



April 18, 2008

The Honorable James Oberstar  
Chairman  
Committee on Transportation and  
Infrastructure  
U.S. House of Representatives  
Washington, D. C. 20515

The Honorable John Mica  
Ranking Member  
Committee on Transportation and  
Infrastructure  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Eleanor Norton  
Chairman  
Subcommittee on Economic  
Development, Public Buildings  
and Emergency Management  
Committee on Transportation and  
Infrastructure  
U.S. House of Representatives  
Washington, D. C. 20515

The Honorable Sam Graves  
Ranking Member  
Subcommittee on Economic  
Development, Public Buildings  
and Emergency Management  
Committee on Transportation and  
Infrastructure  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Oberstar, Chairwoman Norton, and Ranking Members Mica and Graves:

We are writing on behalf of the Nation's elected county officials and the city and county emergency managers to urge that your Committee support including legislative language in the FY 2009 Appropriations Bill for the Department of Homeland Security (DHS) that will prohibit any expenditure of funds to support the Principal Federal Official (PFO) position in a Stafford Act declared disaster or emergency.

The FY 2008 Appropriations Bill for DHS (P.L. 110-161) included under Section 541 of the General Provisions the following legislative language:

None of the funds provided by this or previous appropriations Acts shall be used to fund any position designated as a Principal Federal Official for any Robert T. Stafford Disaster Relief and Emergency Assistance Act declared disasters or emergencies.

However, the President's Budget Request for FY 2009 strikes this provision; therefore, we urge that prohibition language be included again in this year's DHS Appropriations bill. We also urge that report language be included directing DHS to strictly adhere to the prohibition.

This is an important issue and we would appreciate your continued support. During Congressional hearings regarding the failures of coordination during Hurricane Katrina, there were numerous references to the fact that the dual existence of a PFO as well as a Federal Coordinating Officer (FCO) led to ambiguities of authority and responsibility which often severely hampered response as well as recovery efforts. Our members want the Federal Coordinating Officers to have the authority to make decisions that we can act upon and not worry about "second-guessing" by an additional level of authority.

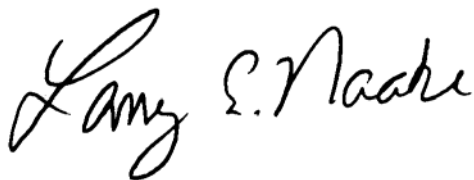
Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act the President appoints the Federal Coordinating Officer to represent him in partnership with a State Coordinating Officer (SCO) appointed by the Governor of the affected state. For the Secretary to appoint a PFO to represent him is not only dysfunctional in terms of organizational structure, (that is who is in charge), but also seriously marginalizes the position of the person appointed by the President.

Despite the clear statutory authority of the FCO, the Secretary appointing a *Principal* Federal Official intentionally or inadvertently gives the mistaken impression that this official is in charge of the disaster response and recovery.


For decades the position of FCO has been effective in guiding the response and recovery efforts in time of disaster. This effectiveness has been enhanced in the past few years by the creation of a professional, full-time FCO cadre. Inserting a non-statutory, redundant and very confusing additional level of federal representation would cause serious problems.

We respectfully request your assistance in continuing this limitation on the appointment of Principal Federal Officials.

Sincerely,



Larry E. Naake  
Executive Director  
National Association of Counties



Larry J. Gispert  
President  
International Association of Emergency  
Managers

*Founded in 1935, **NACo** is the leading advocate for county elected and appointed officials for all of the nation's 3066 counties. NACo advances issues with a unified voice before the federal government, improves the public's understanding of county government, assists counties in finding and sharing innovative solutions through education and research, and provides value-added services to save counties and taxpayers money. NACo's membership totals more than 2,000 counties, representing over 80 percent of the nation's population.*

*The **International Association of Emergency Managers (IAEM)** is a non-profit organization consisting of more than 4,000 members including emergency management professionals from local, state, and the federal governments, tribal nations, the military, colleges and universities, private industry and the nonprofit sector in the United States and in other countries. Most of our members are U.S. 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. IAEM has consistently promoted the goals of saving lives and protecting property during emergencies and disasters since its founding in 1952 as the U.S. Civil Defense Council.*