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Testimony

Before the

**Subcommittee on Economic Development,
Public Buildings and Emergency Management**

Committee on Transportation and Infrastructure

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On

FEMA's Preparedness and Response to All Hazards

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Chairman Norton, Ranking Member Graves, and distinguished members of the Subcommittee, thank you for allowing me the opportunity to provide testimony on this critically important topic.

I also want to express my sincerest gratitude to this subcommittee for the great support you have provided to the emergency management community over the past few years, particularly your efforts to reform FEMA and your continuing strong support for the Emergency Management Performance Grant Program.

I am Michael D. Selves. I am currently the Emergency Management and Homeland Security Director for Johnson County, Kansas. Johnson County constitutes the Southwest suburbs of the Kansas City Metropolitan Area and, with a population of approximately a half million, is the most populous county in Kansas. I currently serve as the President of

the International Association of Emergency Managers (IAEM) and am providing this testimony on their behalf. I am also a Certified Emergency Manager ® (CEM), and have served IAEM for five years as chair of the Government Affairs Committee prior to becoming a member of the presidential team. For the past 12 years I have been an active participant in the National Association of Counties, chairing their Subcommittee on Emergency Management, as a charter member of their Homeland Security Task Force as well as serving two years on their Board of Directors. I served for 7 years in emergency management at the state level as well as serving for 20 years in the United States Air Force.

The International Association of Emergency Managers has over 3,000 members including emergency management professionals at the state and local government levels, the military, private business and the nonprofit sector in the United States and in other countries. Most of our members are city and county emergency managers who perform the crucial function of coordinating and integrating the efforts at the local level to prepare for, mitigate the effects of, respond to, and recover from all types of disasters including terrorist attacks. Our members include emergency managers from large urban areas as well as rural counties.

We are pleased to have the opportunity to provide input on improving emergency preparedness and management. In order to address preparedness shortfalls revealed by the 2005 Hurricanes, we must look at the total, national system of emergency management. In the past, this system has been characterized by a cycle of neglect, crisis and further neglect. Former IAEM President Dwayne West of Johnston County, North Carolina refers to this cycle as the “spare tire” theory of emergency management. This theory suggests that we forget about and neglect the condition of our car’s spare tire until we have a flat and then hope it is in good enough shape to get us to where we need to go. Likewise, we forget about and neglect our system of emergency management (preparedness, response, recovery and mitigation) until we need it. This is very evident by looking at the flawed responses to Hurricanes Hugo and Andrew which were essentially repeated in Hurricane Katrina.

Asking questions about a process or system is essential to understanding the basics of that process – and making improvements in it. I think the most important question we have to ask ourselves with respect to our emergency management system is why we are continually rebounding between feast and famine. The answer, I would respectfully suggest, is that we have failed to acknowledge the importance of constructing a solid, consistent and enduring all hazards emergency management system that links critical partners all the time. A system of this nature will be successful in dealing with a disaster regardless of what the nature of the last or next disaster is. To create this system, we must have a commitment to provide a solid, enduring and continuously linked system. These are the basic elements for success regardless of the nature of a disaster.

Before exploring the emergency management system in more detail, let us take a moment to discuss the unique role of the Emergency Manager. Probably the best thumbnail

description of the role of the emergency manager that I have ever heard comes from the commercials of a few years ago by the BASF Corporation. Their marketing slogan was, “we don’t make the products you buy; we make the products you buy better.” Likewise Emergency Managers don’t do the response, we make the response more effective; we don’t do the recovery, we make it more efficient. While Emergency Managers don’t do fire service or law enforcement or emergency medical service, those disciplines work together better in a disaster because of the “value added” by Emergency Management.

Please allow me to share with you a “real world” example of this role from my own experiences. During a revision of our Local Emergency Operations Plan for Johnson County, Kansas, we involved 16 work groups comprised of more than 180 people from virtually every relevant county, city and private sector agency within our community. Projects of this magnitude require the coordination of all emergency responder agencies – in addition to virtually every other department of county government. While having plans is necessary, the value of the plan is primarily the process that is used to create it. Truly effective Emergency Management systems must be the result of inclusive and collaborative processes, built and sustained over time. In such a process, emergency managers and their “planner” don’t write the plans; they bring together the key players and provide the facilitation and support necessary to ensure that those players are dealing with other critical players in a coordinated fashion. After the plan is developed, they also provide and coordinate the training and exercising necessary to make the plan understood and supported by all.

Critical Elements of a National Emergency Management (E.M.) System

After the terrible events of 9/11/2001, we unfortunately lost sight of the fact that there are three critical elements to any effective emergency management system. First, that system must be **comprehensive**, in that it must encompass all potential hazards and all potential impacts relevant to any community in this nation. In this regard, the function of emergency management must take into account the impact of disasters from not only a physical perspective, but also from a political, economic, sociological and even psychological one as well. In this respect, emergency managers are charged with establishing a broad, comprehensive framework within which the legal elected authority of their jurisdictions is exercised during a disaster event. This framework must take into account governmental, private sector and volunteer activities far beyond those associated with emergency services.

Second, it is essential that our national E.M. system must be **integrated**. Without unity of effort before, during and after any disaster, the effort is going to be chaotic at best and, at worst, doomed to failure. Emergency managers at all levels of government are responsible for ensuring that the highest levels of horizontal and vertical integration exist among all levels of government and across all elements of a community to support disaster response and recovery activities. Such integration demands that linkages are in place and that all relevant agencies at the local, state and national level are involved and engaged.

Third, there must be well established and maintained **coordination** among all stakeholders in the system to ensure that it is effective. Comprehensive and integrated plans on paper are not sufficient. Key stakeholders – like local government emergency managers – must be constantly consulted to ensure that the plans are based on reality and have “buy in” from those same key stakeholders through discussion and consensus. Essential understandings regarding roles, responsibilities and relationships must be maintained among everyone involved for the system to be truly effective. It is the revitalization and continued maintenance of this comprehensive, integrated and coordinated national emergency management system in a solid and enduring way that IAEM feels is of primary importance. That is why we have given heavy emphasis in our discussions with the staff of this subcommittee and other relevant committees in three essential areas:

- The restoration of the authority and capability of the Federal Emergency Management Agency so that the national effort can be fully integrated once again.
- The adequate funding of State and Local Emergency Management agencies so that they can fully participate in this integrated national system.
- The establishment and support of programs and institutions which sustain a “culture of preparedness” and enhance our ability to be ready in times of crisis.

Reforming and Strengthening FEMA

In order for a solid, enduring and truly effective national emergency management system to exist, there must be a strong and empowered Federal agency in a leadership position. FEMA must have the authority and credibility essential to performing its role in the integrated system. Unfortunately, after being consolidated into DHS, FEMA not only lost resources and experienced personnel – most importantly they lost authority to make decisions and direct Federal efforts during disasters. Bad decisions – like subordinating the role of the FEMA Director, reducing funding, and removing preparedness – led to the problems encountered during Hurricane Katrina. As a result, IAEM established a position on reforming FEMA which called for:

- Maximum amount of access of FEMA Director to the White House.
- FEMA clearly responsible for coordination of the Federal response to disasters.
- Adequate funding, resources and personnel for FEMA which cannot be reallocated without legislative action.
- Experienced, qualified and knowledgeable leadership in all key FEMA positions.
- Establish and maintain a culture of empowerment within FEMA that promotes the maximum level of autonomy and supports the independent actions necessary to deal with the consequences of disaster.

- Abolish the Principal Federal Official (PFO) position. It leads to confusion.
- Strengthen the FEMA regional offices.
- Ensure opportunity for local emergency managers to have meaningful participation in the policy development process.
- Return to established emergency management doctrine – all hazards, integrated, all phases (Return preparedness to FEMA).

Last fall, Congress passed and the President signed, the Post-Katrina Emergency Management Reform Act of 2006 which included most of these recommendations. We are aware and very much appreciate the important role played by this Subcommittee. We urge the Congress to exercise aggressive oversight of the implementation of the Act to ensure that Congressional intent is complied with fully and in a timely manner. Some issues which we are particularly concerned about are:

- The actual chain of command which will be in place during a disaster situation. It is not clear that the FEMA Administrator will have the authority he needs to direct the Federal response to disasters and emergencies. We believe it is important that this committee insist the authority to accomplish the mission clearly resides with the Administrator. We believe that the National Response Plan should be written to require this. There are law enforcement incidents where this might not be applicable, but when it is incident management for the Department of Homeland Security it is appropriate for the FEMA Administrator as the department's incident manager to be in that chain of command.
- Position of Administrator. Congressional intent clearly stated that the FEMA Administrator was to report directly to the Secretary and that the FEMA Administrator position was to be established as a Deputy Secretary level position. We understand the Department intends for the Administrator to report to the Deputy Secretary.
- The role of the Federal Coordinating Officer (FCO) and the Principal Federal Official (PFO). Even though the (PFO) was not abolished under the Post Katrina Emergency Management Reform Act, there was a clear intention that the PFO's role was to act only as an advisor to the Secretary and not have operational control. Our members want the Federal Coordinating Officers to have the authority to make decisions and for them not to be reversed. If the PFO program is not abolished, it will be important the Congress insist that FEMA manage the doctrine, training, and exercising of the PFOs to insure no conflict between the PFO doctrine and the FCO responsibilities. This is clearly a FEMA function under the Post Katrina Emergency Management Reform Act and the law does not permit the Secretary to move FEMA functions to other parts of the Department.

- Transfer of all the preparedness support positions and their funding. We applaud the preparedness functions being moved to FEMA. However, it will be vital that all the positions to support those functions be moved as well. We understand funding was taken from preparedness programs for “shared services”. Were all of those funds transferred with the programs? When FEMA was created in 1979, departments and agencies did not send the support positions with the programs—this history should not be repeated.
- Transfer of the Intergovernmental Affairs Staff or providing adequate number of positions. This office which included approximately 17 positions was clearly transferred as part of the preparedness functions to FEMA. It is our understanding that the office was transferred to FEMA, but the office and staff were returned to the National Protection and Programs Directorate on a nonreimbursable detail from FEMA. Why should FEMA pay for positions they do not have? This function and these positions will be important to FEMA as they rebuild their crucial relationships with the many state and local stakeholders and should be transferred.

We look forward to the naming of the National and Regional Advisory Councils as provided for under the Reform Act. IAEM has offered our services to assist the FEMA Administrator in identifying qualified and certified local emergency managers to serve on these councils.

Our recent contacts with FEMA leadership lead us to believe there is a “good faith” effort underway to implement the improvements provided for by Post-Katrina Emergency Management Reform Act of 2006. We appreciate the “fence” that Congress has provided to protect FEMA. We remain concerned, however, about the respect that DHS is showing toward the fence.

Enhance Funding for Emergency Management Performance Grants (EMPG)

One factor which is essential to the restoration of a national emergency management system is the ability of state and local governments to participate as full partners in that system. In order to do this, the long-standing funding mechanism of EMPG must continue and be enhanced. All of the elements I’ve outlined above require that there be responsible, knowledgeable and empowered people at the state and local government levels who are focused on maintaining the emergency management capability needed to adequately support national objectives and provide the services our citizens expect and deserve.

The Emergency Management Performance Grant Program is the single federal all hazards emergency preparedness grant program in support of capacity building at the state and local level. EMPG funds support the state and local foundation upon which our nation’s emergency response system is built. The program supports state and local initiatives for planning, training, exercise, public education, command and control, as

well as emergency operations personnel. Emergency management is the governmental function that coordinates and integrates all activities necessary to build, sustain, and improve the capability to prepare for, protect against, respond to, recover from or mitigate against threatened or actual natural disasters, acts of terrorism or other man-made disasters.

The EMGP program is authorized by the Stafford Act and has been in existence since the 1950s. It was created to be a 50/50 cost share to ensure participation by state and local governments in building and maintaining strong emergency management capability. Administration proposals have attempted in the past to reduce the percentage of funds which could be used for personnel and to combine the funds with the homeland security grant programs. Congress has rejected the request to limit the percentage for personnel and has kept the EMPG program as a separate account.

The International Association of Emergency Managers recommends the following regarding the Emergency Management Performance Grant Program (EMPG):

- EMPG should be funded at \$375 million, the amount authorized in P.L.109-295, the Post Katrina Emergency Management Reform Act of 2006. We appreciate the \$200 million which Congress appropriated last year to begin to address the shortfall.
- EMPG should be retained as a separate account. The Administration's request to combine EMPG with other programs should be rejected.
- The EMPG match should be maintained at 50-50 to continue to reflect the state and local commitment to the emergency management program in partnership with the Federal Government.
- EMPG allocation and uses should be based on emergency management plans and all-hazard capacity, rather than terrorism based capabilities.
- Performance metrics based systems like the Emergency Management Accreditation Program (EMAP) standards should be used to measure the capacity being built by EMPG, rather than homeland security specific measurables.

I'm often asked to give specific examples of the additional responsibilities which have occurred in the past few years which make the enhancement of funding for EMPG so critical. Here are some examples:

- Planning for the deployment of the Strategic National Stockpile (SNS): Most public health departments do not have a planning capability and will turn to the local emergency manager for assistance in this area. As the coordinator of plans, this is appropriate. It just takes staff and time to do it. The stockpile from the CDC must be broken down, plans must be made on where it is to be distributed, volunteers must be

recruited and trained, exercises have to be conducted, and public information programs must be developed and implemented. Planning must be integrated at the local level for the vaccination of first responders and then the general population. Local emergency managers, in close coordination with public health agencies, will be responsible for seeing it gets done.

- Assessing threats and administering allocation of funding for Homeland Security: As an outgrowth of the continuing hazard/threat assessment engaged in by local emergency management agencies, additional responsibilities for homeland security needs and threat assessments are being required by federal agencies, usually as a prerequisite for grant funding. If money is received, leadership is needed at the community level to work with all stakeholders on the appropriate and most cost effective distribution of funding. In most communities the allocation of funds among competing stakeholders requires an “honest broker” to facilitate the achievement of consensus; this task generally falls to the emergency management agency.
- Implementation of NRP/NIMS requirements: A major additional workload has been generated by the need to revise and overhaul state and local emergency operations plans to conform to the NRP/NIMS requirements. Then, additional effort is necessary to determine what training is needed by the different elements of the community (elected officials, public works, EMS, fire, police, public health, hospitals, etc.), acquire the needed training, find funding to pay for it and implement the actual delivery of the training program.
- Managing and Coordinating Citizen Corps: It will be essential that this program be managed and coordinated. Experience all across the country has shown that Citizen Corps Councils don't just spring up unassisted. Certainly these Councils cannot operate outside of a local strategy for community preparedness and without the support of local governments. This support role invariably falls to emergency managers and requires staff resources and time.
- Public Private Partnerships for Homeland Security: These partnerships do not just happen. The local emergency manager is the one to develop and maintain these partnerships so that the community can make full use of all its resources both public and private. Once again, it takes time and staff.

All of these efforts are additional requirements over and above the normal work of state and local emergency management agencies to mitigate, prepare for, and respond to the many hazards found in the country such as severe weather, tornadoes, ice storms, flooding, earthquakes, hurricanes and hazardous materials incidents due to transportation and fixed facilities.

Establish and Sustain Supporting Programs

In order to be successful, a truly effective national emergency management system must

be supported by programs and approaches which enhance our ability to improve our performance based on lessons we learn. Specifically, we would address the following:

- Greater emphasis and attention must be placed on supporting states and communities who must receive evacuees when disasters cause the relocation of large numbers of persons from the affected areas. For example, in our work within the Kansas City Metropolitan Area, we have determined that our greatest catastrophe-related threat is the need to be prepared to house and care for massive numbers of evacuees from the St. Louis area should the New Madrid Fault produce a major disaster there and we (KC) have to play “Houston” to St. Louis’ “New Orleans”.
- IAEM fully endorses the Emergency Management Assistance Compact (EMAC) concept and emphasizes that, except for the participation of the National Guard, the majority of personnel deployed under EMAC are emergency managers, first responders and other support personnel from local governments. IAEM further notes that EMAC is one of the elements of a solid and enduring national emergency management system.
- As DHS and FEMA seek to implement standards and credentialing criteria at the direction of Congress, IAEM urges the use of the **Emergency Management Accreditation Program (EMAP)** and the **Certified Emergency Manager Program. (CEM)**.
 - EMAP is a joint NEMA/IAEM program utilizing NFPA 1600 as the basis for establishing standardized emergency management programs. Over a dozen national level key stakeholder organizations worked together to create this voluntary accreditation process for state, territorial, and local programs. EMAP provides the process and the opportunity to be recognized for compliance with national standards, to demonstrate accountability, and to focus attention on areas and issues where work or resources are needed. Its intent is to encourage examination of strengths and weaknesses, pursuit of corrective measures, and communications and planning among different governmental sectors and the community.
 - The Certified Emergency Manager Program (CEM) is administered by IAEM and is the defining credential for emergency managers. Those emergency managers so credentialed can effectively accomplish the goals and objectives of any emergency management program in all environments with little or no additional training orientation. Currently there are nearly 1,000 of these qualified individuals contributing to the success of emergency management programs in state, local and federal government as well as private enterprise. These individuals are another key element in reinforcing the solidarity and continuity of our emergency management system.
- We want to emphasize our support for the Emergency Management Institute. It is the

primary Federal entity for the development of general emergency management education, training and doctrine and should be funded appropriately. There are many excellent institutions providing education and training targeted to specialized emergency response disciplines; however, EMI has long provided the premier vehicle for promoting total community preparedness through its Integrated Emergency Management Course (IEMC) and has provided guidance and coordination of emergency management and homeland security university programs through its Higher Education Project.

In closing, your emergency managers at all levels of government are constantly working to restore and improve this national system upon which so much depends. We thank you for your support and understanding in the past and ask for your consideration of our needs and recommendations for the future.

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