



**Testimony of Larry Gispert, President
International Association of Emergency Managers
Before the
Ad Hoc Subcommittee on State, Local & Private Sector Preparedness
Homeland Security & Governmental Affairs Committee
U.S. Senate
On
Mission Possible: FEMA's Future Preparedness Planning
September 24, 2008**

Chairman Pryor, Ranking Member Sununu and distinguished members of the Subcommittee, thank you for allowing me to present testimony on this critically important topic.

I am Larry Gispert, the Director of Emergency Management for Hillsborough County Florida. Hillsborough County is on the West Coast of Florida and has the City of Tampa as its county seat. The county's population is approximately 1.2 million. I currently serve as the President of the International Association of Emergency Managers (IAEM) and am testifying on their behalf. I have 28 years in the emergency management field with 15 as the Hillsborough County Director and have also served as President of the Florida Emergency Preparedness Association.

IAEM has over 4,000 members including emergency management professionals at the state and local government levels, tribal nations, the military, colleges and universities, private business 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. Our membership includes emergency managers from large urban areas as well as rural areas.

We believe that the high potential for disasters and crises in our country demands that we execute "mission possible" -- an effective national system of emergency management. This national system needs to consist of strong partners at the federal, state, and local levels. It is our belief that this mission is most easily realized through making FEMA, once again, an independent agency reporting directly to the President. In the absence of this structural change, we believe success is not impossible, but will certainly require more effort coupled with a vigilant Congress.

At the National Emergency Management Association (NEMA) annual meeting in Portland, Oregon on September 10, 2008, Robert M. (Mike) Walker, former FEMA Deputy Director, observed that the current situation at the Department of Homeland Security, "...is like requiring the Department of Defense to do both war-fighting and diplomacy." I think Mr. Walker brings this issue up because the creation of DHS resulted in the requirement to perform different and sometimes incompatible goals. Walker goes on to suggest that the missions of the Department of Defense and the Department of State could never be combined – and neither should consequence and crisis management.

After Hurricane Katrina, IAEM endorsed a number of critical elements for achieving a strong FEMA. They are:

- Maximum amount of access of the FEMA Director to the White House.
- FEMA clearly responsible for coordination of the Federal response to disasters
- Adequate funding, resources, and personnel for FEMA that cannot be reallocated without legislation.
- Experienced, qualified and knowledgeable leadership in all key FEMA positions.
- A culture of empowerment established and maintained within FEMA that promotes the maximum level of autonomy and supports the independent actions necessary to deal with the consequences of disaster.
- The Principal Federal Official (PFO) position abolished, as it leads to confusion.
- The FEMA Regions strengthened.
- Opportunities ensured for local emergency managers to have meaningful participation in the policy development process.
- A return to established emergency management doctrine – all hazards, integrated, all phases (mitigation, preparedness, response, and recovery). The entire Preparedness mission returned to FEMA.

These elements remain important, and we strongly urge their adoption by the next administration. In particular, IAEM would like to emphasize the importance of highly qualified leaders for FEMA – both in Washington and in the Regions – who understand the basic tenants of emergency management and have experience relevant to their position.

IAEM has a strong preference for FEMA leaders in the next administration to have been emergency managers at the State and local level.

Involvement in policy initiatives

The next administration should continue FEMA's recent noteworthy efforts to involve state and local emergency managers in policy development. Not too long ago, I gently reminded our partners in FEMA that if they wanted us to be there at the crash landing, we should be a part of the take off. I am pleased to say that there appear to be fewer crash landings recently – and we'd like to think this is a direct result of being more involved in the take off. Some examples of our recent involvement in policy initiatives include

FEMA reaching out to us on the Integrated Planning System (IPS), disaster policy changes, guidance for the Emergency Operations Center grant program, the Cost to Capability effort, and the Integrated Public Alert and Warning System (IPAWS).

We particularly appreciate the inclusion of State and local emergency management practitioner representatives on the National Advisory Council (NAC) and the Regional Advisory Councils (RAC).

We believe another important lesson has been learned by DHS / FEMA – that discussion with the States alone is not the same thing as discussion with the States and local governments. We strongly recommend the next Administration adopt this lesson early in its planning efforts.

We believe that these are key lessons – and that they deserve to be noted and passed on to the next administration, allowing them the opportunity to continue building these partnerships and relationships. Ultimately, this will allow each of us as individual team members charged with protecting the lives and property of our citizens to form a more efficient team.

All hazards focus

We urge the new administration to keep the focus on all hazards – of which terrorism is only one. While terrorism is an incident to which we are vulnerable it is certainly not the most likely disaster to occur. That honor probably belongs to the forces of wind and water – whether floods, hurricanes, tornadoes, fires, or more.

Functioning during transition

Concerns have been raised regarding ability of FEMA to function before new political leadership is in place. We would certainly hope that the new administration will nominate a highly qualified FEMA Administrator as soon as possible after the election. And we would urge appropriate but rapid action by this Committee in considering that nominee. However, FEMA has many well seasoned civil service professionals who have been with FEMA for many years and they are the ones who make the agency run on a day-to-day basis. They will continue the agency operations as they have done in previous transitions. Nancy Ward, a civil servant who has been selected by FEMA to be prepared to act as administrator in the interim period, is a highly regarded professional with many years of experience.

The future of the emergency management profession

Strong State and local emergency managers are a critical element of the future success of our National Emergency Management System. In order to enhance the capacity of the profession, there are a number of critical elements that the new administration should embrace and promote. They are:

- The Principles of Emergency Management (POEM) initiative. This initiative was undertaken to provide a universal doctrine of emergency management. The document describing the initiative in detail is attached and incorporated herein by reference. The elements of POEM are designed to promote emergency management which is comprehensive, and not focused on one type of disaster; progressive; risk-driven; integrated; collaborative; coordinated; flexible; and, professional.
- The Emergency Management Institute. One of the crown jewels of the emergency management profession is the Emergency Management Institute. More recently, however, EMI has had neither adequate financial resources nor academic focus to fulfill its vital role. We must provide both of these elements in order to return to the established doctrine of integrated emergency management. In addition, the Higher Education Program – which currently works with more than 130 universities and colleges offering degree programs in the field – will be an essential element to producing future well-educated and degreed emergency management professionals. EMI must be viewed as the depository of all knowledge concerning emergency management. In order to accomplish this EMI must continually update their course materials and remain vigilant as the profession goes through constant change. This level of attention will require adequate budgetary support above and beyond current levels.
- Certification and Accreditation. Two established and mature standards – one for personnel and one for programs – are the Certified Emergency Manager ® (CEM) credential and the Emergency Management Accreditation Program. Taken together, these programs represent the consensus of the emergency management community on established professional emergency management standards.

Local preparedness

Our communities face different risks across the Nation, and have different needs. That's why it is so important that the guidance for grants needs to allow locals the maximum amount of flexibility possible. One size simply does not fit all.

I am aware that this subcommittee has been particularly interested in Citizen and Community Preparedness.

I believe that there is a role for the federal government here – to provide support in these activities for me, as a local government emergency manager, The 1.2 million citizens of my jurisdiction have a responsibility to ensure they are prepared to respond to any disaster that may confront them. It is my primary role to help them prepare for these disasters. Toward that end, my office does 200 or more public education events each year. What would really help us is for FEMA to provide tools for us to use in this vitally important mission.

We need messages – derived from state and local government emergency managers – that are available nation-wide. We need professionally developed Public Service Announcements and other messages that the typical local government emergency management agency is not sufficiently resourced to provide.

We jointly need to encourage personal responsibility and sustainability. Every message that goes out across the nation should refer citizens with specific questions or wanting more information to the local government emergency manager.

Ultimately, I believe the responsibility of FEMA toward community preparedness needs to be concentrated in support to the local government emergency manager with the availability of publications to hand out at community events, Public Safety Announcements for local media, and other tools to help us increase community and individual preparedness for all hazards. We need tools to help us reach those with special needs. We have the audience, but we need help from FEMA with the tools.

We need to jointly work toward making our citizens survivors instead of victims. A survivor does everything within their power to mitigate the problems being presented by the disaster. Some citizens are not able to help themselves – but the general population is more than capable of doing so. A survivor never asks, “Where is my assistance?” Instead, a survivor asks, “How can I help with the problems?” Survivors act as force multipliers – victims are liabilities.

I have evacuated my jurisdiction on several occasions for pending hurricanes. On every occasion a significant percentage does not follow the evacuation orders. These non-evacuees will wind up getting injured or killed as a result of the effects of the storm and I will forever wonder what I could have done differently to have gotten them to evacuate.

Continuing Post Katrina Reform Act Implementation

We urge that Congress continue to monitor the implementation of the Post Katrina Reform Act.

Congress made it clear when the Post Katrina Reform Act was passed that they want a strong FEMA with an Administrator with clear authority for managing all aspects of disasters and emergencies. Some specific examples from the Act which we believe are not being followed include:

Section 611 (12) (B) is of particular importance. This amended the Homeland Security Act of 2002 by “striking the matter preceding paragraph (1)” which contained the language, “the Secretary acting through...” and inserted instead the following language. “In General – The Administrator shall provide Federal Leadership necessary to prepare for, protect against, respond to, recover from or mitigate against a natural disaster, act of terrorism and other man-made disaster – including...managing such response.” Congress acted intentionally to transfer these responsibilities from the Secretary to the Administrator.

Section 503 Federal Emergency Management Agency

(b)(2) Specific Activities – In support of the primary mission of the Agency, the Administrator –

(A) lead the Nation’s efforts to prepare for, protect against, respond to, recover from, and mitigate against the risk of natural disasters, acts of terrorism, and other man-made disasters, including catastrophic accidents.

(H) develop and coordinate the implementation of a risk-based, all hazards strategy for preparedness that builds on those common capabilities necessary to respond to natural disasters, acts of terrorism, and other man-made disasters while also building the unique capabilities necessary to respond to specific types of incidents that pose the greatest risk to our Nation

Section 503 (c)(4)(A) In General – The Administrator is the principal advisor to the President, the Homeland Security Council, and the Secretary for all matters relating to emergency management in the United States.

Sec. 503 (c) (5) Cabinet Status –

(A) In General – The President may designate the Administrator to serve as a member of the Cabinet in the event of natural disasters, acts of terrorism, or other man-made disasters.

(B) Retention of Authority – Nothing in the paragraph shall be construed as affecting the authority of the Secretary under this Act.

We believe that DHS frequently and mistakenly quotes Section 502(c)(5)(B) regarding the authority of the Secretary and the Administrator as being applicable across the entire act when, in fact, it is limited in scope only to paragraph (5). We strongly request the committee to provide continual oversight of DHS on these matters to ensure they are following the clear and direct law on these issues.

Congress also rejected the DHS Stage 2 Reorganization and clearly and unambiguously moved all Preparedness functions and personnel to FEMA. IAEM believes that Section 506 (c) (1) and (2) of the Homeland Security Act as amended by the Post Katrina Reform Act clearly prohibits the transfer of any asset, function or mission from FEMA without a specific Act of Congress. A major function of FEMA is to rebuild relationships with State and local officials. Therefore, the Intergovernmental Affairs function assumes a much higher level of importance. Despite the clear prohibition on moving this function from FEMA, we understand there are numerous positions performing this vital role still under the National Protection and Programs Directorate (outside of FEMA) on a non-reimbursable detail. We urge this committee to insist that these positions and funding should be immediately transferred to FEMA for intergovernmental.

Another of our areas of concern focuses on the Office of Operations Coordination – which was created after the Post Katrina Reform Act, was signed into law--and whether the role this office will perform is consistent with the implementation of the Post Katrina Reform Act. Subtitle C of the Post Katrina Reform Act clearly assigned the FEMA Administrator responsibility for the National Preparedness System, including the National Planning Scenarios and the planning system yet these functions appear to have been placed under the authority of the Office of Operations Coordination. Yet another area of potential concern is a growing internal discussion within DHS regarding the perceived differences between Incident Management and Emergency Management. We believe we can help put the discussion of these terms to rest. Emergency Management is the broader, overarching and systematic approach to the issue of dealing with all disasters and emergencies, whether natural, technological, or homeland security. Incident management, while important, is a much more narrowly focused sub-element of response, one of the four phases of emergency management (mitigation, preparedness, response and recovery). To insist otherwise is to ignore the evidence of reality – and, a tacit acknowledgement on the part of DHS that they fail to understand the broader implications of the overall emergency management system.

Conclusion

In conclusion, we hope that the new administration will consider the critical elements IAEM has adopted. We believe a strong and independent FEMA with clear authority, direct access to the White House, and highly qualified leadership is essential. We urge Congress to insist on full implementation of the Post Katrina Emergency Management Reform Act (PKEMRA). We urge continued involvement of state and local emergency managers in policy discussions. We do not want any crash landings. We stand ready to assist in any way we can.

IAEM Contact Information:

International Association of Emergency Managers, 201 Park Washington Court, Falls Church, VA 22046

President: Larry Gispert (GispertL@HillsboroughCounty.org)

Government Affairs Chair: Bob Bohlmann (rcbohlmann@co.york.me.us)

Policy Advisor: Martha Braddock (MSBraddock@aol.com)