

# DISASTER DECLARATIONS: WHERE IS FEMA IN A TIME OF NEED?

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## FULL HEARING OF THE COMMITTEE ON HOMELAND SECURITY HOUSE OF REPRESENTATIVES ONE HUNDRED TENTH CONGRESS

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## **DISASTER DECLARATIONS: WHERE IS FEMA IN A TIME OF NEED?**

**Thursday, March 15, 2007**

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
WASHINGTON, DC.

The committee met, pursuant to call, at 2:29 p.m., in Room 311, Cannon House Office Building, Hon. Bennie Thompson [chairman of the committee] presiding.

Present: Representatives Thompson, Jackson Lee, Christensen, Etheridge, Cuellar, Carney, Dent, and Bilirakis.

Also present: Representatives Berry, Ross and Mica.

Chairman THOMPSON. [Presiding.] The Committee on Homeland Security will come to order.

The committee is meeting today to receive testimony on FEMA's disaster declaration process and particularly the application to recent disasters.

The chair would like to acknowledge that two members will be here who are not on the full committee. Mr. Ross and Mr. Mica would like to participate in the hearing for today. Consistent with the rules and practices of the committee, we were pleased to honor their requests.

I ask unanimous consent to allow Representatives Ross and Mica to sit and question the witnesses at today's hearing.

Without objection, so ordered.

I understand, Governor, you have an event that you absolutely positively have to be there, and we want to accommodate you. We are going to abbreviate my remarks for this hearing in order to facilitate an opportunity for you to go forward.

All of you had experience in disasters, and you bring a unique perspective to this body.

I would like to defer to Mr. Ross at this time to introduce his governor to the panel in order for him to present his testimony.

Mr. Ross?

Mr. ROSS. Mr. Chairman, thank you for calling this hearing today.

At my request, thank you for the opportunity to sit here on the panel with the members of the Homeland Security Committee today.

I want to begin by apologizing to my governor, who, as we all know, we thought the hearing was going to begin at 1 p.m. He has an event he has to get back to Arkansas for, so he is going to have to leave rather quickly.

But the good news is he was here on time and has been patiently waiting for all of us to get back from votes. I want to thank him for his patience and indulgence and for being here with us today.

Mike Beebe is the new governor of the state of Arkansas. He is a former colleague of mine in the Arkansas State Senate, where he was a great friend and mentor during our 10 years together. Governor Beebe has quickly become known as a common-sense, no-nonsense, bipartisan governor.

I am pleased Governor Beebe has come to Washington today, specifically made this trip to share his recent experience working with FEMA, or attempting to work with FEMA.

I want to thank again this committee and you, Mr. Chairman, for holding this hearing and for inviting our governor to be here today to share his recent experiences with us.

Chairman THOMPSON. Thank you very much.

Our other two witnesses are Admiral Harvey Johnson, who is the deputy director and chief operating officer for the Federal Emergency Management Agency. Our third witness is Mr. Bruce Baughman, who is director of the Alabama Emergency Management Agency.

We would like to welcome you two gentlemen also.

Governor, if you could summarize your testimony for 5 minutes, we will now start with you.

#### **STATEMENT OF HON. MIKE BEEBE, GOVERNOR, STATE OF ARKANSAS**

Governor Beebe. Thank you, Mr. Chairman and members of the committee. I am grateful for the opportunity to discuss the severe weather and tornadoes that recently struck Arkansas, and the resulting federal response.

On February 24, our people in South Arkansas faced a natural disaster in the form of severe storms, accompanied by heavy rainfall, high winds, including the touchdown of an F3 tornado into Desha County. Within hours following the disaster, I had my own staff on the ground, along with emergency responders, state police, National Guard troops, officials of the Arkansas Department of Emergency Management, Arkansas Game and Fish officers, Arkansas Forestry Commission personnel and equipment, and the Arkansas Department of Corrections.

The day after the tornado, 800 Arkansans in a community of 5,000 woke up without their jobs. The Arkansas Department of Workforce Services already knows of 450 affected individuals, and expects a total of approximately 500 to be out of work for extended time, roughly 10 percent of the total population in Dumas.

On February 25, my administration set up the State Emergency Operations Center in response to damages and resources requested in the Dumas area. On Tuesday, February 27, I requested federal aid including direct federal assistance, housing assistance, and low-interest loans. I made this request of President Bush in a letter addressed to William Peterson, Region VI FEMA Director.

After my initial FEMA request, I spoke briefly with two FEMA officials about the damage report. It wasn't until Thursday, March 8 that I received an official comment from the department. That

was 10 days after the initial request and 13 days after the tornadoes destroyed Dumas.

While waiting for a response from FEMA, my administration was receiving mixed messages through the media about our disaster request. There were quotes from anonymous FEMA officials stating that we were not going to receive federal assistance due to our current state budget surplus. When we received the letter from David Paulison denying our request for assistance, the Bush administration made an offer of 30 FEMA trailers from the Hope Airport.

On Friday, March 9, we were informed that we were being given 23 mobile homes and 7 travel trailers. It was made clear that we could get more if needed. We subsequently did, receiving an additional nine travel trailers and one mobile home. However, no offer of assistance in moving those trailers or setting them up was made.

I have to thank Representative Mike Ross and our federal delegation for their persistence and attention to this disaster and for scheduling this hearing today to find answers to questions that are on the minds of Arkansans. Why was Arkansas denied federal assistance for the people of Desha County? And what lies behind the problems of the request process?

For every home obliterated or devastatingly damaged, there is a family who has lost everything except each other. For every business decimated or badly damaged, there is a dream postponed. For every day that passed without federal response, there was a trust betrayed.

To simplify the request process, we have some suggestions: implement a better system for timely response for disaster declarations from FEMA; clarify the requirements for federal aid under Title 44, Chapter 206, Section 38 Individual Assistance; provide a greater understanding of the subjective factors to be considered and how they are evaluated in making the decision for an emergency declaration; talk directly to state officials instead of through anonymous sources in the media; make FEMA surplus trailers available for emergency housing, but separate that process from the emergency declaration so that that request can be considered concurrently in a more timely manner to better serve those impacted by a natural disaster and in need of temporary housing; and provide support for the transportation and setup of FEMA surplus trailers, rather than just unlocking the gate for them to be picked up.

The last thing, Mr. Chairman, I want to say in this regard is I think consistent with the whole FEMA philosophy and the whole FEMA espoused and stated policy, and that is don't punish a state, don't punish a community for helping themselves. Don't punish people who have a good plan in place to take care of themselves. We don't expect FEMA to solve all our problems. We don't expect the federal government to solve our problems. We will take care of Arkansans one way or the other, whether we get any federal help or whether we don't get any federal help.

But it is so much easier and quicker and better and more thorough if we can be a partner with the federal government and obtain that assistance. We didn't ask for a full-fledged disaster declaration. We merely asked for the emergency declaration. We do

have resources which have been on the ground and which are continuing to be on the ground to address this issue.

We think FEMA and the federal government should count that against us and take that into consideration, and subtract any assistance that FEMA would give, taking into consideration what we are able to do. But it sends the wrong message if, indeed, the federal government wants the states to put a plan together to help themselves and take their share of the responsibility, it sends the message that if you do that, we are not going to help you at all. So it is counterproductive.

You will have, not us, I am sure, but some people less energized to try to take care of themselves. I repeat, Mr. Chairman, as long as Arkansans have got one hand to lend to another, we will take care of ourselves, and we are right now, but we would like to have had some help.

[The statement of Governor Beebe follows:]

PREPARED STATEMENT OF THE HONORABLE MIKE BEEBE, GOVERNOR, STATE OF  
ARKANSAS

Thank you, Mr. Chairman and Members of the Committee. I am grateful for the opportunity to discuss the severe weather and tornadoes that recently struck Arkansas and the resulting federal response.

All Arkansans owe a tremendous debt of gratitude to Congressman Mike Ross, Senators Mark Pryor and Blanche Lincoln, and all the State's federal delegation for their work to support and help rebuild the communities affected by the recent storms.

Obtaining help for our citizens in need certainly has not been a partisan effort, but it has, instead, been an Arkansas effort, one on behalf of the people of our State.

But let me be clear, even without the support of the President for an Emergency Declaration and without the support of FEMA, we did not wait before taking action. In my State, as long as an Arkansan has one good hand to extend, we will take care of our own.

On February 24, 2007, severe storms, including heavy rainfall and high winds, struck the South Arkansas counties of Bradley, Desha, Drew, and Union. As part of that weather system, an F3 tornado touched down in Desha County, leaving lives, homes, and businesses in shambles.

While we were fortunate that no deaths resulted directly from the severe weather, there was enormous damage to the communities affected, to homes, businesses, and the lives of our people were terribly disrupted:

- Desha County, worst hit by the tornadoes, had 27 people injured, including two hospitalized in critical condition;
- Bradley County reported six injuries, including one life-threatening injury; and
- In Union County, three individuals were transported to the hospital with minor injuries.

Two highways, one in Dumas and one from Dumas to DeWitt, were temporarily shut down and traffic rerouted. On Tuesday, February 27th, Highway 65 was reopened.

A power substation was also destroyed in Dumas. A total of 2,800 customers were without power. As of March 1, 90 percent of the power had been restored.

While this data describes major inconveniences, it says nothing of the long-term physical destruction Arkansans are dealing with. The residential damage in South Arkansas was expansive:

- Ashley County reported minor damage to only one home in North Crossett;
- Bradley County saw five homes suffer damage;
- Drew County had two houses damaged;
- Union County reported that 10 homes were damaged; and
- Desha County lost a total of 37 homes, including 17 mobile homes that were completely destroyed. Another 25 homes sustained major damage, and minor damage was inflicted on upwards of roughly 60 homes.

The storms and tornadoes devastated many Desha County public facilities, including:

- The City Park;



- Baseball fields;
- The Community Building; and
- Twenty assisted-living units.

In addition, a school building in Reed, Arkansas, must be repaired following major roof damage. The severe weather and tornadoes wreaked havoc on the businesses of Desha County:

- Multiple businesses in downtown Dumas were destroyed, a total of 25; and
- Nine businesses suffered major damage with more sustaining at least some destruction.

Of the communities impacted, Dumas sustained the greatest economic devastation.

Dumas Mayor Marion Gill has reported an approximate loss of \$775,000 from this disaster. That figure includes:

- Clean-up and landfill costs;
- Rental of 11 electric generators;
- Traffic light restoration;
- Overtime for city employees;
- Hiring of extra part-time employees;
- Fuel costs;
- Loss in real-estate taxes; and
- Destruction of the Community Center, previously hosting 40 community events per month.

The impact on jobs for a community of 5,000 is staggering.

- The largest single private employer in Dumas, Federal-Mogul Corporation, employing 275 people, was severely damaged;
- Akin Industries Inc., employing 175 people, was severely damaged;
- Arkat Nutrition, employing 120 people, was severely damaged.

The day after the tornado, 800 Arkansans in a community of 5,000 woke up without their jobs. The Arkansas Department of Workforce Services has, so far, counted 450 affected individuals and expects that a total of approximately 500 previously employed workers will be out of work for an extended time; this is roughly 10 percent of the Dumas population.

As hard as all of this is to bear, none of it can even begin to describe the toll on human lives. For every home obliterated or devastatingly damaged, there is a family who has lost everything except each other. For every business decimated or badly damaged, there is a dream postponed. For every day that passed without federal response, there was a trust betrayed.

Given the magnitude of devastation, I immediately declared Desha, Drew, and Union Counties state disaster areas on Monday, February 26, 2007. On Wednesday, February 28, 2007, I added Bradley County to that list, as more damage there became apparent. Within hours following the disaster, I had my own staff on the ground, along with emergency responders, State Police, National Guard Troops, officials of the Arkansas Department of Emergency Management, Arkansas Game and Fish Commission, Arkansas Forestry Commission, and the Arkansas Department of Correction. As a result, I authorized more than \$200,000 from the Governor's Disaster Fund to help those in the afflicted areas.

On February 24, 2007, the afternoon of the storms, my administration set up the State Emergency Operations Center in response to damages and resources requested in the Dumas area of Desha County. Area coordinators were dispatched to the affected area to coordinate responses and provide technical advice.

The greatest impact was seen in neighbor helping neighbor. Communities came together as churches became shelters and the Salvation Army and other groups began to serve hot meals to those in need.

And amidst all of this, we were hoping for aid from FEMA. On Tuesday, February 27, the third day after the storm, I requested federal aid in the form of an Emergency Declaration, including *direct federal assistance, housing assistance, and low-interest loans*. I made this request of President Bush in a letter addressed to William Peterson, Region VI FEMA Director.

When Arkansas has had disasters in the past, we have always attempted to use all of our own state resources to try to address our people's needs. Here is a list of the most recent State Disasters that we have dealt with, without requesting FEMA's assistance:

DR 06-23 (8/14/06): Conway County ADEM Disbursed: \$1758.00 DHHS-IFG Program: \$50,977.31  
 DR 06-26 (9/22/06): Clay, Fulton, Lawrence, Sharp, and Randolph: ADEM Disbursed: \$4,248.00 DHHS-IFG Program: \$418,160.76  
 DR 07-01 (1/13/07): Benton, Jackson, and Pope Counties ADEM Dispersed: \$12,042.50 DHHS-IFG Program: \$116,556.50

DR 07-11 (2/24/07): Bradley, Desha, Drew, Union Counties ADEM Dispersed: \$7489.00 DHHS—IFG Program: \$5,392.00

After my initial FEMA request, I met with two FEMA officials, FEMA Region VI Director William (Bill) Peterson and Deputy Director Gary Jones, in a regularly scheduled meeting, about the damage reports. It was not until Thursday, March 8, 2007, that I received an official comment from the Department. That was **ten** days after the initial request and **thirteen** days after the tornadoes destroyed Dumas.

On February 25, 2007, two FEMA officials and one SBA official were on the ground in Dumas performing a Preliminary Damage Assessment (PDA). Over the next few days, there were several follow-up conversations with FEMA officials about details surrounding the request and possible declaration.

Following the February 25, 2007 PDA, Arkansas Department of Emergency Management officials spoke to Response and Recovery Branch Chief Tony Robinson and FEMA Logistics Officer Wayne Fairly about the details of the PDA and the status of our declaration. David Maxwell, the Arkansas Division of Emergency Management Director, spoke with Region VI Deputy Director Gary Jones and Region VI Director William Peterson on March 5 and 6, 2007, about the request for a declaration. Maxwell also spoke with FEMA Director David Paulison on March 7 and 8, 2007, regarding the request for a declaration.

While waiting for a response from FEMA, my administration was receiving mixed messages through the media about our disaster request. There were quotes from anonymous FEMA official expressing that we were not going to receive federal assistance due to our current state budget surplus. The anonymous official suggested that we should pay for all of the damage with our surplus. I don't think it is right that Arkansas should be punished for balancing a budget better than the federal government has, especially when Georgia and Alabama are also running a budget surplus and have received federal help for natural disasters that occurred at a similar time.

There were other reports claiming that we would not receive assistance due to the percentage of damage that was privately insured. This was all being reported by the media, without attribution, as actual discussions with FEMA officials before we had ever received final confirmation of our request status.

On March 8, 2007, we received the letter from David Paulison denying our request for assistance. FEMA soon made a formal proposal of 30 FEMA trailers from the Hope Airport. On Friday March 9, 2007, in a 9:30 a.m. (CST) conference call, we were informed that we were being given 23 mobile homes and seven travel trailers. It was made clear that we could get more if needed (we subsequently did, receiving an additional nine travel trailers and one mobile home). Arkansas Department of Emergency Management staff in Hope and FEMA staff have been working cooperatively to make this an efficient and timely process. However, because our State did not receive a disaster declaration, we were left with all the financial and logistical responsibilities of moving, setting up, and supporting the trailers.

On Saturday morning, March 10, a private Arkansas transit firm began moving the trailers from the Hope Municipal Airport to Dumas at a discounted rate for the State. Though our disaster was devastating to our citizens, we would be left to bear the costs associated with any good will that FEMA was finally offering to assist our citizens.

In the aftermath of these storms, the citizens in the communities of Dumas and Backgate needed housing assistance, disaster capital, and other direct federal assistance. FEMA stated in their denial letter that,

*"Based on our review of all of the information available, it has been determined that the damage to the private sector was not of such severity and magnitude as to be beyond the capabilities of the State and affected local governments. Furthermore, we have determined that supplemental Federal assistance is not necessary. Therefore, I must inform you that your request for an emergency declaration is denied."*

The dozens of Arkansans whose homes and businesses were destroyed would disagree with FEMA, I believe. I think those individuals whose businesses and homes were wiped out would believe the "damage" was "of such severity and magnitude" as to warrant help. I would agree with them.

Arkansans help pay for FEMA disaster relief. We all hope that our tax dollars were among the FEMA assistance funds that went to tornado victims in Alabama and Georgia, because people throughout our State feel empathy for those who saw their lives torn apart by storms. We only regret that FEMA declined to respond in a similar way in Arkansas, but instead waited 12 days after a disaster to tell us no help would be coming, based on reasoning that defies common sense.

Thankfully, recognizing the level of disaster in our state, the Small Business Administration granted my request for disaster loans for the people of Arkansas. These

low-interest, long-term loans will help individuals and families rebuild their homes and businesses. For that, our State is grateful.

While we are aware of certain criteria, in Title 44, Chapter 206, Section 38, for individual and public assistance, there is allowed a great deal of subjectivity in that criteria. And, it remains unsaid and unclear exactly what in that subjectivity prevented Arkansas from warranting a federal declaration. How many homes and businesses must be destroyed? How many lives must be put on hold by disaster before FEMA decides to provide the emergency help our tax dollars pay for?

Arkansas's federal delegation has been resolute and steadfast during this disaster, providing their support and a unified voice for the residents of Desha County. I must again thank Representative Mike Ross for his perseverance and attention to this disaster and for scheduling this hearing today to get answers to questions that are on the minds of all Arkansans: What exactly can states and local communities expect from the new and improved FEMA and is there not a better way of doing things?

To simplify the disaster declaration and request process, refinements must be made to ensure that the process is fair and reasonable for all states that are impacted by disasters. Some of the suggestions that the State of Arkansas puts forward for Congressional consideration include:

- Implement a better system for timely response for disaster declarations from FEMA;
- Clarify the requirements for federal aid under Title 44, Chapter 206, Section 38, Individual Assistance;
- Provide a greater understanding of the subjective factors to be considered and how they are evaluated in making the decision for an emergency declaration;
- Talk directly to state officials instead of through anonymous sources to the media;
- Make FEMA's surplus trailers available for emergency housing, but separating that process from Emergency Declarations, so the request can be considered concurrently and in a more timely manner to better serve those impacted by a natural disaster and in need of temporary housing; and
- Provide support for the transportation and set-up of FEMA surplus trailers, rather than just unlocking the gate for them to be picked up.

I have provided this testimony in hopes that it will help in finding a better resolution for the next state or community to face a disaster. Although Arkansas has the right to appeal the decision to deny our emergency declaration, our acceptance of disaster loans from the Small Business Administration will pre-empt that. Our people need the help now, not after an appeal process, and I decided on Monday, March 12, 2007, to accept the requested SBA loans as soon as they were offered.

Thank you, Mr. Chairman, for the opportunity to share Arkansas's experiences in working with the Federal Emergency Management Agency. My State is a State of action and inclusion, and as I said at the beginning of my testimony, as long as one Arkansan has a hand to extend to another, we will take care of our own. I appreciate your attention to this important issue. With Congress focused on the transition of preparedness functions back to FEMA by March 31, 2007, I hope that the disaster declaration and relief process will be a significant issue for your oversight of the Post-Katrina FEMA Reform Act. As we move forward to recover from our recent disaster, I ask that you keep the people of Dumas, who have suffered so much and lost so much, in your thoughts and prayers.

Chairman THOMPSON. Thank you very much, Governor, for your testimony.

I would like to ask unanimous consent to allow Congressman Berry from Arkansas to join the Homeland Security Committee here. Without objection.

Admiral Johnson, will you begin your testimony please?

**STATEMENT OF ADMIRAL HARVEY JOHNSON, DEPUTY  
DIRECTOR, FEDERAL EMERGENCY MANAGEMENT AGENCY,  
DEPARTMENT OF HOMELAND SECURITY**

Admiral JOHNSON. Mr. Chairman, before I address the primary purpose of the hearing today, I would like to speak to an event that is important to you and other members of the committee. That event will also address concerns that you raised with Secretary Chertoff on Tuesday. That event, Mr. Chairman, is the closure of

FEMA's Bonner and Albin trailer park in Hammond, Louisiana and the rapid relocation of its 54 families to other FEMA trailer sites during a very short period of time.

FEMA takes most seriously our responsibilities for the welfare of individuals, especially those individuals for whom we provide housing assistance. Embracing these responsibilities, FEMA leadership in the Gulf Coast Recovery Office determined that the situation at the trailer park was detrimental to the health and welfare of those residents, with many children and many of those were in fragile health.

In the past 5 months, electricity has been shut off across the entire park or parts of the park on three separate occasions. This has been a concern to the residents, particularly to two who are on required oxygen. Even more disturbing, the park has seen recurring incidents of a leaky sewage system, with many reports of standing fetid water accompanied by, as the residents refer, unbearable stench.

This is a situation that FEMA brought to the attention of the State Department of Health and Hospitals, who are likewise concerned about the implications for the health and safety of those residents. On multiple occasions, FEMA engaged in specific discussions with the trailer park owner-operator in order to seek resolution of these problems. Nevertheless, despite indications that corrective action would be taken, the problems persist.

As a result, FEMA has no reasonable expectation that the threat to the health and safety of the park's residents would improve. So FEMA could the only course of action that was reasonably possible. The situation is considered so intolerable to the residents that they were relocated to nearby trailer sites.

Contrary to media reports, all residents were provided an opportunity to identify a preferred location, and the vast majority were very grateful to be relocated. FEMA provided on-site supervision of the moving process and the residents were provided assistance to help them in the move. No one was evicted and no one was forced to look for alternative housing.

While the decision to relocate was unequivocally the right one, I regret that the residents were given insufficient advance notice and that the majority of the relocation was completed in less than 48 hours. This proved to be unsettling to a number of the residents. FEMA's intentions were good and the action was initiated by genuine concern and compassion for the health and welfare of the residents.

However, the level of communication and consultation should have been better. We want FEMA to be characterized by its concern and compassion for the disaster victims who we are charged to serve, not by the kind of inadequate communications and consultation that was revealed by this incident.

The distinction has been made clear to FEMA leadership on-site. Mr. Chairman, you will not see this incident repeated. Rather, you will see a FEMA that is not only concerned with addressing the needs of housing residents, but it is also ready to demonstrate and communicate that concern both in our actions on the ground every day.

Mr. Chairman, with your permission, I would like to begin to address the issue that is the purpose of this hearing.

You have heard Director Paulison describe new FEMA as an organization that aspires to become the nation's premier emergency management and preparedness agency. Drawing on the lessons learned from Hurricane Katrina, we want to be a more agile and responsive partner to the states by leaning further forward to deliver assistance more effectively.

One of the ways we demonstrate progress in our journey to achieve David Paulison's vision for new FEMA is through the declaration process. I would like to describe that process briefly. There are four elements of the process. There is the request, the threshold, the scope, and the review that leads to a recommendation and a decision.

The request, in providing either a president's declaration of emergency or a presidential declaration of major disaster, or a denial, either outcome is in response to a request from the governor of the state. And such a request is required to be a formal one, written in a manner that contains prescribed information. The request is normally preceded by joint state and federal preliminary damage assessments, which are designed to qualitatively determine the impact and magnitude of damage.

These preliminary damage assessments are led by the state and conducted jointly with FEMA, and typically include representatives from the local government, the American Red Cross, and the Small Business Administration. These are well-practiced processes that results in data and information that is descriptive, it is agreed to by all parties, and it is the basis for which the governor bases his request and that FEMA forms its review and recommendation.

The next element is the threshold. The basis for the governor's request is that an incident has occurred, or threatened to occur, and that it is of a magnitude beyond the effective response capability of the state and the affected local communities. This is an important point of distinction because it points to the need to establish reasonable expectations for the assistance between that provided by the state and local government, and that provided by the federal government for any given incident.

The next element, following the request and the threshold, is the scope. The governor must identify the scope of supplemental federal assistance. It could be individual assistance. It can be public assistance or hazard mitigation, or any or all of the three. I emphasize "supplemental" because it needs to consider not just the assistance from state and local government, but also from the individual in the form of insurance, from non-Stafford Act assistance from other federal agencies, or the aid available from a wide array of largely local disaster relief organizations.

The final element, Mr. Chairman, is the review. The governor's request is submitted to the FEMA region where the regional director and his staff analyze the preliminary damage assessment data and summarize the findings and forward a recommendation to the director of FEMA. When considering the governor's request for a declaration, the president is required to comply with the authorizing provisions of the Stafford Act. That Act restricts the use of

arithmetic formulas or sliding scales based on income or population as a basis for determining the need for federal supplemental aid.

As a result, FEMA uses a number of factors to determine the severity, the magnitude and the impact of a disaster. These factors are well known and they include things like the amount and type of damage, the number of homes destroyed or damaged; the impact on infrastructure in affected areas and critical facilities; imminent threats to public health and safety; level of insurance coverage available; and assistance available from other sources; the number of injuries and deaths.

This list is somewhat different for each event, and each event is and must be considered on its own merits. Rather than any particular element, all of these are considered in their totality. When this process leads to a presidential declaration, we work then with the state to implement the provisions of the Stafford Act in the geographic area that is determined eligible for assistance, and provide the types of assistance that have been approved.

When this process leads to the denial of a declaration or a restriction in the area or the forms of assistance, the governor may appeal.

Chairman THOMPSON. Excuse me, Mr. Johnson. You are 2 minutes over already. If you would wrap it up?

Admiral JOHNSON. Let me describe briefly our issue as this process played out with Arkansas.

Chairman THOMPSON. Excuse me. You will have your time to explain it.

Admiral JOHNSON. Yes, sir.

[The statement of Admiral Johnson follows:]

PREPARED STATEMENT OF ADM. HARVEY JOHNSON

Good morning Chairman Thompson, and members of the Committee.

I am Harvey Johnson, Deputy Director and Chief Operating Officer of the Federal Emergency Management Agency (FEMA). I welcome the opportunity to appear before this committee to summarize and discuss FEMA's emergency response and declaration process in the event of a natural or man-made disaster. More importantly, I am glad to be given an opportunity to describe this process as it applied to the tornadoes that hit Arkansas.

You have heard "New" FEMA described as an organization that aspires to become the nation's preeminent emergency management and preparedness agency. Drawing on the lessons learned from the Hurricane Katrina experience, we want to be a more agile and responsive partner with the States by leaning further forward to deliver assistance more effectively.

When an incident occurs, either man-made or natural, rather than stand-by and wait for the State to be overwhelmed before offering assistance, we want to quickly establish contact with the State Office of Emergency Management, deploy FEMA people, and position ourselves to rapidly meet the emerging needs of the State.

New FEMA will press forward when disasters strike, in partnership with the State, to immediately assess the damage on the ground, to jointly determine what gaps may need to be addressed by Federal capabilities, and if so, how to deliver it effectively. While FEMA is going to lean forward, it must do so within the bounds of the law and the guidelines that exist with regard to the President's disaster declarations.

When an event is of the magnitude or severity that it exceeds the State and local government's ability to respond, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5206 (Stafford Act), authorizes the Federal government, through FEMA, to provide emergency supplemental assistance to State and local governments to support, but not supplant, the State's role of alleviating the suffering and damage that results from emergency or disaster events.

The assistance provided by FEMA is supplemental in nature. Following the onset of an event, State and local emergency services personnel, volunteers, humanitarian

organizations, and other private interest groups are the first line of support to provide emergency assistance to protect the public's health and safety and to meet immediate humanitarian needs.

A governor may determine, after consulting with local government officials, that the response or recovery may be beyond the combined resources of both the State and local governments and that Federal assistance may be needed. In requesting supplemental Federal assistance under the Stafford Act, the governor must certify that the severity and magnitude of the event exceeds State and local capabilities; that Federal assistance is necessary to supplement the efforts and available resources of the state and local governments, disaster relief organizations, and compensation by insurance for disaster related losses; confirm execution of the State's emergency plan; and certify an intent to adhere to cost sharing requirements.

To assist a governor in determining if a request for assistance should be made, a Preliminary Damage Assessment (PDA) may be conducted at the request of the State. PDA teams are comprised of personnel from FEMA, the State's emergency management agency, county and local officials and the U.S. Small Business Administration.

The team begins by reviewing the types of damage or emergency costs incurred by the units of government, and the impact to critical facilities, such as public utilities, hospitals, schools, and fire and police departments. The teams also examine the effect on individuals and businesses, including the number and extent of businesses and individual households damaged, the number of people displaced, and the threat to health and safety caused by the event. Additional data from the Red Cross or other local voluntary agencies is also reviewed. It is important to note that while FEMA may collect information about all types of damage; only damage that would be eligible for FEMA assistance may be considered in recommending a Federal disaster declaration. For example, FEMA is not allowed to duplicate benefits provided by insurance and only provides public assistance grants to public and eligible private, non-profit applicants.

The information collected during the PDA can then be used by the governor to support a declaration request for Federal assistance that is beyond the capacity of State and local resources. This includes showing the cost of response efforts, such as emergency personnel overtime, other emergency services, and damage to citizens. The information gathered during the assessment will help the governor certify that the damage exceeds State and local resources. The governor's request is evaluated by the FEMA Region, and forwarded to FEMA Headquarters with a recommendation for support or denial.

When considering a governor's request for a disaster declaration, the President is required to consider the Stafford Act, as well as its implementing regulations. The Stafford Act restricts the use of arithmetical formulas or a sliding scale based on income or population as the basis for determining the need for Federal supplemental aid. As a result, FEMA uses a number of factors to determine the severity, magnitude, and impact of a disaster event. The Code of Federal Regulations, Chapter 44, Part 206, specifically details the criteria and factors that may be considered. I would like to submit for the record the relevant portion of the CFR. While the CFR details the criteria and factors that are considered, I would like to identify the primary factors here, including:

- Amount and type of damage (number of homes destroyed or with major damage);
- Impact on the infrastructure of affected areas or critical facilities;
- Imminent threats to public health and safety;
- Impacts to essential government services and functions;
- Unique capability of Federal government;
- Dispersion or concentration of damage;
- Level of insurance coverage in place for homeowners and public facilities;
- Assistance available from other sources (Federal, State, local, voluntary organizations);
- State and local resource commitments from previous, undeclared events;
- Frequency of disaster events over recent time period;
- The scope and magnitude of unmet needs of those affected by the event; and
- The number of injuries and deaths.

The very nature of disasters—their unique circumstances, the unexpected timing, and varied impacts—precludes a complete listing of factors considered when evaluating disaster declaration requests because they are bound to be different for each event, and each event is considered on its own merits. However, the above lists most primary considerations. These considerations are considered in their totality and no single factor is considered in isolation when developing a recommendation to the President.

FEMA recognizes that all disaster events, regardless of magnitude, can be devastating to the people and communities affected. We sympathize with the homeowners' efforts to repair their homes and recover from the recent tornadoes. While we do realize that there are individuals and households in need, the Stafford Act requires a showing that the event is beyond the capability of the State and affected local governments to respond.

I would like to comment on the recent tornadoes in Arkansas. On Saturday, February 24, a severe weather system that ultimately moved across the Southeast caused at least one, and likely two, tornadoes to touchdown in Southeast Arkansas, primarily in Desha County. FEMA immediately dispatched a representative to the State Emergency Operations Center. FEMA Director R. David Paulison made numerous calls to the Governor following the severe weather. And, FEMA personnel joined with the State the following day, February 25, to conduct Preliminary Damage Assessments.

In response to this event, FEMA worked with the State to respond to their desire for manufactured housing for individuals impacted by the tornadoes. However, without a disaster declaration, FEMA has no legal authority to simply give Federal property directly to a State. Generally, when FEMA has excess property, it reports this property to GSA for disposal through that agency's system.

While Congress did give FEMA broad new authorities to respond to disasters in the Post Katrina Emergency Management Reform Act of 2006, and there was a provision allowing for the disposal of unused housing units, the legislation did not authorize FEMA to, "give away housing for the public good."

Specifically, the provision at issue grants to FEMA the authority to dispose of a discrete pool of unused manufactured housing, through GSA, and requires that we work with the Department of Interior to make these units available to Tribal governments. FEMA is in the final stages of policy development that will define our implementation procedures for this new authority.

FEMA does have an overabundance of operational and disposable inventory of mobile homes and travel trailers in storage, and we are getting more every day as eligible applicants' requirements for them decline. We are working with GSA to dispose of many of the excess units. It is through GSA that FEMA has made housing units available to the State of Arkansas. On Tuesday of last week, Director R. David Paulison contacted David Maxwell, State Emergency Manager of Arkansas, and indicated that working through GSA, FEMA might be able to offer housing, and inquired how many units would they need.

On Thursday, Arkansas requested 23 mobile homes and 7 travel trailers. At that time, Director Paulison made sure to emphasize to Mr. Maxwell that the State could have as many as they needed, which we would make available through GSA. This agreement was in place when the President turned down the Governor's request on Thursday. Thus, FEMA, working through GSA, had the flexibility to meet Arkansas' request for trailers.

Given our current inventory of travel trailers and mobile homes, we will continue to utilize GSA as we always have to maintain our inventory at a level in alignment with our strategic needs.

Thank you for the opportunity to explain FEMA's declaration process and I look forward to any questions you may have.

Chairman THOMPSON. We will have some questions.

Mr. Baughman, will you take your 5 minutes for us please?

#### **STATEMENT OF BRUCE BAUGHMAN, DIRECTOR, EMERGENCY MANAGEMENT AGENCY, STATE OF ALABAMA**

Mr. BAUGHMAN. Thanks, Mr. Chairman. I am Bruce Baughman. I am director of the Alabama Emergency Management Agency.

A little bit about my background so you understand I know a little bit about the declaration process. I spent 4 1/2 years in the position I am in right now. Prior to that, I was with the federal government for 29 years, 22 of which I was with FEMA, and then prior to that 4 1/2 with the Mississippi Emergency Management Agency.

I have dealt with declarations to include the Oklahoma City bombing, the World Trade Center, and sat in on over 300 decision-making and disaster declarations. So I have been a part of the process for the last 32 years.



Let me talk a little bit about the disaster that hit Alabama the week before last. Two weeks ago today, tornadoes ripped through the state of Alabama, causing 10 deaths and damaging hundreds of homes and public buildings in a six-county area. At 12:30 p.m., the disaster struck Miller's Ferry in Wilcox County, killing an individual and destroying 76 homes.

Later that afternoon, at 1:47 p.m., another tornado struck the city of Enterprise, destroying the high school, killing eight students, destroying 716 homes, killing an elderly woman, injuring 60 individuals. So that was the extent of damage in Coffee County. An additional 50 homes in Henry County were damaged.

We activated our Emergency Operations Center at 9:00 a.m. that morning in preparation for severe weather. As soon as reports came in, we dispatched emergency personnel to the affected counties to assist in response and recovery efforts. Over 350 state personnel from 12 agencies responded to the affected area.

We activated the Alabama Mutual Aid System and dispatched two heavy rescue teams and a disaster mortuary team to Coffee County. These agencies assisted the stricken jurisdictions in search and rescue, debris removal, emergency communications, security, traffic control, and damage assessment.

That afternoon at 3 o'clock, Governor Bob Riley declared a state of emergency. As soon as damage reports began coming in, the FEMA regional director, Major Phillip May, was on the phone with me asking what type of assistance was needed. The acting director of the FEMA Transition Recovery Office in Montgomery, Mr. Bob Ives, was dispatched to our emergency operations center to function as the FEMA liaison.

At 7:05 p.m., I contacted FEMA Director David Paulison and reported the extent of the damages known at the time. Director Paulison stated to let him know what we needed from FEMA as soon as possible. Later that evening, we requested helicopter support for damage assessment. The next day, damage assessment operations began. As they were being conducted, Governor Bob Riley, State Superintendent Joe Morton, Congressman Terry Everett and myself toured the disaster area and met with the key city, state and county officials.

At 3:47 p.m. that same day, Governor Bob Riley requested an expedited major disaster declaration to the president through the regional director for Coffee, Dallas, Henry, Lowndes, and Wilcox Counties. The request included public assistance, individual assistance, and mitigation in the request.

On March 3 at 9:00 a.m. while the president was touring the disaster damages in Enterprise, he announced approval of the major disaster declaration for Coffee County for individual assistance. A joint PDA, preliminary damage assessments continued throughout March 3, 4, and 5 in the affected county. On March 6, Dale, Henry, Wilcox and Coffee Counties were added to the disaster declaration for public assistance.

In my experience, I know the disaster declaration process, what it is and how it works, and how FEMA can respond. FEMA was nothing short of responsive to the needs of the citizens of the state of Alabama, and Director Paulison and his regional director contacted me a number of times to ensure that we had the state re-

sources and federal resources necessary to meet the needs of the disaster victims.

One of the first concerns I know the emergency managers had when FEMA was absorbed into the Department of Homeland Security was would that slow down the disaster declaration process. Well, the process has changed a little, because of FEMA's inclusion in the department. I do not believe that it has resulted in any substantial delays that have impacted the state of Alabama.

I should add this is our sixth major emergency declaration the state has received in the last 4 years.

That concludes my testimony.

[The statement of Mr. Baughman follows:]

PREPARED STATEMENT OF BRUCE BAUGHMAN

MARCH 15, 2007

Good Morning Chairman Thompson and Ranking Member King. I am the Director of the Alabama Emergency Management Agency, a position I have held for the last four years. Prior to that I served 24 years with the Federal Emergency Management Agency and four and a half years with the Mississippi Emergency Management Agency. I have spent the last thirty-two years working over a hundred Presidential disasters and emergency declarations to include the Oklahoma City Bombing, events of 9/11, and being involved in the decision making process on several hundred requests for declarations. I am here to talk to you today about Alabama's recent experiences with disaster response and the Federal Emergency Management Agency.

On March the first of this year, tornadoes ripped through the State of Alabama causing ten deaths and damaging hundreds of homes and public buildings over a six county area. At 12:30 pm a tornado struck the community of Miller's Ferry killing one individual and damaging or destroying 76 homes. Later that afternoon at 1:47 pm another tornado struck the town of Enterprise in Coffee County destroying the Enterprise High School killing eight students, damaging or destroying 716 homes, and killing an elderly woman. Additionally, 50 homes were damaged or destroyed in Henry County.

We activated our emergency operations center (EOC) at 9:00am on March 1, 2007 in preparation for severe weather. As soon as reports began to come in, we dispatched emergency personnel to the affected counties to assist in response and recovery efforts. Over three hundred and fifty state personnel from twelve state agencies (Alabama Emergency Management, Department of Public Safety, Department of Forestry, Alabama Department of Economic and Community Affairs, Department of Environmental Management, Department of Human Resources, Alcohol and Beverage Commission, Insurance Commission, State Fire Marshal's Office, Department of Transportation, the National Guard and Department of Public Health) responded to the affected area immediately. We also activated the Alabama Mutual Aid System and dispatched two heavy rescue teams (from Dothan and Mobile Fire and Rescue Departments) and a Disaster Mortuary Team (from Cullman County). These agencies assisted the stricken jurisdictions with search and rescue, debris removal, emergency communications, security, traffic control and damage assessment.

At 3:00 pm on March the first, Governor Bob Riley declared a State of Emergency. As soon as the damage reports began to come in the FEMA Regional Director (Major Phillip May) was on the phone with me asking what type of assistance we might need. The Acting Director of the FEMA Transitional Recovery Office in Montgomery, Alabama (Robert Ives) was dispatched to our EOC to function as the FEMA liaison. At 7:05 pm I contacted FEMA Director David Paulison and reported the extent of our damages as known at that time. Director Paulison stated to let him know what was needed from FEMA as soon as possible. Later that evening we requested helicopter support from FEMA to assist in damage assessment. The next day when damage assessment operations began, Governor Bob Riley, State School Superintendent Dr. Joseph B. Morton, Congressman Terry Everett and myself toured the damaged areas and met with key city, county and state officials in Coffee and Wilcox counties. At 3:47 pm that same day (March 2) Governor Riley submitted a request for an expedited Major Disaster Declaration to the President (through the FEMA Regional Director) for Coffee, Dallas, Henry, Lowndes and Wilcox Counties. The request included the Individual Assistance, Public Assistance, and Mitigation

Assistance programs. On March the 3rd at 9:00 am, the President while touring the damages in Enterprise announced that he had approved the Major Disaster declaration for Coffee County for the individual assistance program. Joint Federal and State damage assessment continued throughout March 3, 4 and 5 in the effected counties. On March 6, Dale, Henry, Wilcox and Coffee counties were added to the declaration for the Public Assistance Program.

In my experience, I know how the disaster declaration process works and how FEMA should and can respond to a disaster. FEMA has been nothing short of responsive to the needs of the citizens of the State of Alabama and Director Paulison has personally contacted me during disasters to ensure that the state has the resources necessary to meet the immediate needs of disaster victims. One of the first concerns that emergency managers around the country had when FEMA was included in the Department of Homeland Security was how the disaster declaration and relief process would work. While that process has changed a little because of FEMA's inclusion in the Department, I do not believe it has resulted in any delays that have impacted the State of Alabama.

#### Attachment 1

	<i>Ivan</i>	<i>Dennis</i>	<i>Katrina</i>
1. When disaster occurred	9/13/04	7/10/05	8/29/05
2. When Governor issued proclamation	9/13/04	7/08/05	8/28/05
3. When we requested declaration from FEMA	9/15/04	7/09/05	8/29/05
4. When it was granted	9/15/04	7/10/05	8/29/05

Chairman THOMPSON. Thank you very much, Mr. Baughman.

According to the committee rules, I will begin the questioning, but I will, in the interests of making sure we get the governor on the record with any questions they might have, I have one question.

Governor, you have heard Mr. Baughman talk about how much Mr. Paulison was in contact with him during this emergency. Can you tell us what kind of contact you or your representatives had with FEMA during the same time?

Governor Beebe. I never talked to Mr. Paulison. I actually did talk with two FEMA officials who happened to be for a scheduled visit anyway. As it turned out, they were in my office the day after we requested the federal relief.

It is my understanding that our people, including my director of emergency management, was in constant contact, though, with FEMA officials. They talked quite a bit. I think there were several instances where we didn't get a couple of calls returned from the director, but aside from that, my staff and our emergency folks were in contact with the FEMA officials every day.

Chairman THOMPSON. Thank you.

Admiral Johnson, we have some 8,000-plus trailers in Hope, Arkansas right now. Those are new. I think there are some used ones, too.

Can you tell me what statute prevents situations like the one in Dumas from getting new trailers, rather than the offer of used trailers? And what is it that this committee can do to facilitate freeing up any surplus property that we might have that a chief official like the governor here might request?

Admiral JOHNSON. Yes, sir. Mr. Chairman, two points.

First is that the Stafford Act prevents FEMA from providing trailers or housing units to states absent a declaration. In this

case, the declaration was denied, and so FEMA was unable by the Stafford Act to provide the trailers at no charge to the state.

Second is that the legislation also prevents FEMA from giving trailers to the state, particularly absent the declaration. And so what we did, and this is the first instance that we have been able to do this, is we worked through GSA. What FEMA can do is identify trailers that are in excess to our requirement. We work through GSA to provide those from FEMA to GSA, and then from GSA directly to Arkansas. So that is the mechanism that we used, and it took us a while to figure that out, and we wish we had done it sooner.

Second, sir, is that the Stafford Act also prevents us from expending Stafford funds to transport trailers absent a declaration. And that was a proviso that we could make those trailers available to the state via GSA, but the state would have to pay for transporting those trailers and installing them.

Chairman THOMPSON. So your testimony is all we have to do is modify those two provisions of the Stafford Act that would accommodate this particular situation?

Admiral JOHNSON. That is correct, sir.

Chairman THOMPSON. The other thing that so many members of Congress are having conflict is that with all those mobile homes at Hope, Arkansas, I guess we are the largest trailer park in America now. It would really help us if FEMA could come to Congress and propose a way of doing away with the trailers, because FEMA bought too many. I guess as long as those trailers are sitting unoccupied, that is a problem. If I am not mistaken, we are paying \$25,000 a month lease on the property.

So I guess the situation is, in emergencies when people need housing, 2 hours down the road are over 8,000 trailers. You are told, "Well, we can't let you have them," and then we are told we will let you have a used one. That is a problem.

So I would like your assurance that you and Director Paulison will work with us on getting rid of any of the encumbrances that prevents you from helping chief executives like Governor Beebe and others in times of emergency, where a disaster is not declared, but yet still there are opportunities where we can be helpful.

If you will work with our staff, or if you would at least provide us with what prevents you from helping people when help is requested, we can then go from there.

Admiral JOHNSON. Mr. Chairman, we would be pleased to work with your staff on a range of issues that could address this situation.

Chairman THOMPSON. Thank you.

Now I yield 5 minutes to the gentleman from Pennsylvania, Mr. Dent.

Mr. DENT. Thank you, Mr. Chairman. Thanks for conducting this hearing.

I have an opening statement that I will submit for the record. I would like to submit that.

[The statement of Mr. Dent follows:]

PREPARED STATEMENT OF THE HONORABLE CHARLES W. DENT, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF PENNSYLVANIA

While disaster assistance is not under the jurisdiction of this Committee, we do have a strong interest in ensuring that the reforms of the Post-Katrina Emergency Management Reform Act of last year are implemented.

This legislation, also known as the FEMA reform bill, strengthened and increased the authority for FEMA to prepare for, and respond to, terrorist attacks and natural disasters.

The FEMA reform legislation clarified incident command structures; required establishment of a surge capacity force; created a pre-positioned equipment program; and an improved logistics system.

It also consolidated emergency communications, grant-making, and other responsibilities critical to emergency preparedness and response.

This Committee has already held hearings and briefings to review the Department's implementation of the mandated reforms, and will continue to do so throughout the 110th Congress.

While challenges remain, FEMA has improved its response capability.

Today we have with us representatives of two States whose residents suffered the effects of terrible tornadoes.

While both suffered the same type of disaster, the damage and destruction was quite different — as was the level and type of Federal assistance.

I look forward to discussing FEMA's statutory requirements regarding the provision of disaster assistance with Admiral Johnson.

I would particularly like to discuss how FEMA assesses the capability of a State or local government to meet the response needs of its affected residents.

I look forward to discussing this process, including Preliminary Damage Assessments, with both Governor Beebe and Alabama Emergency Management Director Bruce Baughman.

It is my understanding that Arkansas has its own State disaster assistance fund.

I am curious to hear how this fund is managed and how it is supporting the tornado victims.

I understand that Mr. Baughman previously served as FEMA's Director of Operations and was with the agency for 24 years.

I look forward to hearing his thoughts on FEMA's recent performance and its efforts to address the shortcomings of the past.

Thank you, Mr. Chairman.

Mr. DENT. Vice Admiral Johnson, I know you didn't get a chance to complete your testimony, but I had a few questions for you nonetheless. What is the general timeframe for FEMA officials to arrive at a location impacted by a storm or some other event?

Admiral JOHNSON. In this case, sir, the tornado actually hit in Arkansas about 2:53 on a Saturday afternoon. By 0800 the following morning, FEMA had a representative in the state emergency operations center. On that same day, FEMA had two representatives arrive in the state, one that was an expert in public assistance, and the second an expert in individual assistance. And then they did join with the state Office of Emergency Management to begin conducting preliminary damage assessments on the day following the incident.

Mr. DENT. So within a day, you had people in Arkansas.

Admiral JOHNSON. And that is typical. As Mr. Baughman commented, we are very quick to reach out by phone to the state, make a connection, have a FEMA representative in the state emergency operations center and provide assistance as quickly as possible.

Mr. DENT. And you provided some kind of preliminary damage assessment at that time when you got there, within that day?

Admiral JOHNSON. Yes, sir, we did. Those are led by the state. It is a joint PDA led by the state. They conducted that and they finished that in 1 day.

Mr. DENT. How did this differ? How did FEMA's response—how did that differ from the experience in Alabama?

Admiral JOHNSON. The response was different in that in Alabama, there was a presidential declaration that was approved. With a declaration approved, that opened the Stafford Act and that allowed FEMA to provide more resources as we always do in an instance where there is a declaration.

In this case, as the governor indicated, it took a long time to arrive at "no." And part of the reason for that is that we were going back and forth with our own staff and back to the state to get a little bit more information, trying to see if we could get to "yes." We could probably have arrived at "no" sooner and to provide the governor with a more direct answer perhaps would have been more helpful in a number of areas. But we typically respond to these declarations as quickly as possible.

Mr. DENT. And I guess the question is, so what types of information is FEMA looking for when you are going to recommend to the president whether or not to make a disaster declaration? What was the difference between, say, an Arkansas and an Alabama application?

Admiral JOHNSON. Yes, sir. While I don't want to fixate on just a single metric that is perhaps illustrative, in the area of damaged homes, a major damage to a home or destroy a home, is one of the metrics that we use in looking at individual assistance. In the issue in Arkansas, there was a total of I believe it is 37 homes that were destroyed and 25 that were major damage (a total of 62). There were twice that number in Alabama, and three times that number in Georgia.

We also look at the amount of insurance, and the insurance rates were very much different between the three states. And so again, as I list a number of criteria, in totality it was our judgment, our view from the preliminary damage assessments, that for the thresholds that we have for individual assistance, that the request of the state did not reach that for federal assistance.

Mr. DENT. Okay. Maybe just, help me again, but the role of the state—explain the role of the state to me in the damage assessment process. I am just trying to make sure I understand this.

Admiral JOHNSON. Yes, sir. The preliminary damage assessments are a standard practice. They are required to help arrive at information that we both have transparent and share the information. A preliminary damage assessment team is led by the state. It typically is comprised of a state representative, a FEMA representative, a member from the Red Cross, a member of the Small Business Administration, and a person from the local community. In this case, they arrived and were joined halfway through the process by Mayor Hill of Dumas who helped guide them through that process.

It is a standard procedure. They go in with experts who can assess the damage. They are looking, again, for minor damage, major damage, houses destroyed, impact on infrastructure. They are looking at the extent of damage, whether it is in a compressed area or a wide area—and just a fairly good set of criteria, both in terms of individuals, public property, private property, to get a whole sense for the damage and magnitude of the storm.

Mr. DENT. Okay, my final 30 seconds here, how many requests for declarations does FEMA typically receive in a year? And how many of those requests would be granted and how many would be denied? Do you have an idea on that?

Admiral JOHNSON. I don't have that information with me. Rather than guess, I can provide it to you.

Mr. DENT. Okay. Thank you. We would appreciate receiving that.

With that, Mr. Chairman, I yield back. Thank you.

Chairman THOMPSON. Thank you very much.

We have two colleagues from Arkansas who have particular interest. If I can get unanimous consent from our members to allow them to ask questions, it would be much appreciated. Without objection.

Mr. Ross, if you have questions?

Mr. ROSS. Questions or an opening statement? Which?

Chairman THOMPSON. It is up to you.

Mr. ROSS. Okay.

Chairman THOMPSON. Questions for 5 minutes.

Mr. ROSS. Let me direct a question to Admiral Johnson.

You mentioned that FEMA worked with the mayor in Dumas. In Arkansas, we have county judges. They are not attorneys. In some states they are called county supervisors, some are called county administrators, some are called county executives.

You used the guy that in this instance helped lead the cleanup after the tornado, and of course the tornado knows no city limit boundaries. In fact, one of the most devastated poor communities was the Backgate community outside Dumas. The county judge, the county supervisor has indicated that no one from FEMA ever contacted him.

So my question to you is, why didn't they? And since they didn't, was the rest of the damage outside the city limits of Dumas taken into account?

Admiral JOHNSON. Congressman, my information is that the PDA team met with Mayor Hill. I use that as illustrative of the fact that PDA teams typically consist of local members as well. I can't confirm or deny that FEMA met with the county officials.

What I can say is that the preliminary damage assessment team is led by the state. At the conclusion of the PDA, at the end of the day, the state saw all of the information that was collected. The state was satisfied, as indicated to us, at the damage information that was collected, and we have heard reports back since then that the state officials were satisfied with FEMA's response and our engagement with them and with local officials.

Mr. ROSS. Let me ask you this, you indicated that you had FEMA officials on the ground on Sunday. The Arkansas Department of Emergency Management has indicated to me that FEMA had people on the ground on Monday. Which was it?

Admiral JOHNSON. The information I have is that we had a representative in the state operations center on Sunday.

Mr. ROSS. We have the director of the Arkansas Department of Emergency Management sitting behind you, sir, and he is nodding his head. Led the record reflect he is nodding his head in the negative.

Let me explain something to you, Mr. Deputy Director. Here is the frustration. I understand the requirements for a federal disaster, and if you want me to believe that 800 people out of work, 150 homes destroyed, no power for 6 days, and the National Guard being called out for a week, qualifies as a—let's see, how did your FEMA spokesman John Philbin said, "The damages or need for federal assistance are not readily apparent."

I mean, if that is not readily apparent, then I don't know what is and I am not sure why we are even in the business of emergency management from a federal perspective, if that is how we are going to treat communities.

My biggest concern, though, is not the lack of a federal declaration. My concern, and what I have trouble explaining to my constituents, who drive down U.S. Highway 278 from Hope to Nashville. They see 8,420 new, never-used, fully furnished mobile homes that were purchased in 2005 for Hurricane Katrina victims that never got to them either, and they are just sitting there. Not to be confused with the camper trailers, some 20,000 of those are coming back now where they are being refurbished and stored for future disasters. That makes sense. That is being a good steward of the taxpayer's dollar.

My problem and my constituents' problem is if you have 8,420 never-used, brand new, fully furnished mobile homes sitting in a cow pasture in Hope—and Mr. Chairman, you indicated they are paying \$25,000 a month to store them there, and that is just the cost to store them there. Their operation down there has become quite a bureaucracy and costs about \$250,000 a month total, counting the security they have there and all of that.

My concern is if there are 8,420 of these things sitting there, these mobile homes sitting there that have never been used, and we have 150 homes that are totally destroyed or heavily damaged 160 miles away, and we can't use those homes to help the people in Dumas and Desha County, my question for you, sir, is: Will they ever be used to help people?

Admiral JOHNSON. Congressman, those trailers are available and they are used when we have a disaster. While you refer to those that are specifically in Hope, throughout the past year, whether it was in Tennessee, whether it was floods in New England, there are a number of declarations where we have had a disaster where we have provided new trailers.

So that is an inventory. It did accumulate following Katrina. And as the chairman asked, and as we will do, we will meet with him and identify to him what are plans are right now to begin to reduce that inventory. But those are available, and as I indicated, they are available primarily that we can't provide them without a declaration.

We have found a way, and by the way, those units that were provided, while we use the term "used," those were fully mission-capable units, and all the reports that we have back from the state are, number one, is that we provided every trailer and mobile home that they asked for; and number two is they were quite satisfied with the quality of the trailer provided.

Chairman THOMPSON. Thank you very much. The time for the gentleman has expired.



Governor, I know you are going to have to excuse yourself at some point. We want to thank you for coming. At whatever point during this hearing you depart, we know you have other business to take care of.

If there is other information you think we might need for the record, I want you to feel very comfortable in providing the committee with that information. I assure you the goal of this committee, as well as others here, is to do as much as we can for whatever state that is in an emergency situation.

Again, thank you for your testimony.

Governor Beebe. Mr. Chairman, thank you, and thank you for accommodating us. You have been most gracious, and I am very grateful. Thank you.

Chairman THOMPSON. Thank you.

We will now hear from Mr. Bilirakis of Florida for 5 minutes.

Mr. BILIRAKIS. Thank you, Mr. Chairman. I appreciate it very much.

Admiral I wanted to thank you, first of all, for the quick response to the devastating tornadoes in the state of Florida. But we are here today, we want to talk about Arkansas and other states that haven't received the kind of response that my state has.

One question: Should FEMA's threshold for providing assistance to states after disasters be revised?

Admiral JOHNSON. That is a good question. FEMA continues to evaluate our processes. We certainly will evaluate the results of this hearing. As the chairman suggests, we will meet and talk about where we are with our current inventory of trailers, and we will look at the process as we go through it.

Over the years, we have made adjustments to the process to be more practical and to be more responsive to states and responsive to victims in need. But we also want to make sure that we are consistent as we apply those parameters across all disasters and all locations regardless of the cause.

So we want to balance how to respond in an individual incident, and how to respond from a national perspective. But we are certainly open to continue to listen and engage with states, engage through NEMA and other associations to look and examine how we implement the Stafford Act and interpret and apply the regulations.

Mr. BILIRAKIS. Okay. Next, what steps can state and local officials, as well as residents, take to better prepare for these events, these disasters?

Admiral JOHNSON. Sir, as you know from Florida, there is a significant emphasis on personal preparedness. I think you saw examples of personal preparedness in Arkansas, just as you saw it in Florida and in Georgia and in Alabama. Certainly having insurance, for example, is one of the elements in terms of preparedness.

In terms of other things, individuals, the generosity that we are seeing, as the governor mentioned, in Arkansas, helping each other out. That is always good to see. I think in terms of dealing with state and locals, the issue, for example, of availability to conduct preliminary damage assessments, to have a good, common perspective on what the damage is, to be transparent in the information that we share, and to communicate as often as we do between

FEMA and the state Office of Emergency Management(all of those are very helpful to arriving at a conclusion that surprises no one.

Mr. BILIRAKIS. Okay. Next question. Governor Beebe in his written testimony suggested that Arkansas's budget surplus was the reason they were denied the FEMA assistance. Was this a factor? If so, how much emphasis does it have on the decision-making process?

Admiral JOHNSON. Well, it is unfortunate that issue was raised in the media, then raised by a FEMA employee. But in the declaration process, that was not an issue. I talked personally to people on the declaration staff. There was no discussion whatsoever in evaluating their request for a declaration based on the size of the state surplus.

Mr. BILIRAKIS. Okay, thank you.

One more question for Mr. Baughman. Generally speaking, are there any measures FEMA or states can take to enhance their working relationships?

Mr. BAUGHMAN. With FEMA?

Mr. BILIRAKIS. Yes, correct.

Mr. BAUGHMAN. Absolutely. What we do if we have a rigorous exercise program where we interface with FEMA staff almost on a monthly basis. As a matter of fact, Admiral Johnson will be coming hopefully down to our governor's workshop on hurricane scenario to walk through that so they understand what our requirements are. So routine exercises, but again, we have had a lot of experience with real-world disasters—six in the last 4 years has given us a lot of experience also in working with the FEMA staff.

Mr. BILIRAKIS. Okay, thank you very much.

Thanks, The CHAIRMAN. I appreciate it.

Chairman THOMPSON. Thank you very much.

We will now recognize the gentleman from Arkansas, Mr. Berry.

Mr. BERRY. Thank you, Mr. Chairman. I thank the committee for allowing us to be part of this.

My first question would be to you, Admiral Johnson, or to Mr. Baughman. How long did it take the president after the event in Alabama occurred to declare a presidential disaster?

Mr. BAUGHMAN. The event occurred around noon, 1 o'clock on Thursday, and by 9 o'clock on Saturday morning, we had a declaration.

Mr. BERRY. From the president.

Mr. BAUGHMAN. From the president.

Mr. BERRY. Admiral Johnson, you said that you have these criteria. Who sets those criteria?

Admiral JOHNSON. Some of those criteria are listed in the Code of Federal Regulations.

Mr. BERRY. No, I said who sets them? Who makes those? The Congress doesn't do that, does it?

Admiral JOHNSON. Right. FEMA drafted the regulations. There is a regulatory process that you are familiar with, and those criteria are identified in the Code of Federal Regulations.

Mr. BERRY. So FEMA sets them. Is that right?

Admiral JOHNSON. That is correct. They are set by FEMA.

Mr. BERRY. Is there a provision in there for waivers?

Admiral JOHNSON. Yes, sir, there is.

Mr. BERRY. So you could waive these provisions?

Admiral JOHNSON. We could.

Mr. BAUGHMAN. Under unique circumstances, there is a provision for waiver. Now, keep in mind that the criteria, there is a criteria for declaration for the public assistance program, but not one for the individual assistance program. That is what I think was more problematic on this one is there is no fixed criteria. I think the argument against fixed criteria over the years is, then, is there a provision for waiver. I think probably the time has come for a fixed criteria for declaration for the individual assistance program.

Mr. BERRY. How many jobs were lost in Alabama?

Mr. BAUGHMAN. What we have is what is called the "disaster unemployment process." We are in the process of taking those applications right now. So I can't give you, Congressman—

Mr. BERRY. You can't even guess?

Mr. BAUGHMAN. Pardon me?

Mr. BERRY. You can't even guess?

Mr. BAUGHMAN. I can't. No, I can't, because again, direct result, we had no major factories, no major industry. The largest thing that was hit was the school. The school is back in business. So we didn't have a major loss of any jobs.

Mr. BERRY. I can tell you this, I was at the White House and I was a member of Congress when James Lee Witt ran FEMA. The way you run it today, Admiral, is a damned disgrace. You ought to be ashamed of yourself. We didn't run FEMA like that when FEMA was run like it is supposed to be done. You all should be ashamed of yourselves. Maybe you help some people, maybe you don't. It shouldn't be an arbitrary decision. And you are going to have to live with that, not me, not my colleagues.

This little area that was hit in South Arkansas, I don't represent that district, but I can tell you it is just across the river from me, and they are very special people to me. It is heartbreaking to see the way that they were treated. I went through this in my district last year. FEMA came. It would have been better if they hadn't come, because they are nothing but an aggravation when they get there.

I know the gentleman from Alabama testifies to a different tale. But let me tell you what the people where I live are saying about you right now in the coffee shops up and down the street on Main Street, and when they run into each other at the post office. FEMA denied assistance to Desha County because they vote Democratic. They vote for Democrats. They elected a Democratic governor in the state of Arkansas in November, and that is the reason.

I would like to see any and all communications that FEMA had with the White House, with anyone in the administration or anyplace else that had anything to say or do about how or when or whether or not this declaration was made.

What do you have to say about that, sir?

Admiral JOHNSON. Congressman, I regret that your view or the view of some of your constituents is that FEMA is not helpful. I believe that every person in FEMA, all 12,000 either permanent or temporary employees of FEMA, are dedicated to doing their job in a conscientious way to help people. I believe that we respond that way consistently across the nation in disasters.

In this instance, there was no declaration, but that doesn't mean that FEMA people don't also have some sense of empathy and sympathy for the people who are impacted by a disaster. So I believe your characterization of FEMA as an agency and FEMA as a face of the federal government to not be completely accurate.

Mr. BAUGHMAN. I would also like to respond to that, because I spent many years working for James Lee Witt. As a matter of fact, he is the one that promoted me as a senior executive. The same criteria that James Lee Witt has used for a declaration is still in use. What has happened with FEMA is Dave Paulison has just taken over.

Mr. BERRY. He has been there a year.

Mr. BAUGHMAN. Well, he has been there a year sir, but there are some things to change an organizational culture.

Well, James Lee Witt will tell you after he took over, it took about a year-and-a-half to turn the agency around. He told me that personally. And I think it has taken Dave Paulison some time to turn it around. I understand your frustration, sir.

Mr. BERRY. Well, I can tell you this, this ain't my first rodeo either. I was there when James Lee Witt took over. And when we had the 1993 flood in the summer of 1993, I am sure you remember that. And the response that we had to the 1993 flood was infinitely better than what FEMA had to an isolated situation in the country that just happened once. It didn't cover the whole Upper Mississippi Valley. And we did a better job with that. And I was in the Clinton Administration at that time. We did a far better job with the flood than you did with the tornado in one county, or than FEMA did.

So don't try to tell me I don't know what I am talking about. I don't care how long you worked for FEMA or anything else, because you done picked the wrong dude to correct here.

Mr. BAUGHMAN. Yes, sir. All I am saying is that our experience

Mr. BERRY. All I am saying is that FEMA is an incompetent bunch of nincompoops that simply cannot run their agency.

Chairman THOMPSON. Thank you very much.

The gentleman's time has expired.

We will now to go Mr. Cuellar, the gentleman from Texas.

Mr. CUELLAR. Thank you, Mr. Chairman.

Admiral I want to follow up on what the chairman talked about, because I agree with him. We want to see from you all if you all can give us some suggestions as to what changes we ought to make.

Under the Stafford Act, a state may apply for two types of declarations. One is the major disaster declaration, and the other one is an emergency declaration. There are certain elements that must be satisfied, and I would ask you all to look at those elements when you respond to the chairman, and then, of course, the parts of the rules that you all have also issued out.

The reason I am saying that is because I think what we are looking at is how do we best use in an efficient way the resources that we have? I assume we are all in agreement that the statement that the DH Inspector General Richard Skinner made that it is obvious that FEMA purchased manufactured homes in excess of housing

needs during the hurricanes that we had. I think we are all in agreement with that.

I think what you are seeing is some members are seeing this. For example, there are 12 staging areas across the country where we have those trailers. Is that correct?

Admiral JOHNSON. That is correct, sir.

Mr. CUELLAR. Right. And one of them, of course, is the well-publicized one that we have in Hope. In 2006, FEMA spent about \$47 million to store and maintain those homes. Is that correct?

Admiral JOHNSON. That is generally correct, sir, yes.

Mr. CUELLAR. Okay. And Dumas, or should I say in Hope, that staging area currently has somewhere between 8,000 to 9,000 units that we have.

Now, in looking at those excess units that we have, my understanding is that excess units are being auctioned off to the general public through GSA. Is that correct?

Admiral JOHNSON. That is correct, sir. Let me just point out that at Hope we have what we call an operational inventory, and those are either new or refurbished units that are fully mission-capable. And those units are not being auctioned off by GSA.

We also have what we call a disposable inventory. Those are units that have been used, some several times in various disasters. They are not in a good state of repair, and in our assessment will require more than \$1,500 to make them fully mission-capable. So it doesn't make good use of the taxpayer's dollar to fix those units. It is that inventory that is about 40,000 units that are being sold, excessed or sold through GSA.

Mr. CUELLAR. My understanding is that GSA has sold more than 6,000 housing units since the beginning of the fiscal year 2005. Is that correct?

Admiral JOHNSON. I don't have those numbers in front of me, but that sounds about accurate.

Mr. CUELLAR. Okay. Which has brought in in excess of \$50 million to the government, but when you look at the costs that we used to purchase the homes, and what we are getting now, I guess what I am trying to emphasize is that we have homes that are being auctioned off at very reduced price.

At the same time, what we are seeing is we are seeing situations here where you get members, and you can see the Arkansas delegation here that is a little frustrated, and what I want to do is I want to join the chairman and ask you to please look at those elements under the Stafford Act, because certain things have to be met before the president can declare that.

At the same time, we have those assets that are available. So what I would ask you, and I am joining the chairman to ask you to please review those elements of the Stafford Act, look at your rules and regulations, and ask us if you can sit down with us to tell us what changes we can make to provide you that flexibility, what I call flexibility, so we can help address some of these situations that we are seeing before this committee at this time.

Admiral JOHNSON. Mr. Cuellar, I think that is a very objective request, and we certainly we want to do that.

I would just like to point out, and I have read these media reports as well, we are all familiar with our automobiles about what

depreciation is. Depreciation is quite a bit higher for mobile homes, and they are even higher for mobile homes that have been used by people who don't really own those homes, and in some cases maintained them with less than the quality you would expect of something that you owned.

And so in reality, when you look at the original purchase price of that motor home, the time that it has been used and its condition, I think our return on that investment is still something that perhaps it not appreciated by the media.

Mr. CUELLAR. No, and I understand. What is the cost of an average mobile home that you have there?

Admiral JOHNSON. Some of those were like \$18,000, but some were less, those that were the stock model that we bought, based on just the standard. We actually have a couple of different varieties. When Katrina first happened, we thought we would have to house a large number of people, and we actually bought them right off of the lots of some motor home sales. So those were higher quality and cost more.

Mr. CUELLAR. I understand. I am familiar with this, that once the mobile home is taken off the lot, it depreciates right away. I understand that. All I am saying is, I want to join the chairman as to say that there are certain elements in the Stafford Act, there are certain rules that you have. We are just saying, work with us to come up with some language to address this type of situation.

Admiral JOHNSON. Yes, sir. That is a very good request. We will be glad to do that.

Mr. CUELLAR. Thank you, sir.

Chairman THOMPSON. Thank you very much, Mr. Cuellar.

Consistent with that, as I understand, I had made an earlier request on documenting FEMA's emergency housing life-cycle costs, including contracts for the hauling and installing of these units. And that response was due on the 28th of February. I want to remind you, Admiral, that we are still looking for it, and that is consistent with some of the things Mr. Cuellar was asking for, too.

Admiral JOHNSON. Yes, sir, Mr. Chairman. We will get that response to you.

Chairman THOMPSON. Thank you.

The gentleman from Pennsylvania, Mr. Carney.

Mr. CARNEY. Thank you, Mr. Chairman. Thank you for holding this hearing. I think it is important we shed light on these issues, and get them out in the open.

Admiral the committee learned that prior to the lease with FEMA at the Hope site, a farmer was paying about \$5,000 for that land, to lease that land. And now we are paying about \$300,000 a year for that land. Are those numbers right? Do you know?

Admiral JOHNSON. I don't know that to be true, sir. I will have to get back to you on that.

Mr. CARNEY. Yes. I hope it is not true. I hope we not paying \$295,000 more than we need to to put trailers on there. But yes, please, I would look forward to that answer. Thank you very much.

Mr. Baughman, I have questions for you, actually. You have 20 years combined experience in emergency management at the federal and state level. I think that is great. What recommendations,

based on that experience, would you have to change the way the disaster declaration process works?

Mr. BAUGHMAN. The chief one is thresholds for the individual assistance program. For years, FEMA resisted setting thresholds. Some years ago, they came out with thresholds for declarations for the public assistance program. They don't have similar for the individual assistance program. I would like to see some set thresholds. That way a state knows whether they have enough to qualify. And again, there are conditions that could be waived.

Also, in an emergency declaration, there are some unique federal assets such as a travel trailer that it used to be that you could do an emergency declaration to turn that on. Let's say that it was a unique federal DOD piece of equipment that you needed, then in fact you could do an emergency declaration just to provide that piece of equipment. But that still can be done, so I would like to see that used. I think that that could be used more often.

Mr. CARNEY. I appreciate that. Unfortunately, in my district we had a couple of 100-year floods in the last couple of years. For one reason or another, initially the White House decided not to declare the disaster area after the most recent event. But after reassessment, they decided to declare a disaster area. How can we regularize this whole process? I think it is something we really need to focus on.

Mr. BAUGHMAN. Yes, again the preliminary damage assessment, by having fixed thresholds, I think that you will at least know you are approaching that or not. We have had two tornadoes in the state of Alabama within the last 2 years that we knew 19 insured homes weren't going to qualify, so we didn't ask. But again, when it starts getting up to around 40 or 50 homes, you just don't know. Do you ask? Don't you ask?

What takes longer is if you are in a "marginal" state, it takes longer to ring that up because FEMA wants to make sure they have all the data before they turn you down.

Mr. CARNEY. Ordinarily, how long does it take to get that data?

Mr. BAUGHMAN. Well, it depends on how widespread the damage is, how much insurance recoupment—a lot of the variables that Admiral Johnson was talking about. It depends on how fast those preliminary damage assessment teams can gather that data. In our particular case, we got an immediate declaration for Coffee County only.

We did not add on the additional five counties until the following Tuesday. So that is 4 or 5 days later, but we needed to gather the information. For example, Wilcox County, while there were 76 homes that were damaged, most of those were insured; 50 of those were secondary homes. They were not primary residences.

Mr. CARNEY. Okay. Thank you for your answer. I appreciate it. I yield back, Mr. Chairman.

Chairman THOMPSON. Thank you very much.

Mr. Baughman, let me just say how very impressed I am with your knowledge of just disaster preparedness and response. You do the state of Alabama great credit. I saw that you cut your teeth in Mississippi, so let me just say you do us well, too.

Mr. Ross, do you have another question? Anything you want to add at this point?

Mr. ROSS. I would like to, if I could just in a few brief moments, Mr. Chairman, for the record and for your benefit share with you my thoughts on the situation and why I want to try to effect change here.

On February 27th, 3 days after the storms hit, the governor requested a federal disaster declaration from FEMA. Later that day, I led a conference call with Director Paulison and expressed my support for the governor's request, as well as requested that FEMA transfer some of the 8,420 new fully furnished and never used manufactured homes located just 3 hours away at the so-called FEMA staging facilities in Hope, Arkansas, to the families in need. These homes were originally purchased for Hurricane Katrina victims, but never made it to them either.

However, help did not come that day. In fact, for the next 7 days, I pleaded with FEMA officials to help this poor delta community. Finally, 12 days after the tornadoes destroyed parts of my district, and 9 days after the governor's request, we finally received a response from FEMA. FEMA said no. They denied the state's request. As a result, the state, county and city are now responsible for 100 percent of the storm cleanup expenses and were not allowed to receive even one of the new never used mobile homes FEMA has stored in Hope since 2005.

But after 13 days of waiting, working and prodding to the point of our story becoming national news, FEMA finally offered to give the state of Arkansas 30 used and/or refurbished mobile homes and trailers from the staging facility in Hope, if the state would pay to transport them and set them up for victims who remain homeless for 2 weeks.

The people of Dumas were grateful to receive them. In fact, I would like to share part of an email I recently received. It goes like this: "I am a tornado survivor in Dumas. While my husband and I have the means to take care of our own housing, I am fully aware that there are some who cannot. I am a schoolteacher to many of the Hispanic families who received trailers this weekend. You have no idea how much this has made an impact on these students. They came into school this morning with bright smiles on their faces, saying 'I got a new house.'"

Mr. Chairman, that is why you and I do what we do. And it is why FEMA needs to do what they should do. I am frustrated with the massive bureaucracy involved in simply helping people in an emergency situation, which is what FEMA is supposed to be in the business of doing. It is astounding to me that for 13 days, hard-working families in my district had nowhere to live, and yet 160 miles away, also in my congressional district, 8,420 new fully furnished never used mobile homes sat untouched.

I want to use this hearing as an opportunity to improve this process for the next town that is forced to deal with a natural disaster that might not be declared a federal disaster by FEMA.

Mr. Chairman, I want to work with you and this committee to enact legislation to empower FEMA, or maybe some other federal agency, to distribute the surplus homes in a timely manner to the people who so desperately need them in the direct aftermath of a natural disaster, whether declared a federal disaster or not. Homeless people remain homeless until they get some help.



As my constituents drive down U.S. Highway 278 from Hope to Nashville, they still see 8,420 new mobile homes sitting there untouched and never used, when storm victims remain homeless. To them, these homes are a symbol of why our citizens have lost faith in FEMA and feel that our government is failing them.

My question for FEMA is this: Are these 8,420 new fully furnished never used mobile homes going to be used? Or is FEMA, in its rules and regulations and red tape, going to continue to keep them from ever being able to get these homes to needy communities like Dumas, Arkansas?

I believe that we owe it to the people of Desha County and so many other communities who are devastated by natural disasters to change the system. I am optimistic that this hearing is a first step in the right direction, because Mr. Chairman, on February 24th, a tornado struck Dumas, Arkansas. The next one could very well be in your district or mine or any other member of this panel.

I think it is important we find a commonsense solution to this problem and put these mobile homes to use to help storm victims. They are not doing anybody any good sitting in a hay meadow at the airport in Hope, Arkansas.

Thank you, Mr. Chairman, for including me today.

Chairman THOMPSON. Thank you very much, Mr. Ross. Your statement will be entered into the record.

Chairman THOMPSON. Mr. Baughman, I understand you have a flight to catch. We don't want to detain you again. We appreciate your testimony before the committee. I am sure somewhere you will be hearing from us, and keep doing the good work. Thank you very much.

Mr. BAUGHMAN. Thank you, Mr. Chairman.

Chairman THOMPSON. Mr. Etheridge, would you like to ask questions for 5 minutes?

Mr. ETHERIDGE. I would, Mr. Chairman. Thank you.

Admiral I guess it will just be you and I here for just a minute. Thank you.

Let me, if you would, expand a little bit on the issue of availability of state resources as a factor. You said earlier it wasn't a factor in determining whether the president made a disaster declaration. But I want to talk about it a bit because I think it is important in this process, because I happen to know from my home state of North Carolina, where we are under a constitutional requirement to have a balanced budget.

And even if we have money within our budget, and you have a disaster, there are a lot of other needs the state has, and states really don't have a choice in that. Depending on where you are, you are more likely to be hit than others. In our case, it is a hurricane, and we tend to feel like we are like the "9-1-1" state. Like Florida, we get hit.

But it seems to me that in any case, a disaster is a disaster. I do hope you and folks in the department will come back with some suggestions, because I think today's testimony is some indication that some things need to be addressed.

What I happen to believe is what really matters is no more than how many people have been harmed, and how all the resources we have—public, private, local, state and certainly federal—can be

brought to help people who have a great need. They have lost their livelihood in a lot of cases. They have lost their homes. No matter what their home may be, it is their home.

In some situations, I know recently in California the farm workers suffered an economic loss because of the severe freeze that was unusual, and a disaster declaration was made very quickly, because they had lost their jobs. I happen to think that was the appropriate thing to do. And I am glad they were able to get federal help and get it.

I think the thing that concerns me is, I just hope North Carolina doesn't fall in the crack that my friends in Arkansas have, because I think an average thinking person would say, you know, we failed. We failed, because those people have a need. It is clear to me that people have a need, and the fact that we weren't able to help, then if it is a problem, we need to fix it, it seems to me.

So my question to you is this: What makes this situation less a disaster and why, when there is a clear need, that we didn't try to find a way to bend over backwards, rather than—you know, I learned a long time ago, you can sort of lean forward and help, or you can lean back and find reasons not to do it. It ought to be our job to try to find a reason to help people.

I would appreciate your comment on that, because I think that is really part of our job. These are American people. They don't live overseas in the sands of Saudi Arabia or in any other place in the world. They are tax-paying Americans.

I would be interested in that, sir.

Admiral JOHNSON. Congressman, let me first say that when FEMA evaluates some number of potential disasters every year, and it is about 50 to 70 per year, and of those there are only about 8 to 15 a year on average that are denied. And so in large part, declarations that are requested are approved.

Mr. ETHERIDGE. Admiral, just a point, I noticed in 2004 there were 68 major declarations, nine denials, and four appeals. In 2005, there were 48 declarations, 13 denials—it went up 44 percent, and the same thing happened in 2006—substantial more denials. I am certain there is a reason for that.

Admiral JOHNSON. Part of that, sir, is that we do think that, and Mr. Baughman makes an excellent point, that we do have very specific thresholds in public assistance, but we don't have thresholds in individual assistance. Part of that is the communication between FEMA and the state. When a state submits a declaration, in many cases it is a discussion as to whether the state thinks their declaration would be approved.

All of the criteria that I have mentioned are well known to the states. There is no secret process. And so while there may not be a fixed threshold, the process is fairly well known. And so some of these numbers reflect the fact that states are considering when they request federal assistance.

Mr. ETHERIDGE. Are you telling me it is a moving target?

Admiral JOHNSON. No, sir. What I am saying is that in individual assistance, there is no set threshold. For example, there is a clear dollar amount pre capita in public assistance, and that is the way it is. But in individual assistance, it is a much—

Mr. ETHERIDGE. Admiral, do you have to have a declaration before you can get that?

Admiral JOHNSON. That is the process. That is what you have to do to get the declaration. So that is the criteria we look at before we recommend either a declaration or a denial.

Mr. ETHERIDGE. Okay.

Admiral JOHNSON. So there needs to be more communication. We need to work harder at identifying what the thresholds are in individual assistance.

Let me also say that working in FEMA, it is not a heartless association. And so for example in this case, our director, we probably could have said "no" sooner, but it was an exchange of information back and forth to our region to find more information, and was it possible to arrive at "yes." We could have said "no" and waited for perhaps more information.

For example, the gentleman from Pennsylvania, his state initially received a denial, but then subsequently in the appeal they provided much more information to us and allowed us to reach an approval of the declaration. So it is a process with the states.

Mr. ETHERIDGE. Mr. Chairman, I know I am overboard.

Who has the authority to issue the waiver? Does FEMA do it, or does the president do it?

Admiral JOHNSON. My understanding is that for the initial declaration, that that declaration is made by the president. If a declaration is approved, then the FEMA director has discretion, for example, to broaden the number of areas, counties that might apply for the declaration. He can extend the types of coverage once a declaration is approved. And he can extend the operational period for which damage can be considered for the declaration.

Mr. ETHERIDGE. Thank you.

Chairman THOMPSON. Thank you very much, Mr. Etheridge.

I thank all the witnesses for their valuable testimony, and the members for their questions. Sorry.

Ms. Jackson Lee for 5 minutes.

Ms. JACKSON LEE. Thank you very much. Mr. Chairman, believe it or not, I am sitting in the hot seat because I am in the middle of a markup, but this was such an important hearing, and I am just going to be very brief.

What I have been able to determine, Admiral, is this clearly needs a legislative fix. Those of us who I guess remained, my good friend Mr. Cuellar, who I know was here, the chairman and Mr. Ross, and certainly Mr. Etheridge, and many others on this committee are here because we are committed to securing the homeland. We recognize coming from areas that have had their long history of disaster, that we are frankly in the hot seat.

And so we cannot imagine why it took 2 weeks to respond. I would simply ask you this question, because I really want to throw my hands up, but I also want to acknowledge that Director Paulison and the team has really worked. You have tried to do amends, if you will, for the horrific actions of Katrina. I recognize that. Let us be your partner, because people are suffering.

And so what I would suggest that you do is what kind of legislative fix can we construct so that there is a backup to the actual

declaration of disaster, particularly when you can move chairs around.

Admiral you are the deputy over management operations. Would some sort of clarity, some sort of legislative fix be instructive and helpful in this effort?

Admiral JOHNSON. Well, it certainly would. I appreciate the offer of the chairman to me, with the committee, to take the testimony today, both from Mr. Baughman and from the governor. We know we have had issues in the past in terms of when we do have a denial, and these are issues are raised again. It is a fair time to take a look at that.

What is it that is the will of the Congress? How can we work better to inform a decision that will address the pain and suffering?

Ms. JACKSON LEE. If I may, because my time is short, I, too, agree with the chairman, but let me just say point blank: Would a legislative fix clarification help you?

Admiral JOHNSON. That is correct. It would.

Ms. JACKSON LEE. Thank you very much.

Mr. Chairman, thank you.

Chairman THOMPSON. Thank you very much, Ms. Jackson Lee.

Ms. JACKSON LEE. I yield back. I ask unanimous consent my statement be made part of the record.

Chairman THOMPSON. The admiral has already heard from Mr. Cuellar and Mr. Carney, a couple of us, talking about the need to collaborate on some fixes.

Again, I want to thank the admiral and others who were here as witnesses for this hearing. The members of the committee may have additional questions for you, and we ask that you respond expeditiously in writing to those questions.

Hearing no further business, the committee stands adjourned.

[Whereupon, at 3:45 p.m., the committee was adjourned.]

#### FOR THE RECORD

#### PREPARED STATEMENT OF THE HONORABLE KEVIN MCCARTHY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

I am honored to serve on the Homeland Security Committee and I look forward to working with Chairman Thompson, Ranking Member King, and the members of this Committee to strengthen the security of our homeland.

Today, we examine an issue important to my constituents and all Americans, our Federal Government's response to disasters. When the President makes a disaster declaration, FEMA's responsibility is to provide timely relief to those in need.

I have personally seen how a positive response can affect a community. In 2003, I was having lunch in San Luis Obispo County in California, a county I currently represent, and felt the 6.7 magnitude San Simeon earthquake that led to the loss of life and damage to our communities. Even though I wasn't in Congress at the time, I know firsthand how important FEMA's response can contribute to people and communities getting back on their feet. FEMA opened up disaster centers, and provided timely information to help people get the help they needed. However, with the hurricanes in the Gulf Coast region, we have also seen how a FEMA response can suffer from bureaucratic errors and a lack of clear oversight and accountability.

On the Homeland Security committee, we need to ask the important questions on how to ensure that FEMA's mission is exercised efficiently to those in need that will rely on its assistance after an emergency, as well as efficiently and fairly completing damage claims in the months or even years after a disaster. But we also need to be sure to clarify the mission of FEMA, and thus the scope of a federal response to any emergency, what the Federal Government will shoulder in the aftermath of an emergency, and what federal taxpayers expect the states, local governments, and Americans to be responsible for before and after a natural disaster.

I thank the chairman for the time, and I yield back.

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PREPARED STATEMENT OF WILLIAM "GRAIG" FUGATE, DIRECTOR, FLORIDA DIVISION  
OF EMERGENCY MANAGEMENT

REGARDING

PREPAREDNESS FOR THE 2007 HURRICANE SEASON

MAY 15, 2007

*Introduction*

Thank you Chairman Thompson, Ranking Member King, and distinguished members of the Committee for allowing me the opportunity to testify before you on preparedness efforts for the 2007 Hurricane Season. I am Craig Fugate, the Director of the Florida Division of Emergency Management. I have over 25 years of experience in state and local emergency management, serving in various positions including ten years as the Emergency Management Director for Alachua County, Florida, Chief of the Bureau of Preparedness for the State of Florida, and the appointment to my current position in 2001. I continue to serve and have been reappointed to my position by Governor Charlie Crist. In my time with the State of Florida, I have served as the Governor's authorized representative for major disasters such as the 2004 Hurricane season including Hurricanes Charlie, Frances, Ivan, and Jeanne and coordinated the State Emergency Response Team (SERT)'s response for all Florida disasters and for state-to-state mutual aid for Hurricanes Katrina and Rita.

Emergency management is built upon three very basic concepts: (1) All-hazards preparedness is the foundation in which readiness is built for all disasters regardless of the cause or size; (2) The emergency management cycle includes preparedness, response, recovery, and mitigation; and (3) All disasters are local. There are several key areas that I wish to discuss with you today that need to be addressed in order to secure our preparedness for all disasters:

1. **We must maintain an all-hazards approach to emergency management;**
2. **Funding for the Emergency Management Performance Grant (EMPG) program should be increased, at least restored to FY 2005 levels;**
3. **We need federal support of the Emergency Management Assistance Compact (EMAC); and**
4. **The FEMA Temporary Disaster Housing Program can be more effective with a transition plan that includes HUD resources.**

**MAINTAINING THE ALL-HAZARDS APPROACH TO EMERGENCY MANAGEMENT**

All-hazards emergency preparedness is the key building block and foundation for emergency management. Natural hazards continue to be the pervasive disaster that occurs regularly. In the past several years, major disaster declarations were for events including severe storms and tornadoes, typhoons, tropical storms, multiple hurricanes, flooding, ice storms, snowstorms, and wildfires. Natural disaster preparedness must not suffer as a result of homeland security efforts, but rather should be viewed as the most frequent opportunity to validate domestic preparedness efforts and to also build best practices. We need to start looking at the system in terms of hazards preparedness. Furthermore, our emergency response system must be built for all-hazards and terrorism should be a component of the system. We cannot afford to build duplicate systems by hazard or to eliminate programs to support the homeland security effort. An all-hazards approach should be viewed as building a single team to deal with a large variety of hazards.

Since I have been with the State of Florida, we have had 22 major disaster declarations, five emergency declarations, and 45 fire management assistance declarations. While hurricanes are the most urgent and prevailing threat we have faced, we do not prepare for hurricanes alone. Florida was the first state with anthrax cases in 2001, the terrorists for 9/11 trained in Florida, we have three commercial nuclear power plant sites, host major sporting events including Superbowls, and boast three national championships in the past two years in college football (2006) and basketball (2006 and 2007). We have extensive threats for tornadoes, flooding, fires, and severe freezing. You will recall the February 2, 2007 tornado that left 21 people dead and destroyed hundreds of homes with more than \$17 million in federal assistance for victims. Additionally, we have done significant influ-

enza pandemic planning for our large special needs populations and planning for mass migration incidents from the Caribbean.

While every state may not experience a disaster every single year, preparedness is essential. Florida took the lead in ensuring that localities were prepared for any disaster when our state legislature made changes after Hurricane Andrew that a surcharge is set aside for emergency preparedness from every insurance policy written in the state. This fund called the Emergency Management Preparedness and Assistance Trust Fund, which exists only in Florida, helps us to ensure that localities have the necessary means to prepare for disasters and citizens do their part too. In addition, we utilize the only all-hazards funding source, the Emergency Management Performance Grants to supplement these funds to build our key preparedness programs.

Hazards need to be explored in the context of disasters too. A disaster is really caused by humans as a result of getting in Mother Nature's way. Humans build in harms way, we traditionally build at the cheapest costs, and we build power grids that are subject to wind damage. When we prepare for terrorism, we harden critical infrastructure and look for ways to prevent events. We develop strong public health systems and plans to address pandemics. However, addressing hazards before a natural disaster means stronger building codes, enforcing those codes, heeding warnings ahead of disasters and having business and family plans in place when disaster does occur. We have to begin looking at the complexities and scale of the consequences of hazards.

The federal government must continue its commitment to ensuring national security through all-hazard preparedness. Without adequate numbers of state and local personnel to operate the all-hazards emergency management system, the infrastructure used to prevent, prepare for, respond to, and recover from all disasters will collapse. Unfortunately, Hurricanes Katrina and Rita illustrated the need for adequate emergency management systems from the ground up. Instead of making unbalanced investments towards terrorism preparedness, we must maintain an all-hazards approach and shore up the foundation of our response system for all disasters regardless of cause.

#### **EMERGENCY MANAGEMENT INFRASTRUCTURE FUNDING**

##### **EMPG is the only program for All-Hazards Preparedness**

Natural disasters are certain and often anticipated. Every state must be able to plan for disasters as well as build and sustain the capability to respond. EMPG is the only source of funding to assist state and local governments with planning and preparedness/readiness activities associated with natural disasters. At a time when our country is continuing long term recovery efforts from one of the largest natural disasters in history and making strides to improve the nation's emergency preparedness/readiness, we cannot afford to have this vital program be just maintained. EMPG is the backbone of the nation's all-hazards emergency management system and the only source of direct federal funding to state and local governments for emergency management capacity building. EMPG is used for personnel, planning, training, and exercises at both the state and local levels. EMPG is primarily used to support state and local emergency management personnel who are responsible for writing plans; conducting training, exercises and corrective action; educating the public on disaster readiness; and maintaining the nation's emergency response system. EMPG is being used to help states create and update plans for receiving and distribution plans for emergency supplies such as water, ice, and food after a disaster; debris removal plans; and plans for receiving or evacuating people—all of these critical issues identified in the aftermath of Hurricane Katrina and the following investigations and reports.

##### **State and Local Match**

EMPG is the only all-hazards preparedness program within the Department of Homeland Security that requires a match at the state and local level. The match is evidence of the commitment by state and local governments to address the urgent need for all-hazards emergency planning to include terrorism. EMPG requires a match of 50 percent from state or local governments. According to the National Emergency Management Association's (NEMA) 2006 Biennial Report, states were continuing to over match the federal government's commitment to national security protection through EMPG by \$96 million in FY05, which is an 80 percent state and 20 percent federal contribution. To bring all state and local jurisdictions up to the fifty percent level, \$135 million is needed. This would allow as many as 3,030 additional local jurisdictions to become part of the program. To bring non-participating jurisdictions into the program at the 50 percent level requires an additional \$152 million.

##### **EMPG Helps Ensure Personnel for Mutual Aid**

During the 2004 and 2005 hurricane seasons, the interdependencies of the nation's emergency management system were demonstrated and one of the success stories was the Emergency Management Assistance Compact (EMAC). EMAC enabled 48 states, the District of Columbia, the Virgin Islands, and Puerto Rico to provide assistance in the form of more than 2,100 missions of human, military and equipment assets and over 65,000 civilian and military personnel and equipment assets to support the impacted states. The estimated costs of these missions will exceed \$829 million. Of the personnel providing assistance through EMAC, 46,503 were National Guard personnel and 19,426 were civilians. Many of the civilians sent to provide assistance are supported by the EMPG program in their state. The nature of the nation's mutual aid system vividly shows the need for all states to have appropriate capabilities to respond to disasters of all types and sizes. In Florida we used EMPG to build self-sustained response teams that are able to respond to disasters in our state and in neighboring states when called upon to provide assistance. The increased reliance on mutual aid for catastrophic disasters means additional resources are needed to continue to build and enhance the nation's mutual aid system through EMAC.

#### **Appropriate Support Needed to Strengthen Program**

While EMPG received modest increases in 2003 and 2004 after ten years of straight-lined funding, the program needs to be adequately resourced based on building capacity. The increased flexibility of EMPG is offset by funding shortfalls estimated in the NEMA Biennial Report in 2006 to be over \$287 million for all 50 states. The current total need is \$487 million. The Post-Katrina FEMA Reform Act authorized EMPG at \$375 million for FY 2008.

Clearly, Congress wants to understand what is being built with these investments, especially in tight fiscal conditions. The 2006 Quick Response Survey found that if states were to each receive an additional \$1 million in EMPG funding for FY 2007, states would use the following percentages for each of the following activities: 88 percent of states responding would use the funding to support the update plans including evacuation, sheltering, emergency operations, catastrophic disasters and others; 83 percent would provide more training opportunities for state and local emergency preparedness and response; 88 percent would provide additional preparedness grants to local jurisdictions; 69 percent would conduct more state and local exercises; and 61 percent would use funding for state and local NIMS compliance. (States were able to respond to multiple activities, as each state has multiple emergency preparedness priorities.)

Last year's Nationwide Plan Review Phase 2 Report completed by the Department of Homeland Security found that current catastrophic planning is unsystematic and not linked within a national planning system. The report cites that, "This is incompatible with 21st century homeland security challenges, and reflects a systematic problem: outmoded planning processes, products, and tools are primary contributors to the inadequacy of catastrophic planning. The results of the Review support the need for a fundamental modernization of our Nation's planning process. The report goes on to explain that all states do not adequately address special needs populations, continuity of operations, continuity of government, evacuation plans, and resource management. EMPG is the ONLY source of funding that can address these significant and immediate needs. The current EMPG shortfall does not take into account these findings.

#### ***BUILDING OUR NATION'S MUTUAL AID SYSTEM THROUGH EMAC***

The response to Hurricanes Katrina and Rita resulted in the largest deployment of interstate mutual aid in the nation's history through the Emergency Management Assistance Compact (EMAC). As mentioned previously, EMAC deployed personnel comprised of multiple disciplines from all member states to respond to Louisiana, Mississippi, Alabama, Florida, and Texas. The process enabled National Guard, search and rescue teams, incident management teams, emergency operations center support, building inspectors, law enforcement personnel, and other disciplines to immediately assist the requesting states in need of support. The National Guard even chose to continue under EMAC when deployed under Title 32 because of the organization, liability protections, accountability, and tracking abilities EMAC provides.

EMAC was created after Hurricane Andrew by then-Florida Governor Lawton Chiles. The system was developed through the member states of the Southern Governors' Association to establish mechanisms to enable mutual aid among member states in emergency situations. The Southern Regional Emergency Management Assistance Compact (SREMAC) was signed by participating Governors in 1993. Following recognition of SREMACs nationwide applicability by the National Governors' Association and FEMA, Congress enacted EMAC in 1996 (P.L. 104-321). Currently all 50 states, the U.S. Virgin Islands, Puerto Rico, and the District of Columbia are

members of EMAC. EMAC requires member states to have an implementation plan and to follow procedures outlined in the EMAC Operations Manual. EMAC takes care of issues such as reimbursement, liability protections, and workers' compensation issues.

The following is a synopsis of the historical support that the state of Florida provided to Mississippi in the aftermath of Hurricane Katrina, the largest support mission in the history of EMAC. The State of Florida, acting under provisions of the Emergency Management Assistance Compact and a direct request from the Governor of Mississippi, deployed a self-contained response team on the day of landfall to the impacted coastal area of Mississippi (3 coastal counties of Hancock, Harrison, and Jackson; 3 contiguous inland counties to the north consisting of Pearl River, Stone, and George). By the evening of landfall on August 29, 2005 assets of law enforcement, firefighting, search and rescue, medical, Incident Management Teams, and others were in the area of operations in coastal Mississippi performing life-saving, safety, and security missions. Major logistical assets were sent to the area, as well, to include ice, water, food, fuel, and other commodities to support initial response operations. Due to the dire situation caused by Hurricane Katrina on the Mississippi coast, the mission of the Florida Task Force grew significantly and commodities and personnel continued to flow from the State of Florida continuously until the end of October 2005 (note: some smaller level missions continued with Florida support up until November 2006). The Florida Task Force set-up a major command and logistical staging area at Stennis Space Base which became the hub of the operation. This command communicated with and supported Incident Management Teams from Florida which were located in the 6 assigned counties to support the local Mississippi Emergency Management Directors. In relation to this effort, it must be noted that the State of Florida had itself been impacted by Hurricane Katrina (a weaker storm at that time) prior to its passage into the Gulf of Mexico. It is a tribute to the entire Florida State Emergency Response Team (state and local government, private entities, faith based organizations, etc. . .) that they were able to effectively rise to the challenge of responding to the South Florida impact of Hurricane Katrina while providing significant and necessary assistance to our neighbors on the Gulf Coast.

*Overview of EMAC Support to the State of Mississippi*

**COMMODITIES:** *(Purchased and provided by the State of Florida)*

- Water—768 truckloads—3,648,000 gals.
- Ice—457 truckloads—19,194,000 lbs.
- Juice—16 trucks—16,000 cases
- Shelf Stable Meals—138,000 meals
- USDA commodities—6,000 cases
- Baby food, formula, etc.—20,892 cases
- Baby supplies (nipples, diapers, wipes)—4,962 cases
- Adult diapers, wipes—376 cases
- Children Liquid Supplement—10,200 cases
- Adult Liquid Supplement—5,100 cases
  - 1,304 State Trucks of Commodities
  - 2,057 Trucks Total of Commodities

**PERSONNEL and TEAMS:**

- 6,404 Personnel Total
  - Three Area Command Teams with 115 personnel to manage entire area of responsibility of six counties
  - Six Incident Management Teams sent to County Emergency Operation Center's
  - Three Logistics Management Teams
  - Urban Search and Rescue Teams
    - Three Type I Teams
    - Four Type II Teams
    - Two Water Rescue Teams
  - One Law Enforcement Mutual Aid Coordination Team
  - Law Enforcement Personnel with vehicles and equipment
  - 207 Fire Fighting Personnel
  - 70 ALS Ambulances and EMS personnel
  - 710 Medical Personnel in various disciplines
  - 30 Elder Care Specialists
  - 1 School Recovery Team
  - 1 FDOT Advance Recon Team (10 personnel)
  - 1 FDOT Bridge Recovery Team (7 personnel)
  - 14 Public Information Officers



- 497 National Guard Personnel (also sent aircraft and equipment)
  - 3 zodiac boats w/trailers
  - 3 High Mobility Multipurpose Wheeled Vehicles (HMMWV's)
  - 2 GSA vans
  - 2 UH-60 "Black Hawk" helicopters
  - 1 CH-47 "Chinook"
- 4 Hazmat Teams (8 personnel)
- 14 Volunteer, Donations and Reception Center Personnel
- 13 Animal Control Teams (60 personnel)
- 1 State Animal Response Team (5 personnel)
- 16 Water/Wastewater Facility Teams (101 personnel)
- 4 Communications Personnel
- 38 Recovery Personnel

Continued support of EMAC will allow Florida to focus on the implementation of lessons learned from Hurricanes Katrina and Rita, such as training and education for all mutual aid stakeholders, resource typing and credentialing, and information and resource management.

#### **ADDRESSING TEMPORARY DISASTER HOUSING PROGRAM CHALLENGES**

Housing is often seriously impacted following natural disasters, leaving many families in the impacted areas with no place to call home. Disaster housing consists of three phases:

1. The initial phase focuses on retaining citizens in the affected area and providing interim housing solutions for them.
2. The next phase focuses on rebuilding local housing resources.
3. The final phase deals directly with developing long-term redevelopment strategies.

Providing housing assistance following a disaster can not just be based on expiration dates and eviction dates; the focus must be on long term housing solutions for the affected area. Disaster case management of survivors that deals with the entire scope of housing and human needs is necessary throughout all the phase to transition those affected from interim situations into longer term solutions. Typically in a community where the ability to transition disaster survivors into permanent housing is problematic, there is usually an existing housing problem before the disaster struck the community.

A disaster housing partnership between the Federal Emergency Management Agency (FEMA) and Housing and Urban Development (HUD) would provide a disaster housing solution that is more responsive, flexible and would provide a more cost effective long term disaster housing solutions. Bringing HUD's financial resources and their subject matter expertise regarding building loans, subsidies and land management into the fold early on in the disaster housing process, would greatly improve an impacted community's ability to recover and develop long-term housing solutions and strategies. Additionally, HUD is capable of providing case management experience for permanent solutions for affected citizens that will provide permanent solutions to local situations. Case management will result in accountability on all levels of disaster housing.

#### **CONCLUSION**

The first goal the State of Florida looks at when preparing for any sort of disaster is how we can best serve our citizens. This goes back to my previous statement regarding the fact that all disasters are local and that all groups involved in responding to disasters must use a team approach, regardless of the type of disaster, to prepare for and respond to these events. This team approach is imperative when addressing the federal role in responding to disasters, it is important that the response from the federal level is one of a supporting role for state and local emergency management, it cannot supplant these efforts.

Florida is successful and is looked to as a leader due to the fact that our leadership has invested in emergency management through the creation of the Florida Hurricane Catastrophe Fund and Emergency Management Preparedness and Assistance Trust Fund. Additionally, the state has worked to develop strong partnerships that will ultimately insure the state's success in affecting positive outcomes for those impacted when a disaster occurs in our state. This type of investment was on display recently when the Florida Legislature, based on Governor Crist's budget recommendations, approved an appropriation of \$895,000 in the state's FY 07-08 budget to upgrade Florida's State Warning Point. The Florida State Warning Point is a function of the Division of Emergency Management and is housed in the Emergency Operations Center. The Florida State Warning Point is responsible, through Florida Statutes and federal regulations, to be the central clearing house for all

emergencies occurring in the State that require response by or resources from multi-county incidents, multi-State agency incidents or any incident requiring County/State/Federal communications and/or coordination.

With the passage of the Post-Katrina FEMA Reform Act, Congress has affirmed their support for ensuring preparedness for our nation's continuous vulnerability against all-hazards. We must continue to build national preparedness efforts with a multi-hazard approach. We appreciate Congress' increased attention and focus on disaster preparedness, response, recovery, and mitigation efforts. We ask that Congress look at ways to immediately influx the system with resources, encourage and reward innovation in order to face the challenges of the day. We cannot afford to continue to repeat history as we did with Hurricane Andrew and Hurricane Katrina. We must, once and for all, learn the lessons of the past and resolve ourselves to ensure that Federal, State and local governments have adequate funding for baseline emergency preparedness so exercises and training can ensure that plans and systems are effective before a disaster.

Again, I appreciate the opportunity to testify before your committee today and want to affirm Governor Crist's dedication to continually working with our federal partners to improve the nation's capabilities to respond to all types of hazards that our communities may face on a daily basis.

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#### ADDITIONAL QUESTIONS AND RESPONSES

QUESTION FROM THE HONORABLE BENNIE G. THOMPSON, COMMITTEE ON HOMELAND SECURITY

RESPONSES FROM ADM. HARVEY JOHNSON

**Question: I understand that FEMA has potentially identified a software solution to accept and process relief applications and maintain real time record keeping of money spent. Does FEMA plan to purchase and implement this type of solution? If so, when?**

**Answer:** FEMA currently has the ability to accept and process relief applications and maintain real time record keeping of money approved through use of the National Emergency Management Information System (NEMIS). This data management system supports the disaster victim application process and subsequent payments to eligible applicants under FEMA's Individuals and Households Program.

QUESTIONS FROM THE HONORABLE CHARLES W. DENT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

**Question:** My State and my district have many small streams and rivers that flood repeatedly after heavy rain. As you may be aware, the Natural Resources Conservation Service of the Department of Agriculture has the authority to address this problem, but lacks the funding to do so. FEMA has some monies available but apparently has no authority to engage in stream remediation.

**Is there any way that FEMA and the Natural Resources Conservation Service can enter into an agreement to distribute stream remediation funds so as to avoid making disaster declarations in the first place?**

**Answer:** FEMA has no authorized funds specifically for "stream remediation." The disaster relief fund is available only if there is a disaster declaration.

**Question:** Local and State authorities have told me that FEMA's flood maps are out of date. Some people apparently are living in flood zones and don't know it, as these maps are inaccurate.

**What is FEMA doing to fix this problem? Wouldn't it be better to make sure that flood-prone properties are properly identified in advance of any natural disaster to avoid the need for Federal assistance?**

**Answer:** Recognizing in 2003 that current flood zones were outdated, FEMA embarked on an aggressive five-year initiative to update the Nation's flood hazard maps known as Flood Map Modernization (Map Mod). This initiative is a direct effort to provide property owners in flood prone areas with the most accurate and current information possible for making major investment decisions, including the decision to purchase flood insurance to help protect their financial investment in the event of flooding. In this way, Map Mod is an integral piece of New FEMA's vision to "Reduce vulnerability to life or property" so that the impacts of natural disasters and the resultant need for Federal assistance will, over time, be reduced (mitigated). With funding provided by the President and Congress, and with input from Congress and priorities identified by State, regional, and local partners and stake-

holders, FEMA is transforming the way flood maps are created and accessed nationwide, working to modernize the 93,000-panel flood hazard map inventory. Under the Map Mod initiative, the quality, accuracy and usability of national flood hazard data is being improved by developing Geographic Information Systems (GIS)—based products with the best available technologies and enhanced technical standards.

To measure success in achieving Map Mod goals, FEMA has set targets that measure the percentage of population for whom maps are available online and have been adopted by the community. As of December 31, 2006, digital flood map products were available for 48 percent of the U.S. population; approximately 2,800 communities had preliminary digital flood hazard data; approximately 2,900 other communities had adopted digital flood hazard data; and digital flood map products were available for 15 percent of the land area of the continental United States (approximately 0.5 million square miles).

By the end of the Flood Map Modernization initiative, FEMA estimates that it will have provided accurate flood risk data in GIS format for a typical flood map project for 92 percent of the population and 65 percent of the land area of the continental United States. A typical Flood Map Project takes 2–3 years to complete. Based on funds provided through prior year appropriations and requested in the FY08 President's Budget, mapping projects will continue to be developed through 2010.

**Question: What steps are you taking to help warn people in advance of a disaster, such as an impending flood? Our State authorities have told me that funding for the Flood Observation and Warning System (IFOS), which places sensors in rural stream areas to detect rising water, is very low. Wouldn't investing in such a system now help to save dollars down the road when disaster declarations are requested?**

**Answer:** FEMA is charged with integrating teams and resources for the coordinated and comprehensive approach to disasters natural or otherwise. Further, FEMA is tasked to disseminate needed supplies and services to minimize suffering and disruption when natural disasters and terrorist events occur. Further, FEMA is to coordinate the logistics to return disaster areas to normal functions. The approach for the Department of Homeland Security and FEMA, in accordance with FEMA's mission, is to help people plan for emergencies. Regardless of the disaster type, being prepared is key.

FEMA continually stresses the importance of preparedness, through programs, such as Ready.gov, which urges individuals and families to identify potential hazards and emergencies so that they can adequately understand their risk and plan accordingly. Protection for families should include: being informed, planning for emergencies, assembling a disaster supply kit, planning for effective shelter, and identifying special needs and concerns. FEMA has also produced several educational materials, such as *Are you Ready? An In Depth Guide to Citizen Preparedness* (IS-22), which present a comprehensive source for individual, family, and community preparedness.

Thus, although being able to predict natural weather disasters by using stream monitoring systems and other flood and observation and warning devices is useful, such practices are in the domain of the National Weather Service. Since it is desirable to be current on forecasts, warnings and guidance, FEMA can rely on IFLOWS, and myriad other programs operated by other entities, to tailor its readiness messages.

IFLOWS is a software package designed for the National Weather Service that enables the two-way transfer of messages and the one-way transfer of forecasts, warnings, guidance, and data between the NWS internal communications systems and the base-station computers of the SCFIS and PFWs.

