

**Statement of RADM Joseph L. Nimmich (USCG, ret.)**  
**Senate Committee on Homeland Security and Governmental Affairs**  
**Hearing on “Preparedness for COVID-19:**  
**The Initial Pandemic Response and Lessons Learned”**  
**April 14, 2021**

Good Morning Chairman Peters, Ranking Member Portman and members of the Committee. Thank you for the opportunity to appear before you today to share my views on the Nation’s “Preparedness for COVID-19: The Initial Pandemic Response and Lessons Learned.” I am proud to have served as the Deputy Administrator at FEMA from September 2014 to January 2017 and in the U.S. Coast Guard for over 33 years. I hope my experiences can help provide insights into some of your questions surrounding the future preparedness of our Nation and important lessons learned in responding to the ongoing pandemic.

With hindsight being 20/20, I am confident in saying that the United States was not prepared for COVID-19. But the challenges, missteps, and even some of the successes during the early days of the pandemic should not have been a surprise to anyone involved in emergency response at the federal level. HHS ASPR’s “Crimson Contagion” pandemic exercise, run from January to August 2019, identified and predicted almost all of the problems encountered.

Numerous national, state and local, private and public organizations participated in this exercise, which was conducted to test the capacity of the federal government plus 12 states to respond to a severe influenza pandemic. The similarities between the exercise findings and the shortcomings realized in the real-life COVID-19 response events are striking, but likely came too late to change the outcomes predicted.

The Crimson Contagion report is one of four primary sources which have informed my current views on the federal response to this pandemic to date. The other three include:

- First-hand, non-attributable conversations with FEMA leaders directly involved in the COVID-19 response.
- FEMA’s COVID-19 Initial Assessment Report from January 2021. This report highlights the extraordinary actions FEMA has undertaken to support the Nation throughout this crisis, and details a number of Key Findings and Recommendations which I believe will be critical to delivering effective support during future disasters.
- The work of the *Commission on the National Response Enterprise* convened by Business Executives for National Security. I was honored to serve as one of the Commissioners for this effort, along with a very august team of leaders, including Senators Hassan and Cassidy.

I draw on the Commission’s work heavily for my testimony today. Two things make this study second to none on this topic, in my opinion. First is the breadth of knowledge of the BENS Commissioners and Working Group members – drawn from business, civil society and

government at all levels – which brought a true “whole of society” approach to this challenge. This, combined with hundreds of interviews of current and past federal, state, and local emergency response officials and experts and focused research on the topics of Surge, Supply, People, Roles, and Infrastructure & Economy, resulted in recommendations that are both actionable and critically needed. I commend to the Committee the Commission’s final “*Call to Action*” report which offers 11 recommendations for redesigning our response capabilities to embrace 21st Century realities. The report can be found at:  
<https://www.bens.org/file/national-response-enterprise/CNRE-Report-February-2021.pdf>.

Let’s start with the good news: The Commission strongly believes that the components of an integrated national response capability are largely in place. COVID-19 demonstrated, however, that execution challenges remain across the board, particularly when a crisis impacts numerous states simultaneously and extends over a prolonged period. Today I want to focus on weaknesses in two areas highlighted in the *Call to Action* – the surge of human and materiel resources and the critical need for planning and exercising:

**Plans and Exercise:** It is not because of a lack of planning for disasters that performance often falls short of expectations. It is more about the nature of current planning itself which is problematic. A plan is never as good as when it is first developed -- explicit coordination and communication channels exist and stakeholders are all aware of their specific roles; complete information needed to make decisions is available and all participants have a transparent common operating picture; and all options for possible action to address the event have been identified and laid out.

Time then passes -- the plan sits (often for years); new crises deflect decisionmakers’ attention; and people and positions change. The trust among stakeholders dissipates and the plan loses its currency and effectiveness. Or facts on the ground during an event do not align exactly with the plan that was tested. In either scenario, everyone is left at the start of an actual event trying to relearn and execute a response plan. As Administrator Craig Fugate taught me, all too often “we plan for what we can do, not what we have to do.”

Two clear examples: Back in the spring of 2005, a hurricane exercise was held in New Orleans testing the plans for a Category 5 storm impacting New Orleans. Failure of the levy system was never even considered. Only a few months later, Hurricane Katrina hit causing more than 50 failures of the levees and flood walls. In the winter of 2010, I oversaw the bi-annual Spill of National Significance exercise off the coast of Portland, Maine. The scenario was predictable – an oil tanker running aground with a known quantity oil spilled. Then that April came the Deepwater Horizon oil spill with continuous oil flow from an underwater well, which created one of the largest environmental disasters in American history.

We continue to plan for the known and not the improbable, when as history has shown us, the improbable will almost certainly occur. And all plans without frequent and regular exercises are just shelf ornaments. No one has time to read and review plans once a crisis has begun. It is

only through regular exercises that plans become alive, can be updated and improved, and stakeholders are able to develop and maintain relationships which build trust.

The Commission identified several specific weaknesses in FEMA's existing National Exercise Program that negatively impact our response capabilities in general and which were contributing factors to performance challenges early on in the COVID response. These include (but are not limited to) the exercises' low frequency, limited participant knowledge of the National Response Framework and supporting crisis-specific response plans, and reported delegation of responsibility for exercise participation from senior leaders to subordinates. The Commission recommends creating or redesignating a leadership position within the Department of Homeland Security to oversee the development and operation of a comprehensive National Crisis Response Exercise Framework to more effectively coordinate testing and exercising of plans across the emergency response enterprise.

An intangible but critical benefit of the frequent exercising of response plans which is often overlooked is the trust it builds between key stakeholders. The breakdown in trust between individual states, between states and the federal government, between business and government, and between American citizens and all of the above, played out every night on t.v. with regard to everything from the need to quarantine and wear facemasks to shortages of ventilators, PPE, Clorox wipes and toilet paper. The Commission rightly points out in its *Call to Action* that, "While trust cannot be legislated or mandated, it emerges naturally from regular interaction, shared experiences, and personal relationship-building. Emergency response leaders and their teams should make every effort to continually build and deepen trusting relationships among all stakeholders within and across sectors and to establish confidence in plans, systems, and providers through continual testing and exercising."

**Surge:** A second area of weakness in the Nation's response enterprise exposed by COVID-19 is our ability to surge critical human and material resources when needed, but this was definitely not the first time.

The ongoing need to surge to disaster sites FEMA personnel who are responsible for the day-to-day running of the agency has severely limited FEMA's ability to modernize. During the 2017 hurricane season for example, three Category 4 hurricanes made landfall in the US and its territories at the same time some of the deadliest wildfires in history were burning on the West Coast. Over 80 percent of the FEMA workforce was deployed to help address these immediate needs. But these FEMA employees have day jobs -- they oversee programs supporting individuals and states; they run the National Flood Insurance program; they run billions of dollars in grant programs; they work to build national resilience; they hire and support the FEMA workforce, and the list goes on. Today the number of FEMA personnel deployed in support of national vaccination efforts matches the 2017 level.

Primary responsibility for responding to crises properly resides in states and localities. But the ever-increasing number of declared emergencies and disasters, not to mention nationwide events such as the pandemic, will continue to put unsustainable pressure on FEMA personnel,

their jobs, and the Agency's ability to manage improvements through technology and policy. The Nation needs a well-trained workforce which can be called up during national emergencies to deliver assistance to areas where it is needed.

I am particularly passionate about one of two recommendations the BENS Commission makes to help alleviate this extraordinary pressure on FEMA personnel -- the creation of a Civilian Expertise Reserve program to recruit civilians with targeted skill sets that can deploy when required. These CERs would provide emergency managers with a highly trained, rapid-response force of professionals who can augment or supplement existing resources. The Commission believes that the National Guard provides a useful model for forming a CER and its operating authorities.

Individual CERs could activate for service in both state and federal crises. Guard best practices for recruiting (such as tuition assistance and stipends), and employment protections (covered by the Uniformed Services Employment and Reemployment Rights Act) could apply to CERs as well. Similarly, aspects of FEMA's Disaster Reservist, Surge Capacity Force and Community Emergency Response Team (CERT) programs may offer useful insights on how to streamline time commitment requirements, recognizing that CERs will need to take into account training and skills already resident within certain professions. The National Guard's command and control structure could also present a model for designing the CER management and leadership systems. CERs would have state-based operations and a leadership hierarchy in each state, with national leadership based in Washington, D.C., which would assume command upon federalization.

Contemporary emergency response demands new kinds of skill and expertise, including advanced data analytics, cybersecurity, and information technology, which join more traditional specialized skill sets such as medicine, electrical engineering, and construction. The Commission recommends piloting two CER programs, directed at recruiting medical personnel and cybersecurity professionals. Insights, lessons learned, and best practices would inform the launch of additional CERs. As envisioned, the Civilian Expertise Reserve program would provide the Nation with a trained surge workforce who have exercised together regularly, built trust in each other and plans, to address disasters large and small, local, state or federal, while delivering that essential capacity only when need.

In addition to human capital, our national ability to deliver materials and commodities during a national crisis were shown during the pandemic to be inadequate as well. It is important to understand that resilience cost money. The ability for a nation to be resilient while always striving to be maximally efficient usually run counter to each other. We see this most clearly in the decision about whether to stockpile commodities or to have adequate production capability in reserve.

The response to COVID-19 required both the drawing on national stockpiles AND new production and one thing became abundantly clear -- the ability to accurately understand true need for and availability of critical goods and services in order to facilitate equitable allocation

requires the sharing of extensive, dependable, real-time data. The BENS Commission strongly advocates for both the redesign of FEMA's National Response Coordination Center (NRCC) and the creation of a FEMA Surge Center to develop this ability for use during future disasters. Several lines from the *Call to Action* convey key components of these organizations for your consideration:

“Command and control for surge should reside within FEMA, coordinating with the Departments of Homeland Security, Defense, Treasury, Energy, Transportation, Health & Human Services, and others, as appropriate. IT capabilities within each agency and department must be capable of integration to enable real-time communication; and need cloud-capabilities to facilitate data sharing, analytics, and guidelines. Creating a FEMA surge hub would maximize the efficiency of planning, communicating, and executing surge response and fortify industrial base resilience writ large. Improved visibility into real-time data analytics will drive more effective response. Other technologies such as AI can also provide better situational awareness of supply and demand to drive decision-making in real-time. As the federal government invests in new IT capabilities and retires legacy systems, the ability to quickly communicate with private and civil sector stakeholders will improve significantly. With improved information sharing, relevant data will be visible across sectors, most notably around roles and responsibilities and current gaps and capabilities.”

In closing, COVID-19 has shown us that there are many achievable changes to our national response programs and processes which can make our Nation more resilient in the face of future crises, both natural and human-made. But there is one thing which cannot be improved upon, and that is the dedication of every first responder and every FEMA employee who answers the call when America needs them.

For the first time in U.S. history every state and territory received a Federal Disaster Declaration during this pandemic. The NRCC has been activated for over 390 days, exceeding the record of 70 days in 2017 more than five times over. The Nation calls on FEMA every day across many missions, both traditional and unique, and the dedicated FEMA workforce answers the call every single time. Congress needs to better understand what is being asked of FEMA, provide the necessary authorities, and adequately resource FEMA for success.

Thank you again for your time today and I am happy to answer the Committee's questions.