



# THE UNITED STATES CONFERENCE OF MAYORS

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Statement by  
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before the

Subcommittee on Economic Development, Public  
Buildings, and Emergency Management  
Committee on Transportation and Infrastructure  
U.S. House of Representatives

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Chairwoman Norton, Ranking Member Diaz-Balart, members of the Subcommittee, I am Bob Duffy, Mayor of Rochester, New York. I am a member of the U.S. Conference of Mayors Stafford Act Reform Task Force, chaired by Mayor Nagin, and also serve as Chair of the organization's Criminal and Social Justice Committee, which has policy jurisdiction over the issues we are discussing today. I am honored to have the opportunity to appear before you this afternoon.

Before I focus on addressing disasters in cities, I want to thank the Committee on Transportation and Infrastructure and its leaders for their efforts to address the many complex transportation and infrastructure challenges before our nation.

While the debate on the surface transportation bill has shifted from a multi-year authorization to the length of an extension, the U.S. Conference of Mayors appreciates your efforts to address livability in cities and metropolitan areas in the Surface Transportation Authorization Act of 2009 by providing significant resources for sustainable modes of transportation, including high-speed rail, transit, walking, and bicycling.

We recognize that the next surface transportation bill presents an opportunity for a renewed commitment to investing in cities and metropolitan areas, and we recognize that challenges will be encountered along the way. Please know that mayors stand with members of this committee who are committed to sustainable transportation policies that reinvest in our nation's cities and metropolitan areas – the areas in which 84 percent of our people live and more than 90 percent of our future economic growth will occur.

We all owe a debt of gratitude to Mayor Nagin for the outstanding job he did as Chair of our Task Force, and to Sacramento Mayor Kevin Johnson, the Task Force's Vice Chair, for the able assistance he provided. Mayor Nagin has experienced something that I hope no other mayor will ever have to experience. We all appreciate his willingness to chair our Stafford Act Reform Task Force and to lead our efforts to identify needed reforms in federal disaster assistance. In the difficult period since Katrina, he has amassed a wealth of knowledge about what needs to be done to improve this nation's responses to disasters. Through the Task Force he has passed along that knowledge to all of us, and for that we are most grateful.

In January the Conference of Mayors adopted a policy resolution which incorporates the recommendations of the Stafford Act Reform Task Force. This means that the recommendations included in the Task Force report represent the official policy of the U.S. Conference of Mayors. Today I would like to cover several of these recommendations.

## **DISASTER ASSISTANCE PROGRAMS**

Many programs created by the Stafford Act have limitations set by law, regulation, or policy that have caused problems and delays in the recovery of impacted communities. The requirement for grant programs to be run through the states instead of directly with cities adds an additional layer of bureaucracy and delay. Another serious impediment is the limitation on the use of grant funds to pay regular as well as overtime hours for work performed by the staff of affected jurisdictions following an event.

We believe that all disaster grant programs, including Hazard Mitigation, should be changed to give grant standing to local jurisdictions that are Community Development Block Grant Entitlement Communities so that they may deal directly with the federal government.

Further, assistance programs should be changed to cover both regular and overtime pay for the work performed by state and local public employees such as first responders, building inspectors, healthcare professionals, and sanitation workers following a disaster. The scope and scale of emergency work performed in response to a disaster is often well outside any emergency personnel's regular call of duty and should be reimbursed in the same manner as permanent work. To provide fiscal relief and reduce administrative costs, any work performed that qualifies as eligible under emergency protective measures or debris removal should be fully reimbursed, regardless of the labor category or pay rate of the employee.

## **INDIVIDUAL AND HOUSEHOLD ASSISTANCE**

The Stafford Act should be changed to increase funding for, and improve administration of, programs to meet the needs of individuals and communities experiencing disasters as well as the host communities providing assistance. Stafford law and regulation have authorized many programs to assist people affected by emergencies and disasters, but current funding for the programs is insufficient to meet the need, and the implementation of the programs themselves needs improvement. The existing deficiencies hurt both disaster victims and the communities that host those who are evacuated.

This is a particularly acute problem in catastrophic disasters in which significant time passes before evacuees can move back to their communities. For all disasters, thorough case management handled by qualified professionals – as opposed to inadequately trained temporary workers – is essential to the success of Individual Assistance and other programs that offer help to victims. Professional case management is needed to conduct outreach, expedite claims, and maximize access to assistance in the many categories that are available, including financial, housing, employment, health, and mental health. It is needed to ensure that all eligible applicants, particularly those with special needs such as the elderly, people with disabilities, victims of domestic violence, and families with children, receive appropriate assistance. Further, changes in law and regulation are needed to ensure that host communities are made whole after providing shelter and resources for victims. The Stafford Act should be changed to:

- Create a national disaster Case Management Program which provides a comprehensive approach to disaster recovery that will ensure interagency cooperation;
- Provide qualified case management personnel trained in Individual Assistance, Other Needs Assistance, and all potential grant programs for disaster victims. It is important to educate local jurisdiction staff as well as federally funded case management workers to better advise citizens on their options to receive federal assistance and responsibilities for documenting its use. This will avoid misunderstandings and better serve the affected communities;
- Ensure that assistance for individuals and households adequately covers meals, transportation which could include multiple moves, and hotels so that evacuees will not be compelled to stay in shelters, further burdening host communities;
- Provide temporary mortgage or rental payments for individuals or families who face financial hardship caused by a disaster;

- Allow all evacuees regardless of citizenship status to be eligible for Individual Assistance so that they do not become a burden on local host communities;
- Avoid penalizing households that need to separate temporarily so that one member can return to work in the affected community;
- Provide safe and secure living accommodations for victims of domestic violence so they are not penalized for requiring separate accommodations;
- Allow for 100 percent reimbursement of affected communities and host communities for personnel costs and revenue lost in connection with managing and implementing assistance for evacuees; and
- Ensure that affected and host communities are stakeholders in the coordination of all Individual Assistance and other financial assistance programs. Due to privacy laws prohibiting the sharing of personal data, this would facilitate maximum outreach to eligible applicants and would help to verify that benefits are not duplicated.

## **FEMA ADMINISTRATION**

There is a final recommendation I'll cover that could go a long way to improving the administration of our disaster programs: The Stafford Act and related laws and amendments should be consolidated into one code to reduce variable and conflicting interpretations and to provide clearer guidance for FEMA and communities that are working to apply disaster policy, regulation, and law in preparedness, response, mitigation, and recovery.

## **THE SITUATION IN ROCHESTER**

In Rochester and surrounding Monroe County, we have had numerous disasters over the years that have required federal assistance. These include the ice storm of 2003, which required \$16 million in Individual Assistance, \$9.2 million in Public Assistance, and \$76,000 in mitigation funding. While this event did not garner nearly as much national attention as disasters that have occurred in other areas of the country, it is a reminder that all disasters have the potential to create a tremendous amount of suffering and financial hardship in the communities they strike. The \$16 million in Individual Assistance, for instance, aided no less than 6,400 households that were in some way affected by that storm, based on the fact that FEMA awards no more than \$2,500 to each affected household. Clearly, many lives are disrupted by these disasters. This is true for all cities and metropolitan areas – those which are at particular risk of disaster because of their geographic location or other factors, and those whose risk of disaster seems to stay below the national radar. For this reason we all are obliged to do everything possible to be ready if disaster strikes. I feel as strongly as my colleagues who have experienced major disasters that the Stafford Act must be reformed. I feel just as strongly that our recommendations can help to guide that reform.

Thank you for the opportunity to testify on this important topic. We look forward to working with you to make needed improvements in the Stafford Act. I will be happy to try to answer any questions you might have.