergency managers, operational relevancy of emergency operations plans, and preparedness for interface with Federal response in major disasters.

Question: Should States be involved in setting these standards and, if so, how will FEMA be able to evaluate and rank their capabilities?

Answer: FEMA would insist that States be involved in setting these standards, much as the States have recently been intimately involved in the civil defense study of State resource requirements for effective emergency management. FEMA would also work out an evaluation procedure in consultation with the States.

FEMA is currently beginning to design an evaluation and assessment system, which is intended to measure the capabilities of States against objectives and standards of emergency management preparedness. The States will be brought into the detailed development of the system.

2. *Question:* How much flexibility should the states have for funds they receive from the Federal government through the "CCA's", the Comprehensive Cooperative Agreements? For example, during GAO's review, many State program directors indicated there was "pressure" from FEMA to use these funds primarily for nuclear attack defense. Is this something you think should be addressed?

Question: How much flexibility should the states have for funds they receive from the Federal government through the "CCA's", the Comprehensive Cooperative Agreements?

Answer: The States should have great flexibility in making work assignments to their qualified personnel for activities funded under the CCA's.

The States should also have a more active role in negotiating their Scope of Work with the FEMA Region than they generally have had in the past. Unlike what has been a frequent practice in the past, the State should be able to bring its own suggested activities to the negotiation table and have them seriously considered along with those brought by FEMA. Such a process has been adopted for FY 1994 for all activities to be funded under Other State and Local Assistance.

Question: For example, during GAO's review, many State program directors indicated there was "pressure" from FEMA to use these funds primarily for nuclear attack defense. Is this something you think should be addressed?

Answer: We have taken serious issue with the GAO allegation that there was "pressure" from FEMA to use these funds primarily for nuclear attack defense. Prior to the Hugo and Loma Prieta events, FEMA did have a policy in place of giving first priority to nuclear attack preparedness when using Civil Defense Program funds, but not to the exclusion of preparedness for other hazards. For the past several years, our guidance in the CCA and for emergency operations planning has stressed all-hazard, functionally oriented planning. The Administration's current Civil Defense policy emphasizes building capability that is common to responding to all hazards, plus nuclear attack.

In summary, FEMA headquarters has not for several years pressured States to use Civil Defense funds for nuclear attack defense, beyond what is required by law. The GAO report quoted claims that cannot possibly stand up against the documented guidance and policies in place for the past several years.

3. *Question:* Do you feel that asking states to pay a share (25%) of federal response costs provides an incentive to be better prepared? Or is a stumbling block that makes states reluctant to request assistance?

Answer: The use of positive incentives in preparedness and mitigation needs to be reviewed for creating a positive environment on enhancing these critical emer-

gency management functions before a disaster occurs. FEMA will be preparing regulations this fiscal year which will address the cost-share issue for response costs. The regulations will address cost share from the standpoint that it will not be viewed as an impediment to asking for federal assistance that is needed in a catastrophic disaster response.

Currently, the cost sharing arrangements are negotiable under extreme circumstances, as experienced in the most recent large scale disasters in Florida and the Pacific. For response assistance, the cost sharing may have some effect in causing states to be reluctant to readily request Federal assistance. For example, even 10 percent of \$4 billion is \$400 million, so we do believe that the cost share must have some impact, although there is no documented evidence of this.

(F) OTHER ISSUES

1. In 1983, a Red Cross volunteer in my home state of Ohio pushed to get legislation adopted which provides paid leave to trained State employees who may be asked to assist in responding to disasters—I believe it's a 2 to 3 week commitment. From all reports I've seen, this seems to be a program that works in providing additional trained experienced personnel. Several other States have recently followed suit.

Question: Do you think this is something that we might want to consider on the Federal level.

Answer: FEMA utilizes the services of other Federal agency personnel who volunteer for disaster duty, using OPM as a clearing house for this activity. We should consider formalizing the current ad hoc arrangements to identify a permanent roster of reserve Federal employees who would serve in disaster operations.

2. As you know, this Committee is the reauthorizing committee for FEMA's Emergency Food and Shelter Program (EFS). It is a program I feel that is extremely worthwhile. As you know, the original budget proposal for this program was originally \$129 million. However, after internal FEMA review, the budget request was reduced to \$123 million.

Question: Can justify this discrepancy? What was the justification this sudden reduction?

Answer: I was not involved in the Fiscal Year 1994 budget process. From everything I have heard, this program is very important and cost effective. I will review the budget cut, determine the consequences of the cut, identify my options, and take appropriate action.

Question: In addition, proposals have been made in the past to place the program under HUD. What is your impression of such a proposal?

Answer: FEMA and the National Board have shaped a program that distributes funds rapidly, emphasizes local decision-making, and allows flexibility in approach at the community level while maintaining strict accountability standards. Also, FEMA's relationship with emergency services organizations such as the American Red Cross, The Salvation Army, and Catholic Charities USA has added to its ability to administer this program.

If consolidations are being actively considered we, both FEMA and our partner National Board member organizations, would welcome the opportunity to be a part of those discussions. The Emergency Food and Shelter Program Local Boards in communities across the country are potentially valuable coalitions that should be consulted on questions such as this. Emergency services are a part of the human services continuum and should receive careful consideration when overall strategies are implemented.

Question: A previous FEMA IG report on EFS cited several problems in the program, including lack of uniform criteria for assistance, duplicate payments, and financial compliance problems with some Local Recipient Organizations (LROs). What is your impression of this report?

Answer: The report highlighted some areas that deserve attention and also cited some problems that are really the heart of the program. For instance, the "lack of uniform criteria" is not an oversight on the part of FEMA and the National Board. It has always been our intent to supplement successful programs, not re-write their mission statements or their rules for client eligibility.

The IG specifically cited some agencies that didn't target funds used for homelessness prevention. Rather than set down national criteria for the minority of agencies that have not shown sound judgment, or have thought Federal funds must be distributed without the same screening process applied to private funds, we are compiling some recommended practices. For the coming year we'll be producing a Technical Assistance Manual that will highlight, but not mandate, successful practices from agencies around the country. The important point is that there are many dif-

ferent successful agencies. Rather than deny them their flexibility we would rather share a myriad of approaches with lesser agencies so they can select one that best suits their needs in their community.

The question of duplicate payments is a minor one. However, the solution is helpful in a number of unexpected ways. Our solution has been to insist that if a jurisdiction is going to fund more than one agency to provide rent/mortgage assistance, it must ensure that the agencies involved establish a collaborative process that prevents duplicate payments. The bonus is that such a process not only prevents redundancy but encourages cooperation on many levels among agencies within a community.

The financial compliance problems are also the exception. The EFS program insists that all new agencies, or agencies with recent audit problems, submit all of their documentation (invoices, canceled checks, receipts) for review by the National Board. And agencies with a perfect audit record still must submit all documentation a minimum of once every three years (this is in addition to the submission of an annual final report and with the stipulation that they must have an annual audit performed). The problems noted by the IG occurred where agencies served multiple jurisdictions with varying records of audit compliance. In order to detect this problem, and as a precondition for the receipt of funds, all agencies now must have an IRS number. This practice was fully implemented during FY 1993.

Question: You have had first-hand experience with earthquake hazards. I'm wondering what your views are as to the role of the federal government not only in this area, but especially in terms of private properties & developments located on flood-prone, and coastal erosion-prone, areas?

Answer: As Director of Emergency Services in Arkansas, I did have the opportunity to work first-hand with the earthquake hazard, as well as with other hazards which must be addressed by State and local jurisdictions. I have been able to formulate direct ideas about the role of the federal government, in particular FEMA, in addressing areas prone to natural hazards. I would say that first, and foremost, a framework of partnership is essential. In order to effectively deal with natural hazards, FEMA and the federal sector must closely collaborate with State and local jurisdictions and the private sector in defining mutually agreed to plans of operations and conduct that are in effect both before and after natural hazards occur. Once a partnership is established, there are as well other features that should be present when dealing with natural hazards:

(1) comprehensive emergency management is the only strategy that will work. Comprehensive emergency management in hazard prone areas means applying appropriate mitigation, preparedness, response and recovery techniques;

(2) actions must be risk-based. In other words, we want to encourage emergency management actions that are equal to the actual risk faced by communities at the hazard prone area; and

(3) mitigation must be recognized and acted upon as the essential element of comprehensive emergency management. Reducing our losses will lower the costs of disasters in both human and economic terms. It is the federal government's role to make available the adequate and proper incentives and resources to encourage the adoption of mitigation measures at the local, private and State levels

5. Your FY 94 budget calls for the complete elimination of the Individual Mobilization Augmentee (IMA) Program. As you know, FEMA provides IMA's to state and local emergency management agencies at no cost to the agency. The IMA's work part-time at the agencies in exchange for points toward their retirement from the military reserves. The cost of the IMA program was extremely cheap when compared to the expertise and assistance that the program provided to the state and local agencies.

Question: What is your impression of the IMA program? Do you agree with the budget proposal to eliminate it? If so, what would you recommend to states and local emergency management agencies affected by the cut? How do they replace the manpower lost?

Answer: The IMA activity has proven to be very beneficial for both State and local emergency management agencies. It provides to them experienced emergency planners who can and do enhance emergency operations plans, plan and manage exercises, and in an emergency, volunteer to respond in active duty status.

FEMA was directed to reduce its Defense account activities by \$33 million in FY 94 and \$13 million of the reduction was allocated to State and Local Planning and Response (formerly known as the Civil Defense program). Since over half of the State and Local Planning and Response budget (over \$80 million) is used to fund salaries and expenses of people in State and local emergency management agencies, it is nearly impossible to avoid cutting into that people support.

Given the fact that the people programs must be reduced, then the problem is one of prioritization. Nearly all people-supporting activities other than the IMA support are funding full-time permanent personnel of the State and local emergency management agencies. The IMA activity only supports the 2-week annual training tour of some 600 otherwise unpaid military reservists who work one day per month, plus the 2-week training tour, for additional retirement points. FEMA decided that the first priority for cutting people programs was to cut where salaries of full-time State emergency management staffs would not be affected. The outstanding operational planning and exercise support that has been provided by these IMA's will have to be done by the full-time staffs, but the loss of the IMA's will be less significant than the loss of additional full-time State staff.

Our recommendation to States and local jurisdictions that are impacted by the IMA cut is to seek a replacement for this part-time (one day per month) support from within their own ranks, a person that may have the same military background and skills we look for in prospective IMA's. The type of work that our IMA's do is typically of great personal interest to them, and some put forth a large amount of extra effort on a volunteer basis.

Question: As you will remember, at the hearing I cited the case of Herndon, Virginia's reimbursement for snow removal as an example of the trivialization of FEMA. In your letter of May 21, 1993, you provided information on the reasoning behind providing the states assistance for emergency work in conjunction with the severe snow storms of March. In addition, you also provided information on the specific case of Herndon. I appreciate your prompt supply of this information. However, I continue to have further questions about this matter. How much did each state and locality request for snow removal?

Answer: At the time of the request, each state made an estimate of snow removal costs for emergency access in all areas in the states but these costs were not broken down by locality. The attached table shows actual cost to date.

Question: How much were they reimbursed for their request?

Answer: On the attached table is a break down of the current estimates and the amount obligated to date for reimbursement of snow removal activity by each state where an emergency was declared. The Federal contribution is 75% of the total eligible costs. Our regional staff is still reviewing documentation of eligible costs for some communities. Therefore, the total amount obligated is expected to increase.

Question: What was FEMA's justification for any denied or reduced reimbursements?

Answer: FEMA's policy for snow removal was limited to the minimal amount of snow removal that was required to provide safe access for emergency vehicles. Communities incurred costs for removing snow that were not reimbursed by FEMA. For example, FEMA did not pay for clearing more than one lane in each direction along eligible roads or for salt and sand. In most cases, applicants did not request these ineligible costs from FEMA because the applicants worked with FEMA and State inspectors to prepare the applications.

Question: Finally, what steps will FEMA be taking to ensure that federal money is paid only when there is a justifiable need (unlike the case of Herndon)?

Answer: As a result of lessons learned from the snow emergency of 1993, FEMA is contemplating some modifications in its rules and regulations which would address this issue. Ideas being considered include limiting snow removal reimbursement to costs of contractor assistance only and not reimbursing communities for the costs of using their own personnel and equipment. Another possible idea would be to require snow removal costs to reach some per capita threshold before reimbursement would begin. These ideas will be considered through the normal rule making process.

PROJECTED FEDERAL REQUIREMENTS AND OBLIGATIONS FROM THE DISASTER RELIEF FUND FOR THE BLIZZARD OF 1993

(as of September 30, 1993)

State	Projected requirements	Obligations	Unobligated balance
Alabama	\$14,401,292	\$10,833,693	\$3,567,599
Connecticut	1,198,800	880,570	318,230
Delaware	939,290	648,466	290,824
District of Columbia	573,360	506,439	66,921
Georgia	20,232,546	19,233,429	999,117
Kentucky	2,364,755	2,303,930	60,825
Maine	1,680,233	669,707	1,010,526
Maryland	9,096,760	8,473,548	623,212
Massachusetts	1,709,500	1,254,031	455,469

PROJECTED FEDERAL REQUIREMENTS AND OBLIGATIONS FROM THE DISASTER RELIEF
FUND FOR THE BLIZZARD OF 1993—Continued
(as of September 30, 1993)

State	Projected requirements	Obligations	Unobligated balance
New Hampshire	1,135,315	736,542	398,773
New Jersey	1,954,521	1,922,307	32,214
New York	8,619,124	8,586,146	32,978
North Carolina	13,489,000	11,080,280	2,408,720
Pennsylvania	25,185,490	23,952,144	1,233,346
Rhode Island	777,500	257,514	519,986
Tennessee	14,542,420	13,896,260	646,160
Virginia	8,062,370	5,714,180	2,348,190
West Virginia	5,040,220	2,462,248	2,577,972
TOTAL	\$131,002,496	\$113,411,434	\$17,591,062
AVERAGE	\$7,277,916	\$6,300,635	\$977,281

WRITTEN QUESTIONS FROM CHAIRMAN GLENN TO DR. ROBERT C. SHEETS
AND THE RESPONSES

Question 1. What can the devastation of Hurricane Andrew be attributed to?

Answer. Andrew was the third most powerful hurricane to strike the United States this century. It was also the first powerful hurricane in many decades to strike a relatively highly populated area. The primary reasons for the large devastation in South Florida was due to a powerful hurricane and the large concentration of people. Also, building practices had changed in several new developments during the more than two decade period without major hurricanes in the area. These northern style homes did not do nearly as well as the Florida style homes of the 1950's through 1970's. It was not just a matter of when the home was built, but the prevalence of wood frame versus concrete and style. That is, new homes built in the conventional Florida style also did well.

In spite of the incidents of "shoddy" construction, the great majority of the damaged homes in South Florida were far stronger built than nearly all other homes along the Gulf and East Coasts of the United States. Had the intense core of Andrew struck essentially any other community in the United States, the damage per building would almost assuredly been greater there than it was in South Florida!

Question 2. Do severe hurricanes run in cycles?

Answer. Records of severe hurricanes indicate some cyclic nature. In the 1940's, there were 10 major (more than 110 mph winds) hurricanes striking the United States with most of them striking Florida. In the 1950's, there were 8, primarily up the East Coast. In the 1960's, there were 6 and they were on the Gulf Coast. In the 1970's, there were 4 and all were on the Gulf Coast. By the mid-1980's, there seems to be a shift back to more storms on the East Coast with Diana, Gloria, and Hugo and in the 1990's so far, Bob and now Andrew. I believe that the 1970's and 1980's are the abnormal period as compared to the 1940's and 1950's. However, no one can say with absolute certainty that this is an indicator of a return to activity similar to that experienced in the 1940's and 1950's, but that seems to be the trend.

Question 3. Can we expect more severe hurricanes in areas that have not experienced severe storms in many years?

Answer. If the trend discussed above continues and we return to activity similar to that of the 1940's and 1950's, then indeed strikes will occur where millions of people and associated property have been placed in harms way since previous major hurricane strikes. The effects will be felt well inland which will include tornadoes and flash floods over the Southern States, the Mid-West and along the eastern side of the Appalachians as have occurred in the past. Many people are not aware that nearly as many people were lost from flash floods in Virginia and Pennsylvania from Hurricane Camille as were lost on the Gulf Coast in Mississippi.

The only effects on the west coast and the southwestern States are likely to be heavy rains from Eastern North Pacific hurricanes moving northward over Mexico. Such rains have caused major damage over California, Arizona and New Mexico in the past.

Question 4. What can we do better to minimize losses and better plan for these events? Should the Federal Government take steps to control or limit the growth of coastal communities?

Answer. In my opinion, the Federal Government could take many actions to minimize losses of property and reduce risks to lives along our coastal areas. One step

is to better manage coastal growth. That would include a coordinated program where one Federal sector's actions such as funding for new sewage and water treatment plants, roadway systems, etc., does not run counter to other actions that may be taken by other Federal components to minimize coastal risks. Today, as far as I am aware, the primary influence for reducing coastal risks is through the requirements for participation in the Federal Flood Insurance program and coastal zone management. These programs have been only partially effective in reducing risks. A more broad based coordinated program from the Federal side could be much more effective and it would not necessarily mean major decreases in coastal development activities. Such actions as including requirements for stiff building codes and practices including set backs from the water, strong wind resistant structures, sufficient highway systems to evacuate people, and requirements for in-place sheltering of people where horizontal evacuation may not be feasible for any type of Federal funding could be quite effective. This carrot/stick approach could be used for all new developments, but also for existing communities.

With "Home Rule" principles in many States, it is difficult to get changes in building practices. However, I believe that if there was a total coordinated package from the Federal side, we would be much more effective in getting desired changes in development and construction practices along our coasts.

Some examples of the type of programs that I feel should be initiated are: Before Federal funds are given for maintaining, improving or adding new roads, bridges, water treatment plants, sewage treatment plants, etc., that the local community would be required to have some reasonable building codes for wind resistance. The justification given here is because of the increased population growth expected from these funding actions. The code should not be left to the local community, but be a proven code established at a national level for high wind areas. Also, the community should be required to have in-community structures that could be used as shelters or places of "last resort refuge" as discussed below. Those structures could be government buildings such as schools or community buildings associated with particular developments built to an acceptable standard above potential flooding and be wind resistant. For instance, every mobile home or manufactured home development across the country should be required to build a suitable community building which could house their residents for hurricanes or tornadoes. The broad based carrot/stick approach from the Federal Government mentioned above could become effective in getting such action. This same concept could also be used at the State level. That is, certain Federal funds to the State could be contingent upon some of these improved development characteristics. The State would then be encouraged to be in partnership with the Federal funding for local funding for overcoming some of the "Home Rule" obstacles.

Question 5. What is the "Last Resort Refuge" plan and how was it used in the Florida Keys during Hurricane Andrew?

Answer. We know that almost always, people are trapped in highly vulnerable areas such as the Florida Keys, New Orleans, Ocean City, Maryland, the Outer Banks of North Carolina, etc., when a hurricane threatens. This can be due to insufficient warning leadtime to effect a horizontal evacuation caused by an unexpected change in strength, direction or speed of movement of a hurricane, traffic accidents, bridges or roads closed for any number of reasons, delayed action by residents, etc. The number of such people trapped when waters are rising can be quite large and in fact had Hurricane Andrew been only slightly north of its actual west northwest track into Louisiana, the city of New Orleans would have been under 18 to 20 feet of water with a likely large loss of life. To date, with the exception of the Florida Keys and perhaps one or two isolated areas elsewhere, people trapped in such situations are on their own. That is, there is no plan to deal with this situation to minimize loss of life. Most communities do not deal with this problem because of its complex nature and possible legal implications where judgments have to be made by officials where it becomes a trade off of a few possible lives being lost versus many.

"Last Resort Refuges" are designated structures on barrier islands and other locations which may be cut off by rising waters that are used by people trapped in such locations. It is not as safe staying there as it might be in a shelter well inland, thus the designation of "Last Resort Refuge." However, in the judgment of the local official, it is safer going there than being on the road when waters are rising and winds increasing or being in other structures in the trapped community that may not be as well built or above rising waters.

In the case of the Florida Keys, they divided the Keys into three sections; Lower Keys, Middle Keys, and Upper Keys. They looked at buildings in each section and simply chose those that they felt were the most likely to stand up in a hurricane (only certified through a Category 2 hurricane) and were above expected storm surge levels. They also have been looking at ways of improving the structural integ-

city of the buildings such as adding storm shutters, etc. Next, they monitored the highway system through Dade County to the designated shelters in Dade at Florida International University. They then publicly announced to residents cut-off times at the upper end of each of the three sections when they would no longer allow vehicles to continue north on the lone road out of the Keys. In their judgment, by a certain time, people leaving the lower Keys would not be able to clear into the shelter area in Dade County before strong winds and waters were affecting the roadway system. One hour later, the cut-off was made for the Middle Keys and then one hour later for the Upper Keys. The Sheriff's department then made one final pass over the roadway system to make sure no one was trapped on the road. At each stage, when the cut off occurred, residents were told that they must take shelter in their respective area and were told of the places of "Last Resort Refuge" that they could use.

One reason given by local officials who have not instituted such a "Last Resort Refuge" plan is that they are afraid that if people know such a place exists, that they will delay actions rather than going to a safer place out of the area. I think that the key to avoiding this problem is education and the mandatory cut-off time that people need to know about. At a recent public meeting in the Florida Keys, I asked the nearly 200 participants whether or not knowing that there was a place of "Last Resort Refuge" with a mandatory cut-off time for evacuation would encourage or discourage them from moving early. All stated that knowing the mandatory cut-off time would be in effect, even with a "Last Resort Refuge" would encourage them to act earlier than they might normally do.

I believe that FEMA could help in this program by providing teams to investigate each area and survey available buildings. They could also provide funds that could be used to make public or private buildings that might be used in such situations more safe. Legislation would likely be needed to protect officials in their subjective decision making process as well as private building owners whose buildings might be used as places of refuge. In my opinion, this is an extremely important issue that must be dealt with or we will have large loss of life in the future where people are trapped as water rises and no orderly plan exists to protect those people.

Question 6. If FEMA funding were increased for hurricanes, where should it be spent? Should such funds be used to improve forecasting technologies?

Answer. I have mentioned above, several specific areas that I believe that FEMA should be involved in concerning where and how we build on the coasts and how we protect lives. Specifically, FEMA should increase their activities in preparing educational materials with "how-to" diagrams on home construction and protection from hurricanes. They have some excellent materials recently produced in these areas. Such programs need to be expanded and then educational programs conducted on a community by community basis. Some of these activities could be done in coordination with the Insurance industry, to affect public opinion and local practices. Again, use the carrot/stick approach for many of the funding programs for local developments.

There also needs to be increased funding for evacuation studies. Those studies have been based upon storm surge model simulations done by the national Weather Service with partial funding through FEMA. The national Weather Service is the place to do these storm surge studies since they have the expertise as well as the responsibility for providing adequate warnings. Increased funding is needed here to support these activities. Whether or not such funding comes through FEMA is a matter of judgment. However, FEMA working with the national Weather Service and the U.S. Army Corp of Engineers, needs to carry these model simulations through the stage of traffic analyses and evacuation times. That area should continue to be funded directly by FEMA.

In addition, as mentioned above, I think that it is past time to move into a new assessment era of in-place sheltering and "Last Resort Refuge" concepts rather than assuming people are going to be moved many miles away from the coastal areas. That is, plan to move people 2 to 10 miles rather than 200 miles. FEMA programs should support such studies and implementation plans.

Highly detailed measurements of wind, water and loading conditions on buildings are needed to improve the understanding of the impacts of hurricanes on structures. Perhaps FEMA should work with the national Weather Service and NOAA research components to investigate such impacts. FEMA could help fund some of the required instrumentation packages and some of the engineering studies while the NOAA components would supply the meteorological and hydrological component expertise. A cooperative institute to look at all of these problems in a coordinated way would seem to be appropriate.

We have demonstrated that we can have significantly improved forecasts and warnings with existing observation technology. We need to get on with implementing such a system as discussed in my testimony, but this is really not FEMA based

programs. I used the opportunity of your broad based Committee to try and highlight some of the problems which are not directly within the area of responsibility of FEMA, but have major impacts upon FEMA programs and more importantly the Nation. That is, some increased investment in existing technology observing systems and advancements of forecasting technology can have major impacts upon how we protect peoples lives and properties. The pay off here can be even greater than some of the areas mentioned above for direct FEMA funding. In these days of severe competition for existing funding, research associated with hurricanes has not done as well as some other areas both within the meteorological/hydrological disciplines or within other natural hazards areas such as earthquakes mentioned in my testimony. That does not mean that those other areas were not worthy of their level of funding, but clearly, the fortunate lack of major Hurricane strikes on the United States for nearly two decades resulted in a reduced emphasis upon meteorological and hydrological research associated with hurricanes. I strongly believe that a renewed effort is needed in these areas if we are going to deal with the threat from hurricanes over the next two decades. Perhaps you and your Committee could help in getting us on track in these areas.

In summary, we presently have more than 40 million people and trillions of dollars of property at risk to hurricanes. Much of this risk could be reduced through mitigation programs that a restructured FEMA could play a lead role in. My comments have all been directed at mitigation rather than the "recovery" aspect that usually gets most of FEMA's attention. However, with good mitigation programs, the payoff will be large and the "recovery" will be much easier.

WRITTEN QUESTIONS FROM CHAIRMAN GLENN TO R. SCOTT FOSLER AND THE RESPONSES

Question 1. Do you think it's possible for FEMA to evaluate State emergency management programs and their performance? What kinds of criteria should be considered?

Answer. The answer to the first question is yes. The NAPA report is predicated on the assumption that FEMA can and must evaluate State emergency management programs and their performance, and that the States can and must do the same with regard to local governments. Chapter 6 of the NAPA report sets forth the steps necessary to this end.

As to the kinds of criteria that should be considered, the report does not set forth a specific list of evaluation criteria, but a number are implied and can easily be derived from the report for development. It is essential that these criteria address the *actual* capability (ability to effectively operate in the event of a major disaster) of States, and that FEMA staff perform a *qualitative* analysis of each State's capability as well as of the relative strengths and weaknesses of all the States and territories with reference to a plan for a national emergency management system. To date, most of FEMA's efforts to measure the use of distributed funds, or otherwise assess the States, have been focussed on quantitative measures (number of training programs, how much equipment, etc.), with too little effort at evaluating or making determinations about effective capability to mitigate, prepare, respond, and recover. Some experienced regional staff members know the capabilities of the States in their region and can anticipate how adequately State personnel will respond. But, the national headquarters' staff of FEMA does not seem to have an accurate overview of State and territorial capabilities, nor has such information been used when it has been available.

The report lists the factors which currently contribute to inadequate and variable capacity among State and local governments. Actions designed to alter those factors are obviously desirable and performance criteria can be developed for many of these. The report also lays out the means for establishing a strategic plan for upgrading the capacities of State and local governments: first upgrading to minimum national standards; and second upgrading to a functioning, integrated, emergency management system which is national in scope but which also has capacities to deal with hazards specific to regions. The report recommends that FEMA use financial incentives to encourage the States to cooperate in fulfilling such a plan. Actions taken to meet goals of the strategic plan are thus considered desirable and performance criteria can be developed for evaluating them.

There are other implicit criteria suggested by the NAPA study more generally. For example, are there annual performance reviews of State emergency operations plans, have State emergency operations plans been developed and have States insisted on local governments doing the same? Have such plans been updated annually? Have States taken steps to ensure interoperability between Federal, State, and

local emergency operations? Have States conducted realistic training and annual exercises with all appropriate entities including the National Guard? Have States engaged in and encouraged hazard mitigation?

Question 2. You have also called for a "White House Domestic Monitoring Unit," which would perform most of the same tasks as what GAO has recommended. How would you characterize the similarities and differences between both of these approaches?

Answer. Both NAPA and the GAO have called for a direct link between FEMA and the White House. The immediate need is to provide more and better real-time information to the White House on the extent of a catastrophic event or on domestic emergencies and disasters as they evolve. The President has this kind of information available as a matter of course in matters related to national security, but not on matters that fall outside that rubric—events we tend to label "domestic." NAPA also sees a longer-term need to establish the Domestic Crisis Monitoring Unit as a means of having someone close to the President who has a vested interest in seeing to it that FEMA has the continuing attention and interest of the President, and when necessary, access to him.

The GAO recommendation might meet the immediate need through the designation of a senior official in the White House to oversee preparedness for, and responses to, catastrophic disasters. From the standpoint of the NAPA study, however, this would be a necessary but not a sufficient condition to accomplish the longer-term purpose. Catastrophes do not happen often; senior officials are very busy and will inevitably have other duties; events in the White House are kaleidoscopic. Assigning the function to a senior official could subject the function to the risk to which emergency management is always subject—it tends to be driven to the bottom of people's agenda because of its low probability of occurrence.

NAPA feels the function need not be assigned to a "senior official," but it does need to be institutionalized and the responsibility of someone with access to the President. By "institutionalize," we mean that a formal unit should be statutorily established as the National Security Council and its staff is. It should be staffed with detailees and operated around the clock, with a constant flow of information on emergencies and disasters that may become important to the President. And as such events evolve, there should be formal stages of alert and entailed notifications, required "standbys" on the part of key personnel, decisions and action. The unit should monitor all types of events that are of a domestic emergency in nature regardless of whether or not they are those typically handled by FEMA. Thus it might include such things as meteorological events, ecological disasters, and anything else in the domestic realm that may require presidential attention.

This would not have to be a large operation, but the flow of information, statuses of alert, decisions and action are the lifeblood that institutionalize and sustain such a unit. Much of the information relevant to the process is being received in the Situation Room under the auspices of national security but is not being put into a more regularized process of domestic crisis monitoring. More such information would be provided if NAPA's recommendation is adopted on the establishment of Joint Assessment Teams to determine the scale of disaster and recommend a level of response on a graduated scale.

Such a flow of information and decisions has been the basis for the staying power of the national security process in the affairs of the White House, where the frenetic press of events and the change of administrations have led to the demise of units without such "life blood" and statutory base.

Most importantly from NAPA's perspective, it would mean that someone close to the President would have long-term, ongoing responsibility for monitoring (not managing) domestic crises and have a vested interest in seeing to it that FEMA is effective and able to respond to the needs of the President and the Nation.

Regardless of the particular form taken for domestic crisis monitoring, NAPA believes that the FEMA director, through the designated Federal coordinating officer, should continue to have line responsibility for coordinating preparation, damage and needs assessments, and the Federal response for emergencies, even those of a catastrophic nature. Only if it is clear that FEMA is not up to it should any presidential agent—either cabinet officer or White House staff—assume direct control of the Federal response. This function cannot be managed from the White House or by someone who assumes responsibility *de novo*. This does not preclude, of course, the President, Vice President or their designees from visiting disaster sites, nor their involvement at whatever level the President deems appropriate to the circumstances.

Question 3. What is your initial opinion on Mr. Shipley's ideas to make FEMA more client-friendly? How can we reduce the bureaucratic maze of service and recovery programs which are so daunting to already-shocked victims?

Answer. Simplifying assistance to disaster victims will require more than making FEMA user-friendly. FEMA is not the only dispenser of aid in a disaster. Many other agencies are involved, e.g., the Small Business Administration, the Department of Agriculture, and others. There has been considerable effort on the part of FEMA and some other agencies to streamline the process of requesting and receiving aid, but to a shocked disaster victim, any paperwork is likely to seem too much. Each agency has its own in-take procedures and requirements, most of them required by congressional mandate or regulations intended to meet congressional intent. FEMA and the other agencies have tried to use whatever latitude the law or the regulations allow to meet the wide variety of unique circumstances that emerge in each disaster, but they are acutely aware that they are disbursing public funds and that there inevitably must be an accounting. As one official put it, "In the wake of the disaster, everyone is yelling at us to dispense aid as quickly as possible and to avoid being bureaucratic; some of the same people or agencies who are doing all the yelling will be around in the post-disaster audit phase to criticize us for not being careful and accountable enough in the dispensing of aid. We can't win."

NAPA believes that the system can assuredly be improved, but we must also remember that "one-man's system is another man's 'red tape'" (especially if the latter is a disaster victim), and that Congress needs to examine its own role in the requirements it has built into the laws. FEMA has tried to establish procedures in Disaster Assistance Centers which initially sort victims out according to what kind of aid they are seeking or may be eligible to receive. They then try to direct them immediately to the appropriate agency, thus avoiding a dreary wait only to be passed on to several successive agencies. Inevitably, however, reducing the bureaucratic maze may be a job for the management side of the Office of Management and Budget or other central agency which can take a multi-agency approach, working with Congress, to better conform, automate and simplify the provision of services and benefits to recovering victims.

Question 4. Do you think that, based on recent catastrophes, there are times when the Red Cross cannot meet mass care needs? If so, how can we coordinate DOD and Red Cross efforts, while preserving each organization's role and identity?

Answer. Notwithstanding their sincere and extensive efforts, it was clear from the staff interviews and other information obtained in Florida that the Red Cross and other private relief agencies were unable to meet the mass care needs of victims in the first few days following Hurricane Andrew, and such needs were fully met only upon arrival of the Armed Forces.

Our report recommended the establishment of disaster gradations, the most severe of which could trigger assumption of primary responsibility for mass care by the military during the initial response phase. Given the high cost of deploying the Armed Forces and their primary national defense mission, the implicit goal would be to have voluntary agencies continue to provide food and shelter in disasters that are not designated as catastrophes, and to assume responsibility for mass care as soon as possible. The President and FEMA, based on the recommendations of the joint assessment team (also recommended by the report), would make the determination on when the military would assume this role. In such cases, the Red Cross, under the Federal Response Plan, would play a support role to DOD until conditions permit it to assume the primary role.

PRELIMINARY COMMENTS ON S. 995

We congratulate you and Senator Mikulski for developing and introducing this legislation. We believe it would go a long way toward providing the comprehensive statutory charter for emergency management recommended in our report. If enacted, this bill would put into law many of the key recommendations made in our report, such as creating a presidential response plan and a Domestic Crisis Monitoring Unit in the White House. It also provides for damage and needs assessments, targeted emergency grants, and reorganization of FEMA. Moreover, it would reduce the number of presidential appointees to five, the first essential condition our panel believes needs to be met to make FEMA an effective organization.

The bill also would make changes that go beyond our report, such as transferring responsibility for the National Disaster Medical System from the Department of Health and Human Service to FEMA and making the Vice President the head of the Domestic Crisis Monitoring Unit. As to the former, our panel and staff did not evaluate the NDMS. As to the latter, we believe the President should have the flexibility to organize the White House staff to meet his needs as he sees them, and the line responsibility for disaster response should flow through FEMA. The Vice President can play a visible and effective political role in the response phase if requested to do so by the President.

If invited, we would be pleased to provide additional views on S. 995 when you schedule a hearing on the bill.

WRITTEN QUESTIONS FROM CHAIRMAN GLENN TO RICHARD T. SYLVES
AND THE RESPONSES

Question 1. Senator Glenn asks, "In your book, *Cities and Disaster*, one of the authors, Allen K. Settle, suggests establishing more precise criteria for the issuance of a presidential disaster declaration. He believes that reform of this criteria would encourage State and local governments to build up a reasonable financial commitment before disaster strikes and before a Federal declaration is sought. Do you agree with this approach and, if so, what kinds of criteria might be employed?"

Answer. This is a very tough question to answer. Settle's article, as you must know from having read it, documents a failed attempt by FEMA and Reagan administration officials to install a sliding scale Federal post-disaster financial aid system. Whether disaster-impacted States and communities receive more or less than the 75-25 match would have been pre-determined by whether or not the States and their localities had set aside a reserve (emergency) fund. The fund itself, a major object of contention, would have used population as the major variable determining "how much" money had to be available. I won't review all the intricacies of Settle's plan because it proved politically infeasible then, and I believe is even more infeasible now. It smacks of expensive and controversial Federal mandating that State and local officials have grown to detest. I seriously doubt whether localities, and most States, could afford to establish such funds and even if they tried, demands to meet dire spending needs would tempt local (and possibly State) officials to expand the definition of emergency so that these reserve funds would be gobbled up.

I do not wholly oppose Federal mandating, but requiring State and local reserve funds as part of an eligibility criteria for Federal disaster aid is, in my view, not a good idea at this time. However, rather than use Federal mandating to force creation of State/local emergency reserve funds, I think a case can be made for using Federal mandating to induce improvement in State and local disaster preparedness and response. For example, why not enact a law that raises the Federal matching share a State or locality is eligible to receive if *before* the disaster, FEMA certifies that the unit of government had in place an operational Incident Command System. Also, few States have established in law individual and family disaster assistance programs. Those that have might be rewarded with a higher Federal match as well. State disaster victim assistance programs help backstop FEMA. In some cases, these State programs could help meet victim needs when a presidential disaster declaration *has not* been approved and FEMA victim assistance is therefore unavailable.

The increased Federal match approach has multiple benefits. First, it encourages emergency management professionalization at the State and local level. Because ICS embodies mitigation as well as preparedness, response, and recovery, governments will be made conscious of the need to reduce their disaster vulnerabilities, and so disaster devastation might be less (thus holding down Federal, State and local response/recovery costs). Second, such an approach precludes the need to force State and local governments into creating reserve funds that at this time may be well beyond the fiscal means of these governments. Third, by shifting to an 80/20 (or some higher multiple of) Federal match for governments FEMA determines to have made ICS and other emergency management improvements, Federal post-disaster costs will not be excessively greater than they would be on the 75/25 scale. For the extra 5 percent Federal commitment (which may never have to be paid if no presidential declared disaster befalls the qualifying government), the Federal Government gains improvement in State and local emergency management and disaster preparedness. These improvements may yield Federal dollar savings which exceed the added 5 percent commitment. Fourth, by "increasing" the match as a reward for improvement in emergency management capacity, no State or local government can cry foul. In other words, they are not being punished for failing to reform (as happened in the Settle case), but only rewarded for making positive reforms.

Such an approach would move the country toward a more standardized emergency management system, which helps answer Question 2. Right now a variety of approaches are used by the States. If FEMA used the post-disaster Federal match incentive to get all States to use the Incident Command System, this would harmonized FEMA-State interaction and would enable more State-to-State coordinated interaction in the aftermath of disasters. It would also improve inter-local and State-local disaster response and recovery.

I had the opportunity to talk with Prof. Allen K. Settle on June 21. Settle is not only closely affiliated with FEMA and the emergency management community, but is also elected Vice-Mayor of San Luis Obispo, California. He told me that various cities within certain California counties are establishing Joint Powers Insurance Agreements (JPIAs). This initiative comes from the California League of Cities, not the State or Federal Government. A JPIA is a method by which these local government's purchase disaster insurance in combination with other cities in their county. This has several advantages. By creating a larger pool they are able to secure a lower bond rate than if each city paid for its own disaster insurance independently. The real value of JPIA's comes into play when some disaster incident occurs and the localities petition for a Federal disaster declaration, and the petition is rejected at the State/Federal level. Some thought might be given to promoting this innovation to cities on a national basis.

While we are on this topic, I want to alert you to House Bill H.R. 993, I believe, which proposes a system of a national disaster insurance program. Embedded in the measure is a 10 percent of property value deductible that must be paid before Federal funding is made available. I know little about the measure and do not have a copy. If this bill has a Senate counterpart, or when the House bill is routed to the Senate, you and your staff may want to examine whether it can be used as a vehicle in changing the criteria for presidential disaster declarations. I would be happy to assist you in this research. On a related matter, I am told FEMA has a threshold for determining when it will contribute to a State's forest fire response. Apparently, if fire damage does not exceed \$2 million per/fire in California, FEMA will not provide aid. I am told that FEMA's threshold varies from State-to-State and that some States face no minimum cost-damage threshold at all. Again, I have not done my homework on this one, but it seems to stand as evidence that FEMA already is using some cost-criteria on determining aid eligibility.

Question 2. You also suggest that FEMA develop and promote a standardized emergency management system which would allow State-to-State interchange in cases of major disaster. You say many State officials are worried about "what neighboring States might do or not do in helping out after a disaster." Can you elaborate on these worries? How can better interaction between States improve States' responses to emergency?

Answer. Referring to the paragraph preceding this question, I believe that one State's officials will be much less worried about what their neighboring State(s) might do after a disaster if each State used the incident command system. The modular components of ICS would allow people from different States to be plugged into the disaster response of other States with minimum difficulties. How much any one State wants to contribute of its own public resources to a neighboring disaster-stricken State probably can only be determined at the time of the disaster, however, inter-State memorandums of understanding, mutual aid agreements, and inter-state compacts developed between disasters would go a long way toward resolving difficulties. It was interesting observing mutual aid assistance New Jersey State and local authorities provided New York City (and State) in the aftermath of the February 1993 Twin Towers bombing. Metropolitan interdependence has promoted emergency management professionalization and diffusion of ICS in the New York area.

Senator, it is important to recognize that significant improvement in State-to-State emergency management helps relieve the burden FEMA and other Federal agencies must shoulder in disaster response. Often it is wasteful and ridiculous to force a full Federal mobilization of resources to aid a devastated area, when well managed help might be obtained from neighboring States at less cost and with fewer logistical problems. Perhaps FEMA could provide some form of reimbursement to undamaged States that move some of their emergency personnel and resources into neighboring disaster-impacted States (that request it).

Such State-to-State interchanges, based on a uniform system like ICS, would promote multi-agency coordination. At your May 18 hearing Administrator Witt said he would like to move toward "performance based evaluation" of what State and local authorities are doing, rather than maintain the existing onerous system of administrative paperwork oversight. My proposal is consistent with Witt's aim. Promoting more uniformity in each State's system of emergency management, particularly through advocating ICS, would be a very sensible tool for performance based evaluation. My elevated Federal match incentive discussed in answer one could be used by Mr. Witt and his agency to reward State emergency management reform.

Question 3. You state in your testimony that programs, like the Emergency Food and Shelter Program, receive very low funding and by inference low priority. Do you think FEMA should give these programs, such as the Emergency Food and Shelter Program, which I have direct experience with, more funding? Is it possible to give such programs more priority without significant funding increases?

Answer. My contacts in the field tell me that this program needs better organization and faster mobilization. It would be sad if the Hurricane Andrew experience has conditioned everyone to automatically expect that only the military can do this job. Hurricane Andrew did prove that you cannot turn this job over to the major charities. What FEMA should do is plan out food assistance with the U.S. Department of Agriculture and work to expedite delivery. On the housing side, FEMA should work with HUD and State/local governments to determine availability of unoccupied housing *before* a disaster strikes. Get out of the business of cataloging bomb shelters and instead locate habitable houses and other structures. FEMA should try to arrange emergency contracts with the mobile home building industry and with the prefabricated home industry, to ratchet up production to meet post-disaster housing needs. Much of the emergency housing/shelter program is confounded by the need to house not only disaster-homeless people, but chronically homeless people as well. This was evident in the wake of the 1989 San Francisco earthquake. The U.S. did a better job providing emergency housing in the 1940s than it does in the 1990s. FEMA should improve and practice its ability (perhaps in conjunction with HUD) to get temporary housing in place after a disaster. The system needs to adapt to the circumstances victims actually face.

The Red Cross and Salvation Army, to name a few, are fine organizations. However, they are non-profits in the business of competition with each other and they depend on private contributions. Variable income streams and counterproductive competition, combined with catastrophic scale disasters, have proven the shortcomings of these organizations. Both in the case of Hurricane Andrew and Hurricane Iniki, these organizations proved inadequate. FEMA must be prepared to rapidly draw in the resources of USDA and HUD. I do not think the military should be tasked to routinely handle emergency food and sheltering unless as a last resort. Once tents go up, they tend to stay up too long. Tent cities spawn crime, disease, and frustration when people are forced to live in them for more than a short period of time. Also, the public loses sympathy for disaster victims the longer they remain dependent and homeless.

A final observation on the emergency food program; in the past FEMA and USDA have been slow to make the right amount of the right kinds of food available to victims of presidentially declared disasters. In one case, a Hispanic community of resident (not migratory) farmers in California suffered a crop failure which left them destitute and hungry until the end of the next growing season a year later. Not only did FEMA/USDA food aid come in too slowly, but it was withdrawn too soon and much of it provided foods inappropriate for the culture of the people consuming it.

CLOSING

I hope my answers to your questions are satisfactory. I still owe you an evaluation of your S. 995 bill. I will be happy to work with you on a continuing basis. I thank you for your excellent questions and I applaud your effort to make the reforms FEMA needs to improve its service to the American public.

WRITTEN QUESTIONS FROM SENATOR GLENN TO DALE W. SHIPLEY AND THE RESPONSES

Question 1. States vary on the level, emphasis, and priority given to disaster preparedness and response. Why is that, and what can FEMA do to ensure that states and local governments are fully prepared in this response capabilities? Is it possible to establish some performance standards in this area?

Answer. The variation in capability, in my opinion, is a function of leadership, staffing, training, regulatory and financial support to the emergency management organizations at all three levels—federal, state and local. All of the above are areas on which we must continue to work. FEMA is already working toward improving its own response capability and is moving toward development of minimum standards for state program implementation. FEMA is currently preparing, for instance, a Requirements Study which will be submitted to the Congress before September 30. The major challenge, however, is not to identify program shortfalls, but to influence the budget process to overcome recognized deficiencies in needed capabilities.

Question 2. Do you believe that state and local governments, and private relief agencies, can be expected to handle all needs in every disaster? Should DOD be the one to come in and fill the gap? What role or relationship would a state government like to have with the military in such situations?

Answer. Most states have had disasters for which federal resource assistance has been needed. Most common, in my experience, has been DOD, USDA, USEPA, USDOT, DHHS-PHS and USDOE. All of these federal resources, including DOD,

are available to respond as needed and coordinated by FEMA to support the states. DOD is a key player in this system and is certainly critical in response to catastrophic disasters such as Hurricane Andrew and Iniki. The military relationship to the state in these situations is one of support to state and local governments and is normally coordinated by the Federal Coordinating Officer and State Coordinating Officer. This is not unlike the relationship enjoyed by state emergency management organizations (State Coordinating Officer) which must frequently coordinate the use of the state's national guard to augment other local and state resources. I believe the structure and authorities are already in place, for the most part, for this military support to civil authorities. NEMA believes that the senior elected official at the state and local government level must be in charge and held responsible for the proper functioning of the system within their jurisdictions.

Question 3. In your testimony, you offer several ideas on making FEMA more "client friendly" by reducing the bureaucratic maze of service and recovery programs which are so daunting to already-shocked victims. What other specific actions would you suggest FEMA take? Also, what about visibility and presence in the aftermath of these disasters—what can FEMA do better to show that the federal government is "on the scene" to help?

Answer. The line between minimum administrative demands on victims and minimum accountability demands of taxpayers is very fine. We must be willing to accept, during response operations, the meeting of basic survival needs of food, shelter and clothing with minimal standards of accountability and maximum speed in providing whatever sources available. Recovery operations would be expected to require greater accountability and with that will come increased administrative requirements. We should do a better job of defining reasonable expectations on the part of victims and on the part of auditors assigned to protect the taxpayer.

Much of our effort as emergency managers is to coordinate organizations and resources, already existing for other routine purposes, to help people in critical need. Our goal should be to develop the multiple agencies, in all layers of government, into a team capable of responding to whatever extent required. No one element of government nor single agency should shine above any other. This accomplishment may be visible to the executives we work for, but only seldom to citizens we serve.

Question 4. You also suggest that FEMA develop and promote a standardized emergency management system which would allow state-to-state interchange in cases of major disaster. You say that many state officials are worried about "what neighboring states might do or not do in helping out after a disaster".

Can you elaborate on these worries? How can better interaction between states improve states' responses to emergency?

Answer. Resources available in the several states surrounding any disaster area are considerable and should be included in the total arsenal of resources available to respond to catastrophic disasters. Since mutual aid compacts among states must be approved by Congress, I recommend FEMA and Congress take the lead in developing such an agreement and offering it to the states for ratification. Our concept is that once ratified, the states would provide assistance as requested and available, on a reimbursable basis.

The most significant improvement in disaster response capabilities would be realized in the following:

- (1) Trained personnel to augment emergency management organizations
 - (2) Routine response planning across state lines which may include a common hazard
 - (3) Regional planning in coordination with FEMA where certain specialty assets may be available in other states more readily than from federal resources in response to a given hazard
 - (4) Exercises to practice implementation of these agreements which will result in improved response when disasters occur.
-

STEVE TWOMEY

Wash. Post • 4/26/93

Disaster or Snow Job?

If asked to name a recent disaster, you might mention Hurricane Andrew. Or the California earthquake. And probably Bill Clinton's first 100 days. (*Reno* did Waco! Here in the White House, I knew nothing!)

And if you happen to visit Jeff Delmontagne's house in Herndon, he'll take you to his office and point to the huge photograph of his old neighborhood in Pittsburgh, the one with the steel mills and lifestyle now deceased.

"That's a disaster," Delmontagne says.

He says snow is not a disaster. Not even a lot.

Why not?

Delmontagne seems confused. Am I jerking his chain? Isn't this obvious?

"Because," he shrugs, "it's snow."

Just . . . snow.

Gentle . . . snow.

Maybe discombobulating snow, but eventually melted snow, every time.

So when Delmontagne, 31, a landscaper who is also a Herndon Town Council member, saw Item 11 on the agenda for the April 6 meeting—"Request for Disaster Relief Funds"—snow didn't come to mind. Oil did. Delmontagne assumed Herndon was applying for federal money to cover its share of the cleanup of the big March spill in Sugarland Run in Fairfax County.

This was dead solid wrong. Snow was the disaster.

You might remember the incident.

After the flake festival of March 13-14, the Federal Emergency Management Agency declared 17 states eligible for relief money, including Virginia and Maryland, plus the District.

Now ordinarily, FEMA doesn't do snow. It does hurricanes, quakes, floods, fires, pestilence, bad haircuts, setbacks you might notice if you showed up in the area on vacation.

If you vacation in Herndon this summer—and who won't?—you will not notice it snowed. But Dennis Kwiatkowski, FEMA's assistant associate director for disaster assistance programs (speaking of disasters, isn't his title eligible for some relief?), says the agency decided the March storm was so unusually nasty that local officials up and down the East Coast needed help with their plowing costs. It didn't, in fairness, declare the storm a disaster. More like a budget emergency.

Indeed, Herndon *had* rung up extra costs. Diane MacPherson, administrative assistant in the Department of Public Works, says it looks like the storm cost Herndon \$43,392.92 in overtime, salt and other items, of which \$24,763.09 might be reimbursable under FEMA's program.

What follows is a miracle you can tell your grandchildren about.

Three of the seven Herndon

See TWOMEY, B5, Col. 1

STEVE TWOMEY

Profiting From Disaster

TWOMEY, From B1

council members—
Delmontagne, Richard Downer
and Connie
Hutchinson—announced at the
April 6 meeting that they
couldn't see sticking the town's
hand into someone else's till to
pull out somebody else's
absolutely free cash to cover a
cost stemming from snow.

Snow Happens.

Some years it doesn't snow
and the town saves,
Delmontagne says. Some years
it snows a lot and the town
pays, Delmontagne says. It all
evens out. It's no big deal.
Nobody gives the feds money
back after warm winters, so
why should anybody take
federal money after a harsh
one?

Snow isn't some unheard of,
once-in-a-lifetime experience
like Andrew. It shows up pretty
regularly. And look around:
Even after a foot of white stuff,
Herndon looks the same. No
destroyed homes! Still the
Gateway to Dulles!

"It just seemed like life went
on," Delmontagne says.

"Something about this just
doesn't feel right," Downer
reportedly said at the meeting.
"We didn't have a disaster in
Herndon. We just had a lot of
snow."

"I felt," Connie Hutchinson
says, "it was a misappropriation
of federal funds."

Mayor Thomas Rust and the
three other council members,
however, voted to take the
cash.

Because Herndon needed it?
Absolutely not.

"That's the irony of it," Rust
says.

The town would survive
without FEMA's largesse, he
says. In the days after the
storm, he wasn't worried at all
about how Herndon would make
up the extra costs. It just
would. It would hunker down.
As Hutchinson says, "I don't
think there was ever a question
in anyone's mind . . . [that] the
cost could be absorbed because
of very good fiscal

management. . . . All of our
department heads have been
doing a very good job of
keeping under budget all year
long."

No, the council majority
wanted the money because *it
was there.*

The Mount Everest theory.
"It would have been
irresponsible of us not to have
taken it," Rust says, meaning
voters would have looked
askance at passing up painless
revenue. Rust adds that if
Herndon didn't get it, another
jurisdiction would. (That turns
out not to be true, a state
official says. Money not sought
is money saved.)

No doubt many Herndon
taxpayers would have been
mad. Hutchinson was so
conflicted she abstained, not
wanting to take silly money but
not wanting to deny it to her
constituents.

But Delmontagne and
Richard Downer voted no. Says
Delmontagne: This episode is
what's wrong with America.

Everybody's got his palm out.
People take when they have no
need, when they could get by
without. Nobody thinks beyond
self-interest. Turning down a
few thousand bucks wouldn't
even prick the federal deficit,
he says, but it would be a stand
for fiscal restraint and sanity.

It was just snow.

"When you read . . . about
the criminal who had to be
released because they didn't
have room or a tutor who had
to be removed, that's real
need," Delmontagne says. "The
bottom line is there isn't
enough money [in America]
because we spend it."

The man is a hero. So is
Richard Downer. And give
Connie Hutchinson at least a
hand.

I'm sure some communities
couldn't get by without the
money. But I'm sure many
could. And based on FEMA
estimates, the feds could wind
up handing out \$34 million
nationwide for Big Snow
removal.

Now that would be a disaster.

FEDERAL RESPONSE PLAN

#	ESF											
	1	2	3	4	5	6	7	8	9	10	11	12
ORG	TRANSPORTATION	COMMUNICATIONS	PUBLIC WORKS AND ENGINEERING	FIREFIGHTING	INFORMATION AND PLANNING	MASS CARE	RESOURCE SUPPORT	HEALTH AND MEDICAL SERVICES	URBAN SEARCH AND RESCUE	HAZARDOUS MATERIALS	FOOD	ENERGY
USDA	S	S	S	P	S	S	S	S	S	S	P	S
DOC		S	S	S	S	S	S			S		
DOD	S	S	P	S	S	S	S	S	P	S	S	S
DOEd					S							
DOE	S		S		S		S			S		P
DHHS			S		S	S	S	P	S	S	S	
DHUD						S						
DOI		S	S	S	S					S		
DOJ					S			S		S		
DOL			S				S		S	S		
DOS	S									S		S
DOT	P	S	S		S	S	S	S	S	S	S	S
TREAS					S							
VA			S			S	S	S				
AID								S	S			
ARC					S	P		S			S	
EPA			S	S	S			S	S	P	S	
FCC		S										
FEMA		S		S	P	S	S	S	S	S	S	
GSA	S	S	S		S	S	P	S	S	S		S
ICC	S											
NASA					S							
NCS		P			S		S	S				S
NRC					S					S		S
OPM							S					
TVA	S		S									S
USPS	S					S		S				

P - Primary Agency: Responsible for Management of the ESF
 S - Support Agency: Responsible for Supporting the Primary Agency

Figure 2 - Emergency Support Function Assignment Matrix

APPENDIX A - FEDERAL DISASTER RELIEF PROGRAMS

Agency	Program	Summary of benefits
Department of Agriculture	Emergency Conservation Program	Grants for rehabilitating farmland damaged by disasters
	Emergency Loans	Loans to help farmers repair or replace property and to assist in meeting operational costs
	Emergency Watershed Protection	Grants and technical assistance to protect lives and property in watershed areas threatened by disasters
	Disaster Food Distribution Program	Provision of food commodities for mass feeding of victims
	Food Stamp Program—Emergency Issuance	Expedited food stamp assistance to victims
Department of Education	School Construction and School Maintenance and Operation Assistance	Grants for the replacement or repair of school facilities and for the operation of schools
Department of Energy	Radiological Emergency Assistance	Technical assistance after radioactive materials incidents
Department of Health and Human Services	Disaster Services to the Elderly	Reimbursements to States for assistance provided to the elderly (up to \$50,000 per State per disaster)
Department of Housing and Urban Development	Mortgage Insurance—Homes for Disaster Victims	Insured loans for the purchase of single-family housing by disaster victims
Department of the Interior	Fire Suppression and Emergency Rehabilitation of Indian Lands	Technical assistance to suppress fires on Indian lands and some rehabilitation assistance
Department of Justice	Emergency Law Enforcement	Provides funds and technical assistance to aid communities faced with law enforcement emergencies
Department of Labor	Unemployment Assistance	Unemployment benefits or re-employment assistance to victims unemployed due to a disaster
Department of the Treasury	Tax Information and Education	Provision of tax-related information to victims
Department of Transportation	Highway Construction, Emergency Relief	Grants for the repair and reconstruction of Federal-aid highways damaged by disasters
Department of Veterans Affairs	Adjustments to Federal Loans	Counseling and loan assistance for property owners with veterans' loans

Agency	Program	Summary of benefits
Army Corps of Engineers	Flood Control Works and Federally Authorized Coastal Protection Works	Repair and rehabilitation of flood control works damaged by disasters
	Flood Emergency Operations	Flood assistance, including rescue, debris removal, and restoration of services
Federal Emergency Management Agency	Fire Suppression Assistance	Grants for firefighting assistance to prevent a fire from becoming a major disaster
	Debris Removal	Grants for the removal of debris from public and private property
	Emergency Protective Measures	Provision of emergency measures (such as search and rescue, protection of property from further damage)
	Public Transportation	Provision of emergency public transportation services
	Crisis Counseling Assistance and Training	Provision of professional counseling services to disaster victims
	Temporary Housing	Provision of temporary housing through grants, repair assistance, or mobile homes
	Cora Brown Fund Assistance	Grants for assistance not provided by public or private relief agencies
	Individual and Family Grants	Grants (currently no more than \$11,000 per family or individual) for necessary personal needs
	Legal Services	Legal service assistance to low-income victims
	Community Disaster Loans	Loans to local governments that suffer a substantial tax loss from a disaster
Repair or Restoration of Private Nonprofit Facilities and Public Facilities	Grants to State and local governments and to certain nonprofit organizations to repair or replace facilities	
Small Business Administration	Economic Injury Disaster Loans and Disaster Loans for Homes and Personal Property	Working capital loans (up to \$500,000) to help small businesses recover from disasters and to help victims restore primary residences and personal property (up to \$120,000)
	Physical Disaster Loans	Loans (generally up to \$500,000) to repair or replace property and inventory damaged or destroyed by disasters
Source: U.S. Federal Emergency Management Agency. <i>Digest of Federal Disaster Assistance Programs</i> . Washington, [1989]. Various pages. and U.S. Office of Management and Budget and U.S. General Services Administration. <i>Catalog of Federal Domestic Assistance</i> . Various pages.		



Federal Emergency Management Agency

Washington, D.C. 20472

May 21, 1993

The Honorable John Glenn
Chair,
Committee on Governmental Affairs
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Thank you for the opportunity to testify before your Committee on May 18. As you and I have discussed, we are at a critical juncture in the evolution of emergency management. During this Congress, there is opportunity for collaboration between the Executive and the Legislative Branches to refine an emergency management system to better serve the American people. As such, it is important for us to clearly communicate with each other.

In looking back at the hearing, I am concerned that some misperceptions were left. I am concerned that you feel the disaster process has resorted to a trivial level. While we do need to improve the system by incorporating some objective factors to form a basis for our recommendation to the President, I feel the need to explain to you the process and professional judgement that is currently in place.

I have asked the staff to pull together comments on what we look at in making a recommendation to the President on a declaration request. The enclosed fact sheet entitled "Disaster Declaration Rationale" makes those points. I have also asked them to provide information on the reasoning behind providing the States assistance for emergency work in conjunction with the severe snow storms of March.

I hope you will be able to find the time to look at these comments, and would be pleased to discuss it with you further. I appreciate your interest in the agency and emergency management.

Sincerely,

James L. Witt
James Lee Witt
Director

Enclosures

Disaster Declaration Rationale

- * Each disaster incident is evaluated individually on its own merits.
- * Criteria set forth in the Stafford Act for evaluation are:
(1) the severity and magnitude of the incident; (2) the impact of the event; and (3) whether the incident is beyond the capabilities of the State and local governments.
- * The process and criteria are purposely subjective to some extent to allow the President discretion to address a wide range of events and circumstances.
- * Each incident is evaluated by reviewing a damage or situation assessment to determine the nature of the disaster or emergency, i.e., the kind of incident tornado, flash flood, hurricane, slow rising flood, etc. The response capabilities and activities of the State and local governments are then evaluated: did the Governor declare a State of Emergency; did the Governor and local governments commit resources necessary to alleviate the impact of the event or to recover from it; what insurance resources are available; could the impact of the event be addressed through the efforts of voluntary agencies; are other community resources including the resources of individuals and families sufficient to meet the needs (e.g., the damage is widespread but minor); and what are the unmet needs? What would happen if the disaster were not declared a major disaster or emergency by the President? Could other federal programs address the unmet needs without a declaration? What is the recent disaster history of the area? What mitigation measures did the State take for this event or from previous events in the same area to preclude repetitive damage?
- * Each incident is evaluated with regard to its impact on the area: were there many deaths or injuries; how large an area was impacted i.e., one county or several; was the event a sudden and intense impact confined to a small geographic area; were critical facilities that provide essential public services affected? what is the financial impact or burden as a result of the event on the State and local governments?
- * The criteria in the Stafford Act while specific are open to interpretation. FEMA will endeavor to establish some objective evaluators that could be used in the declaration process that would augment the criteria currently used. Such objective evaluators would give States a basis on which to base preliminary judgements as what level of event they should be prepared to handle on their own and what level of event they should seek federal assistance. However, the evaluation factors eventually used cannot be the sole criteria. They must be used in addition to the criteria set forth above to allow flexibility in the President's response to unique events.

SNOW EMERGENCY DECLARATIONS FOLLOWING THE WINTER STORMS OF**MARCH 13 AND 14, 1993**

Following the severe winter storms of March 13 and 14, 1993, President Clinton declared emergencies for 17 States and the District of Columbia. The purpose of these declarations was to provide assistance to States and affected local governments to ensure that the lack of financial resources was not an obstacle to re-establishment of access on routes required for emergency vehicles. In particular, the declarations were strictly limited to assistance required to open one lane in each direction, for access by emergency vehicles, on major and minor arterial and collector streets. To be eligible for reimbursement, the work had to be performed within five days following the storm.

The rationale for these emergency declarations includes the following:

1. This storm adversely affected the largest geographic area ever impacted by a single event in the history of the Disaster Relief Act. More people died as a result of this storm (200) than as a result of Hurricane Andrew in Florida and Louisiana. Millions of people were stranded or immobilized, and many of these were without power, creating overwhelming demands upon local and state emergency and rescue resources. National economic indicators for the month of March were measurably affected by the loss of commerce and business caused by these storms. Major transportation routes, airports and local and State governmental operations were disrupted for many days. Several States or portions of states were immobilized by snowfall which rarely ever experience snowfall in any measurable quantities. The entire eastern United States was paralyzed by this storm.
2. FEMA personnel, deployed to Emergency Operations Centers in each of the affected states during the storm, reported these emergency situations existing on a widespread basis. Within each state, thousands of individuals were stranded, requiring special air-drops of food, water and medicine, and the evacuation of individuals with medical problems.
3. Assistance was intended to allow States and local governments to augment and supplement existing resources by adding additional equipment and personnel to open emergency access for emergency vehicles. The knowledge that financial assistance would be available to supplement these efforts allowed state and local authorities to employ all the resources necessary to accomplish the opening of access in the most expeditious manner. This is one of the basic underlying purposes of federal disaster relief.
4. Six states requested major disaster declarations rather than

the limited emergency declarations. A major disaster declaration would have made a broader range of assistance available for the repair and replacement of storm damaged public facilities and utilities, and would have significantly increased costs. All of these major disaster requests have been denied, since our primary concern was with alleviating the emergency conditions caused by the storm.

5. The declaration was made to address emergency conditions in the states. Obviously, the impacts of this storm varied considerable depending upon what part of a state, or even what part of a county is being considered. For those areas of a state which did not have emergency access problems due to the accumulation of snow, the state should not be requesting, and FEMA will not be approving claims. Once a geographic area is declared, all locales within that area have equal access to the assistance. The Stafford Act does not require us to means test a jurisdiction as a condition of receiving public assistance. To do so would considerably slow down the delivery of assistance and add a large administrative burden.

HERNDON, VIRGINIA

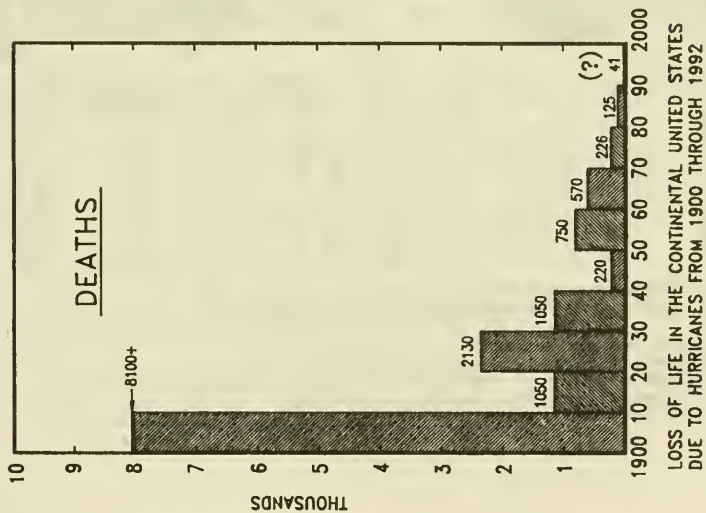
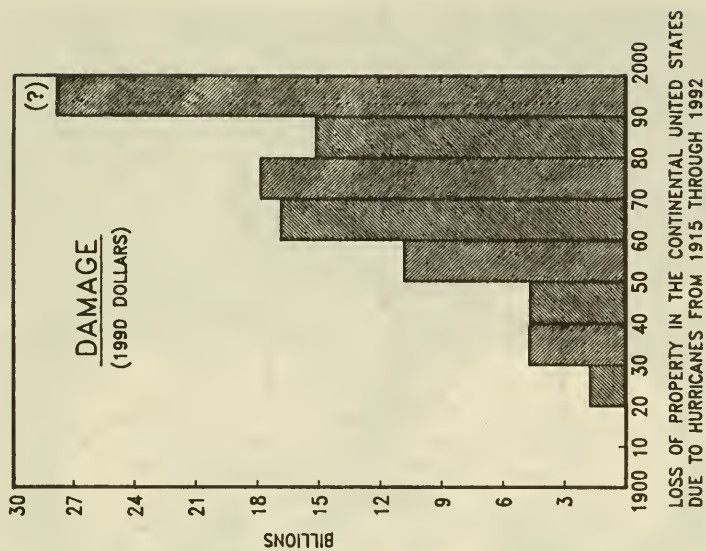
The city of Herndon, Virginia has submitted a claim for, and been reimbursed, \$17,797.24 for eligible snow removal costs pursuant to this emergency declaration.

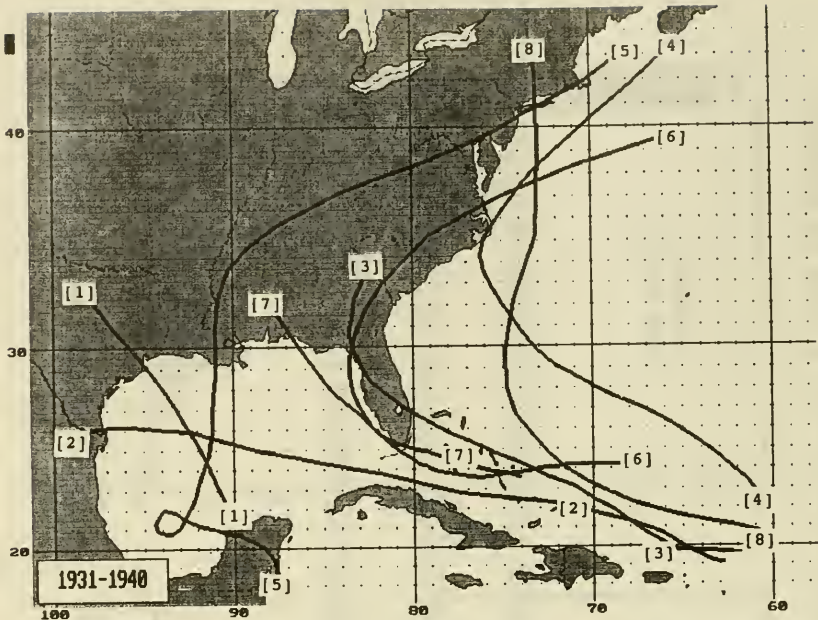
ATTACHMENT A

TRENDS OF LOSSES FROM HURRICANES

TRACKS OF MAJOR HURRICANES BY DECADE

LOSSES FROM HURRICANES IN THE UNITED STATES BY DECADES.





STORM NO. OR NAME	YEAR	DATES	CAT. @	MSLP# (MB)	PRIMARY IMPACT AREA	\$ DAMAGE* (THOUSANDS)	U.S. DEATHS
[1]	1932	8/11-14	4	941	UPPER TX	A	40
[2]	1933	8/28-9/5	3	949	LOWER TX	A	40
[3]	1933	8/31-9/7	3	948	SE FL	A	LT 25
[4]	1933	9/8-21	3	957	NC	A	LT 25
[5]	1934	6/4-21	3	962	C & S LA	A	LT 25
[6]	1935	8/29-9/10	5	892	FL KEYS	A	408
[7]	1936	7/27-8/1	3	964	NW FL	A	LT 25
[8]	1938	9/10-22	3	946	NE U.S.	\$3,593,853	600

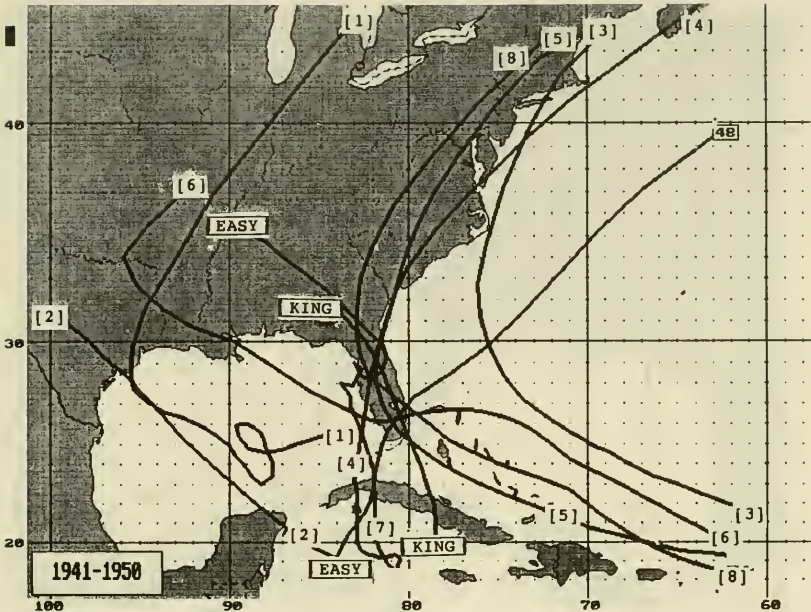
TOTAL HURRICANE RELATED DEATHS FOR THE DECADE = 1157
 TOTAL NUMBER OF MAJOR HURRICANES FOR THE DECADE = 8

@ - Storm category based on Saffir/Simpson scale.

- Minimum sea level pressure at landfall.

* - Damage adjusted to 1990 dollars using U.S. Department of Commerce composite construction index.

A - Less than \$400 million.



STORM NO. OR NAME	YEAR	DATES	CAT. @	MSLP# (MB)	PRIMARY IMPACT AREA	\$ DAMAGE* (THOUSANDS)	U.S. DEATHS
[1]	1941	9/16-25	3	958	UPPER TX	A	LT 25
[2]	1942	8/21-31	3	950	MID TX	A	LT 25
[3]	1944	9/9-16	3	947	NC TO NE U.S.	925,054	390
[4]	1944	10/12-23	3	962	SW FL	582,785	LT 25
[5]	1945	9/11-20	3	951	SE FL	539,087	LT 25
[6]	1947	9/4-21	4	940	SE FL; MS, LA	703,859	51
[7]	1948	9/18-25	3	963	SW FL; KEYS	A	LT 25
[8]	1949	8/23-31	3	954	SE FL	A	LT 25
EASY	1950	9/1-9	3	958	NW FL PEN.	A	LT 25
KING	1950	10/13-19	3	955	SE FL	A	LT 25

TOTAL HURRICANE RELATED DEATHS FOR THE DECADE = 184
 TOTAL NUMBER OF MAJOR HURRICANES FOR THE DECADE = 10

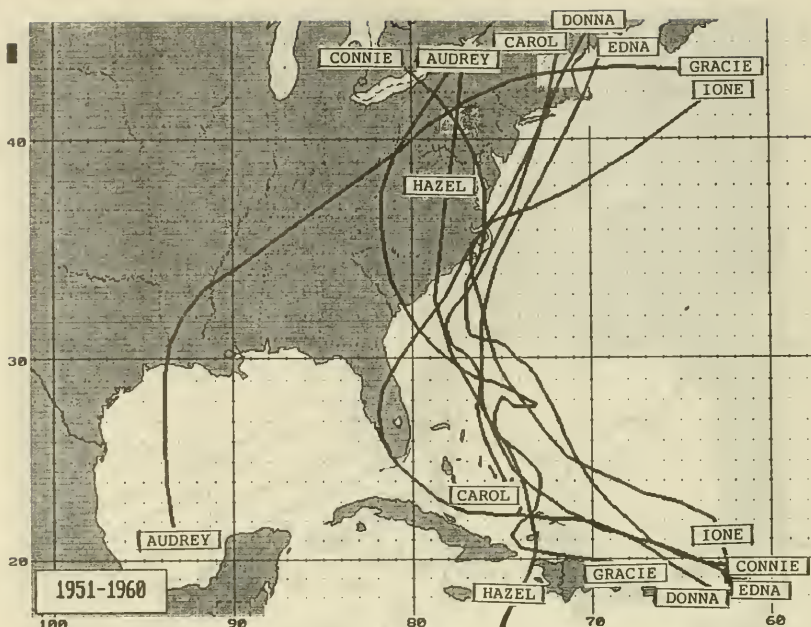
@ - Storm category based on Saffir/Simpson scale.

- Minimum sea level pressure at landfall.

* - U.S. damage adjusted to 1990 dollars using U.S. Department of Commerce composite construction index.

A - Less than \$400 million.

A-3



STORM NO. OR NAME	YEAR	DATES	CAT. @	MSLP# (MB)	PRIMARY IMPACT AREA	\$ DAMAGE* (THOUSANDS)	U.S. DEATHS
CAROL	1954	8/25-31	3	960	NC; NE U.S.	\$2,370,215	60
EDNA	1954	9/2-14	3	954	MA; ME	A	LT 25
HAZEL	1954	10/5-13	4	938	SC; NC;	\$1,444,752	95
CONNIE	1955	8/3-14	3	962	NC	A	25
IONE	1955	9/10-23	3	960	NC	A	LT 25
AUDREY	1957	6/25-28	4	945	SW LA	\$ 696,091	390
GRACIE	1959	9/20-10/2	3	950	SC	A	LT 25
DONNA	1960	8/29-9/13	4	930	SW FL; NE U.S.	\$1,823,605	50

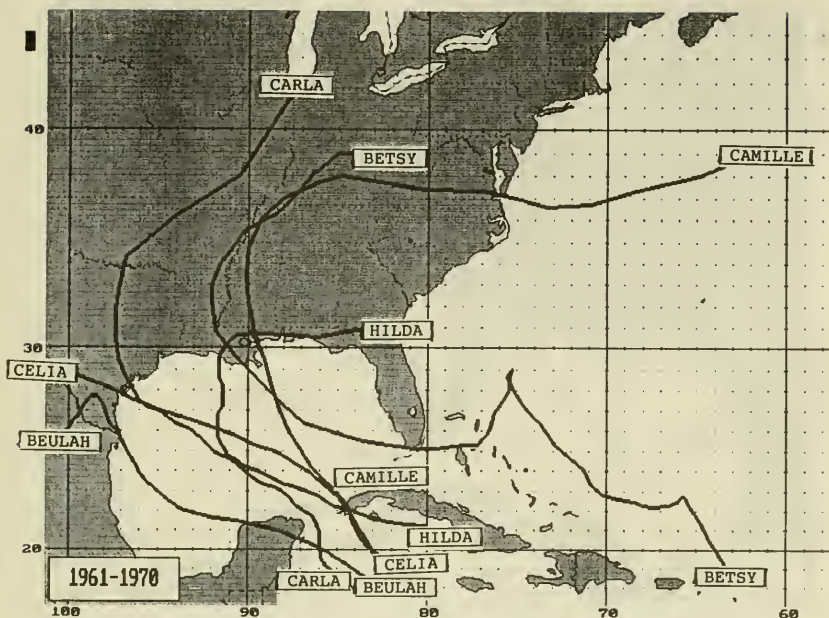
TOTAL HURRICANE RELATED DEATHS FOR THE DECADE = 926
 TOTAL NUMBER OF MAJOR HURRICANES FOR THE DECADE = 8

@ - Storm category based on Saffir/Simpson scale.

- Minimum sea level pressure at landfall.

* - U.S. damage adjusted to 1990 dollars using U.S. Department of Commerce composite construction index.

A - Less than \$400 million.



STORM NO. OR NAME	YEAR	DATES	CAT. @	MSLP# (MB)	PRIMARY IMPACT AREA	\$ DAMAGE* (THOUSANDS)	U.S. DEATHS
CARLA	1961	9/3-15	4	931	MID-UPPER TX	\$1,926,731	46
HILDA	1964	9/28-10/5	3	950	MID LA	A	38
BETSY	1965	8/26-9/12	3	948	SE FL; SE LA	\$6,461,303	75
BEULAH	1967	9/5-22	3	950	LOWER TX	\$ 844,304	LT 25
CAMILLE	1969	8/14-22	5	909	MS;LA;VA	\$5,242,379	256
CELIA	1970	7/30-8/5	3	945	LOWER TX	\$1,559,418	LT 25

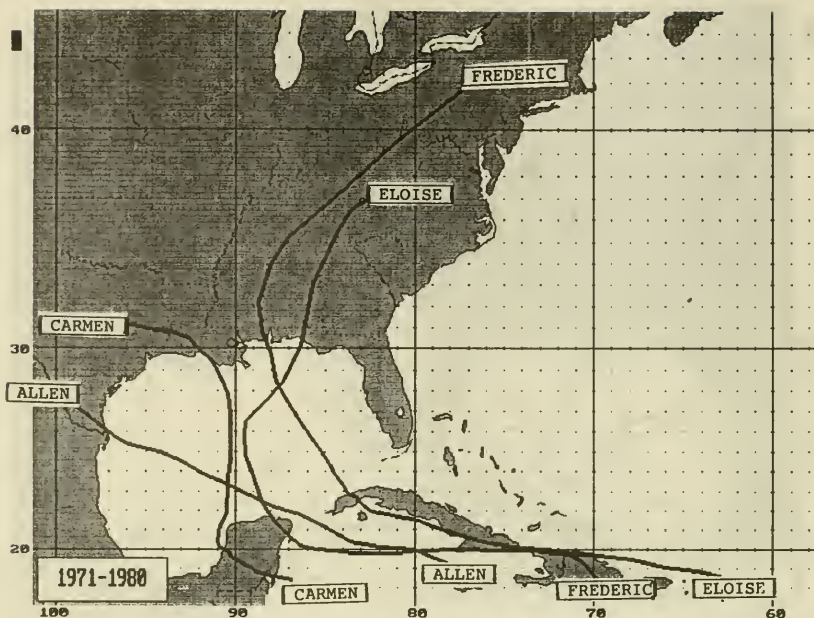
TOTAL HURRICANE RELATED DEATHS FOR THE DECADE = 531
 TOTAL NUMBER OF MAJOR HURRICANES FOR THE DECADE = 6

@ - Storm category based on Saffir/Simpson scale.

- Minimum sea level pressure at landfall.

* - U.S. damage adjusted to 1990 dollars using U.S. Department of Commerce composite construction index.

A - Less than \$400 million.



STORM NO. OR NAME	YEAR	DATES	CAT. @	MSLP# (MB)	PRIMARY IMPACT AREA	\$ DAMAGE* (THOUSANDS)	U.S. DEATHS
CARMEN	1974	8/29-9/10	3	952	SW & C LA	A	LT 25
ELOISE	1975	9/13-24	3	955	NW FL	\$1,081,854	LT 25
FREDERIC	1979	8/29-9/14	3	946	AL; NW FL	\$3,502,942	LT 25
ALLEN	1980	7/31-8/11	3	945	LOWER TX	\$ 410,908	LT 25

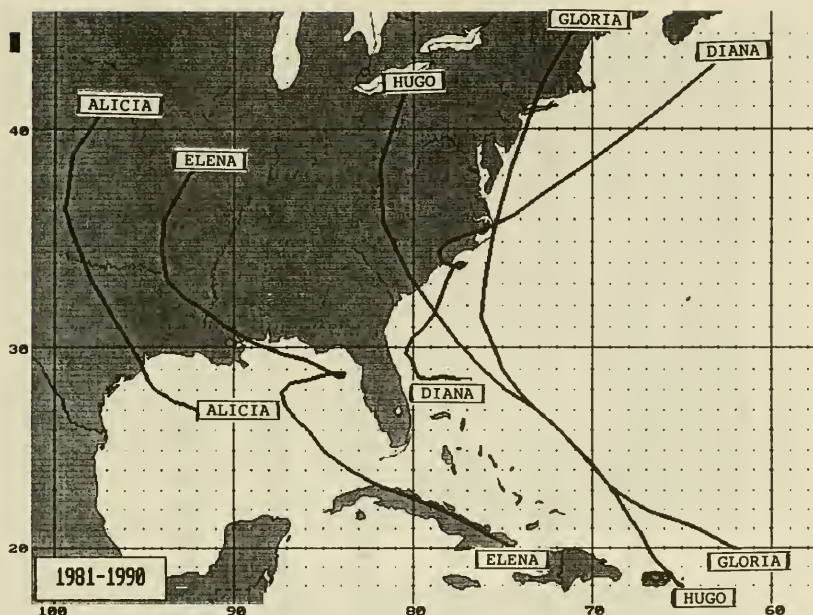
TOTAL HURRICANE RELATED DEATHS FOR THE DECADE = 225
 TOTAL NUMBER OF MAJOR HURRICANES FOR THE DECADE = 4

@ - Storm category based on Saffir/Simpson scale.

- Minimum sea level pressure at landfall.

* - U.S. damage adjusted to 1990 dollars using U.S. Department of Commerce composite construction index.

A - Less than \$400 million.



STORM NO. OR NAME	YEAR	DATES	CAT. @	MSLP# (MB)	PRIMARY IMPACT AREA	\$ DAMAGE* (THOUSANDS)	U.S. DEATHS
ALICIA	1983	8/15-21	3	962	UPPER TX	\$2,391,854	LT 25
DIANA	1984	9/8-16	3	949	OUTER B. NC	A	LT 25
ELENA	1985	8/27-9/4	3	959	MS;AL;NW FL	\$1,392,693	LT 25
GLORIA	1985	9/16-10/1	3	942	E AND NE U.S.	\$1,027,390	LT 25
HUGO	1989	9/10-22	4	934	SC	\$7,155,120	LT 25

TOTAL HURRICANE RELATED DEATHS FOR THE DECADE = 127

TOTAL NUMBER OF MAJOR HURRICANES FOR THE DECADE = 4

@ - Storm category based on Saffir/Simpson scale.

- Minimum sea level pressure at landfall.

* - U.S. damage adjusted to 1990 dollars using U.S. Department of Commerce composite construction index.

A - Less than \$400 million.

ATTACHMENT B

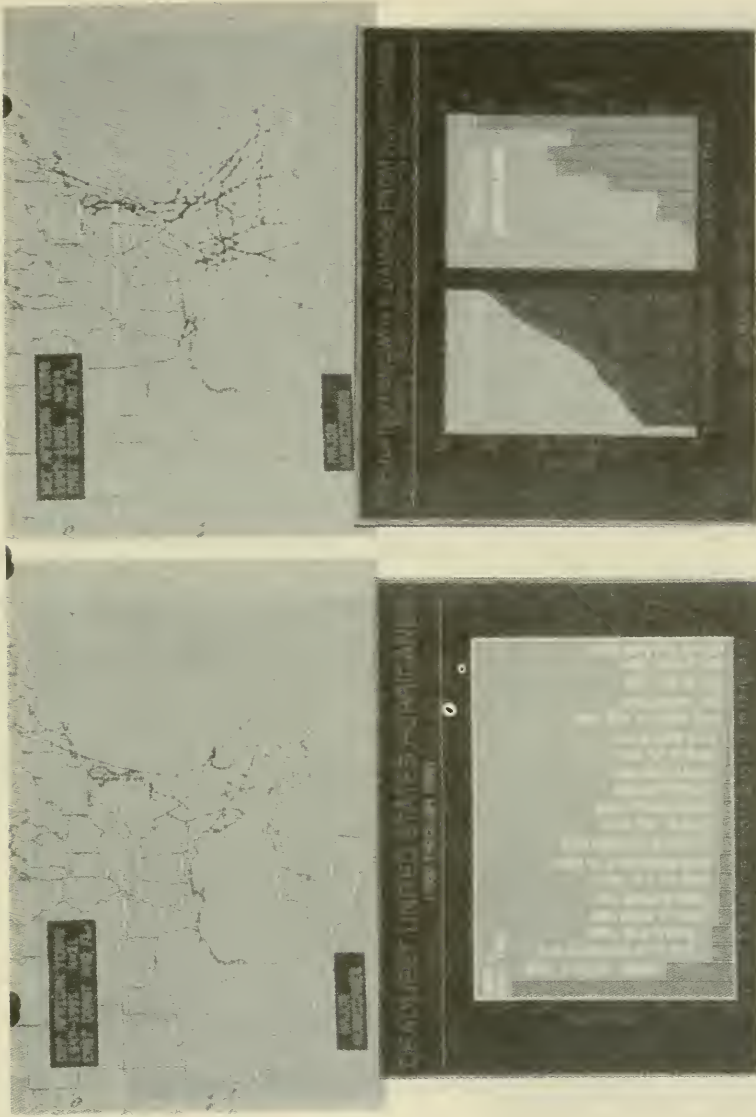
AFRICAN RAINFALL AND HURRICANES

DEADLIEST-COSTLIEST HURRICANES

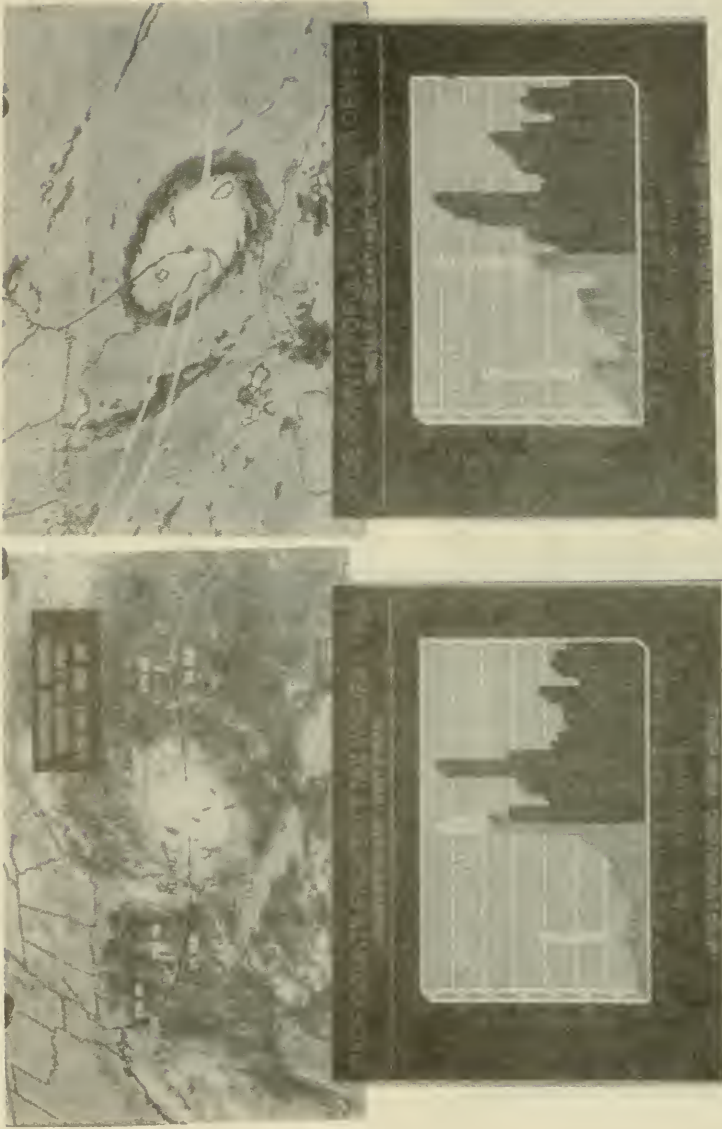
POPULATION-DAMAGE TRENDS

HURRICANE ANDREW STATISTICS

AND WHAT IF SCENARIOS



B-1. Tracks of Major Hurricanes striking the East coast of the United States and the Florida peninsula from 1947 through 1991 for periods when the rainfall in the Western Sahel area of Africa was below normal (upper left) and above normal (upper right) (after Gray - 1991); Lower left - The Deadliest United States Hurricanes from 1900 through 1992; lower right - Population trends for coastal counties from Texas to Maine and property damage trends resulting from hurricanes.



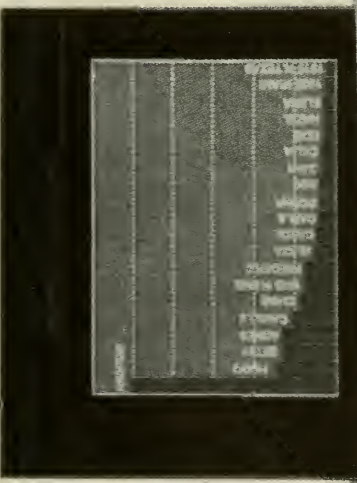
B-2. Upper left - Actual track of Hurricane Andrew; upper right - displacement of the actual track of Andrew 20 miles north over Florida and continuation of that track through Louisiana; lower left - Dade County property tax values where the core of Andrew struck (yellow) and the property tax values for a zone that would have been affected by the core of Andrew if it had been displaced 20 miles farther north (red); lower right - Dade County populations affected by the 20 mile wide core of Andrew (yellow) and the population that would have been affected if the hurricane was 20 miles farther north (red). Note the more than three fold increase in estimated property damage (\$6.2 Billion versus \$20 Billion) and the more than four times increase in the population affected.

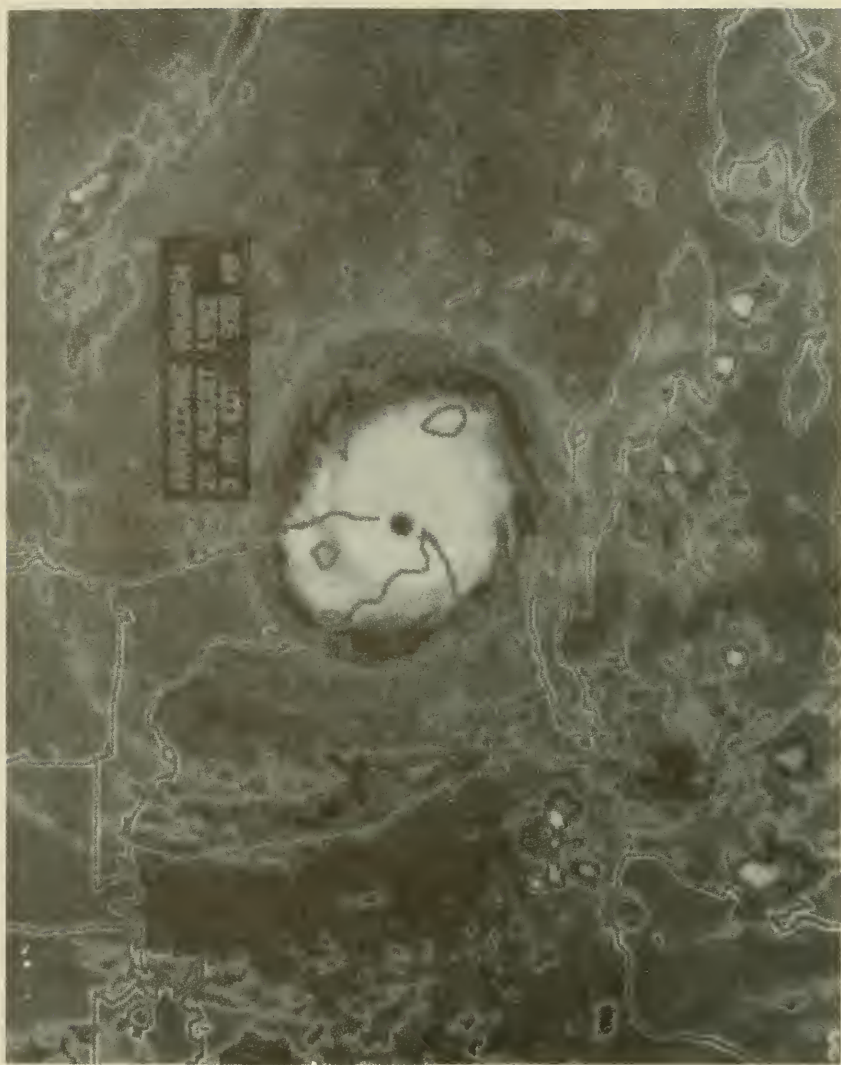
THE MOST INTENSE U.S. HURRICANES OF THIS CENTURY
(AT TIME OF LANDFALL)

HURRICANE	YEAR	CAT	DEATHS	PROPS
FL (DREW)	1926	5	492	110
CAROLLE (LANNIS)	1969	5	949	110
FL (DREW) (2)	1918	4	927	110
FL (JANE ORSECHONCE)	1929	4	929	110
DOMINA (FLORIN U.S.)	1880	4	800	110
TX (GALVESTON)	1900	4	801	110
LA (EDWARD ISLE)	1902	4	801	110
LA (NEW ORLEANS)	1915	4	801	110
CARLA (TX)	1981	4	801	110
HUGO (SC)	1960	4	904	110
FL (IRVING)	1828	4	825	110
HAZEL (SC/NC)	1954	4	880	110
SE (FLANNIS)	1947	4	940	110
N TX	1959	4	841	110



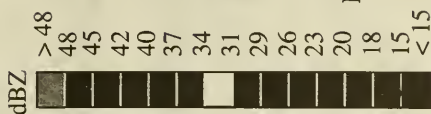
B-3. Upper left - Costliest United States Hurricanes adjusted to 1990 dollars. Note that the losses from Hurricane Andrew are greater than the sum of the three worst previous hurricanes; upper right - the strongest 15 hurricanes to strike the United States this century. Note that only two have been stronger than Andrew; lower left - satellite picture of Andrew when it was located south of New Orleans; lower right - inundation in the greater New Orleans area that would have taken place if Andrew had been only slightly displaced to the north as it moved inland on its west northwest track.





HURRICANE ANDREW

NWS MIAMI RADAR
August 24, 1992
08:35 UTC 04:35 EDT

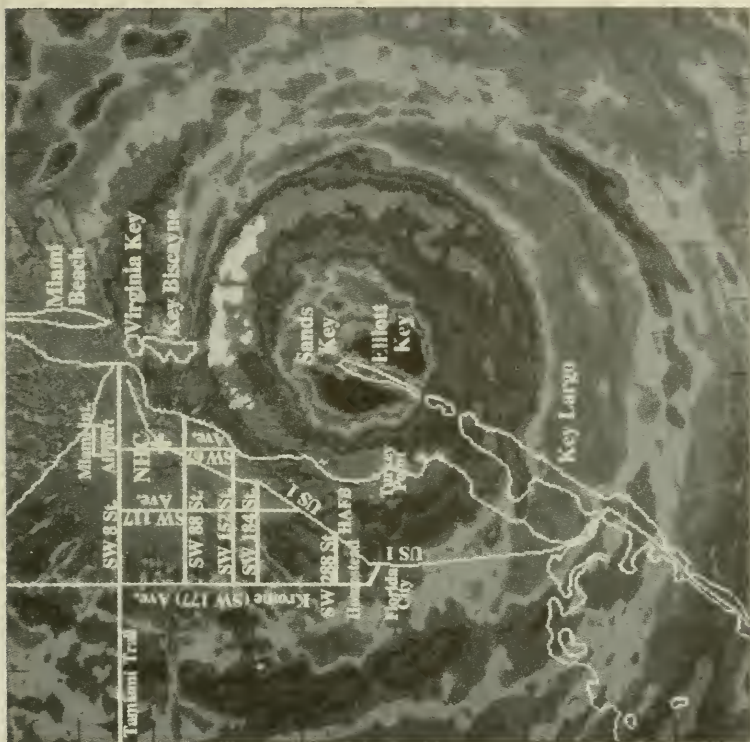


Hurricane
Research
Division



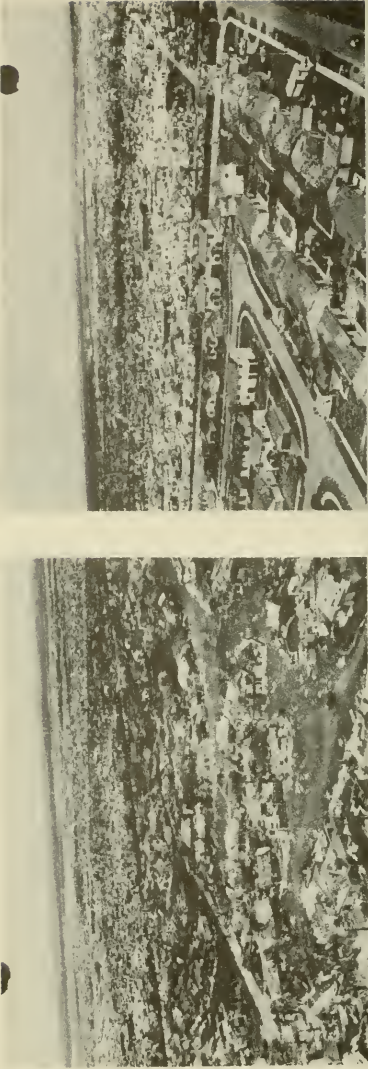
NOAAA/AOML
Miami, FL

Domain: 100 x 100 km

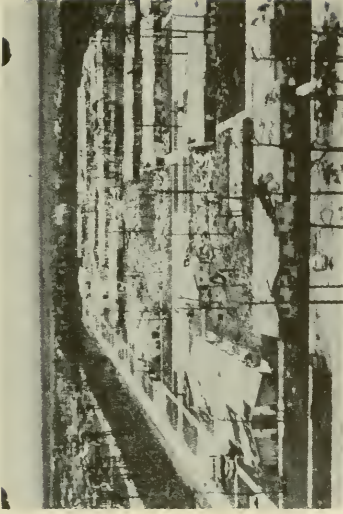


ATTACHMENT C

HURRICANE ANDREW DAMAGE



C-1. Upper left - Country Walk development; upper right - Concrete-Block-Stucco (CBS) homes in the foreground and Dadeland Mobile home park in the background; lower left - two different CBS home developments; lower right - CBS community showing differences in construction and damage. Notice that wood frame structures with multiple roof lines and large gabled ends failed while CBS structures with steel reinforced poured concrete tie beams withstood the full force of the winds. Failures here were windows, doors, and roofing materials. Notice total failure of mobile homes.



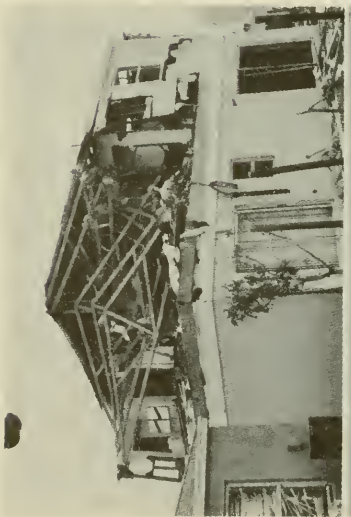
C-2. Upper left - Steel reinforced poured concrete tiebeam with steel roof straps exposed; upper right - streak of damage in senior citizen housing where tiebeams with roofs became airborne; lower left and lower right - Naranja Lakes complex where roofs acted similar to airplane wings lifting the roof and the tie beams off the buildings.



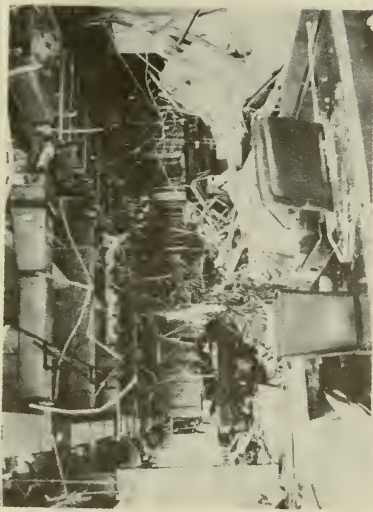
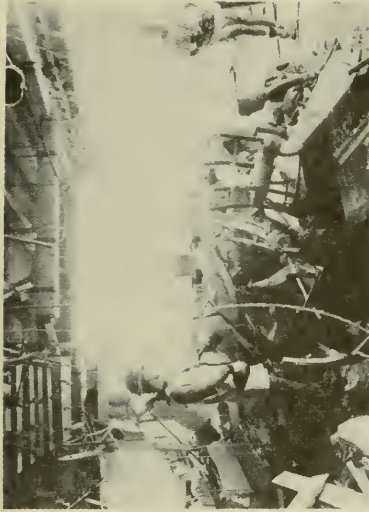
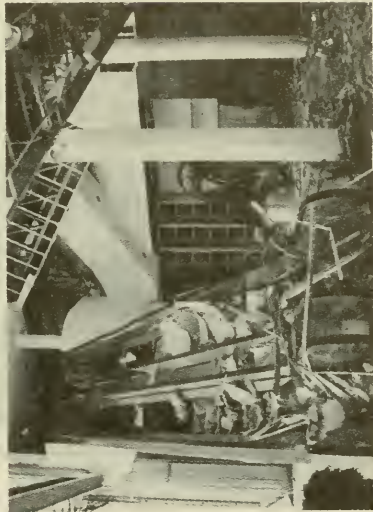
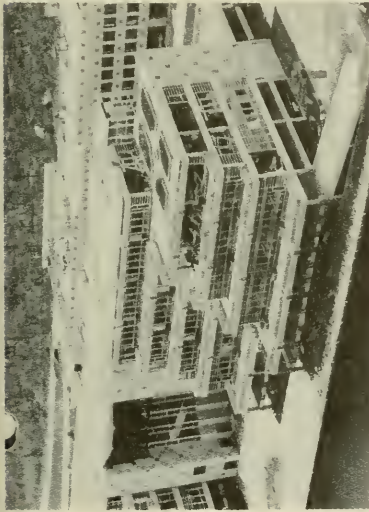
C-3. Upper left - Streaks of damage in Naranja Lakes development; upper right - home where a widow stayed with her cats that she could not take to a shelter and was killed by debris; lower left - shows concrete tie beam, but no tie columns, the primary reason for the catastrophic failures in the CBS buildings where they were not present; lower right - other streaks in Naranja Lakes area which also show a well engineered building (school) that withstood the force of the hurricane.



C-4. Upper left - Mobile home park with well built CBS community building where 17 people rode out the hurricane across from the Naranja Lakes development in figure 4; upper right - close up of senior citizen housing in background of picture to the left - note some shutters failed and others were not present, but building stood; lower right - Padeland Mobile Home park - some 31 people rode out the hurricane in the community building; lower right - floor of mobile home still tied down - failures were the structures, not the tie downs, even for those that had additional straps across the top of the mobile home - note conventional CBS structures still standing in the background.



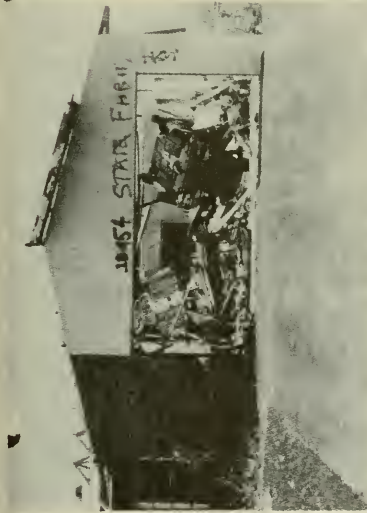
C-5. Upper left - CBS first floor, wood frame second floor; upper right - neighboring CBS both floors with concrete tie beams and tie columns - no failures of walls, but window and door failures; lower left - rebuild - replacing former wood frame second floor with CBS; lower right - new construction in Garden City, South Carolina. It should be noted that despite some "shoddy construction" in South Dade county, the great majority of the houses that were heavily damaged were still better built far better than the great majority of the homes along the Gulf of Mexico and Atlantic coasts from Texas through Maine.



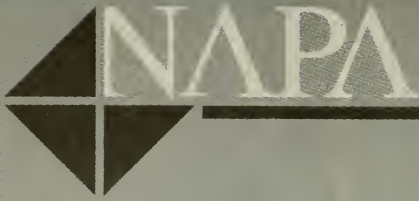
C-6. Burger King World Headquarters building showing external and internal views. Note that this well engineered building appeared to do well structurally, but when external walls or windows failed, the interior walls also failed. This is what mid-and high-rise condominiums would look like along the coast and why they should not be occupied during a hurricane unless there are hardened areas on lower floors but above any potential storm surge.



C-7. Other mid- to high-rise engineered buildings which suffered external and internal damage.



C-8. Upper left - two cars in a roofless garage upside down. The cars were parked outside of the garage before the hurricane; upper right - plywood through a palm tree; lower left - concrete on an automobile; lower right - boat on a house. These pictures illustrate the force of the wind and why we must not have people trapped on the highways in their vehicles when the hurricane moves over the area.



COPING WITH CATASTROPHE

*Building an Emergency Management System
to Meet People's Needs in
Natural and Manmade Disasters*



NATIONAL ACADEMY OF
PUBLIC ADMINISTRATION

For The
U.S. Congress and Federal Emergency Management Agency



National Academy of Public Administration

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The unique source of NAPA's expertise is its membership. It consists of more than 400 current and former Cabinet officers, members of Congress, governors, mayors, legislators, jurists, business executives, public managers, and scholars who have been elected as Fellows because of their distinguished practical or scholarly contributions to the nation's public life.

Since its establishment in 1967, NAPA has responded to a lengthy number of requests for assistance from various agencies and has undertaken a growing number of studies on issues of particular interest to Congress. In addition, NAPA has increasingly conducted projects for private foundations and has begun to work closely with corporations.

Its work has covered a wide range of topics, including: agriculture, education, health, human services, housing, urban development, prisons, courts, space, defense, environment, emergency management, human resources, organization and management analysis, and international public management.

COPING WITH CATASTROPHE
Building an Emergency Management System
to Meet People's Needs
in Natural and Manmade Disasters

A Report by a Panel of the
NATIONAL ACADEMY OF PUBLIC ADMINISTRATION

Philip A. Odeen, *Panel Chair*
Yvonne B. Burke
Frank C. Carlucci
Charles L. Dempsey
Thomas M. Downs
Andrew J. Goodpaster
Stan M. McKinney
Elmer B. Staats
Lee M. Thomas

Required by the
Congress of the United States

February 1993

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FOREWORD

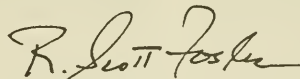
Last September, Congress mandated that the National Academy conduct a comprehensive and objective study of governmental capacity to respond effectively to major natural disasters. Over an intensive four-month period, an Academy panel and project staff have examined five major issues, including the capabilities and performance of the Federal Emergency Management Agency (FEMA) in recent major disasters, especially Hurricane Andrew. They found that major changes are needed--in the White House, in Congress, in FEMA, in other federal agencies, and in the states and localities--if the United States is to have an effective and responsive emergency management system.

Under its congressional charter, the Academy is charged with advancing the effectiveness of government at all levels--federal, state and local. This report highlights the challenges, in a system of divided powers, of developing an effective emergency management system that involves all three levels of government as well as the private sector. To summarize, we believe such a national system does not now exist, but can be created.

The study also addressed the challenging relationship between preparedness for national security emergencies and domestic civil emergency preparedness and response. In a rapidly changing but still uncertain world, old imperatives about the need to protect national security in established ways are being challenged by pressing domestic needs. The panel has recommended modifications to existing methods for addressing national security emergency preparedness, as well as their funding sources.

By looking at the whole system for emergency management, rather than just a single agency or specific actions taken after Hurricane Andrew, the panel developed a comprehensive set of recommendations to address the causes of the nation's inadequate response to recent catastrophic events. This approach is needed to achieve real progress in emergency management. It is also applicable to other functions of government.

The Academy appreciates the opportunity provided by the Congress to undertake this work. We also thank the many people in and outside of government who were so helpful along the way.



R. Scott Fosler
President

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EXECUTIVE SUMMARY

On August 24, 1992, Hurricane Andrew made landfall in southern Dade County, Florida. While the country's initial reaction was a sense of relief -- Greater Miami's most populated areas had been spared the full brunt of the storm -- officials eventually realized that an area encompassing about 250,000 people had suffered a major disaster.

After crossing Florida, Hurricane Andrew made landfall again, wreaking havoc in southwestern Louisiana. When the storm subsided, it was clear that Andrew would prove to be the nation's most costly natural disaster. It also became increasingly evident that the governmental response, particularly in South Florida, had fallen short. The immediate needs of the disaster victims, as well as the general public's need for a competent presence in the midst of such destruction, went largely unmet.

In response to a congressional mandate, a panel of the National Academy of Public Administration has conducted this study of capacities of the federal, state and local governments to respond promptly and effectively to major natural disasters occurring in the United States.

The panel judged that it could make a unique contribution by reviewing and analyzing the entire structure of the disaster response system. This includes all levels of government -- federal, state and local -- as well as private and non-profit organizations and individuals. Moreover, the panel determined that it could not examine the response to natural disasters in isolation from all emergency management functions: mitigation, preparedness, response, and recovery. This report presents the panel's observations, conclusions and recommendations.

ENDURING PROBLEMS OF EMERGENCY MANAGEMENT

There are some problems associated with emergency management that are unique in their intensity and in their enduring nature. They endure because they are rooted in human nature, American attitudes toward long-range planning, the dynamics of power in the Executive Branch, and the short-term perspective of the American political process. Emergencies and disasters are easily dismissed as something that is unlikely to happen, going to happen to someone else, or going to happen on "someone else's watch."

Americans have never seemed to value long-range planning and training. Although they have come to accept the necessity of these things in the military in order to protect citizens from threats from abroad, they have not yet developed

an appreciation for their need in protecting citizens from hazards that can befall them "at home." As a result, emergency management agencies are generally underfunded for planning, training and exercises even though these activities are every bit as essential for their effectiveness as they are for military organizations.

Emergency management requires coordination of a wide range of organizations and activities, public and private. Everyone acknowledges the need for such coordination in an emergency, but in fact no one wants to be "coordinated," nor is it clear what the term means in practice. Statutory authority is not readily transformed into legitimate political authority, and emergency management agencies are very seldom given anything but statutory authority to "coordinate" in the event of an emergency or disaster that everyone prefers to believe is unlikely. Statutory power is a necessary but insufficient condition for real power to coordinate.

Finally, emergency management has almost no natural constituency base until an emergency or disaster occurs. Except for those persons and agencies with responsibilities in emergency management, which are modest in number and influence, the function has no generally attentive, supportive set of constituents or clients, which is so important to the survival and effectiveness of public agencies.

NEED FOR AN EFFECTIVE EMERGENCY MANAGEMENT SYSTEM

Every year the United States is hit by numerous disasters, both large and small. *The nation needs a well-organized, effective emergency management system; the panel found it does not have one.* All levels of government as well as private, non-profit and business organizations are involved. In the aftermath of Hurricane Andrew, few of the parties involved, whether public or private, could claim a flawless performance. The blame for the extensive dislocation and misery the victims experienced following the storm must be widely shared.

Strengthening the Federal Role

At the national level, the President and numerous federal agencies are responsible for providing assistance to disaster victims. For crises overseas, the National Security Council coordinates policy for the President. No counterpart exists on the domestic side. *The President should have a Domestic Crisis Monitoring Unit to assure that the federal responses to catastrophic events are timely, effective and well coordinated.*

The Federal Emergency Management Agency (FEMA) was created in 1979 to provide a new, integrated approach to emergency management. However, the panel found that few of the goals set for that organization 14 years ago have been realized.

Currently, FEMA is like a patient in triage. The President and Congress must decide whether to treat it or let it die. And though the tendency is to focus principally on FEMA, the present time and circumstances provide a unique opportunity to improve the way all those involved in emergency management respond to disasters and catastrophic events.

The panel has concluded that *a small independent agency could coordinate the federal response to major natural disasters*, as well as integrate other emergency management functions, *but only if the White House and Congress take significant steps to make it a viable institution*. FEMA has been ill-served by congressional and White House neglect, a fragmented statutory charter, irregular funding, and the uneven quality of its political executives appointed by past presidents. In short, the agency remains an institution not yet built.

The President, Congress and strong, competent FEMA leadership could create the conditions necessary to build FEMA or a successor into a highly respected agency that coordinates -- and thus leads -- other federal agencies as well as state and local governments. These essential conditions are:

1. Reduction of political appointees to a director and deputy director, development of a competent, professional career staff and appointment of a career executive director.
2. Access to, and support of, the President through the creation of a Domestic Crisis Monitoring Unit in the White House.
3. Integration of FEMA's subunits into a cohesive institution through the development of a common mission, vision and values; an integrated development program for career executives; and effective management systems.
4. Development of structure, strategy and management systems to give agency leadership the means to direct the agency.
5. A new statutory charter centered on integrated mitigation, preparation, response, and recovery from emergencies and disasters of all types.
6. Joint assessment teams and a graduated response scale for more timely and effective responses to disasters, including catastrophic.
7. Development of functional headquarters-field relationships.

Regarding item 3, FEMA has experienced widespread and persistent problems with internal communications and coordination which were intensified by classification restrictions on its national security emergency preparedness

programs under the National Preparedness Directorate. These problems could be mitigated by (1) reducing the number of security clearances and the impact of classification, (2) transferring certain program responsibilities and limited program staff to DOD, (3) improving the integration of NP assets into domestic emergency response, and (4) reevaluating the placement of some FEMA programs under the national security budget function.

Some additional funding in the near term may be required to meet these conditions, but the panel believes that the longer run result will be improved efficiency and program effectiveness that also reduce costs. Given the current government-wide budget stringencies, FEMA must do everything possible to economize and make best use of existing resources.

If, after a reasonable period, it is clear these changes are beyond reach, the President should consider and take action on a more drastic option, such as (1) abolishing FEMA and returning its component parts to their agencies of origin or placing them elsewhere, or (2) transferring most functions intact to an existing federal department.

If FEMA were abolished, a small office in the Executive Office of the President would be needed to coordinate the federal response. Because this was the unfortunate condition which caused FEMA to be created in the first place, this is a useful option only if no other is available. No other department or agency provides an ideal home for the emergency management function and all have other priorities and problems. Because changes in law would be required, Congress also would have to act.

Role of the Military and the Federal Government as First Responder

The panel does not recommend that the disaster response function be transferred to the Defense Department. *The time has come to shift the emphasis from national security to domestic emergency management using an all-hazards approach.* Making this function a routine part of the defense mission would further complicate larger issues of the Armed Forces' peacetime roles. Their primary mission is to prepare for war and to fight if necessary.

The panel recognizes that the Armed Forces have repeatedly demonstrated valuable capabilities in responding to major disasters, including Andrew, but it holds that they should be tasked by civil authority -- promptly when necessary -- in the case of a domestic catastrophe. The problem should be addressed by improving procedures that enable civilian authorities to call upon the capabilities of the Armed Forces in a timely fashion in those relatively rare circumstances that require response capabilities of a magnitude only they can provide.

Nor can the federal government become the nation's "911" first responder. The nation's constitutional structure, rooted in the values of federalism, is fundamentally "bottom-heavy." Although the federal role has expanded over two centuries, governing in America generally occurs within the broad, general "police" powers reserved to the states by the Constitution and delegated, in turn, to local governments. There are ten of thousands of emergencies each year. Most emergencies -- even most disasters -- are met by state and local governments. This layered system of disaster response can be improved without altering federalism.

Joint federal-state-local emergency response teams, which include relevant military and civilian agencies, should be trained to enter a disaster site immediately to assess damages as well as life support needs. They would issue recommendations to the governors of affected states and the President. Team members should train and conduct regular exercises together and draw upon the unique mobile communications that FEMA has available. Joint decision making by government leaders, plus full cost coverage by the federal government during the initial response period following a catastrophe, would facilitate prompt and sufficient action to meet victims' life support needs.

The Role of States and Localities

State and local governments must be able to successfully manage small and medium sized disasters on their own, and they must be able to function effectively as part of an intergovernmental team when an event warrants a presidential disaster declaration and federal intervention. At the state and local levels, emergency management suffers from:

1. *A lack of clear and measurable objectives, adequate resources, public concern and official commitments.*
2. *Low levels of public concern and support for events of low probability but potentially high impact.*
3. *Local sensitivity surrounding building code enforcement and land-use planning, both essential elements in planning and implementing mitigation measures and prominent in recovery efforts.*
4. *Fragmented decision making and strained intergovernmental relations.* For example, prior to Hurricane Andrew, relations between the independent cities in Dade County and the county government were poor, as were those between the county and the state of Florida. After the disaster, these relations did not improve, which impeded response and recovery efforts.

5. *Inconsistency of federal support and involvement.*
6. *A lack of knowledge and competence in emergency management.*
7. *A lack of commitment to and funding for emergency management.*

The federal government needs to do more to help enhance the capacity and consistency of emergency management efforts at the state and local levels, especially in areas vulnerable to catastrophic events. Possible measures include: targeting upgrades of state and local government capacity; using financial incentives strategically to reward effort and competent performance; improving training and education; increasing research and its application; and fostering peer exchanges and mutual aid agreements.

Congress' Role and Responsibility

Congress plays a leading role in developing policies for emergency management and the federal response to natural disasters. Jurisdiction over these functions and FEMA is so splintered, however, that no single authorizing committee has the ability or interest to examine either one in their totality. This splintered jurisdiction also reinforces fragmentation within the agency, as well as programmatic authorizations tied to specific kinds of disasters, such as earthquakes or radiological hazards. In addition, FEMA's relations with Congress are needlessly time-consuming, complex and contentious.

As a result, FEMA has been reluctant to propose a restructuring of its authorizing statutes. Several laws apply to emergency management programs, some with competing objectives and overlapping provisions. The result is a hodge-podge of statutory authorizations providing sometimes conflicting and outdated guidance, which, in the panel's judgment, hampers the integration of emergency management functions and slows, as well as materially complicates, the federal response to natural disasters.

Emergency management and FEMA are overseen by too many congressional committees, none of which has either the interest or a comprehensive overview of the topic to assure that coherent federal policy is developed and implemented. A preoccupation with constituent interests, while laudable in times of great need following disasters, makes it very difficult to achieve a balance between cost and service.

The panel believes that Congress' attention ought to shift from a preoccupation with shortcomings in the federal response, to support for improved management of FEMA and for the development of a national emergency management system based on intergovernmental cooperation. *FEMA or a successor agency needs a more coherent legislative charter, greater funding*

flexibility, and sustained support for building an effective agency and a national emergency management system.

THE NEED FOR A GALVANIZING EVENT

The panel is making numerous recommendations to strengthen the nation's emergency management system. Changes of the magnitude outlined in this report will require strong, sustained White House and congressional attention and support. Given the nation's economic and social problems, and the foreign policy challenges likely to occupy its political leadership, the panel believes a galvanizing event may be needed before the states can reach a new agreement with the federal government on how the nation will prepare for and respond to emergencies, and who will pay the cost.

Such an event could be a White House or governors' conference on emergency management, a summit meeting between the President and the governors, or a national commission chartered by Congress or appointed by the President. *Without bold action, America's frustration with the timeliness and quality of the governmental response to natural disasters will very likely continue.*

LIST OF PANEL RECOMMENDATIONS

This list provides in one place all of the recommendations made throughout the report. Recommendations are contained in Chapters Three through Six as follows:

CHAPTER THREE. THE FEDERAL RESPONSIBILITY AND THE PRESIDENT'S ROLE IN EMERGENCY MANAGEMENT

Retain the current mission and role of the Armed Forces in emergency management and disaster response. Make certain that processes and procedures exist for promptly triggering their capabilities in major disasters or catastrophes.

Set in motion a review by DoD of the role of the National Guard with regard to emergency management/disaster response.

Establish a Domestic Crisis Monitoring Unit in the White House Office as a responsibility of an assistant to the President. Develop a small staff of detailees to work out of the White House situation room.

Amend the Federal Response Plan to include FEMA-led joint assessment teams (federal, state, local, and military). Members should be professionals who train together, are able to operate in adverse environments, and would be supported with FEMA's unique communications assets.

Make the Federal Response Plan the President's Response Plan.

Modify the Federal Response Plan based on lessons learned to date.

Initiate a long-term effort to develop operational plans for each Emergency Support Function of the Federal Response Plan and develop operational plans that link with the federal plans and with those at all levels of government.

Develop a gradated disaster scale keyed to damage, life support needs, and casualties. Joint assessment teams should recommend designation of a disaster on that scale, which would establish a common base of assumptions for response and recovery actions on the part of all participating agencies and organizations.

Relate the FRP and operational plans for each ESF to the gradations of the disaster scale. Types of people and material mobilized, pre-positioned and dispatched for a disaster should be related to gradations of the disaster scale.

If the President designates a cabinet officer or White House staffer as his representative in a disaster, provide that individual appropriate orientation and staff support.

CHAPTER FOUR. FEMA: AN INSTITUTION NOT YET BUILT

VISION AND MISSION: Create a coherent sense of mission centered on the vision of a high-performance, high-reliability agency of government capable of integrating and coordinating the federal government's emergency management functions. The primary emphasis would be on domestic civil emergencies and disasters -- and on all four functions of emergency management: mitigation, preparation, response and recovery. Three major actions to accomplish this are:

- Develop an agency legislative charter (see Chapter Five) that makes it clear that the primary purpose of the agency is domestic civil emergencies and disasters -- and that it will deal with all four phases of emergency management.
- Declassify virtually all positions. Transfer certain classified program responsibilities (but not all staff and assets) to DoD, transfer the defense mobilization functions to DoD or GSA. Form a new all-hazard preparedness and response unit utilizing FEMA's unique communications and other assets.
- Seek clarification from Congress of FEMA's responsibilities for the social and major public works issues facing the agency following recent disaster declarations.

STRATEGY: Develop a strategic policy statement outlining the several broad emergency management policy goals (about four to eight such goals) to be achieved during President Clinton's first term. For example, one such goal could be enactment of a unified statutory charter for emergency management.

VALUES: Work with agency employees to articulate a set of values centered on:

- Minimizing loss from emergencies and disasters.
- Helping victims to survive, recover and restore their lives.
- Integrating more effectively the four main functions of emergency management (mitigation, preparedness, response and recovery).
- Establishing a service-oriented approach to dealing with the "customers" of the agency, including those customers of diverse racial and ethnic backgrounds.
- Maintaining control of costs to the federal treasury.

WHITE HOUSE COMMUNICATIONS: Build a continuing relationship with the senior White House officials responsible for domestic policy, domestic crisis monitoring and processing of disaster declarations. Have a solid understanding of how these White House functions operate.

LEADERSHIP: Provide a framework for improving leadership by:

- **Limiting the number of presidential appointments (other than the inspector general) to two** -- director and deputy director -- and helping to assure that future leaders are qualified and trained for their jobs.
- **Converting all other executive positions to career status** and filling them with the most qualified candidates from within the agency, throughout the federal government, state and local government or the private sector.
- **Building a first-rate executive development program** to assure a pool of talent for future leadership within the agency.
- **Creating a career-reserved position of executive director** with responsibility for all internal management systems and functions except budget and financial management. (The Chief Financial Officer Act of 1990 requires that the CFO report directly to the agency head. There should be a close working relationship between the CFO and the executive director on common management issues).

PREPARING FOR THE NEXT CATASTROPHE: Give priority to assuring the agency is as prepared as possible for the next catastrophe, i.e., position the agency to "manage the hell out of moments of truth." (See also recommendations in Chapter Three.)

ORGANIZATION: Realize the goal of building a single, coherent organization by:

- **Restructuring the agency around a comprehensive emergency management concept** with primary emphasis on mitigation of, planning and preparing for, responding to, and recovery from civil emergencies and natural or human-generated disasters.
- **Addressing the problem of agency subcultures by giving all components an all-hazards objective, with the only difference between components being the functions they perform toward this end** -- preparation, response, recovery, and mitigation.
- **Better integrating -- or spinning off -- the now relatively separate functions of the Fire Administration** and other agency operations which prove incompatible with the new mission and vision.
- **Considering strengthening the mitigation function** by building on the mitigation responsibilities of the National Earthquake Hazards Reduction Program and the National Flood Insurance Program, especially with new all-hazards insurance and mitigation programs being considered by Congress.

- **Setting one management philosophy for delegating responsibilities to the field,** consistent with the mission and the roles the field offices are expected to play. Establish management systems consistent with this philosophy and which also will provide guidance for consistent application of statutes and policies nationwide. Establish management systems consistent with this philosophy and which also will provide guidance for consistent application of statutes and policies nationwide. In this connection, make it clear that headquarters is responsible for policy and centralized management systems while the field is responsible for implementation of policy within the context of systems needed to respond to regional circumstances.
- **Considering consolidation of the field structure into fewer regions -- such as the four-region structure used by the Continental U.S. Army -- to assure its responsiveness to emergency requirements based on the frequency of disasters and opportunities for coordination both with the states and the military.**
- **Developing any needed legislative proposals for reorganization.** Depending on the exact composition of the proposal, some legislation -- including FEMA-specific reorganization authority -- may be necessary.

EXTERNAL AFFAIRS: Build a strong external affairs unit of career personnel capable of effectively handling media relations in moments of crisis. Public Affairs should include promptly informing disaster victims of where and how help can be obtained. Congressional Affairs staff should emphasize building good relations with Congress. Additionally, the unit should establish good bridges to cognizant interest groups, such as the National Governors Association, the National Emergency Management Association and others.

PERFORMANCE MEASUREMENT: Continuously measure performance against goals by:

- Creating a customer-oriented or citizens' needs approach to assist in defining goals and performance standards and units of work.
- Developing the performance indicators and measurement systems to make this possible.
- Creating a system for relating staff and other resource requirements to workload and performance.

MANAGEMENT SYSTEMS: Establish the central management systems "glue" to bind the agency together by:

- **Strengthening the budget structure and process,** making it a tool for FEMA leadership to implement its mission and strategy through the establishment of a centralized decision-making process and a central funds control and allocation mechanism. Allow for flexibility in fund allocation through the use of a new activity structure combined with a responsive reprogramming process.

- Establishing an operational planning system to convert the strategic goals into achievable objectives for each organization unit. A streamlined, mission-oriented, low-paperwork regional planning and reporting system, designed to secure consistent regional operations, also should be developed and maintained.
- Converting the Personnel Office into a modern human resources management function centered on building a first-class workforce. Priority initiatives include creating executive training, succession and development programs; improving employee training; developing a culturally diverse work force (including the disaster reserve work force) that more closely matches the clientele of the agency; and providing organizational rotation to help break down the walls between agency units. To the extent practicable, provide for employee exchanges between headquarters and the field.
- Creating a competent career planning, program analysis and evaluation staff of analysts reporting to the executive director which can provide agency leaders with timely planning, analysis and recommendations for change in policies, procedures, and programs.
- Encouraging the Office of the Inspector General to carry out more program evaluations, as mandated by the Inspector General Act.

COMMUNICATIONS AND INFORMATION TECHNOLOGY: Establish a modern communications and information resources management system by:

- Creating a separate, central information resources management office under the executive director from the staff now in the NP directorate, but including representation from other offices, to undertake an aggressive, unified agency program to exploit communications and information technology, to streamline agency operations and make them more efficient, to ensure that information is a by-product of systems designed to do the work of the agency to develop needed data bases and to create a forum in the agency to develop a meaningful agency-wide plan. This office also should work with other departments and agencies, state and local governments, and non-profits (such as the Red Cross) to create consistent, compatible information processing across programs.
- Ensuring that the IRM office is an integral part of an agency strategic planning process, exercising leadership in converting "cold war" IRM assets and capabilities to today's and tomorrow's needs for domestic, civil emergencies.
- Reinstating the Information Resources Board but with strengthened functions, including budget development and oversight over major information projects and acquisitions.

RESOURCES: Notwithstanding the demands for deficit reduction, the President and Congress should provide the funding needed to build an effective emergency management agency.

- **Action by the Administration.** Recognizing that the implementation of these recommendations will take more funding for program administration than is currently available to FEMA, the new director of FEMA should establish a task force to develop a funding proposal. The proposal should take into consideration possible offsets from such things as lower regional overhead and lower security staff requirements, and from fewer "small" disasters being federalized, as recommended in Chapter Three. OMB and the administration should look upon such proposals as priority considerations to assist in building the institution needed for the alleviation of human suffering.
- **Action by Congress.** The Appropriations committees should support the new administration and the new FEMA director by providing needed funds and program flexibility.
- **Congress should consider legislation to allow the speeding of Disaster Relief funds.** One possibility may be to appropriate in advance -- perhaps with language denoting their availability only for use in the event of a major catastrophe, using the graded scale recommended in Chapter Three. Recognizing, however, that this might prove impractical, the panel has suggested in Chapter Five that authority be provided for FEMA to make commitments to other federal agencies in advance of a supplemental appropriation.

CHAPTER FIVE. THE FEDERAL RESPONSIBILITY -- THE ROLE OF CONGRESS

Recommendations to the Executive Branch

Draft a new legislative charter, building on existing authorities in the Stafford Act, and formally transmit it to Congress as soon as possible to enable action in the 103rd Congress.

Incorporate in the draft charter (1) language to reduce FEMA's presidential appointee positions to two, the director and deputy director (excluding the inspector general), and (2) any authority required by the President to make needed organizational changes.

Recommendations to Congress

Enact legislation that will (1) provide a comprehensive emergency management charter through amendments to the Stafford Act to encompass emergencies and disasters of all types other than those administered outside the current body of laws applying to FEMA and (2) reduce or eliminate FEMA's presidential appointee positions.

Designate a single committee in each house of Congress with jurisdiction over "emergency management" and the laws applying to FEMA. The Joint Committee on the Organization of Congress should give this matter priority attention.

Designate a single committee in the Senate to confirm all FEMA appointees nominated by the President and requiring confirmation.

Remove some of the funding restrictions on FEMA's programs, including the earmarking of funds for specific projects, commensurate with initiatives taken and planned by FEMA to build a high-performance, high-reliability institution for emergency management.

CHAPTER SIX. STATE AND LOCAL GOVERNMENT ORGANIZATIONAL CAPABILITY AND COORDINATION WITH THE FEDERAL GOVERNMENT

FEMA should develop a strategy for improving capacity and consistency of state and local governments for emergency management. This strategy should take into account each state's vulnerability, population, and investment in emergency management.

The panel recommends the following means to augment capacity:

- Revising the mission and vision of the State and Local Program Support directorate to reflect this new strategic approach.
- Assessing existing capabilities of states, territories, and trusts in order to gain baseline information for future actions.
- Setting performance and other standards for CCA program funding and other special programs and projects.
- Monitoring and evaluating state and local efforts with respect to meeting those standards, and if need be, withhold funding to gain compliance.
- Using financial incentives to reward effort and performance toward meeting objectives, not only for pre-disaster funding but for post-disaster assistance.
- Streamlining many of the post-disaster processes and procedures for a presidential declaration, damage assessment, and reimbursement of state and local governments.
- Improving FEMA training and education programs, both in quality and quantity, for federal, state, and local officials responsible for emergency management
- Developing a plan to use research and research applications more effectively for decisions regarding operations, programs, and training and research.
- Encouraging (by funding, if necessary,) peer exchanges and mutual aid agreements among all levels of government to share good examples of promising or successful practices.
- Encouraging regional planning and preparedness efforts, such as those for inter-state earthquake or hurricane planning.

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LIST OF ACRONYMS

CARL	Capacity Assessment and Multi-year Development Plan
CCA	Comprehensive Cooperative Agreement
CD	Civil Defense
CEM	Comprehensive Emergency Management
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CHIPS	Capability and Hazard Identification Program for Local Governments
CNN	Cable News Network
DAC	Disaster Application Center
DCPA	Defense Civil Preparedness Agency
DCMU	Domestic Crisis Monitoring Unit
DEFCONS	Defense Conditions- stages of preparedness in defense mobilization
DFO	Disaster Field Office
DoD	Department of Defense
DoJ	Department of Justice
DOMS	Director of Military Support, U.S. Army
DoT	Department of Transportation
EMA	Emergency Management Assistance
EMI	Emergency Management Institute
EPA	Environmental Protection Agency
EOC	Emergency Operations Center
EOP	Executive Office of the President
ESF	Emergency Support Function
FBI	Federal Bureau of Investigation
FCO	Federal Coordinating Officer
FDAA	Federal Disaster Assistance Administration
FEMA	Federal Emergency Management Agency
FIA	Federal Insurance Administration
FRP	Federal Response Plan
GAO	General Accounting Office
GSA	General Services Administration
HHS	Department of Health and Human Services
HUD	Department of Housing and Urban Development
ICMA	International City/County Management Association
IFG	Individual and Family Grant Program

IRM	Information Resources Management
LEMA	Local Emergency Management Agency
MSCA	Military Support to Civilian Authorities
NACO	National Association of Counties
NAPA	National Academy of Public Administration
NCCEM	National Coordinating Council on Emergency Management
NEHRP	National Earthquake Hazard Reduction Program
NEMA	National Emergency Management Association
NETC	National Emergency Training Center
NFA	National Fire Academy
NFIP	National Flood Insurance Program
NGA	National Governors' Association
NIST	National Institute of Standards and Technology
NOAA	National Oceanic and Atmospheric Administration
NP	National Preparedness, Directorate in FEMA
NSC	National Security Council
NSEP	National Security Emergency Preparedness
NSF	National Science Foundation
OEP	Office of Emergency Preparedness
OES	Office of Emergency Services (at state level)
OMB	Office of Management and Budget
PA	Public Assistance Program
PRP	President's Reorganization Project
SBA	Small Business Administration
SLPS	State and Local Program Support Directorate in FEMA
SOPs	Standard Operating Procedures
USFA	U.S. Fire Administration
USGS	U.S. Geological Survey
VA	Veterans Administration

CHAPTER ONE

INTRODUCTION

On August 24, 1992, Hurricane Andrew made landfall in southern Dade County, Florida. While the country's initial reaction was a sense of relief -- because the most populated areas of Greater Miami had been spared the full brunt of the storm -- officials eventually realized that an area encompassing about 250,000 people had suffered major damage and destruction.

After crossing Florida, Hurricane Andrew made landfall again, wreaking havoc in southwestern Louisiana. When the storm subsided, it was clear that Andrew would prove to be the nation's most costly natural disaster. It also became increasingly evident that the governmental response, particularly in South Florida, had fallen short. The immediate needs of the disaster victims, as well as the general public's need for a competent presence in the midst of such destruction, went largely unmet.

Once the extent of the damage became clear, the President and Congress were quick to act, but unfortunately government at all levels was slow to comprehend the scope of the disaster. Immediately before and after the storm, various federal agencies responded in a somewhat uneven fashion, as the full extent of the damage was not appreciated by state and local officials. As political and public pressures mounted, the federal government began a massive effort to aid disaster victims. This became fully operational five days after Hurricane Andrew struck. Federal troops were on location to provide shelter, food, and other assistance to the victims. The Federal Emergency Management Agency (FEMA) steadily augmented its presence on the scene. A new Federal Response Plan, prepared for such disasters, received its first severe test. Congress provided \$2.9 billion in supplemental funding for the Disaster Relief Fund. Altogether, federal, state and local governments, as well as private and non-profit organizations, applied unprecedented levels of resources to aid in the recovery, which continues as this report is written.

Assessments of the federal government's performance varied widely. The experience with Hurricane Andrew and Hurricane Iniki, which devastated the Hawaiian island of Kauai a few weeks later, renewed concerns about the adequacy of the federal role and response to major natural disasters. In one of the more pointed expressions of this concern, Senator Barbara Mikulski, chair of the Appropriations subcommittee responsible for FEMA's funding, wrote to Comptroller General Charles A. Bowsher:

I am outraged by the federal government's pathetically sluggish and ill-planned response to the devastating disaster wrought by Hurricane Andrew in Florida and Louisiana, which has left many lives in shambles. Time and again, the federal government has failed to respond quickly and effectively to major disasters, and

no lessons have been learned from past mistakes.¹

In addition to Senator Mikulski's request for a General Accounting Office (GAO) review, the conferees on the HUD, VA and Independent Offices appropriations bill included language in their report (see box on page 7) requiring FEMA to contract with the National Academy of Public Administration (NAPA) for a "comprehensive and objective study of the federal, state and local governments' capacities to respond promptly and effectively to major natural disasters occurring in the United States." The Academy was pleased to respond to this request, and this report is the final product of its panel study.

THE EMERGENCY MANAGEMENT CONTEXT FOR THIS STUDY

People naturally focus attention on disaster response in the wake of a catastrophe like Hurricane Andrew. But disaster response is only one aspect of a much broader subject: emergency management.

Responding to people's needs in disaster leads inevitably to considerations of longer term recovery after the immediate emergency has passed. When emergency medical teams, National Guard troops, the Red Cross, the Army Corps of Engineers and others have departed, other less exciting but equally critical matters come to the fore: disaster recovery assistance for those whose jobs were lost, loans for businesses destroyed and grants for public buildings destroyed or damaged.

The recovery process inevitably leads to questions about mitigation. Should buildings be restored or submit to new standards that would prevent a recurrence of losses the community has just suffered. Who will pay the difference if new and higher standards are set? What building codes, building standards, land use and zoning requirements, and insurance should be used to prevent a recurrence?

Mitigation spills over into preparation. What can be done to prepare for the next disaster and thus save lives and property? Can a population be evacuated? Can emergency food and water be prepositioned? Can mobile communications be set in motion before the next disaster? How can communications and decision making be improved?

One of the fundamental problems with discussing emergency management in America is that so many relevant actors are involved, so many systems and subsystems exist. Emergency management at the local level involves many actors, mostly in local fire and police departments. There are tens of thousands of "first responder" organizations. Individual citizens also play important roles in responding to their own needs and in helping others.

When emergencies go beyond the capabilities of these local units, the county emergency

¹ Request letter for a GAO audit to the Comptroller General from the Senate Appropriations Subcommittee on VA, HUD and Independent Agencies, dated September 3, 1992.

management organizations become involved. When these are overwhelmed, state emergency management offices become involved, often including state police, state National Guard units, and many other state agencies and private organizations as well.

There is no single system of emergency management. Petrochemical industries, federal military bases, U.S. Forest Service, utility companies, nuclear power plants, the oil shipping industry, the U.S. Coast Guard, the U.S. Environmental Protection Agency (EPA), and the Army Corps of Engineers all have their own emergency management systems, or are part of emergency management systems originating in particular statutory authorities and involving the primary responsibility of some agency other than FEMA or local and state emergency management offices.

Obviously, the costs of responding to and recovering from events like Hurricane Andrew are high. All participants in the system, including private and government insurers, share these costs. Mitigation and preparedness are also costly. The questions are: Who should bear these burdens and in what proportion? How can the costs of future disasters be minimized? How much should be invested in mitigation and preparedness versus response and recovery? These issues face all of the levels of government involved.

A table depicting the emergency management system and the various participants involved is provided on page 4.

This table depicts all of the various participants in the emergency management system. They are categorized by the various levels of disasters developed by the project staff and the emergency management functions commonly used in the profession. (These levels are not intended to prescribe or suggest specific levels to be used in the Federal Response Plan discussed in Chapter Three.) The purpose of this table is to show that both the participants and their roles vary with function and level of disaster.

Disaster Category	Mitigation	Preparation	Response*	Recovery
<i>Catastrophic</i> ^a (Nuclear attack, Hurricane Andrew in Florida)	Feds (grants, incen- tives, NFIP) State, local, bus, indiv, ins cos.	Feds State Local Bus, NP, indiv	Feds (leader/coord); can be 100% funding; NFIP State, local, bus NP, indiv	Feds (loans, grants NFIP) State, local (match) Ins. cos. Bus, indiv.
<i>Major disaster</i> ^b (Major flood, Hurricane Iniki, civil disorder)	Same as above	Same as above	Feds (75% funding) State (leader/coord; NFIP) Local, NP, indiv	Same as above
<i>Moderate disaster</i> ^c (Tornado, small flood)	State and fed (?) grants Local Bus, indiv, ins cos NFIP	State Local Bus, NP, indiv	Feds (limited); 75% funding NFIP State Local (leader/coord) Bus, NP, indiv	Ins cos, NFIP State Local (match to state) Bus, NP, indiv
<i>Local emergency/disaster</i> ^a (Storm, fire, etc.)	Same as above	Local Bus, NP, indiv	Local (leader/coord) Bus, NP, indiv	Ins cos Local Bus, NP, indiv
<i>Business and personal emergency/disaster</i> (Fire or explosion)	Bus, indiv	Bus, indiv	Local Bus, indiv	Ins cos Bus, indiv

* RESPONDERS:

Federal government (Feds) - FEMA, DOD, SBA, other departments and agencies
State governments (State) - Individual states and regional consortia
Local governments (Local) - Cities and counties
Private non-profit organizations and businesses (NP/Bus)
Insurance companies (Ins cos); National Flood Plain Insurance Program (NFIP)
Individuals (Indiv)

NOTE: ^a Presidential disaster declared; state and local govts. cannot provide basic services.

^b Presidential disaster declared; fed. gov't. supplements state and local gov't. response.

^c Presidential disaster may be declared; participation and response generally limited to state and/or local levels.

HOW THIS STUDY WAS CONDUCTED

Given the simultaneous several efforts to examine the federal government's performance in recent major natural disasters, the Academy judged it could make a unique contribution by reviewing and analyzing the whole system of public and private, non-profit organizations and individuals involved in responding to major disasters. Moreover, it concluded that response to natural disasters could not be examined in isolation from other emergency management functions, such as mitigation, preparedness and recovery. In addition, analysis of FEMA's role and mission required an understanding of all major functions performed by the agency, as well as other government agencies with related programs and functions.

The Academy convened a project panel of nine experts in emergency management, national defense, government organization and operations, and political affairs under the leadership of Philip Odeen, President and CEO of BDM International, Inc. Odeen is a former senior official in the Department of Defense familiar with national security and emergency management issues. This panel was supported by a senior project staff with backgrounds relevant to the study charter.

Arrangements were made for staff briefings by the FEMA director and other executives. Extensive interviews were conducted with, and relevant documentation was obtained from, officials in federal, state and local governments and the private non-profit sector. The staff also consulted with selected congressional committees and key White House staff in the Office of Cabinet Affairs and the National Security Council, as well as Secretary of Transportation Andrew Card. The staff visited disaster sites in Florida, Louisiana and Hawaii, and made field visits to FEMA and other government offices in California, Florida, Iowa, Louisiana, Missouri, Texas and Virginia. Appendix A provides a complete list of the persons interviewed or contacted during the study.

To enable a full understanding of FEMA's organization, programs and responsibilities and their relevance to natural disaster response, FEMA provided two project staff members with the security clearances needed to obtain information on the national preparedness and civil defense programs in FEMA and DoD. This information was factored into the panel deliberations and their conclusions and recommendations.

FEMA and other governmental officials cooperated fully with the project team, and they provided all information requested. The project panel met four times during the study to be briefed on the government's emergency management programs, consider the project plan prepared by the staff, formulate conclusions and recommendations, and approve the final report.

As required by the Academy's contract with FEMA, a copy of the draft report was provided to the agency on February 16, and comments from senior officials are incorporated, when appropriate, in the text.

PRELIMINARY VIEWS

Both the panel and the project staff believe it is important to start with the recognition that few "quick fixes" can be found for the problems of emergency management in general, or disaster response in particular. This report will examine the circumstances, organizations, policies and procedures, and will prescribe changes which could, if implemented, improve the capacity of governments to protect and respond to citizens' needs in disasters. There is, however, no single, simple solution because there is no single, simple problem. While solutions have always been at hand for the numerous problems of emergency management, the difficulties lie in implementing them.

The panel and project staff also believe there must be recognition that fault-finding in the wake of a disaster is an exercise of rapidly diminishing returns. The responsibility for the problems, or the failure to implement past "solutions," does not lie with a single branch of government, institution, organization or person. It is distributed across all of government, its leadership, and the public.

PROJECT CHARTER

The National Academy of Public Administration shall conduct a comprehensive and objective study of the Federal, state, and local governments' capacities to respond promptly and effectively to major natural disasters occurring in the United States.

The Academy, in conducting the study, is to address the following:

1. Federal executive branch coordination and contingency planning, including leadership exercised by the Executive Office of the President,
2. state and local government organizational capability and coordination with the Federal government,
3. the Federal Emergency Management Agency's role, mission, planning, resources and leadership capability,
4. congressional legislative and oversight practices involving disaster assistance and their impact on the government's response capability,
5. governmental coordination with private relief agencies and business and citizen initiatives to provide assistance, and
6. the effectiveness of governmental responses to major disasters prior to establishment of the Federal Emergency Management Agency and lessons applicable to future disasters.

The Academy report on this study shall be completed in final form no later than February 28, 1993, and such report shall be transmitted upon receipt and without revision by the Director to the Committees on Appropriations of the House of Representatives and the Senate. The Academy shall, from time to time, provide oral progress reports on the study to the Director and the Committees on Appropriations.

— U.S. House of Representatives
Conference Report on H.R. 5679
September 24, 1992 (Report 102-902)

CHAPTER TWO

THE EVOLUTION OF THE EMERGENCY MANAGEMENT FUNCTION

Disasters, threats of war, and civil disorder are fundamental aspects of human existence, and throughout recorded history societies have sought ways to cope with them. More recently, however, people have come to feel that they are capable of doing more than merely coping. An Austrian official responsible for emergency management notes that:

catastrophes . . . were always regarded as punishment inflicted by God but hand in hand with scientific progress the principles of cause and effect were gradually understood and it was also realized that measures had to be undertaken to prevent and remedy disasters of all kinds.²

An American scholar has observed that: "The fatalistic assumption that natural disasters will happen and all we can do is cope is slowly being altered, leading to increased reliance on government action."³

Despite the historic persistence of these problems in human affairs, and the recent recognition that something can and should be done about them, Americans have never settled questions concerning the role of the federal government in such incidents. Although the federal government has long played a role in these matters, it is the specific form of the federal involvement that remains at issue.

CIVIL DISORDER

The presidential declaration of a disaster in the wake of the 1992 Los Angeles riots may have been the first instance where the federal government has treated a civil disorder as a disaster under the Disaster Relief and Emergency Assistance Act. It is by no means the first involvement of the federal government in response to civil disorder. In a sense, this nation was born out of governmental failure to respond effectively to civil disorder. The inept response of the American government under the Articles of Confederation to Shay's Rebellion in 1786 convinced many of the founders that the entire structure of the republic needed overhauling. The Constitutional Convention followed and the present Constitution emerged as a result. A few years later, President Washington called out federal troops to suppress the Whiskey Rebellion in western Pennsylvania in 1792. In 1863, New York City erupted in three days of bloody riots in response to the implementation of a military draft. The state's response of 10 regiments of

² Letter introducing his program from Lt. Col. Norbert Furstenhofer, Commanding Officer, Austrian Armed Forces Disaster Relief Unit.

³ B. Cigler, cited in Thomas Drabek and Gerard Hoetmer, ed. Emergency Management: Principles and Practice for Local Government. (Washington, D.C.: ICMA, 1991), p. 313.

militia was quickly overwhelmed, and 10,000 infantrymen and three batteries of artillery had to be rushed to the city from the front lines at Gettysburg to restore order. And in 1894, the Pullman Strike in Chicago became so serious that the Attorney General sent 3,600 federal marshals and deputies, who were followed by 2,500 federal troops.

In fact, the Constitution provides an explicit federal role for suppressing civil disorder. Article I, Section 8 states that "Congress Shall have Power to . . . provide for calling forth the Militia to execute the Laws of the Union, Suppress Insurrections, and repel invasions." This power is delegated to the President, in his capacity as Commander-in-Chief, in Title 10 of the U.S. Code, secs. 332-334.⁴ Civil disorder seems destined to remain a matter that involves emergency management.

The Los Angeles riots of 1992 resulted in an unprecedented disaster declaration and heavy involvement not only of the military but FEMA and a wide array of federal agencies. In the recovery phase, FEMA is engaged in some complex issues revolving around which victims receive benefits and which do not.

DISASTER RESPONSE

Unlike the long-standing federal responsibility to respond to civil disorder, the federal role in disaster response has been ambiguous. Nonetheless, it began as early as 1803 when Congress made federal resources available to Portsmouth, New Hampshire, after a devastating fire. This, however, was only the first of many such federal responses. Between 1803 and 1950, federal resources were used in response or recovery in the wake of more than 100 disasters — floods, tornadoes, earthquakes and fires⁵.

The American Red Cross was chartered by Congress in 1905 as the coordinating agent for a national response to disasters.⁶ This new responsibility was severely tested in the San Francisco Earthquake of 1906, which is estimated as 8.3 on the Richter scale, killing 478 people and leaving more than 250,000 homeless. President Theodore Roosevelt announced that all federal aid was to be channeled through the Red Cross, and he sent federal troops into the city

⁴ Section 333 states that:

Whenever the President considers that unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States, make it impracticable to enforce the laws of the United States in any state or territory by the ordinary course of judicial proceedings, he may call into federal service such of the militia of any state, and use such of the armed forces, as he considers necessary to enforce those laws or to suppress the rebellion.

DoD's interpretation of its responsibilities in the event of civil disorder are outlined in DoD Directive 3025.12 "Employment of Military Resources in the Event of Civil Disturbances," August 19, 1971 .

⁵ Drabek and Hoetmer, *op. cit.*, pp. 6-7.

⁶ The Red Cross had originally been chartered in 1900, but the 1905 rechartering gave it a broader role in responding to disasters.

with instructions to shoot looters.⁷ Jack London described the event: "Government tents had been set up, supper was being cooked, and the refugees were lining up for free meals."⁸ This was the most massive federal response to a natural disaster, but the response was still reactive and disaster specific.

The Great Depression resulted in a more proactive role by the federal government in many aspects of citizens' lives, and coping with disasters was among them. Congress gave continuous authority to provide grants for the repair of federal highways and bridges damaged by natural disasters to the Bureau of Public Roads. Similarly, Congress gave the Army Corps of Engineers broad authority to mitigate flood hazards by building extensive flood control systems. In 1950, the many specific and temporary acts passed since 1803 were replaced by the Civil Defense Act of 1950, the first permanent and general legislation pertaining to federal involvement in disaster relief.⁹

At the same time as the federal role in disaster response became broader and more proactive, various presidents emphasized that the federal government's role was simply one of supplementing, not replacing, the state and local governments. President Truman sounded this theme in 1952, when he issued Executive Order 10427, which emphasized the supplemental nature of federal assistance set out in federal law. The order stated specifically that: "Federal aid was not a substitute for disaster assistance efforts of state and local government and private agencies."¹⁰ President Nixon's message transmitting a 1973 report, New Approaches to Federal Disaster Preparedness and Assistance, also emphasized that "federal disaster assistance is intended to supplement individual, local and state resources -- a policy clearly enunciated in PL 91-606."¹¹ Interestingly, one of the administration's objectives in transmitting the report was to "reverse the trend of an expanding federal role in the management of disaster relief operations through a greater reliance on states, localities and private relief organizations."¹²

⁷ Doris Muscatine. Old San Francisco: From Early Days to the Earthquake. (New York: Putnam and Sons, 1975), p. 428. See also Roy S. Popkin. "The History and Politics of Disaster Management in the United States." in Andrew Kirby ed. Nothing to Fear: Risks and Hazards in American Society. (Tucson: University of Arizona Press, 1990).

⁸ Jack London, in *Collier's Weekly*, May 5, 1906.

⁹ Drabek and Hoetmer, *op. cit.*, p.7.

¹⁰ Office of Emergency Planning, Executive Office of the President. Disaster Preparedness. (Wash., D.C.:OEP, January, 1972), p.168.

¹¹ Message from the President of the United States transmitting a report on "New Approaches to Federal Disaster Preparedness and Assistance," May 14, 1973.

¹² *Ibid.*

CIVIL DEFENSE

The history of federal involvement in civil preparation for war or defense is not as lengthy as in disasters and civil disorders. Nonetheless, as early as 1916, Congress passed the first legislation pertaining to a federal role in civil defense. The U.S. Army Appropriation Act established a Council of National Defense, which in turn established a War Industries Board and encouraged the formation of state councils of defense.

This pattern of organization for civil defense lasted until the early years of World War II, when general war emergency planning and coordination was placed under the Office of Emergency Management and more specific activities associated with civil defense were placed in the Office of Civil Defense. The former organization died without its authorizing statute ever expiring. The latter was abolished with the end of the war, but the rising threat of nuclear war led to an organizational reincarnation by 1948. In 1950 Congress enacted the Federal Civil Defense Act providing the federal government with authority to initiate planning and to provide state and local governments with "guidance, coordination, assistance, training and matching grants for the procurement of supplies and equipment."

As intercontinental missiles and thermonuclear warheads escalated the threat to civil populations, increasing attention was given to civil defense. Throughout the 1950s and into the late 1960s, concerns for the continuity of government and civil defense were the driving forces behind emergency management efforts at the national, state and local levels. During the Eisenhower administration, no fewer than three major reports (Gaither, Rockefeller and Rand) were issued calling for civilian shelter programs as part of the nation's overall defense strategy. The confrontation that resulted in the Cuban Missile Crisis of 1962 led President Kennedy to emphasize civil defense even further. Although events surrounding the Civil Rights Movement, the Vietnam War and urban riots would soon eclipse concern for civil defense, several matters of lasting importance emerged from evolving efforts in both disaster response and civil defense.

CONVERGING APPROACHES BUT GROWING FRUSTRATION

In the late 1960s and the 1970s, a series of disasters and some easing of Cold War tensions awakened demands for disaster assistance. Social scientists began to give more attention to the subject of disasters. One developed a definition that received considerable currency:

Disasters are accidental or uncontrollable events, actual or threatened, that are "concentrated in time and space, in which a society, or a relatively self-sufficient subdivision of a society, undergoes severe danger, and incurs such losses to its members and physical appurtenances that the social structure is disrupted and the fulfillment of all or some of the essential functions of the society is prevented."¹³

¹³ Drabek, Thomas, Human System Responses to Disaster. (New York: Springer-Verlag, 1986), p.7. Drabek is drawing upon Fritz, Charles E., "Disasters," in Contemporary Social Problems, Robert K. Merton and Robert A. Nisbet (eds.) (New York, Harcourt, 1961), pp. 651-694.

In addition, emergency management began to emerge as a field of study, a body of knowledge, a set of skills and a nascent profession. As this process began, practitioners and academics struggled with developing a definition of emergency management. The ICMA's text on emergency management defines it as:

the discipline and profession of applying science, technology, planning and management to deal with extreme events that can injure or kill large numbers of people, do extensive damage to property and disrupt community life.¹⁴

Persons in this emerging field, and some outside it, became increasingly concerned about the inadequacies of programs to protect citizens against the age-old threat of natural disasters and the 20th-century threat of nuclear war. The inadequacies of governments in dealing with disasters were made painfully clear in a series of disasters: the Alaskan Earthquake (1964), Hurricane Betsy (1965), Hurricane Camille (1969), the San Fernando Earthquake (1971) and Hurricane Agnes (1972). Legislation meant to be corrective was passed in the wake of these disasters. These well-intentioned efforts resulted, however, in the further fragmentation and proliferation of programs. Organizations were created, moved, divided and reorganized. Since 1950, a half dozen approaches to emergency management have been tried. These varying approaches are illustrated in the following table¹⁵:

U.S. EMERGENCY MANAGEMENT ORGANIZATIONS

Period	Lead Federal Agency	Organizational Status
Pre-1950s	No lead federal agency	—
1951-1953	Housing and Home Finance Administration (HHFA)	Independent Agency; limited to provisions of 1950 Act
1953-1958	Federal Civil Defense Administration	Independent Agency; responsible for civil defense and disaster relief preparation
1958-61	Office of Civil Defense Mobilization (OCDM)	Reconstituted agency within the White House; responsible for disaster relief, civil defense and defense mobilization
1961-1973	Office of Emergency Planning (OEP) (Renamed Office of Emergency Preparedness in 1968)	Reconstituted agency within the White House; responsible for disaster relief and planning of civil defense; operations of latter shifted to DoD
1973-1979	Federal Disaster Assistance Administration (FDAA)	Within Department of Housing and Urban Development; responsible only for disaster relief; civil defense and preparedness shifted to other agencies
1979-present	Federal Emergency Management Agency (FEMA)	Independent Agency; responsible for disaster relief, civil defense and preparedness

¹⁴ Drabek and Hoetmer, *op.cit.*, p.xvii.

¹⁵ Peter J. May. *Recovering From Disasters: Federal Disaster Relief Policy and Politics*. (Westport, Conn.: Greenwood Press, 1985), p. 50.

THE LANDMARK NATIONAL GOVERNORS' ASSOCIATION REPORT

By the late 1970s, concerns about natural disasters and led to calls for "dual use" of infrastructure and resources originally intended for civil defense. These trends, combined with the beginnings of professionalization of emergency management, created a pattern of simultaneous convergence of concerns and frustration with the fragmented way in which the federal government dealt with emergency management. Reflecting this the National Governors' Association took up the subject of emergency management in 1977. The NGA report issued in 1978 described "the governors' increasing concern about 'the lack of a comprehensive national emergency policy, as well as the dispersion of federal responsibilities among numerous federal agencies, which has hampered states' ability to manage disaster situations."¹⁶ The report called for equal partnership of federal, state and local governments, for a comprehensive approach to emergency management (CEM), creation of a federal agency encompassing the CEM functions (mitigation, preparedness, response and recovery), and development of corresponding state agencies.

THE CREATION OF FEMA

The same year, 1978, the President's Reorganization Project (PRP) of the Carter administration was committed to carrying out the President's promise to examine governmental operations and organization and make them more effective, efficient and economical. Thus PRP responded to the complaints of state and local government officials, and over the objections of several federal agencies, asked Congress to approve a reorganization plan that brought together several disparate programs related to emergency management. The reorganization was designed, according to a White House press release, to achieve the following:

- make a single agency, and a single official, accountable for all federal emergency, preparedness, mitigation and response activities;
- create a single point of contact for state and local governments;
- enhance the dual use of emergency preparedness and response resources at all levels of government;
- provide an improved basis for determining the relative benefits -- and cost effectiveness -- of spending for hazard mitigation, preparedness planning, relief operations and recovery assistance;
- provide significant economies through combining duplicate regional structures and redundant data processing and policy analysis systems; and

¹⁶ National Governors' Association. "1978 Emergency Preparedness Project; Final Report." (Wash., D.C.: NGA, 1978), p.ii.

-- provide greater visibility and coherence for preparedness functions.¹⁷

President Carter's subsequent references to the reorganization plan gave attention to the mitigation element. Carter stated "We want to bring together for the first time programs aimed at preventing and mitigating the effects of potential national disasters, such as floods and fire, with those designated to deal with these disasters once they occur." Additionally, he noted that

. . . Federal hazard mitigation activities should be closely linked with emergency preparedness and response functions. This reorganization would permit more rational decisions on the relative costs and benefits of alternative approaches to disasters . . .¹⁸

In an indirect way, the possibility of reducing the federal expenditure for disaster losses was noted.

The reorganization brought together several organizations listed in the table below.

ORGANIZATIONS AND FUNCTIONS TRANSFERRED TO FEMA

Agency or Related Function	Location Before Joining FEMA	Function
Defense Civil Preparedness Agency	Department of Defense	Administered national civil defense
Federal Disaster Assistance Administration	Department of Housing and Urban Development	Coordinated and funded federal response to natural disasters
Federal Preparedness Agency	General Services Administration	Coordinated civil planning for national emergencies
Federal Insurance Administration	Housing and Urban Development	Managed flood insurance and hazard reduction programs
National Fire Prevention and Control Administration	Department of Commerce	Administered the federal fire prevention program
Preparedness for natural disasters	National Weather Service	
Earthquake Hazard Reduction, Dam Safety coordination, and Federal Emergency Broadcast System	Executive Office of the President, Office of Science and Technology	

In addition to the important rationale of "one agency/one official/one point of contact," an important justification for reorganization was the idea of comprehensive emergency management with its interrelated functions. As one person involved in the early days of FEMA put it, "It was assumed that all these programs were related, not at their cores, but at their margins; and that their relations at the margins could create an important synergism." In other words, lessons learned in response and recovery (e.g., homes in hurricane-prone areas were not

¹⁷ White House Fact Sheet 6/19/78, and Memo for the President, 5/25/78.

¹⁸ From "Remarks Announcing Reorganization Plan No. 3 of 1978," June 19, 1978; and "Message to the Congress Transmitting Reorganization Plan No. 3 of 1978," June 19, 1978, in Public Papers of the Presidents, 1978, Vol. I, pp. 1128-1131.

built to sufficient standards of wind resistance) could be used in mitigation efforts (e.g., model building codes).

Despite the expectations surrounding FEMA's creation, it was plagued with problems from the outset. Developing a comprehensive statute as a foundation for the agency seemed a hopelessly difficult task to a PRP that was running out of time and presidential interest. The only feasible vehicle for change was the Reorganization Plan Authority, which was a simplified reorganization-enabling mechanism designed to bypass the political battles that would ensue when the interests surrounding each program were mobilized to oppose change. To further allay opposition, the plan called for the transfer of each program's political executive positions, including the incumbents, to FEMA. As one participant in the reorganization process commented, "It was like trying to make a cake by mixing the milk still in the bottle, with the flour still in the sack, with the eggs still in their carton..."

THE PATTERN AND THE LESSONS OF HISTORY

As the history of constant reorganization efforts in emergency management demonstrates, dissatisfaction with federal response to disasters, civil disorder and civil defense is not new. Congressman Chet Holifield's comments at a 1974 hearing might well have been spoken today:

How to organize the Federal agencies effectively and how to mobilize governmental efforts for both manmade and natural disasters are continuing problems. There has been much experimentation, many reorganizations, and still much public dissatisfaction with the manner in which resources are deployed and responses made when disaster strikes with fury.

The currency of Holifield's quote despite the passage of nearly 20 years ought to serve as a reminder that a solution for the problems of emergency management is not likely to be found by proposing one more rearrangement of lines and boxes on an organizational chart. It will be found only by a reexamination of the responsibilities of both the executive and legislative branches, and those of all levels of government with regard to certain enduring problems of emergency management. And finally, it will require building an institution at the federal level that can play a leading role in developing the emergency management capabilities of all levels of government.

ENDURING PROBLEMS OF EMERGENCY MANAGEMENT

The generic problems of emergency management endure because they are rooted in human nature, American attitudes toward long-range planning, the dynamics of power in the Executive Branch, and the short-term perspective of the American political process. Emergencies and disasters are easily dismissed as something that is unlikely to happen, going to happen to someone else, or going to happen on "someone else's watch." One student of the subject captured this very human perspective on emergencies and disasters in a chapter title of

her dissertation on emergency management: "There is no interest in baseball in December."¹⁹ Thus, an agency at any level of government given the assignment of emergency management has, in many respects, been given a "mission impossible." It is of low priority for all but the agency with the designated responsibility.

Americans have never seemed to value long-range planning and training. Although they have come to accept the necessity of these things in the military in order to protect citizens from threats from abroad, they have not yet developed an appreciation for their need in protecting citizens from hazards that can befall them "at home." As a result, emergency management agencies are generally underfunded for planning, training and exercises even though these activities are every bit as essential for their effectiveness as they are for military organizations.

Emergency management requires coordination of a wide range of organizations and activities, public and private. Everyone acknowledges the need for such coordination in an emergency, but in fact no one wants to be "coordinated," nor is it clear what the term means in practice. Statutory authority is not readily transformed into legitimate political authority, and emergency management agencies are very seldom given anything but statutory authority to "coordinate" in the event of an emergency or disaster that everyone prefers to believe is unlikely. Statutory power is a necessary but insufficient condition for real power to coordinate. Transforming mere statutory authority into legitimate political authority in crisis circumstances is difficult to say the least.²⁰

A seemingly inescapable problem in emergency management is that irrespective of preparation, emergencies entail a certain amount of mistakes, learning and *ad hoc* organizing. Organizations are the means of collective human action, but they are, as one expert put it, "blunt instruments."²¹ This means that a certain amount of criticism of emergency management agencies is unavoidable. As one discouraged manager said, "No matter how hard you try, sometimes you can't get a better grade than C+." Without excusing any shortcomings of emergency management agencies in this country, the project study team believes that both the public, and sometimes the practitioners, should lower their expectations of what can be accomplished in emergencies and disasters. Emergency management organizations must plan and train in obscurity and neglect with few resources. Then, in one brief moment, in full glare of media and public scrutiny, they are expected to perform flawlessly like a goalie in hockey or soccer, or a conversion kicker in football. It is a merciless context for a mission that is difficult at best.

¹⁹ Melissa M. Howard, Organization and Reorganization As Manifestations of Public Policy: National Security Emergency Management. Unpublished doctoral dissertation. Virginia Polytechnic Institute and State University, Blacksburg, VA: Center for Public Administration and Policy, February 1992.)

²⁰ Norton E. Long, "Power and Administration" in Public Administration Review, Vol. 9 (Autumn 1949); pp. 257-264.

²¹ Graham T. Allison, "Conceptual Models of the Cuban Missile Crisis," in American Political Science Review, Vol. 63, No. 3, Sept. 1969; p. 703.

Finally, an enduring problem of emergency management is the fact that it has almost no natural constituency base until an emergency or disaster occurs. Except for those persons and agencies with responsibilities in emergency management, which are modest in number and influence, it has no generally attentive, supportive set of constituents or clients which is so important to the survival and effectiveness of public agencies.

THE CHANGING CONTEXT: A WINDOW OF OPPORTUNITY

One of the most important contextual changes for emergency management is the end of the Cold War and the dissolution of the Soviet Union. While many uncertainties remain about the disposition of thermonuclear weapons formerly under the control of the now-defunct U.S.S.R., public perceptions of threat have been significantly reduced. The "new world order" substantially alters the context of emergency management. For example, the term "civil defense" is applied to some programs that are relevant to all hazards. However, it has become so identified with preparedness for attack, that the term now makes a program with such a label much more difficult to justify in terms of size and resources.

At the same time that the perceived threat of nuclear war has diminished, lower profile threats such as terrorism, and the proliferation of nuclear, chemical and biological weapons are growing. The chances of such deadly weapons falling into the hands of unstable or fanatical leaders has increased many fold, but absent a galvanizing event, the awareness of the general public, and indeed of many leaders, remains very low. This makes some of the national security emergency preparedness programs that have underpinned emergency management very difficult to justify when perceptions of threat have diminished, available revenues have declined and demands for attention to domestic problems have increased.

One of the most dramatic contextual changes for emergency management is the greater intrusiveness and influence of news media. Disasters and emergencies provide dramatic news and the appetites of news media, particularly television, are insatiable. This means that emergency management agencies will have to perform under intense media scrutiny. It also means that few emergencies and disasters will remain local -- most will now be "nationalized" and politicized as a result of media coverage. This presents particular problems for maintaining emergency management's SOP's and the tradition that local and state governments are the governments with primary responsibility, while the federal government merely supplements their efforts. The media pressures reluctant local and state leaders to "ask for federal help," presidents to dispatch such help, and representatives and senators to demand it on behalf of constituents. This "CNN Syndrome" or "camcorder policy process" disrupts and distorts normal procedures and response patterns. The best laid plans and procedures are now vulnerable to disruption, indeed destruction, by one dramatic "sound bite" that the media turns into political shock waves.

Finally, the public expects more from government nowadays of all levels of government, but particularly the federal. The reasons for this are not clear. They may stem from the general "nationalization" of the political system that has come with population mobility and the "nationalization" of news media. It may be that general erosion of community, mutual aid and

self-help is resulting in people turning directly to government with greater expectations for help.²² Much of this increase in expectations has fallen upon the presidency as the only official elected by a national constituency and as the chief executive and commander-in-chief. (See Chapter Three.) It may simply be that the President is the most visible symbol of our government, and for people whose lives have been disrupted or who are in shock, symbols of competent caring on the part of their government are extremely important.

These changes in the context of emergency management present unprecedented challenges and opportunities. With memories of several disasters still fresh, a change of administration, and renewed attention on this nation's domestic problems, government has the greatest opportunity in more than a decade to address and ameliorate the enduring problems of emergency management.

²² Bellah, Robert N., et al. Habits of the Heart. (Berkeley: University of California Press, 1985).

CHAPTER THREE

THE FEDERAL RESPONSIBILITY AND
THE PRESIDENT'S ROLE IN EMERGENCY MANAGEMENT

The charter for this study directs NAPA to address "federal executive branch coordination and contingency planning, including leadership exercised by the Executive Office of the President." The relationship of emergency management to the President, or more broadly the institutional presidency,²³ is crucial and has been so throughout history. A line from a New York Times editorial put it bluntly: "The President gets the kind of FEMA he deserves."

The institutional presidency has always paid more attention to the national security aspects of FEMA's mission (civil defense, continuity of government, etc.) than to those dealing with natural disasters. During the long decades of the Cold War, the former matters seemed unrelentingly urgent, while the latter seemed relatively episodic and unimportant except in times of catastrophe. Such attention as emergency management received from the institutional presidency came in the wake of a disaster, or was related to matters of civil defense or continuity of government -- matters closely related to the President's commander-in-chief responsibilities. Moreover, the high drama and low quotient of partisanship attached to national security and the role of commander-in-chief has naturally pointed attention of the institutional presidency in those directions. This has been especially true of those on White House staffs concerned with building and maintaining a presidential image, a matter that has become so important in the media-shaped world of today.

Another reason for episodic attention to emergency management is that the processes and procedures for formulating and implementing national security at the level of the White House were statutorily established decades ago and are well developed. They also have a continuity, a low quotient of partisanship, and a high degree of professionalism. Efforts at establishing such processes and procedures in the realm of domestic policy have been less successful. Domestic policy encompasses virtually all the concerns and issues of society; it lacks the focus and specificity of national security policy and partisanship predominates.²⁴

The panel believes that emergency management generally, and domestic crisis monitoring more specifically, have sufficient specificity, urgency, and a low enough quotient of partisanship

²³ Burke, John P. The Institutional President (Baltimore: Johns Hopkins University Press, 1992), p.37. The institutional presidency includes: the President, the Office of the White House, the Executive Office of the President (EOP). The EOP has a wide variety of organizations within it, some more permanent or enduring than others; some based in statute, and others placed there by Executive Order. Among the more important are: the National Security Council*, the Council of Economic Advisors*, the Office of the U.S. Trade Representative*, the Office of Science and Technology*, the Office of Administration, and the Office of the Vice President*. (The asterisk indicates statutorily based.)

²⁴ Burke op.cit. pp.37-38.

to make a closer relationship to the White House possible without involving it in excessive detail. The panel thus believes a "right" relationship between the President and emergency management can be found, and the remainder of this chapter addresses that task.

AN ALWAYS PROBLEMATIC RELATIONSHIP

Beyond the traditional predominance of national security policy and processes in the institutional presidency, other reasons for the President's problematic relationship to emergency management include:

1. emergency management is a matter of potentially high impact but low probability; the demands of our political process force attention away from such matters;
2. an emergency management agency has difficulty, in normal times, developing the kind of legitimate authority it needs to get other parts of government to prepare for disaster and to accept coordination in a disaster's aftermath;
3. emergency management at the federal level only comes to the President's attention when an event has a catastrophic impact on a area or when federal officials badly mismanage the response or recovery. An emergency management agency needs attention and support from the presidency to bolster its authority;
4. infrequent or low probability events invariably have low salience and get little attention from those involved in the institutional presidency.
5. when a disaster or catastrophe is of sufficient magnitude or occurs at a time of political sensitivity emergency management becomes of overwhelming importance to the institutional presidency and, specifically, the President.
6. the President, as head of government and of state, is a figure of great symbolic significance, and in times of trauma the psychological need for reassurance on the part of citizens may be as great as any physical and material need;
7. Presidents thus want to be closely involved, if they can provide psychological reassurance and support, but not so closely involved that they cannot distance themselves from fumbling and mistakes of subordinates carrying out emergency management functions.

Therefore, the location and relationship of an emergency management agency to the institutional presidency and the President have always been variable and problematic. When disasters or the threats of the Cold War spotlighted the need for presidential backing and attention, emergency management agencies moved closer to the White House. On the other hand, when emergency management seemed less urgent, emergency management agencies or programs moved outward and away from the presidency.²⁵

²⁵ Melissa Howard, op.cit., pp. 127-9.

The PRP's 1978 proposal to create FEMA, whether intended or not, created new conditions in the struggle to find the right relationship between emergency management and the presidency. It did so by aggregating a number of emergency management programs that were scattered about the government and placing them in a single agency. The agency thus created came closer to having the size and substance needed to successfully stand outside the institutional presidency and to be of sufficient importance to warrant the attention and support of the presidency when needed. So far, however, the creation of FEMA has not solved the special legitimacy and authority problems of a small independent agency with the task of coordinating much larger agencies. Nor has the relationship of the institutional presidency to emergency management or disaster response developed as fully around the President's role as chief executive as it has his role as commander-in-chief. One positive outcome of Hurricane Andrew is that it set in motion forces that allow policy makers to examine that relationship and try again to find the right one.

RISING EXPECTATIONS AND THE ROLE OF THE MILITARY

Just as the end of the Cold War makes it necessary to reexamine the relationship of the institutional presidency to emergency management, it also highlights the need to reexamine the role of the military in emergency management and disaster response. Coincidentally, the performance of the Armed Forces in the wake of Hurricane Andrew has led many to say "let the military do it" or others to call for transferring FEMA to the DoD.

Given the dramatic nature of deploying federal troops and the insatiability of the media for drama, the military's potential in disaster response received great attention. The general reputation of the Armed Forces is now relatively high, and it is widely agreed that they responded swiftly and effectively when called upon. Therefore, the call to "give them the disaster response function" is certainly understandable. Close examination, however, reveals that things are not that simple.

It is true that the end of the Cold War means cutbacks in our Armed Forces, though differences still abound over what constitutes a "safe" or "sufficient" level of support. In such a context there is considerable attention being given to broadening the definition of national security to encompass the well-being of Americans more generally. The military is likely to develop new roles, or put new emphasis on long dormant roles. Missions that are primarily humanitarian in nature, such as Restore Hope in Somalia and the U.N.'s peacekeeping forces in Bosnia, have focused attention on the potential for new military roles that are less directly related to the functions of preparing for and waging war, and more akin to what one expert called "constabulary" functions.²⁶ The Clinton administration has shown interest in these new ways of looking at national security and the military roles and functions, and the Office of Secretary of Defense has been reorganized to reflect those interests.

The panel notes this changing context and takes no stance on the issues involved. It wishes to address the following points and questions regarding the military's use in emergency

²⁶ Morris, Janowitz, *The Professional Soldier*. (New York: Free Press, 1957), p.

management and disaster response:

Should FEMA be transferred to the DoD? No, this would simply transfer the problems of FEMA to DoD; it would not eliminate them. Emergency management encompasses broad and diverse functions. An emergency management agency must try to coordinate a wide range of civilian agencies. That would place military organizations very close to directing civilian agencies, something neither the military nor the civilians would appreciate.

Should parts of FEMA be transferred to DoD? Yes, the responsibilities (but not most of the people or assets) for national security emergency planning should be transferred. (See Chapter Four.)

Should the Armed Forces have a larger role in disaster response? No, their role as presently defined is appropriate. They are ready for, have performed well in, and should be called upon only in the unique circumstances when their capabilities are needed, i.e., a major disaster or catastrophe. DoD has always had such a role throughout U.S. history and has always had sufficient capability. It has recently taken steps to improve its response capability even further.

Should the Armed Forces have the role of coordinating emergency management and disaster response? No, it is the most fundamental precept of military professionalism in a democracy that armed forces must receive their missions and direction from civilian authorities.²⁷

The Armed Forces have capabilities that are useful, but not unique in character. What is unique to the military is the magnitude and the speed with which they can be brought to bear. Their capacity is needed only in major disasters or catastrophes in which large numbers of victims and responders must be provided shelter and life support under adverse conditions for sustained periods of time. The Armed Forces can do this on a greater scale than any other institution, and they have the logistical capability to put operations in place more quickly than any other entity. The same can be said about the ability to provide force in support of law and order. It is needed only when law enforcement agencies are overwhelmed. It is incumbent upon the civilian government to decide when those capabilities are needed, to call upon them in a timely fashion, and (upon recommendation of the military) to determine the configuration of the response.

On the other hand, greater involvement of the Armed Forces in emergency management, except in the extraordinary conditions of a major disaster or catastrophe, entails some definite problems. First, emergency management/disaster response must necessarily remain a secondary mission for the military. The primary commitment of the Armed Forces must be to maintain a war-fighting capability. If the demands for response to Hurricane Andrew or a second

²⁷ Janowitz, *op cit* passim.; Samuel Huntington, *The Soldier and the State*. (Cambridge, Mass. Belknap Press of Harvard, 1957.)

catastrophe had occurred at the time of the Desert Storm operation, there is little doubt that DoD could have met the demands, but at some point competing needs would begin to complicate matters.

Second, there is more than a passing concern within the military establishment that increasing involvement of the Armed Forces in civil matters such as emergency management or drug interdiction will increasingly involve them in politics and detract from their war-fighting capabilities.²⁸ Others feel that response to such civil needs is compatible with and enhances the Armed Forces' primary mission. This is not a matter that can be resolved except through experience, but the concerns, nonetheless, warrant attention and consideration.

Third, using the Armed Forces for purposes of maintaining law and order unless the President or a governor is prepared to treat it as an insurrection presents some very real problems.²⁹ This results from the existence of the *posse comitatus* law, which was passed as part of the agreement to end the post-Civil War Reconstruction in the former Confederate states. The law is as follows:

Whoever except in cases and circumstances expressly authorized under the Constitution or act of Congress, willfully uses a part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than ten thousand dollars or imprisoned not more than two years or both.³⁰

Another problem involving the use of the military is cost. Many people assume that somehow the Armed Forces are a "free good," or that their deployment is covered by funds DoD had budgeted for training since deployment in disaster response is often said to be good training. But however beneficial it may be with regard to training, it is not true that expenses are covered by training dollars. The costs to the U.S. Treasury for response by the Department of Defense, the Army Corps of Engineers, and the National Guard to Hurricanes Andrew and Iniki ran to \$654 million and could have run significantly higher had FEMA not negotiated a better rate for calculating charges.

²⁸ Charles J. Dunlop, "The Origins of the American Military Coup of 2012" in *Parameters* (US Army War College Quarterly, Vol XXII, No. 4; Winter 1992-93). See also, Huntington, *op cit.*, Vol. xxii, Nov. 4, Winter 1992-93. pp. 2-20

²⁹ Title 10 U.S.C., Ch. 15 Sec. 331-333.

³⁰ 18 U.S.C. 1385.

The National Guard

Few people distinguish between the Armed Forces of the United States and the National Guards of the states. They are different, but are related in ways that create problems in looking to the Guard for use in civil emergencies. Guard units are under the direction of governors unless called into federal service. Under their governors, they can exercise police powers in state declared emergencies. Therefore, it is natural to look to their playing a major role in disaster response. In fact, in 15 states the state emergency management function is the responsibility of the adjutant general who heads the National Guard for state. In the years after the Vietnam War, however, the National Guard Association lobbied tirelessly to assure the Guard a key role in the Total Force Structure of the DoD. The Guard complained that it felt it had always been treated as second class, given less than "front-line" equipment, and assigned less challenging missions.

Since the advent of an all-volunteer force in the mid-1970s, the DoD has been actively incorporating reserve and National Guard units into the Total Force Structure. Thus, Reserve and Guard units are structured, equipped and trained to meet the mission needs and force structure requirements for the military as a whole, not the needs of individual states and especially not emergency management agencies. Whatever the merits of this approach, the Total Force Structure concept has made it more difficult for a governor to look to his/her state's National Guard units for competence and capability in emergency management. Indeed, in the drawdown of forces currently planned, some governors may find it even more difficult to find units suitable for disaster response unless DoD makes changes in mission assignments.

A governor may turn to his or her state National Guard unit for use in an emergency only to find something such as a fighter-bomber squadron that has little potential for cross application. He or she may find that a useful construction battalion or signal unit is thousands of miles away in another state. To acquire their assistance, the governor must work out an individual agreement with his or her counterpart in the other state. Even the President cannot intervene to move Guard units to other states without first calling them into federal service.

DoD, the state guard unit, and the governors must devote attention to the need for a more extensive role for state guards in emergency management, particularly disaster response. Until some new balance is struck between missions and capabilities keyed to DoD's Total Force Structure and the emergency management needs of the states, the emergency management capabilities of the states will be deficient. The pressure to call for federal troops in the event of disasters or civil disorder will continue, or even grow.

Current DoD Policy

Finally, current DoD policy makes moot many of the points raised in calls for greater use of the military. The policy, expressed in DOD Directive 3025.1, issued January 15, 1993, and titled "Military Support to Civilian Authority," says that:

-- all DoD resources are potentially available for Military Support to Civil

Authorities (MSCA);

- civil resources are applied first in meeting requirements of civil authorities;
- DoD resources are provided only when response or recovery requirements are beyond the capabilities of civil authorities (as determined by FEMA or another lead federal agency for emergency response);
- military operations other than MSCA will have priority over MSCA, unless otherwise directed by the Secretary of Defense;
- DoD components shall not perform any function of civil government unless absolutely necessary on a temporary basis under conditions of immediate response;
- imminently serious conditions resulting from any civil emergency or attack may require immediate action by military commanders, or by responsible officials of other DoD agencies, to save lives, prevent human suffering or to mitigate great property damage. When such conditions exist and time does not permit prior approval from higher headquarters, local military commanders and responsible officials of other DoD components are authorized to take necessary action to respond to requests of civil authorities; and
- FEMA is responsible for coordinating federal plans and programs for response to civil emergencies at the national and regional levels, and for federal assistance to the states in civil emergencies.

The directive is quoted at length because it answers several questions that have arisen regarding the use of the Armed Forces in disaster response. First, the military already has some capacity to respond to disasters immediately through local commanders without waiting for higher authorities to authorize it, and they were prepared to do so in the case of Hurricane Iniki. Second, it is clear that DoD intends to make its resources available, but its priority remains on defense in response to threats arising from international relations. Third, DoD intends to respond only when asked by appropriate civilian authorities or when civil authorities have been overwhelmed.

In light of the above discussion, the panel concludes that the military must be a part of the early assessment of disaster needs. Decisions about whether or not the military should be deployed and what their role should be must remain with a civilian agency.

Given its commitments to prepare for war and other international crises, the military cannot be considered a national "911" service for domestic disasters. Instead, the military should be rapidly called upon to respond to natural disasters only when the civilian arms of

government and private relief agencies are overwhelmed. In major disasters, therefore, the military is a critical supplement to, not a replacement for, a professionalized civilian agency to coordinate civilian disaster response and recovery. Whether FEMA can be that professionalized civilian agency is the subject of the next chapter.

A 911 RESPONSE WITHOUT MAKING THE FEDERAL GOVERNMENT FIRST RESPONDER

Unless the nation is to abandon more than two centuries of values surrounding federalism, it cannot make the federal government the "911 first responder." Its constitutional structure is fundamentally "bottom-heavy." The great bulk of the governing in America, and the greater part of the interaction between citizens and government goes on within the broad, general, "police"³¹ powers reserved to the states by the 10th Amendment and statutorily delegated to local governments. Most emergencies, and even most incidents called disasters are met by local and state governments.³² At the same time, expectations of the federal government are increasing, spurred on by aggressive and dramatic coverage of disasters of the news media. The panel, however, believes disaster response can be improved by all governments without altering the traditions of federalism.

For the past several years, the federal response to some major and catastrophic events has revealed a serious lack of intelligence, command and control. Intelligence is the key to timely and appropriate response. Its absence in South Florida was a serious flaw in the efforts of all the governments involved because a useful assessment of property damage, and more important, life support needs was not made in a timely fashion. Without such an assessment it was unclear what kind of command and control system would be appropriate as well as what materials and personnel to mobilize. The perception of the local officials was that they needed "everything," while the perplexed reaction of those at the federal and state levels was "we can't send everything, can you please specify and prioritize?" This response sounded infuriatingly bureaucratic to those directly involved, but it was largely valid. Everything could not be sent; if it could, it could not all be sent at once. Absent intelligence, the crisis and suffering worsened.

Another aspect of intelligence is the need for readily available information on what personnel, skills and resources are available for response. As things stand, FEMA does not have an inventory of federal resources, nor access to any similar data from state and local levels. It would seem to be an essential need.

³¹ Police powers have been defined, since the 19th century, in terms of the states' broad regulatory powers, not strictly in the sense of law enforcement.

³² The Red Cross responds to more than 40,000 disasters a year. States declare at least twice as many disasters a year as the federal government, which received 55 disaster requests in 1992 (an election year) and declared 46 of them. A more typical year is 1985, where the federal government received 32 requests and declared 19 of them. In any case, the federal government responds to less than half as many disasters as state government and to only one-tenth of 1 percent as many disasters as private organizations. The range of disasters, in this context, can be everything from a flooded basement to a major, urban earthquake.

Joint Assessment Teams

The SLPS directorate of FEMA has been considering the use of "strike teams" to make quick reconnaissance and assessments of disasters. The idea is a good one. However, in the form the NAPA project team saw it, the plan entailed units totally within SLPS, FEMA and the federal government. Instead the panel believes there should be trained teams that go into a disaster site immediately, "on-the-ground," to make not only the requisite damage assessment prefatory to a disaster declaration, but to assess casualties of life-support needs as well. The teams should not be solely federal teams. They should be joint federal-state-local, include a military representative, and be led by a FEMA official. Members should train and conduct regular exercises together. FEMA should maintain a roster of trained and experienced people from all agencies and private organizations taking part in the FRP, and persons from FEMA regional offices, state offices and local governments.

Later in this chapter, a Domestic Crisis Monitoring Unit (DCMU) is proposed for the White House, both as part of a better connection between FEMA and the White House and a better way of bringing information on needs to the attention of the President. As intelligence flowing to the FEMA director and the White House develops a picture of the nature of an impending disaster, the FEMA director, in consultation with the head of DCMU should select, alert and dispatch a Joint Assessment Team at the appropriate time. When conditions warrant, a team would utilize the special communications assets now in FEMA's NP directorate. These units are unique in their ability to interconnect communication nets and phone systems at all levels of government. They are self-contained and can operate in austere environments with their own life-support capabilities. Teams might also utilize satellite data from NASA or other sources in making their assessments.

The level of alert, the selection of a team and the decision as to when to launch it would be important judgment calls for the assistant to the President in charge of the DCMU and the FEMA director. Teams should not be launched for emergencies or relatively minor disasters. Decisions to dispatch them will often have to be made on the basis of intelligence that may not always be adequate.

The essence of a team's operation must be its speed. A team would make its recommendations quickly to the governors of affected states, the FEMA director and the President. The recommendations would include a ranking of the disaster on the graduated scale discussed below.

CURRENT MEANS OF COORDINATION: FEMA AND THE FRP

The SLPS directorate of FEMA has developed a Federal Response Plan (FRP) which brings together 26 federal agencies and the American Red Cross for the first time in the beginnings of an operational plan. (See charts on pages 31 and 32.) That it exists at all is a credit to FEMA and to SLPS. The FRP is broken into 12 annexes or Emergency Support Functions (ESFs), such as Food, Mass Care, or Medical Care. Each Annex is coordinated by a lead agency, and supplemented by several support agencies. Comments from persons at all

levels of government were positive toward the FRP as an important beginning.

The panel believes that elaboration of the FRP should go forward under FEMA leadership with strong presidential support, and that it should be redesignated the President's Response Plan. Work must begin in FEMA to make it the agency's product, not a SLPS product. All units of FEMA should take part in revising, extending and implementing the plan. Currently it is not viewed as legitimate or consequential by all of FEMA; it is still seen by some as a product built to meet the needs, some would say the ambitions, of the SLPS directorate. Its symbolic power, and thus the authority of FEMA, could be enhanced by the relatively simple change of name which would place it in the sphere of presidential power.

Each of the ESFs should become the basis for developing an operational plan involving the various agencies and private organizations. Regional plans in support of the FRP, such as the one that FEMA region VI developed, should be created. State operational plans that articulate with the federal and regional plans should also be developed, and states should work to see that local governments in vulnerable or populous areas develop operational plans that articulate with those of the state. The plans at all levels should be contingent upon the designation of a disaster on the proposed graduated scale that would be used by the Joint Assessment Teams.

A Gradated Scale Of Disasters

The panel believes a gradated disaster scale should be used by the joint assessment teams in making their recommendation. That scale would also be a key determinant of local, state and federal operational response plans that are either derived from the FRP or replace it (see below). The scale should range from small disasters that can be handled by local emergency management responders to catastrophic disasters. The latter would call for mobilization and response from all levels of government, involve all ESF of the FRP, and possibly require federal response and resources beyond those set forth in the FRP. The gradated disaster scale would indicate not only the levels of damage and life support needs associated with a level of disaster, but the kinds of agencies and capabilities, as well as the kinds and quantities of material and personnel, that will be a part of the response to that particular level of disaster.

ESFs

ESF

Primary Agency

1. Transportation	DOT
2. Communications	NCS
3. Public Works and Engineering	DOD
4. Firefighting	USDA
5. Information and Planning	FEMA
6. Mass Care	ARC
7. Resource Support	GSA
8. Health and Medical Services	DHHS
9. Urban Search and Rescue	DOD
10. Hazardous Materials	EPA
11. Food	USDA
12. Energy	DOE

Federal Agencies Involved

- Dept. of Agriculture
- Dept. of Commerce
- Dept. of Defense
- Dept. of Education
- Dept. of Energy
- Dept. of Health & Human Services
- Dept. of Housing & Urban Development
- Dept. of the Interior
- Dept. of Justice
- Dept. of Labor
- Dept. of State
- Dept. of Transportation
- Dept. of the Treasury
- Dept. of Veterans Affairs
- Agency for International Development / Office of U.S. Foreign Disaster Assistance
- American Red Cross
- Environmental Protection Agency
- Federal Communications Commission
- Federal Emergency Management Agency
- General Services Administration
- Interstate Commerce Commission
- National Aeronautics and Space Administration
- National Communications System
- Nuclear Regulatory Commission
- Office of Personnel Management
- Tennessee Valley Authority
- U.S. Postal Service

Suggested Improvements in the Federal Response Plan

The development of interlocking operational plans at all levels of government is the key to building a cooperative, intergovernmental, national emergency management systems. Their development must become a strategic goal of FEMA and will presumably take years to complete. In the meantime, the FRP, which the panel considers to be something between a conceptual and an operational plan has several weaknesses in its present form. Foremost among them is the American Red Cross' designation as lead agency in the Mass Care Annex, ESF-6. The Red Cross is a venerable institution with a unique position in the Washington policy community. It is not a federal agency, however, and attempts to treat it as such can only create confusion.

The issue of the Red Cross' role has two dimensions: the Red Cross' tasking federal agencies and the Red Cross' tasking of other private organizations. As to the former, the Red Cross is in a dubious legal position to ensure coordination with other federal agencies. Red Cross representatives correctly point out that coordination is a difficult matter regardless of the formal authority. The tradition of the Red Cross coordinating the federal response, as already mentioned in this report, dates back to 1906. Indeed, project staff frequently heard that the Red Cross does a commendable job responding to most disasters. Responding to catastrophic or near catastrophic events, however, is quite another matter. Disasters on the scale of Hurricane Andrew are going to overwhelm any private organization, and DoD resources will be required. It is inappropriate to have the Red Cross as the titular coordinating agency in these special circumstances.

Another important flaw in the Red Cross' lead role in ESF-6 is its assignment to coordinate and task other volunteer organizations. Project staff interviews indicated that the Red Cross and the Salvation Army have been at loggerheads over the Red Cross' role in the FRP. Other volunteer organizations, the Salvation Army prominent among them, feel that the FRP has cut off their access to FEMA by requiring them to channel their contacts with FEMA through the Red Cross. Private organizations, by their very nature, are resistant to coordination by any organization but are particularly resistant to tasking by other volunteer organizations. FEMA is perhaps better positioned to coordinate volunteer organizations because it is not part of the community and can act as a neutral coordinator. At the very least, ESF-6 should be reviewed, with special attention to managing and utilizing a range of volunteer and private organizations in addition to the American Red Cross.

Considerable confusion exists between ESF-6, Mass Care, and ESF-11, Food. Feeding intuitively seems to belong as part of mass care, and a plethora of government and private organizations are involved in feeding. They are coordinated by the Department of Agriculture, which does no actual feeding of disaster victims but does supply some food. Revision of the FRP might include a reexamination of the relationship between mass care and food, with an eye towards combining them.

In the case of ESF-9, Urban Search and Rescue, DoD is designated as the lead agency, but the project team could find little or no justification for that. Since 1990, FEMA has had a

search and rescue capability consisting of teams that are virtually self-organized by enthusiastic volunteers in several fire departments around the country. They have organized what amounts to a national mutual aid network, developed fairly elaborate operational plans and persuaded their home departments to add equipment to their inventories that may go beyond the locale's need but meet the needs of the operational plans of the ESF. Moreover, some parts of the network have extensive experience from responding to earthquakes in Armenia and Mexico. FEMA should give this effort serious attention as an example of bottom-up elaboration of an operational plan for an ESF. In the future, FEMA should be designated lead agency rather than DoD.

The issue of security was prominent whenever the project team brought up the Federal Response Plan in field interviews. The experience of interviewees in Hurricane Andrew in Florida and Hurricane Hugo in the Virgin Islands convinced them that security should be featured more prominently in the FRP, perhaps as an additional ESF. Because state and local law enforcement officials may themselves be victims in major disasters, the potential need for a federal role is clear. It would seem that the Department of Justice (DoJ) should be the lead agency in an ESF devoted to security, but DoJ has signed the FRP in a supporting role in ESF's that have nothing to do with security or maintenance of law and order. Project staff were told that this position was taken even though DoJ representatives made it clear that they considered the subject of security their responsibility.

Invoking the Federal Response Plan

It is not clear when or under what circumstances the FRP will be invoked. This creates confusion among participating agencies and this uncertainty may lead to crucial delays. Revision of the FRP should establish clear guidance as to when and how the FRP goes into effect.

The panel's greater concern with the FRP is that it is presently as much conceptual as it is operational. It should provide the basis for development of operational plans under each of the ESFs which articulate with regional state and local operational plans. The FRP is a promising start for federal (or presidential) disaster response planning but it is only a beginning.

SEARCHING FOR THE RIGHT RELATIONSHIP TO THE PRESIDENCY

As noted in Chapter Two, the meaning of "coordination" and "sufficient power" varies. There has been a recurring cycle of placing the coordinating agency closer to the presidency to draw upon its authority, and then moving it away from the presidency. A centripetal pattern has occurred when the Cold War intensified or there has been an effort to strengthen the authority of an emergency management agency. A centrifugal pattern has dominated when other agencies feel threatened by the interest of the President or those close to him in emergency management, or when such interest wanes in the face of other demands on their time and attention. This pulling and hauling has been the major reason for the episodic reorganizations of the emergency management functions over the years.³³ The survival and effectiveness of an emergency

³³ Howard, op.cit.

management agency at any level of government is inherently dependent upon its relation to the office of chief executive -- President, governor, or mayor; a relationship based not merely upon statutes, regulations or structural proximity, but upon access, interest and attention.

If the fate and effectiveness of an emergency management agency are dependent on its relationship to a government's chief executive, what is the right relationship? Some propose to elevate FEMA to cabinet status. Criteria have been discussed for giving an agency cabinet status, but no one can say with assurance what the effects of a status change are.³⁴ It is unlikely that a proposal to give such a small agency cabinet status would receive any serious consideration. FEMA's legitimacy has always suffered when it has been perceived as "overreaching" or stretching its claim for authority "too far." Even a claim based on statutes is ineffective if it is perceived as exaggerated or disproportionate to capability or reputation. The panel believes that seeking cabinet status is not a sensible (or viable) option. This is far too difficult a question to be dealt in this report.

Nor should FEMA be placed in the Executive Office of the President (EOP) unless it is drastically reduced to a single function, such as disaster response coordination. As currently constituted, FEMA is too large and would unacceptably swell the size of the EOP. In an era of fiscal austerity, presidents have been very sensitive to charges that they are expanding the "president's staff." Neither the press nor the public is likely to make fine distinctions between the EOP and the White House Office, so enlarging EOP is unlikely to be well received. The panel believes that the function would be lost in the larger EOP along with agencies such as the National Critical Materials Council.

Some potential relationships are not implausible but are nonetheless problematic. For example, it has often been suggested that someone on the White House staff be appointed "emergency management czar." A person making this suggestion probably has in mind someone to coordinate and direct disaster response. That is a much more limited function with its own set of problems. Emergency management, however, encompasses too many complex functions and programs to be placed in the White House staff, regardless of the serious need for coordinative power to carry out disaster response. No one can "manage" the emergency management functions from 1600 Pennsylvania Avenue, even if a highly professionalized and extraordinarily capable agency outside the White House awaits his or her necessarily intermittent attention and involvement. Moreover, the history of White House czars has not been a happy one.

Possibilities

The search for a "right" relationship to the presidency coincides with the need, so obvious in Hurricane Andrew, for more and better real-time information in the White House on the extent of a catastrophic event. Given that emergency management cannot be "managed" from the White House, would another form of relationship provide the institutional presidency

³⁴National Academy of Public Administration, "Evaluation of Proposals to Establish a Department of Veterans Affairs," Washington, D.C. 1988.

with the needed data and, at the same time, give FEMA the continuing attention, interest of, and when necessary, access to the President? The panel concludes that three possibilities exist -- two that have been tried, and one that has not -- for meeting these two interwoven needs.

One possibility is the Bush administration model where a staffer was assigned responsibility for cabinet affairs, and "tracked things arising from the departments and agencies."³⁵ The panel believes that a person monitoring potential crises should be "tracking" things from other sources in addition to the departments. Potential crises arising from the structures and processes of administrative agencies tend to surface in "advanced" stages of development with special "spins" on them that narrow response options. Furthermore, the crises monitored should be expanded beyond those FEMA normally deals with to include any that may be of interest to the president. Such incidents might include ecological emergencies (e.g., the Exxon Valdez spill), climatological crises (e.g., a California drought), or other events (e.g., a hunger strike among Haitian refugees or a riot in Los Angeles).

A second possibility is FEMA's having a connection to the President by means of a designated (possibly rotating) "disaster response officer" of cabinet rank. How often this duty would rotate is less important than the need for this person to have the confidence and trust of the President. Cabinet rank would likely contribute to his or her perceived authority as a high-ranking officer of the government as well as being a personal representative of the President. This is very nearly the role played by former Secretary of Transportation Andrew Card in the Bush administration in the aftermath of Hurricane Andrew. It was fortuitous that the Secretary had some previous experience in dealing with emergencies, state governments and FEMA, but if this option is chosen such experience should not be left to chance. It should be institutionalized and extended by orientation and training if the role of "designated disaster response officer" is developed. The panel believes, however, that this option is too much "after-the-fact" and does not provide the institutional presidency with needed intelligence and coordination until too late.

A third possible relationship is one that is compatible with or could be combined with the previous option -- and cure its deficiencies -- when a President wished to do so. It would entail creation of a small unit in the White House Office for domestic crisis monitoring (DCMU). A small staff comprised largely of detailees would operate, when needed, around the clock out of a situation room, or the situation room, in the same manner that the national security is handled. The White House staffer responsible for the operation would not be expected to be in charge of the functions of emergency management or even of disasters. Instead, his or her role would be domestic crisis monitoring.

One of the keys to institutionalizing domestic crisis monitoring in the White House is to develop processes and procedures for decision making or policy making -- processes with paper and decision-flow -- processes seen as important, even critical. If FEMA and the joint assessment teams recommended above can develop and use a graduated scale for disaster assessment, and if operational plans for response and recovery are tied to both, it could well

³⁵ Interview with assistant to the President for Cabinet affairs, December 8, 1992.

provide the beginnings of a paper or decision flow with serious substance to it. Operational plans, articulated to FEMA regions and state and local emergency agencies, could entail decisions on mobilization, movement, assignment and pre-positioning of equipment and people. A system of gradated alert statuses similar to the DEFCONs used in national security, might also be utilized.³⁶ The alert status might be a decision reached jointly by the FEMA director and the assistant to the President in charge of the DCMU in the White House.

In the first stage, for example, relevant officials in various levels of government would be alerted and briefed, and planned travel would be put on hold. In stage two, appropriate officials in all agencies participating in the FRP would report to duty stations or be immediately accessible; communications systems would be tested; briefings updated; vacations, travel, and leaves canceled; mobile units prepared for launch and so forth. In stage three, all communications systems would be brought to full operation, some mobile response units would be launched for prepositioning, all officials would report for duty, and equipment and supplies pre-positioned if possible or necessary. This pattern of gradated response would proceed to stages four and five when it would intersect with the disaster. Such a DEFCON-like system would be valuable in providing more of the critical substantive flow needed to institutionalize a domestic crisis monitoring process, and more important it should cut response time of the entire emergency management system appreciably.

Important intelligence should flow steadily through the DCMU. Much of the intelligence is likely to be flowing through national security channels and into the situation room already. Procedures need to be developed that would place it into channels that bring it before the proposed DCMU. Satellite information from NASA, seismic data from the U.S. Geologic Survey, and reports from NOAA are just some of the potentially important data sources.

Disaster operations could either be handled by the FEMA director or, in a catastrophe, by a partnership of the director and the White House's designated disaster officer (who may or may not be the head of the DCMU). As noted above, the White House Office must institutionalize the expectation that any designated disaster officer will be provided with an orientation and frequent briefings. FEMA for its part must institutionalize the assumption that presidents will occasionally designate personal representatives in disasters when they involve major political issues and sensitivities. As a former assistant to the President explained, "A major disaster is a major political event; therefore, the president must get involved. Political leadership is as essential as operational leadership."³⁷ The agency, therefore, must institutionalize a role of professional, operational host to a political officer capable of providing certain kinds of legitimacy, influence and "cut-through" capacity -- qualities invaluable in major disasters and difficult for even the most competent career officers to muster in sufficient quantities for crises.

³⁶ The project study team understands that the acronym CIVCON has been considered in national security emergency plans in the past. Perhaps that or DISCON would serve the purpose described here.

³⁷ NAPA staff interview with Dr. Ralph Bledsoe on January 11, 1993. "Political" in this statement does not refer to "partisan political."

A DCMU could be valuable to a President and his staff in efforts to foresee upcoming events with policy and political import. Advance warning and knowledge are far better than morning headlines, calls in the night or surprise questions at a news conference. Viewed from another perspective, a DCMU could provide FEMA with access, attention and the concern of a person in the White House whose fortunes would be tied to FEMA. The assistant to the President in charge of the DCMU would thus become the White House Office official who cannot afford to have anything less than a high-performance, high-reliability organization responsible for emergency management. He or she would thus also be expected to (1) run interference for FEMA with OMB, the White House Personnel Office and congressional committees and (2) take steps when necessary to assure its high performance and reliability.

The panel believes that emergency management, and particularly disaster response, cannot be "managed" in the White House. For that reason it makes a clear distinction between crisis monitoring which should be in the White House, and emergency management generally and disaster response specifically both of which should be managed under an executive branch-wide response plan coordinated by a vastly changed FEMA. The distinction is crucial, but so is an effective interrelationship between the two functions and the two entities with primary responsibility.

CONCLUSIONS AND RECOMMENDATIONS

FEMA currently has an unusual degree of public visibility and political attention. While this attention has been largely negative, it can be turned to the agency's advantage as an opportunity to establish and institutionalize the all-important relationship with the White House. Because other federal agencies are sensitized to the problems in the Federal Response Plan, the time is now to address deficiencies in the FRP and to initiate a sustained, long-term effort to develop compatible, effective and interrelated operational plans at all levels of government. With this in mind, the panel offers the following recommendations.

Recommendations

Retain the current mission and role of the Armed Forces in emergency management and disaster response. Make certain that processes and procedures exist for promptly triggering their capabilities in major disasters or catastrophes.

Set in motion a review by DoD of the role of the National Guard in emergency management/disaster response.

Establish a Domestic Crisis Monitoring Unit in the White House Office as a responsibility of an assistant to the President. Develop a small staff of detailees to work out of the White House situation room.

Amend the Federal Response Plan to include FEMA-led joint assessment teams (federal, state, local and military). Members should be professionals who train together, are able to operate in adverse environments, and would be supported with FEMA's unique

communications assets.

Make the Federal Response Plan the President's Response Plan.

Modify the Federal Response Plan based on lessons learned to date.

Initiate a long-term effort to develop operational plans for each Emergency Support Function of the Federal Response Plan and develop operational plans linked at all levels of government.

Develop a graded disaster scale keyed to damage, life-support needs and casualties. Joint assessment teams should recommend designation of a disaster on that scale, which would establish a common base of assumptions for response and recovery actions on the part of all participating agencies and organizations.

Relate the FRP and operational plans for each ESF to the gradations of the disaster scale. Types of people and material mobilized, pre-positioned and dispatched for a disaster should be related to gradations of the disaster scale.

If the President designates a cabinet officer or White House staffer as his representative in a disaster, provide that individual appropriate orientation and staff support.

CHAPTER FOUR

FEMA: AN INSTITUTION NOT YET BUILT

FEMA was created in 1979 to give the federal government, for the first time, an integrated approach to emergency management. The conceptual leap taken in creating FEMA was something like that which gave birth to the FBI as the nation's federal law enforcement agency in the 1920s. By the 1970s, the time had come for the federal government to have a high-reliability organization charged with developing a comprehensive approach to protecting citizens from the ravages of emergencies of all kinds: military attack, natural disasters, man-made disasters, civil disorders or fire. Unfortunately, the nation is still waiting for such an organization.

This chapter responds to the portion of the panel's charter which asks for an examination of FEMA's role, mission, planning, resources and leadership capacity. (For a general description of FEMA, and its current organization chart, see Appendix D.) In summary, the panel has found that FEMA has never succeeded in integrating the several functions of emergency management into a meaningful mission from which agency goals would derive. Further, it has no strategic planning process for developing a mission and goals for the agency as a whole; FEMA is not certain of its role; it has no central, strategic planning process; it lacks the basic management systems to function effectively; and it has not had the leadership to bring the agency together. In addition, it lacks a continuing link to the White House and also an internal executive development program. The organizational structure and operating practices need major revision to create the high-performance, high-reliability agency the public and Congress want and deserve. The panel makes a series of recommendations to help bring this about.

NEED TO DEVELOP MISSION, VISION AND VALUES

The high-reliability organization envisioned in 1978 had not yet emerged by 1982 when the General Accounting Office conducted an evaluation of FEMA's management. The GAO found that the agency had not yet developed a "FEMA identity" and was little more than the sum of the parts brought together from other agencies to create it.³⁸ The GAO report chronicled a variety of management problems with FEMA: lack of budgeting, information resources, planning and other systems. More important, however, the GAO emphasized that FEMA had not yet developed a unifying vision of its function as an agency, its mission and values for achieving its mission. In short, an institution had not been built. Ten years later, the NAPA staff found that little progress had been made in creating a unified sense of mission, and there were neither systems nor strategy for moving in a desired direction. By 1993, an institution still

³⁸ U.S. General Accounting Office. Management of the Federal Emergency Management Agency—A System Still Being Developed. (Washington, D.C.: General Accounting Office) January 6, 1983 (GAO-GGD-9), pp. 12-16.

had not yet been built.

Institution building has been described as defining and articulating an organization's special competence and its reason for existing as a public agency. An organization can theoretically be a neutral instrument comprised of persons who contribute their efforts to some overall purpose on contractual grounds. An institution, however, is based on more than contractual relations.³⁹ It is based on shared perceptions of its reason for existence -- or shared "vision." Increasingly, experts on management in both the public and private sectors have recognized the need to turn organizations into institutions. As one writer puts it: "Building shared vision is actually only one piece of a larger activity: developing the 'governing ideas' for the enterprise, its vision, mission and core values." He further explains that a shared "vision" answers the question "Why do we exist?" "Mission" answers the question, "What picture of the future do we wish to create and work towards?" "Values" answers the question, "How do we want to act, consistent with our mission, in working toward our achievement of our vision?"⁴⁰

The panel believes that FEMA must undertake a serious effort at institution building. Given the diversity of its programs, this would be a serious challenge for any agency or private corporation. Nonetheless, it can be done. FEMA's leadership must look to the rationale behind its creation. As noted in Chapter Two, one of FEMA's senior executives involved in its formation captured the intention of that effort as well as anyone interviewed by the project study team. He stated that the reorganization brought together "various programs having to do with emergency management which were not related at their cores, but rather at their margins. It was intended, however, that those marginal relationships would create a synergistic effect." In other words, the functions of comprehensive emergency management -- mitigation, preparedness, response and recovery were interrelated, and though the programs transferred to FEMA emphasized different functions (e.g., USFA, mitigation; FDAA, recovery; etc.), there would be a natural enhancement of each function as a consequence of experience and learning in the others.

FEMA should build a shared vision, mission and values which capture the goals of those who created it. The panel is reluctant to prescribe what the agency's vision should be, but FEMA may want to incorporate in its vision (1) the integration and effective performance of all emergency management functions, and (2) the creation of a high-performance, high-reliability, professional organization that would play a leading role in developing the capacity of all levels of government to perform the four functions of emergency management. As to mission or purpose, the panel suggests something like the following:

Meet the needs of people facing natural or manmade emergencies and disasters by playing a leading role in: (1) federal efforts to aid victims, (2) building the

³⁹ Philip Selznick, *Leadership in Administration*. (New York: Harper & Row, 1957.)

⁴⁰ Peter M. Senge, *The Fifth Discipline: The Art and Practice of the Learning Organization*, (New York: Doubleday/Currency, 1990) and Tom J. Peters and Robert H. Waterman, *In Search of Excellence*, (New York: Harper and Row, 1982)

emergency management capacity of state and local governments, and (3) the general enhancement of emergency management by the synergistic integration of its four functions -- mitigation, preparedness, response and recovery.

FEMA leadership has never developed a unifying vision, from which it could develop organizational values in support of this mission. Absent a compelling vision of the agency as a coherent entity in pursuit of a shared mission, it is not surprising that the agency's component parts have failed to coalesce.

Obstacles to a Unified Mission

Absent a unifying vision and mission, the variety of the agency's programs only serves to foster internal subcultures (referred to as "stovepipes"). These subcultures increase barriers to the kind of relationships between programs essential to making FEMA a viable institution with a unified vision and mission. They are reinforced by the network each program has with separate Congressional committees and subcommittees and concerned interests. (See Chapter Five.) One interviewee described FEMA as "a check-writing agency, an intelligence agency, a social service agency and insurance agency, with a fire administration thrown in." Consequently, the coalescence of these diverse functions into a comprehensive approach to emergencies has not occurred. Instead, serious schisms within the agency have remained or worsened.

Many federal agencies contain diverse programs which are seldom effectively integrated. Why then must FEMA have better integration of its programs? The answer is that clients of other agencies which fail to integrate are little effected, but the clients of an emergency management organization may suffer dire consequences if its programs are not integrated and optimally effective. Moreover, it has only a brief period of time to perform and very little margin for error.

The most serious division is that between preparedness for nuclear attack (mostly a classified function)⁴¹ and natural disaster response and recovery (an unclassified and essentially peacetime mission).⁴² But considerable diversity in, and division of, missions can be found even within programs. SLPS, for example, is responsible for missions as diverse as ensuring dam safety, participating in urban search and rescue, responding to radiological emergencies, and administering emergency food and shelter assistance to needy individuals. In addition, the national security-related "civil defense" function has not been fully reconciled with disaster preparation and response (see Chapter Five) either in concept or in practice.

Not as serious, but still contributing to the lack of mission coherence and unity of vision in FEMA, is the presence of two statutorily mandated "administrations" within FEMA -- the Federal Insurance Administration (FIA) and the United States Fire Administration (USFA).

⁴¹ Located in the National Preparedness Directorate (NP).

⁴² Located in the State and Local Programs Directorate (SLPS).

While good reasons exist for these organizations to be in FEMA, the fact of their separate nature -- accentuated in the case of the USFA by an 80-mile separation from FEMA's Washington office -- reinforces the "stovepipe" mentality.

In the case of the FIA, the misconception exists in the agency that it is primarily an insurance function while, in fact, it serves mainly as an integrated flood hazard identification mitigation, and pre-funded insurance response and recovery function with insurance as the incentive to obtain local government participation. It has an important role to play in FEMA -- a role which might be expanded with the introduction in Congress of bills to create a new all-hazards insurance program linked with mitigation requirements.

The programs of the Fire Administration (USFA) were constructed to meet the statutory priority for reducing the incidence of residential fires. This limited USFA role appears only marginally related to the FEMA disaster response and recovery mission. The Fire Administration could play an important role in FEMA -- a role which could include a stronger FEMA connection with the million or more first responders in local fire departments who are the Fire Administration's clientele -- if: (1) the functions of the Fire Administration could be expanded to include urban conflagration⁴³ -- a problem much more relevant to FEMA's mission and (2) the geographic isolation of the Fire Administration could be ended by bringing more of its operations into proximity with other FEMA components. While there have been some efforts at integrating the USFA into FEMA, without further such changes, the Fire Administration could play no substantial role in meeting FEMA's primary mission. If further changes cannot be made USFA should probably be spun off.

Need to Clarify the Disaster Assistance Aspect of Mission

In addition to divided missions, the basic disaster assistance aspects of the agency's mission are unclear. In recent years, earthquakes in major urban areas have thrust FEMA into the role of provider of major urban public works rehabilitation projects -- a role for which it is ill suited. Many of the negative impressions local officials have of FEMA result from disputes between local officials and FEMA staff as to what to do with multi-million dollar public works projects. Such projects included, for example, the earthquake-damaged city hall in San Francisco, which local officials estimate will require \$100 million to restore properly, but which FEMA estimates will require only \$20 million. These are not the kind of highly charged political issues into which a small independent, coordinating agency should be drawn.

In addition, social service providers are looking to FEMA as a source of funding for ongoing social programs such as feeding the permanently homeless after a disaster. In this case, a disaster is viewed as an opportunity for both publicity and visibility for a need as well as a source of funds. A press release issued by a local board of the Los Angeles Emergency Food and Shelter Program boasted of receiving a "first time ever" grant of public assistance monies for food and shelter efforts in the riots there. This is not to say that the monies are being

⁴³ A "conflagration" is to a fire what a "catastrophe" is to a disaster. Webster's New Collegiate Dictionary defines a "conflagration" as a "large disastrous fire."

misused. However, FEMA has entered an area of funding social services for which it is poorly qualified. Another social problem FEMA faced after the Los Angeles riots relates to the mortgage and rent payment program. With little guidance on this, FEMA is now paying very large mortgages on homes that were heavily mortgaged in order to pay for small businesses destroyed in the riot. One example related to NAPA staff involved payments to a homeowner for his monthly mortgage of \$19,000 a month!

FEMA is also having to make distinctions, which have been heavily criticized in the Los Angeles media, between damage caused by fire and damage caused by riot. In part, this is a problem of legislation, compounded by FEMA's uncertainty of its mission or its authority in this situation.

THE NEED FOR STRATEGIC PLANNING AND MANAGEMENT

Because FEMA has no shared vision, mission or values, it also has no agency-wide strategy for identifying the priorities of the agency and its programs. Individual directorates, particularly National Preparedness, have developed operational and contingency plans, but FEMA has neither a strategy nor a planning process, nor does it currently have the capability to create one.

A Government-Wide Strategy

The NAPA panel believes the new FEMA leadership, in cooperation with the White House and others, should give immediate attention to developing a broad strategy for the federal emergency management function. This strategy should apply to all federal agencies involved in emergency management, as well as FEMA as an institution. The strategy should identify several broad goals to be implemented during the first term of the Clinton administration. This report has suggested several such goals, including creating a White House domestic crisis monitoring unit, developing a new statutory charter for emergency management, establishing joint assessment teams for early response to catastrophic disasters, and creating an integrated, all-hazards approach to emergency management with primary emphasis on response to domestic civil emergencies. These goals would be complemented by goals for restructuring and reforming FEMA's internal operations.

Ultimately the federal government's strategic goals with regard to emergency management and those of FEMA and other responsible agencies must become the bases for operational planning around each of the Emergency Support Functions established in the FRP.

FEMA Strategy: Long- and Short-Term

In addition to its part in developing a government-wide strategy for emergency management, the new FEMA leadership needs to put short-term emphasis on assuring that the agency is as prepared as possible for future catastrophic disasters. An inter-agency task force chaired by the deputy director would be one way to address this urgent need. The task force should include representatives of all relevant FEMA directorates, its regional offices, cognizant

White House and OMB representatives, officials of key federal departments and agencies, such as DoD, SBA, and HHS, and possibly the American Red Cross.

Regarding the long-term strategy, FEMA could benefit by using a model similar to that employed in the Department of Transportation during the past four years. In 1989, former Secretary of Transportation Samuel K. Skinner appointed a special departmental task force with appropriate contractor support to undertake a one-year effort to put together a national transportation policy statement. Secretary Skinner and President Bush made this document public in March 1990 at a joint news conference. Called Moving America: New Directions, New Opportunities, the statement set out six major policy themes (see box on page 47) as well as strategies and actions to accomplish specific objectives spelled out in the document. Over the next three years, this document served as the underpinning for successful DOT initiatives to support enactment of major air and surface transportation laws. It also became the game plan for follow-on initiatives to improve DOT's internal organization.

The panel believes that FEMA and the federal emergency management function also would benefit from following a process similar to that used by DOT to develop its own broad strategy document. Involving the emergency management community in other federal agencies as well as state and local governments through an outreach effort, possibly including public meetings in key locations susceptible to natural disasters, would help build communications with other key actors and demonstrate FEMA leadership's willingness to include people beyond FEMA borders in charting the future for federal emergency management. And using a task force similar to the one outlined above for meeting short-term needs would help bring the different parts of FEMA together to develop common goals.

STRATEGIC PLANNING AND MANAGEMENT PROCESSES IN THE DEPARTMENT OF TRANSPORTATION

In March 1990, President George Bush joined with Secretary of Transportation Samuel K. Skinner in releasing Moving America, the first statement of national transportation policy issued by the federal government in over a decade. This 127-page document provided a comprehensive framework of policies for all aspects of transportation and a strategy to carry those policies into action. Six broad themes were outlined:

- o Maintain and expand the nation's transportation system.
- o Foster a sound financial base for transportation.
- o Keep the transportation industry strong and competitive.
- o Ensure that the transportation system supports public safety and national security.
- o Protect the environment and the quality of life.
- o Advance U.S. transportation technology and expertise.

The policy statement recognized the need for the federal government to maintain mechanisms for integrating ideas from all parts of the transportation community and to establish a continuing strategic planning capability. The goal was to "ensure that programs and individual actions fit within a sound overall national policy framework and that those programs and actions remain sensitive to the changing conditions and needs the transportation system is facing."

The NTP was the first element of an ongoing process. Other elements included (1) an assessment of DOT's internal organization, beginning with the Office of the Secretary (OST), to improve its effectiveness in carrying out the policy and in meeting future challenges, (2) development and adoption of legislation reauthorizing federal aviation programs (completed in October 1990), and (3) the development and enactment of surface transportation authorizing legislation, the Intermodal Surface Transportation Efficiency Act of 1991.

FEMA also needs to create a small office under the executive director (see section below on FEMA leadership) to oversee and provide staff support for developing the agency's vision and mission, its values, and the emergency management strategies. This office also could be responsible for agency-wide performance measurement and program evaluation activities. In addition, the office would provide a link between the executive director and the CFO on financial management matters.

Even as these short- and long-term strategy initiatives are proceeding, action will be needed on future-year budgets. FEMA leadership should build into these budgets as much flexibility as possible so as to incorporate these broad strategies, once developed, into the agency's budgets.

Ideally, these strategies should be embraced by the President in a manner similar to the DOT policy statement. This requires involvement and review by OMB and the White House. As discussed above, FEMA leadership should seek to get them actively involved. One approach, discussed in Chapter Seven, would be to undertake a galvanizing event, such as a White House conference, a meeting between the President and governors, or a White House task force to forge a new compact between the federal government and the states on emergency management. This would be linked to the strategy development process.

AGENCY LEADERSHIP

Strong agency leadership is needed at both the political and career levels as well as at headquarters and in the field. The panel believes FEMA has had insufficient leadership at any of these levels which would be necessary to create a high-performance, high-reliability institution with unified mission, vision, and values.

Political Appointees

Political executives are indispensable to the functioning of government, and taken as a whole they serve their country with distinction. This is probably as true of those who have served at FEMA as it is for other parts of the government. Yet FEMA has had some special problems that stem from its high proportion of political executives and the relatively low priority that was afforded the agency by the White House personnel office.

The factionalism in the agency is only exacerbated by the large number of nearly autonomous political appointees. For example, the project team was told that when a former U.S. fire administrator was sworn in by the director and then asked if he knew what it meant to take the oath of office, he was said to have told the director: "This means that you can't fire me." For such a small organization to have more than 30 political appointees has caused substantial comment, both in congressional reports and within the agency. As indicated in

Chapter Five, FEMA has eight presidential appointees requiring Senate confirmation.⁴⁴

The high number of political appointees needing Senate approval makes it difficult, if not impossible, for a director to establish any unifying vision, mission, values and goals. These appointees are confirmed by five different Senate committees, each of which has particular program interests. When an appointee's programmatic interests are threatened by the FEMA director's attempt at program integration, some have not hesitated to protect their interests by mobilizing interest groups, committee members or congressional staffs to intervene and thwart the director's efforts. While any single intervention may seem small and even warranted, when multiplied many times over, effective management becomes impossible.

The experience FEMA has had with essentially independent associate directors demonstrates the need for the new FEMA director to form his or her own team -- whether it be composed of political appointees or career executives. The most recent director of FEMA was appointed after all the other political appointments had been made. This is an intolerable situation for which the White House personnel office must bear responsibility. But as long as a small independent agency like FEMA is seen as unimportant by the White House and has political appointments available, the priorities of the White House personnel office will continue to prevail over the effective management of FEMA. The panel believes that it is impossible for any person to run an organization well if the key appointees of that organization have their own sources of power.

In addition to considerations of executive competence, political appointees tend to be chosen either as a reward for past service or for partisan loyalty. These two criteria make little sense in an agency charged with responding to disasters; there is no Republican or Democratic way to respond to a disaster. The lack of continuity of political leaders and the partisan selection criteria are detrimental to building a high-reliability organization.

A few political appointees of FEMA have engaged in behavior that has damaged the agency's reputation. Some instances could be called ethically ambiguous behavior, some petty corruption, and some imprudent management of a public agency. These incidents have given the agency unfavorable media coverage and led to embarrassing appearances before congressional committees. In short FEMA's reputation has been damaged, and reputation is a hard-won asset in government. It is critical to an agency's authority and ability to accomplish its mission. As one observer of FEMA's problems remarked, "Once an agency is on the ropes in this town, it is really hard to recover."

The problems caused by political appointments extend to the details of disaster management. A lack of sufficient public information officers at the field level can degrade a disaster response substantially. Yet, as long as this function is dominated by political appointees, it is doubtful Congress will provide the resources for important staff in the field

⁴⁴ The agency is authorized nine presidential appointments, but one has never been filled. It also has 14 non-career SES (10 regional directors, 1 senior policy advisor in SLPS, the general counsel, the Fire Academy superintendent, and the assistant associate director in External Affairs).

since it hesitates to fund positions which it perceives are primarily for public relations rather than public information.

Several respected federal agencies -- the FBI, the GAO, the Public Health Service and the U.S. Forest Service⁴⁵ -- have had traditions of non-partisan leadership in the pursuit of critical functions of government. If the wise conservation of the nation's forestry resources can be accepted as a non-partisan function of government, then surely the protection of citizens from disasters can be as well.

Need to Develop FEMA's Career Executives

FEMA has 37 career senior executives. This is an impressive number for a small agency. This group however, has not been cultivated as a leadership cadre essential in building a professionalized, high-reliability organization. Political appointees, however capable or well intentioned, generally lack the professional and institutional commitment as well as the continuity needed to develop the long-term leadership FEMA needs so desperately.⁴⁶ Unfortunately, FEMA has had a tradition of punishing career executives who fall out of favor with frequent transfers to what one of them called "administrative Elbas."⁴⁷ One career executive, the senior career official in the agency, was rotated through five different posts during a whirlwind 18-month exile.

It is encouraging to report that FEMA is making strides towards developing an executive development program. A "skunk works" operation setup between Human Resources and the FEMA Executive Resources Board has been developing profiles of what a FEMA executive should and should not look like in the next century. Diversity will be a challenge; presently, FEMA has only two female executives and one minority executive. Reversing a trend of hiring senior executives from outside the agency will also present a challenge. Suggestions being explored within FEMA involve creation of genuine individual development plans that serve as informal contracts between the executive and the agency, and a reversal of the cookbook mentality that has plagued FEMA's executive development program. FEMA has never been accused of being a progressive organization, but it must cease to use alleged development experiences as punishment and adopt an attitude of lifelong learning one that means executives will not be "too busy" to participate in individual development.

Most important, rotations of executives can be positive and should become routine. In fact, much of the factionalism within the agency could be alleviated if senior officials were

⁴⁵ The panel has not reviewed these agencies. Its citation of them does not endorse either their current policies or performance.

⁴⁶ For example, President Clinton's selection for FEMA director will be the fifth agency head in 15 years. There have been several periods of more than six months during which the position of director was vacant.

⁴⁷ Elba was the island to which the allies banished Napoleon after his first abdication. (He returned, of course, to launch the campaign of the 100 days and Waterloo.) Subsequently, the allies sent Napoleon to the extremely remote island of St. Helena, where he died.

rotated among the various program areas, between the national preparedness function and the disaster assistance function for example. James Madison was right in prophesying that the "interests of the man will become the interests of the place."⁴⁸ Developmental rotations, if done voluntarily and as part of a sincere attempt to fulfill an individual's senior executive career development plans, can serve to curb the parochialism that plagues the agency by giving its senior careerists a stake in more than one program.

NEED FOR A WHITE HOUSE CONNECTION

The original plan for FEMA envisaged White House oversight and involvement with a direct connection being made between the FEMA director and the White House. The FEMA director, in fact, was to be the chair of a White House Emergency Management Committee which included the assistant to the President for national security and was to advise the President on ways to meet national emergencies.

According to recent research on organization and reorganization,⁴⁹ the designers of the 1978 organization clearly understood that the appearance and reality of White House sponsorship were important for agency credibility and performance. But the idea of a formalized White House connection for emergency management never took root. In 1987, a "National System for Emergency Coordination" was established in the White House which included the principle of a "national coordinator" as a presidential representative with predetermined assignments to cabinet and other officials -- including the FEMA director -- depending on the nature of the emergency. However, the system was not implemented.

During the Bush administration, FEMA had the following channels to the White House:

1. The Office of Cabinet Affairs which served as the entry point into the White House for disaster declarations -- essentially a liaison function similar to that for all other domestic agencies;
2. The National Security Council's Policy Coordinating Committee for Emergency Preparedness, chaired by the FEMA director, which reviewed policy changes for civil defense.

In the words of one interviewee, "There is no one to carry FEMA's water on the domestic side." In effect, a solid White House connection did not exist, and its absence undermined the confidence of other agencies and the general public in FEMA, as well as FEMA's confidence in itself.

Further detail on the White House connection is provided in Chapter Three which also

⁴⁸ "Federalist 51," in Jacob E. Cook, ed., The Federalist Papers. (Middleton, Conn., Wesleyan University Press, 1961.)

⁴⁹ Melissa M. Howard, op cit.

makes the case for establishment of a Domestic Crisis Monitoring Unit headed by a White House staffer who could provide a link between the FEMA director and the White House.

NEW CLIMATE FOR NATIONAL PREPAREDNESS

Preparing for nuclear war and other national security emergencies has been a critical mission for FEMA since its founding, and it has been a key FEMA leadership responsibility during much of its existence. The President has stated that: "national security is dependent upon our ability to assure continuity of government, at every level, in any national security emergency situation that might confront the Nation; and . . . effective national preparedness planning to meet such an emergency, including a massive nuclear attack, is essential to our national survival."⁵⁰ Under various laws and executive orders, FEMA now has major responsibilities for responding to these requirements. The panel believes the future location and source of funding for FEMA's "defense-related" activities will be key issues for the new administration.

These responsibilities, excluding population protection and other programs elsewhere in the agency, are among those carried out by FEMA's National Preparedness Directorate (NP), which operates principally in a classified environment. Some change has resulted with the end of the Cold War and additional changes are anticipated. In the fiscal year 1993, FEMA Operating Plan, NP had about 38 percent of FEMA's total staffing and about 27 percent of its budget (excluding the Disaster Relief Fund).

NP's Mission and Capabilities

NP defines its mission this way. It "develops and coordinates policy and capabilities at the Federal level to ensure continuity of essential executive branch activities during the full spectrum of emergencies." In practice, this has meant preparation for national security emergencies of all types, including all-out nuclear war. In briefings for the project staff, NP officials described and discussed substantial resources which are available for national security emergencies, and which they said have been made available for domestic emergencies and disasters.

Its communications equipment networks, resources and people were deployed and used in 1989 after Hurricane Hugo and again in Florida after Andrew. Its capabilities have been developed and engineered to meet the unique needs of emergency managers at all levels involved in field operations. In addition, this capability has been available for other events over a period of 10 years, including the recent presidential inauguration. Assets in NP were helpful to FEMA disaster response officials in setting up operations for responding to catastrophic events.

From 1983 until 1991, NP was responsible for planning, procedures, preparedness, team rostering and orientation and federal agency coordination for responses under such hazard-specific plans as the Federal Radiological Emergency Response Plan (FRERP). NP people and

⁵⁰ Executive Order 12656, November 18, 1988, p. 1.

resources were central in the many exercises and special events held during this period. NP planners also supported FEMA's Disaster Assistance Program staff who were concurrently developing the Catastrophic Earthquake Response Plan. This plan was later renamed the Federal Response Plan and said to be appropriate for all emergencies under the Stafford Act. In 1991, the FEMA director redelegated the response authorities from NP to SLPS and the agency's response repertoire is now focussed almost solely on the FRP. NP has consistently supported FRP exercises, planning and events throughout the period. However, NP's role in disaster response planning under the Stafford Act has been limited to support planning.

It is clear that NP has very significant experience and capabilities in national-level response planning and coordination. The project staff was impressed by what they saw in NP, and it appears there are important opportunities not only to make better use of NP assets for responding to non-national security-related domestic emergencies but also to take advantage of the NP network in perfecting the FRP.

In testimony January 1993 before a Senate Appropriations subcommittee, the General Accounting Office said:

. . . the Directorate maintains a high level of readiness and is, therefore, able to instantly deploy people and resources from a number of locations to anywhere in the United States. Although the Directorate's assets could have been instrumental in such tasks as planning, assessing damage, and establishing communications links between local, state, and Federal officials at the disaster site, they were not fully used to respond to Hurricane Andrew and other recent disasters. This occurred, in part, because the Federal Response Plan lacks procedures for using the Directorate's assets to respond to natural disasters.

Security Classification and Communication Problems

The project staff has observed serious internal communications problems among organizations within FEMA. The panel subscribes to the school of thought in FEMA which attributes this in large part to the "wall of secrecy" created by the classified programs and the restricted areas in which they are performed. Other FEMA staff attribute the apparent insularity of FEMA programs to the "dog-eat-dog" budgetary treatment of FEMA programs over the life of the agency. In this view, congressional authorizing and appropriations committees have tended to regard budget requests for less-favored programs as depriving more-favored programs of their due within a zero-sum budget ceiling.

Recommendations in a November 1992 report of the FEMA Security Practices Board of Review may correct the part of the internal communications problem which is caused by classification.⁵¹ This Board was charged with reviewing the practices and operations of the FEMA Security Office, as well as the number and types of clearances required to carry out

⁵¹ Security Practices Review Board, Federal Emergency Management Agency, Final Report and Recommendations, November 1992.

FEMA's missions. The Board recommended that the number of FEMA employees requiring security clearances be reduced from almost 1,900 to approximately 300. While this precise numerical goal has not yet been validated, FEMA is already reducing the number of clearances, and the panel believes that additional reductions would benefit employee communications and program integration. Reducing the intrusiveness of classification issues in FEMA's overall operations is also underway, and the panel believes this will help. The Board also said a drastic reduction of clearances "would go far toward removing a culture that is all too common through the government, e.g., that a security clearance is important to a successful career," and its attendant burden on FEMA staff whose duties are unrelated to national security issues.

Transfer National Preparedness Responsibilities to DoD

As to their future location, the panel has concluded that the needed shift in FEMA's mission and management strategy to an all-hazards emergency management function centered on domestic emergencies and disasters would be facilitated by transferring the principal national preparedness program responsibilities to DoD. With the greatly reduced threat of massive nuclear attack, the need to maintain these programs in a small, civilian federal agency has diminished. The panel believes that DoD is quite capable of maintaining the needed capacity, thus freeing FEMA's leadership and staff to concentrate on the agency's core mission.

Transfer of program responsibility usually entails transfer of program staff and facilities as well. However, this is not essential here. In discussions with National Security Council staff, the project staff was advised that many of NP's assets are declassified. This is consistent with the Security Review Board's findings. If these assets can function in this manner, they can be fully integrated with other FEMA operations, giving the agency significant capacity to send a high-performance emergency response team into almost any environment. FEMA would maintain and operate designated portions of the assets on a contingency basis for DoD in order to meet the transferred program responsibilities. This arrangement would enable the assets and related staff capabilities to be available for all-hazard uses.

The alternative would be for DoD to assume responsibility for all transferred program staff and assets, but make them available to FEMA, as needed, for disaster response. Because these assets were designed so they had a dual capability and their primary use will be for domestic emergencies, the panel believes this would reduce their availability for this purpose and lower the potential synergism between the program staffs.

Funding Issue

The civil defense and federal preparedness programs have had applications in both civil and national security emergency management, but have been funded from the national security budget because of the part they play in the nation's deterrence strategy. The new administration will need to consider whether this funding rationale will continue to be appropriate, and whether the domestic side of the budget can support civil defense and federal preparedness programs of the current size. The administration and Congress could agree to continue funding from the national security budget for one additional year to allow time for (1) enactment of the new

statutory charter recommended in Chapter Five and (2) further appraisal of the national security requirements for which these assets are maintained. Arrangements then could be made for funding from either the national security or domestic budgets -- or both -- at appropriate levels.

Mobilization Planning and Preparedness

The NP directorate carries out certain other national security-related functions, such as the Government Plans and Capabilities program which provides consolidated federal preparedness planning, including policies and plans to use the nation's resources in national emergencies, situation assessment and engineering support capabilities, and resource mobilization policy. Mobilization preparedness, plans and authorities, mobilization assessment, and federal readiness are program elements. If Hurricane Andrew had hit a more industrially-developed area, these programs could have facilitated the speedy rebuilding of industries and facilities categorized as defense-related. Application of a damage-estimating model developed in one of these program elements was said to have estimated the damage suffered in South Florida following Andrew to within 10 percent of the actual damage. Apparently, it was not used because it was untested at that point, and no regularized procedures had been developed to make such estimates available as part of disaster response.

FEMA's 1992 transition book states that "greater emphasis is being placed on planning for any occurrence, including natural disaster, technological emergencies, or other emergency, that threatens the national security."⁵² The questions are whether these efforts should be better integrated with the agency's planning for domestic emergencies or spun off, and whether their utility in this context justifies their current funding.

Summary

The widespread and persistent FEMA problems with internal communications and coordination appear to have been intensified by classification restrictions on NP programs. This problem could be mitigated by (1) reducing the number of security clearances and the impact of classification, (2) transferring certain program responsibilities and limited program staff to DoD, (3) improving the integration of NP assets into domestic emergency response, and (4) reevaluating the budgetary placement of defense-related programs. The new FEMA director may also want to take additional steps, such as fully integrating the remaining NP and other directorate activities for responding to emergencies of all kinds in a new "response" office or directorate and spinning off to DoD, Commerce, or possibly the General Services Administration, NP's mobilization preparedness and assessment activities. These mobilization activities are integral to the national-security emergency role of the agency, but relate less directly to civil disaster management under the Stafford Act.

The panel believes further change in NP's mission and operations is inevitable. It is up to the new administration, including FEMA's leadership, to determine whether such changes will

⁵² U.S. Federal Emergency Management Agency, 1992 Transition Book, Washington, DC, December 1992, p. NP3.

be driven internally or by outside sources.

NEED FOR MANAGEMENT SYSTEMS

Effective management systems -- such as budgeting, accounting and information resource management -- are typically thought of as means of control, but they are even more important in "steering" an agency in line with its vision, mission and values. Control merely for the sake of control is meaningless. As noted earlier, the inability of FEMA to become a more viable institution during the first 15 years of its existence is due, in part, to its inability to (a) develop a coherent mission, (b) derive from that strategic plans and goals, and (c) produce annual work plans and meaningful performance measures. Management processes are the glue that holds a purposeful enterprise together. It is not surprising then that FEMA is almost totally lacking in any effective management systems that keep the agency together in pursuit of mission, goals and objectives. At the same time, the lack of cohesion has itself simultaneously created and exacerbated a number of agency-wide management problems. Specifically:

- There are no effective, centralized units for program planning, evaluation or research. Each directorate maintains its own capacity. Furthermore, the performance audits or evaluations begun in the last few years by the FEMA Inspector General have rarely been acted on by the agency.
- There is no agency-wide approach to management support functions, e.g. printing, copying, graphics, physical security, space management, etc.
- There is no centralized decision-making function for either budget formulation or budget execution. In the case of budget execution, each directorate allocates its "own" funds to the field.
- There is no coherent or cohesive system for headquarters communication with the field.
- There is no system to relate workload to staff and other resource requirements; no systematic collection of workload data; no definition of units of work or performance measures; and no system to relate performance to workload or resources.

Just as there was no one to "carry FEMA's water" in the White House, so the panel believes there was no one in FEMA to "carry the water" on its internal management. With independent directorates having a vested interest in maintaining control over their own systems and activities, the agency has not had an advocate for strong central management. One problem feeds upon another. With no organization in FEMA designated to give sound management advice to the director, there has been no voice to offset that of the directorates on issues and tell the director that "there is another way." An office with continuity and expertise under a top career executive, such as an executive director, could provide the much needed management systems voice inside FEMA.

NEED TO STRENGTHEN MANAGEMENT OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

FEMA has been successful in implementing fixed and mobile information and telecommunications capabilities for national preparedness and other functions. This success derives, in part, from the capabilities of the NP Information Resources Management (IRM) Division -- the only office in FEMA with an IRM charter. NP's IRM division advised the project staff that it provides "a full range of information systems support through multiple media to FEMA headquarters and field offices." This includes installation of a backbone communications network as well as secure and non-secure communications. Installation was said to be in "mid-stream" at the time of this report.

While IRM has been successfully installing specialized information and communications assets for NP, the rest of FEMA has had no coordinated information management support for either day-to-day operations or disaster recovery. Each directorate and each region has been largely on its own for satisfying mission-related information systems needs. Regions have been provided with an array of uncoordinated and non-standard -- almost random -- systems with no support infrastructure. This approach is contrary to requirements in the Paperwork Reduction Act for the development of a strategic plan and for the establishment of a single point of contact for IRM activities. The "strategic plan" exists but it appears to have been an exercise to meet the requirement. FEMA's "single point of contact" was a person who had little knowledge of or responsibility for IRM and who headed a non-functioning IRM committee.

With no top-level organizational structure or process for developing information systems requirements, uncoordinated and inefficient systems have developed. The teleregistration center in Denton, Texas, that the project staff visited provides an example. Although in existence for three years, it is a very rudimentary telephone answering service with a paper-intensive and error-prone process. Banks of minimally trained personnel fill out multi-carbon papered, hand-written forms based on calls from distraught disaster victims. This paper then goes through several more iterations of redundant sorting, collating, mailing and data entry both at the teleregistration center and a central processing office across town. With the many bottlenecks and inefficiencies involved, the ultimate customer of FEMA -- the disaster victim -- is not being well served. No-one in FEMA has the ability to address the agency's basic information flows and processes or marshal the necessary funding.

The deficiencies in FEMA's IRM technology and systems reflect the absence of a unified FEMA mission, an agency-wide strategy, an agency-wide information systems approach and a focus on the needs of citizens. In part, the IRM deficiencies exacerbate other problems such as effective communications between headquarters and the regions.

The panel believes an effective information management strategy is essential to improved disaster response and recovery operations. For example, as indicated in Chapter Three, FEMA should have a data base of available resources for disaster response. The effective information management strategy cannot be devised in isolation in a central office. Development of the strategy must be an interactive process between the centralized offices' concerned with costs and

conformity to overall mission and values on the one hand, and the work requirements of the agency's program units on the other. In fact, the best information system is one which is either by-product of an automated system for actual work processes, or one which provides the program management with information needed to manage the program.

HEADQUARTERS/FIELD RELATIONSHIP AND ORGANIZATION

The relationship between field offices and headquarters is, to put it delicately, ambiguous. The panel believes that the approach to field administration can either be centralized or decentralized, but it cannot claim to be one thing and in fact be another if the system is to have any credibility or meaning. Under the former FEMA director's approach to headquarters-field relationships, the regional directors were to be "in total charge of all operations within their region." However, each associate director in headquarters controls the money that goes to the field. Every personnel action in the field must be cleared by the counterpart headquarters directorate. The only money and staff that the regional director controls directly is the region's small executive direction fund.

Project staff interviews with both headquarters and field officials indicated that the field is basically on its own in matters of policy. In part, this is reflected by each region's making its own decisions on problems which are new to FEMA, such as the issues raised by the Los Angeles riots. It is also reflected in the manner in which each region responds to disaster needs. The regional directors with whom the project team met had different views on just what they were authorized to do, including whether or not they can legally begin to act before a presidential disaster declaration.

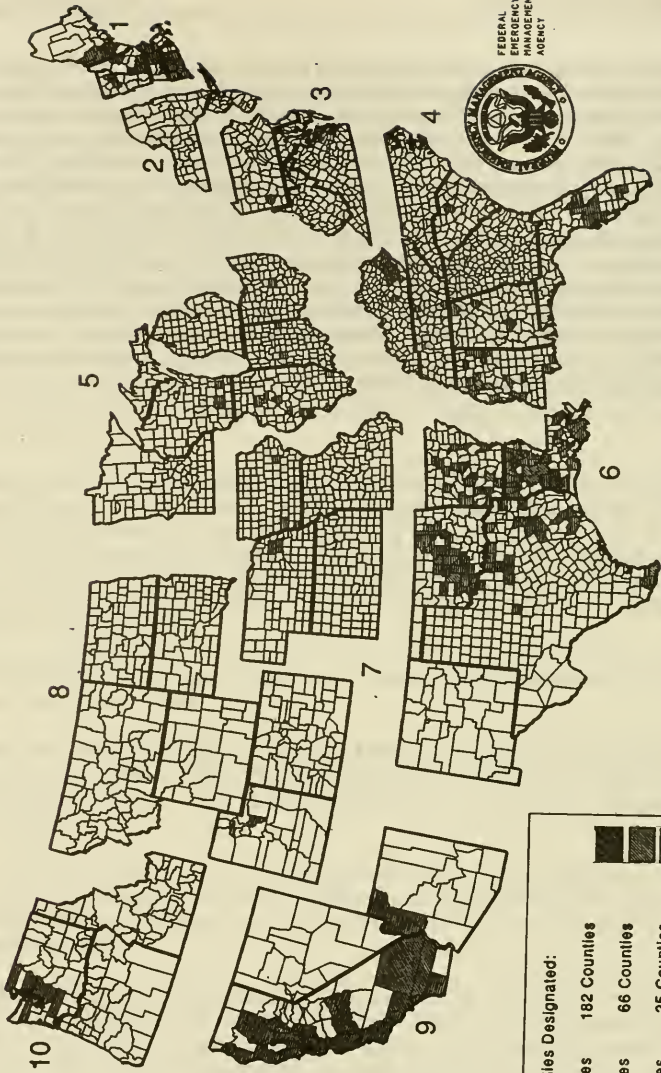
The panel believes that many changes are necessary in the relationship between headquarters and the regions. These include:

- A clear understanding that headquarters is responsible for statutory interpretation and nationwide policy. While regions must vary their responses to meet local conditions -- both natural and political -- they must do so within the bounds of clearly established national policies;
- At the same time, Regions must have the flexibility to respond appropriately and to prepare for that response. This needs to involve the relinquishment by headquarters of the detailed dollar and personnel control that headquarters now exercises over the trivia of administration;
- To bring this about in a rational and balanced manner, FEMA must adopt a new system of regional work-planning which avoids the lists of tasks to be accomplished in the current system and, instead, concentrates on the objectives to be achieved. An important prerequisite for this is the development of performance evaluation criteria as well as some standards to relate workload to staffing and other resource requirements.

The field organization also is of some concern. When a field structure map is

superimposed on a map showing frequency of disasters, the disconnection is obvious. Some rationale exists for maintaining the current 10-region structure both for ease of communication with other federal agencies that share structure, and to provide a "back-up" staff capacity for shifting to other parts of the country to meet disasters. On the other hand, an argument can be made for placing resources where the need is likely to be greatest. In addition, when the project study team heard complaints about FEMA staff, the complaints were seldom about staff from the complainant's region. The staff from the nearest regional office generally were perceived as knowing the people and the area. Rather, the complaints were about the lack of knowledge and sensitivity of staff from other regions who are brought in to handle surges in workload. The panel notes that the four-region organization used by the Continental U.S. Army more closely approximates the incidence of disasters and may represent a better way to restructure FEMA with minimum disruption, especially since the military plays such an important role in responding to major catastrophes. It would also provide a structure to facilitate the regional approach recommended in Chapter Seven.

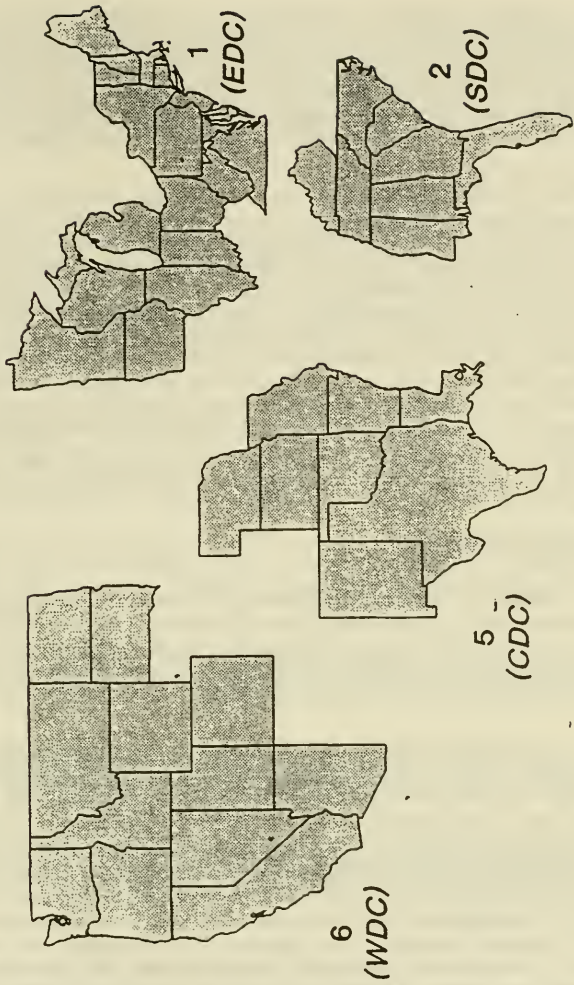
Counties Designated in Major Disasters
Fiscal Years 1982 - 1991



Counties Designated:

3 Times	182 Counties
4 Times	66 Counties
5 Times	25 Counties
6 Times	26 Counties

CONTINENTAL U.S. ARMIES (JOINT REGIONAL DEFENSE COMMANDS)



FEMA staff who reviewed the comments of project staff have advised that what was demonstrated over and over again in the most recent disasters is that each region develops its own implementation procedures and there is very little consistency and standardization between regions on how to conduct disaster business. They advise that, even if the number of regions is reduced, unless there is consistency in how the disaster policies are implemented, staff from the various regions will still have problems serving as "back-up staff" for each other.

EMPLOYEE MORALE

Given the many divisive factors within the agency, it is not surprising that employee morale should be a concern. In fact, one of the items mentioned in congressional reports on FEMA is the declining morale of its employees. With such a highly subjective topic, little data exists on which to base a judgment. A review of the records available at FEMA shows an increase in the number of employee grievances filed -- from 23 in 1988 to 66 in 1992. Interviews at all levels revealed employees who are dedicated and enthusiastic about their duties but who admit that they are bothered by criticisms of the agency, its dubious reputation and the uneven quality of leadership it has experienced. Employees at various levels also indicated unhappiness with what they perceived as the unwillingness of management to make decisions. A morale problem also exists with many members of the NP directorate who see their old mission disappearing, with no indication from FEMA leadership that their ability to respond to natural disasters is recognized.

FUNDING PROBLEMS

FEMA has many problems managing its funds for so many separate programs. Funding for each program is passed through from headquarters to the field offices and then to the states with little flexibility allowed and no conscious decision making at the top on how the monies should be used to meet goals. The need for financial flexibility was constantly stressed by officials at all levels except FEMA headquarters.

The problem is usually blamed on congressional reprogramming restrictions. Such restrictions, however, are a customary requirement by the Appropriation committees that they be consulted by the agency about any shifts of funds over a certain level. With no strong central budget and decision-making function in FEMA -- and a lack of trust by congressional Appropriations committees in FEMA management's judgment -- reprogramming restrictions have become a severe burden on FEMA, and the agency has chosen to leave most funding as it was presented and approved. The result has been inflexibility throughout the system that limits the ability of management to take actions that could yield a more effective use of funds. A new activity structure approved by the Congress in the 1993 budget -- but not yet implemented in FEMA -- could alleviate much of the problem; however, the flawed internal decision-making process is not affected. A helpful step beyond the new budget structure might be a consolidated grant program to incorporate funding for all the separate authorities and give FEMA headquarters, the regions, and the states the flexibility to decide in what areas funding should be concentrated.

FEMA also has a problem responding to disasters due to low balances in the Disaster Relief Fund. In recent years, the Disaster Relief Fund has not contained enough money to meet major emergencies. For example, FEMA was criticized for not responding faster with money to assist in Florida and Louisiana after Hurricane Andrew. The fact is that FEMA did not have enough money with which to respond until the Congress passed a supplemental appropriation law.

When FEMA is responsible for a major disaster such as Hurricane Andrew and does not have surplus funds in the Disaster Relief Fund, it must pull back monies that have been allocated for other disasters and hold off allocating money for new smaller ones. It is FEMA's practice to cut back on the public assistance money -- but never the individual and family grant money. The consequences of this tardy funding are that FEMA cannot move funds quickly into a catastrophic situation. This results in a lot of blame placed on FEMA, complaints about FEMA to Congress and substantial staff time and energy diverted to responding to congressional inquiries.

CONCLUSIONS AND RECOMMENDATIONS

Few of the goals envisioned by the 1978 reorganization plan establishing FEMA have become reality. FEMA as an institution has not yet been built.

The panel strongly believes that FEMA, or any successor, should become a professional, depoliticized organization capable of coordinating federal, state and local responses to disasters and meeting the needs of disaster victims. There is no Republican or Democratic way to perform emergency management.

The panel presents below several recommendations designed to create a high-performance, high-reliability agency, thereby strengthening the federal emergency management function.

To meet these conditions, the agency may need more money in the near term. But the panel believes that if the recommendations are adopted, they will improve FEMA's efficiency and effectiveness and, in the long run, would reduce costs.

Absent sufficient action on these recommendations within a reasonable period, the President and Congress should consider taking action on more drastic options as described in Chapter Seven.

Recommendations

VISION AND MISSION: Create a coherent sense of mission centered on the vision of a high-performance, high-reliability agency of government capable of integrating and coordinating the federal government's emergency management functions. The primary emphasis would be on domestic civil emergencies and disasters -- and on all four functions of emergency management: mitigation, preparation, response and recovery. Three major actions

to accomplish this are:

- **Develop an agency legislative charter** (see Chapter Five) that makes it clear that the primary purpose of the agency is domestic civil emergencies and disasters -- and that it will deal with all four phases of emergency management.
- **Declassify virtually all positions. Transfer certain classified program responsibilities (but not all staff and assets) to DoD, transfer the defense mobilization functions to DoD or GSA. Form a new all-hazard preparedness and response unit utilizing FEMA's unique communications and other assets.**
- **Seek clarification from Congress of FEMA's responsibilities for the social and major public works issues facing the agency following recent disaster declarations.**

STRATEGY: Develop a strategic policy statement outlining the several broad emergency management policy goals (about four to eight such goals) to be achieved during President Clinton's first term. For example, one such goal could be enactment of a unified statutory charter for emergency management.

VALUES: Work with agency employees to articulate a set of values centered on:

- Minimizing losses from emergencies and disasters.
- Helping victims to survive, recover and restore their lives.
- Integrating more effectively the four main functions of emergency management (mitigation, preparedness, response and recovery).
- Establishing a service-oriented approach to dealing with the "customers" of the agency, including those customers of diverse racial and ethnic backgrounds.
- Maintaining control of costs to the federal treasury.

WHITE HOUSE COMMUNICATIONS: Build a continuing relationship with the senior White House officials responsible for domestic policy, domestic crisis monitoring and processing of disaster declarations. Have a solid understanding of how these White House functions operate.

LEADERSHIP: Provide a framework for improving leadership by:

- **Limiting the number of presidential appointments (other than the inspector general) to two -- director and deputy director -- and helping to assure that future leaders are qualified and trained for their jobs.**
- **Converting all other executive positions to career status and filling them with the most**

qualified candidates from within the agency, throughout the federal government, state and local government or the private sector.

- **Building a first-rate executive development program** to assure a pool of talent for future leadership within the agency.
- **Creating a career-reserved position of executive director** with responsibility for all internal management systems and functions except budget and financial management. (The Chief Financial Officer Act of 1990 requires that the CFO report directly to the agency head. There should be a close working relationship between the CFO and the executive director on common management issues).

PREPARING FOR THE NEXT CATASTROPHE: Give priority to assuring the agency is as prepared as possible for the next catastrophe, i.e., position the agency to "manage the hell out of moments of truth."⁵³ (See also recommendations in Chapter Three.)

ORGANIZATION: Realize the goal of building a single, coherent organization by:

- **Restructuring the agency around a comprehensive emergency management concept** with primary emphasis on mitigation of, planning and preparing for, and responding to, and recovery from civil emergencies and natural or human-generated disasters.
- **Addressing the problem of agency subcultures by giving all components an all-hazards objective, with the only difference between components being the functions they perform toward this end -- preparation, response, recovery, and mitigation.**
- **Better integrating -- or spinning off -- the now relatively separate functions of the Fire Administration and other agency operations** which prove incompatible with the new mission and vision.
- **Considering strengthening the mitigation function** by building on the mitigation responsibilities of the National Earthquake Hazards Reduction Program and the National Flood Insurance Program, especially with new all-hazards insurance and mitigation programs being considered by Congress.
- **Setting one management philosophy for delegating responsibilities to the field,** consistent with the mission and the roles the field offices are expected to play. Establish management systems consistent with this philosophy and which also will provide guidance for consistent application of statutes and policies nationwide. In this connection, make it clear that headquarters is responsible for policy and centralized management systems while the field is responsible for implementation of policy within the context of systems needed to respond to regional circumstances.

⁵³ Academy Fellow Thomas D. Larson attributes this quote to Jan Carlsson.

- Considering consolidation of the field structure into fewer regions -- such as the four-region structure used by the Continental U.S. Army -- to assure its responsiveness to emergency requirements based on the frequency of disasters and opportunities for coordination both with the states and the military.
- Developing any needed legislative proposals for reorganization. Depending on the exact composition of the proposal, some legislation -- including FEMA-specific reorganization authority -- may be necessary.

EXTERNAL AFFAIRS: Build a strong external affairs unit of career personnel capable of effectively handling media relations in moments of crisis. Public Affairs should include promptly informing disaster victims of where and how help can be obtained. Congressional Affairs staff should emphasize building good relations with Congress. Additionally, the unit should establish good bridges to cognizant interest groups, such as the National Governors' Association, the National Emergency Management Association and others.

PERFORMANCE MEASUREMENT: Continuously measure performance against goals by:

- Creating a "customer-oriented" or citizens' needs approach to assist in defining goals and performance standards and units of work.⁵⁴
- Developing the performance indicators and measurement systems to make this possible.
- Creating a system for relating staff and other resource requirements to workload and performance.

MANAGEMENT SYSTEMS: Establish the central management systems "glue" to bind the agency together by:

- Strengthening the budget structure and process, making it a tool for FEMA leadership to implement its mission and strategy through the establishment of a centralized decision-making process and a central funds control and allocation mechanism. Allow for flexibility in fund allocation through the use of a new activity structure combined with a responsive reprogramming process.
- Establishing an operational planning system to convert the strategic goals into achievable objectives for each organization unit. A streamlined, mission-oriented, low-paperwork regional planning and reporting system, designed to secure consistent regional operations, also should be developed and maintained.

⁵⁴ Much of the current management literature speaks of "customers" and a customer-oriented approach. While the panel agrees with the thrust of the approach, it holds that there are important distinctions between a customer and a citizen. "Customers" only have individual wants; "citizens" have individual and collective needs, responsibilities to one another, and rights.

- **Converting the personnel office into a modern human resources management function centered on building a first-class work force.** Priority initiatives include creating executive training, succession and development programs; improving employee training; developing a culturally diverse work force (including the disaster reserve work force) that more closely matches the clientele of the agency; and providing organizational rotation to help break down the walls between agency units. To the extent practicable, provide for employee exchanges between headquarters and the field.
- **Creating a competent career planning, program analysis and evaluation staff of analysts reporting to the executive director which can provide agency leaders with timely planning, analysis and recommendations for change in policies, procedures, and programs and which can use OIG program evaluations as input.**
- **Encouraging the Office of the Inspector General to carry out more program evaluations, as mandated by the Inspector General Act and requiring the agency to build such evaluations into its new structure for program analysis and evaluation.**

COMMUNICATIONS AND INFORMATION TECHNOLOGY: Establish a modern communications and information resources management system by:

- **Creating a separate central information resources management office under the executive director from the staff now in the NP directorate, but including representation from other offices, to undertake an aggressive, unified agency program to exploit communications and information technology, to streamline agency operations and make them more efficient, to ensure that information is a by-product of systems designed to do the work of the agency to develop needed data bases and to create a forum in the agency to develop a meaningful agency-wide plan. This office also should work with other departments and agencies, state and local governments, and non-profits (such as the Red Cross) to create consistent, compatible information processing across programs.**
- **Ensuring that the IRM office is an integral part of an agency strategic planning process, exercising leadership in converting "Cold War" IRM assets and capabilities to today's and tomorrow's needs for domestic, civil emergencies.**
- **Reinstituting the Information Resources Board with strengthened functions, including budget development and oversight over major information projects and acquisitions.**

RESOURCES: Notwithstanding the demands for deficit reduction, the President and Congress should provide the funding needed to build an effective emergency management agency.

- **Action by the Administration.** Recognizing that the implementation of these recommendations will take more funding for program administration than is currently available to FEMA, the new director of FEMA should establish a task force to develop a funding proposal. The proposal should take into consideration possible offsets from

such things as lower regional overhead and lower security staff requirements, and from fewer "small" disasters being federalized, as recommended in Chapter Three. OMB and the administration should look upon such proposals as priority considerations to assist in building the institution needed for the alleviation of human suffering.

- **Action by Congress.** The Appropriations committees should support the new administration and the new FEMA director by providing needed funds and program flexibility.
- **Congress should consider legislation to allow the speeding of Disaster Relief funds.** One possibility may be to appropriate in advance -- perhaps with language denoting their availability only for use in the event of a major catastrophe, using the graduated scale recommended in Chapter Three. Recognizing, however, that this might prove impractical, the panel has suggested in Chapter Five that authority be provided for FEMA to make commitments to other federal agencies in advance of a supplemental appropriation.

CHAPTER FIVE

THE FEDERAL RESPONSIBILITY – THE ROLE OF CONGRESS

The Congress of the United States plays a leading role in developing policies for emergency management and the federal response to natural disasters. Jurisdiction over these functions and FEMA is so splintered, however, that no single authorizing committee has the ability or interest to examine either one in their totality. This splintered jurisdiction also reinforces fragmentation within the agency, as well as programmatic authorizations tied to specific kinds of disasters, such as earthquakes or radiological hazards. In addition, FEMA's relations with Congress are needlessly time-consuming, complex and contentious.

One side effect of this splintered jurisdiction has been a reluctance by FEMA to propose a restructuring of its authorizing statutes. Several laws apply to emergency management programs. The two most prominent are the Stafford Act (Public Law 93-288, as amended) and the Federal Civil Defense Act of 1950, as amended. However, certain emergency management functions are also governed by the National Security Act of 1947 and the Defense Production Act of 1950. Agriculture and small business loan programs are authorized by their own laws under the jurisdiction of committees with little or no interest in mainline emergency management programs. The result is a hodge-podge of statutory authorizations providing sometimes conflicting and outdated guidance which, in the panel's judgment, hampers the integration of emergency management functions and slows, as well as materially complicates, the federal response to natural disasters.

This chapter addresses congressional legislative and oversight responsibilities and makes the case for development and enactment of a new statutory base for federal emergency management programs. The panel supports consolidation of authorizing committee jurisdictions. The recent establishment of a Joint Committee on the Organization of Congress provides a unique opportunity to encourage consolidation of jurisdiction around an emergency management concept.

MANY COMMITTEES HAVE LEGISLATIVE RESPONSIBILITIES FOR EMERGENCY MANAGEMENT

About 20 committees in the House and Senate have legislative jurisdiction over emergency management programs and appropriations operated by FEMA. Additional committees, such as Agriculture and Forestry and Small Business, have jurisdiction over programs administered by other federal agencies, such as the Farmers Home Administration and the Small Business Administration, which provide assistance to disaster victims.

Splintered Legislative Jurisdiction Over Emergency Management

Numerous authorizing committees have jurisdiction over some aspect of emergency

management; no single committee, however, has formal responsibility under the House or Senate rules for this function. One FEMA document states that, in all, about two-thirds of the House and Senate committees can get involved. Some programs have permanent authorizations, others are reauthorized periodically, while still others are authorized annually. The chart on page 71 shows the major programs for FEMA and the committees that have jurisdiction.

Even within committees, different parts of FEMA's programs are overseen by different committee components. For example, in the Senate Armed Services Committee, the Subcommittee on Strategic Forces has jurisdiction over the Civil Defense Act while the full Committee staff oversees the classified national security emergency preparedness programs. A similar division is found within the House Armed Services Committee. None has an overall perspective on where the individual programs fit within the broad framework of federal emergency management.

FEMA-RELATED CONGRESSIONAL COMMITTEES

APPROPRIATIONS

Senate: Appropriations, Subc on VA, HUD, & Independent Agencies
 House: Appropriations, Subc on VA, HUD, & Independent Agencies

CIVIL DEFENSE

Senate: Armed Services, Subc on Strategic Forces
 House: Armed Services, Subc on Military Installations

DEFENSE PRODUCTION ACT

Senate: Banking, Housing & Urban Affairs (no Subc)
 House: Banking, Finance, & Urban Affairs, Subc on Economic Stabilization
 Energy & Commerce, Subc on Commerce, Consumer Protection, & Competitiveness
 Judiciary (no Subc)

DISASTER RESPONSE & RECOVERY

Senate: Environment & Public Works, Subc on Water Resources, Transportation, & Infrastructure
 House: Public Works & Transportation, Subc on Water Resources; Subc on Oversight & Investigations

EARTHQUAKE HAZARD REDUCTION

Senate: Commerce, Science & Transportation, Subc on Science, Tech, & Space
 House: Science, Space, & Technology, Subc on Science, Subc on Investigations & Oversight
 Interior & Insular Affairs, Subc on Mining & Natural Resources

EMERGENCY FOOD & SHELTER

Senate: Governmental Affairs (No Subc)
 House: Banking, Finance & Urban Affairs, Subc on Housing & Community Development

FIRE PREVENTION & CONTROL

Senate: Commerce, Science, & Transportation, Subc on Consumer
 House: Science, Space, & Technology, Subc on Science, Subc on Investigations & Oversight

FEDERAL INSURANCE ADMINISTRATION

Senate: Banking, Housing, & Urban Affairs, Subc on Housing & Urban Affairs
 House: Banking, Finance, & Urban Affairs, Subc on Policy, Research, & Insurance

RADIOLOGICAL EMERGENCY PREPAREDNESS

Senate: Environment & Public Works, Subc on Nuclear Regulation
 House: Energy & Commerce, Subc on Energy & Power;
 Interior & Insular Affairs, Subc on Energy & Environment

CERCLA, HAZMAT, HMTUSA

Senate: Environment & Public Works, Subc on Superfund, Ocean, & Water Protection
 Commerce, Science, & Transportation, Subc on Surface Transportation
 House: Energy & Commerce, Subc on Transportation & Hazardous Materials
 Public Works & Transportation, Subc on Surface Transportation

Preoccupation with Larger Topics Except in Times of Crisis or Disaster

Emergency management programs get little attention except in times of crisis or disaster. FEMA's budget is relatively small compared to those of other agencies included in its appropriations law (e.g., the Department of Housing and Urban Development and the National Aeronautics and Space Administration), and the civil defense component is a tiny fraction of the national defense authorization law reported each year by the Armed Services committees.

The civil defense program is given perfunctory treatment in the Armed Services committees with much of the attention being directed to whether there ought to be any national defense funding devoted to "preparedness for nuclear attack," and to the needs of local civil defense agencies which are partially supported by federal funding.

The Public Works committees have jurisdiction over the Stafford Act, but the cognizant House subcommittee also has jurisdiction over many other, larger issues, including the Corps of Engineers' water projects, water pollution, the Superfund (shared with the Energy and Commerce Committee), and large water projects in the soil conservation program. According to the staff, it has taken a passive approach to Stafford Act oversight, waiting for the Executive Branch to recommend any needed changes. While oversight hearings have been held in another subcommittee, no emergency management legislation was considered during the 102nd Congress, and the staff was not expecting any to be introduced in the 103rd. The impetus for the 1988 amendments to the Act came from an informal group headed by a Pennsylvania congressman not on the committee.

In response to a project staff question about the federalization of disasters, a committee staffer noted the existence of a "run on the feds" mentality: "states want the federal funding but no involvement from FEMA." The committee staff also mentioned that FEMA had tried to develop a more objective, less political review of state-proposed disaster declarations. In doing so, the agency lowered the amount of federal assistance being offered. Congress, upset over such actions, however, modified the Stafford Act to allow more disaster assistance eligibility, and disaster declarations proliferated.

A catastrophic disaster like Hurricane Andrew also gets a lot of congressional attention. The \$11-billion supplemental appropriations law enacted after Hurricanes Andrew and Iniki was a high-visibility political event involving the White House, the congressional leadership and the congressional delegations of the affected states.

The storm generated numerous requests for reviews and investigations, including the congressional mandate for this report. The General Accounting Office received about 10 requests from various committees in the House and Senate, and committee staffs have visited the disaster sites on several occasions. In addition, the House and Senate conferees on the fiscal 1993 Defense Authorization Act, in the context of the need for a revised civil defense policy, said that "serious consideration should be given to raising the stature of the . . . emergency

management function and enhancing its ability to respond to national emergencies rapidly, including transferring or associating all or parts of the FEMA mission and capabilities to or with a major federal department." The President was directed to evaluate the issues and report to Congress in early 1993.

Funding Flexibility Problems in Authorization and Appropriations Laws

FEMA's appropriations are handled by one Appropriations subcommittee in each House; these are the only committees with comprehensive jurisdiction over the agency. Even so, FEMA is in the same appropriations law with environmental, housing, space and veterans affairs programs which tend to get a far greater share of the subcommittees' attention. Also, different Appropriations subcommittees have jurisdiction over the small business and agriculture loan programs available to disaster victims. Therefore, even the Appropriations subcommittees lack a comprehensive overview of all federal emergency management programs. Attention to the programs they do oversee is limited by the demands of larger programs and agencies in other fields.

Emergency management programs are authorized either permanently or for varying time periods. Appropriations for civil defense funded out of the national defense account are authorized annually. Other programs, such as fire prevention and control, and flood insurance, are provided multi-year authorizations. All such authorizations are done in relative isolation from other emergency management programs, thus perpetuating the programmatic subcultures or "stovepipes" inside FEMA.

Because of concerns about FEMA's performance, the Appropriations committees have held a relatively tight reign over FEMA (see also Chapter Four, page 62). Reprogramming without committee review is limited to \$250,000. The Appropriations committees' reports have included specific directives for spending on individual projects, and funds for agency administration have been reduced in response to allegations of improprieties.

FEMA is not unique among federal agencies in the specificity of direction it has received on its appropriations. However, FEMA leadership will need additional flexibility in obtaining and using funds for needed institution building or in redirecting funds to new uses in light of changed circumstances. The additional funding flexibility provided by the committees in response to a request in FEMA's fiscal year 1993 budget should help.

Congressional Oversight Responsibilities Are Also Fragmented

Five different Senate committees review FEMA's presidential appointees for confirmation (see chart below). Therefore, none can take a comprehensive approach to determining the fitness of appointees, their policy preferences, and how those preferences may affect the integration of FEMA's mission and programs. One solution is to reduce the number of appointees to two: the FEMA director and deputy director (see also Chapter Four

recommendations.)⁵⁵ Both of these appointees are reviewed and confirmation recommendations reported by the Senate Governmental Affairs Committee. This committee has legislative jurisdiction over only the homeless programs authorized by the McKinney Act; therefore, it is not as familiar with the day-to-day problems of emergency management as some other committees. Ideally, the Senate committee with jurisdiction over the emergency management function should be the committee which confirms FEMA appointees.

FEMA'S PRESIDENTIAL APPOINTEES AND COGNIZANT SENATE COMMITTEES

Agency Position	<u>Senate Committee Having Jurisdiction</u>
Director Executive Level II	Governmental Affairs
Deputy director Executive Level IV	Governmental Affairs
FIA administrator Executive Level IV	Banking, Housing and Urban Affairs
USFA administrator Executive Level IV	Commerce, Science and Technology
Associate director, SLPS Executive Level IV	Environment and Public Works
Associate director, NP Executive Level IV	Armed Services
Associate director, External Affairs PAS Level V	Governmental Affairs
Inspector General	Governmental Affairs
Undetermined Position -- Vacant GS-18 (established in the enabling legislation but never filled).	

Oversight hearings are held sporadically on emergency management programs, but most of the action is stimulated by specific disasters or other major events. No committee has taken a continuing interest in the effectiveness of these programs.

⁵⁵ This does not include the FEMA Inspector General which would continue as a presidentially appointed, Senate-confirmed position as required by the Inspector General Act of 1978, as amended.

FEMA has formally recognized the problem of fragmented jurisdiction. In his 1992 report on internal controls required by the Federal Managers Financial Integrity Act, the FEMA director made this comment about the agency's legislative authorities:

FEMA's programs are authorized and directed by a myriad of enabling legislation, appropriations acts, executive orders, and National Security Directives. In addition, congressional oversight and jurisdiction involves some 16 congressional committees and 23 subcommittees. As a result, FEMA's mission is continually altered and shaped in piecemeal fashion by diverse events, the influence of various constituencies, and differing congressional interests. For FEMA's management, appropriate integration of these various authorities into a cohesive mission is difficult at best, especially given the fragmentation and dynamics of legislative policy.

NEW STATUTORY CHARTER NEEDED FOR EMERGENCY MANAGEMENT

For a small agency, FEMA operates under an unusually large number of legal authorities in different statutes, executive orders and formal interagency agreements. Some of these laws authorize activities -- general fire prevention and safety, crime insurance, funding and support for grants to organizations helping the homeless -- that are tangential to FEMA's primary roles in emergency management and national preparedness. Even in carrying out these roles, FEMA must operate under statutes that overlap in what they authorize and which encourage the formation of separate "programs" and administrative structures to deal with common or closely linked problems.

FEMA derives the core of its response authority from the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.). In general design and scope, this statute provides a comprehensive vehicle for dealing with major disasters and emergencies, covering within its borders federal preparedness, assistance to state and local preparedness, coordination of federal actions when a catastrophic event is beyond state and local capabilities or involves some preeminent federal concern, and helping communities cope with the immediate effects of that event and begin work for recovery.

The Stafford Act reflects much of what the federal government has learned over decades of trying to respond appropriately to many kinds of emergencies and disasters. The direct history of the Act extends back to 1950, when Congress crafted a general law to authorize federal disaster relief that before had been provided under a long series of individual statutes enacted in response to particular disasters. Twenty years later, accumulated experience was incorporated in another general act, the Disaster Relief Act of 1970.

Revisions in 1974 and 1988, for the most part, provided fine tuning to the federal assistance programs and benefits to individuals and families, businesses, organizations and local governments. They made substantial changes, however, in the way the federal response to an incident is to be structured and the circumstances under which various kinds of assistance and

benefits can be provided. These changes added flexibility and improved prospects for coordination; but in other ways, efforts made to anticipate particular situations have created rigidities that are probably out of place in a law designed to deal with the exceptional and unexpected. To some extent, FEMA has extended these rigidities by applying its authorities in a cautious, conservative way.

Moreover, much of FEMA's legislation was designed during a period of continuing national concern over the threat of international conflict potentially ending in the ultimate disaster of all-out nuclear war. Legislation designed primarily to deal with this threat, particularly the Federal Civil Defense Act of 1950 (50 U.S.C. App. 2251, et seq.), is used also to support preparation for non-war disasters. Thus, little incentive has existed for examining the adequacy of the Stafford Act as a general preparedness authority. While the Stafford Act is quite comprehensive and detailed as a basis for federal response to, and recovery from, emergencies and disasters, it is relatively weak and general in its treatment of preparedness and mitigation activities.

The Stafford Act should be broadened into a more flexible and comprehensive charter for federal emergency management. All the basic elements are already there, in varying degrees of completeness. These elements should be strengthened where they are inadequate, brought into better balance, and established as an improved basis for coordinated planning, budgeting and congressional oversight that extends across program and agency boundaries.

The Stafford Act authorities could be consolidated with those under the Federal Civil Defense Act of 1950 and other statutes authorizing disaster response. However, this would be a daunting task given the existing complexity and fragmentation. While the Civil Defense Act is significant because of the administrative structures that have grown up under it, this Act today adds little in the way of substantive legal powers to what is already within the scope of the Stafford Act. It is, however, cited as a source of authority under national security directives and, in this respect, may be considered as a possible support for national security emergency preparedness and responses. Ideally, the Federal Civil Defense Act should be revised to reflect this use or repealed, but such action is not essential if the Stafford Act is amended to provide full authority for federal assistance to state and local governments. The Civil Defense Act's authority could simply be put on standby.

In providing comprehensive authority for preparation and response to all types of domestic emergencies and disasters, the Stafford Act should be available for use either as the core authority around which programs authorized by other statutes will be organized, or, when needed, as a supplement to these other laws. The Act's authority may not, in fact, be used for responding to a particular event, such as a hazardous substance release. However, the use of other authority in such instances should not preclude invoking the Stafford Act where it authorizes additional assistance that could not be provided without it.

Suggested Provisions

As part of any comprehensive revision of the law, several subjects related to

recommendations made elsewhere in this report should be considered. The panel is not formally recommending specific statutory amendments, only suggestions for consideration in creating the new emergency management charter. They are:

1. *Extending the statute to catastrophic events of national concern whether caused by natural forces, negligence or human action, including attack by an enemy nation or terrorist group.* As the likelihood of all-out nuclear war recedes, the possibility remains that a more limited attack might someday be made on the United States, particularly if the proliferation of nuclear weapons continues. Not only should the nation prepare for such an eventuality, but it should also have the capability of responding to the damage caused and assisting the victims and areas that may bear the brunt of devastation under the same authority and procedures that apply to natural disasters.

As suggested above, national security-related preparedness planning would continue outside of the common emergency management statutory authority, but that authority should nevertheless cover a full range of hazards. It should not include provisions, like those now in the Civil Defense Act, which establish fixed, separate structures or require fixed priorities in the use of funds. These are matters that should be considered as a part of presidential discretion and congressional oversight in the budgeting and appropriations processes.

2. *Revising the statute to require, not merely authorize, coordinated federal preparedness planning.* The kind of advance preparation reflected in the Federal Response Plan (see Chapter Three) is the key to rapid, effective, coordinated action in a crisis situation. A specific statutory requirement for planning would recognize its importance and help encourage budgeting and oversight that covers the designated responsibilities of the various federal agencies involved. Building on authority already available under the Anti-deficiency Act (51 U.S.C. 1515(b)(1)(B)), the new charter could authorize the President, when necessary, to enable FEMA to obligate funds for plan execution, including making commitments to other agencies, without waiting for a supplemental appropriation to be enacted. In a major crisis, this would allow the federal government to respond more quickly without penalizing other disaster recovery operations.

Subject to this planning requirement, the federal preparedness program provided for in title II of the Act could also be expanded to specifically authorize federal acquisition and prepositioning of necessary supplies and equipment as well as the formation of trained teams, which can be quickly deployed, if necessary, in advance of a formal disaster declaration to assess damage, determine available resources in the area and begin preparations for subsequent response operations.

3. *Expanding and strengthening the authority for helping states to prepare for disasters and emergencies.* The Stafford Act now provides one-time federal grants of up to \$250,000, followed by annual "improvement grants" of up to \$50,000, to help a state to develop a preparedness program. These provisions do not provide an adequate basis for encouraging states to carry out needed preparedness programs for different kinds of emergencies and catastrophic events. The statute could be amended to (1) incorporate requirements for state preparedness efforts, taking into account the types and relative severity of risks to that state, and (2) direct

attention to mitigation as well as to response and recovery measures. Consideration should also be given to increasing the federal share of costs as an inducement to state program improvements. Conversely, in the event that a disaster occurs, the statute could make the relative scope and effectiveness of state and local preparedness a specific consideration in determining the ratio of the state's match for federal assistance provided for public facilities.

4. *Granting increased authority for rapid, early federal action, even in advance of a request for a presidential declaration.* The Stafford Act now authorizes only very limited federal actions to anticipate an imminent disaster or emergency or to set machinery in motion before a governor's request has been received and acted upon. This is true even though the need for federal action is manifest and a request is known to be coming, or the devastation is such that the governor or other state official cannot be found or is unable to act.⁵⁶ Too much depends upon formalities that, in the actual event, may be difficult or impossible to observe.

The 1988 amendments recognized a new category of "emergency" if the event affects a subject area of "primary" federal interest so that, in these cases, the federal government could respond without a governor's request. This kind of authority could be made available in other extraordinary situations.

The costs of response actions taken in advance of a governor's request would be wholly covered by the federal government. Moreover, consideration should be given to making the federal government responsible for all costs it incurs for the catastrophic event for an initial period of several days, even when a disaster is declared in response to a governor's request (see also Chapter Six). This would eliminate uncertainties about relative costs that can cause delays in assistance, while also allowing federal and state representatives to concentrate on how to handle the major expenses typically associated with federal assistance after the initial period. If properly administered, this approach might help the federal government establish and negotiate more favorable cost sharing arrangements than those agreed to under the extreme pressures that immediately follow a catastrophic event such as Hurricane Andrew.

5. *Reexamining the statutory concept of "emergencies" and the distinction between emergencies and major disasters.* The emergency category seems to have been added to the original law to preserve federal capacity to act more rapidly than in a major disaster and also to allow a limited federal response without authorizing the full range of disaster benefits. More recently, a distinction has been drawn between the kinds of causal events that can give rise to an emergency, as opposed to what the law recognizes as a "major disaster." Specifically, emergency declarations are authorized for events caused by human actions which cannot be "major disasters" unless they take the form of a fire, flood or explosion. Also, as already mentioned, a new "federal" category of emergency was created.

The rigid distinction between "emergencies" and "major disasters" as a way of determining what assistance and benefits can be provided has made the "emergency" a choice

⁵⁶ In the aftermath of Hurricane Hugo's striking the Virgin Islands, communications were virtually non-existent, and FEMA officials had great difficulty finding the governor.

to be avoided, if possible, because it reduces federal assistance flexibility. The statute should appropriately recognize a range of disasters. But it should also allow the kinds of assistance and benefits to be adjusted to the nature of any event beyond state and local capabilities without regard to whether it fits in the "emergency" or "major disaster" category.

The 1988 amendments authorizing "major disaster" assistance when a catastrophic event is caused by human action resulting in "fire, flood or explosion" has apparently resulted in a situation in which, after the 1992 Los Angeles riots, owners of adjacent properties were being treated differently depending upon whether rioters had merely smashed things up or had also left fires in their wake. The revised definition also exposes the federal government to the possibility that it is planning and preparing for certain kinds of events -- such as some potential nuclear accidents or chemical releases -- without having the necessary authority to act and assist those affected should the event actually occur. Even such authorities as those dealing in crisis counseling and legal services are by their terms limited to major disasters.

Congress may want to limit the potential use of disaster relief authority in connection with catastrophes resulting from human action. If so, it may be better to require a special presidential finding or justification than to try to anticipate circumstances by a definition that is too likely to prove arbitrary in application. Sudden events, if large and overwhelming enough, will produce enormous public and political pressures for federal help -- and neither the media nor the victims will have patience with legal distinctions about the specific causes of the distress. The question is not whether federal assistance will be provided, but whether it should be provided under an existing authority, supported by as much advance planning as is reasonably possible. The alternative is special legislation enacted in the midst of a crisis that allows little or no time for investigation and reflection.

Recovery Issues

Because the panel has concentrated on the federal response to disasters, it has not given extensive consideration to authorities designed to help individuals and families, businesses and communities recover from disasters. It is clear, however, that a review of the statutory authorities for a variety of problems related to recovery would be desirable. For example, some parts of the Stafford Act are plainly obsolete because they contemplate giving a "priority" to disaster areas under federal public works assistance programs that are no longer in operation.

Of course, administration of all recovery authorities is probably beyond the bounds of any single federal agency. But FEMA could well be a "one-stop" source of up-to-date, usable information about all of the "disaster" and "emergency response" authorities -- probably 100 or more -- which are currently administered by different federal agencies. This information function could be extended to cover other federal authorities which do not refer specifically to disasters or emergencies but which may be particularly useful in helping states and localities plan for long-term recovery.

CONCLUSIONS AND RECOMMENDATIONS

The federal emergency management function and FEMA are overseen by too many congressional committees, none of which has either the interest or a comprehensive overview to assure that coherent federal policy is developed and implemented. A preoccupation with constituent interests, while laudable in times of great need following disasters, makes it very difficult to achieve a balance between cost and service.

There also is a need to shift from an preoccupation with shortcomings in the federal response to support for improved management of FEMA and emergency management programs. FEMA or a successor agency needs a more coherent legislative charter, greater funding flexibility and sustained support for the institutional infrastructure described in the previous chapter.

Recommendations to the Executive Branch

Draft a new legislative charter, building on existing authorities in the Stafford Act, and formally transmit it to Congress as soon as possible to enable action in the 103rd Congress.

Incorporate in the draft charter (1) language to reduce FEMA's presidential appointee positions to two, the director and deputy director (excluding the inspector general), and (2) any authority required by the President to make needed organizational changes.

Recommendations to Congress

Enact legislation that will (1) provide a comprehensive emergency management charter through amendments to the Stafford Act to encompass emergencies and disasters of all types other than those administered outside the current body of laws applying to FEMA and (2) reduce to two FEMA's presidential appointee positions.

Designate a single committee in each house of Congress with jurisdiction over "emergency management" and the laws applying to FEMA. The Joint Committee on the Organization of Congress should give this matter priority attention.

Designate a single committee in the Senate to confirm all FEMA appointees nominated by the President and requiring confirmation.

Remove some of the funding restrictions on FEMA's programs, including the earmarking of funds for specific projects, commensurate with initiatives taken and planned by FEMA, to build a high-performance, high-reliability institution for emergency management.

CHAPTER SIX

STATE AND LOCAL GOVERNMENT ORGANIZATIONAL CAPABILITY AND
COORDINATION WITH THE FEDERAL GOVERNMENT

The interrelationships of federal, state and local governments regarding emergency management are highly complicated and often fraught with conflicts. Regardless of the organizational form or effectiveness of *federal* emergency management efforts, state and local governments must deal effectively with disasters. State and local governments play vital roles in all phases of emergency management.

State and local governments must be able not only to effectively manage small and medium disasters on their own but also to function effectively as part of an intergovernmental team when an event warrants a presidential disaster declaration and federal intervention. FEMA needs to do more to help build the capacity and consistency of emergency management efforts of state and local governments.

Any federal system of government is complex, but the American system seems at times to give new meaning to the word. In the emergency management field, a variety of organizational, economic and intergovernmental problems have been the subject of concern in recent years.⁵⁷ First, organizational problems stem from an unstable federal emergency management structure. State and local officials concerned with emergency management are troubled by the many changes in enabling legislation, regulations and reorganizations in FEMA that have taken place in the last decade or so. Economic problems have grown, owing to the general fiscal austerity and the large increases in disaster relief outlays (especially the greatly increased outlays in fiscal years 1990-92) that have put pressure on the federal budget. Further, states and localities are confused over federal priorities and future prospects for funding.

Finally, intergovernmental delivery problems stem from the facility (or lack thereof) with which federal and state partnerships function in providing disaster assistance. Confrontations between state and federal officials in the aftermath of disaster can severely hamper the delivery of disaster assistance because states are critical conduits for local organizations' applications for federal assistance. States differ markedly in their capacity to respond to disasters and to work in partnership with federal agencies. These differences pose great dilemmas for the federal government in deciding when and how much assistance is warranted.

⁵⁷ See Peter J. May and Walter Williams, Disaster Policy Implementation: Managing Programs Under Shared Governance. (New York: Plenum Press, 1986); and William L. Waugh Jr. "Emergency Management and State and Local Government Capacity" in Sylves and Waugh. Cities and Disaster: North American Studies in Emergency Management. (Springfield, Ill: Charles C. Thomas, 1990); and William J. Petak and Arthur A. Atkisson, Natural Hazard Risk Assessment and Public Policy (New York: Springer Verlag, 1982).

THE VIEW FROM THE STATES

From the states' vantage point, they are faced with applying for FEMA assistance, both for (1) emergency management staffing and capacity building during normal times and (2) emergency response and recovery for a major disaster covered by a presidential disaster declaration.

During normal times, states apply for FEMA funding of functions such as staffing, preparedness, education and training, and general capacity building. In this regard, the states have to deal with both nuclear attack preparedness and natural hazards. The state offices of emergency services apply for FEMA money which is delivered through the Comprehensive Cooperative Agreement (CCA) mechanism.

In post-disaster circumstances, state and local officials have to deal with FEMA in a time of extreme stress and hardship. The potential for conflicts and strain are enormous; and states and localities that are only marginally prepared tend to fare poorly in the post-disaster environment. Typically, those state emergency service organizations with small staffs and limited knowledge and skills do not cope well with the influx of federal personnel and requirements. In fact, they usually cannot hold up their end of the partnership needed for effective response and recovery.

THE VIEW FROM LOCAL GOVERNMENT

In local government, emergency management is usually located at the county level (except for major cities, which maintain some capability of their own). County emergency management organizations, which usually are modestly staffed and funded, have to work with all levels of government. In normal times, they deal mostly with state officials to receive their funding (including pass-through money from FEMA to the states). Local officials receive most of their training from their state office of emergency services. County emergency agencies also deal with municipal officials within their boundaries to assist them with building their capacity and with establishing coordinative mechanisms in the event of an emergency or disaster response. Finally, they have some dealings with federal officials (usually FEMA) in connection with planning and paperwork requirements for the pass-through funding they receive.

In the event of a major disaster, the local emergency management agency initially may have the coordinative role, but responsibility usually escalates up the chain of command and elected officials at the county and state levels usually assume responsibility.

From the local perspective, emergency management organizations and officials generally are at the mercy of the state and federal government for much of their budgets, planning and reporting requirements, and staffing determinations. The mixed signals given out in recent years by the federal government about dual use planning, "all-hazards planning," and nuclear attack preparedness requirements have made it hard for both state and local organizations to plan and function effectively.

CURRENT RESPONSIBILITIES OF STATE AND LOCAL GOVERNMENTS

Local Responsibilities and Organization

For the great majority of emergencies and disasters, local government is the first and only operational responder through a fire department, police department, or other agency. Local capacity is highly variable. Variations occur for many reasons -- because of local politics, culture, political will and organizational capacity. Local governments are at the end of the line for pass through of federal and state funding and training. This position results in more variation, owing to the states' funding problems and vagaries in the quality and quantity of emergency management training each state can offer. As might be expected, large counties usually fare better than small ones, and urban areas fare better than rural ones.

The local emergency management organizations, whose officials have done the planning and receive the training for emergency management functions, often are superseded by the chief elected and appointed officials at the local level. Their advice and support is sometimes heeded, but not always.

If an event is serious enough to warrant a presidential declaration, county officials will usually support the preparation of the request for the declaration, the damage assessment efforts and other functions such as evacuating and securing affected neighborhoods.

It is important to bear in mind that some municipalities, and even some small counties, are rendered non-functional by a large-scale disaster. In effect, the governments become victims along with their citizens. This is especially true of those that depend heavily on part-time local officials and have small professional staffs. Often, the local loss of public facilities, vehicles and machinery leaves them disabled. In such situations, response and recovery must be managed at a higher level of government, at least during the early days after a major disaster.

Like the states, local governments vary widely in their attention to and investment in emergency management. Within the state of California, NAPA staff observed a wide range of capacity at the local level. For example, both the city and the county of Los Angeles have made substantial investments in emergency management. By contrast, in the San Francisco Bay area, in the two neighboring cities of Oakland and San Francisco, the staff saw markedly different patterns of interest and funding of emergency management. Oakland, with a population of less than half that of San Francisco, has a greater number of people and a larger amount of funds devoted to emergency management. These are local decisions over which state and federal officials have little, if any, control.

Local Emergency Organizations

In the early 1980s, FEMA contracted for a replication of the studies done in the 1960s to determine the status of local planning and managing of major community disasters after 20

years.⁵⁸ Some findings from the final report are:

First, there is still tremendous diversity for the most part in the structure and function of the local emergency management office or LEMA. The diversity reflects local community conditions and this is a reality of life that cannot be changed by the imposition of an artificial model from above. . . . There is no one single standardized model which is feasible and best for all communities....

Second, when measured against what existed in the past, there has been a very noticeable increase in the disaster preparedness activities undertaken by local emergency management agencies.

The third finding . . . is that generally better disaster preparedness has not and does not automatically turn into a better disaster response. At the present time, the management of actual disasters by local emergency management agencies appears to be as plagued by the same kinds of problems that could be seen 20 years ago.⁵⁹ Good disaster preparedness is a necessary but not a sufficient condition for good management of a disaster.

State Responsibilities

The role of the state emergency management agency is similar in many ways to that of the local agency. It must have an effective organization and develop and maintain necessary plans, facilities and equipment. On a day-to-day basis, it must manage an active, ongoing emergency management program at both the state and local levels.

Most states have a single agency that takes lead responsibility for emergency preparedness and response activities. The nature of these agencies and their lines of authority vary, but they fall into one of five general types of state organizations. Authority in all cases is legislated to the governor but is operated in a variety of ways: (1) in the governor's office; (2) delegated to a civilian department; (3) delegated to the adjutant general; (4) delegated to the state police; or (5) delegated to a council, which oversees departmental activities.

A state, however, has additional emergency responsibilities not shared by local government. It is in a unique position to gauge the emergency management needs of more than one of its political subdivisions, assess its own and to some extent the federal government's resources, and facilitate the acquisition and application of these resources. State government also can give direct guidance and assistance to local jurisdictions in program development and

⁵⁸ E.L. Quarantelli, "Local Emergency Management Agencies: Research Findings on the Progress and Problems in the Last Two Decades." (Newark, Del: University of Del, 1988); pp.4-5.

⁵⁹ Elsewhere in the report (p. 11), Quarantelli explained that "LEMA responses in disaster continue to be as problem-plagued as they were in the past. Part of this stems from a failure to recognize that planning deals with strategic questions, whereas managing has to address tactical issues; thus, the lack of a full correlation between preparedness and response."

channel federal guidance and assistance to communities. In a major emergency, the state office should ensure a coordinated response through the combined efforts of local, state and federal agencies and private sector organizations. Like local jurisdictions, states also frequently have limited their disaster roles to the preparedness and response phases of emergency management, at the expense of mitigation and recovery.

States vary tremendously in their interest and investment in building and maintaining emergency management capability. On the top end of the scale is California's Office of Emergency Services with a staff of about 300 people and an annual budget of about \$416.6 million. (Of that amount, about \$8.7 million came from FEMA last fiscal year via the CCA funding mechanism. The state also received \$18.1 million in Emergency Food and Shelter funds and \$129 million in Disaster Relief payments from FEMA in fiscal year 1992.) At the lower end is South Carolina where the state contributes relatively little (about 10 cents per capita) to the amount of funding the state Office of Emergency Services receives from FEMA, which was \$1.6 million in CCA funds in fiscal year 1992.

FEMA Support for State and Local Capacity

While the amount of FEMA funding available to states and localities is relatively small, the investment currently being made by states and localities in their own emergency management also is small. FEMA funds amount to about two-thirds of the states' total expenditure on emergency management. The percentage of federal funds for local emergency management is estimated at 50 percent.⁶⁰

The current programs and mechanisms providing federal funding to states, which in turn pass through money to local governments are as follows:

The CCA is the funding mechanism FEMA uses to fund state and local governments for mutually agreed-upon objectives for emergency management each fiscal year. The CCA includes monies for several programs:

Civil Defense Budget Activity

(1) Emergency Management Assistance (EMA). This program provides for up to 50 percent of the costs of personnel and administrative expenses for state and local emergency management personnel. Two-thirds of the funds are passed through to the local level. The actual match of expenses is probably between 35 and 40 percent.

(2) Other Assistance. This funding category is comprised of several items for funding state personnel costs. Included are the Population Protection Planning program,

⁶⁰ In his book, The Professional Emergency Manager, Drabek reports that 45 percent of the local emergency management organizations he surveyed received 50 percent or less of their budget from the local government, suggesting that a great many local emergency management organizations are heavily dependent on funds from FEMA and their respective state. [As quoted in Sylves (1991).]

Radiological Defense Planning, Radiological Defense Maintenance, and Survivable Crisis Management.

This category also includes funds for non-grant programs which support state and local governments. An example is the Family Protection Program which provides for citizen-oriented, self-help emergency preparedness.

(3) Facilities and Equipment. Includes former budget line-items including Emergency Operating Centers (up to 50 percent match); Emergency Broadcast System (for radio stations, up to 100 percent match), Electro-Magnetic Pulse (up to 100 percent match); Maintenance and Services.

(4) Training. Funds for state training officers (up to \$38,500) and stipends to pay for specified costs of travel and lodging for State and local students trained at the EMI.

Earthquake and Other Hazard Activity

(1) Earthquake Preparedness. Funds are provided to selected states for preparedness and mitigation activities (50 percent match).

(2) Hazard Mitigation Assistance. Funds are provided to special projects at up to 100 percent federal share.

In addition, several post-disaster recovery and mitigation programs and projects are provided for under the Stafford Act; most notable are those provided for by Sec. 404 and 406 programs for mitigation during recovery.

STATE AND LOCAL GOVERNMENT CAPACITY FOR EMERGENCY MANAGEMENT IS UNEVEN AND AT TIMES INADEQUATE

In a country as large as the United States, it is not surprising that the capacity for emergency management has been uneven and sometimes inadequate. The federal government has applied resources to support and strengthen local funding through the CCA program, Fire Academy training, National Flood Insurance Program, and the like. To date, this federal support, coupled with local and state financing has not been sufficient to assure the desired capacity across thousands of local and state jurisdictions. No one can say with certainty what the "desired capacity" of state and local government should be. It can be defined by its absence, however, as seen in the response to events like Hurricane Andrew in Florida.

Federal/state/local relations are complex and often conflicting when it comes to the components of emergency management: preparedness, response, recovery and mitigation. For example, preparedness activities include warnings, awareness, and evacuation activities, which focus on effective communications and planning. Communities with great ethnic, racial and cultural diversity find these activities especially difficult. Mitigation measures usually affect land

use controls as well as building and construction standards. Proposed changes in these areas often involve the enactment of stricter building codes, increased code enforcement, and more land-use controls -- all of which are usually the responsibility of local government and are politically-sensitive matters at the local level.

Catastrophic events, such as Hurricanes Andrew and Iniki, bring emergency management problems into the national spotlight, but only briefly. As noted in Chapter Two, governments often are reluctant to invest resources in preparing for high-cost, low-probability events, although some localities are more inclined to do so than others. An ongoing problem is how to sustain interest and maintain emergency management capability during normal times.

Factors Contributing To Unevenness and Variable Capacity

Researchers and public officials have been aware of the problems of state and local capacity for many years. Many of these problems have been documented for nearly two decades, and awareness of them has persisted through several federal reorganizations.⁶¹ At the state and local levels emergency management suffers from:

1. *A lack of clear and measurable objectives, adequate resources, public concern or official commitments.*
2. *Low levels of public concern and support for events of low probability but potentially high impact.*
3. *Local sensitivity surrounding building code enforcement and land-use planning -- both essential in planning and implementing mitigation measures, and prominent in recovery efforts.* For example, even in the aftermath of 1989's Hurricane Hugo, South Carolina's efforts to enact a state-wide building code failed.
4. *Fragmented decision making and strained intergovernmental relations.* For example, interviewees informed the project staff that relations between the independent cities in Dade County and the county government were poor prior to Hurricane Andrew, as were those between the county and the state of Florida. After the disaster, relations did not improve, which impeded both response and recovery efforts.
5. *Inconsistency of federal support and involvement (e.g., for seismic safety, wetlands management).*
6. *A lack of knowledge and competence in emergency management.*
7. *A lack of commitment to and funding for emergency management.*

⁶¹ See publications by Peter May, William Waugh Jr., and William Petak in the bibliography.

Recently, a special committee to the governor of Florida reviewed the state's funding for emergency management and acknowledged its inadequacy.⁶² The report noted that the state was spending about 68 cents per person for emergency preparedness and recovery programs (total of \$8.8 million). In the coming fiscal year, the committee recommended that the state increase that amount to at least 87 cents per capita and create a Trust Fund for Emergency Preparedness and Assistance.

WHAT FEMA SHOULD DO

The NAPA panel believes that the federal government needs to do far more to ensure that states and local governments create and maintain adequate capability for all components of emergency management, especially in areas vulnerable to catastrophic events. FEMA has emphasized its role as "supporter" of state and local governments' emergency management capacity and as "responder of last resort." But FEMA has provided little proactive, strategic leadership. Its efforts have not recognized that those persons and entities involved in emergency management are linked by mutual interdependence at all stages of an emergency or disaster, regardless of the traditions and protocols of federalism. Cooperation is necessary to achieve effective emergency management from the beginning to the end in any stage: preparedness, response, recovery, or mitigation. The intergovernmental system as a whole is only as effective as its weakest part. FEMA must strategically allocate resources to improve the system; where capacities are low they need to be raised and where inconsistencies exist they need to be reduced. Inducements should be used so that the interdependencies of the actors are recognized and cooperation and coordination are worked out in advance of a disaster.

FEMA needs to assume a greater leadership role in developing this cooperative partnership or network. FEMA should begin to plan and act as though that network is a reality and acknowledge that the state and local emergency management agencies that comprise it are highly variable in organization, composition and capacity. These semi-autonomous actors must be more closely linked together by cooperative efforts in order to meet future emergency management needs.

States and localities can improve their emergency management capacities and consistencies in a variety of ways. Some suggested tools to augment capacity include:

1. creating a strategic plan for upgrading state and local government capacity for emergency management, thereby contributing to the consistency and capacity of a de facto national system;
2. using financial incentives strategically, to reward effort and competent performance;
3. improving training and education;

⁶² Governor's Disaster Planning and Response Review Committee. Final Report. January 15, 1993. Office of the Governor of Florida, Tallahassee, Fla; pp.79-80.

4. increasing research and its application; and
5. fostering peer exchanges and mutual aid agreements.
6. encouraging regional planning and preparedness efforts

Many hazards reduction or disaster planning efforts could be carried out efficiently and cost-effectively on a regional basis. Some of these regional efforts may be intra-state, as in the case of river basin planning, while others may involve two or more states. There are a few examples of successful inter-state compacts and other forms of cooperation regarding seismic safety. Another hazard that has yet to receive regional attention, but deserves it is hurricane planning.

Since two recent hurricanes in the Atlantic Ocean (Hurricanes Hugo and Andrew) have had catastrophic effects, and more hurricanes are expected to track up the east coast of Florida in the next decade,⁶³ a new focus on hurricane planning is needed in the Atlantic seaboard states. One potential regional relationship has been discussed by academic researchers concerned with the aftermath of Hurricane Andrew in Florida; their goal is to establish a network of university-based researchers to work cooperatively to gain knowledge and share it regarding hurricane response, recovery, mitigation, and preparedness.

Far more is needed in the way of planning and operational arrangements among states and localities that experience a major hazard/disaster, such as severe coastal storms and hurricanes. These arrangements would facilitate the sharing of knowledge, personnel, and other resources.

FEMA headquarters and regional offices could play a critical role in fostering regional cooperation that fulfills plans for a national emergency management system. Headquarters must set overall strategic planning objectives. Each regional office should work cooperatively with its states in (a) preparing the regional operational plans required in connection with implementation of the FRP; and (b) determining the performance standards that are appropriate as a condition of states receiving CCA funding.

Assessment and Capacity Building

For the various levels of government to function as semi-autonomous but mutually interdependent entities in the event of a major disaster, the federal government needs to get more involved in an assessment of their capabilities. If state and local governments do not have adequate capability then the federal government should make greater efforts to help improve their capacities. FEMA needs to determine the level of capability in the states, territories and trusts, and work more closely with those at the lower end of the capacity ladder. FEMA should engage in more customized programs and specific projects and less in pass-through, formula-based funding. Programs and projects should be keyed to developing greater consistency and

⁶³ According to the meteorologists at the National Hurricane Center in Coral Gables, Florida.

capacity in the *de facto* network of emergency management.

Building on Present Efforts

For fiscal year 1994, FEMA staff are changing the CCA guidance to the regions and the states to better integrate nuclear attack preparedness and natural hazards emergency management capability. According to the draft guidance, the program will emphasize "developing emergency management activities which contribute to an all-hazard preparedness and response capability at the state and local levels." In addition, new emphasis will be given to planning for catastrophic events, training exercises, and the recovery phase.

For the present CCA program, state and local governments submit quarterly information about their efforts, staffing and training. Data from the submissions are entered into two computerized databases. State submissions of FEMA's required Capability Assessment and Multi-Year Development Plan for States Governments are entered into a database called CARL. CARL is used for all programs combined in the CCA; it provides quarterly work statements and quarterly progress reports in a database form. Separate provisions are made for narrative comments from the state, the regional office and from headquarters in a text file. A second database is Capability and Hazard Identification Program for Local Government (CHIPS), which contains similar information from local emergency management organizations.

Despite these two databases and informal knowledge about past performances on the part of states and major cities, no effort is being made to use them systematically to develop a comprehensive, national strategy to build needed state and local emergency management capability. Nor is that information used to get a fix on the capabilities FEMA will meet when one or more states is a signatory to a presidential declaration. FEMA should develop a strategic planning and management capability vis-a-vis its governmental partners, which will include periodic qualitative assessments of their capabilities.

More Systematic Assessment of Existing Capacity

FEMA already has some existing sources of information, such as the database CARL, and many regional staff no doubt informally gather information that could aid in developing a picture of nationwide capability. The next steps would be to draw up a list of priority actions, programs and projects and to prepare a schedule for redressing the weaknesses of the states, which are an essential part of the national network.

Strategic Use of Financial Incentives

Federal funding to states and localities should entail monitoring, evaluation or other requirements, lest it become simply a form of revenue sharing. The majority of persons interviewed at state and local government levels agreed that some sort of performance standards should be met as a condition of receiving federal funds. This would help to bring the weakest of the states and local governments up to at least minimum standards.

In fact, the National Emergency Management Association (NEMA), which represents state emergency services directors, recently acknowledged this need. They said:

State and local government have a responsibility to mitigate, prepare for, respond to and recover from disaster situations. Therefore, both a policy and financial commitment to disaster programs is necessary. Furthermore, we believe that it is a fair congressional expectation that state and local governments be prepared for disasters within their available resources. Local and State government must meet standards so as to be ready to accept expedited federal aid. Some governments are clearly more ready today than others. All should be held to an appropriate standard by FEMA.⁶⁴

To help state and local governments attain a higher level of capability and performance in emergency management, FEMA should create or enhance incentives to maintain at least a minimum level of readiness and capacity to manage the response and recovery at the state and local levels. First, in the pre-event period there should be incentives for greater attention to and investment by each level of government in preparedness, education and training, and general capability. (An example would be a competitive application process for special funds earmarked for a specific hazard, such as seismic safety code adoption for new construction.)

Strategic use of incentives means that funds should be allocated to states according to a risk assessment process to be sure the greatest risks are addressed rather than just allocating funds on the basis of prior levels of funding and on population. Further, the funding allocation formula based on nuclear attack probabilities should be changed to meet the domestic hazard and disaster needs. The thrust of these alternatives is to move from a pass-through or revenue-sharing system to a strategic-negotiated funding approach that builds de facto systemic capacity and achieves specific projects, products and competency objectives.

Second, there should be changes in post-event funding as well. Presently, after issuing a presidential declaration, the federal government often waives the 75-percent (federal) and 25-percent (state) requirements of the Stafford Act. In those cases, FEMA usually agrees to pay 100 percent of the emergency response costs as well as 100 percent of the recovery and some mitigation costs for the affected states and localities. For some states and localities that have neglected to develop and maintain an adequate emergency management capacity, 100 percent federal money is a windfall that can be seen as a reward for their neglect. The negligent governments may receive as much money as those that made significant efforts at emergency management prior to the disaster.

Although officials the project staff interviewed who were involved in disaster decision making deny in retrospect that cost-sharing was a consideration, logic dictates that in times of fiscal austerity this must have weighed heavily in the minds of the top elected officials at state and local levels. The requirement that a state pay up to 25 percent of emergency response costs

⁶⁴ "The Role of the Federal Government in Response to a Catastrophic Disaster: NEMA's perspective." Special insert in NEMA News, Vol 2. No. 4, [date unknown]

may delay a request for a declaration on the part of state and local officials, who are unclear on the extent of the disaster.

To rationalize the system and to better reward those states that have made a serious investment in emergency management, all states that can demonstrate need could be asked to pay no match and receive 100 percent federal money for emergency response and repairs immediately following a presidentially declared catastrophic disaster.

Additional incentives for states to develop at least minimal capacity could be used in the post-disaster period. One approach could be to change the ratio of federal match from the 75/25 percent now provided after a declared disaster to 50/50 percent, with options to up the federal match to 75/25 if the recipient state has met the minimum standards set by FEMA for preparedness and mitigation efforts prior to the disaster. The NAPA panel believes that the law should continue to allow for federal funding of up to 100 percent for cases of extreme need or hardship following a catastrophic event. These discretionary actions should rectify the fact that mitigation and preparedness traditionally have received secondary consideration to the more immediate concerns of disaster response and recovery. A similar suggestion was made by the FEMA Advisory Board in a recent report to the FEMA director.⁶⁵

In summary, the views of the panel, practitioners and the FEMA Advisory Board tend to coincide -- all agree that greater accountability should be built into the federal support for state and local emergency management. Some possible means of doing so are to:

- develop minimum standards for personnel, training and organizational capacity which must be applied when dispensing federal funds;
- develop strategic programs to encourage adequate state and local emergency management capability in those areas which are lacking, but are essential to a de facto national network of emergency management; and
- develop and apply evaluation measures to state and local actions.

Simplify Post-Disaster Processes and Procedures

State and local officials in four states that had recently experienced major disasters repeatedly told NAPA staff about the need for FEMA to streamline the requests and documentation required in the post-disaster period. State and local officials would like to see FEMA facilitate federal/state/local relations, from the presidential declaration process the response phase. The actions they mentioned include:

- clarify the declaration process, so that state and local officials can proceed more quickly to pursue a declaration and can assume responsibility for immediate response needs;

⁶⁵ FEMA Advisory Board, "Strategic Issues for the Federal Emergency Management Agency," January, 1993.

- clarify which level of government should initiate what actions and activities in the initial response period;
- simplify the requirements for federal damage assessment;
- streamline the documentation required from impacted areas, especially the public assistance program requirements (most notably Damage Survey Reports);
- streamline the funding and reimbursement processes for disaster-impacted jurisdictions;
- stress the benefits of mitigation and preparedness activities as a way to reduce future payouts of disaster assistance and relief; and
- increase the funding for and attention to hurricanes disasters, given the recent history of two catastrophic hurricanes in the past three years along the Atlantic coast.

Training and Education Needs

FEMA has two major training facilities located at the National Emergency Training Center in Emmitsburg, Maryland: the Emergency Management Institute (EMI) and the National Fire Academy (NFA). The NFA primarily provides management-level courses for persons involved in fire prevention and control activities. The EMI is designed to provide instruction in emergency management for state and local officials, emergency managers, members of volunteer organizations and professionals in related fields. The USFA's Office of NETC Operations and Support supports both NFA and EMI.

In the project staff's review of the literature, after-action reports and field interviews, inadequate education and training for emergency management was a recurring theme at all levels of government. There were numerous references to the lack of training of FEMA's regular staff and of reservists. In interviews, the project team frequently heard the comment that state and local officials were not familiar with either FEMA and its requirements and programs, or emergency management activities.

Several of the officials the NAPA staff interviewed who had attended courses at EMI cited a number of criticisms, the most severe of which related to the relevance of the courses to the needs of state and local officials. Project staff determined that the problems and deficiencies identified indicate some fundamental conceptual issues regarding EMI's role and functions. Problem areas cited were (1) not enough input or feedback from state and local government officials; (2) quality and experience of instructors -- they often lacked field experience and in-depth knowledge of subject matter; (3) a hiring process that always selects the lowest-bidder for instructors; (4) a lengthy course development process; (5) too long a period between course revisions (several are about five years old and seriously out-of-date) and (6) a focus on "garden variety" disasters.

Improving Training and Education

Clearly, a high-level commitment and provision of support for more education, training and research activities will be necessary to provide the foundation for state and local governments to prepare realistic plans. More important, it will be needed to engage periodically in joint planning and field exercises for large-scale disasters. In addition, several officials mentioned the need for training in connection with the Federal Response Plan.

To reinvigorate the education and training programs provided by EMI, it is proposed that FEMA take several actions:

(1) Form a task force or study committee to review the missions, functions, and activities now provided by EMI. Special attention should be given to the new approaches for FEMA that are suggested in this report: i.e., more attention to building up state and local emergency management capability, and more attention to catastrophic events. In addition, special attention should be given to both the rationale and the means of selecting instructors.

(2) Strengthen the positive accomplishments of EMI. Courses that allow several persons from one city or state to train together are well regarded by persons who have taken them. More such courses should be made available. In addition, courses offered chief administrative or chief executive officers of cities and states also have been well received. Find the means to do more outreach and more training of these officials.

(3) Develop some regional training centers. Courses at regional facilities would be more convenient and less expensive than is true of EMI. Regional centers also could offer education and training programs that focus on hazards and disasters specific to that region. The centers should be located on or near universities⁶⁶ and draw upon the resources of the universities in course development and training. To the extent some well-regarded emergency management training facilities already exist, such as the California Specialized Training Institute, they should be used. These centers should be used in addition to EMI and the state emergency management training now in place.

Additional steps that FEMA management should take to reinvigorate education and training programs include: (1) seeking additional inputs of state and local officials on course content and course revisions; (2) developing required courses for disaster reservists and other agency representatives; (3) reviewing course content and development for relevance to current issues and needs; (4) coordinating course content between EMI and NFA to ensure that the first responders who attend the NFA are also exposed to broad emergency management principles; and (5) contracting some training at all levels with colleges and universities.

⁶⁶ Universities, colleges, and state land grant colleges all are potential sites for emergency management education and training programs.

FEMA program staff and the EMI staff have not been very successful at attracting significant numbers of top-level elected and appointed officials to participate in training sessions. Among the reasons are: course content, the inconvenience of getting to EMI in Emmitsburg, a lack of persistent recruitment or promotion efforts, and lack of funding for such efforts. FEMA has worked with the National League of Cities and the International City/County Management Association on programs that will appeal to mayors, city and county managers and the like. To attract these decision makers, FEMA must come up with more creative courses, in more convenient and attractive locations. Working with constituent groups through their professional associations would be useful in this regard.

FEMA offers much of its training at EMI and has supported state emergency services agencies in providing training for state and local officials. FEMA has not made use of existing colleges and universities to provide emergency management education and training. Some schools of public administration, engineering and the like are capable of providing training to state and local officials. By opening new training institutions, locations and approaches to course development and delivery, training and education efforts would be more convenient, diverse and appealing.

The panel recognizes that significant additional funding would be required to implement some of these measures, but the risk of continuing the present course is an uninformed and unprepared body of officials at all levels of government.

Peer Exchange and Mutual Aid Agreements

Peer Exchange

One means of facilitating intergovernmental relationships is to improve FEMA's working relationships with associations representing important constituent groups; namely, the National Governors' Association, the National Emergency Management Association, the National Coordinating Council of Emergency Managers, the National Association of Counties, the International City/County Management Association and the National Coordinating Council of Emergency Managers.

Various professional associations and organizations -- the fire chiefs and fire fighter associations, the city and county officials associations, and the emergency management associations -- could help identify and promote exemplary cases of cooperation and assistance. In the past these groups have publicized and promoted peer exchanges for exemplary projects and programs.

Encouraging Mutual Aid

The traditional forms of mutual aid include cooperation between counties (e.g., fire or police departments), and between states (for exchange of public works, code enforcement officials, national guard forces). Many informal mutual aid agreements exist, although the number and nature of them is not known because they are verbal agreements. More mutual aid

agreements should be put in place in advance of disasters, and many informal agreements should be formalized.

FEMA should do more to encourage mutual aid agreements and promote the exemplary ones. The first step is to identify some promising examples of cooperation and mutual aid among states and localities and to build on them. The most common forms of mutual aid are within a state and between states. The project staff learned that Louisiana officials had informal ways of tapping other states' resources, based on existing relationships and past connections. In addition, many states have worked out formal mutual aid agreements among cities and counties within the state as well as with neighboring states. California's Office of Emergency Services has a pre-established plan for providing mutual aid to communities affected by a disaster.

In the event of a major earthquake affecting large urban areas, for example, interstate cooperation may be essential to an effective response. In 1982, in the Mississippi Valley fault zone banded together to prepare a multi-state earthquake preparedness capability. This organization, called the Central U.S. Earthquake Consortium (CUSEC), is based on interstate compacts from each of its state members. Since 1983, FEMA has provided funding to CUSEC via a cooperative agreement. In recent years, four adjacent states have joined the organization as associate members. CUSEC is involved in all aspects of earthquake planning, but does not have operational responsibilities. Thus far, CUSEC is a model for interstate cooperation for seismic safety planning. Multi-state earthquake planning efforts exist in two other regions (in the far Northwest and in New England), but they are not based on formal interstate compacts and are not as large as CUSEC.

Presently, several interstate agreements are pending. For instance, Florida is planning to develop a formal agreement with North Carolina so the special air resources of the North Carolina Air National Guard will be available in the event of a major evacuation of the Florida Keys. After Hurricane Andrew, the North Carolina did provide mutual aid to Florida, but it was acting on the verbal agreement of the two governors.

Also since Hurricane Andrew, the Southern Governors Association (SGA) passed a resolution stating that the SGA ". . . in conjunction with the emergency management divisions of the member states will develop a cooperative agreement which sets forth an executive plan and inventory that will outline the operations and activities that can be coordinated and activated when a disaster situation befalls one or more member states."

In the past two years, FEMA has created a new form of mutual aid at the national level, in connection with providing urban search and rescue assistance, as noted in the Federal Response Plan. Under this arrangement, FEMA can coordinate and deliver search and rescue teams based in local governments throughout the United States. These local teams have memoranda of understanding with FEMA and essentially are "federalized" when they are needed in a location other than their home base -- similar to "federalizing" the National Guard from one state when they are needed to respond to a disaster in another state. The teams were available for use after Hurricane Andrew, although FEMA decided not to deploy them.

Since 1990, FEMA has the lead role for coordinating urban search and rescue in the event of a major or catastrophic disaster, although Emergency Support Function of the FRP still lists DoD as the leader. FEMA has identified the search and rescue resources throughout the United States and coordinates their use and arranges for their transportation to a disaster site. In anticipation of their use for a declared disaster, training has been provided and standards set for equipment and personal performance. This is an interesting model of federally coordination of non-federal resources that should be considered for other elements of response in the event of a catastrophic disaster.

FEMA'S Attitude Toward Sponsoring Research And Using the Results

FEMA's attitude toward sponsoring applied research, using outside research, and incorporating research results into operational, training and educational efforts ought to be reviewed. FEMA has made little effort to use emergency management research results to improve state and local capacities.

The agency as a whole does not have a research agenda, or an on-going working relationship with most of the disaster research community. This lack of a long-term plan for research and development as well as any sort of systematic plan for the inclusion of new research results and findings into operational and training programs, are additional reasons why the agency is not at the cutting edge of its mission.

A large portion of emergency management and disaster-related research is carried on in three other federal agencies: the National Science Foundation, the U.S. Geological Survey and the National Institute for Standards and Technology. The specific type and content of this research (scientific, management, evaluations) is described in some detail in various annual reports, such as the Annual Report to Congress of the National Earthquake Hazard Reduction Program (NEHRP). Several FEMA programs produce some research of their own and they also fund external researchers (e.g., FIA and the NEHRP). Both of those units have produced some useful and timely research products. In the case of hurricanes, FEMA supplied states and communities with computer-based programs for estimating coastal inundation levels and planning evacuation. Those programs proved useful to both South Carolina in 1989 and Florida in 1992. Of all four agencies, FEMA does the least research (in terms of number of projects and dollars spent) even though it is the lead emergency management agency.

At FEMA, the various programs within the agency issue request for proposals (RFPs) for specific pieces of applied research. Few sole source research contracts seem to be awarded, although groups like the International City/County Management Association, the National Association of Counties, and the National Governors' Association have received grants. The agency does not appear to consider (or support) unsolicited research proposals.

FEMA does not incorporate new research findings and results into either operations, programs and processes or into education and training materials in a very direct or timely fashion. This last point relates to state and local capacity in emergency management. Some knowledge

about emergency management has been known to researchers for 10 years or more, yet is not known to persons presently responsible for state or local emergency management functions. For example, Professors E.L. Quarantelli and R. Dynes⁶⁷ have studied and written about local civil defense and local emergency management operations for more than 20 years. Yet, some of the deficiencies in local emergency management which they have documented, often under FEMA contracts, have yet to be acted upon by either FEMA or local government. In addition, the information contained in some of the training courses offered at EMI and some of those sponsored by FEMA and offered by state emergency services agencies contain information that is at least five years out of date. Further, the procedures used for course development and contracting at EMI do not allow for a ready update of training materials.

CONCLUSIONS AND RECOMMENDATIONS

FEMA needs to do far more to ensure that states, and in turn, local governments, create and maintain adequate capacity for all components of emergency management, especially in areas vulnerable to catastrophic disasters. FEMA has been too passive in its role as the national agency concerned with emergency management. It has emphasized its role as "supporter" of state and local governments' emergency management capacity and as "responder of last resort." The agency has provided funding to states and localities, but has not taken an active interest in the resulting capacity or lack thereof. Presently, the emergency management capacity of states is uneven and, in many instances, inadequate to deal with a major or catastrophic disaster.

FEMA must assume a greater leadership role in developing an effective and cooperative emergency management partnership with state and local governments. It must not only acknowledge that state and local emergency management agencies are highly variable in organization, composition and capacity, but take corrective action. State and local governments are semi-autonomous actors with varying levels of skill and knowledge. Each level of government concerned with emergency management needs better education and training as well as the means to work more closely and cooperatively in order to meet the emergency management needs of the 21st century.

Recommendations

FEMA should develop a strategy for improving capacity and consistency of state and local governments for emergency management. This strategy should take into account each state's vulnerability, population and investment in emergency management.

The panel recommends the following means to augment capacity:

- **Revising the mission and vision of the State and Local Program Support Directorate to reflect this new strategic approach.**
- **Assessing existing capabilities of states, territories and trusts**

⁶⁷ Former directors of the Disaster Research Center at the University of Delaware.

in order to gain baseline information for future actions.

- **Setting performance and other standards for CCA program funding and other special programs and projects.**
- **Monitoring and evaluating state and local efforts with respect to meeting those standards and, if need be, withholding funds to gain compliance.**
- **Using financial incentives to reward effort and performance in meeting objectives, not only for pre-disaster funding, but for post-disaster assistance.**
- **Streamlining many of the post-disaster processes and procedures for a presidential declaration, damage assessment and reimbursement of state and local governments.**
- **Improving FEMA training and education programs, both in quality and quantity, for federal, state and local officials responsible for emergency management.**
- **Developing a plan to use research and research applications more effectively for decisions regarding operations, programs, and training and research.**
- **Encouraging (by funding, if necessary) peer exchanges and mutual aid agreements among all levels of government to share examples of promising or successful practices.**
- **Encouraging regional planning and preparedness efforts, such as those for interstate earthquake or hurricane planning.**

CHAPTER SEVEN**THE BASIC ISSUE -- IS THE CURRENT APPROACH
TO EMERGENCY MANAGEMENT VIABLE
OR IS RADICAL CHANGE THE ONLY ALTERNATIVE?**

Previous chapters of this report have responded to the specific issues posed to the Academy by Congress on the capacities of federal, state and local governments to respond promptly and effectively to major natural disasters. The panel has made numerous recommendations to improve these capacities. However, in the panel's judgment, a basic question remains, that is, whether the current approach to emergency management is really viable, or whether radical change is the only alternative. This final chapter attempts to answer that question.

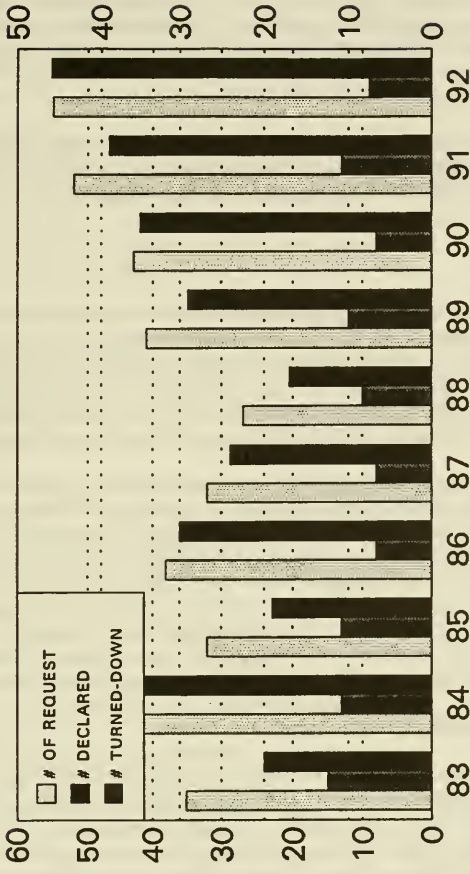
**THE TREND TOWARD NATIONALIZATION AND POLITICIZATION
OF EMERGENCIES AND DISASTERS**

The trend toward nationalization and politicization of emergencies and disasters fueled by the CNN syndrome seems irreversible. In the panel's judgment, however, the federal government can never be the government of first response. The tasks and costs are too great.

The panel is concerned about this trend, which includes the "routine" disasters as well as the larger ones which have been getting so much attention. A record 46 disaster declarations were signed by the President in 1992, continuing the upward trend of recent years. The \$11 billion made available to all federal agencies for recovery following Hurricane Andrew and Iniki set a record. If predictions of more frequent hurricanes and earthquakes come to pass, this will cause additional drain on the federal treasury at a time when the new President is committed to budget reduction in the face of other pressing demands.

The chart on the following page shows the increase in disaster declarations over the past several years.

DISASTER DECLARATION PROGRAM (FY 83 - FY 92)



# OF REQUEST	35	48	32	38	32	27	41	43	52	55
# DECLARED	20	35	19	30	24	17	29	35	39	46
# TURNED-DOWN	15	13	13	8	8	10	12	8	13	9

If Congress chooses to address the need for a new statutory charter for emergency management, will it be able to resist adding further benefits for disaster victims or widening the scope of circumstances under which a disaster or emergency can be declared? When other disasters occur can both Congress and the President resist the temptation to press the definition of a disaster to even lower levels? Or is disaster relief destined to be, in the words of one observer, "political catnip" for elected officials?

Can President Clinton forge an alliance with the governors that would reduce the federal commitment to future disasters in return for building a stronger emergency management agency, increasing support for state and local capacities, and responding aggressively when the next "big one" strikes?

THE BASIC ISSUE

The basic issue before Congress and the President is whether the current approach to emergency management is viable or is radical change the only alternative. One aspect of the current approach is not amenable to radical change: the Constitution provides for a federal system of government that is "bottom-heavy," with basic police powers residing in state and local government. However, other democratic federal systems such as Germany and Australia, have found ways to build cooperative, intergovernmental emergency management systems.

Building an emergency management system, with its special demands for high performance and high reliability of organizational elements, is difficult in any system of government. This is especially true in a federal system with semi-autonomous levels of government, all of which share powers. The national government must provide leadership through carefully structured incentives but a system of shared governance also requires cooperation and negotiation on the part of all governments to achieve jointly established strategic objectives. This is the most difficult kind of administration or management. Few of those presently concerned with emergency management seem to have taken sufficient cognizance of these facts. Emergency management in a federal system is a daunting challenge. As a nation, we must recognize and respond to the seriousness of that challenge in order to meet the needs of citizens facing emergencies and disasters.

Another aspect we can do little to change is the high number of organizations involved. No amount of consolidation of statutory authorities or program functions, across the federal government or within FEMA, will result in a single federal agency to handle all types of emergencies and disasters for which the federal government is responsible. State and local governments will also continue to play their traditional roles, and the panel has not been convinced that there should be a basic change in the order of response (except for national security emergencies or those affecting federal installations). Local first, state second, and federal third.

STEPS TOWARD IMPROVEMENT

In order to build a cooperative intergovernmental system that performs as an emergency

management system should, the nation must change the way people deal with the myriad of organizations involved. As discussed in Chapter Three, the federal government can take the lead in conducting a joint assessment of disasters and responding more rapidly in catastrophic disasters. But responses should still be authorized by local and state officials and funding arrangements worked out in advance.

The establishment of a Domestic Crisis Monitoring Unit would make it possible for the President and other key officials to stay better informed of developing crises, including those that fall outside the normal range of FEMA responsibilities. A DCMU would enable officials to make crucial decisions in a timely fashion, and the federal coordinating agency, FEMA, would not only have access to top-level officials, but a reason for them to be concerned with its capabilities on a continuing basis.

The Federal Response Plan is a promising beginning. The rudiments of a cooperative intergovernmental system of emergency management based on shared governance can begin to take shape if FEMA and the agencies involved proceed to derive operational plans for each Emergency Support Function, if FEMA works with its regions and with state and local governments to build interlocking operational plans, and if those plans are contingent upon a graduated disaster scale used by the joint assessment teams.

Equally important to the emergence of that system is a strategic plan on the part of FEMA for its relationships to states and local governments. It must build a cooperative, intergovernmental emergency management system by prioritizing funding and building plans. The strategic plan must be based upon building a minimal capacity nationwide, and then focus more intensively on vulnerable areas.

Finally, a crucial element in the development of a national system is the agency at the federal level which has responsibility for coordinating most emergencies and disasters that overwhelm the capacities of state and local governments. For the past 14 years, that agency has been FEMA.

GOALS OF 1978 REORGANIZATION NOT MET

Only minuscule progress has been made toward the goals outlined in the reorganization plan creating FEMA. It has not become the "one-stop" federal agency for emergency management; it is one address with the same number (or more stops) as existed in 1978. Moreover, several other departments and agencies continue to operate their own programs for disaster response and recovery. FEMA's Federal Response Plan is a major step toward assuming a coordinative role among federal agencies. And though it is no small achievement, it must be seen as only a beginning.

A second unfilled goal of the reorganization was to achieve dual use of assets and resources across national security and natural disaster response lines. A changing world has made reliance on a national defense underpinning for federal support of, and funding allocations to, state and local emergency management of increasingly dubious value. Still, many in FEMA

and in state and local governments cling to this because of concern about program vulnerability in the domestic arena in both the White House and on Capitol Hill.

A third goal to provide an improved basis for determining the relative cost effectiveness of allocating resources to various functions -- mitigation, preparation, response and recovery -- has seen little progress. It requires better integration across the functions of management and that has been thwarted for a variety of reasons described in previous chapters. Mitigation efforts by the Federal Insurance Administration with the flood insurance program, and by the USFA with its training and research efforts in fire protection have had some success. Still, precious little knowledge from these programs has passed across program boundaries to enhance overall emergency management efforts.

Finally, the reorganization was intended to link emergency management functions more closely to the White House. This was achieved briefly in the early 1980s, partly through a personal relationship between the FEMA director and a counselor to the President. FEMA, however, has never succeeded in becoming a major player in the senior policy-making bodies surrounding the President. During the Bush administration, only the National Security Council considered policy issues relating to emergency management; FEMA played primarily a support role. In fact, the NSC currently has the policy role on national security emergency matters formerly the responsibility of FEMA.

Whether examined goal by goal or as a whole, the reorganization of 1978 has borne meager fruit. The organizational design -- which would bring together marginally related programs in order to achieve a synergistic outcome that would enhance all the functions of emergency management -- was an imaginative one. It is a challenging proposition under any conditions, and FEMA has had some of the worst imaginable conditions. In the early 1980s, the lion's share of political attention and large-scale funding went toward a build-up of civil defense and continuity of government functions. In the early 1990s, it went to pass-through funds to pay the bill for catastrophic disaster recovery.

FEMA has not had the visibility, leadership or political clout to bring about the integration of programs or the investments in mitigation and preparedness. With the end of the Cold War, FEMA's national security functions are uncertain. Meanwhile, public expectations of FEMA in disaster response and recovery situations have grown by quantum leaps. After less than stellar performances in meeting a series of major disaster response challenges -- and before it has a chance to learn from them -- FEMA now finds itself in uncharted waters. Agency officials are trying to cope with the complexities of applying disaster-related programs and funding mechanisms to events like last year's civil disturbance in Los Angeles and flooding caused by a tunnel collapse under the streets of Chicago.

ACTIONS NEEDED FOR REFORM

The panel strongly believes that an effective coordinating agency is the linchpin in building a cooperative, intergovernmental emergency management system in the U.S. government of shared powers. It also believes that a small independent agency can fulfill that

role. FEMA or a successor must, however, become a highly respected agency capable of coordinating (and therefore leading) other federal agencies as well as state and local governments. During FEMA's first 14 years, it has never had the essential conditions or support from the White House and Congress that would enable it to reach this goal.

At several places in this report, the panel has made recommendations designed to create a high-performance, high-reliability agency and otherwise strengthen the federal emergency management function. Here, it summarizes what it believes are the essential conditions that the President, Congress and strong, competent FEMA leadership must provide to reach the goal. They are:

1. Reduction or elimination of political appointees and development of a competent, professional career staff as well as a career executive director.
2. Access to, and support of, the President through the creation of a Domestic Crisis Monitoring Unit in the White House.
3. Integration of FEMA's subunits into a cohesive institution through the development of a common mission, vision and values, and creation of an integrative career development program.
4. Development of structure, strategy and management systems to give agency leadership the means to direct the agency.
5. A new statutory charter centered on integrated mitigation, preparation, response and recovery from emergencies and disasters of all types.
6. Joint assessment teams and a graduated response scale for more timely and effective responses to catastrophic disaster.
7. Development of functional headquarters-field relationships.

Additional funding in the near term will be required to meet these conditions, but the panel believes that the result will be improved efficiency and program effectiveness that, in the long run, would reduce costs. Given the current government-wide budget stringencies, FEMA must do everything possible to economize and make best use of existing resources.

THE NEED FOR A GALVANIZING EVENT TO BRING ABOUT CHANGES IN THE WAY AMERICA RESPONDS TO EMERGENCIES

Changes of the magnitude recommended by the panel will require strong and sustained White House and congressional attention and support. Given the nation's economic and social problems and the foreign policy challenges likely to occupy the political leadership, the panel believes a galvanizing event, such as a White House or governor's conference on emergency management, a summit meeting between the President and the governors, a national commission

chartered by Congress, or a task force appointed by the President, will be needed to forge a new compact between the states and the federal government on how the nation will prepare for and respond to emergencies and who will pay the costs.

WITHOUT SIGNIFICANT PROGRESS ON CONDITIONS SPECIFIED ABOVE, CONSIDERATION SHOULD BE GIVEN TO A MORE DRASTIC OPTION

If after a reasonable period, most of the essential conditions listed above cannot be met, other alternatives should be examined. Time, however, has not permitted thorough study of alternative options. If the time comes to consider them, an additional study would be required to analyze the pros and cons of the more drastic actions outlined below.

One option might be to abolish FEMA and return its component parts to their agencies of origin or place them elsewhere. For example, disaster assistance could be returned to HUD and civil defense planning to DOD. A small office in the Executive Office of the President would be needed to perform the coordination function under the FRP.

This, however, was the unfortunate condition which caused FEMA to be created in the first place, and the panel sees this as a useful option only if no other is available.

A second, marginally better, option would be to transfer most FEMA functions intact to an existing department or agency, such as Commerce, HUD or EPA. To retain its present grade structure and some visibility, the director would need to be given deputy secretary status. No other department or agency, however, provides an ideal home for the emergency management function, and all have other priorities and problems.

In any event, the panel does not recommend that this function be transferred to DoD. Many of FEMA's problems with disaster response can be traced to a preoccupation with national security emergency preparedness. The panel believes the time has come to shift the emphasis from national security to domestic civil emergency management using an all-hazards approach. In addition, making this function a routine part of the defense mission would further complicate larger issues of the Armed Forces' peacetime roles.

SUMMING UP

The rationale behind the creation of FEMA has not lived up to expectations. The responsibility for that lies with both the executive and legislative branches, and with both the public and its leaders. The panel believes it is possible for a small independent agency to coordinate the federal response to major natural disasters, but certain essential conditions must be met. If these conditions are not met, then the President and Congress should consider a more drastic option, such as transferring these functions to a Cabinet department or major independent agency. Without bold action, America's frustration with the timeliness and quality of the federal response is very likely to continue.

APPENDICES

APPENDIX A

BIOGRAPHICAL SKETCHES

ACADEMY PANEL ON GOVERNMENTAL RESPONSES TO MAJOR NATURAL DISASTERS

Philip A. Odeen, Panel Chair - President and CEO, BDM International, Inc. Former Vice Chairman, Management Consulting Services, and Regional Managing Partner, Coopers and Lybrand, Washington, DC; Director of Program Analysis, National Security Council; Principal Deputy Assistant Secretary of Defense for System Analysis.

Yvonne B. Burke - Supervisor, Second District, Los Angeles County Board of Supervisors. Former Attorney, Jones, Day, Revis & Pogue; Member, U.S. House of Representatives (California); Assemblywoman, State of California.

Frank C. Carlucci - Vice Chairman, The Carlyle Group. Former Secretary of Defense; National Security Advisor; President, Sears World Trade; Under Secretary, U.S. Department of Health, Education and Welfare; Deputy Director, U.S. Office of Management and Budget.

Charles L. Dempsey - Chuck Dempsey & Associates. Former Inspector General, Assistant Inspector General for Investigation, and Assistant Inspector General for Administration, U.S. Department of Housing and Urban Development; Acting Inspector General, U.S. Environmental Protection Agency.

Thomas M. Downs - Commissioner, New Jersey Department of Transportation. Former President, Triborough Bridge & Tunnel Authority; City Administrator, Washington, D.C.; Executive Director, U.S. Urban Mass Transportation Administration; Associate Administrator for Planning and Policy Development, Federal Highway Administration.

Andrew J. Goodpaster - Chairman, Atlantic Council of the U.S.; Former President, Institute for Defense Analysis; Commander-in-Chief, United States European Command, Supreme Allied Commander, Europe; Secretary to the President of the United States, General, U.S. Army, Ret.

Stan M. McKinney* - Director, Division of Public Safety Programs, Office of the Governor, State of South Carolina; Former State Coordinating Officer for Hurricane Hugo; former county coroner, Greenville, South Carolina.

Elmer B. Staats - Chairman of the Board, Harry S. Truman Scholarship Foundation. Former Comptroller General of the United States; Deputy Director, U.S. Bureau of the Budget; Executive Officer, Operations Coordinating Board, National Security Council; Research Director, Marshall Field & Company.

Lee M. Thomas - Chairman and CEO, Law Environmental, Inc. Former Administrator, U.S. Environmental Protection Agency; Assistant Administrator for Solid Waste and Emergency Response, EPA; Executive Deputy Director and Associate Director for State and Local Programs, Federal Emergency Management Agency; Director, Division of Public Safety Programs, State of South Carolina.

* Not an Academy Fellow

PROJECT STAFF

Gary L. Wamsley, Project Director, is a Professor of Public Administration and Policy at Virginia Polytechnic Institute and State University. He was the founder and director of that university's Center for Public Administration and Policy. He is the editor of Administration and Society, a consultant to federal, state, and local government, and an author of numerous books and articles on organization theory and public administration.

John A. Bell worked for many years as a legislative counsel for federal agencies, including associate general counsel at the Department of Housing and Urban Development, special assistant to the solicitor of the Department of the Interior, and assistant general counsel, Office of Economic Opportunity. He is a graduate of the Georgetown University Law School.

Laurance A. Bernosky is currently the director, Center for Information Management at NAPA (serving in this capacity on an IPA assignment from the Department of the Air Force.) He previously served as Deputy Director for C4 Systems at the U.S. Transportation Command. The majority of his career has been involved with design and development responsibilities on defense related information systems. He also has extensive background in establishing and managing career development programs in DOD.

Albert J. Kliman was the budget officer for the Department of Housing and Urban Development from 1975 until his retirement in 1990. He is now an independent consultant in the fields of government organization, budgeting, and financial management. Mr. Kliman has an AB from Harvard College and an MPA from Harvard's Littauer School of Public Administration.

Jill A. Martin is currently in the masters program of Public Administration at The George Washington University concentrating in state and local government and economic development.

William L. Murray is a management analyst for the Department of Veteran's Affairs. He is also a doctoral candidate at Virginia Polytechnic and State University in the Center for Public Administration and Policy.

Claire B. Rubin is an independent consultant in the fields of emergency management and public management. From 1983-90, she was a senior research associate at The George Washington University, Center for International Science and Technology Policy. Ms Rubin has published a variety of articles, monographs, and reports on emergency management topics. Ms. Rubin holds a Bachelor's Degree from Simmons College and a Master's Degree in political science from Boston University.

Roger L. Sperry is NAPA's director of management studies. Formerly, he was a professional staff member of the Senate Committee on Governmental Affairs, and senior group director and special assistant to the Comptroller General at the U.S. General Accounting Office. He has a Master of Public Administration degree from Harvard University's John F. Kennedy School of Government.

Terence J. Tipple is a program analyst with the Strategic Planning Office, U.S. Forest Service. He has a Doctor of Philosophy degree in public administration and policy from Virginia Polytechnic and State University.

APPENDIX B

INTERVIEWS CONDUCTED AND CONTACTS MADE DURING NAPA STUDY

CALIFORNIA

California State Government

Dr. Richard Andrews	Director, Office of Emergency Services
Major Tony Palumbo	National Guard
Col. Guido J. Portante, Jr.	Deputy Chief of Staff, Operations, National Guard
L. Thomas Tobin	Executive Director, California Seismic Safety Commission
Charles Wynne	Chief, Disaster Assistance Div., Office of Emergency Services

City of Los Angeles

Shirley Mattingly	Director, Office of Emergency Management
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County of Los Angeles

Yvonne Brathwaite Burke	Supervisor, Second District
Robert Garrott	County of Los Angeles, Emergency Management
Michael Henry	County of Los Angeles, Emergency Management
Lt. Ben Nottingham	County of Los Angeles, Emergency Management
Lt. Richard E. Odenthal	Emergency Operations Bureau, Sheriff Dept.
Thomas G. Page	Battalion Chief, Office of Emergency Management
Constance Perett	Assistant Manager, Office of Emergency Management
Alvia A. Shaw, Jr.	Chief, Administrative Office, Office of Emergency Management
William J. Zason	Operations Chief Deputy, Fire Department

City of Oakland

Henry Gardiner	City Manager
Hon. Elihu Harris	Mayor
Henry Renteria	Emergency Services Manager

City of San Francisco

Adm. John Bitoff (Ret.)	Director, Mayor's Office of Emergency Services, San Francisco
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FLORIDA

Florida State Government

Tom Herndon	Chief of Staff to Governor
Frank Koutnik	Division of Emergency Management
Robert G. Nave	Director, Division of Emergency Management
Patricia Pepper	Director, Housing and Community Development Division
Ben Starrett	Executive Director, Governor's Commission on Hurricane Andrew
Rod Westfall	Division of Emergency Management

City of Homestead

Chris Bezruki	Assistant City Manager
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Florida City

Rafael Casals	Assistant City Manager
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Dade County Government

Kate Hale	Director, County Office of Emergency Preparedness
Commissioner Hawkins	County Commissioner
Andy Menendez	Director of Homeless Programs
Patrick O'Connor	Director, Audit and Management

HAWAII

Thomas O. Batey	Office of the Mayor, County of Kauai
Roy C. Price, Sr.	Director, Vice Director of Civil Defense
Gen. E. V. Richardson	Adjutant General and Director of Civil Defense
Joanne Yukimura	Mayor, County of Kauai

LOUISIANA

Brett Krieger	Deputy Director of LA Office of Emergency Preparedness
Burtram Madere	Emergency Director, St. John The Baptist Parish
Craig Romero	Former President, New Iberia Parish
Gen. Ansel M. Stroud, Jr.	Adjutant General
Lt. Col. William Croft	Director of LA Office of Emergency Preparedness/Deputy AG

CONGRESSIONAL STAFF

Carolyn E. Apostolou	Professional Staff Member, Senate VA-HUD-Independent Offices Appropriations Subcommittee
Keith Bea	Congressional Research Service
Michele Burkett	House VA-HUD-Independent Offices Appropriations subcommittee
Rob Connor	Professional Staff Member, Senate Committee on Environment and Public Works Subcommittee
Kevin Kelly	Staff Director/Chief Clerk, Senate VA-HUD-Independent Offices Appropriations Subcommittee
Richard Malow	Staff Assistant, House VA-HUD-Independent Offices Appropriations Subcommittee
Thomas Kirk McConnell	Professional staff member, Senate Armed Services Committee
Alma Moore	Staff of Senate Armed Services Committee, Military Installations Subcommittee
Frank Moore*	Counsel, Subcommittee on Policy, Research and Insurance, House Banking, Housing and Urban Affairs Committee
Cheri Roe	Professional staff member, House Committee on Public Works
Errol L. Tyler	Counsel, Subcommittee on Water Resources, House Committee on Public Works
Jack Wells	Staff of House Committee on Public Works and Transportation

DEPARTMENT OF DEFENSE

Maxwell Alston	Office of the Secretary of Defense, Washington, D.C.
Lt. Col. William Butler	Operations Officer, Office of the Director of Military support, U.S. Army, Washington, D.C.
Lt. Gen. Johnnie Corns	Commander, U.S. Army Pacific Area, Fort Shafter, Honolulu, HI
Lt. Col. Wayne Lesak	U.S. Sixth Army HQ, San Francisco, CA
Dr. Enrique Mendez, Jr.	Assistant Secretary for Health Affairs, Office of the Secretary of Defense
Lt. Col. Phil Mugford	U.S. Sixth Army HQ, San Francisco, CA

DEPARTMENT OF TRANSPORTATION

Andrew H. Card, Jr.	Secretary of Transportation
John Porco	Deputy Director, Office of Emergency Transportation

EXECUTIVE OFFICE OF THE PRESIDENT

Daniel Casse	Special Assistant to the President for Cabinet Affairs
Edith E. Holliday	Assistant to the President and Secretary to the Cabinet
Patrick H. Linhares	Director of Emergency Preparedness, National Security Council

FEDERAL EMERGENCY MANAGEMENT AGENCYOffice of the Director

David A. Cole	Senior Advisor to the Director for Management and Administration
Thomas R. McQuillan	Senior Policy Advisor
Wallace E. Stickney	FEMA Director
William C. Tidball	Director of Human Resources Management and Acting Director

State and Local Programs and Support Directorate

Laura J. Buchbinder	Superintendent, EMI/Acting Regional Director, Reg. VII
Bonnie Butler	Chief, EMI Emergency Management Division
Curtis Carleton	Emergency Management Specialist, Disaster Assistance Programs
Gregg Chappell	Assistant Associate Director, Disaster Assistance Programs
Dennis R. DeWalt	Chief, State and Local Support Division, Off. of Emergency Mgt
Gary D. Johnson	Assistant Associate Director, Earthquake and Natural Hazards W.
Richard Krimm	Deputy Associate Director, SLPS
Dennis Kwiatkowski	Assistant Associate Director, Office of Technological Hazards, SLPS
John McKay	Assistant Associate Director, Office of Emergency Management,
Grant C. Peterson	Associate Director, SLPS
Stephen Sharro	Deputy Superintendent, EMI
Robert F. Shea, Jr.	Chief, Office of Program Analysis and Coordination, SLPS
Patricia Stahlschmidt	Chief, Hazard Mitigation Branch, Disaster Assistance Programs
Robert H. Volland	Chief, Individual Assistance Division,
Laurence Zensinger	Chief, Public Assistance Division

National Preparedness Directorate

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Gordon Fullerton	Deputy for Information Resources Management
Homer V. Hervey	Assistant Associate Director
G. Clay Hollister	Deputy Assistant Associate Director, Acting Director, Reg. VI
John D. Hwang	Acting Assistant Associate Director
William F. W. Jones	Deputy Associate Director
James Kellett	Acting Assistant Associate Director
Edward Kernan	Assistant Associate Director
Elaine S. Kramer	Chief, Management Analysis Division
Antonio Lopez	Associate Director
Joseph A. Moreland	Assistant Associate Director

National Emergency Coordination Center

William W. Donovan	Secure Information systems Services
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Robert K. Fetter	Information Systems Support Center
Robert A. Morris	National Network Operations Center
Tuck Palmer	Mobile Air Transportable Telecommunications
James G. Pendleton	Chief, NECC

Federal Insurance Administration

Francis V. Reilly	Deputy Administrator, FIA
C.M. Schauerte	Administrator, FIA
Frank Thomas	Assistant Administrator, FIA

U.S. Fire Administration

James F. Coyle	Assistant Administrator for Fire Prevention and Arson Control
Ronald P. Face, Jr.	Director of USFA NETC Operations and support
Albert C. Kirchner, Jr.	Superintendent, National Fire Academy
Roger Lanahan	Assistant Administrator for Firefighter Health and Safety
Bernard Marshall	Director, Office of Educational Technology
Edward M. Wall	Deputy Administrator

Office of the General Counsel

William R. Cumming	General Attorney, Program Law Division
Patricia M. Gormley	General Counsel
Michael B. Hirsch	Associate General Counsel
H. Crane Miller	Legislative and Regulatory Attorney
Kathryn L. Newman	Deputy General Counsel

Office of the Inspector General

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Paul J. Lillis	Assistant IG/Investigations
William R. Partridge	Deputy Inspector General
Richard L. Skinner	Assistant Inspector General, Audits

Other FEMA HQ Staff

W. Russell Asher	Chief Financial Officer
Leo V. Bosner	Acting President, AFGE Local 4060
Col. P. F. Dabrowski, Jr.	Military Support Liaison Officer
Barbara Jacobik	Budget Officer
Robert L. McFerren	Director, Office of Regional Liaison

FEMA Regional Staff

Frank Begley	Deputy Regional Director, Region VII
Charles Biggs	Chief, Emergency Management Programs Division, Region VII
Lee Clark	Region VII Telecommunications
Bobby Blalock	Chief, Emergency Management and National Preparedness Division, Region IV
Mike DeLorenzo	Branch Chief, Region IV
Roy Gorup	Chief, Public Assistance Programs, Region IX
R. Dell Greer	Chief, Emergency Management and NP, Region VI
Steve Harell	Chief, Natural and Technological Hazards Division, Region VII
Bradley Harris	Region VI Director
Edwin H. Harris, Jr.	Chief, Denton MERS unit
Richard Klein	Region VII Analyst
James LeGrote	Chief, Natural and Technological Hazards Division, Region VI
Bill Massey	Region IV staff -- Hurricane Program Manager
Major P. May	Region IV Director
James McClanahan	Deputy Regional Director, Region VI
William Medigovich	Region IX Director
Nicholas Nikas	Chief, Emergency Management and NP Programs Div., Reg IX
Dale Peterson	Pacific Area Office Director
Michael Polny	Region IV, Individual and Family Grants
Warren Pugh	Chief, Disaster Assistance Program, Region VII
Tim Seidel	Region VII IRM staff
Richard H. Strome	Region I Director
Neal Voltz	Administrative Officer, Region VII
Daryl Wait	Disaster Assistance Programs, Region IX
Leland Wilson	Acting Chief, Disaster Assistance Programs, Region VI
Jim Yeager	Disaster Assistance Program Network Manager, Region VII

GENERAL ACCOUNTING OFFICE

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Judy A. England-Joseph	Director, Housing and Community Development Issues
Cliff Fowler	Deputy Director, Housing and Community Development Issues
Jeff Itell	Housing and Community Development Issues
Valerie Rogers	Housing and Community Development Issues

OFFICE OF MANAGEMENT AND BUDGET

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Kenneth Ryder	Deputy Associate Director, Housing, Treasury and Finance

OTHER FEDERAL AGENCIES

Kathy Kobers	Public Health Service Nurse Practitioner
Dave Nash	SBA Field Office Rep. Region IV
Leonard Mondrgac	Emergency Coordinator, USDA
Terry Tipple	U.S. Forest Service

FORMER FEDERAL OFFICIALS

George Bernstein*	Former FIA Administrator and Chairman of the National Earthquake Hazards Reduction Advisory Commission
Dr. Ralph Bledsoe	Executive Director, Ronald Reagan Library/Former Domestic Advisor to the President (Reagan)
Tom Dunne	Former Administrator, Federal Disaster Assistance Administration
Gen. Andrew Goodpaster	FEMA Advisory Board -- Security Practices Committee
Dwight Ink	Institute of Public Administration/Special Coordinator for 1964 Alaska Earthquake
Harold Seideman	Guest Scholar, Center for the Study of American Government, Johns Hopkins University/Former Assistant Director, Bureau of the Budget

NATIONAL EMERGENCY MANAGEMENT ASSOCIATION

Martha Braddock	NEMA Legislative Representative
Harvey Ryland	Executive Director, Central United States Earthquake Consortium
Lacey Suiter	Director, Tennessee State Emergency Management Agency
James Lee Witt	Director, Arkansas Office of Emergency Services

NONPROFIT AGENCIES

Rev. Eugene Boutillier	Administrator, Los Angeles Local Board, Emergency Food and Shelter Program
Jennifer Dorn	Senior Vice President, Policy and Planning, American Red Cross
Donald W. Jones	General Manager, Disaster Services, American Red Cross
Susan Smith	Public Policy and Planning Associate, Red Cross
Col. Walter C. French	Head of Disaster Services, Salvation Army
William H. Reno	Senior Vice President, National Operations, American Red Cross

ACADEMIC SOURCES

Dr. Fred Krimgold	VA Polytechnic Institute and State University/Member of FEMA Advisory Board
Dr. Larry Lane	Dept. of Public Administration, The American University
Dr. Elliott Mittler	Anderson Graduate School of Management, UCLA

Dr. Gilbert White* Director of Natural Hazards Research and Applications Information
Center, University of Colorado

OTHER

Larry Larson* Executive Director, Association of Flood Plain Managers
Michael Tavillon Fairfax County VA Fire Department

NOTE: Titles of officials are as of the time interviewed.

* = conducted by telephone

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APPENDIX D

**EXECUTIVE DEVELOPMENT: A VITAL PART OF
BUILDING FEMA AS AN INSTITUTION**

References are made throughout this report to the need for improved executive development at FEMA. The agency should not interpret this identified need primarily as a means to "fix" the shortcomings of the existing executive cadre, nor primarily as a method of providing skills to the next generation of executives (e.g., today's GS14's & 15's). Well-conceived executive development programs are rarely based on a "fix it" approach. Rather, the executive development program at FEMA should be seen as a key leverage point for moving the organization toward the highly competent, professionalized institution prescribed in this document. It should be viewed as one more powerful mechanism available to implement the organizational change and direction articulated herein. To the extent it is viewed primarily as training or skill building, it will miss the mark.

This report has made it clear that FEMA's organizational design, requiring integration of marginally related functions to achieve a synergistic payoff, is difficult to carry out. It requires a minimization of turf battles and maximization of cooperation if it is to succeed.

The agenda for institution-building to effectuate that design outlined in this report is very ambitious. Virtually no stone remains unturned. Changes are prescribed in vision/mission/values, strategy, structure, communication channels, and management processes such as budgeting, human resource management, information resources systems and program analysis and evaluation. Taken as a whole changes will begin forging the "FEMA Identity" that GAO found lacking. However, such an ambitious program of change can only be implemented by a competent executive cadre which shares some common vision, sense of mission and values. This does not mean a homogenized executive cadre that works together in complete harmony. That would be as unhealthy for the agency as it is impossible for humans to behave. But without some unity of perspective and competency, the executives will fail to send consistent signals to the rest of the organization and thereby undermine the efforts to improve FEMA. Hence, executive development efforts at FEMA should concentrate on building an executive cadre capable of orchestrating the desired changes.

Leading figures in executive development argue that executive development programs should be closely linked to organizational strategy.⁶⁸ Others call for executive development programs to be coupled with succession planning efforts.⁶⁹ There are still others who offer a

⁶⁸ Bolt, James F., "Tailor Executive Development to Strategy", *Harvard Business Review*, Nov-Dec 1985, (168-176)

⁶⁹ Hall, Douglas T., "Dilemmas in Linking Succession Planning to Individual Executive Learning", *Human Resources Management*, Summer 1986, 25(2):235-265

way to organize a number of organizational factors such as strategy and succession planning into a "framework for coherence" from which the content and supporting processes can be derived.⁷⁰ In this approach a few "central messages" should be developed, around which, the program should be built. By utilizing such a focus, individual development can be merged with organizational improvement or institution building.

The approach described here is compatible with a recent National Academy of Public Administration report, Paths to Leadership, which was sponsored by 20 federal agencies.⁷¹ Beginning at different points, both call for a strategic perspective.

EFFORTS AT FEMA

FEMA executives seem aware of the need for an improved executive development program. They also seem increasingly aware of the potential it has as a leverage point for change. The challenge will be to develop the program from the strategic perspective rather than from traditional "training and development" perspective. The emerging executive development program should be thought of more as an organizational intervention than a training effort. Given the present situation, the emphasis should be on building a capable executive team with a shared perspective, not on providing executive A with skill Y.

The implications for adopting a strategic rather than a training perspective are profound. For example, since the strategic objective of the program should be to help foster an institutional building organizational change, emphasis should be placed on providing a developmental experience for the key change agents in the organization, regardless of their exact job title or grade. The result might be a mixture of participants from the field and headquarters representing a range of grades from mid to senior management. In contrast, a typical training approach would "target" a certain hierarchical slice of the organization such as "all SES members" or all GS/GM 14's & 15's. Yet the reality might be that not all SES members are key to bringing about the desired organizational change, but that some GS/GM 14's & 15's are.

The above example is particularly salient for FEMA, as distinctions such as SES/non-SES, career/political, headquarters/field, classified/non-classified, and stovepipe X/stovepipe Y have contributed to the lack of cohesion within the agency. The executive cadre which will drive a successful organization transformation at FEMA must minimize the labels and categories which result in exclusivity, and focus on the shared aspects which are inclusive and can build commitment to the larger organizational purpose. Until the key executives share a common perspective about the desired future state of the organization and the means for getting there, the other employees will mirror the lack of shared purpose and direction. The executive development program should be central to establishing that common perspective.

⁷⁰ Tipple, Terence J., Executive Development Programs: A Framework for Coherence, 1991, Ph.D. Dissertation, Center for Public Administration & Policy, Virginia Tech.

⁷¹ National Academy of Public Administration. Paths to Leadership: Executive Succession Planning in the Federal Government. (Washington, DC: NAPA). December 1992.

EXECUTIVE DEVELOPMENT STRATEGIES

In creating the executive development program recommended in Chapter Four, there are several strategies which FEMA officials should consider. They are:

1. Adopt a strategic perspective in creating the executive development program. Blend individual development with organizational improvement strategies.
2. Avoid a "training" perspective at this point.
3. Use a structured approach such as the "framework for coherence" to study the multitude of factors that have relevance for institution building and uses for the executive development program at FEMA.
4. Develop a few "central messages" which will be conveyed through the program's content and processes.
5. Be flexible in interpreting "executives," so as to be inclusive to all the true managerial change agents. (This also has the side benefits of encouraging diversity of participants and not establishing career expectations as sometimes occur in "candidacy" programs.)
6. Blend succession planning considerations into the executive development program, but keep succession planning and training subordinate to the strategic perspective of changing the organization through executive development.
7. Develop individual career development plans that allow for voluntary placement outside FEMA in related agencies either permanently or temporarily.
8. Do everything possible to prevent the treatment of executive development experiences as punishment or rewards.
9. Establish "continuous learning" as a norm within the agency so that continuous development and improvement is an expectation for all FEMA employees. This will provide an ongoing mechanism to bring about the desired organizational changes.

APPENDIX E

FEMA ORGANIZATION AND FUNCTIONS

FEMA was established pursuant to Reorganization Plan No. 3 of 1978 (5 U.S.C. app.) and Executive Orders 12127 of March 31, 1979, and 12148 of July 20, 1979.

The following is the description of the agency included in *The United States Government Manual 1992/1993*.

The Federal Emergency Management Agency (FEMA) is the focal point within the Federal Government for emergency planning, preparedness, mitigation, response, and recovery. The Agency works closely with State and local governments by funding emergency programs and providing technical guidance and training. These coordinated activities at the Federal, State, and local levels ensure a broad-based emergency program to protect public safety and property.

The chart on page 134 shows the current structure of the agency. The major divisions of the agency and associated resources⁷² are as follows:

The United States Fire Administration (USFA). Established by the Federal Fire Prevention and Control Act of 1974, as amended, the mission of the USFA, is to provide coordination, direction, control, and administration for the agency's fire control programs. The USFA is responsible for the mitigation, research, planning, and dissemination of fire prevention information to the nation's firefighters and the general public. The USFA is also responsible for activities of the National Fire Academy, the National Fire Data Center, and management of the National Emergency Training Center at Emmitsburg, MD.

The authorizing legislation of the USFA includes a statutory priority for reducing the incidence of residential fires which the USFA identifies as the cause of the overwhelming bulk of fire-caused deaths.

The USFA has a FY 1993 budget of \$28.6 million in program dollars and \$8.2 million in salaries and expense funds, and 147 work years, representing 5.4 percent of FEMA's total work years.

The USFA director is appointed by the President and confirmed by the Senate.

⁷² Budget numbers were supplied by the Office of Financial Management (CFO) in December 1992 and confirmed, with minor adjustments, in February 1993.)

The National Preparedness Directorate (NP). This Office administers FEMA's major responsibilities for maintaining the continuity of government in the event of a national security emergency -- a nuclear attack upon the United States. The governing legislation is included in the National Security Act and the Defense Production Act as well as in certain Executive Orders. The bulk of FEMA's activities in this area are classified.

The directorate coordinates national security emergency management and preparedness responsibilities with federal departments and agencies. It develops, coordinates, and evaluates procedures that provide for the effective operation of government in a national security emergency, creates and coordinates concepts and systems to improve the mobilization of industrial and federal sectors, formulates concepts and systems to ensure the availability of resources required to fulfill defense and critical civilian needs, develops presidential emergency action documents, serves as the civil/military interface, and manages the 24-hour National Emergency Coordination Center.

The NP budget for FY 1993 includes \$78 million of program funds of which \$56.5 million is for classified programs, and \$57.6 million of salaries and expenses funds of which \$44.8 million is for classified activities. It has 1,019 work years, 37.7 percent of FEMA's total, of which 842 (82.6 percent) work in classified functions.

The National Preparedness Directorate is headed by an associate director appointed by the President and confirmed by the Senate.

The State and Local Programs and Support Directorate (SLPS). This Office is the one most closely associated with disaster recovery activities. It is that part of FEMA which coordinates the administration of disaster assistance, including responsibilities for administering the Disaster Relief Fund programs of Individual and Family Assistance Grants, Temporary Housing Assistance, Public Assistance Grants, and other associated programs.

The Individual and Family Assistance Grant Program provides grants of up to \$11,900 to individuals or families with serious needs and necessary expenses that can not be met through other governmental disaster assistance programs or other means. Programs of disaster unemployment insurance and crisis counselling are also made available to individuals.

The Temporary Housing Assistance Program provides 100-percent grants for rental assistance and home repair to individuals and families whose homes are damaged or destroyed and who do not have adequate insurance coverage. Mortgage and rental assistance is also provided to those who had a financial hardship and are therefore unable to make rent or mortgage payments. Mobile homes and travel trailers are provided when available rental housing in the area is insufficient to meet housing demand.

The Public Assistance Program provides assistance to state and local governments and certain private nonprofit organizations. This assistance covers the cost of repair or replacement of damaged facilities owned and operated by eligible applicants. Eligible costs also include debris removal and emergency protective measures. Grants are prescribed by law to be ". . . no less than 75 percent of the eligible costs. . ." Reimbursement of eligible public assistance costs sometimes exceeds the 75-percent rate in unusual circumstances based on a formula which reimburses at 75 percent for the first ten dollars per capita (based on state population) of total public assistance costs and a higher rate (up to 100 percent) for expenses over ten dollars per capita.

In addition to the basic disaster relief function -- which is centered primarily in one office within SLPS -- the Office of Disaster Assistance Programs (DAP), the Directorate has responsibility for the following programs and activities:

The Emergency Food and Shelter Program which supplements emergency food and shelter assistance to needy individuals that is currently delivered by traditional providers at the local level.

The program operates through a National Board composed of representatives from Catholic Charities, USA, American Red Cross, United Way of America, National Council of churches of Christ in the USA, Salvation Army, and the Council of Jewish Federations. The National Board distributes program funds based on a formula agreed to with FEMA.

Superfund and Relocation Assistance which provides relocation assistance to individuals, businesses, and facilities threatened by hazardous materials incidents.

The Emergency Management Institute which conducts training activities for the emergency management community in methods of preparing for, responding to, recovering from, and mitigating emergencies and disasters.

Civil Defense programs aimed at providing an integrated emergency management system at the federal, state, and local levels capable of protecting life, property, and vital infrastructure regardless of the cause of the disaster/emergency.

Earthquake and Other Natural Hazard Mitigation Programs. FEMA is the lead agency under the National Earthquake Hazards Reduction Act of 1977, as amended. It runs a cooperative federal/state hurricane program for population protection planning, property protection planning, and technical assistance. A small dam safety program is also in effect.

Chemical Stockpile Emergency Preparedness Program. This program is designed to assist state and local jurisdictions in responding to incidents related to the storage and destruction of the Army's stockpile of chemical weapons.

Radiological Emergency Preparedness. Working with the Nuclear Regulatory Commission, this program is designed to enhance the ability of state and local governments and others to respond to peacetime radiological emergencies.

The SLPS budget for FY 1993 includes \$292 million for the Disaster Relief Fund (which may be augmented by supplemental appropriations) and \$129 million for the Emergency Food and Shelter program. Its budget also includes \$156.6 million in other program funds and \$50.7 million in salaries and expense funds, and 800 work years, 29.6 percent of FEMA's total.

The State and Local Programs and Support Directorate is headed by an associate director appointed by the President and confirmed by the Senate.

The Federal Insurance Administration (FIA). The FIA administers the Federal Crime Insurance Program (FCIP) and the National Flood Insurance Program (NFIP). The FCIP is a federally subsidized program which began in 1971 and which authorizes the federal government to sell crime insurance at affordable rates in any eligible state. The program is somewhat regional at this stage with the bulk of the policy holders being in New York.

The NFIP is a federally backed program that makes flood insurance available to residents of communities in exchange for the community's adoption and enforcement of the NFIP's floodplain management regulations.

The FIA budget for FY 1993 reflects revolving fund income of \$846 million. In addition, the budget includes \$48.1 million of program funds and \$14.7 million in salaries and expenses funds and 214 work years, 8 percent of FEMA's total.

The FIA is headed by an administrator appointed by the President and confirmed by the Senate.

External Affairs Directorate. This organization is responsible for public affairs, congressional affairs, international contacts, and intergovernmental relations. Its 1993 budget is \$1.7 million of salaries and expenses funds and 20 work years.

The External Affairs directorate is headed by an associate director appointed by the President and confirmed by the Senate.

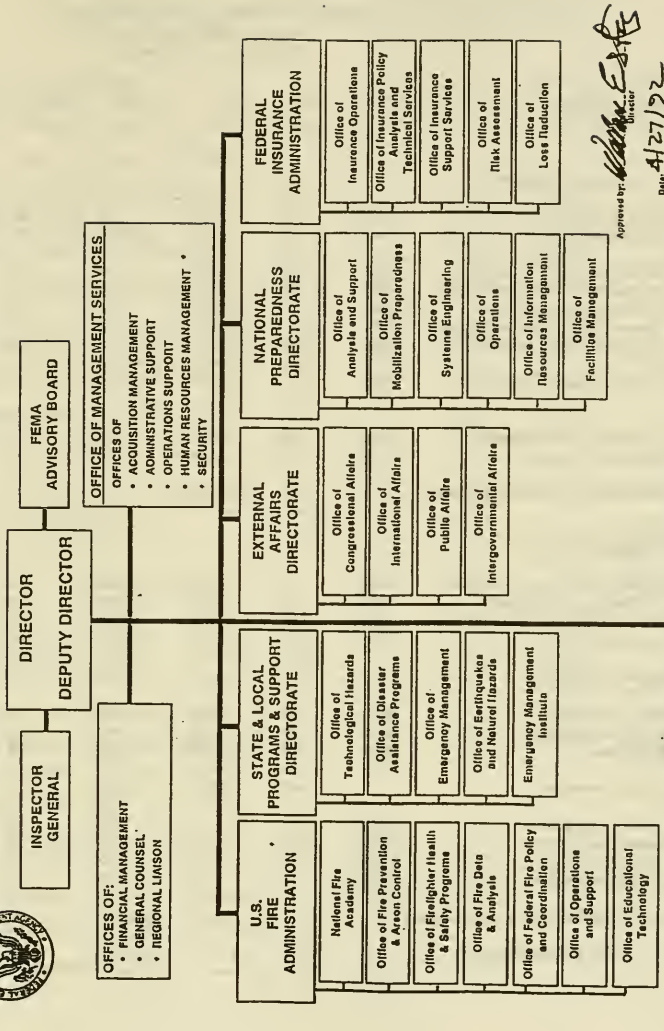
Management and Administration. This activity represents an array of offices handling general administration, procurement, human resources, and security. It has a 1993 budget of \$35.8 million of salaries and expenses funds, including centrally paid services such as rent, and 330 work years, 12 percent of the FEMA total.

Inspector General. The Office of the Inspector General is headed by an inspector general appointed by the President and confirmed by the Senate. It has a \$4 million budget for 78 work years in FY 1993.

Regional Program Execution. This activity includes the Office of Regional Liaison and all ten offices of regional administration. (Funding for the balance of regional offices is included within the program office budgets described above.) This activity is budgeted for \$10.3 million and 110 work years, 4.1 percent of FEMA's total.

The tables which follow show the budget and staffing allocations. The first table shows the budget numbers for each component part of the organization. The second table shows comparable information for the regional offices.

Organization Federal Emergency Management Agency



Approved by: *Walter E. Skyles*
 Director
 Date: 4/27/72

REGIONAL DIRECTORS																			
I	Boston, MA	II	New York, NY	III	Philadelphia, PA	IV	Atlanta, GA	V	Chicago, IL	VI	Denton, TX	VII	Kansas City, MO	VIII	Denver, CO	IX	San Francisco, CA	X	Bellevue, WA

FEDERAL EMERGENCY MANAGEMENT AGENCY
 FY 1993 OPERATING PLAN
 (Dollars in Thousands)

ORGANIZATIONS/PROGRAMS		WY	S&E	EMPA	OTH	TOTAL
-----		=====	=====	=====	=====	=====
MANAGEMENT & ADMINISTRATION:						
Office of the Director	M&A	6	\$589	\$0	\$0	\$589
Office of External Affairs	M&A	20	1,658	0	0	1,658
Office of General Administration	M&A	8	391	0	0	391
Office of Acquisition Management	M&A	36	2,028	0	0	2,028
Offices of Admin/Opers Support	M&A	67	18,301	0	0	18,301
Office of Human Resources Management	M&A	65	4,158	0	0	4,158
Office of Security Administration	M&A	16	1,352	0	0	1,352
Office of Management Services	M&A	192	25,839	0	0	25,839
Office of Financial Management	M&A	90	5,890	0	0	5,890
Office of General Counsel	M&A	22	1,538	0	0	1,538
TOTAL MANAGEMENT & ADMINISTRATION		330	35,514	0	0	35,514
U.S. FIRE ADMINISTRATION:						
Fire Prevention and Arson Control	USFA	9	441	5,199	0	5,640
Firefighter Health and Safety	USFA	33	1,855	5,393	0	7,248
Federal Fire Policy and Coordination	USFA	6	330	1,236	0	1,566
Fire Data and Analysis	USFA	4	218	877	0	1,095
USFA Program Offices		52	2,844	12,705	0	15,549
Instructional Programs	NFA	28	1,594	2,464	0	4,058
Field Deployment Systems	NFA	9	465	845	0	1,310
Resident Programs	NFA	23	1,179	2,390	0	3,569
National Fire Academy		60	3,238	5,699	0	8,937
NETC Site Administration	USFA	0	0	195	0	195
NETC Site Administration	NFA	22	1,758	2,767	0	4,525
NETC Site Administration	SL-CD	13	357	6,531	0	6,888
NETC Site Administration	SL-EMI	0	0	749	0	749
NFA Office of Operations and Support		35	2,115	10,242	0	12,357
TOTAL U.S. FIRE ADMINISTRATION		147	8,197	28,646	0	36,843

FEDERAL EMERGENCY MANAGEMENT AGENCY
 FY 1993 OPERATING PLAN
 (Dollars in Thousands)

ORGANIZATIONS/PROGRAMS		WY	S&E	EMPA	OTH	TOTAL
-----		-----	-----	-----	-----	-----
STATE & LOCAL PROGRAMS & SUPPORT:						
Emergency Management Assistance	SL-CD	27	1,393	68,628	0	70,021
Other Assistance	SL-CD	80	4,664	20,452	0	25,116
Facilities and Equipment	SL-CD	70	4,119	20,047	0	24,166
Planning, Exercising & Response	SL-CD	46	2,572	2,650	0	5,222
		-----	-----	-----	-----	-----
Office of Emergency Management	SL-CD	223	12,748	111,777	0	124,525
Radiological Emergency Preparedness	SL	99	5,872	4,605	0	10,477
Chemical Stock Emergency Preparedness	DOD	43	2,846	10,000	0	12,846
		-----	-----	-----	-----	-----
Office of Technological Hazards		142	8,718	14,605	0	23,323
Earthquake Program	SL	46	3,884	16,430	0	20,314
Hurricane/Dam Safety/Mitigation	SL	10	555	1,526	0	2,081
Policy & Planning	SL	13	661	0	0	661
		-----	-----	-----	-----	-----
Office of Natural Hazards		69	5,100	17,956	0	23,056
Disaster Assistance	SL	302	20,568	400	292,095	313,063
Emergency Food & Shelter	SL	5	256	0	129,000	129,256
		-----	-----	-----	-----	-----
Office of Disaster Assistance		307	20,824	400	421,095	442,319
Instructional Programs	SL	3	171	1,968	0	2,139
Field Deployment Systems	SL	0	0	782	0	782
Resident Programs	SL	9	438	1,051	0	1,489
Civil Defense Support	SL-CD	47	2,735	8,019	0	10,754
		-----	-----	-----	-----	-----
Emergency Management Institute		59	3,344	11,820	0	15,164
		-----	-----	-----	-----	-----
TOTAL STATE & LOCAL PROGRAMS & SUPPORT		800	50,734	156,558	421,095	628,387
		-----	-----	-----	-----	-----
REGIONAL PROGRAM EXECUTION:						
Office of Regional Liaison	M&A	5	339	0	0	339
Offices of Regional Administration	M&A	105	9,906	0	0	9,906
		-----	-----	-----	-----	-----
RPE Administration Offices		110	10,245	0	0	10,245
Program Offices (PTE/S&E/EMPA in HQs)		0	0	0	0	0
		-----	-----	-----	-----	-----
TOTAL PROGRAM EXECUTION		110	10,245	0	0	10,245
		-----	-----	-----	-----	-----

FEDERAL EMERGENCY MANAGEMENT AGENCY
 FY 1993 OPERATING PLAN
 (Dollars in Thousands)

ORGANIZATIONS/PROGRAMS		WY	S&E	EMPA	OTH	TOTAL
NATIONAL PREPAREDNESS:						
Government Preparedness (Classified)	FP	842	44,834	56,479	0	101,313
Information Systems	M&A	25	3,757	0	0	3,757
Civil Defense Telecommunications	SL-CD	85	4,560	17,597	0	22,157
NP Program Offices		952	53,151	74,076	0	127,227
Federal Readiness	FP	16	1,155	1,534	0	2,689
Mobilization Preparedness	FP	28	1,782	1,030	0	2,812
Mobilization Assessment	FP	12	829	904	0	1,733
Plans & Authorities	FP	11	648	495	0	1,143
NP Program Offices	FP	67	4,414	3,963	0	8,377
TOTAL NATIONAL PREPAREDNESS		1,019	57,565	78,039	0	135,604
FEDERAL INSURANCE ADMINISTRATION:						
Insurance Activities	FIA	54	3,971	0	0	3,971
Flood Studies & Surveys	FIA	53	3,346	37,102	0	40,448
Property Purchasing	FIA	6	352	4,720	0	5,072
Flood Hazard Reduction	FIA	95	6,309	6,270	0	12,579
Flood Program Offices		208	13,978	48,092	0	62,070
Crime Program Office	FIA	6	722	0	0	722
TOTAL FEDERAL INSURANCE ADMINISTRATION		214	14,700	48,092	0	62,792
INSPECTOR GENERAL	IG	78	4,000	0	0	4,000
SUBTOTAL		2,698	180,955	311,335	421,095	913,385
OFFSETS:						
Radiological Emergency Preparedness	SLPS	0	(5,872)	(4,605)	0	(10,477)
Flood Insurance Activities	FIA	0	(13,978)	(48,092)	0	(62,070)
Chemical Stock Emergency Preparedness	SLPS	0	(2,846)	(10,000)	0	(12,846)
Reimbursable Programs (ex CSEP)		48	55	0	0	55
TOTAL FEMA		2,746	\$158,362	\$225,997	\$358,398	\$828,047

FEDERAL EMERGENCY MANAGEMENT AGENCY

REGIONAL WORKYEAR ALLOCATIONS AS OF SEPTEMBER 1992

Regions	Boat-HA I	NYC-NY II	Phil-PA III	Atla-GA IV	Chic-IL V	Dent-TX VI	KC-MO VII	Deny-CO VIII	SF-CA IX	Both-MA X	Total

Program Name:											
Regional Program Administration	11.0	10.0	10.0	11.0	11.0	11.0	10.0	10.0	11.0	10.0	105.0
Information Systems	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	10.0
Government Preparedness	5.0	2.0	2.0	7.0	6.0	6.0	2.0	6.0	2.0	7.0	45.0
Federal Readiness/Coordination	**	**	**	3.0	**	3.0	**	**	**	**	6.0
Federal Preparedness	5.0	2.0	2.0	10.0	6.0	9.0	2.0	6.0	2.0	7.0	51.0
State/Local Emergency Management	4.0	4.0	4.0	5.0	5.0	5.0	4.0	5.0	4.0	5.0	45.0
Radiological Defense	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	10.0
Population Protection	7.0	6.0	7.0	9.0	9.0	8.0	7.0	8.0	7.0	6.0	74.0
Direction, Control & Warning	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	30.0
Training and Education	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	15.0
Communication and Warning	5.0	2.0	2.0	5.0	5.0	6.0	4.0	6.0	5.0	6.0	46.0
Civil Defense	21.5	17.5	18.5	24.5	24.5	24.5	20.5	24.5	21.5	22.5	220.0
Technological Hazards	12.0	9.0	8.0	10.0	11.0	9.0	8.0	1.0	5.0	3.0	76.0
Natural Hazards	2.0	2.0	1.0	3.0	1.0	2.0	1.0	1.0	3.0	2.0	18.0
Flood Plain Management	8.0	8.0	10.0	18.0	10.0	15.0	8.0	7.0	10.0	7.0	101.0
Disaster Assistance	17.0	23.0	19.0	28.0	21.0	24.0	17.0	16.0	32.0	15.0	212.0
Superfund Program (Reimb)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	20.0
Chemical Stockpile Program (Reimb)	**	**	**	4.0	3.0	3.0	**	4.0	**	**	17.0
Cumulative Allocated Workyears:	79.5	74.5	71.5	111.5	90.5	100.5	69.5	72.5	87.5	72.5	830.0

** Program does not exist in the Region

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