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**STATEMENT FOR THE RECORD
Submitted to the House Committee on Transportation and Infrastructure
Subcommittee on Economic Development, Public Buildings, and Emergency Management
United States House of Representatives**

*A Review of Building Codes and Mitigation Efforts to Help Minimize the Costs Associated
with Natural Disasters*

July 24, 2012

Introduction

Good Morning Chairman Denham, Ranking Member Norton and distinguished members of the Subcommittee. My name is Jim Mullen and I am the Director of the Washington Emergency Management Division. Thank you for the opportunity to present testimony today on behalf of the National Emergency Management Association (NEMA) of which I currently serve as President. NEMA represents state emergency management directors of the 50 states, District of Columbia, and the U.S. Territories.

In the continuum of emergency management, mitigation plays a critical, yet often overlooked role. The ability to effectively explain the role of mitigation and the need for efficient and effective mitigation remains a challenge for the emergency management community. We have fought for funding of programs but have not attached mitigation funding to community preparedness, disaster response, or recovery. While we continue to testify before Congress, write letters to the Hill and federal agencies, or even discuss programs with other stakeholders, we have seemingly not successfully articulated why mitigation is a key link in the emergency management chain. We remain challenged to illustrate why the public should demand mitigation or why Congress should move beyond their current position of short term fixes for this long term problem.

In 2009, NEMA collaborated with over twenty organizations to draft a paper titled *Recommendations for an Effective National Mitigation Effort*. The paper was an examination of the status of mitigation and included suggestions for how to elevate mitigation to a national priority. The effort was funded through a cooperative agreement with Federal Emergency Management Agency (FEMA) and the partnership has been crucial. The first recommendation of the paper was the creation of a collaborative alliance. This entity would be a starting point to expand and discuss the above ideas as well as form a collaborative environment for future direction and strategy. Federal, state, local, and tribal government and private enterprise would be equal partners in such a collaborative body.

Since the paper was released, an Alliance has been formed and has met multiple times for strategy meetings and Hill briefings. The Alliance has successfully positioned itself as a critical information sharing link between Federal government partners, state and local emergency management agencies, and additional mitigation stakeholder organizations. NEMA serves as a Tri-Chair of this Alliance along with the Natural Hazard Mitigation Association and the Association of State Floodplain Managers. NEMA is committed to furthering the discussion on mitigation and the Alliance illustrates our long-term dedication.

What is Mitigation?

Mitigation can be defined as “any sustainable action that prevents or minimizes injury or harm to people, prevents or minimizes damage to property, and ensures continuity of critical societal functions.” While there is an initial cost to mitigation activities, the benefits of this investment are achieved with long term goals in mind. Effective mitigation:

- Averts loss of life and injury to people;
- Reduces damage to public and private property;
- Lessens expenditure of resources and exposure to risk for first responders;
- Reduces costs of disaster response and recovery;
- Accelerates recovery of communities and businesses affected by disasters, and;
- Enhances community resiliency.

We mitigate so that preparedness is based on the best assessment of the threats and the measurement of that threat; we prepare because we cannot mitigate every threat; we respond because mitigation and preparedness can limit disruption and damage but cannot eliminate events that can threaten life safety; and we recover because it is important that we return to what our new normal has become, both individually and as a community. In the wake of a disaster and establishing lessons learned, we then resume mitigation efforts of known or perceived threats all over again. The cycle of emergency management begins and ends with mitigation.

Challenges to Mitigation

At its core, mitigation is easy to justify and seems like common sense. In practice, however, there are many barriers to fully integrating mitigation into state and local preparedness efforts.

Federal Funding Structure

The current funding structure for mitigation is a barrier to full integration and implementation of a national mitigation strategy. Take for example the funding of the Predisaster Mitigation (PDM) Program over the past several years. At one time, the program was funded at over \$100 million. The past several budget cycles, however, have seen this program dwindle to near-insignificant amounts. The PDM program is not about saving what we can of a \$35 million grant program, but rather must help instill a culture of mitigation throughout all we do as emergency managers. The program may be the figurehead of mitigation at the federal level, but without an objective evaluation of the grant program’s ability to affect investment in mitigation projects, we do not yet understand how it has truly moved the needle on the preparedness dial.

On the federal level, the FEMA Hazard Mitigation Assistance grant programs provide funding opportunities for pre- and post-disaster mitigation. While the statutory origins of the programs differ, all share the common goal of reducing the risk of loss of life and property due to natural hazards. Grantees are eligible to receive funding for PDM, Hazard Mitigation Assistance Program (HMGP), Severe Repetitive Loss (SRL), Flood Mitigation Assistance (FMA), and Repetitive Flood Claims (RFC). While PDM, SRL, FMA, and SRL funds are set funding levels, HMGP funds are only available to jurisdictions that experience a major disaster declaration and funding levels are determined as a percentage of their overall federal assistance.

It would seem that while the amount of funding for the other HMA grants is small in comparison, HMGP funds can be quite significant. It cannot be overstated how crucial mitigation is post-disaster to address critical points of failure, but it would seem that the major federal investment in mitigation occurs after the damage has been sustained. Instead of capitalizing on the 1:3 ratio of dollars invested to dollars saved on recovery costs, the federal government is missing the opportunity to focus money on the front end instead of on the back end.

We cannot stress enough the economic benefits of mitigation in terms of the recovery process: with a basic hazard mitigation plan, a jurisdiction is eligible for up to 15 percent of “allowable” costs in HMGP funds; with an enhanced plan eligibility rises to 20 percent. The challenge has been that these dollars arrive well after the event, and the delay actually creates a disincentive for substantive mitigation actions. Justifiably, states are not willing to spend money getting a mitigation project ready for full implementation before the funding from the federal government arrives because the risk of not getting the money at the end of all that preemptive work is not an efficient use of taxpayers’ money in a constrained fiscal climate.

Communication of the Role of Mitigation

While the term “branding” is not often one that comes to mind when we discuss emergency management, any good public affairs specialist will tell you it is critical in communicating an effective message. Preparedness is easily recognized by the disaster kits we encourage our citizens to put together prior to hurricane season. Response is dominated by the news coverage of harrowing swift water rescues, or officials meeting with local community leaders to survey damage. Recovery is evidenced by construction crews and the reuniting of survivors with their homes. We seem to be always trying to answer the question: What does mitigation look like? By nature, it is less obvious than the other areas of emergency management which makes communication all the more critical. To mitigate against a hazard can hold different meanings for different individuals or communities. Therefore, the challenge becomes making mitigation accessible and applicable to any audience.

For example, the private sector makes mitigation decisions all the time, but they do not always call it “mitigation.” Regardless of how the process is labeled, businesses invest in long-term profitability, protect current investment, eliminate or lessen future losses, and assure their business can remain open and operating despite natural and man-made risks to their infrastructure. They identify the needs of their community, and act to mitigate the risks to those needs. Mitigation makes good business sense, and the private sector continues to communicate their motives to corporate and community stakeholders.

Examples of Necessary Elements of a National Mitigation Strategy

In order to achieve the goals of mitigation as a national strategy, there are actions that must be taken. These actions are not the responsibility of one single agency or organization and while this decentralized approach can often create a lessened sense of urgency, it will assure mitigation can transcend shifting political priorities and weather challenging fiscal climates.

Embed Mitigation in Policy Development as Broadly as Possible

Guiding risk reduction policies and specific hazard mitigation measures enhance individual and agency resilience through redundancy, protection, and preparedness. These are not the sole domain of any single agency, discipline, or profession. Executives and policy makers in many domains could advance the reduction of risk in ways outside their traditional scope of responsibility. If the discussion of the mitigation of future loss was embedded in a wider variety of policy and public choice discussions, then decisions that inadvertently increase risk would either be avoided or, at least, acknowledged in an open and transparent dialogue. For example, one opportunity would have been a requirement to include hazard mitigation measures, or at least their consideration, in the project guidance for the Infrastructure Investment Act of 2009.

Educate and Embrace Federal, State, and Local Officials

Mitigation is the first and the last step in a jurisdiction’s overall readiness, yet the impetus for mitigation does not yet come from the communities of our nation: it comes from the federal government. The federal government’s enthusiasm is understandable and rooted largely and appropriately in self-interest. That which is mitigated effectively is less likely to break and therefore the cost of recovery should be

reduced by effectively targeted mitigation before the disaster and problems that have occurred as a result of disaster or are obviously clear and present risks to a community can also be addressed in the post-disaster phase.

Elected and appointed officials must make tough decisions and weigh costs versus benefits every day. To make wise policy decisions where mitigation investments are concerned, they deserve to be educated about the threats, risks, benefits, costs, and advantages as fully as possible. Recognition must be made that each local government possesses a different level of capability to mitigate, as well as different problems to mitigate. Therefore, flexibility is needed to realize one size does not fit all.

Invigorate Grassroots Participation

More effective and more accepted mitigation activity is best achieved when it is demanded by the people and communities it is intended to serve. The mitigation community must not only better connect with individual citizens and local officials; it must empower them with the knowledge and options that are present in a mitigation strategy for their communities. Total awareness of the hazards that face a community must be readily available along with the options to mitigate those hazards. Leaders and influencers at the grass-roots level of the nation should be involved and empowered for mitigation decision-making, not just informed and consulted about state or federal decisions.

One example of this type of participation is Project Impact. Project Impact was an initiative that began in 1997 and was billed as a program to help build disaster resistant communities. The program helped communities cultivate relationships between different levels of government and the private/non-profit sector in order to leverage mitigation funds for long-term cost savings. Aside from funding, FEMA provided technical support to generate media campaigns and to facilitate partnerships between government, local businesses and nonprofit groups. Starting with seven pilot cities, by 2000, the project swelled to 230 communities.

Within less than four years of implementation, 10,000 homes in Oklahoma had safe rooms protecting them from tornados. In Miami-Dade, Florida, officials installed hurricane-proofing devices like storm shutters on buildings. In the Red River region of North Dakota and Minnesota, the community used FEMA money to enlist the local public television station to create a public information campaign to teach kids about the basin and provide daily information on flood risk. When the program was eliminated, over 700 communities were set to join. While many projects funded by the program were effective, more analysis was needed to communicate the true benefits and measure the outcomes.

Emphasize Incentive, Not Punitive Mitigation Policies

Hazard mitigation often is not a "naturally occurring" phenomenon. It can be encouraged and rewarded, or it can be mandated with punishment for the non-compliant. There may be rare cases where the latter is necessary, but the former suits the culture of our nation and our citizens. Policy makers should consider funding programs designed to *reward* effective land use and building-design actions including building codes and ordinances.

Measure, Capture, and Celebrate Success

Along with some enhanced ability to measure the effectiveness of mitigation, strategies to publicize and share those successes must also be developed. Many recent scenario-based public preparedness activities involve millions of citizens and result in many individual mitigation and preparedness efforts. These types of events (no matter who hosts them) should be memorialized and publicized for broader national audiences. Exploring and designing ways to measure the long-term benefits of mitigation on non-mitigation values such as tourism, the environment, and economy would also enhance the attractiveness and justification for mitigation efforts.

Recommendations for how Congress/Federal Government can Encourage Investment in Mitigation

In order to encourage investment and promote the goals of mitigation activities on the state and local level, specific recommendations should be considered.

Better coordination between Federal Agencies with roles in mitigation

No single agency or level of government, sector of business, or individual community can achieve successful mitigation on its own. While a few professional disciplines identify hazard mitigation as a core mission area, the activities of these disciplines alone are not nearly enough to achieve effective investments and policies that protect against the hazards that lead to future disasters.

Connect Mitigation to Other Programs

Mitigation objectives for specific projects can differ among individuals, but if the same project supports multiple desired outcomes, success and achievement are increased. Opportunities where a mitigation action actually produces more important non-disaster related benefits should also be sought.

Rethink Federal Grant Structure

The current mitigation structure is centered on the federal government. Is this the way we want it to be? Should the federal government be leading the charge to persuade communities at the local level to undertake mitigation efforts? The federal government does not have to be convinced that mitigation is effective because it reduces the obligations of the federal government. States understand this, and try very hard to promote mitigation but lack the dollars to incent overwhelming mitigation adoption.

What has been missing is the commitment of local governments and local communities to demand mitigation funding, and illustrate the importance of mitigation. Those same communities must be persuaded to invest in mitigation where they have a chance, because nothing anyone can do after an event can replace or repair a building, a roads system, or an entire community and none of that can make the disruption worth enduring in the first place. The funding that comes down from the federal government must *supplement* not *supplant* the work already being done at the state and local level.

Conclusion

While the discussion of mitigation and the best road forward is filled with challenges and barriers to successful implementation of a national strategy, there are numerous opportunities for effective collaboration between all mitigation stakeholders. NEMA and our partners remain committed to advancing the message of mitigation and furthering the core goals of risk reduction and loss avoidance. Thank you for the opportunity to testify and we look forward to continuing to be a resource for this Subcommittee.



Jim Mullen

*President, National Emergency Management Association
Director, Washington Emergency Management Division*



Jim Mullen became the Washington State Director of the Emergency Management Division (EMD) effective July 21, 2004. He has been an outspoken advocate of local and county emergency managers. Innovation has characterized his tenure at Washington EMD. He has dramatically increased the public education outreach effort, which includes the highly praised Map Your Neighborhood Program initiative. A second innovation has been to increase the direct, two-way interaction between the public and private sector, with the promise of more in the future.

Under Mullen's leadership, Washington EMD has won numerous awards including most recently 2011 FEMA's National Challenge.gov Award for the Map Your Neighborhood Program; 2011 FEMA National Individual and Community Preparedness Award in the category of "Innovative Training & Education;" and, 2012 Western States Seismic Policy Council National Awards in Excellence in the categories of Mitigation and Research.

Prior to joining the state, Mullen served as Director of Emergency Management for the City of Seattle for twelve years. Seattle Emergency Management received a number of national awards and other recognitions during that period for community mitigation, community preparedness, and disaster response planning. The International Association of Emergency Managers (IAEM) recognized Mr. Mullen for his "outstanding contribution to Emergency Management" and as an "outstanding representative of our discipline."

In October 2010, Mullen was elected Vice President of the National Emergency Management Association (NEMA) and assumed the office of President of NEMA January 14, 2011. Prior to becoming President of NEMA he served as NEMA's Region 10 Vice President and as Mitigation Committee chairman. He is a member of the National Homeland Security Consortium and was a driving force behind the formation of the National Collaborative Mitigation Alliance.

Throughout his career in emergency management, Mullen has contributed constructive commentary on the impact of the Department of Homeland Security upon FEMA, and the collateral impact upon the safety of the nation from all hazards.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
Truth in Testimony Disclosure

Pursuant to clause 2(g)(5) of House Rule XI, in the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include: (1) a curriculum vitae; and (2) a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness. Such statements, with appropriate redaction to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(1) Name:

Jim Mullen, Director of the Washington Emergency Management Division

(2) Other than yourself, name of entity you are representing:

The National Emergency Management Association

(3) Are you testifying on behalf of an entity other than a Government (federal, state, local) entity?

YES

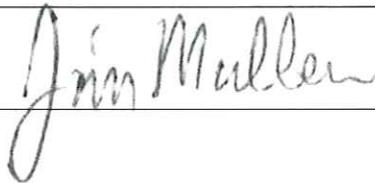
If yes, please provide the information requested below and attach your curriculum vitae.

NO

(4) Please list the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by you or by the entity you are representing:

See Addendum

Signature



July 20, 2012
Date

Addendum
Witness Disclosure Requirement – “Witness Disclosure Form”
Jim Mullen, National Emergency Management Assoc.
Committee on Homeland Security
Emergency Preparedness, Response and Communications Subcommittee
U.S. House of Representatives

Question #4:

Any federal grants or contracts (including subgrants or subcontracts) which were received since October 1, 2010, from Federal Agencies under the purview of the hearing by the **organization(s) which you represent** at this hearing, including the source and amount of each grant or contract

NEMA/SERC Grants & Contracts:

Fiscal Year	Project	Amount	Grantor
2010	National Homeland Security Consortium	\$250,000	FEMA/DHS
2010	CDC	\$100,000	CDC
2011	CDC	\$100,000	CDC
2011	National Homeland Security Consortium	\$250,000	FEMA/DHS
2011	EMAC FY2011	\$4,000,000	FEMA/DHS
2011	New State Director Training	\$56,300	FEMA/DHS
2011	Hazard Mitigation Alliance	\$23,536	FEMA/DHS