

REPORT OF THE STAFFORD ACT REFORM TASK FORCE

JANUARY 2010

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Kevin Johnson, Mayor of Sacramento, Vice Chair**



The United States Conference of Mayors

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CITY OF NEW ORLEANS

C. RAY NAGIN, MAYOR



January 2010

An Open Letter to the President and the Congress

Every city in our nation is vulnerable to disaster. Whether it is natural or man-made, our cities and their leaders must be prepared to respond when events occur that threaten human life, property, and the economic viability of our communities.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act is the primary federal statute that guides the nation's response to natural and man-made disasters. Though it is intended to provide great flexibility to the agencies directly interacting with affected communities, the responses to Hurricane Katrina, Hurricane Rita and subsequent natural disasters have highlighted the inadequacies of the law and the need for greater flexibility in some areas and stricter requirements in others. City leaders need the assurance that, as they work to prepare for and mitigate disasters or rebuild their communities after they occur, the federal government, with its access to significantly greater resources, will be working in lock-step with them throughout the process.

Mayors are on the front lines of efforts to mitigate, respond to and recover from disasters. Our residents look to us for speedy action and for reassurance that their lives and communities will quickly return to normal. Yet, current law denies us the ability to access federal resources directly, requiring instead that we work through state governments, which are often grappling with their own disaster response efforts. We are left in the impossible position of being responsible to our constituents without having the authority or resources to adequately respond to their needs.

The 2005 hurricanes also clearly pointed to the need to distinguish between a disaster that may have a serious effect on a community but is limited in scope and a catastrophe such as Hurricane Katrina, which led to the complete evacuation of New Orleans and left 80 percent of the city underwater. Federal law must provide different mechanisms to govern the response to these very different situations so that the needs of our residents are met quickly and recovery can proceed as rapidly as possible.

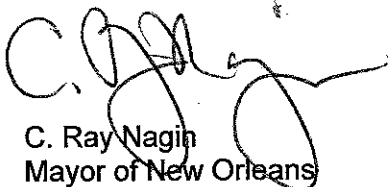
One of my goals throughout our recovery from Hurricane Katrina has been to share what we have learned to help ensure that no other city will experience what we did in New Orleans. Because disaster response and recovery is important to every city, the U.S. Conference of Mayors asked that I lead a working group to formulate comprehensive recommendations for improving the Stafford Act. Working with my co-chair, Sacramento Mayor Kevin Johnson, and with the participation of mayors, emergency managers and other staff from cities throughout the country, we have outlined a comprehensive set of reforms. Without their time and effort this report would not have been possible. I am most grateful to all who participated in its development.

Our recommendations cover catastrophic disasters, hazard mitigation, individual and household assistance; insurance, other disaster grants, emergency preparedness and response, and FEMA administration.

We also must thank President Obama's Administration and key committee leaders in Congress who have worked to improve disaster response and recovery since the catastrophic events of 2005 demonstrated the need so clearly. Congress has provided special legislative relief to the Gulf Coast, and begun to direct change for the future. The Obama Administration has brought fresh perspective to Gulf Coast recovery on a day to day basis, and is working to strengthen disaster recovery for the nation through the efforts of a recently established Long Term Recovery Working Group of key administrators.

We look forward to continuing to work with you to further develop and implement these recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Nagin', with a large, stylized flourish extending to the right.

C. Ray Nagin
Mayor of New Orleans
Chair, Stafford Act Reform Task Force
The United States Conference of Mayors

FOREWORD

Over the past eight decades, The United States Conference of Mayors has worked to ensure that the federal government is aware of and understands the problems confronting the nation's cities, and has helped the federal government shape the most appropriate responses to those problems. This is the role we play when disasters – natural or manmade – strike our cities. But we have another, equally important role to play when disasters occur: At those times we serve as a clearinghouse – identifying the stricken city's specific needs and communicating those needs to cities across the country so that they are able to share their personnel, equipment, or other needed resources.

When Hurricane Katrina hit, like all other Americans, we were glued to our TVs, watching in horror the devastation in New Orleans and elsewhere along the Gulf Coast. But we also took immediate action. In the first hours of the Katrina disaster, then Conference President and Long Beach Mayor Beverly O'Neill told mayors that "as we have seen in recent disasters both in the United States and around the world, there are no more charitable and caring people than those in our cities and in our nation. It is our job to help lead in this effort by doing all we can to direct their energy to what is needed most."

Mayors immediately began working to address the needs of the cities hard hit by the hurricane, and to help take care of the hundreds of thousands of displaced persons and families. A few days later Mayor O'Neill told her colleagues, "Your work is making a major difference, and we will not rest until our cities are rebuilt and our fellow citizens are able to return to the communities they so love."

At the Conference of Mayors we worked closely with the business sector – Walmart, Home Depot, and others – which donated needed goods and services and assisted with their transport. We also worked closely with the federal government. Then Housing and Urban Development Secretary Alphonso Jackson called me to request help in identifying housing for displaced persons. We immediately surveyed cities and quickly received responses from over 100 that identified thousands of possible housing units. And we worked with the Department of Homeland Security, asking mayors to encourage their governors to seek Presidential emergency declarations so that relief assistance would be eligible for 100 percent reimbursement.

When disasters occur we are always overwhelmed by the outpouring of help from cities. We can count on our cities to always do their part, but we must be able to count on the federal government to do its part as well. Unfortunately, we have seen with Katrina and Rita and too many other recent disasters that this is not happening.

New Orleans Mayor C. Ray Nagin has experienced something that I hope no other mayor will ever have to experience. We 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.

Thanks go to Mayor Nagin and his staff; to Sacramento Mayor Kevin Johnson, who served as Vice Chair of our Task Force; and to the mayors, emergency managers, and other city staff who devoted significant time and effort to the development of the recommendations contained in this report.



Tom Cochran
CEO and Executive Director
The United States Conference of Mayors
January 2010

REPORT

The Robert T. Stafford Disaster Relief and Emergency Assistance Act is the federal law that supports preparation for and response to disasters. It gives the President power to issue disaster declarations that authorize help for states and local communities overwhelmed by events that have disrupted their normal functioning. In the aftermath of Hurricanes Katrina and Rita and after other natural and man-made disasters since 2005, it has become increasingly clear that the Act is inadequate to address many of the most pressing needs of governments and communities affected by such events. Though it was written to give much discretion to federal administrations for tailoring the response to the need, the flexibility in the Stafford Act is not adequate to handle the widespread destruction caused by a catastrophic disaster, and it is not always used to make the most effective decisions after emergency events in general. Response is frequently stymied by a limiting law, bureaucratic inefficiencies and conflicting or unclear policies and regulations.

To bring about critically needed comprehensive reform, this paper identifies specific problems with current Stafford Act law, regulation, and policy which impede effective preparedness, response, mitigation and recovery efforts. It proposes changes which will enhance local emergency management and recovery capability. It was developed by the U.S. Conference of Mayors Stafford Act Reform Task Force through a series of meetings, primarily held via conference call. This effort was made possible through the collective experience of mayors and local emergency management directors and staff who have been at the forefront of responding to disasters that have affected their communities.

Note that the Stafford Act section number is included for recommendations which require legislation. Those which can be implemented through policy or regulatory changes are identified with an asterisk.

CATASTROPHIC DISASTERS

Provide for catastrophic disaster designation to speed up funding availability and recovery –

Some disasters are so great in scope and effect that they require special consideration for the response and recovery efforts. The Stafford Act should be amended to differentiate “catastrophic disaster” as one which has a more devastating impact than a “major disaster.” Catastrophic events are currently defined in the National Response Framework as “any natural or manmade incident, including terrorism that results in extraordinary levels of mass casualties, damage, or disruption severely affecting the population, infrastructure, environment, economy, national morale, and/or government functions.” (Sec 102) A formula should be developed to determine if a disaster meets the criteria for catastrophic designation. Such a designation would then trigger the following actions:*

- Give the President the authority to waive Stafford Act provisions and regulatory compliance following a catastrophe (Sec 301);
- Provide automatic 100 percent federal funding for all categories of eligible work for the duration of a disaster (Sec 403);
- Mandate the immediate release of federal funding for 50 percent of the Preliminary Damage Assessment (PDA) estimate for all grant programs. Currently “Immediate Needs Funding” can take 60 – 90 days or longer and is not available for initial recovery work on critical infrastructure, including public safety facilities and equipment (Sec 403);
- Establish a 90-day “hold harmless” period for the procurement of goods and services at the beginning of a disaster so that local and state governments can respond quickly to meet urgent needs; *

- Lengthen and align deadlines for all grant categories for a minimum of one to five years based on the requirements of the grant program. For example, Emergency Work should be extended to one year and Hazard Mitigation should be extended to a minimum of five years to allow the affected communities time to plan, recover and rebuild ;*
- Provide 100 percent federal cost share for hazard mitigation (Sec 404);
- Provide immediate administrative funding for affected jurisdictions to quickly implement an effective hazard mitigation program (Sec 404);
- Assure that all modalities of mental health treatment (in addition to Crisis Counseling Assistance and Training) are available and funded to provide psychiatric services and medications to the affected population. In catastrophic events, the personal lives of huge segments of the population are in crisis; damage to basic health and mental health infrastructure will prevent adequate help for the severe and prolonged mental health needs in the affected communities. Mental health services also need to be provided to long-term evacuees in their host communities (Sec 416);
- Cover the rapid restoration of private and for-profit utilities, including electrical, water, sewer and telecommunications, after a catastrophic disaster to allow them to provide critically needed services as quickly as possible (Sec 427);
- Expand regulatory provisions to allow reimbursement for the cost of mass shelter and care, including coverage of multiple moves evacuees may make before returning home to catastrophically damaged communities.*

Require Catastrophic Disaster Housing Plans to meet community needs – Because of the magnitude of damage done to housing in a catastrophic disaster, the final National Disaster Housing Plan must ensure that the extraordinary needs of communities which have experienced catastrophes, as well as those of host communities that receive long-term evacuees, are met. This includes providing adequate shelter, temporary and transitional housing, and authorizing repair of permanent structures (rental rehabilitation).

HAZARD MITIGATION

Adequately fund and streamline the Hazard Mitigation Grant Program – Hazard mitigation measures have proven to be effective in reducing property damage, costs of repair and replacement, and loss of life. The Federal Emergency Management Administration's (FEMA) Hazard Mitigation Grant Program (HMGP) provides funding to assist communities to implement long-term hazard mitigation measures as they repair or rebuild following a disaster. Public facilities, critical infrastructure, and private homes and businesses can be retrofitted and hardened. New construction and development patterns can follow best practices to prevent the waste of future resources for repairing what could have been mitigated. A Congressionally mandated study for FEMA estimated that \$4 can be saved for every dollar spent to mitigate. More funding should be made available for hazard mitigation after a disaster and there should be more funding and financial incentives for hazard mitigation programs in communities that are at high risk. Additionally, the entire hazard mitigation grant process should be streamlined so less funding is spent on complex and bureaucratic administration and more on the actual construction of safer structures. The HMGP should be changed to:

- Provide the President discretion to increase the federal cost share to 100 percent for hazard mitigation, as in other disaster programs (Sec 404);
- Direct hazard mitigation funding to the impacted community in proportion to the damage done by the event (Sec 404);

- Make initial hazard mitigation funding available immediately, based on the Preliminary Damage Assessment (PDA) estimates (Sec 404);
- Under the Stafford Act's mitigation planning provisions, allow at-risk communities to be "pre-certified" to take initiatives that follow hazard mitigation guidelines, and to be reimbursed once post-disaster mitigation funding is available (Sec 322);
- Require 75 percent of the allowable administrative costs to be provided by the grantee to the subgrantees as funding for their implementation costs or as services performed by the grantee for jurisdictions without administrative capacity (Sec 404);
- Increase the amount of Hazard Mitigation Grant Program funding by 4 percent of the estimated aggregate amount of the grant for both state and local jurisdictions that have building codes consistent with or more stringent than the most recent nationally recognized model building codes if adopted within six years of the most recent version of that code (Sec 404);
- Allow for approval of an initial conceptual HMGP application that conforms to an approved Hazard Mitigation plan but does not require significant expense on a project that may ultimately not be approved;*
- Allow the development costs of detailed design, engineering, environmental work and cost-benefit analysis components of an HMGP application to be eligible for program funding;*
- Allow all jurisdictions, regardless of size, to apply for HMGP funding if they have an approved hazard mitigation plan and the county in which they are located does not. Currently the jurisdiction would not be eligible if it were a part of a county that did not have an approved plan;*
- Permanently adopt the Demolish-Rebuild (Pilot) Program developed after Hurricanes Katrina and Rita and make it an eligible activity under HMGP (Sec 404);
- Institute use of cost-effective considerations based on geographic and historical data as a substitute for cost-benefit analysis formulas to streamline the application process and speed up mitigation project completion;*
- Streamline criteria for environmental review for hazard mitigation to simplify the application process and speed up mitigation project completion;*
- Institute a uniform state and federal application methodology for hazard mitigation to prevent inconsistencies and delays in the approval process;*
- Allow for complete hardening of a facility impacted by the event, not just the broken element;*
- Allow for consideration of local fire, building, and electrical codes in reimbursement of costs for replacement or repair of a structure or its mechanicals.*

INDIVIDUAL AND HOUSEHOLD ASSISTANCE

Increase funding for and improve administration of programs to meet needs of individuals and communities experiencing disasters and host communities providing assistance – Stafford law and regulation have authorized many programs to assist people affected by emergencies and disasters. Currently, funding for the programs is insufficient to meet the need, and the implementation of the programs themselves requires improvement. These deficiencies hurt not only disaster victims but also the communities that host residents when they are evacuated. This is a particularly acute problem in

catastrophic disasters in which it will take more time before people 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. It 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 (Sec 426);
- 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 (Sec 426);
- 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 (Sec 408);
- 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 (Sec 408);
- Do not penalize households that need to separate temporarily so that one member can return to work in the affected community (Sec 408);
- Provide safe and secure living accommodations for victims of domestic violence so they are not penalized for requiring separate accommodations (Sec 408);
- Allow for 100 percent reimbursement for affected communities and host communities for personnel costs and lost revenue incurred to manage and implement assistance for evacuees (Sec 408);
- 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 help to verify that benefits are not duplicated (Sec 408).

Finalize the National Disaster Housing Plan and Improve Disaster Housing – FEMA should expedite finalization of a disaster housing plan that does not rely predominantly on travel trailers and vouchers, both of which have proven problematic. To support better ways of providing disaster housing, the Stafford Act should be changed to:

- Authorize the President to use emergency funding for repair of permanent structures (including rental units) needed for temporary or transitional housing within the affected communities. Strategic investment in permanent repair can provide housing faster where it is most needed and prove more cost-effective in the long-term recovery of the affected community (Sec 408);

- Make disaster housing available not only for displaced residents but also for workers who are critical to response and recovery operations (Sec 408);
- Ensure that the National Disaster Housing Plan takes into account the needs of both communities which have experienced disasters and host communities which receive evacuees. The plan should include provisions for adequate shelter, temporary housing, and transitional housing;*
- Fully engage the Department of Housing and Urban Development (HUD) as a partner with FEMA in coordinating the provision of disaster housing by using funding from the Disaster Relief Fund (DRF) – the source of funding for disaster assistance programs (Sec 408)

INSURANCE

Reform insurance regulations to facilitate disaster recovery – Individuals and jurisdictions need quick access to funding to repair or replace damaged homes, businesses, facilities and infrastructure to facilitate disaster recovery. This can be accomplished in part by reforming insurance regulations. Stafford Act regulations should be changed to:

- Allow grantees and subgrantees to be reimbursed for insurance deductibles as an eligible cost, thus rescinding a policy change that limited deductible recovery to a one-time event;*
- Allow jurisdictions to reimburse the federal government for insurance claims payments received during the close out phase of the grant rather than deducting the anticipated amount from a Public Assistance grant up front. The anticipated amount is often inaccurate and the amount obtained may take many years to collect. Current practices delay the rebuilding or repairs of the damaged public asset;*
- Increase the insurance requirement threshold of \$5,000 to \$100,000 to be consistent with the proposed small projects threshold;*
- Waive proof of insurance requirements for Individual Assistance recipients initially so that immediate assistance can be provided to those in need. Require recipients to reimburse the program when and if insurance claims payments are made; *
- Establish criteria whereby local government entities other than just states may be authorized to self insure (Sec 311).

OTHER DISASTER GRANTS

Reform disaster assistance programs to facilitate recovery – 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. The Community Disaster Loan (CDL) Program, whose purpose is to provide operating funds for local governments that have suffered substantial loss of revenue, has dollar limits that present a serious impediment to recovery. The grant has an arbitrary cap of \$5 million and 50 percent of revenue loss, regardless of the amount of the actual loss which, in larger cities, could be hundreds of millions of dollars. To get beyond that limit requires Congressional action and time that communities struggling to rebuild cannot afford. Another serious impediment is the limitation on the use of grant funds to pay regular as well as overtime for work performed by the staff of affected jurisdictions after an event. These and other assistance programs should be changed to:

- Give grant standing to local jurisdictions that are CDBG Entitlement Communities -- Local governments that are Community Development Block Grant entitlement communities should have standing as grantees for all disaster grant programs including Hazard Mitigation so that they may deal directly with the federal government; *
- Remove the \$5 million cap on the Community Disaster Loan (CDL) program – The amount available for loan funds should match the amount of revenue lost. Decisions on loan repayment or cancellation can be made after clear analysis of a jurisdiction’s ability to pay back the loan in part or in full without undue hardship (Sec 417);
- Cover both regular and overtime pay for 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; *
- Eliminate Alternate Projects Federal Share Reduction to allow for 100 percent federal funding – Because alternate projects often represent a more effective and efficient use of public funds and discourage the rebuilding of facilities no longer needed, providing 100 percent federal share for all alternate projects would allow the applicant to make rebuilding decisions based on what is best for the community rather than funding reimbursement levels; *
- Permit removal of slabs and foundations on grade as an eligible demolition expense – While FEMA currently has the authority to consider slab and foundation removal as an eligible cost under “very unusual circumstances,” this authority should be clarified to permit reimbursement for slab and foundation removal, which can be critical to public safety, redevelopment, and economic recovery;*
- Cover increased operating costs associated with the disaster – Operating costs of the affected community increase as the result of a disaster. All costs beyond normal day to day operations should be eligible for reimbursement under the Public Assistance Program for not less than six months; *
- Cover the replacement of vehicles and equipment in the same way that facilities are covered – Recent FEMA policy has required that vehicles or equipment must be repaired or replaced with those of the same age, capacity and vintage, unless this cannot be done within reasonable time and cost. Vehicles and equipment (particularly those used for public safety, transportation and service) should be treated in the Stafford Act like facilities and replaced if they are over 50 percent damaged of their actual cash value or not repairable (Sec 406);
- Elevate the threshold for small projects – The threshold for small projects for which funding is immediately released when obligated under Simplified Procedures should be elevated to \$100,000. This would reduce administrative costs for FEMA, states, and other applicants and speed up recovery (Sec 422);
- Develop a timely, neutral, separate third-party appeals process – The appeals process should be changed to resolve Project Worksheet (PW) disagreements over damage assessments, cost estimates, project scope, and other issues with FEMA. Applicants should be able to request the use of a neutral, separate third party process and receive timely answers in cases involving a smaller dollar value than is allowed for arbitration. Arbitration would then only be invoked as a final step for larger projects. The appeals should be acted on by an independent panel composed of individuals knowledgeable about Stafford Act law and regulations (Sec 423);

- Provide funds to reimburse costs associated with preventive measures – Stafford Act pre-event funds are provided through annual grants to assist with preparations such as hardening of structures. Reimbursement should also be provided to jurisdictions that use resources to take urgent preventive measures to mitigate the effects of potential disasters which appear to be imminent threats. These measures, which could include precautionary evacuations and target-hardening of facilities or levees, should be covered even if the path of the threatening event changes or the preventive measures successfully mitigate the effects of the disaster (Sec 403);
- Expand small business disaster relief – Various loans and grants, including micro grants, should be available to small businesses to help them meet immediate costs. The current per business cap of \$1.5 million on loans offered by the Small Business Administration’s Economic Injury Disaster Loan should be raised or eliminated.*

EMERGENCY PREPAREDNESS AND RESPONSE

Adequately fund and support preparedness and response activities – The Stafford Act has many provisions that govern preparedness and the initial steps leading toward the declaration of a disaster. Funding for preparedness, like funding for mitigation, can pay off by saving lives and property. It is particularly important that the federal government provide adequate resources for preparedness mandates – from evacuation plans to communications equipment – so communities can attain the higher standards and meet the deadlines. Reimbursement for eligible costs incurred for preparedness or for providing mutual aid must be quicker and less bureaucratic in order to encourage more critically needed cooperation without penalizing those who want to help. Federal assistance with coordination across state lines and regions, combined with the use of federal authorities and assets, will improve the quality and reach of the planning. Changes should be made to:

- Facilitate expeditious direct reimbursement to cities that provide mutual aid by:
 - Authorizing city-to-city and/or state-to-state mutual aid agreements to immediately trigger funding and liability protection during major or catastrophic emergencies without having to wait until a formal disaster is declared and assistance is granted through the Emergency Management Assistance Compact (EMAC) system (Sec 612);
 - In the event of a federal declaration of emergency, reimbursing costs associated with emergency protective services through mutual aid assistance from the time at which the state declared the emergency (Sec 613);
- Honor certifications and licenses across state lines – Since the provision of regional mutual aid will frequently require emergency service professionals to perform duties outside the boundaries of their home states, state-based professional licenses or certifications should be honored across state lines in the event of a disaster or emergency event (Sec 612);
- Coordinate various funding sources – Cities rely on funding from different federal sources to prepare for disaster and develop response and recovery capacity. While these funding sources are not necessarily part of the Stafford Act, they affect local governments’ ability to become resilient and maximize the benefits that Stafford is supposed to provide for disaster preparation and management. These funding sources include Emergency Management Performance Grants, State Homeland Security Grants, and Public Safety Interoperable Communications Grants. All of these programs should be adequately funded and have sufficient flexibility to allow them to meet the needs of more local governments;
- Provide adequate funding for all municipalities -- Provide adequate funding to jurisdictions below the county level for preparedness activities including staffing, disaster management, and plan development. Under current policy, funding for these activities is usually limited to the county level;*

- Establish a National Sheltering Plan – FEMA should be directed to establish a National Sheltering Plan that identifies regional shelters capable of housing thousands of evacuees and/or victims from a natural or man-made disaster or terrorist attack. This plan should consider the use of federal locations for the development of pre-established, coordinated, and secure facilities to provide reassurance and prevent panic in large scale, regional, or multi-state disasters. Shelters should include provisions for special needs populations, including persons with disabilities, the elderly, families with children, and persons with limited English proficiency. They should also provide for sheltering pets;*
- Develop a National Emergency Transportation Evacuation Plan – FEMA should work in coordination with the U.S. Department of Transportation and its agencies to develop a plan which incorporates all modes of transportation, makes cost-effective use of federal assets, clearly defines roles and responsibilities for preparing for major regional evacuations, increases federal involvement, and consolidates state and regional plans already in existence. It should incorporate planning for special needs populations who lack transportation resources, including persons with disabilities, the elderly, families with children, and persons with limited English proficiency, and should also provide for pets;*
- Recognize utility workers as first responders – Utility workers need to be credentialed and given shelter and supplies in the same manner as public safety first responders so that they can quickly enter the affected area after a disaster to begin repairs on critically needed utility services;
- Expand the definition of disaster events covered under the Stafford Act – The definition of types of events covered under the Stafford Act should include chemical, biological, radiological, and nuclear attacks or accidents (Sec 102).*
- Reform the disaster declaration process (Sec 501) – FEMA should:
 - Accept a governor’s request, including the Preliminary Damage Assessment report (PDA) numbers provided, for the determination of a disaster declaration. This will expedite the declaration process to provide needed federal assistance more quickly.*
 - Base the declaration of a disaster on the population of the specific local geographic area (city, borough, township, etc.) affected, not necessarily the entire county. Otherwise, individual communities which experience disasters that do not affect the whole county may not be included in a declaration and will not receive assistance.

FEMA ADMINISTRATION

Increase FEMA’s administrative and response capabilities – FEMA has historically recognized the ongoing need for permanent staff for planning and monitoring its regular programs. Events and disasters happen randomly, however, and create erratic demands which also require fully trained, full-time professionals to provide an effective, appropriate, expeditious response. To respond quickly to emergency situations, FEMA must have a greater permanent professional capacity and the power to coordinate resources from other departments and agencies to help meet needs that cannot be met with agency personnel alone. It also must work to ingrain a “mission-- driven” rather than “compliance-- driven” philosophy into its operations, to speed up bureaucratic processes and meet urgent needs. To improve FEMA program administration, Stafford Act law and policy should be changed to:

- Empower FEMA as the lead agency in a disaster event to coordinate all federal departments that have disaster funding responsibilities and to assure that all funding for the communities affected by the event is put in place. This will include coordination between departments and agencies that have overlapping jurisdictions, such as FEMA, the Corps of Engineers, the Department of Transportation, HUD, and the U.S. Department of Agriculture’s Natural Resources Conservation Service (Sec 402);

- Increase FEMA's staff capabilities by assuring that it has experienced, stable, and adequate permanent staffing. Immediately following a disaster, management-credentialed Tiger Teams that have direct communication with the Administration and FEMA headquarters and a complete understanding of both response and recovery operations should be deployed. When personnel are transferred they should be required to leave clear transition notes, agreed upon with the applicant, which contain the facts and status of all decisions, eligibility determinations, and projects they are supervising;*
- To expedite project and program implementation, require FEMA to accept all plans, designs and engineering done by certified local professional staff as a basis for grant and funding approval.*

Consolidate all Stafford Act statutory and regulatory provisions – 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 working to apply disaster policy, regulation, and law in preparedness, response, mitigation, and recovery.

Task Force Cities

Little Rock	AR
Sacramento	CA
Hallandale Beach	FL
Pembroke Pines	FL
Valdosta	GA
Maui	HI
Hoffman Estates	IL
Des Moines	IA
Kansas City	KS
Lexington	KY
Louisville	KY
Baton Rouge	LA
New Orleans	LA
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THE UNITED STATES CONFERENCE OF MAYORS

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