International Association of Emergency Managers

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Before the

Subcommittee on Economic Development, Public buildings and Emergency Management

Committee on Transportation and Infrastructure

U.S. House of Representatives

On

"Post Katrina: What it Takes to Cut the Bureaucracy and Assure a More Rapid Response After a Catastrophic Disaster"

July 27, 2009

Madam Chair, Ranking Member Mario Diaz-Balart, and distinguished members of the Subcommittee, I appreciate this opportunity to provide testimony on this important topic.

I am Russ Decker, the Director of Emergency Management and Homeland Security for Allen County, Ohio. Allen County is a mid-size rural county in northwest Ohio with a population of just over 100,000. I currently serve as President of the USA Council of the International Association of Emergency Managers (IAEM-USA) and I am testifying today on their behalf. I have nineteen years of emergency management experience, with the last eleven as a local director. I have also served as President of the Emergency Management Association of Ohio.

IAEM-USA is our nation's largest association of emergency management professionals, with more than 4,000 members including emergency managers at the state and local government levels, tribal nations, the military, colleges and universities, private business and the nonprofit sector. 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 membership includes emergency managers from large urban areas as well as rural areas.

Defining exactly what is a disaster or a catastrophe is a surprisingly difficult thing to do. There are definitions in law, in academic research, and in everyday use. Those of us in the field clearly understand that when an incident is on the news, it is an emergency; when it affects someone we know, it is a disaster; and when it affects us, it is a catastrophe. However, it seems like there should be a more rigorous and objective definition of these things.

One of the most frequent places we look for a definition of a disaster or catastrophe is in our nation's laws. We can find the definition of an emergency and a major disaster in the Robert T. Stafford Disaster Relief Act, as amended (42 USC 5122).

> EMERGENCY.—''Emergency'' means any occasion or instance for which, in the determination of the President, Federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States.
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> MAJOR DISASTER.—''Major disaster'' means any natural catastrophe (including any hurricane, tornado, storm, high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this Act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

We can find a definition of catastrophic incident in the Post Katrina Emergency Management Reform Act (PL 109-295).

> The term ''catastrophic incident'' means any natural disaster, act of terrorism, or other man-made disaster that results in extraordinary levels of casualties or damage or disruption severely affecting the population (including mass evacuations), infrastructure, environment, economy, national morale, or government functions in an area.

Disaster researchers have defined disasters in a number of ways. The first widely-recognized definition of disasters comes from the National Opinion Research Center (NORC) at the University of Chicago (Barnshaw, Letukas, Quarantelli, 2008: 2). Charles Fritz characterized a disaster as an "event concentrated in time and space, in which a society or one of its subdivisions undergo physical harm and social disruption, such that all or some essential functions are impaired (Ibid, 2008: 2)."

The interesting thing to note about these definitions is that they are primarily *qualitative* in nature, rather than *quantitative*. This also follows academic research, which suggests that the difference between emergencies, disasters, and catastrophes is *qualitative* or perhaps even *organizational* in nature.

In fact, Quarantelli (2000) suggests the basic differences between emergencies and disasters is *organizational* in nature and consists of four major elements:

First, in contrast to everyday emergencies, local emergency response organizations have to quickly relate to more and unfamiliar groups during the occurrence of a disaster. Second, these same emergency response organizations have to adjust to losing part of their autonomy and freedom of action. Third, local emergency response agencies must apply different performance standards during disaster response and recovery. And, fourth, local emergency response agencies must operate within a closer than usual public and private sector interfaces (Quarantelli, 2000: 1-2).

There are suggestions that the difference between a *disaster* and a *catastrophe* can be found in certain social behaviors (Quarantelli, 200: 2). There are four main characterizations of these behaviors (Ibid). First, most if not all of the built environment in the community is heavily impacted in a catastrophe as compared to a disaster. Second, local officials (including first responders) are unable to undertake their usual work roles – extending, potentially, into the recovery period. Third, most (if not all) of the everyday functions of the community are simultaneously interrupted. Fourth, help from nearby communities may not be readily available (Quarantelli, 2000: 2-3).

Interestingly, academics suggest that "disasters and catastrophes can not be distinguished on the basis of the hazards and / or risks that are present (Barnshaw, Letukas, Quarantelli, 2008: 8)." Instead, it is suggested that "social factors" (Ibid, 8) are what made the difference between an accident, a disaster, or a catastrophe.

The academic argument regarding catastrophes recognizes that hazards and risks must be present, but they are not the only dimensions necessarily involved in a disaster (see comment regarding "social factors" in previous paragraph).

It is relatively easy to attach numbers – in an attempt at quantification – to hazards. One set of relatively well known examples consists of the rating systems utilized for tornadoes, hurricanes, and earthquakes. It is relatively easy to describe a tornado as an EF-5, or a hurricane as a category 3, or an earthquake as VII on the Modified Mercalli intensity scale. However, these quantifications of disaster have relatively little impact on whether the incident was actually a disaster or a catastrophe. To help paint the picture we are trying to create about numbers – imagine an EF-5 tornado billowing through the wide open ranges of Wyoming. The odds are – depending on the exact location of the tornado – that relatively little would be damaged. However, imagine that same EF-5 tornado crushing metropolitan Columbus. What a different image we see – all with a hazard that has the same classification. The difference between these examples is the difference between wide open spaces, and a densely settled urban area. This is why it is so difficult to have quantifiable triggers utilized to define a catastrophe.

Similarly, the number of fatalities associated with a hazard or risk is not a reliable trigger to determine whether an event is a disaster or a catastrophe. One of the best known catastrophes on our globe was the melt down of the nuclear reactor at Chernobyl in Russia. While relatively few fatalities were associated with this event, there is general agreement this was a catastrophe on a

global scale. This leads us to another set of considerations in our effort to identify catastrophes – the area impacted, and the speed of onset. These two factors, in combination with a supposition of differing land uses in the area impacted by the hazard or risk comprise the definition of catastrophe as developed by academic researchers (Barnshaw, Letukas, Quarantelli, 2008: 6-13).

The basic question asked by this hearing is what needs to be done to reduce the bureaucracy and ensure rapid response to catastrophes. We were also asked to comment on the sufficiency of current authority and possible new authority for the Federal Government's response and recovery efforts after a catastrophic disaster. We have extensively discussed the fact that defining a catastrophe is difficult to do. However, the response by the Federal Government to catastrophic events needs to clearly follow these principals:

- Federal assets need to be brought to bear against the problem – regardless of where the resources are located.
- This must be done in a manner that recognizes our country was created with State and local governments in charge of responding to emergencies, disasters, and catastrophes.

You will recall that one of the distinguishing element of a catastrophe as identified earlier in this document is that the hazard or risk impacts a large area, which makes assistance difficult or impossible from nearby jurisdictions – whether other communities, counties, states, or regions. This is an element that makes the rapid mobilization of federal resources imperative. However, those same resources must respect the civilian "chain of command" in the jurisdictions to which they are mobilized.

Therefore, it stands to reason that given the difficulty – perhaps even inadvisability – of defining a catastrophe, IAEM-USA believes caution is in order when considering modifications to laws, policies and authorities. I would urge caution in making statutory changes which enhance the role of the federal government (including the military) at the expense of the authority and responsibility of state and local governments even in what some would describe as "catastrophic" events.

I would also like to re-emphasize a position which IAEM-USA has consistently espoused since the abysmal experience of Hurricane Katrina – the key to effective management of any major event is the rebuilding of the essential Emergency Management System within the United States. This rebuilding must include the restoration of resources, personnel and authorities of Emergency Management agencies at all levels of government (including full compliance with the Post Katrina Emergency Management Reform Act.) Without such a collaborative, coordinated and comprehensive system, we will not have the ability to act decisively and with sufficient flexibility to deal with any crisis, regardless of definition. Any semantic distinctions are basically irrelevant unless this primary task is undertaken in a serious way.

We need additional focus on strengthening emergency management at the state and local levels. The stronger the state and local emergency management the less assistance that will be needed from the Federal government. In these tough economic times, more needs to be done-- not less.

Regardless of what we call them, major events require preparedness efforts and planning that extend far beyond simply response related activities. Response is easy; recovery is hard. It requires a recognition at all levels that the emergency management function must be carried out by trained and experienced professionals who understand and can deal with the social, economic, political and psychological impacts of major disaster events. These considerations require a vision far beyond the initial response to a disaster. To deal with these key issues effectively it is imperative that the emergency management agencies should report to the highest elected or appointed officials in their jurisdictions.

We are pleased with the appointment of such experienced emergency managers to FEMA positions—Craig Fugate, Tim Manning, Bill Carwile, Beth Zimmerman, and Jason McNamara. We just ask that they be given the authority to do their jobs and the resources they need. In addition, we hope the Administrator of FEMA will be given the opportunity by DHS and the Congress to realign some of the functions within FEMA to better serve the mission.

We also urge that the President select FEMA Regional Administrators who are experienced emergency managers. These positions are a vital link between FEMA headquarters and the state and local officials.

What is needed most in any disaster and especially in a catastrophic event is flexibility of action and speed in decision making. We do not need duplication of responsibilities and confusion over the chain of command.

One of the efforts that would cut bureaucracy would be to not allow duplication of FEMA's mission or responsibilities in other parts of DHS. Although the intent of Congress in the Post-Katrina Emergency Management Reform Act (PKEMRA) was to put a fence around FEMA, give it authority to do its job, and basically make it an independent agency within the Department of Homeland Security (DHS), duplicate responsibilities have been given to the DHS Office of Operations Coordination. For example, our members have reported that after they responded to requests from FEMA for disaster related information, they received calls from the Office of Operations Coordination requesting the same information. Upon being told that the information had been already been provided to FEMA, the officials said they needed to verify the information. This does not instill confidence in our Federal partners. It confuses our members and certainly sends the wrong message. We recognize the Secretary of DHS needs accurate situational awareness from all 22 of her components, but we hope that the Operations Coordination function does not become operational and duplicate the efforts of FEMA's National Response Coordination Center.

The House Appropriations Committee included language in the FY 2010 bill to prohibit funding for a position of Principal Federal Official in a Stafford Act disaster or emergency. We strongly support this language. The Federal Coordinating Officer should clearly be in charge. To have a Principal Federal Official leads to confusion in the chain of command.

FEMA needs to identify the work force required. The FEMA work force needs to be shaped to what Congress and people expect the Federal Government to do. We expect in a major catastrophic disaster that FEMA would have field trained experienced personnel to serve with us

in the states and counties. The question is – does FEMA have adequate staffing levels of skilled, seasoned emergency management personnel to meet this expectation? We recommend that this Committee request a study from FEMA to determine what its human capital resources should be based on our explicit expectation of its ability to manage a catastrophe and other events simultaneously. FEMA needs to be able to continue to respond to a flood in Ohio or a tornado in Alabama at the same time as the earthquake in California or on the New Madrid Fault.

We would also urge additional support for the Emergency Management Assistance Compact (EMAC). This compact allows assistance from one State to another even before a Stafford Act declaration can happen.

While catastrophes are difficult to define, we do believe that FEMA processes and policies should be reviewed by the new FEMA leadership to see what changes can be made to expedite assistance in both major disasters and catastrophes. After that review, there should be a discussion of what additional legislative authority may be needed.

If it is decided that additional legislative authority is needed for assistance in a catastrophic event, we would urge that those provisions be enacted within the Stafford Act and that it be all hazards. To develop another act dealing only with a catastrophic event would lead to more confusion. Care should be taken not to limit the flexibility of the Stafford Act.

Some legislative suggestions would be to have a provision for the President to change or waive the statutory 25% cost share for the FEMA individual assistance program for needs other than housing and the Hazard Mitigation Grant Program (HMGP). A state or states suffering from a catastrophic event would be highly unlikely to meet the 25% cost share at a time when individual assistance was desperately needed by its citizens. Also the cost share for HMGP would likely result in communities and states being unable to take advantage of a key opportunity to make their community more able to withstand a future event.

The Community Disaster Loan Program is the only FEMA program that can be used by a devastated community to meet its operating costs when the tax base has been severely affected. Under the current provisions, FEMA can loan up to 25% of the annual operating budget for the fiscal year the disaster occurred up to $5 million. The process and amount of funding available should be reviewed so it can be a very effective part of a Federal Coordinating Officer's (FCO) tool kit to help a community survive.

The Project Worksheet system of the Public Assistance Program should be reviewed to determine how to expedite financial assistance in a catastrophic event. During a major event, having checkers check the checkers over and over again and then having a new official say it needs to be redone is very frustrating to our members. For a catastrophic event the current system is too cumbersome. Perhaps FEMA needs to take another look at estimating and providing a block grant.

In addition, attention should be given to what additional support and assistance should be given to host areas who receive evacuees in a catastrophic event. In fact, the Dallas County (Texas) emergency manager advised me just this past week that there is an on-going discussion in Texas

regarding host communities who have not received promised reimbursement for sheltering evacuees from Hurricanes Ike and Gustav. Given the tight financial situation in most cities and counties, capacity is being lost and it is difficult to commit to additional expenses without reliable assurance of financial reimbursement.

Our statement to you today would not be complete without a mention of the importance of personal preparedness. We whole heartedly endorse the stance taken by FEMA Administrator Craig Fugate that this is the single most important component in our nation "surviving" a catastrophe. People who are able must be prepared to help themselves and their neighbors in order that government at all levels (local, tribal, state and federal) can focus on those who can not help themselves and the big picture items (public safety, law & order, restoring infrastructure, etc). It is vitally important that programs supporting personal preparedness remain coordinated with and delivered through emergency management agencies at all levels of government.

Another segment of our communities requiring more preparedness emphasis is the small business sector. In many communities the small business sector employs the largest percentage of the resident population. These businesses (with 50 or fewer employees) often have a tough time making each payroll on a week by week basis and as consequence little or no emergency planning takes place. The truth be known, some relatively simple planning on their part would increase the likelihood of their returning to business quickly after a disaster. Unless the small business sector returns to business quickly after a disaster the ability of the local community to recover will be severely impacted. We seem to emphasize preparedness of the individuals, local, state and federal governments but somehow ignore businesses in general and small businesses specifically. IAEM-USA believes business emergency planning is a must to ensure our entire community responds to disasters in a coordinated and complete fashion.

We are discussing with our members other potential changes to processes, policies, emphasis, and statutes and will be happy to share that information with the Committee staff as you continue your review.

In conclusion, it is difficult to define what a catastrophe is. Therefore we would urge caution before engaging in statutory changes tied only to specific numerical triggers for catastrophes. If Congress determines that statutory changes are necessary, we would urge the changes be enacted within the Stafford Act and in consultation with key state, local, and tribal emergency management organizations. Any proposed mechanism to deal with catastrophes must include rapid mobilization of needed Federal assets in a way that respects the primary role of state, local and tribal governments. We would urge that the Federal government focus on how to jump start the recovery process, make it quicker, but still maintain integrity.

I appreciate the opportunity to testify on this important issue and will be pleased to answer any questions you may have.

References

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