



# COPING WITH CATASTROPHE

**Building an Emergency Management System  
to Meet People's Needs in  
Natural and Manmade Disasters**



**NATIONAL ACADEMY OF  
PUBLIC ADMINISTRATION**

For The  
U.S. Congress and Federal Emergency Management Agency

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## **Building an Emergency Management System**

### **to Meet People's Needs**

### **in Natural and Manmade Disasters**

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A Report by a Panel of the  
**NATIONAL ACADEMY OF PUBLIC ADMINISTRATION**

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**Required by the**  
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## FOREWORD

Last September, Congress mandated that the National Academy conduct a comprehensive and objective study of governmental capacity to respond effectively to major natural disasters. Over an intensive four-month period, an Academy panel and project staff have examined five major issues, including the capabilities and performance of the Federal Emergency Management Agency (FEMA) in recent major disasters, especially Hurricane Andrew. They found that major changes are needed--in the White House, in Congress, in FEMA, in other federal agencies, and in the states and localities--if the United States is to have an effective and responsive emergency management system.

Under its congressional charter, the Academy is charged with advancing the effectiveness of government at all levels--federal, state and local. This report highlights the challenges, in a system of divided powers, of developing an effective emergency management system that involves all three levels of government as well as the private sector. To summarize, we believe such a national system does not now exist, but can be created.

The study also addressed the challenging relationship between preparedness for national security emergencies and domestic civil emergency preparedness and response. In a rapidly changing but still uncertain world, old imperatives about the need to protect national security in established ways are being challenged by pressing domestic needs. The panel has recommended modifications to existing methods for addressing national security emergency preparedness, as well as their funding sources.

By looking at the whole system for emergency management, rather than just a single agency or specific actions taken after Hurricane Andrew, the panel developed a comprehensive set of recommendations to address the causes of the nation's inadequate response to recent catastrophic events. This approach is needed to achieve real progress in emergency management. It is also applicable to other functions of government.

The Academy appreciates the opportunity provided by the Congress to undertake this work. We also thank the many people in and outside of government who were so helpful along the way.



R. Scott Fosler  
President

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## **EXECUTIVE SUMMARY**

On August 24, 1992, Hurricane Andrew made landfall in southern Dade County, Florida. While the country's initial reaction was a sense of relief -- Greater Miami's most populated areas had been spared the full brunt of the storm -- officials eventually realized that an area encompassing about 250,000 people had suffered a major disaster.

After crossing Florida, Hurricane Andrew made landfall again, wreaking havoc in southwestern Louisiana. When the storm subsided, it was clear that Andrew would prove to be the nation's most costly natural disaster. It also became increasingly evident that the governmental response, particularly in South Florida, had fallen short. The immediate needs of the disaster victims, as well as the general public's need for a competent presence in the midst of such destruction, went largely unmet.

In response to a congressional mandate, a panel of the National Academy of Public Administration has conducted this study of capacities of the federal, state and local governments to respond promptly and effectively to major natural disasters occurring in the United States.

The panel judged that it could make a unique contribution by reviewing and analyzing the entire structure of the disaster response system. This includes all levels of government -- federal, state and local -- as well as private and non-profit organizations and individuals. Moreover, the panel determined that it could not examine the response to natural disasters in isolation from all emergency management functions: mitigation, preparedness, response, and recovery. This report presents the panel's observations, conclusions and recommendations.

## **ENDURING PROBLEMS OF EMERGENCY MANAGEMENT**

There are some problems associated with emergency management that are unique in their intensity and in their enduring nature. They endure because they are rooted in human nature, American attitudes toward long-range planning, the dynamics of power in the Executive Branch, and the short-term perspective of the American political process. Emergencies and disasters are easily dismissed as something that is unlikely to happen, going to happen to someone else, or going to happen on "someone else's watch."

Americans have never seemed to value long-range planning and training. Although they have come to accept the necessity of these things in the military in order to protect citizens from threats from abroad, they have not yet developed

an appreciation for their need in protecting citizens from hazards that can befall them "at home." As a result, emergency management agencies are generally underfunded for planning, training and exercises even though these activities are every bit as essential for their effectiveness as they are for military organizations.

Emergency management requires coordination of a wide range of organizations and activities, public and private. Everyone acknowledges the need for such coordination in an emergency, but in fact no one wants to be "coordinated," nor is it clear what the term means in practice. Statutory authority is not readily transformed into legitimate political authority, and emergency management agencies are very seldom given anything but statutory authority to "coordinate" in the event of an emergency or disaster that everyone prefers to believe is unlikely. Statutory power is a necessary but insufficient condition for real power to coordinate.

Finally, emergency management has almost no natural constituency base until an emergency or disaster occurs. Except for those persons and agencies with responsibilities in emergency management, which are modest in number and influence, the function has no generally attentive, supportive set of constituents or clients, which is so important to the survival and effectiveness of public agencies.

## **NEED FOR AN EFFECTIVE EMERGENCY MANAGEMENT SYSTEM**

Every year the United States is hit by numerous disasters, both large and small. *The nation needs a well-organized, effective emergency management system; the panel found it does not have one.* All levels of government as well as private, non-profit and business organizations are involved. In the aftermath of Hurricane Andrew, few of the parties involved, whether public or private, could claim a flawless performance. The blame for the extensive dislocation and misery the victims experienced following the storm must be widely shared.

### **Strengthening the Federal Role**

At the national level, the President and numerous federal agencies are responsible for providing assistance to disaster victims. For crises overseas, the National Security Council coordinates policy for the President. No counterpart exists on the domestic side. *The President should have a Domestic Crisis Monitoring Unit to assure that the federal responses to catastrophic events are timely, effective and well coordinated.*

The Federal Emergency Management Agency (FEMA) was created in 1979 to provide a new, integrated approach to emergency management. However, the panel found that few of the goals set for that organization 14 years ago have been realized.

Currently, FEMA is like a patient in triage. The President and Congress must decide whether to treat it or let it die. And though the tendency is to focus principally on FEMA, the present time and circumstances provide a unique opportunity to improve the way all those involved in emergency management respond to disasters and catastrophic events.

The panel has concluded that *a small independent agency could coordinate the federal response to major natural disasters*, as well as integrate other emergency management functions, *but only if the White House and Congress take significant steps to make it a viable institution*. FEMA has been ill-served by congressional and White House neglect, a fragmented statutory charter, irregular funding, and the uneven quality of its political executives appointed by past presidents. In short, the agency remains an institution not yet built.

The President, Congress and strong, competent FEMA leadership could create the conditions necessary to build FEMA or a successor into a highly respected agency that coordinates -- and thus leads -- other federal agencies as well as state and local governments. These essential conditions are:

1. Reduction of political appointees to a director and deputy director, development of a competent, professional career staff and appointment of a career executive director.
2. Access to, and support of, the President through the creation of a Domestic Crisis Monitoring Unit in the White House.
3. Integration of FEMA's subunits into a cohesive institution through the development of a common mission, vision and values; an integrated development program for career executives; and effective management systems.
4. Development of structure, strategy and management systems to give agency leadership the means to direct the agency.
5. A new statutory charter centered on integrated mitigation, preparation, response, and recovery from emergencies and disasters of all types.
6. Joint assessment teams and a graduated response scale for more timely and effective responses to disasters, including catastrophic.
7. Development of functional headquarters-field relationships.

Regarding item 3, FEMA has experienced widespread and persistent problems with internal communications and coordination which were intensified by classification restrictions on its national security emergency preparedness

programs under the National Preparedness Directorate. These problems could be mitigated by (1) reducing the number of security clearances and the impact of classification, (2) transferring certain program responsibilities and limited program staff to DOD, (3) improving the integration of NP assets into domestic emergency response, and (4) reevaluating the placement of some FEMA programs under the national security budget function.

*Some additional funding in the near term may be required* to meet these conditions, but the panel believes that the longer run result will be improved efficiency and program effectiveness that also reduce costs. Given the current government-wide budget stringencies, FEMA must do everything possible to economize and make best use of existing resources.

*If, after a reasonable period, it is clear these changes are beyond reach, the President should consider and take action on a more drastic option*, such as (1) abolishing FEMA and returning its component parts to their agencies of origin or placing them elsewhere, or (2) transferring most functions intact to an existing federal department.

If FEMA were abolished, a small office in the Executive Office of the President would be needed to coordinate the federal response. Because this was the unfortunate condition which caused FEMA to be created in the first place, this is a useful option only if no other is available. No other department or agency provides an ideal home for the emergency management function and all have other priorities and problems. Because changes in law would be required, Congress also would have to act.

### **Role of the Military and the Federal Government as First Responder**

The panel does not recommend that the disaster response function be transferred to the Defense Department. *The time has come to shift the emphasis from national security to domestic emergency management using an all-hazards approach.* Making this function a routine part of the defense mission would further complicate larger issues of the Armed Forces' peacetime roles. Their primary mission is to prepare for war and to fight if necessary.

The panel recognizes that the Armed Forces have repeatedly demonstrated valuable capabilities in responding to major disasters, including Andrew, but it holds that they should be tasked by civil authority -- promptly when necessary -- in the case of a domestic catastrophe. The problem should be addressed by improving procedures that enable civilian authorities to call upon the capabilities of the Armed Forces in a timely fashion in those relatively rare circumstances that require response capabilities of a magnitude only they can provide.

*Nor can the federal government become the nation's "911" first responder.* The nation's constitutional structure, rooted in the values of federalism, is fundamentally "bottom-heavy." Although the federal role has expanded over two centuries, governing in America generally occurs within the broad, general "police" powers reserved to the states by the Constitution and delegated, in turn, to local governments. There are ten of thousands of emergencies each year. Most emergencies -- even most disasters -- are met by state and local governments. This layered system of disaster response can be improved without altering federalism.

Joint federal-state-local emergency response teams, which include relevant military and civilian agencies, should be trained to enter a disaster site immediately to assess damages as well as life support needs. They would issue recommendations to the governors of affected states and the President. Team members should train and conduct regular exercises together and draw upon the unique mobile communications that FEMA has available. Joint decision making by government leaders, plus full cost coverage by the federal government during the initial response period following a catastrophe, would facilitate prompt and sufficient action to meet victims' life support needs.

### **The Role of States and Localities**

State and local governments must be able to successfully manage small and medium sized disasters on their own, and they must be able to function effectively as part of an intergovernmental team when an event warrants a presidential disaster declaration and federal intervention. At the state and local levels, emergency management suffers from:

1. *A lack of clear and measurable objectives, adequate resources, public concern and official commitments.*
2. *Low levels of public concern and support for events of low probability but potentially high impact.*
3. *Local sensitivity surrounding building code enforcement and land-use planning, both essential elements in planning and implementing mitigation measures and prominent in recovery efforts.*
4. *Fragmented decision making and strained intergovernmental relations.* For example, prior to Hurricane Andrew, relations between the independent cities in Dade County and the county government were poor, as were those between the county and the state of Florida. After the disaster, these relations did not improve, which impeded response and recovery efforts.

5. *Inconsistency of federal support and involvement.*
6. *A lack of knowledge and competence in emergency management.*
7. *A lack of commitment to and funding for emergency management.*

*The federal government needs to do more to help enhance the capacity and consistency of emergency management efforts at the state and local levels, especially in areas vulnerable to catastrophic events.* Possible measures include: targeting upgrades of state and local government capacity; using financial incentives strategically to reward effort and competent performance; improving training and education; increasing research and its application; and fostering peer exchanges and mutual aid agreements.

### **Congress' Role and Responsibility**

Congress plays a leading role in developing policies for emergency management and the federal response to natural disasters. Jurisdiction over these functions and FEMA is so splintered, however, that no single authorizing committee has the ability or interest to examine either one in their totality. This splintered jurisdiction also reinforces fragmentation within the agency, as well as programmatic authorizations tied to specific kinds of disasters, such as earthquakes or radiological hazards. In addition, FEMA's relations with Congress are needlessly time-consuming, complex and contentious.

As a result, FEMA has been reluctant to propose a restructuring of its authorizing statutes. Several laws apply to emergency management programs, some with competing objectives and overlapping provisions. The result is a hodge-podge of statutory authorizations providing sometimes conflicting and outdated guidance, which, in the panel's judgment, hampers the integration of emergency management functions and slows, as well as materially complicates, the federal response to natural disasters.

*Emergency management and FEMA are overseen by too many congressional committees, none of which has either the interest or a comprehensive overview of the topic to assure that coherent federal policy is developed and implemented.* A preoccupation with constituent interests, while laudable in times of great need following disasters, makes it very difficult to achieve a balance between cost and service.

The panel believes that Congress' attention ought to shift from a preoccupation with shortcomings in the federal response, to support for improved management of FEMA and for the development of a national emergency management system based on intergovernmental cooperation. *FEMA or a successor agency needs a more coherent legislative charter, greater funding*

*flexibility, and sustained support for building an effective agency and a national emergency management system.*

### THE NEED FOR A GALVANIZING EVENT

The panel is making numerous recommendations to strengthen the nation's emergency management system. Changes of the magnitude outlined in this report will require strong, sustained White House and congressional attention and support. Given the nation's economic and social problems, and the foreign policy challenges likely to occupy its political leadership, the panel believes a galvanizing event may be needed before the states can reach a new agreement with the federal government on how the nation will prepare for and respond to emergencies, and who will pay the cost.

Such an event could be a White House or governors' conference on emergency management, a summit meeting between the President and the governors, or a national commission chartered by Congress or appointed by the President. *Without bold action, America's frustration with the timeliness and quality of the governmental response to natural disasters will very likely continue.*



## LIST OF PANEL RECOMMENDATIONS

This list provides in one place all of the recommendations made throughout the report. Recommendations are contained in Chapters Three through Six as follows:

### CHAPTER THREE. THE FEDERAL RESPONSIBILITY AND THE PRESIDENT'S ROLE IN EMERGENCY MANAGEMENT

**Retain the current mission and role of the Armed Forces in emergency management and disaster response. Make certain that processes and procedures exist for promptly triggering their capabilities in major disasters or catastrophes.**

**Set in motion a review by DoD of the role of the National Guard withg regard to emergency management/disaster response.**

**Establish a Domestic Crisis Monitoring Unit in the White House Office as a responsibility of an assistant to the President. Develop a small staff of detailees to work out of the White House situation room.**

**Amend the Federal Response Plan to include FEMA-led joint assessment teams (federal, state, local, and military). Members should be professionals who train together, are able to operate in adverse environments, and would be supported with FEMA's unique communications assets.**

**Make the Federal Response Plan the President's Response Plan.**

**Modify the Federal Response Plan based on lessons learned to date.**

**Initiate a long-term effort to develop operational plans for each Emergency Support Function of the Federal Response Plan and develop operational plans that link with the federal plans and with those at all levels of government.**

**Develop a gradated disaster scale keyed to damage, life support needs, and casualties. Joint assessment teams should recommend designation of a disaster on that scale, which would establish a common base of assumptions for response and recovery actions on the part of all participating agencies and organizations.**

**Relate the FRP and operational plans for each ESF to the gradations of the disaster scale. Types of people and material mobilized, pre-positioned and dispatched for a disaster should be related to gradations of the disaster scale.**

**If the President designates a cabinet officer or White House staffer as his representative in a disaster, provide that individual appropriate orientation and staff support.**

## CHAPTER FOUR. FEMA: AN INSTITUTION NOT YET BUILT

**VISION AND MISSION:** Create a coherent sense of mission centered on the vision of a high-performance, high-reliability agency of government capable of integrating and coordinating the federal government's emergency management functions. The primary emphasis would be on domestic civil emergencies and disasters -- and on all four functions of emergency management: mitigation, preparation, response and recovery. Three major actions to accomplish this are:

- Develop an agency legislative charter (see Chapter Five) that makes it clear that the primary purpose of the agency is domestic civil emergencies and disasters -- and that it will deal with all four phases of emergency management.
- Declassify virtually all positions. Transfer certain classified program responsibilities (but not all staff and assets) to DoD, transfer the defense mobilization functions to DoD or GSA. Form a new all-hazard preparedness and response unit utilizing FEMA's unique communications and other assets.
- Seek clarification from Congress of FEMA's responsibilities for the social and major public works issues facing the agency following recent disaster declarations.

**STRATEGY:** Develop a strategic policy statement outlining the several broad emergency management policy goals (about four to eight such goals) to be achieved during President Clinton's first term. For example, one such goal could be enactment of a unified statutory charter for emergency management.

**VALUES:** Work with agency employees to articulate a set of values centered on:

- Minimizing loss from emergencies and disasters.
- Helping victims to survive, recover and restore their lives.
- Integrating more effectively the four main functions of emergency management (mitigation, preparedness, response and recovery).
- Establishing a service-oriented approach to dealing with the "customers" of the agency, including those customers of diverse racial and ethnic backgrounds.
- Maintaining control of costs to the federal treasury.

**WHITE HOUSE COMMUNICATIONS:** Build a continuing relationship with the senior White House officials responsible for domestic policy, domestic crisis monitoring and processing of disaster declarations. Have a solid understanding of how these White House functions operate.

**LEADERSHIP:** Provide a framework for improving leadership by:

- Limiting the number of presidential appointments (other than the inspector general) to two -- director and deputy director -- and helping to assure that future leaders are qualified and trained for their jobs.
- Converting all other executive positions to career status and filling them with the most qualified candidates from within the agency, throughout the federal government, state and local government or the private sector.
- Building a first-rate executive development program to assure a pool of talent for future leadership within the agency.
- Creating a career-reserved position of executive director with responsibility for all internal management systems and functions except budget and financial management. (The Chief Financial Officer Act of 1990 requires that the CFO report directly to the agency head. There should be a close working relationship between the CFO and the executive director on common management issues).

**PREPARING FOR THE NEXT CATASTROPHE:** Give priority to assuring the agency is as prepared as possible for the next catastrophe, i.e., position the agency to "manage the hell out of moments of truth." (See also recommendations in Chapter Three.)**ORGANIZATION:** Realize the goal of building a single, coherent organization by:

- Restructuring the agency around a comprehensive emergency management concept with primary emphasis on mitigation of, planning and preparing for, responding to, and recovery from civil emergencies and natural or human-generated disasters.
- Addressing the problem of agency subcultures by giving all components an all-hazards objective, with the only difference between components being the functions they perform toward this end -- preparation, response, recovery, and mitigation.
- Better integrating -- or spinning off -- the now relatively separate functions of the Fire Administration and other agency operations which prove incompatible with the new mission and vision.
- Considering strengthening the mitigation function by building on the mitigation responsibilities of the National Earthquake Hazards Reduction Program and the National Flood Insurance Program, especially with new all-hazards insurance and mitigation programs being considered by Congress.

- Setting one management philosophy for delegating responsibilities to the field, consistent with the mission and the roles the field offices are expected to play. Establish management systems consistent with this philosophy and which also will provide guidance for consistent application of statutes and policies nationwide. Establish management systems consistent with this philosophy and which also will provide guidance for consistent application of statutes and policies nationwide. In this connection, make it clear that headquarters is responsible for policy and centralized management systems while the field is responsible for implementation of policy within the context of systems needed to respond to regional circumstances.
- Considering consolidation of the field structure into fewer regions -- such as the four-region structure used by the Continental U.S. Army -- to assure its responsiveness to emergency requirements based on the frequency of disasters and opportunities for coordination both with the states and the military.
- Developing any needed legislative proposals for reorganization. Depending on the exact composition of the proposal, some legislation -- including FEMA-specific reorganization authority -- may be necessary.

**EXTERNAL AFFAIRS:** Build a strong external affairs unit of career personnel capable of effectively handling media relations in moments of crisis. Public Affairs should include promptly informing disaster victims of where and how help can be obtained. Congressional Affairs staff should emphasize building good relations with Congress. Additionally, the unit should establish good bridges to cognizant interest groups, such as the National Governors Association, the National Emergency Management Association and others.

**PERFORMANCE MEASUREMENT:** Continuously measure performance against goals by:

- Creating a customer-oriented or citizens' needs approach to assist in defining goals and performance standards and units of work.
- Developing the performance indicators and measurement systems to make this possible.
- Creating a system for relating staff and other resource requirements to workload and performance.

**MANAGEMENT SYSTEMS:** Establish the central management systems "glue" to bind the agency together by:

- Strengthening the budget structure and process, making it a tool for FEMA leadership to implement its mission and strategy through the establishment of a centralized decision-making process and a central funds control and allocation mechanism. Allow for flexibility in fund allocation through the use of a new activity structure combined with a responsive reprogramming process.

- Establishing an operational planning system to convert the strategic goals into achievable objectives for each organization unit. A streamlined, mission-oriented, low-paperwork regional planning and reporting system, designed to secure consistent regional operations, also should be developed and maintained.
- Converting the Personnel Office into a modern human resources management function centered on building a first-class workforce. Priority initiatives include creating executive training, succession and development programs; improving employee training; developing a culturally diverse work force (including the disaster reserve work force) that more closely matches the clientele of the agency; and providing organizational rotation to help break down the walls between agency units. To the extent practicable, provide for employee exchanges between headquarters and the field.
- Creating a competent career planning, program analysis and evaluation staff of analysts reporting to the executive director which can provide agency leaders with timely planning, analysis and recommendations for change in policies, procedures, and programs.
- Encouraging the Office of the Inspector General to carry out more program evaluations, as mandated by the Inspector General Act.

**COMMUNICATIONS AND INFORMATION TECHNOLOGY:** Establish a modern communications and information resources management system by:

- Creating a separate, central information resources management office under the executive director from the staff now in the NP directorate, but including representation from other offices, to undertake an aggressive, unified agency program to exploit communications and information technology, to streamline agency operations and make them more efficient, to ensure that information is a by-product of systems designed to do the work of the agency to develop needed data bases and to create a forum in the agency to develop a meaningful agency-wide plan. This office also should work with other departments and agencies, state and local governments, and non-profits (such as the Red Cross) to create consistent, compatible information processing across programs.
- Ensuring that the IRM office is an integral part of an agency strategic planning process, exercising leadership in converting "cold war" IRM assets and capabilities to today's and tomorrow's needs for domestic, civil emergencies.
- Reconstituting the Information Resources Board but with strengthened functions, including budget development and oversight over major information projects and acquisitions.

**RESOURCES:** Notwithstanding the demands for deficit reduction, the President and Congress should provide the funding needed to build an effective emergency management agency.

- **Action by the Administration.** Recognizing that the implementation of these recommendations will take more funding for program administration than is currently available to FEMA, the new director of FEMA should establish a task force to develop a funding proposal. The proposal should take into consideration possible offsets from such things as lower regional overhead and lower security staff requirements, and from fewer "small" disasters being federalized, as recommended in Chapter Three. OMB and the administration should look upon such proposals as priority considerations to assist in building the institution needed for the alleviation of human suffering.
- **Action by Congress.** The Appropriations committees should support the new administration and the new FEMA director by providing needed funds and program flexibility.
- **Congress should consider legislation to allow the speeding of Disaster Relief funds.** One possibility may be to appropriate in advance -- perhaps with language denoting their availability only for use in the event of a major catastrophe, using the graduated scale recommended in Chapter Three. Recognizing, however, that this might prove impractical, the panel has suggested in Chapter Five that authority be provided for FEMA to make commitments to other federal agencies in advance of a supplemental appropriation.

## **CHAPTER FIVE. THE FEDERAL RESPONSIBILITY -- THE ROLE OF CONGRESS**

### **Recommendations to the Executive Branch**

**Draft a new legislative charter, building on existing authorities in the Stafford Act, and formally transmit it to Congress as soon as possible to enable action in the 103rd Congress.**

**Incorporate in the draft charter (1) language to reduce FEMA's presidential appointee positions to two, the director and deputy director (excluding the inspector general), and (2) any authority required by the President to make needed organizational changes.**

### **Recommendations to Congress**

**Enact legislation that will (1) provide a comprehensive emergency management charter through amendments to the Stafford Act to encompass emergencies and disasters of all types other than those administered outside the current body of laws applying to FEMA and (2) reduce or eliminate FEMA's presidential appointee positions.**

**Designate a single committee in each house of Congress with jurisdiction over "emergency management" and the laws applying to FEMA. The Joint Committee on the Organization of Congress should give this matter priority attention.**

**Designate a single committee in the Senate to confirm all FEMA appointees nominated by the President and requiring confirmation.**

Remove some of the funding restrictions on FEMA's programs, including the earmarking of funds for specific projects, commensurate with initiatives taken and planned by FEMA to build a high-performance, high-reliability institution for emergency management.

## CHAPTER SIX. STATE AND LOCAL GOVERNMENT ORGANIZATIONAL CAPABILITY AND COORDINATION WITH THE FEDERAL GOVERNMENT

FEMA should develop a strategy for improving capacity and consistency of state and local governments for emergency management. This strategy should take into account each state's vulnerability, population, and investment in emergency management.

The panel recommends the following means to augment capacity:

- Revising the mission and vision of the State and Local Program Support directorate to reflect this new strategic approach.
- Assessing existing capabilities of states, territories, and trusts in order to gain baseline information for future actions.
- Setting performance and other standards for CCA program funding and other special programs and projects.
- Monitoring and evaluating state and local efforts with respect to meeting those standards, and if need be, withhold funding to gain compliance.
- Using financial incentives to reward effort and performance toward meeting objectives, not only for pre-disaster funding but for post-disaster assistance.
- Streamlining many of the post-disaster processes and procedures for a presidential declaration, damage assessment, and reimbursement of state and local governments.
- Improving FEMA training and education programs, both in quality and quantity, for federal, state, and local officials responsible for emergency management
- Developing a plan to use research and research applications more effectively for decisions regarding operations, programs, and training and research.
- Encouraging (by funding, if necessary,) peer exchanges and mutual aid agreements among all levels of government to share good examples of promising or successful practices.
- Encouraging regional planning and preparedness efforts, such as those for inter-state earthquake or hurricane planning.

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## LIST OF ACRONYMS

CARL	Capacity Assessment and Multi-year Development Plan
CCA	Comprehensive Cooperative Agreement
CD	Civil Defense
CEM	Comprehensive Emergency Management
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CHIPS	Capability and Hazard Identification Program for Local Governments
CNN	Cable News Network
DAC	Disaster Application Center
DCPA	Defense Civil Preparedness Agency
DCMU	Domestic Crisis Monitoring Unit
DEFCONS	Defense Conditions- stages of preparedness in defense mobilization
DFO	Disaster Field Office
DOD	Department of Defense
DoJ	Department of Justice
DOMS	Director of Military Support, U.S. Army
DoT	Department of Transportation
EMA	Emergency Management Assistance
EMI	Emergency Management Institute
EPA	Environmental Protection Agency
EOC	Emergency Operations Center
EOP	Executive Office of the President
ESF	Emergency Support Function
FBI	Federal Bureau of Investigation
FCO	Federal Coordinating Officer
FDAA	Federal Disaster Assistance Administration
FEMA	Federal Emergency Management Agency
FIA	Federal Insurance Administration
FRP	Federal Response Plan
GAO	General Accounting Office
GSA	General Services Administration
HHS	Department of Health and Human Services
HUD	Department of Housing and Urban Development
ICMA	International City/County Management Association
IFG	Individual and Family Grant Program

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IRM	Information Resources Management
LEMA	Local Emergency Management Agency
MSCA	Military Support to Civilian Authorities
NACO	National Association of Counties
NAPA	National Academy of Public Administration
NCCEM	National Coordinating Council on Emergency Management
NEHRP	National Earthquake Hazard Reduction Program
NEMA	National Emergency Management Association
NETC	National Emergency Training Center
NFA	National Fire Academy
NFIP	National Flood Insurance Program
NGA	National Governors' Association
NIST	National Institute of Standards and Technology
NOAA	National Oceanic and Atmospheric Administration
NP	National Preparedness, Directorate in FEMA
NSC	National Security Council
NSEP	National Security Emergency Preparedness
NSF	National Science Foundation
OEP	Office of Emergency Preparedness
OES	Office of Emergency Services (at state level)
OMB	Office of Management and Budget
PA	Public Assistance Program
PRP	President's Reorganization Project
SBA	Small Business Administration
SLPS	State and Local Program Support Directorate in FEMA
SOPs	Standard Operating Procedures
USFA	U.S. Fire Administration
USGS	U.S. Geological Survey
VA	Veterans Administration

## CHAPTER ONE

### INTRODUCTION

On August 24, 1992, Hurricane Andrew made landfall in southern Dade County, Florida. While the country's initial reaction was a sense of relief -- because the most populated areas of Greater Miami had been spared the full brunt of the storm -- officials eventually realized that an area encompassing about 250,000 people had suffered major damage and destruction.

After crossing Florida, Hurricane Andrew made landfall again, wreaking havoc in southwestern Louisiana. When the storm subsided, it was clear that Andrew would prove to be the nation's most costly natural disaster. It also became increasingly evident that the governmental response, particularly in South Florida, had fallen short. The immediate needs of the disaster victims, as well as the general public's need for a competent presence in the midst of such destruction, went largely unmet.

Once the extent of the damage became clear, the President and Congress were quick to act, but unfortunately government at all levels was slow to comprehend the scope of the disaster. Immediately before and after the storm, various federal agencies responded in a somewhat uneven fashion, as the full extent of the damage was not appreciated by state and local officials. As political and public pressures mounted, the federal government began a massive effort to aid disaster victims. This became fully operational five days after Hurricane Andrew struck. Federal troops were on location to provide shelter, food, and other assistance to the victims. The Federal Emergency Management Agency (FEMA) steadily augmented its presence on the scene. A new Federal Response Plan, prepared for such disasters, received its first severe test. Congress provided \$2.9 billion in supplemental funding for the Disaster Relief Fund. Altogether, federal, state and local governments, as well as private and non-profit organizations, applied unprecedented levels of resources to aid in the recovery, which continues as this report is written.

Assessments of the federal government's performance varied widely. The experience with Hurricane Andrew and Hurricane Iniki, which devastated the Hawaiian island of Kauai a few weeks later, renewed concerns about the adequacy of the federal role and response to major natural disasters. In one of the more pointed expressions of this concern, Senator Barbara Mikulski, chair of the Appropriations subcommittee responsible for FEMA's funding, wrote to Comptroller General Charles A. Bowsher:

I am outraged by the federal government's pathetically sluggish and ill-planned response to the devastating disaster wrought by Hurricane Andrew in Florida and Louisiana, which has left many lives in shambles. Time and again, the federal government has failed to respond quickly and effectively to major disasters, and

no lessons have been learned from past mistakes.<sup>1</sup>

In addition to Senator Mikulski's request for a General Accounting Office (GAO) review, the conferees on the HUD, VA and Independent Offices appropriations bill included language in their report (see box on page 7) requiring FEMA to contract with the National Academy of Public Administration (NAPA) for a "comprehensive and objective study of the federal, state and local governments' capacities to respond promptly and effectively to major natural disasters occurring in the United States." The Academy was pleased to respond to this request, and this report is the final product of its panel study.

## THE EMERGENCY MANAGEMENT CONTEXT FOR THIS STUDY

People naturally focus attention on disaster response in the wake of a catastrophe like Hurricane Andrew. But disaster response is only one aspect of a much broader subject: emergency management.

Responding to people's needs in disaster leads inevitably to considerations of longer term recovery after the immediate emergency has passed. When emergency medical teams, National Guard troops, the Red Cross, the Army Corps of Engineers and others have departed, other less exciting but equally critical matters come to the fore: disaster recovery assistance for those whose jobs were lost, loans for businesses destroyed and grants for public buildings destroyed or damaged.

The recovery process inevitably leads to questions about mitigation. Should buildings be restored or submit to new standards that would prevent a recurrence of losses the community has just suffered. Who will pay the difference if new and higher standards are set? What building codes, building standards, land use and zoning requirements, and insurance should be used to prevent a recurrence?

Mitigation spills over into preparation. What can be done to prepare for the next disaster and thus save lives and property? Can a population be evacuated? Can emergency food and water be prepositioned? Can mobile communications be set in motion before the next disaster? How can communications and decision making be improved?

One of the fundamental problems with discussing emergency management in America is that so many relevant actors are involved, so many systems and subsystems exist. Emergency management at the local level involves many actors, mostly in local fire and police departments. There are tens of thousands of "first responder" organizations. Individual citizens also play important roles in responding to their own needs and in helping others.

When emergencies go beyond the capabilities of these local units, the county emergency

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<sup>1</sup> Request letter for a GAO audit to the Comptroller General from the Senate Appropriations Subcommittee on VA, HUD and Independent Agencies, dated September 3, 1992.

management organizations become involved. When these are overwhelmed, state emergency management offices become involved, often including state police, state National Guard units, and many other state agencies and private organizations as well.

There is no single system of emergency management. Petrochemical industries, federal military bases, U.S. Forest Service, utility companies, nuclear power plants, the oil shipping industry, the U.S. Coast Guard, the U.S. Environmental Protection Agency (EPA), and the Army Corps of Engineers all have their own emergency management systems, or are part of emergency management systems originating in particular statutory authorities and involving the primary responsibility of some agency other than FEMA or local and state emergency management offices.

Obviously, the costs of responding to and recovering from events like Hurricane Andrew are high. All participants in the system, including private and government insurers, share these costs. Mitigation and preparedness are also costly. The questions are: Who should bear these burdens and in what proportion? How can the costs of future disasters be minimized? How much should be invested in mitigation and preparedness versus response and recovery? These issues face all of the levels of government involved.

A table depicting the emergency management system and the various participants involved is provided on page 4.

## EMERGENCY MANAGEMENT MATRIX

This table depicts all of the various participants in the emergency management system. They are categorized by the various levels of disasters developed by the project staff and the emergency management functions commonly used in the profession. (These levels are not intended to prescribe or suggest specific levels to be used in the Federal Response Plan discussed in Chapter Three.) The purpose of this table is to show that both the participants and their roles vary with function and level of disaster.

Disaster Category	Mitigation	Preparation	Response*	Recovery
<i>Catastrophic<sup>a</sup></i> (Nuclear attack, Hurricane Andrew in Florida)	Feds (grants, incentives, NFIP) State, local, bus, indiv, ins cos.	Feds State Local Bus, NP, indiv	Feds (leader/coord; can be 100% funding; NFIP) State, local, bus NP, indiv	Feds (loans, grants NFIP) State, local (match) Ins. cos. Bus, indiv.
<i>Major disaster<sup>b</sup></i> (Major flood, Hurricane Iniki, civil disorder)	Same as above	Same as above	Feds (75% funding) State (leader/coord; NFIP) Local, NP, indiv	Same as above
<i>Moderate disaster<sup>c</sup></i> (Tornado, small flood)	State and fed (?) grants Local Bus, indiv, ins cos NFIP	State Local Bus, NP, indiv	Feds (limited; 75% funding NFIP) State Local (leader/coord) Bus, NP, indiv	Ins cos, NFIP State Local (match to state) Bus, NP, indiv
<i>Local emergency/disaster<sup>c</sup></i> (Storm, fire, etc.)	Same as above	Local Bus, NP, indiv	Local (leader/coord) Bus, NP, indiv	Ins cos Local Bus, NP, indiv
<i>Business and personal emergency/disaster</i> (Fire or explosion)	Bus, indiv	Bus, indiv	Local Bus, indiv	Ins cos Bus, indiv

\* RESPONDERS:

Federal government (Feds) - FEMA, DOD, SBA, other departments and agencies  
 State governments (State) - Individual states and regional consortia  
 Local governments (Local) - Cities and counties  
 Private non-profit organizations and businesses (NP/Bus)  
 Insurance companies (Ins cos); National Flood Plain Insurance Program (NFIP)  
 Individuals (Indiv)

NOTE: <sup>a</sup> Presidential disaster declared; state and local govts. cannot provide basic services.

<sup>b</sup> Presidential disaster declared; fed. govt. supplements state and local govt. response.

<sup>c</sup> Presidential disaster may be declared; participation and response generally limited to state and/or local levels.

## HOW THIS STUDY WAS CONDUCTED

Given the simultaneous several efforts to examine the federal government's performance in recent major natural disasters, the Academy judged it could make a unique contribution by reviewing and analyzing the whole system of public and private, non-profit organizations and individuals involved in responding to major disasters. Moreover, it concluded that response to natural disasters could not be examined in isolation from other emergency management functions, such as mitigation, preparedness and recovery. In addition, analysis of FEMA's role and mission required an understanding of all major functions performed by the agency, as well as other government agencies with related programs and functions.

The Academy convened a project panel of nine experts in emergency management, national defense, government organization and operations, and political affairs under the leadership of Philip Odeen, President and CEO of BDM International, Inc. Odeen is a former senior official in the Department of Defense familiar with national security and emergency management issues. This panel was supported by a senior project staff with backgrounds relevant to the study charter.

Arrangements were made for staff briefings by the FEMA director and other executives. Extensive interviews were conducted with, and relevant documentation was obtained from, officials in federal, state and local governments and the private non-profit sector. The staff also consulted with selected congressional committees and key White House staff in the Office of Cabinet Affairs and the National Security Council, as well as Secretary of Transportation Andrew Card. The staff visited disaster sites in Florida, Louisiana and Hawaii, and made field visits to FEMA and other government offices in California, Florida, Iowa, Louisiana, Missouri, Texas and Virginia. Appendix A provides a complete list of the persons interviewed or contacted during the study.

To enable a full understanding of FEMA's organization, programs and responsibilities and their relevance to natural disaster response, FEMA provided two project staff members with the security clearances needed to obtain information on the national preparedness and civil defense programs in FEMA and DoD. This information was factored into the panel deliberations and their conclusions and recommendations.

FEMA and other governmental officials cooperated fully with the project team, and they provided all information requested. The project panel met four times during the study to be briefed on the government's emergency management programs, consider the project plan prepared by the staff, formulate conclusions and recommendations, and approve the final report.

As required by the Academy's contract with FEMA, a copy of the draft report was provided to the agency on February 16, and comments from senior officials are incorporated, when appropriate, in the text.

## **PRELIMINARY VIEWS**

Both the panel and the project staff believe it is important to start with the recognition that few "quick fixes" can be found for the problems of emergency management in general, or disaster response in particular. This report will examine the circumstances, organizations, policies and procedures, and will prescribe changes which could, if implemented, improve the capacity of governments to protect and respond to citizens' needs in disasters. There is, however, no single, simple solution because there is no single, simple problem. While solutions have always been at hand for the numerous problems of emergency management, the difficulties lie in implementing them.

The panel and project staff also believe there must be recognition that fault-finding in the wake of a disaster is an exercise of rapidly diminishing returns. The responsibility for the problems, or the failure to implement past "solutions," does not lie with a single branch of government, institution, organization or person. It is distributed across all of government, its leadership, and the public.

## **PROJECT CHARTER**

The National Academy of Public Administration shall conduct a comprehensive and objective study of the Federal, state, and local governments' capacities to respond promptly and effectively to major natural disasters occurring in the United States.

The Academy, in conducting the study, is to address the following:

1. Federal executive branch coordination and contingency planning, including leadership exercised by the Executive Office of the President,
2. state and local government organizational capability and coordination with the Federal government,
3. the Federal Emergency Management Agency's role, mission, planning, resources and leadership capability,
4. congressional legislative and oversight practices involving disaster assistance and their impact on the government's response capability,
5. governmental coordination with private relief agencies and business and citizen initiatives to provide assistance, and
6. the effectiveness of governmental responses to major disasters prior to establishment of the Federal Emergency Management Agency and lessons applicable to future disasters.

The Academy report on this study shall be completed in final form no later than February 28, 1993, and such report shall be transmitted upon receipt and without revision by the Director to the Committees on Appropriations of the House of Representatives and the Senate. The Academy shall, from time to time, provide oral progress reports on the study to the Director and the Committees on Appropriations.

-- U.S. House of Representatives  
Conference Report on H.R. 5679  
September 24, 1992 (Report 102-902)



## CHAPTER TWO

### THE EVOLUTION OF THE EMERGENCY MANAGEMENT FUNCTION

Disasters, threats of war, and civil disorder are fundamental aspects of human existence, and throughout recorded history societies have sought ways to cope with them. More recently, however, people have come to feel that they are capable of doing more than merely coping. An Austrian official responsible for emergency management notes that:

catastrophes . . . were always regarded as punishment inflicted by God but hand in hand with scientific progress the principles of cause and effect were gradually understood and it was also realized that measures had to be undertaken to prevent and remedy disasters of all kinds.<sup>2</sup>

An American scholar has observed that: "The fatalistic assumption that natural disasters will happen and all we can do is cope is slowly being altered, leading to increased reliance on government action."<sup>3</sup>

Despite the historic persistence of these problems in human affairs, and the recent recognition that something can and should be done about them, Americans have never settled questions concerning the role of the federal government in such incidents. Although the federal government has long played a role in these matters, it is the specific form of the federal involvement that remains at issue.

### CIVIL DISORDER

The presidential declaration of a disaster in the wake of the 1992 Los Angeles riots may have been the first instance where the federal government has treated a civil disorder as a disaster under the Disaster Relief and Emergency Assistance Act. It is by no means the first involvement of the federal government in response to civil disorder. In a sense, this nation was born out of governmental failure to respond effectively to civil disorder. The inept response of the American government under the Articles of Confederation to Shay's Rebellion in 1786 convinced many of the founders that the entire structure of the republic needed overhauling. The Constitutional Convention followed and the present Constitution emerged as a result. A few years later, President Washington called out federal troops to suppress the Whiskey Rebellion in western Pennsylvania in 1792. In 1863, New York City erupted in three days of bloody riots in response to the implementation of a military draft. The state's response of 10 regiments of

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<sup>2</sup> Letter introducing his program from Lt. Col. Norbert Furstenhofer, Commanding Officer, Austrian Armed Forces Disaster Relief Unit.

<sup>3</sup> B. Cigler, cited in Thomas Drabek and Gerard Hoetmer, ed. Emergency Management: Principles and Practice for Local Government. (Washington, D.C.: ICMA, 1991), p. 313.

militia was quickly overwhelmed, and 10,000 infantrymen and three batteries of artillery had to be rushed to the city from the front lines at Gettysburg to restore order. And in 1894, the Pullman Strike in Chicago became so serious that the Attorney General sent 3,600 federal marshals and deputies, who were followed by 2,500 federal troops.

In fact, the Constitution provides an explicit federal role for suppressing civil disorder. Article I, Section 8 states that "Congress Shall have Power to . . . provide for calling forth the Militia to execute the Laws of the Union, Suppress Insurrections, and repel invasions." This power is delegated to the President, in his capacity as Commander-in-Chief, in Title 10 of the U.S. Code, secs. 332-334.<sup>4</sup> Civil disorder seems destined to remain a matter that involves emergency management.

The Los Angeles riots of 1992 resulted in an unprecedented disaster declaration and heavy involvement not only of the military but FEMA and a wide array of federal agencies. In the recovery phase, FEMA is engaged in some complex issues revolving around which victims receive benefits and which do not.

## DISASTER RESPONSE

Unlike the long-standing federal responsibility to respond to civil disorder, the federal role in disaster response has been ambiguous. Nonetheless, it began as early as 1803 when Congress made federal resources available to Portsmouth, New Hampshire, after a devastating fire. This, however, was only the first of many such federal responses. Between 1803 and 1950, federal resources were used in response or recovery in the wake of more than 100 disasters -- floods, tornadoes, earthquakes and fires<sup>5</sup>.

The American Red Cross was chartered by Congress in 1905 as the coordinating agent for a national response to disasters.<sup>6</sup> This new responsibility was severely tested in the San Francisco Earthquake of 1906, which is estimated as 8.3 on the Richter scale, killing 478 people and leaving more than 250,000 homeless. President Theodore Roosevelt announced that all federal aid was to be channeled thorough the Red Cross, and he sent federal troops into the city

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<sup>4</sup> Section 333 states that:

Whenever the President considers that unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States, make it impracticable to enforce the laws of the United States in any state or territory by the ordinary course of judicial proceedings, he may call into federal service such of the militia of any state, and use such of the armed forces, as he considers necessary to enforce those laws or to suppress the rebellion.

DoD's interpretation of its responsibilities in the event of civil disorder are outlined in DoD Directive 3025.12 "Employment of Military Resources in the Event of Civil Disturbances," August 19, 1971 .

<sup>5</sup> Drabek and Hoetmer, op. cit., pp. 6-7.

<sup>6</sup> The Red Cross had originally been chartered in 1900, but the 1905 rechartering gave it a broader role in responding to disasters.

with instructions to shoot looters.<sup>7</sup> Jack London described the event: "Government tents had been set up, supper was being cooked, and the refugees were lining up for free meals."<sup>8</sup> This was the most massive federal response to a natural disaster, but the response was still reactive and disaster specific.

The Great Depression resulted in a more proactive role by the federal government in many aspects of citizens' lives, and coping with disasters was among them. Congress gave continuous authority to provide grants for the repair of federal highways and bridges damaged by natural disasters to the Bureau of Public Roads. Similarly, Congress gave the Army Corps of Engineers broad authority to mitigate flood hazards by building extensive flood control systems. In 1950, the many specific and temporary acts passed since 1803 were replaced by the Civil Defense Act of 1950, the first permanent and general legislation pertaining to federal involvement in disaster relief.<sup>9</sup>

At the same time as the federal role in disaster response became broader and more proactive, various presidents emphasized that the federal government's role was simply one of supplementing, not replacing, the state and local governments. President Truman sounded this theme in 1952, when he issued Executive Order 10427, which emphasized the supplemental nature of federal assistance set out in federal law. The order stated specifically that: "Federal aid was not a substitute for disaster assistance efforts of state and local government and private agencies."<sup>10</sup> President Nixon's message transmitting a 1973 report, New Approaches to Federal Disaster Preparedness and Assistance, also emphasized that "federal disaster assistance is intended to supplement individual, local and state resources -- a policy clearly enunciated in PL 91-606."<sup>11</sup> Interestingly, one of the administration's objectives in transmitting the report was to "reverse the trend of an expanding federal role in the management of disaster relief operations through a greater reliance on states, localities and private relief organizations."<sup>12</sup>

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<sup>7</sup> Doris Muscatine. Old San Francisco: From Early Days to the Earthquake. (New York: Putnam and Sons, 1975), p. 428. See also Roy S. Popkin. "The History and Politics of Disaster Management in the United States." in Andrew Kirby ed. Nothing to Fear: Risks and Hazards in American Society. (Tucson: University of Arizona Press, 1990).

<sup>8</sup> Jack London, in *Collier's Weekly*, May 5, 1906.

<sup>9</sup> Drabek and Hoetmer, op. cit., p.7.

<sup>10</sup> Office of Emergency Planning, Executive Office of the President. Disaster Preparedness. (Wash., D.C.:OEP, January, 1972), p.168.

<sup>11</sup> Message from the President of the United States transmitting a report on "New Approaches to Federal Disaster Preparedness and Assistance," May 14, 1973.

<sup>12</sup> Ibid.

## CIVIL DEFENSE

The history of federal involvement in civil preparation for war or defense is not as lengthy as in disasters and civil disorders. Nonetheless, as early as 1916, Congress passed the first legislation pertaining to a federal role in civil defense. The U.S. Army Appropriation Act established a Council of National Defense, which in turn established a War Industries Board and encouraged the formation of state councils of defense.

This pattern of organization for civil defense lasted until the early years of World War II, when general war emergency planning and coordination was placed under the Office of Emergency Management and more specific activities associated with civil defense were placed in the Office of Civil Defense. The former organization died without its authorizing statute ever expiring. The latter was abolished with the end of the war, but the rising threat of nuclear war led to an organizational reincarnation by 1948. In 1950 Congress enacted the Federal Civil Defense Act providing the federal government with authority to initiate planning and to provide state and local governments with "guidance, coordination, assistance, training and matching grants for the procurement of supplies and equipment."

As intercontinental missiles and thermonuclear warheads escalated the threat to civil populations, increasing attention was given to civil defense. Throughout the 1950s and into the late 1960s, concerns for the continuity of government and civil defense were the driving forces behind emergency management efforts at the national, state and local levels. During the Eisenhower administration, no fewer than three major reports (Gaither, Rockefeller and Rand) were issued calling for civilian shelter programs as part of the nation's overall defense strategy. The confrontation that resulted in the Cuban Missile Crisis of 1962 led President Kennedy to emphasize civil defense even further. Although events surrounding the Civil Rights Movement, the Vietnam War and urban riots would soon eclipse concern for civil defense, several matters of lasting importance emerged from evolving efforts in both disaster response and civil defense.

## CONVERGING APPROACHES BUT GROWING FRUSTRATION

In the late 1960s and the 1970s, a series of disasters and some easing of Cold War tensions awakened demands for disaster assistance. Social scientists began to give more attention to the subject of disasters. One developed a definition that received considerable currency:

Disasters are accidental or uncontrollable events, actual or threatened, that are "concentrated in time and space, in which a society, or a relatively self-sufficient subdivision of a society, undergoes severe danger, and incurs such losses to its members and physical appurtenances that the social structure is disrupted and the fulfillment of all or some of the essential functions of the society is prevented."<sup>13</sup>

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<sup>13</sup> Drabek, Thomas, Human System Responses to Disaster. (New York: Springer-Verlag, 1986), p.7. Drabek is drawing upon Fritz, Charles E., "Disasters." in Contemporary Social Problems, Robert K. Merton and Robert A. Nisbet (eds.) (New York, Harcourt, 1961), pp. 651-694.

In addition, emergency management began to emerge as a field of study, a body of knowledge, a set of skills and a nascent profession. As this process began, practitioners and academics struggled with developing a definition of emergency management. The ICMA's text on emergency management defines it as:

the discipline and profession of applying science, technology, planning and management to deal with extreme events that can injure or kill large numbers of people, do extensive damage to property and disrupt community life.<sup>14</sup>

Persons in this emerging field, and some outside it, became increasingly concerned about the inadequacies of programs to protect citizens against the age-old threat of natural disasters and the 20th-century threat of nuclear war. The inadequacies of governments in dealing with disasters were made painfully clear in a series of disasters: the Alaskan Earthquake (1964), Hurricane Betsy (1965), Hurricane Camille (1969), the San Fernando Earthquake (1971) and Hurricane Agnes (1972). Legislation meant to be corrective was passed in the wake of these disasters. These well-intentioned efforts resulted, however, in the further fragmentation and proliferation of programs. Organizations were created, moved, divided and reorganized. Since 1950, a half dozen approaches to emergency management have been tried. These varying approaches are illustrated in the following table<sup>15</sup>:

U.S. EMERGENCY MANAGEMENT ORGANIZATIONS

Period	Lead Federal Agency	Organizational Status
Pre-1950s	No lead federal agency	—
1951-1953	Housing and Home Finance Administration (HHFA)	Independent Agency; limited to provisions of 1950 Act
1953-1958	Federal Civil Defense Administration	Independent Agency: responsible for civil defense and disaster relief preparation
1958-61	Office of Civil Defense Mobilization (OCDM)	Reconstituted agency within the White House; responsible for disaster relief, civil defense and defense mobilization
1961-1973	Office of Emergency Planning (OEP) (Renamed Office of Emergency Preparedness in 1968)	Reconstituted agency within the White House; responsible for disaster relief and planning of civil defense; operations of latter shifted to DoD
1973-1979	Federal Disaster Assistance Administration (FDAA)	Within Department of Housing and Urban Development; responsible only for disaster relief; civil defense and preparedness shifted to other agencies
1979-present	Federal Emergency Management Agency (FEMA)	Independent Agency; responsible for disaster relief, civil defense and preparedness

<sup>14</sup> Drabek and Hoetmer, op.cit., p.xvii.

<sup>15</sup> Peter J. May. Recovering From Disasters; Federal Disaster Relief Policy and Politics. (Westport, Conn.: Greenwood Press, 1985), p. 50.

## THE LANDMARK NATIONAL GOVERNORS' ASSOCIATION REPORT

By the late 1970s, concerns about natural disasters and led to calls for "dual use" of infrastructure and resources originally intended for civil defense. These trends, combined with the beginnings of professionalization of emergency management, created a pattern of simultaneous convergence of concerns and frustration with the fragmented way in which the federal government dealt with emergency management. Reflecting this the National Governors' Association took up the subject of emergency management in 1977. The NGA report issued in 1978 described "the governors' increasing concern about 'the lack of a comprehensive national emergency policy, as well as the dispersion of federal responsibilities among numerous federal agencies, which has hampered states' ability to manage disaster situations."<sup>16</sup> The report called for equal partnership of federal, state and local governments, for a comprehensive approach to emergency management (CEM), creation of a federal agency encompassing the CEM functions (mitigation, preparedness, response and recovery), and development of corresponding state agencies.

## THE CREATION OF FEMA

The same year, 1978, the President's Reorganization Project (PRP) of the Carter administration was committed to carrying out the President's promise to examine governmental operations and organization and make them more effective, efficient and economical. Thus PRP responded to the complaints of state and local government officials, and over the objections of several federal agencies, asked Congress to approve a reorganization plan that brought together several disparate programs related to emergency management. The reorganization was designed, according to a White House press release, to achieve the following:

- make a single agency, and a single official, accountable for all federal emergency, preparedness, mitigation and response activities;
- create a single point of contact for state and local governments;
- enhance the dual use of emergency preparedness and response resources at all levels of government;
- provide an improved basis for determining the relative benefits -- and cost effectiveness -- of spending for hazard mitigation, preparedness planning, relief operations and recovery assistance;
- provide significant economies through combining duplicate regional structures and redundant data processing and policy analysis systems; and

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<sup>16</sup> National Governors' Association. "1978 Emergency Preparedness Project; Final Report." (Wash., D.C.: NGA, 1978), p.ii.

- provide greater visibility and coherence for preparedness functions.<sup>17</sup>

President Carter's subsequent references to the reorganization plan gave attention to the mitigation element. Carter stated "We want to bring together for the first time programs aimed at preventing and mitigating the effects of potential national disasters, such as floods and fire, with those designated to deal with these disasters once they occur." Additionally, he noted that

. . . Federal hazard mitigation activities should be closely linked with emergency preparedness and response functions. This reorganization would permit more rational decisions on the relative costs and benefits of alternative approaches to disasters . . .<sup>18</sup>

In an indirect way, the possibility of reducing the federal expenditure for disaster losses was noted.

The reorganization brought together several organizations listed in the table below.

ORGANIZATIONS AND FUNCTIONS TRANSFERRED TO FEMA

Agency or Related Function	Location Before Joining FEMA	Function
Defense Civil Preparedness Agency	Department of Defense	Administered national civil defense
Federal Disaster Assistance Administration	Department of Housing and Urban Development	Coordinated and funded federal response to natural disasters
Federal Preparedness Agency	General Services Administration	Coordinated civil planning for national emergencies
Federal Insurance Administration	Housing and Urban Development	Managed flood insurance and hazard reduction programs
National Fire Prevention and Control Administration	Department of Commerce	Administered the federal fire prevention program
Preparedness for natural disasters	National Weather Service	
Earthquake Hazard Reduction, Dam Safety coordination, and Federal Emergency Broadcast System	Executive Office of the President, Office of Science and Technology	

In addition to the important rationale of "one agency/one official/one point of contact," an important justification for reorganization was the idea of comprehensive emergency management with its interrelated functions. As one person involved in the early days of FEMA put it, "It was assumed that all these programs were related, not at their cores, but at their margins; and that their relations at the margins could create an important synergism." In other words, lessons learned in response and recovery (e.g., homes in hurricane-prone areas were not

<sup>17</sup> White House Fact Sheet 6/19/78, and Memo for the President, 5/25/78.

<sup>18</sup> From "Remarks Announcing Reorganization Plan No. 3 of 1978," June 19, 1978; and "Message to the Congress Transmitting Reorganization Plan No. 3 of 1978," June 19, 1978, in Public Papers of the Presidents, 1978, Vol. I, pp. 1128-1131.

built to sufficient standards of wind resistance) could be used in mitigation efforts (e.g., model building codes).

Despite the expectations surrounding FEMA's creation, it was plagued with problems from the outset. Developing a comprehensive statute as a foundation for the agency seemed a hopelessly difficult task to a PRP that was running out of time and presidential interest. The only feasible vehicle for change was the Reorganization Plan Authority, which was a simplified reorganization-enabling mechanism designed to bypass the political battles that would ensue when the interests surrounding each program were mobilized to oppose change. To further allay opposition, the plan called for the transfer of each program's political executive positions, including the incumbents, to FEMA. As one participant in the reorganization process commented, "It was like trying to make a cake by mixing the milk still in the bottle, with the flour still in the sack, with the eggs still in their carton..."

## THE PATTERN AND THE LESSONS OF HISTORY

As the history of constant reorganization efforts in emergency management demonstrates, dissatisfaction with federal response to disasters, civil disorder and civil defense is not new. Congressman Chet Holifield's comments at a 1974 hearing might well have been spoken today:

How to organize the Federal agencies effectively and how to mobilize governmental efforts for both manmade and natural disasters are continuing problems. There has been much experimentation, many reorganizations, and still much public dissatisfaction with the manner in which resources are deployed and responses made when disaster strikes with fury.

The currency of Holifield's quote despite the passage of nearly 20 years ought to serve as a reminder that a solution for the problems of emergency management is not likely to be found by proposing one more rearrangement of lines and boxes on an organizational chart. It will be found only by a reexamination of the responsibilities of both the executive and legislative branches, and those of all levels of government with regard to certain enduring problems of emergency management. And finally, it will require building an institution at the federal level that can play a leading role in developing the emergency management capabilities of all levels of government.

## ENDURING PROBLEMS OF EMERGENCY MANAGEMENT

The generic problems of emergency management endure because they are rooted in human nature, American attitudes toward long-range planning, the dynamics of power in the Executive Branch, and the short-term perspective of the American political process. Emergencies and disasters are easily dismissed as something that is unlikely to happen, going to happen to someone else, or going to happen on "someone else's watch." One student of the subject captured this very human perspective on emergencies and disasters in a chapter title of

her dissertation on emergency management: "There is no interest in baseball in December."<sup>19</sup> Thus, an agency at any level of government given the assignment of emergency management has, in many respects, been given a "mission impossible." It is of low priority for all but the agency with the designated responsibility.

Americans have never seemed to value long-range planning and training. Although they have come to accept the necessity of these things in the military in order to protect citizens from threats from abroad, they have not yet developed an appreciation for their need in protecting citizens from hazards that can befall them "at home." As a result, emergency management agencies are generally underfunded for planning, training and exercises even though these activities are every bit as essential for their effectiveness as they are for military organizations.

Emergency management requires coordination of a wide range of organizations and activities, public and private. Everyone acknowledges the need for such coordination in an emergency, but in fact no one wants to be "coordinated," nor is it clear what the term means in practice. Statutory authority is not readily transformed into legitimate political authority, and emergency management agencies are very seldom given anything but statutory authority to "coordinate" in the event of an emergency or disaster that everyone prefers to believe is unlikely. Statutory power is a necessary but insufficient condition for real power to coordinate. Transforming mere statutory authority into legitimate political authority in crisis circumstances is difficult to say the least.<sup>20</sup>

A seemingly inescapable problem in emergency management is that irrespective of preparation, emergencies entail a certain amount of mistakes, learning and ad hoc organizing. Organizations are the means of collective human action, but they are, as one expert put it, "blunt instruments."<sup>21</sup> This means that a certain amount of criticism of emergency management agencies is unavoidable. As one discouraged manager said, "No matter how hard you try, sometimes you can't get a better grade than C+." Without excusing any shortcomings of emergency management agencies in this country, the project study team believes that both the public, and sometimes the practitioners, should lower their expectations of what can be accomplished in emergencies and disasters. Emergency management organizations must plan and train in obscurity and neglect with few resources. Then, in one brief moment, in full glare of media and public scrutiny, they are expected to perform flawlessly like a goalie in hockey or soccer, or a conversion kicker in football. It is a merciless context for a mission that is difficult at best.

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<sup>19</sup> Melissa M. Howard. Organization and Reorganization As Manifestations of Public Policy: National Security Emergency Management. Unpublished doctoral dissertation. Virginia Polytechnic Institute and State University, Blacksburg, VA: Center for Public Administration and Policy, February 1992.)

<sup>20</sup> Norton E. Long, "Power and Administration" in Public Administration Review, Vol. 9 (Autumn 1949); pp. 257-264.

<sup>21</sup> Graham T. Allison, "Conceptual Models of the Cuban Missile Crisis," in American Political Science Review, Vol. 63, No. 3, Sept. 1969; p.703.

Finally, an enduring problem of emergency management is the fact that it has almost no natural constituency base until an emergency or disaster occurs. Except for those persons and agencies with responsibilities in emergency management, which are modest in number and influence, it has no generally attentive, supportive set of constituents or clients which is so important to the survival and effectiveness of public agencies.

### THE CHANGING CONTEXT: A WINDOW OF OPPORTUNITY

One of the most important contextual changes for emergency management is the end of the Cold War and the dissolution of the Soviet Union. While many uncertainties remain about the disposition of thermonuclear weapons formerly under the control of the now-defunct U.S.S.R., public perceptions of threat have been significantly reduced. The "new world order" substantially alters the context of emergency management. For example, the term "civil defense" is applied to some programs that are relevant to all hazards. However, it has become so identified with preparedness for attack, that the term now makes a program with such a label much more difficult to justify in terms of size and resources.

At the same time that the perceived threat of nuclear war has diminished, lower profile threats such as terrorism, and the proliferation of nuclear, chemical and biological weapons are growing. The chances of such deadly weapons falling into the hands of unstable or fanatical leaders has increased many fold, but absent a galvanizing event, the awareness of the general public, and indeed of many leaders, remains very low. This makes some of the national security emergency preparedness programs that have underpinned emergency management very difficult to justify when perceptions of threat have diminished, available revenues have declined and demands for attention to domestic problems have increased.

One of the most dramatic contextual changes for emergency management is the greater intrusiveness and influence of news media. Disasters and emergencies provide dramatic news and the appetites of news media, particularly television, are insatiable. This means that emergency management agencies will have to perform under intense media scrutiny. It also means that few emergencies and disasters will remain local -- most will now be "nationalized" and politicized as a result of media coverage. This presents particular problems for maintaining emergency management's SOP's and the tradition that local and state governments are the governments with primary responsibility, while the federal government merely supplements their efforts. The media pressures reluctant local and state leaders to "ask for federal help," presidents to dispatch such help, and representatives and senators to demand it on behalf of constituents. This "CNN Syndrome" or "camcorder policy process" disrupts and distorts normal procedures and response patterns. The best laid plans and procedures are now vulnerable to disruption, indeed destruction, by one dramatic "sound bite" that the media turns into political shock waves.

Finally, the public expects more from government nowadays of all levels of government, but particularly the federal. The reasons for this are not clear. They may stem from the general "nationalization" of the political system that has come with population mobility and the "nationalization" of news media. It may be that general erosion of community, mutual aid and

self-help is resulting in people turning directly to government with greater expectations for help.<sup>22</sup> Much of this increase in expectations has fallen upon the presidency as the only official elected by a national constituency and as the chief executive and commander-in-chief. (See Chapter Three.) It may simply be that the President is the most visible symbol of our government, and for people whose lives have been disrupted or who are in shock, symbols of competent caring on the part of their government are extremely important.

These changes in the context of emergency management present unprecedented challenges and opportunities. With memories of several disasters still fresh, a change of administration, and renewed attention on this nation's domestic problems, government has the greatest opportunity in more than a decade to address and ameliorate the enduring problems of emergency management.

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<sup>22</sup> Bellah, Robert N., et al. Habits of the Heart. (Berkeley: University of California Press, 1985).



## CHAPTER THREE

### THE FEDERAL RESPONSIBILITY AND THE PRESIDENT'S ROLE IN EMERGENCY MANAGEMENT

The charter for this study directs NAPA to address "federal executive branch coordination and contingency planning, including leadership exercised by the Executive Office of the President." The relationship of emergency management to the President, or more broadly the institutional presidency,<sup>23</sup> is crucial and has been so throughout history. A line from a New York Times editorial put it bluntly: "The President gets the kind of FEMA he deserves."

The institutional presidency has always paid more attention to the national security aspects of FEMA's mission (civil defense, continuity of government, etc.) than to those dealing with natural disasters. During the long decades of the Cold War, the former matters seemed unrelentingly urgent, while the latter seemed relatively episodic and unimportant except in times of catastrophe. Such attention as emergency management received from the institutional presidency came in the wake of a disaster, or was related to matters of civil defense or continuity of government -- matters closely related to the President's commander-in-chief responsibilities. Moreover, the high drama and low quotient of partisanship attached to national security and the role of commander-in-chief has naturally pointed attention of the institutional presidency in those directions. This has been especially true of those on White House staffs concerned with building and maintaining a presidential image, a matter that has become so important in the media-shaped world of today.

Another reason for episodic attention to emergency management is that the processes and procedures for formulating and implementing national security at the level of the White House were statutorily established decades ago and are well developed. They also have a continuity, a low quotient of partisanship, and a high degree of professionalism. Efforts at establishing such processes and procedures in the realm of domestic policy have been less successful. Domestic policy encompasses virtually all the concerns and issues of society; it lacks the focus and specificity of national security policy and partisanship predominates.<sup>24</sup>

The panel believes that emergency management generally, and domestic crisis monitoring more specifically, have sufficient specificity, urgency, and a low enough quotient of partisanship

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<sup>23</sup> Burke, John P. The Institutional President (Baltimore: Johns Hopkins University Press, 1992), p.37. The institutional presidency includes: the President, the Office of the White House, the Executive Office of the President (EOP). The EOP has a wide variety of organizations within it, some more permanent or enduring than others; some based in statute, and others placed there by Executive Order. Among the more important are: the National Security Council\*, the Council of Economic Advisors\*, the Office of the U.S. Trade Representative\*, the Office of Science and Technology\*, the Office of Administration, and the Office of the Vice President\*. (The asterisk indicates statutorily based.)

<sup>24</sup> Burke op.cit. pp.37-38.

to make a closer relationship to the White House possible without involving it in excessive detail. The panel thus believes a "right" relationship between the President and emergency management can be found, and the remainder of this chapter addresses that task.

## AN ALWAYS PROBLEMATIC RELATIONSHIP

Beyond the traditional predominance of national security policy and processes in the institutional presidency, other reasons for the President's problematic relationship to emergency management include:

1. emergency management is a matter of potentially high impact but low probability; the demands of our political process force attention away from such matters;
2. an emergency management agency has difficulty, in normal times, developing the kind of legitimate authority it needs to get other parts of government to prepare for disaster and to accept coordination in a disaster's aftermath;
3. emergency management at the federal level only comes to the President's attention when an event has a catastrophic impact on an area or when federal officials badly mismanage the response or recovery. An emergency management agency needs attention and support from the presidency to bolster its authority;
4. infrequent or low probability events invariably have low salience and get little attention from those involved in the institutional presidency.
5. when a disaster or catastrophe is of sufficient magnitude or occurs at a time of political sensitivity emergency management becomes of overwhelming importance to the institutional presidency and, specifically, the President.
6. the President, as head of government and of state, is a figure of great symbolic significance, and in times of trauma the psychological need for reassurance on the part of citizens may be as great as any physical and material need;
7. Presidents thus want to be closely involved, if they can provide psychological reassurance and support, but not so closely involved that they cannot distance themselves from fumbling and mistakes of subordinates carrying out emergency management functions.

Therefore, the location and relationship of an emergency management agency to the institutional presidency and the President have always been variable and problematic. When disasters or the threats of the Cold War spotlighted the need for presidential backing and attention, emergency management agencies moved closer to the White House. On the other hand, when emergency management seemed less urgent, emergency management agencies or programs moved outward and away from the presidency.<sup>25</sup>

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<sup>25</sup> Melissa Howard, op.cit., pp. 127-9.

The PRP's 1978 proposal to create FEMA, whether intended or not, created new conditions in the struggle to find the right relationship between emergency management and the presidency. It did so by aggregating a number of emergency management programs that were scattered about the government and placing them in a single agency. The agency thus created came closer to having the size and substance needed to successfully stand outside the institutional presidency and to be of sufficient importance to warrant the attention and support of the presidency when needed. So far, however, the creation of FEMA has not solved the special legitimacy and authority problems of a small independent agency with the task of coordinating much larger agencies. Nor has the relationship of the institutional presidency to emergency management or disaster response developed as fully around the President's role as chief executive as it has his role as commander-in-chief. One positive outcome of Hurricane Andrew is that it set in motion forces that allow policy makers to examine that relationship and try again to find the right one.

## RISING EXPECTATIONS AND THE ROLE OF THE MILITARY

Just as the end of the Cold War makes it necessary to reexamine the relationship of the institutional presidency to emergency management, it also highlights the need to reexamine the role of the military in emergency management and disaster response. Coincidentally, the performance of the Armed Forces in the wake of Hurricane Andrew has led many to say "let the military do it" or others to call for transferring FEMA to the DoD.

Given the dramatic nature of deploying federal troops and the insatiability of the media for drama, the military's potential in disaster response received great attention. The general reputation of the Armed Forces is now relatively high, and it is widely agreed that they responded swiftly and effectively when called upon. Therefore, the call to "give them the disaster response function" is certainly understandable. Close examination, however, reveals that things are not that simple.

It is true that the end of the Cold War means cutbacks in our Armed Forces, though differences still abound over what constitutes a "safe" or "sufficient" level of support. In such a context there is considerable attention being given to broadening the definition of national security to encompass the well-being of Americans more generally. The military is likely to develop new roles, or put new emphasis on long dormant roles. Missions that are primarily humanitarian in nature, such as Restore Hope in Somalia and the U.N.'s peacekeeping forces in Bosnia, have focused attention on the potential for new military roles that are less directly related to the functions of preparing for and waging war, and more akin to what one expert called "constabulary" functions.<sup>26</sup> The Clinton administration has shown interest in these new ways of looking at national security and the military roles and functions, and the Office of Secretary of Defense has been reorganized to reflect those interests.

The panel notes this changing context and takes no stance on the issues involved. It wishes to address the following points and questions regarding the military's use in emergency

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<sup>26</sup> Morris, Janowitz, The Professional Soldier. (New York: Free Press, 1957), p.

management and disaster response:

*Should FEMA be transferred to the DoD?* No, this would simply transfer the problems of FEMA to DoD; it would not eliminate them. Emergency management encompasses broad and diverse functions. An emergency management agency must try to coordinate a wide range of civilian agencies. That would place military organizations very close to directing civilian agencies, something neither the military nor the civilians would appreciate.

*Should parts of FEMA be transferred to DoD?* Yes, the responsibilities (but not most of the people or assets) for national security emergency planning should be transferred. (See Chapter Four.)

*Should the Armed Forces have a larger role in disaster response?* No, their role as presently defined is appropriate. They are ready for, have performed well in, and should be called upon only in the unique circumstances when their capabilities are needed, i.e., a major disaster or catastrophe. DoD has always had such a role throughout U.S. history and has always had sufficient capability. It has recently taken steps to improve its response capability even further.

*Should the Armed Forces have the role of coordinating emergency management and disaster response?* No, it is the most fundamental precept of military professionalism in a democracy that armed forces must receive their missions and direction from civilian authorities.<sup>27</sup>

The Armed Forces have capabilities that are useful, but not unique in character. What is unique to the military is the magnitude and the speed with which they can be brought to bear. Their capacity is needed only in major disasters or catastrophes in which large numbers of victims and responders must be provided shelter and life support under adverse conditions for sustained periods of time. The Armed Forces can do this on a greater scale than any other institution, and they have the logistical capability to put operations in place more quickly than any other entity. The same can be said about the ability to provide force in support of law and order. It is needed only when law enforcement agencies are overwhelmed. It is incumbent upon the civilian government to decide when those capabilities are needed, to call upon them in a timely fashion, and (upon recommendation of the military) to determine the configuration of the response.

On the other hand, greater involvement of the Armed Forces in emergency management, except in the extraordinary conditions of a major disaster or catastrophe, entails some definite problems. First, emergency management/disaster response must necessarily remain a secondary mission for the military. The primary commitment of the Armed Forces must be to maintain a war-fighting capability. If the demands for response to Hurricane Andrew or a second

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<sup>27</sup> Janowitz, *op cit* passim.; Samuel Huntington, *The Soldier and the State*. (Cambridge, Mass. Belknap Press of Harvard, 1957.)

catastrophe had occurred at the time of the Desert Storm operation, there is little doubt that DoD could have met the demands, but at some point competing needs would begin to complicate matters.

Second, there is more than a passing concern within the military establishment that increasing involvement of the Armed Forces in civil matters such as emergency management or drug interdiction will increasingly involve them in politics and detract from their war-fighting capabilities.<sup>28</sup> Others feel that response to such civil needs is compatible with and enhances the Armed Forces' primary mission. This is not a matter that can be resolved except through experience, but the concerns, nonetheless, warrant attention and consideration.

Third, using the Armed Forces for purposes of maintaining law and order unless the President or a governor is prepared to treat it as an insurrection presents some very real problems.<sup>29</sup> This results from the existence of the *posse comitatus* law, which was passed as part of the agreement to end the post-Civil War Reconstruction in the former Confederate states. The law is as follows:

Whoever except in cases and circumstances expressly authorized under the Constitution or act of Congress, willfully uses a part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than ten thousand dollars or imprisoned not more than two years or both.<sup>30</sup>

Another problem involving the use of the military is cost. Many people assume that somehow the Armed Forces are a "free good," or that their deployment is covered by funds DoD had budgeted for training since deployment in disaster response is often said to be good training. But however beneficial it may be with regard to training, it is not true that expenses are covered by training dollars. The costs to the U.S. Treasury for response by the Department of Defense, the Army Corps of Engineers, and the National Guard to Hurricanes Andrew and Iniki ran to \$654 million and could have run significantly higher had FEMA not negotiated a better rate for calculating charges.

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<sup>28</sup> Charles J. Dunlop, "The Origins of the American Military Coup of 2012" in *Parameters* (US Army War College Quarterly, Vol XXII, No. 4; Winter 1992-93). See also, Huntington, *op cit.*, Vol. xxii, Nov. 4, Winter 1992-93. pp. 2-20

<sup>29</sup> Title 10 U.S.C., Ch. 15 Sec. 331-333.

<sup>30</sup> 18 U.S.C. 1385.

## The National Guard

Few people distinguish between the Armed Forces of the United States and the National Guards of the states. They are different, but are related in ways that create problems in looking to the Guard for use in civil emergencies. Guard units are under the direction of governors unless called into federal service. Under their governors, they can exercise police powers in state declared emergencies. Therefore, it is natural to look to their playing a major role in disaster response. In fact, in 15 states the state emergency management function is the responsibility of the adjutant general who heads the National Guard for state. In the years after the Vietnam War, however, the National Guard Association lobbied tirelessly to assure the Guard a key role in the Total Force Structure of the DoD. The Guard complained that it felt it had always been treated as second class, given less than "front-line" equipment, and assigned less challenging missions.

Since the advent of an all-volunteer force in the mid-1970s, the DoD has been actively incorporating reserve and National Guard units into the Total Force Structure. Thus, Reserve and Guard units are structured, equipped and trained to meet the mission needs and force structure requirements for the military as a whole, not the needs of individual states and especially not emergency management agencies. Whatever the merits of this approach, the Total Force Structure concept has made it more difficult for a governor to look to his/her state's National Guard units for competence and capability in emergency management. Indeed, in the drawdown of forces currently planned, some governors may find it even more difficult to find units suitable for disaster response unless DoD makes changes in mission assignments.

A governor may turn to his or her state National Guard unit for use in an emergency only to find something such as a fighter-bomber squadron that has little potential for cross application. He or she may find that a useful construction battalion or signal unit is thousands of miles away in another state. To acquire their assistance, the governor must work out an individual agreement with his or her counterpart in the other state. Even the President cannot intervene to move Guard units to other states without first calling them into federal service.

DoD, the state guard unit, and the governors must devote attention to the need for a more extensive role for state guards in emergency management, particularly disaster response. Until some new balance is struck between missions and capabilities keyed to DoD's Total Force Structure and the emergency management needs of the states, the emergency management capabilities of the states will be deficient. The pressure to call for federal troops in the event of disasters or civil disorder will continue, or even grow.

## Current DoD Policy

Finally, current DoD policy makes moot many of the points raised in calls for greater use of the military. The policy, expressed in DOD Directive 3025.1, issued January 15, 1993, and titled "Military Support to Civilian Authority," says that:

- all DoD resources are potentially available for Military Support to Civil

Authorities (MSCA);

- civil resources are applied first in meeting requirements of civil authorities;
- DoD resources are provided only when response or recovery requirements are beyond the capabilities of civil authorities (as determined by FEMA or another lead federal agency for emergency response);
- military operations other than MSCA will have priority over MSCA, unless otherwise directed by the Secretary of Defense;
- DoD components shall not perform any function of civil government unless absolutely necessary on a temporary basis under conditions of immediate response;
- imminently serious conditions resulting from any civil emergency or attack may require immediate action by military commanders, or by responsible officials of other DoD agencies, to save lives, prevent human suffering or to mitigate great property damage. When such conditions exist and time does not permit prior approval from higher headquarters, local military commanders and responsible officials of other DoD components are authorized to take necessary action to respond to requests of civil authorities; and
- FEMA is responsible for coordinating federal plans and programs for response to civil emergencies at the national and regional levels, and for federal assistance to the states in civil emergencies.

The directive is quoted at length because it answers several questions that have arisen regarding the use of the Armed Forces in disaster response. First, the military already has some capacity to respond to disasters immediately through local commanders without waiting for higher authorities to authorize it, and they were prepared to do so in the case of Hurricane Iniki. Second, it is clear that DoD intends to make its resources available, but its priority remains on defense in response to threats arising from international relations. Third, DoD intends to respond only when asked by appropriate civilian authorities or when civil authorities have been overwhelmed.

In light of the above discussion, the panel concludes that the military must be a part of the early assessment of disaster needs. Decisions about whether or not the military should be deployed and what their role should be must remain with a civilian agency.

Given its commitments to prepare for war and other international crises, the military cannot be considered a national "911" service for domestic disasters. Instead, the military should be rapidly called upon to respond to natural disasters only when the civilian arms of

government and private relief agencies are overwhelmed. In major disasters, therefore, the military is a critical supplement to, not a replacement for, a professionalized civilian agency to coordinate civilian disaster response and recovery. Whether FEMA can be that professionalized civilian agency is the subject of the next chapter.

### **A 911 RESPONSE WITHOUT MAKING THE FEDERAL GOVERNMENT FIRST RESPONDER**

Unless the nation is to abandon more than two centuries of values surrounding federalism, it cannot make the federal government the "911 first responder." Its constitutional structure is fundamentally "bottom-heavy." The great bulk of the governing in America, and the greater part of the interaction between citizens and government goes on within the broad, general, "police"<sup>31</sup> powers reserved to the states by the 10th Amendment and statutorily delegated to local governments. Most emergencies, and even most incidents called disasters are met by local and state governments.<sup>32</sup> At the same time, expectations of the federal government are increasing, spurred on by aggressive and dramatic coverage of disasters of the news media. The panel, however, believes disaster response can be improved by all governments without altering the traditions of federalism.

For the past several years, the federal response to some major and catastrophic events has revealed a serious lack of intelligence, command and control. Intelligence is the key to timely and appropriate response. Its absence in South Florida was a serious flaw in the efforts of all the governments involved because a useful assessment of property damage, and more important, life support needs was not made in a timely fashion. Without such an assessment it was unclear what kind of command and control system would be appropriate as well as what materials and personnel to mobilize. The perception of the local officials was that they needed "everything," while the perplexed reaction of those at the federal and state levels was "we can't send everything, can you please specify and prioritize?" This response sounded infuriatingly bureaucratic to those directly involved, but it was largely valid. Everything could not be sent; if it could, it could not all be sent at once. Absent intelligence, the crisis and suffering worsened.

Another aspect of intelligence is the need for readily available information on what personnel, skills and resources are available for response. As things stand, FEMA does not have an inventory of federal resources, nor access to any similar data from state and local levels. It would seem to be an essential need.

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<sup>31</sup> Police powers have been defined, since the 19th century, in terms of the states' broad regulatory powers, not strictly in the sense of law enforcement.

<sup>32</sup> The Red Cross responds to more than 40,000 disasters a year. States declare at least twice as many disasters a year as the federal government, which received 55 disaster requests in 1992 (an election year) and declared 46 of them. A more typical year is 1985, where the federal government received 32 requests and declared 19 of them. In any case, the federal government responds to less than half as many disasters as state government and to only one-tenth of 1 percent as many disasters as private organizations. The range of disasters, in this context, can be everything from a flooded basement to a major, urban earthquake.

## Joint Assessment Teams

The SLPS directorate of FEMA has been considering the use of "strike teams" to make quick reconnaissance and assessments of disasters. The idea is a good one. However, in the form the NAPA project team saw it, the plan entailed units totally within SLPS, FEMA and the federal government. Instead the panel believes there should be trained teams that go into a disaster site immediately, "on-the-ground," to make not only the requisite damage assessment prefatory to a disaster declaration, but to assess casualties of life-support needs as well. The teams should not be solely federal teams. They should be joint federal-state-local, include a military representative, and be led by a FEMA official. Members should train and conduct regular exercises together. FEMA should maintain a roster of trained and experienced people from all agencies and private organizations taking part in the FRP, and persons from FEMA regional offices, state offices and local governments.

Later in this chapter, a Domestic Crisis Monitoring Unit (DCMU) is proposed for the White House, both as part of a better connection between FEMA and the White House and a better way of bringing information on needs to the attention of the President. As intelligence flowing to the FEMA director and the White House develops a picture of the nature of an impending disaster, the FEMA director, in consultation with the head of DCMU should select, alert and dispatch a Joint Assessment Team at the appropriate time. When conditions warrant, a team would utilize the special communications assets now in FEMA's NP directorate. These units are unique in their ability to interconnect communication nets and phone systems at all levels of government. They are self-contained and can operate in austere environments with their own life-support capabilities. Teams might also utilize satellite data from NASA or other sources in making their assessments.

The level of alert, the selection of a team and the decision as to when to launch it would be important judgment calls for the assistant to the President in charge of the DCMU and the FEMA director. Teams should not be launched for emergencies or relatively minor disasters. Decisions to dispatch them will often have to be made on the basis of intelligence that may not always be adequate.

The essence of a team's operation must be its speed. A team would make its recommendations quickly to the governors of affected states, the FEMA director and the President. The recommendations would include a ranking of the disaster on the gradated scale discussed below.

## CURRENT MEANS OF COORDINATION: FEMA AND THE FRP

The SLPS directorate of FEMA has developed a Federal Response Plan (FRP) which brings together 26 federal agencies and the American Red Cross for the first time in the beginnings of an operational plan. (See charts on pages 31 and 32.) That it exists at all is a credit to FEMA and to SLPS. The FRP is broken into 12 annexes or Emergency Support Functions (ESFs), such as Food, Mass Care, or Medical Care. Each Annex is coordinated by a lead agency, and supplemented by several support agencies. Comments from persons at all

levels of government were positive toward the FRP as an important beginning.

The panel believes that elaboration of the FRP should go forward under FEMA leadership with strong presidential support, and that it should be redesignated the President's Response Plan. Work must begin in FEMA to make it the agency's product, not a SLPS product. All units of FEMA should take part in revising, extending and implementing the plan. Currently it is not viewed as legitimate or consequential by all of FEMA; it is still seen by some as a product built to meet the needs, some would say the ambitions, of the SLPS directorate. Its symbolic power, and thus the authority of FEMA, could be enhanced by the relatively simple change of name which would place it in the sphere of presidential power.

Each of the ESFs should become the basis for developing an operational plan involving the various agencies and private organizations. Regional plans in support of the FRP, such as the one that FEMA region VI developed, should be created. State operational plans that articulate with the federal and regional plans should also be developed, and states should work to see that local governments in vulnerable or populous areas develop operational plans that articulate with those of the state. The plans at all levels should be contingent upon the designation of a disaster on the proposed gradated scale that would be used by the Joint Assessment Teams.

### **A Gradated Scale Of Disasters**

The panel believes a gradated disaster scale should be used by the joint assessment teams in making their recommendation. That scale would also be a key determinant of local, state and federal operational response plans that are either derived from the FRP or replace it (see below). The scale should range from small disasters that can be handled by local emergency management responders to catastrophic disasters. The latter would call for mobilization and response from all levels of government, involve all ESF of the FRP, and possibly require federal response and resources beyond those set forth in the FRP. The gradated disaster scale would indicate not only the levels of damage and life support needs associated with a level of disaster, but the kinds of agencies and capabilities, as well as the kinds and quantities of material and personnel, that will be a part of the response to that particular level of disaster.

# ESFs

<u>ESF</u>	<u>Primary Agency</u>
1. Transportation	DOT
2. Communications	NCS
3. Public Works and Engineering	DOD
4. Firefighting	USDA
5. Information and Planning	FEMA
6. Mass Care	ARC
7. Resource Support	GSA
8. Health and Medical Services	DHHS
9. Urban Search and Rescue	DOD
10. Hazardous Materials	EPA
11. Food	USDA
12. Energy	DOE

# Federal Agencies Involved

- Dept. of Agriculture
- Dept. of Commerce
- Dept. of Defense
- Dept. of Education
- Dept. of Energy
- Dept. of Health & Human Services
- Dept. of Housing & Urban Development
- Dept. of the Interior
- Dept. of Justice
- Dept. of Labor
- Dept. of State
- Dept. of Transportation
- Dept. of the Treasury
- Dept. of Veterans Affairs
- Agency for International Development / Office of U.S. Foreign Disaster Assistance
- American Red Cross
- Environmental Protection Agency
- Federal Communications Commission
- Federal Emergency Management Agency
- General Services Administration
- Interstate Commerce Commission
- National Aeronautics and Space Administration
- National Communications System
- Nuclear Regulatory Commission
- Office of Personnel Management
- Tennessee Valley Authority
- U.S. Postal Service

## Suggested Improvements in the Federal Response Plan

The development of interlocking operational plans at all levels of government is the key to building a cooperative, intergovernmental, national emergency management systems. Their development must become a strategic goal of FEMA and will presumably take years to complete. In the meantime, the FRP, which the panel considers to be something between a conceptual and an operational plan has several weaknesses in its present form. Foremost among them is the American Red Cross' designation as lead agency in the Mass Care Annex, ESF-6. The Red Cross is a venerable institution with a unique position in the Washington policy community. It is not a federal agency, however, and attempts to treat it as such can only create confusion.

The issue of the Red Cross' role has two dimensions: the Red Cross' tasking federal agencies and the Red Cross' tasking of other private organizations. As to the former, the Red Cross is in a dubious legal position to ensure coordination with other federal agencies. Red Cross representatives correctly point out that coordination is a difficult matter regardless of the formal authority. The tradition of the Red Cross coordinating the federal response, as already mentioned in this report, dates back to 1906. Indeed, project staff frequently heard that the Red Cross does a commendable job responding to most disasters. Responding to catastrophic or near catastrophic events, however, is quite another matter. Disasters on the scale of Hurricane Andrew are going to overwhelm any private organization, and DoD resources will be required. It is inappropriate to have the Red Cross as the titular coordinating agency in these special circumstances.

Another important flaw in the Red Cross' lead role in ESF-6 is its assignment to coordinate and task other volunteer organizations. Project staff interviews indicated that the Red Cross and the Salvation Army have been at loggerheads over the Red Cross' role in the FRP. Other volunteer organizations, the Salvation Army prominent among them, feel that the FRP has cut off their access to FEMA by requiring them to channel their contacts with FEMA through the Red Cross. Private organizations, by their very nature, are resistant to coordination by any organization but are particularly resistant to tasking by other volunteer organizations. FEMA is perhaps better positioned to coordinate volunteer organizations because it is not part of the community and can act as a neutral coordinator. At the very least, ESF-6 should be reviewed, with special attention to managing and utilizing a range of volunteer and private organizations in addition to the American Red Cross.

Considerable confusion exists between ESF-6, Mass Care, and ESF-11, Food. Feeding intuitively seems to belong as part of mass care, and a plethora of government and private organizations are involved in feeding. They are coordinated by the Department of Agriculture, which does no actual feeding of disaster victims but does supply some food. Revision of the FRP might include a reexamination of the relationship between mass care and food, with an eye towards combining them.

In the case of ESF-9, Urban Search and Rescue, DoD is designated as the lead agency, but the project team could find little or no justification for that. Since 1990, FEMA has had a

search and rescue capability consisting of teams that are virtually self-organized by enthusiastic volunteers in several fire departments around the country. They have organized what amounts to a national mutual aid network, developed fairly elaborate operational plans and persuaded their home departments to add equipment to their inventories that may go beyond the locale's need but meet the needs of the operational plans of the ESF. Moreover, some parts of the network have extensive experience from responding to earthquakes in Armenia and Mexico. FEMA should give this effort serious attention as an example of bottom-up elaboration of an operational plan for an ESF. In the future, FEMA should be designated lead agency rather than DoD.

The issue of security was prominent whenever the project team brought up the Federal Response Plan in field interviews. The experience of interviewees in Hurricane Andrew in Florida and Hurricane Hugo in the Virgin Islands convinced them that security should be featured more prominently in the FRP, perhaps as an additional ESF. Because state and local law enforcement officials may themselves be victims in major disasters, the potential need for a federal role is clear. It would seem that the Department of Justice (DoJ) should be the lead agency in an ESF devoted to security, but DoJ has signed the FRP in a supporting role in ESF's that have nothing to do with security or maintenance of law and order. Project staff were told that this position was taken even though DoJ representatives made it clear that they considered the subject of security their responsibility.

### Invoking the Federal Response Plan

It is not clear when or under what circumstances the FRP will be invoked. This creates confusion among participating agencies and this uncertainty may lead to crucial delays. Revision of the FRP should establish clear guidance as to when and how the FRP goes into effect.

The panel's greater concern with the FRP is that it is presently as much conceptual as it is operational. It should provide the basis for development of operational plans under each of the ESFs which articulate with regional state and local operational plans. The FRP is a promising start for federal (or presidential) disaster response planning but it is only a beginning.

## SEARCHING FOR THE RIGHT RELATIONSHIP TO THE PRESIDENCY

As noted in Chapter Two, the meaning of "coordination" and "sufficient power" varies. There has been a recurring cycle of placing the coordinating agency closer to the presidency to draw upon its authority, and then moving it away from the presidency. A centripetal pattern has occurred when the Cold War intensified or there has been an effort to strengthen the authority of an emergency management agency. A centrifugal pattern has dominated when other agencies feel threatened by the interest of the President or those close to him in emergency management, or when such interest wanes in the face of other demands on their time and attention. This pulling and hauling has been the major reason for the episodic reorganizations of the emergency management functions over the years.<sup>33</sup> The survival and effectiveness of an emergency

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<sup>33</sup> Howard, op.cit.

management agency at any level of government is inherently dependent upon its relation to the office of chief executive -- President, governor, or mayor; a relationship based not merely upon statutes, regulations or structural proximity, but upon access, interest and attention.

If the fate and effectiveness of an emergency management agency are dependent on its relationship to a government's chief executive, what is the right relationship? Some propose to elevate FEMA to cabinet status. Criteria have been discussed for giving an agency cabinet status, but no one can say with assurance what the effects of a status change are.<sup>34</sup> It is unlikely that a proposal to give such a small agency cabinet status would receive any serious consideration. FEMA's legitimacy has always suffered when it has been perceived as "overreaching" or stretching its claim for authority "too far." Even a claim based on statutes is ineffective if it is perceived as exaggerated or disproportionate to capability or reputation. The panel believes that seeking cabinet status is not a sensible (or viable) option. This is far too difficult a question to be dealt in this report.

Nor should FEMA be placed in the Executive Office of the President (EOP) unless it is drastically reduced to a single function, such as disaster response coordination. As currently constituted, FEMA is too large and would unacceptably swell the size of the EOP. In an era of fiscal austerity, presidents have been very sensitive to charges that they are expanding the "president's staff." Neither the press nor the public is likely to make fine distinctions between the EOP and the White House Office, so enlarging EOP is unlikely to be well received. The panel believes that the function would be lost in the larger EOP along with agencies such as the National Critical Materials Council.

Some potential relationships are not implausible but are nonetheless problematic. For example, it has often been suggested that someone on the White House staff be appointed "emergency management czar." A person making this suggestion probably has in mind someone to coordinate and direct disaster response. That is a much more limited function with its own set of problems. Emergency management, however, encompasses too many complex functions and programs to be placed in the White House staff, regardless of the serious need for coordinative power to carry out disaster response. No one can "manage" the emergency management functions from 1600 Pennsylvania Avenue, even if a highly professionalized and extraordinarily capable agency outside the White House awaits his or her necessarily intermittent attention and involvement. Moreover, the history of White House czars has not been a happy one.

### Possibilities

The search for a "right" relationship to the presidency coincides with the need, so obvious in Hurricane Andrew, for more and better real-time information in the White House on the extent of a catastrophic event. Given that emergency management cannot be "managed" from the White House, would another form of relationship provide the institutional presidency

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<sup>34</sup>National Academy of Public Administration, "Evaluation of Proposals to Establish a Department of Veterans Affairs," Washington, D.C. 1988.

with the needed data and, at the same time, give FEMA the continuing attention, interest of, and when necessary, access to the President? The panel concludes that three possibilities exist -- two that have been tried, and one that has not -- for meeting these two interwoven needs.

One possibility is the Bush administration model where a staffer was assigned responsibility for cabinet affairs, and "tracked things arising from the departments and agencies."<sup>35</sup> The panel believes that a person monitoring potential crises should be "tracking" things from other sources in addition to the departments. Potential crises arising from the structures and processes of administrative agencies tend to surface in "advanced" stages of development with special "spins" on them that narrow response options. Furthermore, the crises monitored should be expanded beyond those FEMA normally deals with to include any that may be of interest to the president. Such incidents might include ecological emergencies (e.g., the Exxon Valdez spill), climatological crises (e.g., a California drought), or other events (e.g., a hunger strike among Haitian refugees or a riot in Los Angeles).

A second possibility is FEMA's having a connection to the President by means of a designated (possibly rotating) "disaster response officer" of cabinet rank. How often this duty would rotate is less important than the need for this person to have the confidence and trust of the President. Cabinet rank would likely contribute to his or her perceived authority as a high-ranking officer of the government as well as being a personal representative of the President. This is very nearly the role played by former Secretary of Transportation Andrew Card in the Bush administration in the aftermath of Hurricane Andrew. It was fortuitous that the Secretary had some previous experience in dealing with emergencies, state governments and FEMA, but if this option is chosen such experience should not be left to chance. It should be institutionalized and extended by orientation and training if the role of "designated disaster response officer" is developed. The panel believes, however, that this option is too much "after-the-fact" and does not provide the institutional presidency with needed intelligence and coordination until too late.

A third possible relationship is one that is compatible with or could be combined with the previous option -- and cure its deficiencies -- when a President wished to do so. It would entail creation of a small unit in the White House Office for domestic crisis monitoring (DCMU). A small staff comprised largely of detailees would operate, when needed, around the clock out of a situation room, or the situation room, in the same manner that the national security is handled. The White House staffer responsible for the operation would not be expected to be in charge of the functions of emergency management or even of disasters. Instead, his or her role would be domestic crisis monitoring.

One of the keys to institutionalizing domestic crisis monitoring in the White House is to develop processes and procedures for decision making or policy making -- processes with paper and decision-flow -- processes seen as important, even critical. If FEMA and the joint assessment teams recommended above can develop and use a gradated scale for disaster assessment, and if operational plans for response and recovery are tied to both, it could well

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<sup>35</sup> Interview with assistant to the President for Cabinet affairs, December 8, 1992.

provide the beginnings of a paper or decision flow with serious substance to it. Operational plans, articulated to FEMA regions and state and local emergency agencies, could entail decisions on mobilization, movement, assignment and pre-positioning of equipment and people. A system of gradated alert statuses similar to the DEFCONs used in national security, might also be utilized.<sup>36</sup> The alert status might be a decision reached jointly by the FEMA director and the assistant to the President in charge of the DCMU in the White House.

In the first stage, for example, relevant officials in various levels of government would be alerted and briefed, and planned travel would be put on hold. In stage two, appropriate officials in all agencies participating in the FRP would report to duty stations or be immediately accessible; communications systems would be tested; briefings updated; vacations, travel, and leaves canceled; mobile units prepared for launch and so forth. In stage three, all communications systems would be brought to full operation, some mobile response units would be launched for prepositioning, all officials would report for duty, and equipment and supplies pre-positioned if possible or necessary. This pattern of gradated response would proceed to stages four and five when it would intersect with the disaster. Such a DEFCON-like system would be valuable in providing more of the critical substantive flow needed to institutionalize a domestic crisis monitoring process, and more important it should cut response time of the entire emergency management system appreciably.

Important intelligence should flow steadily through the DCMU. Much of the intelligence is likely to be flowing through national security channels and into the situation room already. Procedures need to be developed that would place it into channels that bring it before the proposed DCMU. Satellite information from NASA, seismic data from the U.S. Geologic Survey, and reports from NOAA are just some of the potentially important data sources.

Disaster operations could either be handled by the FEMA director or, in a catastrophe, by a partnership of the director and the White House's designated disaster officer (who may or may not be the head of the DCMU). As noted above, the White House Office must institutionalize the expectation that any designated disaster officer will be provided with an orientation and frequent briefings. FEMA for its part must institutionalize the assumption that presidents will occasionally designate personal representatives in disasters when they involve major political issues and sensitivities. As a former assistant to the President explained, "A major disaster is a major political event; therefore, the president must get involved. Political leadership is as essential as operational leadership."<sup>37</sup> The agency, therefore, must institutionalize a role of professional, operational host to a political officer capable of providing certain kinds of legitimacy, influence and "cut-through" capacity -- qualities invaluable in major disasters and difficult for even the most competent career officers to muster in sufficient quantities for crises.

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<sup>36</sup> The project study team understands that the acronym CIVCON has been considered in national security emergency plans in the past. Perhaps that or DISCON would serve the purpose described here.

<sup>37</sup> NAPA staff interview with Dr. Ralph Bledsoe on January 11, 1993. "Political" in this statement does not refer to "partisan political."

A DCMU could be valuable to a President and his staff in efforts to foresee upcoming events with policy and political import. Advance warning and knowledge are far better than morning headlines, calls in the night or surprise questions at a news conference. Viewed from another perspective, a DCMU could provide FEMA with access, attention and the concern of a person in the White House whose fortunes would be tied to FEMA. The assistant to the President in charge of the DCMU would thus become the White House Office official who cannot afford to have anything less than a high-performance, high-reliability organization responsible for emergency management. He or she would thus also be expected to (1) run interference for FEMA with OMB, the White House Personnel Office and congressional committees and (2) take steps when necessary to assure its high performance and reliability.

The panel believes that emergency management, and particularly disaster response, cannot be "managed" in the White House. For that reason it makes a clear distinction between crisis monitoring which should be in the White House, and emergency management generally and disaster response specifically both of which should be managed under an executive branch-wide response plan coordinated by a vastly changed FEMA. The distinction is crucial, but so is an effective interrelationship between the two functions and the two entities with primary responsibility.

## CONCLUSIONS AND RECOMMENDATIONS

FEMA currently has an unusual degree of public visibility and political attention. While this attention has been largely negative, it can be turned to the agency's advantage as an opportunity to establish and institutionalize the all-important relationship with the White House. Because other federal agencies are sensitized to the problems in the Federal Response Plan, the time is now to address deficiencies in the FRP and to initiate a sustained, long-term effort to develop compatible, effective and interrelated operational plans at all levels of government. With this in mind, the panel offers the following recommendations.

### Recommendations

**Retain the current mission and role of the Armed Forces in emergency management and disaster response. Make certain that processes and procedures exist for promptly triggering their capabilities in major disasters or catastrophes.**

**Set in motion a review by DoD of the role of the National Guard in emergency management/disaster response.**

**Establish a Domestic Crisis Monitoring Unit in the White House Office as a responsibility of an assistant to the President. Develop a small staff of detailees to work out of the White House situation room.**

**Amend the Federal Response Plan to include FEMA-led joint assessment teams (federal, state, local and military). Members should be professionals who train together, are able to operate in adverse environments, and would be supported with FEMA's unique**

communications assets.

**Make the Federal Response Plan the President's Response Plan.**

**Modify the Federal Response Plan based on lessons learned to date.**

**Initiate a long-term effort to develop operational plans for each Emergency Support Function of the Federal Response Plan and develop operational plans linked at all levels of government.**

**Develop a gradated disaster scale keyed to damage, life-support needs and casualties. Joint assessment teams should recommend designation of a disaster on that scale, which would establish a common base of assumptions for response and recovery actions on the part of all participating agencies and organizations.**

**Relate the FRP and operational plans for each ESF to the gradations of the disaster scale. Types of people and material mobilized, pre-positioned and dispatched for a disaster should be related to gradations of the disaster scale.**

**If the President designates a cabinet officer or White House staffer as his representative in a disaster, provide that individual appropriate orientation and staff support.**



## CHAPTER FOUR

### FEMA: AN INSTITUTION NOT YET BUILT

FEMA was created in 1979 to give the federal government, for the first time, an integrated approach to emergency management. The conceptual leap taken in creating FEMA was something like that which gave birth to the FBI as the nation's federal law enforcement agency in the 1920s. By the 1970s, the time had come for the federal government to have a high-reliability organization charged with developing a comprehensive approach to protecting citizens from the ravages of emergencies of all kinds: military attack, natural disasters, man-made disasters, civil disorders or fire. Unfortunately, the nation is still waiting for such an organization.

This chapter responds to the portion of the panel's charter which asks for an examination of FEMA's role, mission, planning, resources and leadership capacity. (For a general description of FEMA, and its current organization chart, see Appendix D.) In summary, the panel has found that FEMA has never succeeded in integrating the several functions of emergency management into a meaningful mission from which agency goals would derive. Further, it has no strategic planning process for developing a mission and goals for the agency as a whole; FEMA is not certain of its role; it has no central, strategic planning process; it lacks the basic management systems to function effectively; and it has not had the leadership to bring the agency together. In addition, it lacks a continuing link to the White House and also an internal executive development program. The organizational structure and operating practices need major revision to create the high-performance, high-reliability agency the public and Congress want and deserve. The panel makes a series of recommendations to help bring this about.

### NEED TO DEVELOP MISSION, VISION AND VALUES

The high-reliability organization envisioned in 1978 had not yet emerged by 1982 when the General Accounting Office conducted an evaluation of FEMA's management. The GAO found that the agency had not yet developed a "FEMA identity" and was little more than the sum of the parts brought together from other agencies to create it.<sup>38</sup> The GAO report chronicled a variety of management problems with FEMA: lack of budgeting, information resources, planning and other systems. More important, however, the GAO emphasized that FEMA had not yet developed a unifying vision of its function as an agency, its mission and values for achieving its mission. In short, an institution had not been built. Ten years later, the NAPA staff found that little progress had been made in creating a unified sense of mission, and there were neither systems nor strategy for moving in a desired direction. By 1993, an institution still

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<sup>38</sup> U.S. General Accounting Office. Management of the Federal Emergency Management Agency--A System Still Being Developed. (Washington, D.C.: General Accounting Office) January 6, 1983 (GAO-GGD-9), pp. 12-16.

had not yet been built.

Institution building has been described as defining and articulating an organization's special competence and its reason for existing as a public agency. An organization can theoretically be a neutral instrument comprised of persons who contribute their efforts to some overall purpose on contractual grounds. An institution, however, is based on more than contractual relations.<sup>39</sup> It is based on shared perceptions of its reason for existence -- or shared "vision." Increasingly, experts on management in both the public and private sectors have recognized the need to turn organizations into institutions. As one writer puts it: "Building shared vision is actually only one piece of a larger activity: developing the 'governing ideas' for the enterprise, its vision, mission and core values." He further explains that a shared "vision" answers the question "Why do we exist?" "Mission" answers the question, "What picture of the future do we wish to create and work towards?" "Values" answers the question, "How do we want to act, consistent with our mission, in working toward our achievement of our vision?"<sup>40</sup>

The panel believes that FEMA must undertake a serious effort at institution building. Given the diversity of its programs, this would be a serious challenge for any agency or private corporation. Nonetheless, it can be done. FEMA's leadership must look to the rationale behind its creation. As noted in Chapter Two, one of FEMA's senior executives involved in its formation captured the intention of that effort as well as anyone interviewed by the project study team. He stated that the reorganization brought together "various programs having to do with emergency management which were not related at their cores, but rather at their margins. It was intended, however, that those marginal relationships would create a synergistic effect." In other words, the functions of comprehensive emergency management -- mitigation, preparedness, response and recovery were interrelated, and though the programs transferred to FEMA emphasized different functions (e.g., USFA, mitigation; FDAA, recovery; etc.), there would be a natural enhancement of each function as a consequence of experience and learning in the others.

FEMA should build a shared vision, mission and values which capture the goals of those who created it. The panel is reluctant to prescribe what the agency's vision should be, but FEMA may want to incorporate in its vision (1) the integration and effective performance of all emergency management functions, and (2) the creation of a high-performance, high-reliability, professional organization that would play a leading role in developing the capacity of all levels of government to perform the four functions of emergency management. As to mission or purpose, the panel suggests something like the following:

Meet the needs of people facing natural or manmade emergencies and disasters by playing a leading role in: (1) federal efforts to aid victims, (2) building the

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<sup>39</sup> Philip Selznick, Leadership in Administration. (New York: Harper & Row, 1957.)

<sup>40</sup> Peter M. Senge, The Fifth Discipline: The Art and Practice of the Learning Organization, (New York: Doubleday/Currency, 1990) and Tom J. Peters and Robert H. Waterman, In Search of Excellence, (New York: Harper and Row, 1982)

emergency management capacity of state and local governments, and (3) the general enhancement of emergency management by the synergistic integration of its four functions -- mitigation, preparedness, response and recovery.

FEMA leadership has never developed a unifying vision, from which it could develop organizational values in support of this mission. Absent a compelling vision of the agency as a coherent entity in pursuit of a shared mission, it is not surprising that the agency's component parts have failed to coalesce.

### Obstacles to a Unified Mission

Absent a unifying vision and mission, the variety of the agency's programs only serves to foster internal subcultures (referred to as "stovepipes"). These subcultures increase barriers to the kind of relationships between programs essential to making FEMA a viable institution with a unified vision and mission. They are reinforced by the network each program has with separate Congressional committees and subcommittees and concerned interests. (See Chapter Five.) One interviewee described FEMA as "a check-writing agency, an intelligence agency, a social service agency and insurance agency, with a fire administration thrown in." Consequently, the coalescence of these diverse functions into a comprehensive approach to emergencies has not occurred. Instead, serious schisms within the agency have remained or worsened.

Many federal agencies contain diverse programs which are seldom effectively integrated. Why then must FEMA have better integration of its programs? The answer is that clients of other agencies which fail to integrate are little effected, but the clients of an emergency management organization may suffer dire consequences if its programs are not integrated and optimally effective. Moreover, it has only a brief period of time to perform and very little margin for error.

The most serious division is that between preparedness for nuclear attack (mostly a classified function)<sup>41</sup> and natural disaster response and recovery (an unclassified and essentially peacetime mission).<sup>42</sup> But considerable diversity in, and division of, missions can be found even within programs. SLPS, for example, is responsible for missions as diverse as ensuring dam safety, participating in urban search and rescue, responding to radiological emergencies, and administering emergency food and shelter assistance to needy individuals. In addition, the national security-related "civil defense" function has not been fully reconciled with disaster preparation and response (see Chapter Five) either in concept or in practice.

Not as serious, but still contributing to the lack of mission coherence and unity of vision in FEMA, is the presence of two statutorily mandated "administrations" within FEMA -- the Federal Insurance Administration (FIA) and the United States Fire Administration (USFA).

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<sup>41</sup> Located in the National Preparedness Directorate (NP).

<sup>42</sup> Located in the State and Local Programs Directorate (SLPS).

While good reasons exist for these organizations to be in FEMA, the fact of their separate nature -- accentuated in the case of the USFA by an 80-mile separation from FEMA's Washington office -- reinforces the "stovepipe" mentality.

In the case of the FIA, the misconception exists in the agency that it is primarily an insurance function while, in fact, it serves mainly as an integrated flood hazard identification mitigation, and pre-funded insurance response and recovery function with insurance as the incentive to obtain local government participation. It has an important role to play in FEMA -- a role which might be expanded with the introduction in Congress of bills to create a new all-hazards insurance program linked with mitigation requirements.

The programs of the Fire Administration (USFA) were constructed to meet the statutory priority for reducing the incidence of residential fires. This limited USFA role appears only marginally related to the FEMA disaster response and recovery mission. The Fire Administration could play an important role in FEMA -- a role which could include a stronger FEMA connection with the million or more first responders in local fire departments who are the Fire Administration's clientele -- if: (1) the functions of the Fire Administration could be expanded to include urban conflagration<sup>43</sup> -- a problem much more relevant to FEMA's mission and (2) the geographic isolation of the Fire Administration could be ended by bringing more of its operations into proximity with other FEMA components. While there have been some efforts at integrating the USFA into FEMA, without further such changes, the Fire Administration could play no substantial role in meeting FEMA's primary mission. If further changes cannot be made USFA should probably be spun off.

### **Need to Clarify the Disaster Assistance Aspect of Mission**

In addition to divided missions, the basic disaster assistance aspects of the agency's mission are unclear. In recent years, earthquakes in major urban areas have thrust FEMA into the role of provider of major urban public works rehabilitation projects -- a role for which it is ill suited. Many of the negative impressions local officials have of FEMA result from disputes between local officials and FEMA staff as to what to do with multi-million dollar public works projects. Such projects included, for example, the earthquake-damaged city hall in San Francisco, which local officials estimate will require \$100 million to restore properly, but which FEMA estimates will require only \$20 million. These are not the kind of highly charged political issues into which a small independent, coordinating agency should be drawn.

In addition, social service providers are looking to FEMA as a source of funding for ongoing social programs such as feeding the permanently homeless after a disaster. In this case, a disaster is viewed as an opportunity for both publicity and visibility for a need as well as a source of funds. A press release issued by a local board of the Los Angeles Emergency Food and Shelter Program boasted of receiving a "first time ever" grant of public assistance monies for food and shelter efforts in the riots there. This is not to say that the monies are being

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<sup>43</sup> A "conflagration" is to a fire what a "catastrophe" is to a disaster. Webster's New Collegiate Dictionary defines a "conflagration" as a "large disastrous fire."

misused. However, FEMA has entered an area of funding social services for which it is poorly qualified. Another social problem FEMA faced after the Los Angeles riots relates to the mortgage and rent payment program. With little guidance on this, FEMA is now paying very large mortgages on homes that were heavily mortgaged in order to pay for small businesses destroyed in the riot. One example related to NAPA staff involved payments to a homeowner for his monthly mortgage of \$19,000 a month!

FEMA is also having to make distinctions, which have been heavily criticized in the Los Angeles media, between damage caused by fire and damage caused by riot. In part, this is a problem of legislation, compounded by FEMA's uncertainty of its mission or its authority in this situation.

## THE NEED FOR STRATEGIC PLANNING AND MANAGEMENT

Because FEMA has no shared vision, mission or values, it also has no agency-wide strategy for identifying the priorities of the agency and its programs. Individual directorates, particularly National Preparedness, have developed operational and contingency plans, but FEMA has neither a strategy nor a planning process, nor does it currently have the capability to create one.

### **A Government-Wide Strategy**

The NAPA panel believes the new FEMA leadership, in cooperation with the White House and others, should give immediate attention to developing a broad strategy for the federal emergency management function. This strategy should apply to all federal agencies involved in emergency management, as well as FEMA as an institution. The strategy should identify several broad goals to be implemented during the first term of the Clinton administration. This report has suggested several such goals, including creating a White House domestic crisis monitoring unit, developing a new statutory charter for emergency management, establishing joint assessment teams for early response to catastrophic disasters, and creating an integrated, all-hazards approach to emergency management with primary emphasis on response to domestic civil emergencies. These goals would be complemented by goals for restructuring and reforming FEMA's internal operations.

Ultimately the federal government's strategic goals with regard to emergency management and those of FEMA and other responsible agencies must become the bases for operational planning around each of the Emergency Support Functions established in the FRP.

### **FEMA Strategy: Long- and Short-Term**

In addition to its part in developing a government-wide strategy for emergency management, the new FEMA leadership needs to put short-term emphasis on assuring that the agency is as prepared as possible for future catastrophic disasters. An inter-agency task force chaired by the deputy director would be one way to address this urgent need. The task force should include representatives of all relevant FEMA directorates, its regional offices, cognizant

White House and OMB representatives, officials of key federal departments and agencies, such as DoD, SBA, and HHS, and possibly the American Red Cross.

Regarding the long-term strategy, FEMA could benefit by using a model similar to that employed in the Department of Transportation during the past four years. In 1989, former Secretary of Transportation Samuel K. Skinner appointed a special departmental task force with appropriate contractor support to undertake a one-year effort to put together a national transportation policy statement. Secretary Skinner and President Bush made this document public in March 1990 at a joint news conference. Called Moving America: New Directions, New Opportunities, the statement set out six major policy themes (see box on page 47) as well as strategies and actions to accomplish specific objectives spelled out in the document. Over the next three years, this document served as the underpinning for successful DOT initiatives to support enactment of major air and surface transportation laws. It also became the game plan for follow-on initiatives to improve DOT's internal organization.

The panel believes that FEMA and the federal emergency management function also would benefit from following a process similar to that used by DOT to develop its own broad strategy document. Involving the emergency management community in other federal agencies as well as state and local governments through an outreach effort, possibly including public meetings in key locations susceptible to natural disasters, would help build communications with other key actors and demonstrate FEMA leadership's willingness to include people beyond FEMA borders in charting the future for federal emergency management. And using a task force similar to the one outlined above for meeting short-term needs would help bring the different parts of FEMA together to develop common goals.

### STRATEGIC PLANNING AND MANAGEMENT PROCESSES IN THE DEPARTMENT OF TRANSPORTATION

In March 1990, President George Bush joined with Secretary of Transportation Samuel K. Skinner in releasing Moving America, the first statement of national transportation policy issued by the federal government in over a decade. This 127-page document provided a comprehensive framework of policies for all aspects of transportation and a strategy to carry those policies into action. Six broad themes were outlined:

- o Maintain and expand the nation's transportation system.
- o Foster a sound financial base for transportation.
- o Keep the transportation industry strong and competitive.
- o Ensure that the transportation system supports public safety and national security.
- o Protect the environment and the quality of life.
- o Advance U.S. transportation technology and expertise.

The policy statement recognized the need for the federal government to maintain mechanisms for integrating ideas from all parts of the transportation community and to establish a continuing strategic planning capability. The goal was to "ensure that programs and individual actions fit within a sound overall national policy framework and that those programs and actions remain sensitive to the changing conditions and needs the transportation system is facing."

The NTP was the first element of an ongoing process. Other elements included (1) an assessment of DOT's internal organization, beginning with the Office of the Secretary (OST), to improve its effectiveness in carrying out the policy and in meeting future challenges, (2) development and adoption of legislation reauthorizing federal aviation programs (completed in October 1990), and (3) the development and enactment of surface transportation authorizing legislation, the Intermodal Surface Transportation Efficiency Act of 1991.

FEMA also needs to create a small office under the executive director (see section below on FEMA leadership) to oversee and provide staff support for developing the agency's vision and mission, its values, and the emergency management strategies. This office also could be responsible for agency-wide performance measurement and program evaluation activities. In addition, the office would provide a link between the executive director and the CFO on financial management matters.

Even as these short- and long-term strategy initiatives are proceeding, action will be needed on future-year budgets. FEMA leadership should build into these budgets as much flexibility as possible so as to incorporate these broad strategies, once developed, into the agency's budgets.

Ideally, these strategies should be embraced by the President in a manner similar to the DOT policy statement. This requires involvement and review by OMB and the White House. As discussed above, FEMA leadership should seek to get them actively involved. One approach, discussed in Chapter Seven, would be to undertake a galvanizing event, such as a White House conference, a meeting between the President and governors, or a White House task force to forge a new compact between the federal government and the states on emergency management. This would be linked to the strategy development process.

## AGENCY LEADERSHIP

Strong agency leadership is needed at both the political and career levels as well as at headquarters and in the field. The panel believes FEMA has had insufficient leadership at any of these levels which would be necessary to create a high-performance, high-reliability institution with unified mission, vision, and values.

### Political Appointees

Political executives are indispensable to the functioning of government, and taken as a whole they serve their country with distinction. This is probably as true of those who have served at FEMA as it is for other parts of the government. Yet FEMA has had some special problems that stem from its high proportion of political executives and the relatively low priority that was afforded the agency by the White House personnel office.

The factionalism in the agency is only exacerbated by the large number of nearly autonomous political appointees. For example, the project team was told that when a former U.S. fire administrator was sworn in by the director and then asked if he knew what it meant to take the oath of office, he was said to have told the director: "This means that you can't fire me." For such a small organization to have more than 30 political appointees has caused substantial comment, both in congressional reports and within the agency. As indicated in

Chapter Five, FEMA has eight presidential appointees requiring Senate confirmation.<sup>44</sup>

The high number of political appointees needing Senate approval makes it difficult, if not impossible, for a director to establish any unifying vision, mission, values and goals. These appointees are confirmed by five different Senate committees, each of which has particular program interests. When an appointee's programmatic interests are threatened by the FEMA director's attempt at program integration, some have not hesitated to protect their interests by mobilizing interest groups, committee members or congressional staffs to intervene and thwart the director's efforts. While any single intervention may seem small and even warranted, when multiplied many times over, effective management becomes impossible.

The experience FEMA has had with essentially independent associate directors demonstrates the need for the new FEMA director to form his or her own team -- whether it be composed of political appointees or career executives. The most recent director of FEMA was appointed after all the other political appointments had been made. This is an intolerable situation for which the White House personnel office must bear responsibility. But as long as a small independent agency like FEMA is seen as unimportant by the White House and has political appointments available, the priorities of the White House personnel office will continue to prevail over the effective management of FEMA. The panel believes that it is impossible for any person to run an organization well if the key appointees of that organization have their own sources of power.

In addition to considerations of executive competence, political appointees tend to be chosen either as a reward for past service or for partisan loyalty. These two criteria make little sense in an agency charged with responding to disasters; there is no Republican or Democratic way to respond to a disaster. The lack of continuity of political leaders and the partisan selection criteria are detrimental to building a high-reliability organization.

A few political appointees of FEMA have engaged in behavior that has damaged the agency's reputation. Some instances could be called ethically ambiguous behavior, some petty corruption, and some imprudent management of a public agency. These incidents have given the agency unfavorable media coverage and led to embarrassing appearances before congressional committees. In short FEMA's reputation has been damaged, and reputation is a hard-won asset in government. It is critical to an agency's authority and ability to accomplish its mission. As one observer of FEMA's problems remarked, "Once an agency is on the ropes in this town, it is really hard to recover."

The problems caused by political appointments extend to the details of disaster management. A lack of sufficient public information officers at the field level can degrade a disaster response substantially. Yet, as long as this function is dominated by political appointees, it is doubtful Congress will provide the resources for important staff in the field

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<sup>44</sup> The agency is authorized nine presidential appointments, but one has never been filled. It also has 14 non-career SES (10 regional directors, 1 senior policy advisor in SLPS, the general counsel, the Fire Academy superintendent, and the assistant associate director in External Affairs).

since it hesitates to fund positions which it perceives are primarily for public relations rather than public information.

Several respected federal agencies -- the FBI, the GAO, the Public Health Service and the U.S. Forest Service<sup>45</sup> -- have had traditions of non-partisan leadership in the pursuit of critical functions of government. If the wise conservation of the nation's forestry resources can be accepted as a non-partisan function of government, then surely the protection of citizens from disasters can be as well.

### Need to Develop FEMA's Career Executives

FEMA has 37 career senior executives. This is an impressive number for a small agency. This group however, has not been cultivated as a leadership cadre essential in building a professionalized, high-reliability organization. Political appointees, however capable or well intentioned, generally lack the professional and institutional commitment as well as the continuity needed to develop the long-term leadership FEMA needs so desperately.<sup>46</sup> Unfortunately, FEMA has had a tradition of punishing career executives who fall out of favor with frequent transfers to what one of them called "administrative Elbas."<sup>47</sup> One career executive, the senior career official in the agency, was rotated through five different posts during a whirlwind 18-month exile.

It is encouraging to report that FEMA is making strides towards developing an executive development program. A "skunk works" operation setup between Human Resources and the FEMA Executive Resources Board has been developing profiles of what a FEMA executive should and should not look like in the next century. Diversity will be a challenge; presently, FEMA has only two female executives and one minority executive. Reversing a trend of hiring senior executives from outside the agency will also present a challenge. Suggestions being explored within FEMA involve creation of genuine individual development plans that serve as informal contracts between the executive and the agency, and a reversal of the cookbook mentality that has plagued FEMA's executive development program. FEMA has never been accused of being a progressive organization, but it must cease to use alleged development experiences as punishment and adopt an attitude of lifelong learning one that means executives will not be "too busy" to participate in individual development.

Most important, rotations of executives can be positive and should become routine. In fact, much of the factionalism within the agency could be alleviated if senior officials were

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<sup>45</sup> The panel has not reviewed these agencies. Its citation of them does not endorse either their current policies or performance.

<sup>46</sup> For example, President Clinton's selection for FEMA director will be the fifth agency head in 15 years. There have been several periods of more than six months during which the position of director was vacant.

<sup>47</sup> Elba was the island to which the allies banished Napoleon after his first abdication. (He returned, of course, to launch the campaign of the 100 days and Waterloo.) Subsequently, the allies sent Napoleon to the extremely remote island of St. Helena, where he died.

rotated among the various program areas, between the national preparedness function and the disaster assistance function for example. James Madison was right in prophesying that the "interests of the man will become the interests of the place."<sup>48</sup> Developmental rotations, if done voluntarily and as part of a sincere attempt to fulfill an individual's senior executive career development plans, can serve to curb the parochialism that plagues the agency by giving its senior careerists a stake in more than one program.

## NEED FOR A WHITE HOUSE CONNECTION

The original plan for FEMA envisaged White House oversight and involvement with a direct connection being made between the FEMA director and the White House. The FEMA director, in fact, was to be the chair of a White House Emergency Management Committee which included the assistant to the President for national security and was to advise the President on ways to meet national emergencies.

According to recent research on organization and reorganization,<sup>49</sup> the designers of the 1978 organization clearly understood that the appearance and reality of White House sponsorship were important for agency credibility and performance. But the idea of a formalized White House connection for emergency management never took root. In 1987, a "National System for Emergency Coordination" was established in the White House which included the principle of a "national coordinator" as a presidential representative with predetermined assignments to cabinet and other officials -- including the FEMA director -- depending on the nature of the emergency. However, the system was not implemented.

During the Bush administration, FEMA had the following channels to the White House:

1. The Office of Cabinet Affairs which served as the entry point into the White House for disaster declarations -- essentially a liaison function similar to that for all other domestic agencies;
2. The National Security Council's Policy Coordinating Committee for Emergency Preparedness, chaired by the FEMA director, which reviewed policy changes for civil defense.

In the words of one interviewee, "There is no one to carry FEMA's water on the domestic side." In effect, a solid White House connection did not exist, and its absence undermined the confidence of other agencies and the general public in FEMA, as well as FEMA's confidence in itself.

Further detail on the White House connection is provided in Chapter Three which also

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<sup>48</sup> "Federalist 51," in Jacob E. Cook, ed., The Federalist Papers. (Middleton, Conn., Wesleyan University Press, 1961.)

<sup>49</sup> Melissa M. Howard, op cit.

makes the case for establishment of a Domestic Crisis Monitoring Unit headed by a White House staffer who could provide a link between the FEMA director and the White House.

## NEW CLIMATE FOR NATIONAL PREPAREDNESS

Preparing for nuclear war and other national security emergencies has been a critical mission for FEMA since its founding, and it has been a key FEMA leadership responsibility during much of its existence. The President has stated that: "national security is dependent upon our ability to assure continuity of government, at every level, in any national security emergency situation that might confront the Nation; and . . . effective national preparedness planning to meet such an emergency, including a massive nuclear attack, is essential to our national survival."<sup>50</sup> Under various laws and executive orders, FEMA now has major responsibilities for responding to these requirements. The panel believes the future location and source of funding for FEMA's "defense-related" activities will be key issues for the new administration.

These responsibilities, excluding population protection and other programs elsewhere in the agency, are among those carried out by FEMA's National Preparedness Directorate (NP), which operates principally in a classified environment. Some change has resulted with the end of the Cold War and additional changes are anticipated. In the fiscal year 1993, FEMA Operating Plan, NP had about 38 percent of FEMA's total staffing and about 27 percent of its budget (excluding the Disaster Relief Fund).

### NP's Mission and Capabilities

NP defines its mission this way. It "develops and coordinates policy and capabilities at the Federal level to ensure continuity of essential executive branch activities during the full spectrum of emergencies." In practice, this has meant preparation for national security emergencies of all types, including all-out nuclear war. In briefings for the project staff, NP officials described and discussed substantial resources which are available for national security emergencies, and which they said have been made available for domestic emergencies and disasters.

Its communications equipment networks, resources and people were deployed and used in 1989 after Hurricane Hugo and again in Florida after Andrew. Its capabilities have been developed and engineered to meet the unique needs of emergency managers at all levels involved in field operations. In addition, this capability has been available for other events over a period of 10 years, including the recent presidential inauguration. Assets in NP were helpful to FEMA disaster response officials in setting up operations for responding to catastrophic events.

From 1983 until 1991, NP was responsible for planning, procedures, preparedness, team rostering and orientation and federal agency coordination for responses under such hazard-specific plans as the Federal Radiological Emergency Response Plan (FRERP). NP people and

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<sup>50</sup> Executive Order 12656, November 18, 1988, p. 1.

resources were central in the many exercises and special events held during this period. NP planners also supported FEMA's Disaster Assistance Program staff who were concurrently developing the Catastrophic Earthquake Response Plan. This plan was later renamed the Federal Response Plan and said to be appropriate for all emergencies under the Stafford Act. In 1991, the FEMA director redelegated the response authorities from NP to SLPS and the agency's response repertoire is now focussed almost solely on the FRP. NP has consistently supported FRP exercises, planning and events throughout the period. However, NP's role in disaster response planning under the Stafford Act has been limited to support planning.

It is clear that NP has very significant experience and capabilities in national-level response planning and coordination. The project staff was impressed by what they saw in NP, and it appears there are important opportunities not only to make better use of NP assets for responding to non-national security-related domestic emergencies but also to take advantage of the NP network in perfecting the FRP.

In testimony January 1993 before a Senate Appropriations subcommittee, the General Accounting Office said:

. . . the Directorate maintains a high level of readiness and is, therefore, able to instantly deploy people and resources from a number of locations to anywhere in the United States. Although the Directorate's assets could have been instrumental in such tasks as planning, assessing damage, and establishing communications links between local, state, and Federal officials at the disaster site, they were not fully used to respond to Hurricane Andrew and other recent disasters. This occurred, in part, because the Federal Response Plan lacks procedures for using the Directorate's assets to respond to natural disasters.

### Security Classification and Communication Problems

The project staff has observed serious internal communications problems among organizations within FEMA. The panel subscribes to the school of thought in FEMA which attributes this in large part to the "wall of secrecy" created by the classified programs and the restricted areas in which they are performed. Other FEMA staff attribute the apparent insularity of FEMA programs to the "dog-eat-dog" budgetary treatment of FEMA programs over the life of the agency. In this view, congressional authorizing and appropriations committees have tended to regard budget requests for less-favored programs as depriving more-favored programs of their due within a zero-sum budget ceiling.

Recommendations in a November 1992 report of the FEMA Security Practices Board of Review may correct the part of the internal communications problem which is caused by classification.<sup>51</sup> This Board was charged with reviewing the practices and operations of the FEMA Security Office, as well as the number and types of clearances required to carry out

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<sup>51</sup> Security Practices Review Board, Federal Emergency Management Agency, Final Report and Recommendations, November 1992.

FEMA's missions. The Board recommended that the number of FEMA employees requiring security clearances be reduced from almost 1,900 to approximately 300. While this precise numerical goal has not yet been validated, FEMA is already reducing the number of clearances, and the panel believes that additional reductions would benefit employee communications and program integration. Reducing the intrusiveness of classification issues in FEMA's overall operations is also underway, and the panel believes this will help. The Board also said a drastic reduction of clearances "would go far toward removing a culture that is all too common through the government, e.g., that a security clearance is important to a successful career," and its attendant burden on FEMA staff whose duties are unrelated to national security issues.

### **Transfer National Preparedness Responsibilities to DoD**

As to their future location, the panel has concluded that the needed shift in FEMA's mission and management strategy to an all-hazards emergency management function centered on domestic emergencies and disasters would be facilitated by transferring the principal national preparedness program responsibilities to DoD. With the greatly reduced threat of massive nuclear attack, the need to maintain these programs in a small, civilian federal agency has diminished. The panel believes that DoD is quite capable of maintaining the needed capacity, thus freeing FEMA's leadership and staff to concentrate on the agency's core mission.

Transfer of program responsibility usually entails transfer of program staff and facilities as well. However, this is not essential here. In discussions with National Security Council staff, the project staff was advised that many of NP's assets are declassified. This is consistent with the Security Review Board's findings. If these assets can function in this manner, they can be fully integrated with other FEMA operations, giving the agency significant capacity to send a high-performance emergency response team into almost any environment. FEMA would maintain and operate designated portions of the assets on a contingency basis for DoD in order to meet the transferred program responsibilities. This arrangement would enable the assets and related staff capabilities to be available for all-hazard uses.

The alternative would be for DoD to assume responsibility for all transferred program staff and assets, but make them available to FEMA, as needed, for disaster response. Because these assets were designed so they had a dual capability and their primary use will be for domestic emergencies, the panel believes this would reduce their availability for this purpose and lower the potential synergism between the program staffs.

### **Funding Issue**

The civil defense and federal preparedness programs have had applications in both civil and national security emergency management, but have been funded from the national security budget because of the part they play in the nation's deterrence strategy. The new administration will need to consider whether this funding rationale will continue to be appropriate, and whether the domestic side of the budget can support civil defense and federal preparedness programs of the current size. The administration and Congress could agree to continue funding from the national security budget for one additional year to allow time for (1) enactment of the new

statutory charter recommended in Chapter Five and (2) further appraisal of the national security requirements for which these assets are maintained. Arrangements then could be made for funding from either the national security or domestic budgets -- or both -- at appropriate levels.

### Mobilization Planning and Preparedness

The NP directorate carries out certain other national security-related functions, such as the Government Plans and Capabilities program which provides consolidated federal preparedness planning, including policies and plans to use the nation's resources in national emergencies, situation assessment and engineering support capabilities, and resource mobilization policy. Mobilization preparedness, plans and authorities, mobilization assessment, and federal readiness are program elements. If Hurricane Andrew had hit a more industrially-developed area, these programs could have facilitated the speedy rebuilding of industries and facilities categorized as defense-related. Application of a damage-estimating model developed in one of these program elements was said to have estimated the damage suffered in South Florida following Andrew to within 10 percent of the actual damage. Apparently, it was not used because it was untested at that point, and no regularized procedures had been developed to make such estimates available as part of disaster response.

FEMA's 1992 transition book states that "greater emphasis is being placed on planning for any occurrence, including natural disaster, technological emergencies, or other emergency, that threatens the national security."<sup>52</sup> The questions are whether these efforts should be better integrated with the agency's planning for domestic emergencies or spun off, and whether their utility in this context justifies their current funding.

### Summary

The widespread and persistent FEMA problems with internal communications and coordination appear to have been intensified by classification restrictions on NP programs. This problem could be mitigated by (1) reducing the number of security clearances and the impact of classification, (2) transferring certain program responsibilities and limited program staff to DoD, (3) improving the integration of NP assets into domestic emergency response, and (4) reevaluating the budgetary placement of defense-related programs. The new FEMA director may also want to take additional steps, such as fully integrating the remaining NP and other directorate activities for responding to emergencies of all kinds in a new "response" office or directorate and spinning off to DoD, Commerce, or possibly the General Services Administration, NP's mobilization preparedness and assessment activities. These mobilization activities are integral to the national-security emergency role of the agency, but relate less directly to civil disaster management under the Stafford Act.

The panel believes further change in NP's mission and operations is inevitable. It is up to the new administration, including FEMA's leadership, to determine whether such changes will

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<sup>52</sup> U.S. Federal Emergency Management Agency, 1992 Transition Book, Washington, DC, December 1992, p. NP3.

be driven internally or by outside sources.

## NEED FOR MANAGEMENT SYSTEMS

Effective management systems -- such as budgeting, accounting and information resource management -- are typically thought of as means of control, but they are even more important in "steering" an agency in line with its vision, mission and values. Control merely for the sake of control is meaningless. As noted earlier, the inability of FEMA to become a more viable institution during the first 15 years of its existence is due, in part, to its inability to (a) develop a coherent mission, (b) derive from that strategic plans and goals, and (c) produce annual work plans and meaningful performance measures. Management processes are the glue that holds a purposeful enterprise together. It is not surprising then that FEMA is almost totally lacking in any effective management systems that keep the agency together in pursuit of mission, goals and objectives. At the same time, the lack of cohesion has itself simultaneously created and exacerbated a number of agency-wide management problems. Specifically:

- There are no effective, centralized units for program planning, evaluation or research. Each directorate maintains its own capacity. Furthermore, the performance audits or evaluations begun in the last few years by the FEMA Inspector General have rarely been acted on by the agency.
- There is no agency-wide approach to management support functions, e.g. printing, copying, graphics, physical security, space management, etc.
- There is no centralized decision-making function for either budget formulation or budget execution. In the case of budget execution, each directorate allocates its "own" funds to the field.
- There is no coherent or cohesive system for headquarters communication with the field.
- There is no system to relate workload to staff and other resource requirements; no systematic collection of workload data; no definition of units of work or performance measures; and no system to relate performance to workload or resources.

Just as there was no one to "carry FEMA's water" in the White House, so the panel believes there was no one in FEMA to "carry the water" on its internal management. With independent directorates having a vested interest in maintaining control over their own systems and activities, the agency has not had an advocate for strong central management. One problem feeds upon another. With no organization in FEMA designated to give sound management advice to the director, there has been no voice to offset that of the directorates on issues and tell the director that "there is another way." An office with continuity and expertise under a top career executive, such as an executive director, could provide the much needed management systems voice inside FEMA.

## NEED TO STRENGTHEN MANAGEMENT OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

FEMA has been successful in implementing fixed and mobile information and telecommunications capabilities for national preparedness and other functions. This success derives, in part, from the capabilities of the NP Information Resources Management (IRM) Division -- the only office in FEMA with an IRM charter. NP's IRM division advised the project staff that it provides "a full range of information systems support through multiple media to FEMA headquarters and field offices." This includes installation of a backbone communications network as well as secure and non-secure communications. Installation was said to be in "mid-stream" at the time of this report.

While IRM has been successfully installing specialized information and communications assets for NP, the rest of FEMA has had no coordinated information management support for either day-to-day operations or disaster recovery. Each directorate and each region has been largely on its own for satisfying mission-related information systems needs. Regions have been provided with an array of uncoordinated and non-standard -- almost random -- systems with no support infrastructure. This approach is contrary to requirements in the Paperwork Reduction Act for the development of a strategic plan and for the establishment of a single point of contact for IRM activities. The "strategic plan" exists but it appears to have been an exercise to meet the requirement. FEMA's "single point of contact" was a person who had little knowledge of or responsibility for IRM and who headed a non-functioning IRM committee.

With no top-level organizational structure or process for developing information systems requirements, uncoordinated and inefficient systems have developed. The teleregistration center in Denton, Texas, that the project staff visited provides an example. Although in existence for three years, it is a very rudimentary telephone answering service with a paper-intensive and error-prone process. Banks of minimally trained personnel fill out multi-carbon papered, hand-written forms based on calls from distraught disaster victims. This paper then goes through several more iterations of redundant sorting, collating, mailing and data entry both at the teleregistration center and a central processing office across town. With the many bottlenecks and inefficiencies involved, the ultimate customer of FEMA -- the disaster victim -- is not being well served. No-one in FEMA has the ability to address the agency's basic information flows and processes or marshal the necessary funding.

The deficiencies in FEMA's IRM technology and systems reflect the absence of a unified FEMA mission, an agency-wide strategy, an agency-wide information systems approach and a focus on the needs of citizens. In part, the IRM deficiencies exacerbate other problems such as effective communications between headquarters and the regions.

The panel believes an effective information management strategy is essential to improved disaster response and recovery operations. For example, as indicated in Chapter Three, FEMA should have a data base of available resources for disaster response. The effective information management strategy cannot be devised in isolation in a central office. Development of the strategy must be an interactive process between the centralized offices' concerned with costs and

conformity to overall mission and values on the one hand, and the work requirements of the agency's program units on the other. In fact, the best information system is one which is either by-product of an automated system for actual work processes, or one which provides the program management with information needed to manage the program.

## **HEADQUARTERS/FIELD RELATIONSHIP AND ORGANIZATION**

The relationship between field offices and headquarters is, to put it delicately, ambiguous. The panel believes that the approach to field administration can either be centralized or decentralized, but it cannot claim to be one thing and in fact be another if the system is to have any credibility or meaning. Under the former FEMA director's approach to headquarters-field relationships, the regional directors were to be "in total charge of all operations within their region." However, each associate director in headquarters controls the money that goes to the field. Every personnel action in the field must be cleared by the counterpart headquarters directorate. The only money and staff that the regional director controls directly is the region's small executive direction fund.

Project staff interviews with both headquarters and field officials indicated that the field is basically on its own in matters of policy. In part, this is reflected by each region's making its own decisions on problems which are new to FEMA, such as the issues raised by the Los Angeles riots. It is also reflected in the manner in which each region responds to disaster needs. The regional directors with whom the project team met had different views on just what they were authorized to do, including whether or not they can legally begin to act before a presidential disaster declaration.

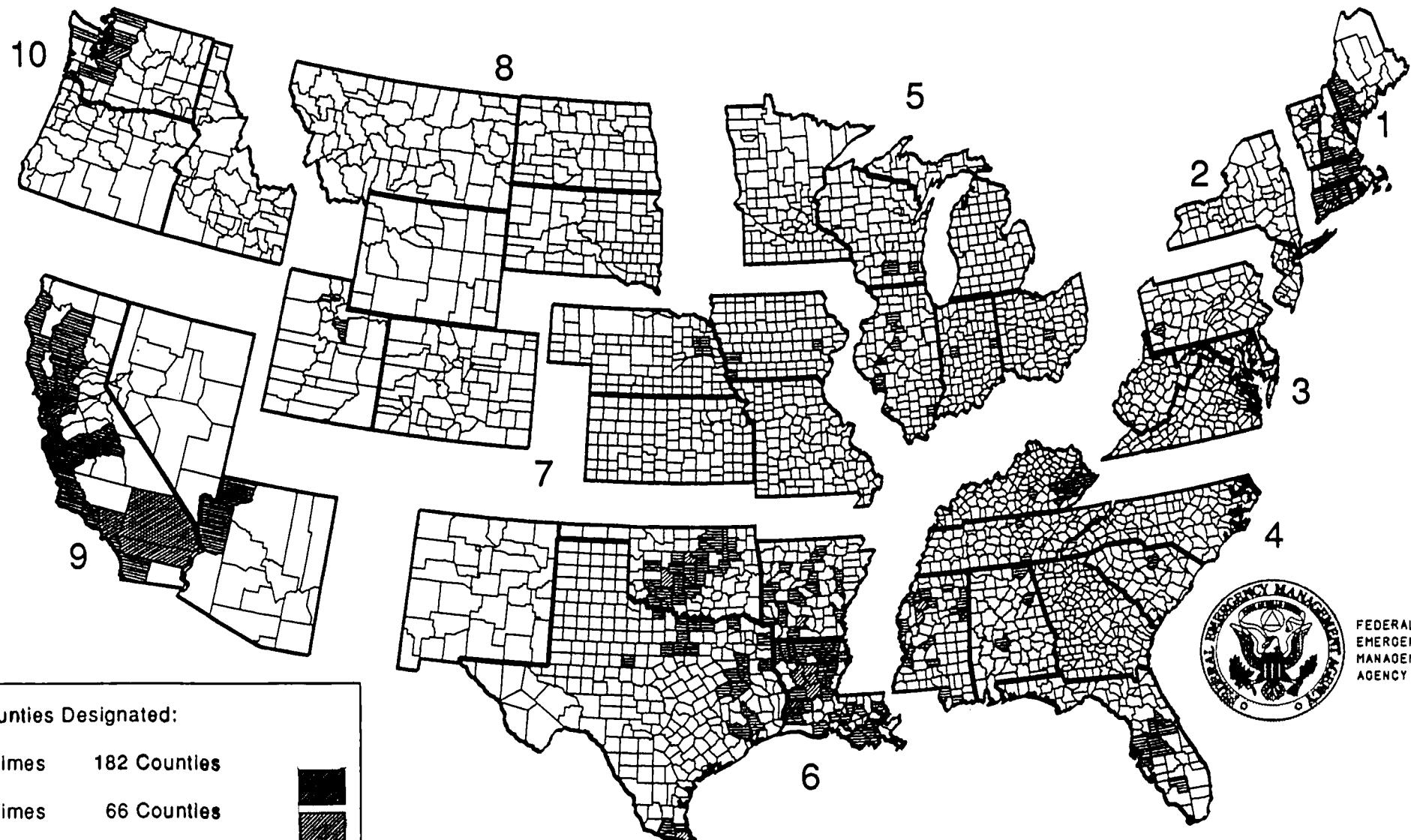
The panel believes that many changes are necessary in the relationship between headquarters and the regions. These include:

- A clear understanding that headquarters is responsible for statutory interpretation and nationwide policy. While regions must vary their responses to meet local conditions -- both natural and political -- they must do so within the bounds of clearly established national policies;
- At the same time, Regions must have the flexibility to respond appropriately and to prepare for that response. This needs to involve the relinquishment by headquarters of the detailed dollar and personnel control that headquarters now exercises over the trivia of administration;
- To bring this about in a rational and balanced manner, FEMA must adopt a new system of regional work-planning which avoids the lists of tasks to be accomplished in the current system and, instead, concentrates on the objectives to be achieved. An important prerequisite for this is the development of performance evaluation criteria as well as some standards to relate workload to staffing and other resource requirements.

The field organization also is of some concern. When a field structure map is

superimposed on a map showing frequency of disasters, the disconnection is obvious. Some rationale exists for maintaining the current 10-region structure both for ease of communication with other federal agencies that share structure, and to provide a "back-up" staff capacity for shifting to other parts of the country to meet disasters. On the other hand, an argument can be made for placing resources where the need is likely to be greatest. In addition, when the project study team heard complaints about FEMA staff, the complaints were seldom about staff from the complainant's region. The staff from the nearest regional office generally were perceived as knowing the people and the area. Rather, the complaints were about the lack of knowledge and sensitivity of staff from other regions who are brought in to handle surges in workload. The panel notes that the four-region organization used by the Continental U.S. Army more closely approximates the incidence of disasters and may represent a better way to restructure FEMA with minimum disruption, especially since the military plays such an important role in responding to major catastrophes. It would also provide a structure to facilitate the regional approach recommended in Chapter Seven.

## Counties Designated in Major Disasters Fiscal Years 1982 - 1991



### Counties Designated:

3 Times 182 Counties



4 Times 66 Counties

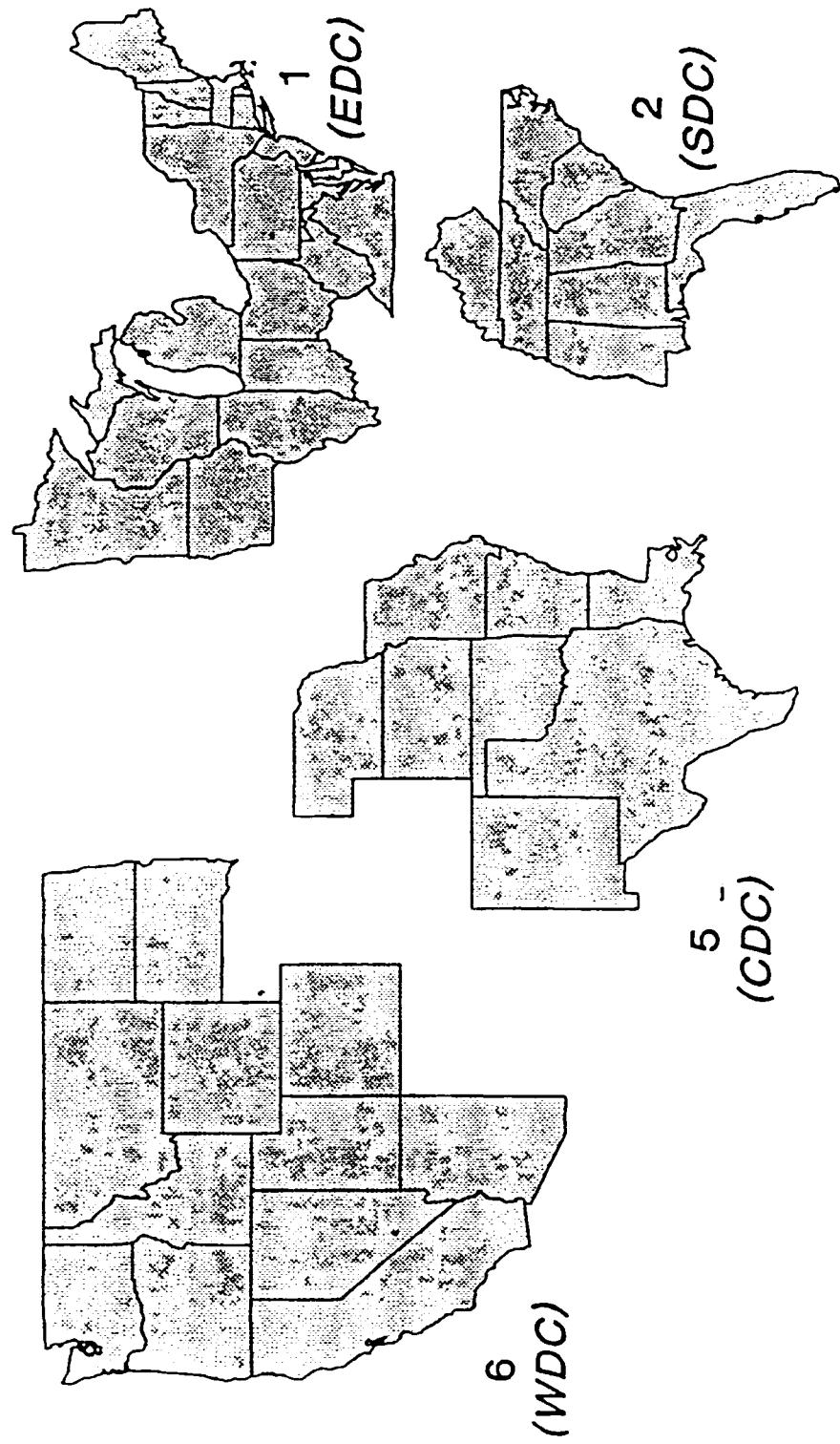
5 Times 25 Counties

6 Times 26 Counties



FEDERAL  
EMERGENCY  
MANAGEMENT  
AGENCY

CONTINENTAL U.S. ARMIES  
(JOINT REGIONAL DEFENSE COMMANDS)



FEMA staff who reviewed the comments of project staff have advised that what was demonstrated over and over again in the most recent disasters is that each region develops its own implementation procedures and there is very little consistency and standardization between regions on how to conduct disaster business. They advise that, even if the number of regions is reduced, unless there is consistency in how the disaster policies are implemented, staff from the various regions will still have problems serving as "back-up staff" for each other.

## **EMPLOYEE MORALE**

Given the many divisive factors within the agency, it is not surprising that employee morale should be a concern. In fact, one of the items mentioned in congressional reports on FEMA is the declining morale of its employees. With such a highly subjective topic, little data exists on which to base a judgment. A review of the records available at FEMA shows an increase in the number of employee grievances filed -- from 23 in 1988 to 66 in 1992. Interviews at all levels revealed employees who are dedicated and enthusiastic about their duties but who admit that they are bothered by criticisms of the agency, its dubious reputation and the uneven quality of leadership it has experienced. Employees at various levels also indicated unhappiness with what they perceived as the unwillingness of management to make decisions. A morale problem also exists with many members of the NP directorate who see their old mission disappearing, with no indication from FEMA leadership that their ability to respond to natural disasters is recognized.

## **FUNDING PROBLEMS**

FEMA has many problems managing its funds for so many separate programs. Funding for each program is passed through from headquarters to the field offices and then to the states with little flexibility allowed and no conscious decision making at the top on how the monies should be used to meet goals. The need for financial flexibility was constantly stressed by officials at all levels except FEMA headquarters.

The problem is usually blamed on congressional reprogramming restrictions. Such restrictions, however, are a customary requirement by the Appropriation committees that they be consulted by the agency about any shifts of funds over a certain level. With no strong central budget and decision-making function in FEMA -- and a lack of trust by congressional Appropriations committees in FEMA management's judgment -- reprogramming restrictions have become a severe burden on FEMA, and the agency has chosen to leave most funding as it was presented and approved. The result has been inflexibility throughout the system that limits the ability of management to take actions that could yield a more effective use of funds. A new activity structure approved by the Congress in the 1993 budget -- but not yet implemented in FEMA -- could alleviate much of the problem; however, the flawed internal decision-making process is not affected. A helpful step beyond the new budget structure might be a consolidated grant program to incorporate funding for all the separate authorities and give FEMA headquarters, the regions, and the states the flexibility to decide in what areas funding should be concentrated.

FEMA also has a problem responding to disasters due to low balances in the Disaster Relief Fund. In recent years, the Disaster Relief Fund has not contained enough money to meet major emergencies. For example, FEMA was criticized for not responding faster with money to assist in Florida and Louisiana after Hurricane Andrew. The fact is that FEMA did not have enough money with which to respond until the Congress passed a supplemental appropriation law.

When FEMA is responsible for a major disaster such as Hurricane Andrew and does not have surplus funds in the Disaster Relief Fund, it must pull back monies that have been allocated for other disasters and hold off allocating money for new smaller ones. It is FEMA's practice to cut back on the public assistance money -- but never the individual and family grant money. The consequences of this tardy funding are that FEMA cannot move funds quickly into a catastrophic situation. This results in a lot of blame placed on FEMA, complaints about FEMA to Congress and substantial staff time and energy diverted to responding to congressional inquiries.

## CONCLUSIONS AND RECOMMENDATIONS

Few of the goals envisioned by the 1978 reorganization plan establishing FEMA have become reality. FEMA as an institution has not yet been built.

The panel strongly believes that FEMA, or any successor, should become a professional, depoliticized organization capable of coordinating federal, state and local responses to disasters and meeting the needs of disaster victims. There is no Republican or Democratic way to perform emergency management.

The panel presents below several recommendations designed to create a high-performance, high-reliability agency, thereby strengthening the federal emergency management function.

To meet these conditions, the agency may need more money in the near term. But the panel believes that if the recommendations are adopted, they will improve FEMA's efficiency and effectiveness and, in the long run, would reduce costs.

Absent sufficient action on these recommendations within a reasonable period, the President and Congress should consider taking action on more drastic options as described in Chapter Seven.

### Recommendations

**VISION AND MISSION:** Create a coherent sense of mission centered on the vision of a high-performance, high-reliability agency of government capable of integrating and coordinating the federal government's emergency management functions. The primary emphasis would be on domestic civil emergencies and disasters -- and on all four functions of emergency management: mitigation, preparation, response and recovery. Three major actions

to accomplish this are:

- **Develop an agency legislative charter** (see Chapter Five) that makes it clear that the primary purpose of the agency is domestic civil emergencies and disasters -- and that it will deal with all four phases of emergency management.
- **Declassify virtually all positions.** Transfer certain classified program responsibilities (but not all staff and assets) to DoD, transfer the defense mobilization functions to DoD or GSA. Form a new all-hazard preparedness and response unit utilizing FEMA's unique communications and other assets.
- **Seek clarification from Congress of FEMA's responsibilities for the social and major public works issues facing the agency following recent disaster declarations.**

**STRATEGY:** Develop a strategic policy statement outlining the several broad emergency management policy goals (about four to eight such goals) to be achieved during President Clinton's first term. For example, one such goal could be enactment of a unified statutory charter for emergency management.

**VALUES:** Work with agency employees to articulate a set of values centered on:

- Minimizing losses from emergencies and disasters.
- Helping victims to survive, recover and restore their lives.
- Integrating more effectively the four main functions of emergency management (mitigation, preparedness, response and recovery).
- Establishing a service-oriented approach to dealing with the "customers" of the agency, including those customers of diverse racial and ethnic backgrounds.
- Maintaining control of costs to the federal treasury.

**WHITE HOUSE COMMUNICATIONS:** Build a continuing relationship with the senior White House officials responsible for domestic policy, domestic crisis monitoring and processing of disaster declarations. Have a solid understanding of how these White House functions operate.

**LEADERSHIP:** Provide a framework for improving leadership by:

- **Limiting the number of presidential appointments (other than the inspector general) to two -- director and deputy director -- and helping to assure that future leaders are qualified and trained for their jobs.**
- **Converting all other executive positions to career status and filling them with the most**

qualified candidates from within the agency, throughout the federal government, state and local government or the private sector.

- **Building a first-rate executive development program** to assure a pool of talent for future leadership within the agency.
- **Creating a career-reserved position of executive director** with responsibility for all internal management systems and functions except budget and financial management. (The Chief Financial Officer Act of 1990 requires that the CFO report directly to the agency head. There should be a close working relationship between the CFO and the executive director on common management issues).

**PREPARING FOR THE NEXT CATASTROPHE:** Give priority to assuring the agency is as prepared as possible for the next catastrophe, i.e., position the agency to "manage the hell out of moments of truth."<sup>53</sup> (See also recommendations in Chapter Three.)

**ORGANIZATION:** Realize the goal of building a single, coherent organization by:

- **Restructuring the agency around a comprehensive emergency management concept with primary emphasis on mitigation of, planning and preparing for, and responding to, and recovery from civil emergencies and natural or human-generated disasters.**
- **Addressing the problem of agency subcultures by giving all components an all-hazards objective, with the only difference between components being the functions they perform toward this end – preparation, response, recovery, and mitigation.**
- **Better integrating -- or spinning off – the now relatively separate functions of the Fire Administration and other agency operations which prove incompatible with the new mission and vision.**
- **Considering strengthening the mitigation function by building on the mitigation responsibilities of the National Earthquake Hazards Reduction Program and the National Flood Insurance Program, especially with new all-hazards insurance and mitigation programs being considered by Congress.**
- **Setting one management philosophy for delegating responsibilities to the field, consistent with the mission and the roles the field offices are expected to play. Establish management systems consistent with this philosophy and which also will provide guidance for consistent application of statutes and policies nationwide. In this connection, make it clear that headquarters is responsible for policy and centralized management systems while the field is responsible for implementation of policy within the context of systems needed to respond to regional circumstances.**

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<sup>53</sup> Academy Fellow Thomas D. Larson attributes this quote to Jan Carlsson.

- Considering consolidation of the field structure into fewer regions -- such as the four-region structure used by the Continental U.S. Army -- to assure its responsiveness to emergency requirements based on the frequency of disasters and opportunities for coordination both with the states and the military.
- Developing any needed legislative proposals for reorganization. Depending on the exact composition of the proposal, some legislation -- including FEMA-specific reorganization authority -- may be necessary.

**EXTERNAL AFFAIRS:** Build a strong external affairs unit of career personnel capable of effectively handling media relations in moments of crisis. Public Affairs should include promptly informing disaster victims of where and how help can be obtained. Congressional Affairs staff should emphasize building good relations with Congress. Additionally, the unit should establish good bridges to cognizant interest groups, such as the National Governors' Association, the National Emergency Management Association and others.

**PERFORMANCE MEASUREMENT:** Continuously measure performance against goals by:

- Creating a "customer-oriented" or citizens' needs approach to assist in defining goals and performance standards and units of work.<sup>54</sup>
- Developing the performance indicators and measurement systems to make this possible.
- Creating a system for relating staff and other resource requirements to workload and performance.

**MANAGEMENT SYSTEMS:** Establish the central management systems "glue" to bind the agency together by:

- Strengthening the budget structure and process, making it a tool for FEMA leadership to implement its mission and strategy through the establishment of a centralized decision-making process and a central funds control and allocation mechanism. Allow for flexibility in fund allocation through the use of a new activity structure combined with a responsive reprogramming process.
- Establishing an operational planning system to convert the strategic goals into achievable objectives for each organization unit. A streamlined, mission-oriented, low-paperwork regional planning and reporting system, designed to secure consistent regional operations, also should be developed and maintained.

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<sup>54</sup> Much of the current management literature speaks of "customers" and a customer-oriented approach. While the panel agrees with the thrust of the approach, it holds that there are important distinctions between a customer and a citizen. "Customers" only have individual wants; "citizens" have individual and collective needs, responsibilities to one another, and rights.

- **Converting the personnel office into a modern human resources management function centered on building a first-class work force.** Priority initiatives include creating executive training, succession and development programs; improving employee training; developing a culturally diverse work force (including the disaster reserve work force) that more closely matches the clientele of the agency; and providing organizational rotation to help break down the walls between agency units. To the extent practicable, provide for employee exchanges between headquarters and the field.
- **Creating a competent career planning, program analysis and evaluation staff** of analysts reporting to the executive director which can provide agency leaders with timely planning, analysis and recommendations for change in policies, procedures, and programs and which can use OIG program evaluations as input.
- **Encouraging the Office of the Inspector General to carry out more program evaluations**, as mandated by the Inspector General Act and requiring the agency to build such evaluations into its new structure for program analysis and evaluation.

**COMMUNICATIONS AND INFORMATION TECHNOLOGY:** Establish a modern communications and information resources management system by:

- **Creating a separate central information resources management office** under the executive director from the staff now in the NP directorate, but including representation from other offices, to undertake an aggressive, unified agency program to exploit communications and information technology, to streamline agency operations and make them more efficient, to ensure that information is a by-product of systems designed to do the work of the agency to develop needed data bases and to create a forum in the agency to develop a meaningful agency-wide plan. This office also should work with other departments and agencies, state and local governments, and non-profits (such as the Red Cross) to create consistent, compatible information processing across programs.
- **Ensuring that the IRM office is an integral part of an agency strategic planning process**, exercising leadership in converting "Cold War" IRM assets and capabilities to today's and tomorrow's needs for domestic, civil emergencies.
- **Reinstituting the Information Resources Board** with strengthened functions, including budget development and oversight over major information projects and acquisitions.

**RESOURCES:** Notwithstanding the demands for deficit reduction, the President and Congress should provide the funding needed to build an effective emergency management agency.

- **Action by the Administration.** Recognizing that the implementation of these recommendations will take more funding for program administration than is currently available to FEMA, the new director of FEMA should establish a task force to develop a funding proposal. The proposal should take into consideration possible offsets from

such things as lower regional overhead and lower security staff requirements, and from fewer "small" disasters being federalized, as recommended in Chapter Three. OMB and the administration should look upon such proposals as priority considerations to assist in building the institution needed for the alleviation of human suffering.

- **Action by Congress.** The Appropriations committees should support the new administration and the new FEMA director by providing needed funds and program flexibility.
- **Congress should consider legislation to allow the speeding of Disaster Relief funds.** One possibility may be to appropriate in advance -- perhaps with language denoting their availability only for use in the event of a major catastrophe, using the graduated scale recommended in Chapter Three. Recognizing, however, that this might prove impractical, the panel has suggested in Chapter Five that authority be provided for FEMA to make commitments to other federal agencies in advance of a supplemental appropriation.

## CHAPTER FIVE

### THE FEDERAL RESPONSIBILITY – THE ROLE OF CONGRESS

The Congress of the United States plays a leading role in developing policies for emergency management and the federal response to natural disasters. Jurisdiction over these functions and FEMA is so splintered, however, that no single authorizing committee has the ability or interest to examine either one in their totality. This splintered jurisdiction also reinforces fragmentation within the agency, as well as programmatic authorizations tied to specific kinds of disasters, such as earthquakes or radiological hazards. In addition, FEMA's relations with Congress are needlessly time-consuming, complex and contentious.

One side effect of this splintered jurisdiction has been a reluctance by FEMA to propose a restructuring of its authorizing statutes. Several laws apply to emergency management programs. The two most prominent are the Stafford Act (Public Law 93-288, as amended) and the Federal Civil Defense Act of 1950, as amended. However, certain emergency management functions are also governed by the National Security Act of 1947 and the Defense Production Act of 1950. Agriculture and small business loan programs are authorized by their own laws under the jurisdiction of committees with little or no interest in mainline emergency management programs. The result is a hodge-podge of statutory authorizations providing sometimes conflicting and outdated guidance which, in the panel's judgment, hampers the integration of emergency management functions and slows, as well as materially complicates, the federal response to natural disasters.

This chapter addresses congressional legislative and oversight responsibilities and makes the case for development and enactment of a new statutory base for federal emergency management programs. The panel supports consolidation of authorizing committee jurisdictions. The recent establishment of a Joint Committee on the Organization of Congress provides a unique opportunity to encourage consolidation of jurisdiction around an emergency management concept.

### MANY COMMITTEES HAVE LEGISLATIVE RESPONSIBILITIES FOR EMERGENCY MANAGEMENT

About 20 committees in the House and Senate have legislative jurisdiction over emergency management programs and appropriations operated by FEMA. Additional committees, such as Agriculture and Forestry and Small Business, have jurisdiction over programs administered by other federal agencies, such as the Farmers Home Administration and the Small Business Administration, which provide assistance to disaster victims.

#### Splintered Legislative Jurisdiction Over Emergency Management

Numerous authorizing committees have jurisdiction over some aspect of emergency

management; no single committee, however, has formal responsibility under the House or Senate rules for this function. One FEMA document states that, in all, about two-thirds of the House and Senate committees can get involved. Some programs have permanent authorizations, others are reauthorized periodically, while still others are authorized annually. The chart on page 71 shows the major programs for FEMA and the committees that have jurisdiction.

Even within committees, different parts of FEMA's programs are overseen by different committee components. For example, in the Senate Armed Services Committee, the Subcommittee on Strategic Forces has jurisdiction over the Civil Defense Act while the full Committee staff oversees the classified national security emergency preparedness programs. A similar division is found within the House Armed Services Committee. None has an overall perspective on where the individual programs fit within the broad framework of federal emergency management.

**FEMA-RELATED CONGRESSIONAL COMMITTEES****APPROPRIATIONS**

Senate: Appropriations, Subc on VA, HUD, & Independent Agencies  
House: Appropriations, Subc on VA, HUD, & Independent Agencies

**CIVIL DEFENSE**

Senate: Armed Services, Subc on Strategic Forces  
House: Armed Services, Subc on Military Installations

**DEFENSE PRODUCTION ACT**

Senate: Banking, Housing & Urban Affairs (no Subc)  
House: Banking, Finance, & Urban Affairs, Subc on Economic Stabilization  
Energy & Commerce, Subc on Commerce, Consumer Protection, & Competitiveness  
Judiciary (no Subc)

**DISASTER RESPONSE & RECOVERY**

Senate: Environment & Public Works, Subc on Water Resources, Transportation, & Infrastructure  
House: Public Works & Transportation, Subc on Water Resources; Subc on Oversight & Investigations

**EARTHQUAKE HAZARD REDUCTION**

Senate: Commerce, Science & Transportation, Subc on Science, Tech, & Space  
House: Science, Space, & Technology, Subc on Science, Subc on Investigations & Oversight  
Interior & Insular Affairs, Subc on Mining & Natural Resources

**EMERGENCY FOOD & SHELTER**

Senate: Governmental Affairs (No Subc)  
House: Banking, Finance & Urban Affairs, Subc on Housing & Community Development

**FIRE PREVENTION & CONTROL**

Senate: Commerce, Science, & Transportation, Subc on Consumer  
House: Science, Space, & Technology, Subc on Science, Subc on Investigations & Oversight

**FEDERAL INSURANCE ADMINISTRATION**

Senate: Banking, Housing, & Urban Affairs, Subc on Housing & Urban Affairs  
House: Banking, Finance, & Urban Affairs, Subc on Policy, Research, & Insurance

**RADIOLOGICAL EMERGENCY PREPAREDNESS**

Senate: Environment & Public Works, Subc on Nuclear Regulation  
House: Energy & Commerce, Subc on Energy & Power;  
Interior & Insular Affairs, Subc on Energy & Environment

**CERCLA, HAZMAT, HMTUSA**

Senate: Environment & Public Works, Subc on Superfund, Ocean, & Water Protection  
Commerce, Science, & Transportation, Subc on Surface Transportation  
House: Energy & Commerce, Subc on Transportation & Hazardous Materials  
Public Works & Transportation, Subc on Surface Transportation

### **Preoccupation with Larger Topics Except in Times of Crisis or Disaster**

Emergency management programs get little attention except in times of crisis or disaster. FEMA's budget is relatively small compared to those of other agencies included in its appropriations law (e.g., the Department of Housing and Urban Development and the National Aeronautics and Space Administration), and the civil defense component is a tiny fraction of the national defense authorization law reported each year by the Armed Services committees.

The civil defense program is given perfunctory treatment in the Armed Services committees with much of the attention being directed to whether there ought to be any national defense funding devoted to "preparedness for nuclear attack," and to the needs of local civil defense agencies which are partially supported by federal funding.

The Public Works committees have jurisdiction over the Stafford Act, but the cognizant House subcommittee also has jurisdiction over many other, larger issues, including the Corps of Engineers' water projects, water pollution, the Superfund (shared with the Energy and Commerce Committee), and large water projects in the soil conservation program. According to the staff, it has taken a passive approach to Stafford Act oversight, waiting for the Executive Branch to recommend any needed changes. While oversight hearings have been held in another subcommittee, no emergency management legislation was considered during the 102nd Congress, and the staff was not expecting any to be introduced in the 103rd. The impetus for the 1988 amendments to the Act came from an informal group headed by a Pennsylvania congressman not on the committee.

In response to a project staff question about the federalization of disasters, a committee staffer noted the existence of a "run on the feds" mentality: "states want the federal funding but no involvement from FEMA." The committee staff also mentioned that FEMA had tried to develop a more objective, less political review of state-proposed disaster declarations. In doing so, the agency lowered the amount of federal assistance being offered. Congress, upset over such actions, however, modified the Stafford Act to allow more disaster assistance eligibility, and disaster declarations proliferated.

A catastrophic disaster like Hurricane Andrew also gets a lot of congressional attention. The \$11-billion supplemental appropriations law enacted after Hurricanes Andrew and Iniki was a high-visibility political event involving the White House, the congressional leadership and the congressional delegations of the affected states.

The storm generated numerous requests for reviews and investigations, including the congressional mandate for this report. The General Accounting Office received about 10 requests from various committees in the House and Senate, and committee staffs have visited the disaster sites on several occasions. In addition, the House and Senate conferees on the fiscal 1993 Defense Authorization Act, in the context of the need for a revised civil defense policy, said that "serious consideration should be given to raising the stature of the . . . emergency

management function and enhancing its ability to respond to national emergencies rapidly, including transferring or associating all or parts of the FEMA mission and capabilities to or with a major federal department." The President was directed to evaluate the issues and report to Congress in early 1993.

### **Funding Flexibility Problems in Authorization and Appropriations Laws**

FEMA's appropriations are handled by one Appropriations subcommittee in each House; these are the only committees with comprehensive jurisdiction over the agency. Even so, FEMA is in the same appropriations law with environmental, housing, space and veterans affairs programs which tend to get a far greater share of the subcommittees' attention. Also, different Appropriations subcommittees have jurisdiction over the small business and agriculture loan programs available to disaster victims. Therefore, even the Appropriations subcommittees lack a comprehensive overview of all federal emergency management programs. Attention to the programs they do oversee is limited by the demands of larger programs and agencies in other fields.

Emergency management programs are authorized either permanently or for varying time periods. Appropriations for civil defense funded out of the national defense account are authorized annually. Other programs, such as fire prevention and control, and flood insurance, are provided multi-year authorizations. All such authorizations are done in relative isolation from other emergency management programs, thus perpetuating the programmatic subcultures or "stovepipes" inside FEMA.

Because of concerns about FEMA's performance, the Appropriations committees have held a relatively tight reign over FEMA (see also Chapter Four, page 62). Reprogramming without committee review is limited to \$250,000. The Appropriations committees' reports have included specific directives for spending on individual projects, and funds for agency administration have been reduced in response to allegations of improprieties.

FEMA is not unique among federal agencies in the specificity of direction it has received on its appropriations. However, FEMA leadership will need additional flexibility in obtaining and using funds for needed institution building or in redirecting funds to new uses in light of changed circumstances. The additional funding flexibility provided by the committees in response to a request in FEMA's fiscal year 1993 budget should help.

### **Congressional Oversight Responsibilities Are Also Fragmented**

Five different Senate committees review FEMA's presidential appointees for confirmation (see chart below). Therefore, none can take a comprehensive approach to determining the fitness of appointees, their policy preferences, and how those preferences may affect the integration of FEMA's mission and programs. One solution is to reduce the number of appointees to two: the FEMA director and deputy director (see also Chapter Four

recommendations.)<sup>55</sup> Both of these appointees are reviewed and confirmation recommendations reported by the Senate Governmental Affairs Committee. This committee has legislative jurisdiction over only the homeless programs authorized by the McKinney Act; therefore, it is not as familiar with the day-to-day problems of emergency management as some other committees. Ideally, the Senate committee with jurisdiction over the emergency management function should be the committee which confirms FEMA appointees.

### FEMA'S PRESIDENTIAL APPOINTEES AND COGNIZANT SENATE COMMITTEES

Agency Position	<u>Senate Committee Having Jurisdiction</u>
Director Executive Level II	Governmental Affairs
Deputy director Executive Level IV	Governmental Affairs
FIA administrator Executive Level IV	Banking, Housing and Urban Affairs
USFA administrator Executive Level IV	Commerce, Science and Technology
Associate director, SLPS Executive Level IV	Environment and Public Works
Associate director, NP Executive Level IV	Armed Services
Associate director, External Affairs PAS Level V	Governmental Affairs
Inspector General	Governmental Affairs
Undetermined Position -- Vacant GS-18 (established in the enabling legislation but never filled).	

Oversight hearings are held sporadically on emergency management programs, but most of the action is stimulated by specific disasters or other major events. No committee has taken a continuing interest in the effectiveness of these programs.

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<sup>55</sup> This does not include the FEMA Inspector General which would continue as a presidentially appointed, Senate-confirmed position as required by the Inspector General Act of 1978, as amended.

FEMA has formally recognized the problem of fragmented jurisdiction. In his 1992 report on internal controls required by the Federal Managers Financial Integrity Act, the FEMA director made this comment about the agency's legislative authorities:

FEMA's programs are authorized and directed by a myriad of enabling legislation, appropriations acts, executive orders, and National Security Directives. In addition, congressional oversight and jurisdiction involves some 16 congressional committees and 23 subcommittees. As a result, FEMA's mission is continually altered and shaped in piecemeal fashion by diverse events, the influence of various constituencies, and differing congressional interests. For FEMA's management, appropriate integration of these various authorities into a cohesive mission is difficult at best, especially given the fragmentation and dynamics of legislative policy.

## **NEW STATUTORY CHARTER NEEDED FOR EMERGENCY MANAGEMENT**

For a small agency, FEMA operates under an unusually large number of legal authorities in different statutes, executive orders and formal interagency agreements. Some of these laws authorize activities -- general fire prevention and safety, crime insurance, funding and support for grants to organizations helping the homeless -- that are tangential to FEMA's primary roles in emergency management and national preparedness. Even in carrying out these roles, FEMA must operate under statutes that overlap in what they authorize and which encourage the formation of separate "programs" and administrative structures to deal with common or closely linked problems.

FEMA derives the core of its response authority from the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.). In general design and scope, this statute provides a comprehensive vehicle for dealing with major disasters and emergencies, covering within its borders federal preparedness, assistance to state and local preparedness, coordination of federal actions when a catastrophic event is beyond state and local capabilities or involves some preeminent federal concern, and helping communities cope with the immediate effects of that event and begin work for recovery.

The Stafford Act reflects much of what the federal government has learned over decades of trying to respond appropriately to many kinds of emergencies and disasters. The direct history of the Act extends back to 1950, when Congress crafted a general law to authorize federal disaster relief that before had been provided under a long series of individual statutes enacted in response to particular disasters. Twenty years later, accumulated experience was incorporated in another general act, the Disaster Relief Act of 1970.

Revisions in 1974 and 1988, for the most part, provided fine tuning to the federal assistance programs and benefits to individuals and families, businesses, organizations and local governments. They made substantial changes, however, in the way the federal response to an incident is to be structured and the circumstances under which various kinds of assistance and

benefits can be provided. These changes added flexibility and improved prospects for coordination; but in other ways, efforts made to anticipate particular situations have created rigidities that are probably out of place in a law designed to deal with the exceptional and unexpected. To some extent, FEMA has extended these rigidities by applying its authorities in a cautious, conservative way.

Moreover, much of FEMA's legislation was designed during a period of continuing national concern over the threat of international conflict potentially ending in the ultimate disaster of all-out nuclear war. Legislation designed primarily to deal with this threat, particularly the Federal Civil Defense Act of 1950 (50 U.S.C. App. 2251, et seq.), is used also to support preparation for non-war disasters. Thus, little incentive has existed for examining the adequacy of the Stafford Act as a general preparedness authority. While the Stafford Act is quite comprehensive and detailed as a basis for federal response to, and recovery from, emergencies and disasters, it is relatively weak and general in its treatment of preparedness and mitigation activities.

The Stafford Act should be broadened into a more flexible and comprehensive charter for federal emergency management. All the basic elements are already there, in varying degrees of completeness. These elements should be strengthened where they are inadequate, brought into better balance, and established as an improved basis for coordinated planning, budgeting and congressional oversight that extends across program and agency boundaries.

The Stafford Act authorities could be consolidated with those under the Federal Civil Defense Act of 1950 and other statutes authorizing disaster response. However, this would be a daunting task given the existing complexity and fragmentation. While the Civil Defense Act is significant because of the administrative structures that have grown up under it, this Act today adds little in the way of substantive legal powers to what is already within the scope of the Stafford Act. It is, however, cited as a source of authority under national security directives and, in this respect, may be considered as a possible support for national security emergency preparedness and responses. Ideally, the Federal Civil Defense Act should be revised to reflect this use or repealed, but such action is not essential if the Stafford Act is amended to provide full authority for federal assistance to state and local governments. The Civil Defense Act's authority could simply be put on standby.

In providing comprehensive authority for preparation and response to all types of domestic emergencies and disasters, the Stafford Act should be available for use either as the core authority around which programs authorized by other statutes will be organized, or, when needed, as a supplement to these other laws. The Act's authority may not, in fact, be used for responding to a particular event, such as a hazardous substance release. However, the use of other authority in such instances should not preclude invoking the Stafford Act where it authorizes additional assistance that could not be provided without it.

### **Suggested Provisions**

As part of any comprehensive revision of the law, several subjects related to

recommendations made elsewhere in this report should be considered. The panel is not formally recommending specific statutory amendments, only suggestions for consideration in creating the new emergency management charter. They are:

*1. Extending the statute to catastrophic events of national concern whether caused by natural forces, negligence or human action, including attack by an enemy nation or terrorist group.* As the likelihood of all-out nuclear war recedes, the possibility remains that a more limited attack might someday be made on the United States, particularly if the proliferation of nuclear weapons continues. Not only should the nation prepare for such an eventuality, but it should also have the capability of responding to the damage caused and assisting the victims and areas that may bear the brunt of devastation under the same authority and procedures that apply to natural disasters.

As suggested above, national security-related preparedness planning would continue outside of the common emergency management statutory authority, but that authority should nevertheless cover a full range of hazards. It should not include provisions, like those now in the Civil Defense Act, which establish fixed, separate structures or require fixed priorities in the use of funds. These are matters that should be considered as a part of presidential discretion and congressional oversight in the budgeting and appropriations processes.

*2. Revising the statute to require, not merely authorize, coordinated federal preparedness planning.* The kind of advance preparation reflected in the Federal Response Plan (see Chapter Three) is the key to rapid, effective, coordinated action in a crisis situation. A specific statutory requirement for planning would recognize its importance and help encourage budgeting and oversight that covers the designated responsibilities of the various federal agencies involved. Building on authority already available under the Anti-deficiency Act (51 U.S.C. 1515(b)(1)(B)), the new charter could authorize the President, when necessary, to enable FEMA to obligate funds for plan execution, including making commitments to other agencies, without waiting for a supplemental appropriation to be enacted. In a major crisis, this would allow the federal government to respond more quickly without penalizing other disaster recovery operations.

Subject to this planning requirement, the federal preparedness program provided for in title II of the Act could also be expanded to specifically authorize federal acquisition and prepositioning of necessary supplies and equipment as well as the formation of trained teams, which can be quickly deployed, if necessary, in advance of a formal disaster declaration to assess damage, determine available resources in the area and begin preparations for subsequent response operations.

*3. Expanding and strengthening the authority for helping states to prepare for disasters and emergencies.* The Stafford Act now provides one-time federal grants of up to \$250,000, followed by annual "improvement grants" of up to \$50,000, to help a state to develop a preparedness program. These provisions do not provide an adequate basis for encouraging states to carry out needed preparedness programs for different kinds of emergencies and catastrophic events. The statute could be amended to (1) incorporate requirements for state preparedness efforts, taking into account the types and relative severity of risks to that state, and (2) direct

attention to mitigation as well as to response and recovery measures. Consideration should also be given to increasing the federal share of costs as an inducement to state program improvements. Conversely, in the event that a disaster occurs, the statute could make the relative scope and effectiveness of state and local preparedness a specific consideration in determining the ratio of the state's match for federal assistance provided for public facilities.

*4. Granting increased authority for rapid, early federal action, even in advance of a request for a presidential declaration.* The Stafford Act now authorizes only very limited federal actions to anticipate an imminent disaster or emergency or to set machinery in motion before a governor's request has been received and acted upon. This is true even though the need for federal action is manifest and a request is known to be coming, or the devastation is such that the governor or other state official cannot be found or is unable to act.<sup>56</sup> Too much depends upon formalities that, in the actual event, may be difficult or impossible to observe.

The 1988 amendments recognized a new category of "emergency" if the event affects a subject area of "primary" federal interest so that, in these cases, the federal government could respond without a governor's request. This kind of authority could be made available in other extraordinary situations.

The costs of response actions taken in advance of a governor's request would be wholly covered by the federal government. Moreover, consideration should be given to making the federal government responsible for all costs it incurs for the catastrophic event for an initial period of several days, even when a disaster is declared in response to a governor's request (see also Chapter Six). This would eliminate uncertainties about relative costs that can cause delays in assistance, while also allowing federal and state representatives to concentrate on how to handle the major expenses typically associated with federal assistance after the initial period. If properly administered, this approach might help the federal government establish and negotiate more favorable cost sharing arrangements than those agreed to under the extreme pressures that immediately follow a catastrophic event such as Hurricane Andrew.

*5. Reexamining the statutory concept of "emergencies" and the distinction between emergencies and major disasters.* The emergency category seems to have been added to the original law to preserve federal capacity to act more rapidly than in a major disaster and also to allow a limited federal response without authorizing the full range of disaster benefits. More recently, a distinction has been drawn between the kinds of causal events that can give rise to an emergency, as opposed to what the law recognizes as a "major disaster." Specifically, emergency declarations are authorized for events caused by human actions which cannot be "major disasters" unless they take the form of a fire, flood or explosion. Also, as already mentioned, a new "federal" category of emergency was created.

The rigid distinction between "emergencies" and "major disasters" as a way of determining what assistance and benefits can be provided has made the "emergency" a choice

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<sup>56</sup> In the aftermath of Hurricane Hugo's striking the Virgin Islands, communications were virtually non-existent, and FEMA officials had great difficulty finding the governor.

to be avoided, if possible, because it reduces federal assistance flexibility. The statute should appropriately recognize a range of disasters. But it should also allow the kinds of assistance and benefits to be adjusted to the nature of any event beyond state and local capabilities without regard to whether it fits in the "emergency" or "major disaster" category.

The 1988 amendments authorizing "major disaster" assistance when a catastrophic event is caused by human action resulting in "fire, flood or explosion" has apparently resulted in a situation in which, after the 1992 Los Angeles riots, owners of adjacent properties were being treated differently depending upon whether rioters had merely smashed things up or had also left fires in their wake. The revised definition also exposes the federal government to the possibility that it is planning and preparing for certain kinds of events -- such as some potential nuclear accidents or chemical releases -- without having the necessary authority to act and assist those affected should the event actually occur. Even such authorities as those dealing in crisis counseling and legal services are by their terms limited to major disasters.

Congress may want to limit the potential use of disaster relief authority in connection with catastrophes resulting from human action. If so, it may be better to require a special presidential finding or justification than to try to anticipate circumstances by a definition that is too likely to prove arbitrary in application. Sudden events, if large and overwhelming enough, will produce enormous public and political pressures for federal help -- and neither the media nor the victims will have patience with legal distinctions about the specific causes of the distress. The question is not whether federal assistance will be provided, but whether it should be provided under an existing authority, supported by as much advance planning as is reasonably possible. The alternative is special legislation enacted in the midst of a crisis that allows little or no time for investigation and reflection.

### Recovery Issues

Because the panel has concentrated on the federal response to disasters, it has not given extensive consideration to authorities designed to help individuals and families, businesses and communities recover from disasters. It is clear, however, that a review of the statutory authorities for a variety of problems related to recovery would be desirable. For example, some parts of the Stafford Act are plainly obsolete because they contemplate giving a "priority" to disaster areas under federal public works assistance programs that are no longer in operation.

Of course, administration of all recovery authorities is probably beyond the bounds of any single federal agency. But FEMA could well be a "one-stop" source of up-to-date, usable information about all of the "disaster" and "emergency response" authorities -- probably 100 or more -- which are currently administered by different federal agencies. This information function could be extended to cover other federal authorities which do not refer specifically to disasters or emergencies but which may be particularly useful in helping states and localities plan for long-term recovery.

## CONCLUSIONS AND RECOMMENDATIONS

The federal emergency management function and FEMA are overseen by too many congressional committees, none of which has either the interest or a comprehensive overview to assure that coherent federal policy is developed and implemented. A preoccupation with constituent interests, while laudable in times great need following disasters, makes it very difficult to achieve a balance between cost and service.

There also is a need to shift from an preoccupation with shortcomings in the federal response to support for improved management of FEMA and emergency management programs. FEMA or a successor agency needs a more coherent legislative charter, greater funding flexibility and sustained support for the institutional infrastructure described in the previous chapter.

### Recommendations to the Executive Branch

**Draft a new legislative charter, building on existing authorities in the Stafford Act, and formally transmit it to Congress as soon as possible to enable action in the 103rd Congress.**

**Incorporate in the draft charter (1) language to reduce FEMA's presidential appointee positions to two, the director and deputy director (excluding the inspector general), and (2) any authority required by the President to make needed organizational changes.**

### Recommendations to Congress

**Enact legislation that will (1) provide a comprehensive emergency management charter through amendments to the Stafford Act to encompass emergencies and disasters of all types other than those administered outside the current body of laws applying to FEMA and (2) reduce to two FEMA's presidential appointee positions.**

**Designate a single committee in each house of Congress with jurisdiction over "emergency management" and the laws applying to FEMA. The Joint Committee on the Organization of Congress should give this matter priority attention.**

**Designate a single committee in the Senate to confirm all FEMA appointees nominated by the President and requiring confirmation.**

**Remove some of the funding restrictions on FEMA's programs, including the earmarking of funds for specific projects, commensurate with initiatives taken and planned by FEMA, to build a high-performance, high-reliability institution for emergency management.**

## CHAPTER SIX

### STATE AND LOCAL GOVERNMENT ORGANIZATIONAL CAPABILITY AND COORDINATION WITH THE FEDERAL GOVERNMENT

The interrelationships of federal, state and local governments regarding emergency management are highly complicated and often fraught with conflicts. Regardless of the organizational form or effectiveness of *federal* emergency management efforts, state and local governments must deal effectively with disasters. State and local governments play vital roles in all phases of emergency management.

State and local governments must be able not only to effectively manage small and medium disasters on their own but also to function effectively as part of an intergovernmental team when an event warrants a presidential disaster declaration and federal intervention. FEMA needs to do more to help build the capacity and consistency of emergency management efforts of state and local governments.

Any federal system of government is complex, but the American system seems at times to give new meaning to the word. In the emergency management field, a variety of organizational, economic and intergovernmental problems have been the subject of concern in recent years.<sup>57</sup> First, organizational problems stem from an unstable federal emergency management structure. State and local officials concerned with emergency management are troubled by the many changes in enabling legislation, regulations and reorganizations in FEMA that have taken place in the last decade or so. Economic problems have grown, owing to the general fiscal austerity and the large increases in disaster relief outlays (especially the greatly increased outlays in fiscal years 1990-92) that have put pressure on the federal budget. Further, states and localities are confused over federal priorities and future prospects for funding.

Finally, intergovernmental delivery problems stem from the facility (or lack thereof) with which federal and state partnerships function in providing disaster assistance. Confrontations between state and federal officials in the aftermath of disaster can severely hamper the delivery of disaster assistance because states are critical conduits for local organizations' applications for federal assistance. States differ markedly in their capacity to respond to disasters and to work in partnership with federal agencies. These differences pose great dilemmas for the federal government in deciding when and how much assistance is warranted.

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<sup>57</sup> See Peter J. May and Walter Williams, Disaster Policy Implementation: Managing Programs Under Shared Governance. (New York: Plenum Press, 1986); and William L. Waugh Jr. "Emergency Management and State and Local Government Capacity" in Sylves and Waugh. Cities and Disaster: North American Studies in Emergency Management. (Springfield, Ill: Charles C. Thomas, 1990); and William J. Petak and Arthur A. Atkisson, Natural Hazard Risk Assessment and Public Policy (New York: Springer Verlag, 1982).

## THE VIEW FROM THE STATES

From the states' vantage point, they are faced with applying for FEMA assistance, both for (1) emergency management staffing and capacity building during normal times and (2) emergency response and recovery for a major disaster covered by a presidential disaster declaration.

During normal times, states apply for FEMA funding of functions such as staffing, preparedness, education and training, and general capacity building. In this regard, the states have to deal with both nuclear attack preparedness and natural hazards. The state offices of emergency services apply for FEMA money which is delivered through the Comprehensive Cooperative Agreement (CCA) mechanism.

In post-disaster circumstances, state and local officials have to deal with FEMA in a time of extreme stress and hardship. The potential for conflicts and strain are enormous; and states and localities that are only marginally prepared tend to fare poorly in the post-disaster environment. Typically, those state emergency service organizations with small staffs and limited knowledge and skills do not cope well with the influx of federal personnel and requirements. In fact, they usually cannot hold up their end of the partnership needed for effective response and recovery.

## THE VIEW FROM LOCAL GOVERNMENT

In local government, emergency management is usually located at the county level (except for major cities, which maintain some capability of their own). County emergency management organizations, which usually are modestly staffed and funded, have to work with all levels of government. In normal times, they deal mostly with state officials to receive their funding (including pass-through money from FEMA to the states). Local officials receive most of their training from their state office of emergency services. County emergency agencies also deal with municipal officials within their boundaries to assist them with building their capacity and with establishing coordinative mechanisms in the event of an emergency or disaster response. Finally, they have some dealings with federal officials (usually FEMA) in connection with planning and paperwork requirements for the pass-through funding they receive.

In the event of a major disaster, the local emergency management agency initially may have the coordinative role, but responsibility usually escalates up the chain of command and elected officials at the county and state levels usually assume responsibility.

From the local perspective, emergency management organizations and officials generally are at the mercy of the state and federal government for much of their budgets, planning and reporting requirements, and staffing determinations. The mixed signals given out in recent years by the federal government about dual use planning, "all-hazards planning," and nuclear attack preparedness requirements have made it hard for both state and local organizations to plan and function effectively.

## CURRENT RESPONSIBILITIES OF STATE AND LOCAL GOVERNMENTS

### Local Responsibilities and Organization

For the great majority of emergencies and disasters, local government is the first and only operational responder through a fire department, police department, or other agency. Local capacity is highly variable. Variations occur for many reasons -- because of local politics, culture, political will and organizational capacity. Local governments are at the end of the line for pass through of federal and state funding and training. This position results in more variation, owing to the states' funding problems and vagaries in the quality and quantity of emergency management training each state can offer. As might be expected, large counties usually fare better than small ones, and urban areas fare better than rural ones.

The local emergency management organizations, whose officials have done the planning and receive the training for emergency management functions, often are superseded by the chief elected and appointed officials at the local level. Their advice and support is sometimes heeded, but not always.

If an event is serious enough to warrant a presidential declaration, county officials will usually support the preparation of the request for the declaration, the damage assessment efforts and other functions such as evacuating and securing affected neighborhoods.

It is important to bear in mind that some municipalities, and even some small counties, are rendered non-functional by a large-scale disaster. In effect, the governments become victims along with their citizens. This is especially true of those that depend heavily on part-time local officials and have small professional staffs. Often, the local loss of public facilities, vehicles and machinery leaves them disabled. In such situations, response and recovery must be managed at a higher level of government, at least during the early days after a major disaster.

Like the states, local governments vary widely in their attention to and investment in emergency management. Within the state of California, NAPA staff observed a wide range of capacity at the local level. For example, both the city and the county of Los Angeles have made substantial investments in emergency management. By contrast, in the San Francisco Bay area, in the two neighboring cities of Oakland and San Francisco, the staff saw markedly different patterns of interest and funding of emergency management. Oakland, with a population of less than half that of San Francisco, has a greater number of people and a larger amount of funds devoted to emergency management. These are local decisions over which state and federal officials have little, if any, control.

### Local Emergency Organizations

In the early 1980s, FEMA contracted for a replication of the studies done in the 1960s to determine the status of local planning and managing of major community disasters after 20

years.<sup>58</sup> Some findings from the final report are:

First, there is still tremendous diversity for the most part in the structure and function of the local emergency management office or LEMA. The diversity reflects local community conditions and this is a reality of life that cannot be changed by the imposition of an artificial model from above. . . . There is no one single standardized model which is feasible and best for all communities....

Second, when measured against what existed in the past, there has been a very noticeable increase in the disaster preparedness activities undertaken by local emergency management agencies.

The third finding . . . is that generally better disaster preparedness has not and does not automatically turn into a better disaster response. At the present time, the management of actual disasters by local emergency management agencies appears to be as plagued by the same kinds of problems that could be seen 20 years ago.<sup>59</sup> Good disaster preparedness is a necessary but not a sufficient condition for good management of a disaster.

### State Responsibilities

The role of the state emergency management agency is similar in many ways to that of the local agency. It must have an effective organization and develop and maintain necessary plans, facilities and equipment. On a day-to-day basis, it must manage an active, ongoing emergency management program at both the state and local levels.

Most states have a single agency that takes lead responsibility for emergency preparedness and response activities. The nature of these agencies and their lines of authority vary, but they fall into one of five general types of state organizations. Authority in all cases is legislated to the governor but is operated in a variety of ways: (1) in the governor's office; (2) delegated to a civilian department; (3) delegated to the adjutant general; (4) delegated to the state police; or (5) delegated to a council, which oversees departmental activities.

A state, however, has additional emergency responsibilities not shared by local government. It is in a unique position to gauge the emergency management needs of more than one of its political subdivisions, assess its own and to some extent the federal government's resources, and facilitate the acquisition and application of these resources. State government also can give direct guidance and assistance to local jurisdictions in program development and

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<sup>58</sup> E.L. Quarantelli, "Local Emergency Management Agencies: Research Findings on the Progress and Problems in the Last Two Decades." (Newark, Del: University of Del, 1988); pp.4-5.

<sup>59</sup> Elsewhere in the report (p. 11), Quarantelli explained that "LEMA responses in disaster continue to be as problem-plagued as they were in the past. Part of this stems from a failure to recognize that planning deals with strategic questions, whereas managing has to address tactical issues; thus, the lack of a full correlation between preparedness and response."

channel federal guidance and assistance to communities. In a major emergency, the state office should ensure a coordinated response through the combined efforts of local, state and federal agencies and private sector organizations. Like local jurisdictions, states also frequently have limited their disaster roles to the preparedness and response phases of emergency management, at the expense of mitigation and recovery.

States vary tremendously in their interest and investment in building and maintaining emergency management capability. On the top end of the scale is California's Office of Emergency Services with a staff of about 300 people and an annual budget of about \$416.6 million. (Of that amount, about \$8.7 million came from FEMA last fiscal year via the CCA funding mechanism. The state also received \$18.1 million in Emergency Food and Shelter funds and \$129 million in Disaster Relief payments from FEMA in fiscal year 1992.) At the lower end is South Carolina where the state contributes relatively little (about 10 cents per capita) to the amount of funding the state Office of Emergency Services receives from FEMA, which was \$1.6 million in CCA funds in fiscal year 1992.

### **FEMA Support for State and Local Capacity**

While the amount of FEMA funding available to states and localities is relatively small, the investment currently being made by states and localities in their own emergency management also is small. FEMA funds amount to about two-thirds of the states' total expenditure on emergency management. The percentage of federal funds for local emergency management is estimated at 50 percent.<sup>60</sup>

The current programs and mechanisms providing federal funding to states, which in turn pass through money to local governments are as follows:

The CCA is the funding mechanism FEMA uses to fund state and local governments for mutually agreed-upon objectives for emergency management each fiscal year. The CCA includes monies for several programs:

#### Civil Defense Budget Activity

(1) Emergency Management Assistance (EMA). This program provides for up to 50 percent of the costs of personnel and administrative expenses for state and local emergency management personnel. Two-thirds of the funds are passed through to the local level. The actual match of expenses is probably between 35 and 40 percent.

(2) Other Assistance. This funding category is comprised of several items for funding state personnel costs. Included are the Population Protection Planning program,

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<sup>60</sup> In his book, The Professional Emergency Manager, Drabek reports that 45 percent of the local emergency management organizations he surveyed received 50 percent or less of their budget from the local government, suggesting that a great many local emergency management organizations are heavily dependent on funds from FEMA and their respective state. [As quoted in Sylves (1991).]

Radiological Defense Planning, Radiological Defense Maintenance, and Survivable Crisis Management.

This category also includes funds for non-grant programs which support state and local governments. An example is the Family Protection Program which provides for citizen-oriented, self-help emergency preparedness.

(3) Facilities and Equipment. Includes former budget line-items including Emergency Operating Centers (up to 50 percent match); Emergency Broadcast System (for radio stations, up to 100 percent match), Electro-Magnetic Pulse (up to 100 percent match); Maintenance and Services.

(4) Training. Funds for state training officers (up to \$38,500) and stipends to pay for specified costs of travel and lodging for State and local students trained at the EMI.

#### Earthquake and Other Hazard Activity

(1) Earthquake Preparedness. Funds are provided to selected states for preparedness and mitigation activities (50 percent match).

(2) Hazard Mitigation Assistance. Funds are provided to special projects at up to 100 percent federal share.

In addition, several post-disaster recovery and mitigation programs and projects are provided for under the Stafford Act; most notable are those provided for by Sec. 404 and 406 programs for mitigation during recovery.

### **STATE AND LOCAL GOVERNMENT CAPACITY FOR EMERGENCY MANAGEMENT IS UNEVEN AND AT TIMES INADEQUATE**

In a country as large as the United States, it is not surprising that the capacity for emergency management has been uneven and sometimes inadequate. The federal government has applied resources to support and strengthen local funding through the CCA program, Fire Academy training, National Flood Insurance Program, and the like. To date, this federal support, coupled with local and state financing has not been sufficient to assure the desired capacity across thousands of local and state jurisdictions. No one can say with certainty what the "desired capacity" of state and local government should be. It can be defined by its absence, however, as seen in the response to events like Hurricane Andrew in Florida.

Federal/state/local relations are complex and often conflicting when it comes to the components of emergency management: preparedness, response, recovery and mitigation. For example, preparedness activities include warnings, awareness, and evacuation activities, which focus on effective communications and planning. Communities with great ethnic, racial and cultural diversity find these activities especially difficult. Mitigation measures usually affect land

use controls as well as building and construction standards. Proposed changes in these areas often involve the enactment of stricter building codes, increased code enforcement, and more land-use controls -- all of which are usually the responsibility of local government and are politically-sensitive matters at the local level.

Catastrophic events, such as Hurricanes Andrew and Iniki, bring emergency management problems into the national spotlight, but only briefly. As noted in Chapter Two, governments often are reluctant to invest resources in preparing for high-cost, low-probability events, although some localities are more inclined to do so than others. An ongoing problem is how to sustain interest and maintain emergency management capability during normal times.

### Factors Contributing To Unevenness and Variable Capacity

Researchers and public officials have been aware of the problems of state and local capacity for many years. Many of these problems have been documented for nearly two decades, and awareness of them has persisted through several federal reorganizations.<sup>61</sup> At the state and local levels emergency management suffers from:

1. *A lack of clear and measurable objectives, adequate resources, public concern or official commitments.*
2. *Low levels of public concern and support for events of low probability but potentially high impact.*
3. *Local sensitivity surrounding building code enforcement and land-use planning -- both essential in planning and implementing mitigation measures, and prominent in recovery efforts.* For example, even in the aftermath of 1989's Hurricane Hugo, South Carolina's efforts to enact a state-wide building code failed.
4. *Fragmented decision making and strained intergovernmental relations.* For example, interviewees informed the project staff that relations between the independent cities in Dade County and the county government were poor prior to Hurricane Andrew, as were those between the county and the state of Florida. After the disaster, relations did not improve, which impeded both response and recovery efforts.
5. *Inconsistency of federal support and involvement (e.g., for seismic safety, wetlands management).*
6. *A lack of knowledge and competence in emergency management.*
7. *A lack of commitment to and funding for emergency management.*

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<sup>61</sup> See publications by Peter May, William Waugh Jr., and William Petak in the bibliography.

Recently, a special committee to the governor of Florida reviewed the state's funding for emergency management and acknowledged its inadequacy.<sup>62</sup> The report noted that the state was spending about 68 cents per person for emergency preparedness and recovery programs (total of \$8.8 million). In the coming fiscal year, the committee recommended that the state increase that amount to at least 87 cents per capita and create a Trust Fund for Emergency Preparedness and Assistance.

## WHAT FEMA SHOULD DO

The NAPA panel believes that the federal government needs to do far more to ensure that states and local governments create and maintain adequate capability for all components of emergency management, especially in areas vulnerable to catastrophic events. FEMA has emphasized its role as "supporter" of state and local governments' emergency management capacity and as "responder of last resort." But FEMA has provided little proactive, strategic leadership. Its efforts have not recognized that those persons and entities involved in emergency management are linked by mutual interdependence at all stages of an emergency or disaster, regardless of the traditions and protocols of federalism. Cooperation is necessary to achieve effective emergency management from the beginning to the end in any stage: preparedness, response, recovery, or mitigation. The intergovernmental system as a whole is only as effective as its weakest part. FEMA must strategically allocate resources to improve the system; where capacities are low they need to be raised and where inconsistencies exist they need to be reduced. Inducements should be used so that the interdependencies of the actors are recognized and cooperation and coordination are worked out in advance of a disaster.

FEMA needs to assume a greater leadership role in developing this cooperative partnership or network. FEMA should begin to plan and act as though that network is a reality and acknowledge that the state and local emergency management agencies that comprise it are highly variable in organization, composition and capacity. These semi-autonomous actors must be more closely linked together by cooperative efforts in order to meet future emergency management needs.

States and localities can improve their emergency management capacities and consistencies in a variety of ways. Some suggested tools to augment capacity include:

1. creating a strategic plan for upgrading state and local government capacity for emergency management, thereby contributing to the consistency and capacity of a de facto national system;
2. using financial incentives strategically, to reward effort and competent performance;
3. improving training and education;

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<sup>62</sup> Governor's Disaster Planning and Response Review Committee. Final Report. January 15, 1993. Office of the Governor of Florida, Tallahassee, Fla; pp.79-80.

4. increasing research and its application; and
5. fostering peer exchanges and mutual aid agreements.
6. encouraging regional planning and preparedness efforts

Many hazards reduction or disaster planning efforts could be carried out efficiently and cost-effectively on a regional basis. Some of these regional efforts may be intra-state, as in the case of river basin planning, while others may involve two or more states. There are a few examples of successful inter-state compacts and other forms of cooperation regarding seismic safety. Another hazard that has yet to receive regional attention, but deserves it is hurricane planning.

Since two recent hurricanes in the Atlantic Ocean (Hurricanes Hugo and Andrew) have had catastrophic effects, and more hurricanes are expected to track up the east coast of Florida in the next decade,<sup>63</sup> a new focus on hurricane planning is needed in the Atlantic seaboard states. One potential regional relationship has been discussed by academic researchers concerned with the aftermath of Hurricane Andrew in Florida; their goal is to establish a network of university-based researchers to work cooperatively to gain knowledge and share it regarding hurricane response, recovery, mitigation, and preparedness.

Far more is needed in the way of planning and operational arrangements among states and localities that experience a major hazard/disaster, such as severe coastal storms and hurricanes. These arrangements would facilitate the sharing of knowledge, personnel, and other resources.

FEMA headquarters and regional offices could play a critical role in fostering regional cooperation that fulfills plans for a national emergency management system. Headquarters must set overall strategic planning objectives. Each regional office should work cooperatively with its states in (a) preparing the regional operational plans required in connection with implementation of the FRP; and (b) determining the performance standards that are appropriate as a condition of states receiving CCA funding.

### **Assessment and Capacity Building**

For the various levels of government to function as semi-autonomous but mutually interdependent entities in the event of a major disaster, the federal government needs to get more involved in an assessment of their capabilities. If state and local governments do not have adequate capability then the federal government should make greater efforts to help improve their capacities. FEMA needs to determine the level of capability in the states, territories and trusts, and work more closely with those at the lower end of the capacity ladder. FEMA should engage in more customized programs and specific projects and less in pass-through, formula-based funding. Programs and projects should be keyed to developing greater consistency and

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<sup>63</sup> According to the meteorologists at the National Hurricane Center in Coral Gables, Florida.

capacity in the de facto network of emergency management.

### **Building on Present Efforts**

For fiscal year 1994, FEMA staff are changing the CCA guidance to the regions and the states to better integrate nuclear attack preparedness and natural hazards emergency management capability. According to the draft guidance, the program will emphasize "developing emergency management activities which contribute to an all-hazard preparedness and response capability at the state and local levels." In addition, new emphasis will be given to planning for catastrophic events, training exercises, and the recovery phase.

For the present CCA program, state and local governments submit quarterly information about their efforts, staffing and training. Data from the submissions are entered into two computerized databases. State submissions of FEMA's required Capability Assessment and Multi-Year Development Plan for States Governments are entered into a database called CARL. CARL is used for all programs combined in the CCA; it provides quarterly work statements and quarterly progress reports in a database form. Separate provisions are made for narrative comments from the state, the regional office and from headquarters in a text file. A second database is Capability and Hazard Identification Program for Local Government (CHIPS), which contains similar information from local emergency management organizations.

Despite these two databases and informal knowledge about past performances on the part of states and major cities, no effort is being made to use them systematically to develop a comprehensive, national strategy to build needed state and local emergency management capability. Nor is that information used to get a fix on the capabilities FEMA will meet when one or more states is a signatory to a presidential declaration. FEMA should develop a strategic planning and management capability vis-a-vis its governmental partners, which will include periodic qualitative assessments of their capabilities.

### **More Systematic Assessment of Existing Capacity**

FEMA already has some existing sources of information, such as the database CARL, and many regional staff no doubt informally gather information that could aid in developing a picture of nationwide capability. The next steps would be to draw up a list of priority actions, programs and projects and to prepare a schedule for redressing the weaknesses of the states, which are an essential part of the national network.

### **Strategic Use of Financial Incentives**

Federal funding to states and localities should entail monitoring, evaluation or other requirements, lest it become simply a form of revenue sharing. The majority of persons interviewed at state and local government levels agreed that some sort of performance standards should be met as a condition of receiving federal funds. This would help to bring the weakest of the states and local governments up to at least minimum standards.

In fact, the National Emergency Management Association (NEMA), which represents state emergency services directors, recently acknowledged this need. They said:

State and local government have a responsibility to mitigate, prepare for, respond to and recover from disaster situations. Therefore, both a policy and financial commitment to disaster programs is necessary. Furthermore, we believe that it is a fair congressional expectation that state and local governments be prepared for disasters within their available resources. Local and State government must meet standards so as to be ready to accept expedited federal aid. Some governments are clearly more ready today than others. All should be held to an appropriate standard by FEMA.<sup>64</sup>

To help state and local governments attain a higher level of capability and performance in emergency management, FEMA should create or enhance incentives to maintain at least a minimum level of readiness and capacity to manage the response and recovery at the state and local levels. First, in the pre-event period there should be incentives for greater attention to and investment by each level of government in preparedness, education and training, and general capability. (An example would be a competitive application process for special funds earmarked for a specific hazard, such as seismic safety code adoption for new construction.)

Strategic use of incentives means that funds should be allocated to states according to a risk assessment process to be sure the greatest risks are addressed rather than just allocating funds on the basis of prior levels of funding and on population. Further, the funding allocation formula based on nuclear attack probabilities should be changed to meet the domestic hazard and disaster needs. The thrust of these alternatives is to move from a pass-through or revenue-sharing system to a strategic-negotiated funding approach that builds de facto systemic capacity and achieves specific projects, products and competency objectives.

Second, there should be changes in post-event funding as well. Presently, after issuing a presidential declaration, the federal government often waives the 75-percent (federal) and 25-percent (state) requirements of the Stafford Act. In those cases, FEMA usually agrees to pay 100 percent of the emergency response costs as well as 100 percent of the recovery and some mitigation costs for the affected states and localities. For some states and localities that have neglected to develop and maintain an adequate emergency management capacity, 100 percent federal money is a windfall that can be seen as a reward for their neglect. The negligent governments may receive as much money as those that made significant efforts at emergency management prior to the disaster.

Although officials the project staff interviewed who were involved in disaster decision making deny in retrospect that cost-sharing was a consideration, logic dictates that in times of fiscal austerity this must have weighed heavily in the minds of the top elected officials at state and local levels. The requirement that a state pay up to 25 percent of emergency response costs

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<sup>64</sup> "The Role of the Federal Government in Response to a Catastrophic Disaster: NEMA's perspective." Special insert in NEMA News, Vol 2. No. 4, [date unknown]

may delay a request for a declaration on the part of state and local officials, who are unclear on the extent of the disaster.

To rationalize the system and to better reward those states that have made a serious investment in emergency management, all states that can demonstrate need could be asked to pay no match and receive 100 percent federal money for emergency response and repairs immediately following a presidentially declared catastrophic disaster.

Additional incentives for states to develop at least minimal capacity could be used in the post-disaster period. One approach could be to change the ratio of federal match from the 75/25 percent now provided after a declared disaster to 50/50 percent, with options to up the federal match to 75/25 if the recipient state has met the minimum standards set by FEMA for preparedness and mitigation efforts prior to the disaster. The NAPA panel believes that the law should continue to allow for federal funding of up to 100 percent for cases of extreme need or hardship following a catastrophic event. These discretionary actions should rectify the fact that mitigation and preparedness traditionally have received secondary consideration to the more immediate concerns of disaster response and recovery. A similar suggestion was made by the FEMA Advisory Board in a recent report to the FEMA director.<sup>65</sup>

In summary, the views of the panel, practitioners and the FEMA Advisory Board tend to coincide -- all agree that greater accountability should be built into the federal support for state and local emergency management. Some possible means of doing so are to:

- develop minimum standards for personnel, training and organizational capacity which must be applied when dispensing federal funds;
- develop strategic programs to encourage adequate state and local emergency management capability in those areas which are lacking, but are essential to a de facto national network of emergency management; and
- develop and apply evaluation measures to state and local actions.

### **Simplify Post-Disaster Processes and Procedures**

State and local officials in four states that had recently experienced major disasters repeatedly told NAPA staff about the need for FEMA to streamline the requests and documentation required in the post-disaster period. State and local officials would like to see FEMA facilitate federal/state/local relations, from the presidential declaration process the response phase. The actions they mentioned include:

- clarify the declaration process, so that state and local officials can proceed more quickly to pursue a declaration and can assume responsibility for immediate response needs;

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<sup>65</sup> FEMA Advisory Board, "Strategic Issues for the Federal Emergency Management Agency," January, 1993.

- clarify which level of government should initiate what actions and activities in the initial response period;
- simplify the requirements for federal damage assessment;
- streamline the documentation required from impacted areas, especially the public assistance program requirements (most notably Damage Survey Reports);
- streamline the funding and reimbursement processes for disaster-impacted jurisdictions;
- stress the benefits of mitigation and preparedness activities as a way to reduce future payouts of disaster assistance and relief; and
- increase the funding for and attention to hurricanes disasters, given the recent history of two catastrophic hurricanes in the past three years along the Atlantic coast.

### Training and Education Needs

FEMA has two major training facilities located at the National Emergency Training Center in Emmitsburg, Maryland: the Emergency Management Institute (EMI) and the National Fire Academy (NFA). The NFA primarily provides management-level courses for persons involved in fire prevention and control activities. The EMI is designed to provide instruction in emergency management for state and local officials, emergency managers, members of volunteer organizations and professionals in related fields. The USFA's Office of NETC Operations and Support supports both NFA and EMI.

In the project staff's review of the literature, after-action reports and field interviews, inadequate education and training for emergency management was a recurring theme at all levels of government. There were numerous references to the lack of training of FEMA's regular staff and of reservists. In interviews, the project team frequently heard the comment that state and local officials were not familiar with either FEMA and its requirements and programs, or emergency management activities.

Several of the officials the NAPA staff interviewed who had attended courses at EMI cited a number of criticisms, the most severe of which related to the relevance of the courses to the needs of state and local officials. Project staff determined that the problems and deficiencies identified indicate some fundamental conceptual issues regarding EMI's role and functions. Problem areas cited were (1) not enough input or feedback from state and local government officials; (2) quality and experience of instructors -- they often lacked field experience and in-depth knowledge of subject matter; (3) a hiring process that always selects the lowest-bidder for instructors; (4) a lengthy course development process; (5) too long a period between course revisions (several are about five years old and seriously out-of-date) and (6) a focus on "garden variety" disasters.

### Improving Training and Education

Clearly, a high-level commitment and provision of support for more education, training and research activities will be necessary to provide the foundation for state and local governments to prepare realistic plans. More important, it will be needed to engage periodically in joint planning and field exercises for large-scale disasters. In addition, several officials mentioned the need for training in connection with the Federal Response Plan.

To reinvigorate the education and training programs provided by EMI, it is proposed that FEMA take several actions:

(1) Form a task force or study committee to review the missions, functions, and activities now provided by EMI. Special attention should be given to the new approaches for FEMA that are suggested in this report: i.e, more attention to building up state and local emergency management capability, and more attention to catastrophic events. In addition, special attention should be given to both the rationale and the means of selecting instructors.

(2) Strengthen the positive accomplishments of EMI. Courses that allow several persons from one city or state to train together are well regarded by persons who have taken them. More such courses should be made available. In addition, courses offered chief administrative or chief executive officers of cities and states also have been well received. Find the means to do more outreach and more training of these officials.

(3) Develop some regional training centers. Courses at regional facilities would be more convenient and less expensive than is true of EMI. Regional centers also could offer education and training programs that focus on hazards and disasters specific to that region. The centers should be located on or near universities<sup>66</sup> and draw upon the resources of the universities in course development and training. To the extent some well-regarded emergency management training facilities already exist, such as the California Specialized Training Institute, they should be used. These centers should be used in addition to EMI and the state emergency management training now in place.

Additional steps that FEMA management should take to reinvigorate education and training programs include: (1) seeking additional inputs of state and local officials on course content and course revisions; (2) developing required courses for disaster reservists and other agency representatives; (3) reviewing course content and development for relevance to current issues and needs; (4) coordinating course content between EMI and NFA to ensure that the first responders who attend the NFA are also exposed to broad emergency management principles; and (5) contracting some training at all levels with colleges and universities.

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<sup>66</sup> Universities, colleges, and state land grant colleges all are potential sites for emergency management education and training programs.

FEMA program staff and the EMI staff have not been very successful at attracting significant numbers of top-level elected and appointed officials to participate in training sessions. Among the reasons are: course content, the inconvenience of getting to EMI in Emmitsburg, a lack of persistent recruitment or promotion efforts, and lack of funding for such efforts. FEMA has worked with the National League of Cities and the International City/County Management Association on programs that will appeal to mayors, city and county managers and the like. To attract these decision makers, FEMA must come up with more creative courses, in more convenient and attractive locations. Working with constituent groups through their professional associations would be useful in this regard.

FEMA offers much of its training at EMI and has supported state emergency services agencies in providing training for state and local officials. FEMA has not made use of existing colleges and universities to provide emergency management education and training. Some schools of public administration, engineering and the like are capable of providing training to state and local officials. By opening new training institutions, locations and approaches to course development and delivery, training and education efforts would be more convenient, diverse and appealing.

The panel recognizes that significant additional funding would be required to implement some of these measures, but the risk of continuing the present course is an uninformed and unprepared body of officials at all levels of government.

## **Peer Exchange and Mutual Aid Agreements**

### **Peer Exchange**

One means of facilitating intergovernmental relationships is to improve FEMA's working relationships with associations representing important constituent groups; namely, the National Governors' Association, the National Emergency Management Association, the National Coordinating Council of Emergency Managers, the National Association of Counties, the International City/County Management Association and the National Coordinating Council of Emergency Managers.

Various professional associations and organizations -- the fire chiefs and fire fighter associations, the city and county officials associations, and the emergency management associations -- could help identify and promote exemplary cases of cooperation and assistance. In the past these groups have publicized and promoted peer exchanges for exemplary projects and programs.

### **Encouraging Mutual Aid**

The traditional forms of mutual aid include cooperation between counties (e.g., fire or police departments), and between states (for exchange of public works, code enforcement officials, national guard forces). Many informal mutual aid agreements exist, although the number and nature of them is not known because they are verbal agreements. More mutual aid

agreements should be put in place in advance of disasters, and many informal agreements should be formalized.

FEMA should do more to encourage mutual aid agreements and promote the exemplary ones. The first step is to identify some promising examples of cooperation and mutual aid among states and localities and to build on them. The most common forms of mutual aid are within a state and between states. The project staff learned that Louisiana officials had informal ways of tapping other states' resources, based on existing relationships and past connections. In addition, many states have worked out formal mutual aid agreements among cities and counties within the state as well as with neighboring states. California's Office of Emergency Services has a pre-established plan for providing mutual aid to communities affected by a disaster.

In the event of a major earthquake affecting large urban areas, for example, interstate cooperation may be essential to an effective response. In 1982, in the Mississippi Valley fault zone banded together to prepare a multi-state earthquake preparedness capability. This organization, called the Central U.S. Earthquake Consortium (CUSEC), is based on interstate compacts from each of its state members. Since 1983, FEMA has provided funding to CUSEC via a cooperative agreement. In recent years, four adjacent states have joined the organization as associate members. CUSEC is involved in all aspects of earthquake planning, but does not have operational responsibilities. Thus far, CUSEC is a model for interstate cooperation for seismic safety planning. Multi-state earthquake planning efforts exist in two other regions (in the far Northwest and in New England), but they are not based on formal interstate compacts and are not as large as CUSEC.

Presently, several interstate agreements are pending. For instance, Florida is planning to develop a formal agreement with North Carolina so the special air resources of the North Carolina Air National Guard will be available in the event of a major evacuation of the Florida Keys. After Hurricane Andrew, the North Carolina did provide mutual aid to Florida, but it was acting on the verbal agreement of the two governors.

Also since Hurricane Andrew, the Southern Governors Association (SGA) passed a resolution stating that the SGA ". . .in conjunction with the emergency management divisions of the member states will develop a cooperative agreement which sets forth an executive plan and inventory that will outline the operations and activities that can be coordinated and activated when a disaster situation befalls one or more member states."

In the past two years, FEMA has created a new form of mutual aid at the national level, in connection with providing urban search and rescue assistance, as noted in the Federal Response Plan. Under this arrangement, FEMA can coordinate and deliver search and rescue teams based in local governments throughout the United States. These local teams have memoranda of understanding with FEMA and essentially are "federalized" when they are needed in a location other than their home base -- similar to "federalizing" the National Guard from one state when they are needed to respond to a disaster in another state. The teams were available for use after Hurricane Andrew, although FEMA decided not to deploy them.

Since 1990, FEMA has the lead role for coordinating urban search and rescue in the event of a major or catastrophic disaster, although Emergency Support Function of the FRP still lists DoD as the leader. FEMA has identified the search and rescue resources throughout the United States and coordinates their use and arranges for their transportation to a disaster site. In anticipation of their use for a declared disaster, training has been provided and standards set for equipment and personal performance. This is an interesting model of federally coordination of non-federal resources that should be considered for other elements of response in the event of a catastrophic disaster.

### **FEMA'S Attitude Toward Sponsoring Research And Using the Results**

FEMA's attitude toward sponsoring applied research, using outside research, and incorporating research results into operational, training and educational efforts ought to be reviewed. FEMA has made little effort to use emergency management research results to improve state and local capacities.

The agency as a whole does not have a research agenda, or an on-going working relationship with most of the disaster research community. This lack of a long-term plan for research and development as well as any sort of systematic plan for the inclusion of new research results and findings into operational and training programs, are additional reasons why the agency is not at the cutting edge of its mission.

A large portion of emergency management and disaster-related research is carried on in three other federal agencies: the National Science Foundation, the U.S. Geological Survey and the National Institute for Standards and Technology. The specific type and content of this research (scientific, management, evaluations) is described in some detail in various annual reports, such as the Annual Report to Congress of the National Earthquake Hazard Reduction Program (NEHRP). Several FEMA programs produce some research of their own and they also fund external researchers (e.g., FIA and the NEHRP). Both of those units have produced some useful and timely research products. In the case of hurricanes, FEMA supplied states and communities with computer-based programs for estimating coastal inundation levels and planning evacuation. Those programs proved useful to both South Carolina in 1989 and Florida in 1992. Of all four agencies, FEMA does the least research (in terms of number of projects and dollars spent) even though it is the lead emergency management agency.

At FEMA, the various programs within the agency issue request for proposals (RFPs) for specific pieces of applied research. Few sole source research contracts seem to be awarded, although groups like the International City/County Management Association, the National Association of Counties, and the National Governors' Association have received grants. The agency does not appear to consider (or support) unsolicited research proposals.

FEMA does not incorporate new research findings and results into either operations, programs and processes or into education and training materials in a very direct or timely fashion. This last point relates to state and local capacity in emergency management. Some knowledge

about emergency management has been known to researchers for 10 years or more, yet is not known to persons presently responsible for state or local emergency management functions. For example, Professors E.L. Quarantelli and R. Dynes<sup>67</sup> have studied and written about local civil defense and local emergency management operations for more than 20 years. Yet, some of the deficiencies in local emergency management which they have documented, often under FEMA contracts, have yet to be acted upon by either FEMA or local government. In addition, the information contained in some of the training courses offered at EMI and some of those sponsored by FEMA and offered by state emergency services agencies contain information that is at least five years out of date. Further, the procedures used for course development and contracting at EMI do not allow for a ready update of training materials.

## CONCLUSIONS AND RECOMMENDATIONS

FEMA needs to do far more to ensure that states, and in turn, local governments, create and maintain adequate capacity for all components of emergency management, especially in areas vulnerable to catastrophic disasters. FEMA has been too passive in its role as the national agency concerned with emergency management. It has emphasized its role as "supporter" of state and local governments' emergency management capacity and as "responder of last resort." The agency has provided funding to states and localities, but has not taken an active interest in the resulting capacity or lack thereof. Presently, the emergency management capacity of states is uneven and, in many instances, inadequate to deal with a major or catastrophic disaster.

FEMA must assume a greater leadership role in developing an effective and cooperative emergency management partnership with state and local governments. It must not only acknowledge that state and local emergency management agencies are highly variable in organization, composition and capacity, but take corrective action. State and local governments are semi-autonomous actors with varying levels of skill and knowledge. Each level of government concerned with emergency management needs better education and training as well as the means to work more closely and cooperatively in order to meet the emergency management needs of the 21st century.

### Recommendations

**FEMA should develop a strategy for improving capacity and consistency of state and local governments for emergency management. This strategy should take into account each state's vulnerability, population and investment in emergency management.**

**The panel recommends the following means to augment capacity:**

- **Revising the mission and vision of the State and Local Program Support Directorate to reflect this new strategic approach.**
- **Assessing existing capabilities of states, territories and trusts**

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<sup>67</sup> Former directors of the Disaster Research Center at the University of Delaware.

in order to gain baseline information for future actions.

- Setting performance and other standards for CCA program funding and other special programs and projects.
- Monitoring and evaluating state and local efforts with respect to meeting those standards and, if need be, withholding funds to gain compliance.
- Using financial incentives to reward effort and performance in meeting objectives, not only for pre-disaster funding, but for post-disaster assistance.
- Streamlining many of the post-disaster processes and procedures for a presidential declaration, damage assessment and reimbursement of state and local governments.
- Improving FEMA training and education programs, both in quality and quantity, for federal, state and local officials responsible for emergency management.
- Developing a plan to use research and research applications more effectively for decisions regarding operations, programs, and training and research.
- Encouraging (by funding, if necessary) peer exchanges and mutual aid agreements among all levels of government to share examples of promising or successful practices.
- Encouraging regional planning and preparedness efforts, such as those for interstate earthquake or hurricane planning.



## CHAPTER SEVEN

### THE BASIC ISSUE -- IS THE CURRENT APPROACH TO EMERGENCY MANAGEMENT VIABLE OR IS RADICAL CHANGE THE ONLY ALTERNATIVE?

Previous chapters of this report have responded to the specific issues posed to the Academy by Congress on the capacities of federal, state and local governments to respond promptly and effectively to major natural disasters. The panel has made numerous recommendations to improve these capacities. However, in the panel's judgment, a basic question remains, that is, whether the current approach to emergency management is really viable, or whether radical change is the only alternative. This final chapter attempts to answer that question.

#### THE TREND TOWARD NATIONALIZATION AND POLITICIZATION OF EMERGENCIES AND DISASTERS

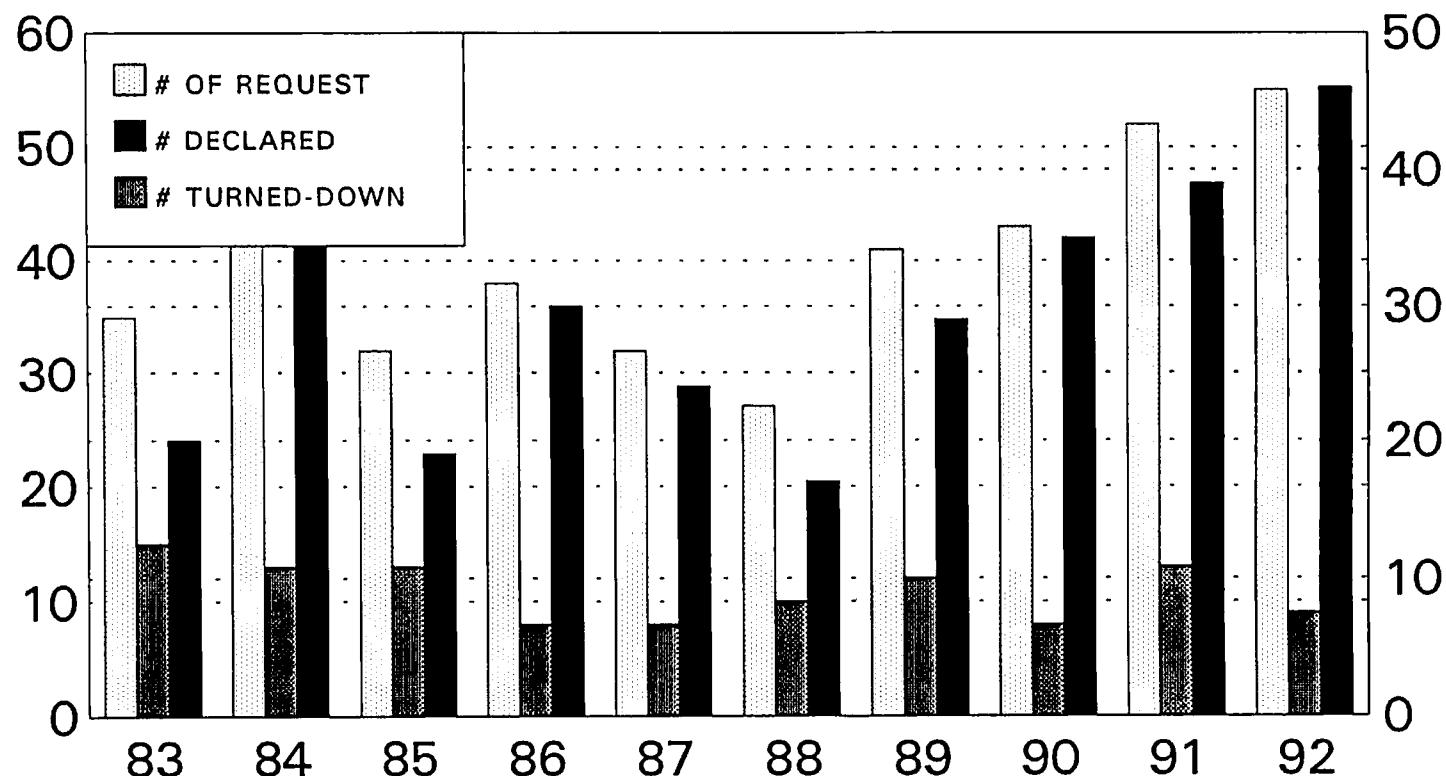
The trend toward nationalization and politicization of emergencies and disasters fueled by the CNN syndrome seems irreversible. In the panel's judgment, however, the federal government can never be the government of first response. The tasks and costs are too great.

The panel is concerned about this trend, which includes the "routine" disasters as well as the larger ones which have been getting so much attention. A record 46 disaster declarations were signed by the President in 1992, continuing the upward trend of recent years. The \$11 billion made available to all federal agencies for recovery following Hurricane Andrew and Iniki set a record. If predictions of more frequent hurricanes and earthquakes come to pass, this will cause additional drain on the federal treasury at a time when the new President is committed to budget reduction in the face of other pressing demands.

The chart on the following page shows the increase in disaster declarations over the past several years.

# DISASTER DECLARATION PROGRAM

## (FY 83 - FY 92)



# OF REQUEST	35	48	32	38	32	27	41	43	52	55
# DECLARED	20	35	19	30	24	17	29	35	39	46
# TURNED-DOWN	15	13	13	8	8	10	12	8	13	9

If Congress chooses to address the need for a new statutory charter for emergency management, will it be able to resist adding further benefits for disaster victims or widening the scope of circumstances under which a disaster or emergency can be declared? When other disasters occur can both Congress and the President resist the temptation to press the definition of a disaster to even lower levels? Or is disaster relief destined to be, in the words of one observer, "political catnip" for elected officials?

Can President Clinton forge an alliance with the governors that would reduce the federal commitment to future disasters in return for building a stronger emergency management agency, increasing support for state and local capacities, and responding aggressively when the next "big one" strikes?

### **THE BASIC ISSUE**

The basic issue before Congress and the President is whether the current approach to emergency management is viable or is radical change the only alternative. One aspect of the current approach is not amenable to radical change: the Constitution provides for a federal system of government that is "bottom-heavy," with basic police powers residing in state and local government. However, other democratic federal systems such as Germany and Australia, have found ways to build cooperative, intergovernmental emergency management systems.

Building an emergency management system, with its special demands for high performance and high reliability of organizational elements, is difficult in any system of government. This is especially true in a federal system with semi-autonomous levels of government, all of which share powers. The national government must provide leadership through carefully structured incentives but a system of shared governance also requires cooperation and negotiation on the part of all governments to achieve jointly established strategic objectives. This is the most difficult kind of administration or management. Few of those presently concerned with emergency management seem to have taken sufficient cognizance of these facts. Emergency management in a federal system is a daunting challenge. As a nation, we must recognize and respond to the seriousness of that challenge in order to meet the needs of citizens facing emergencies and disasters.

Another aspect we can do little to change is the high number of organizations involved. No amount of consolidation of statutory authorities or program functions, across the federal government or within FEMA, will result in a single federal agency to handle all types of emergencies and disasters for which the federal government is responsible. State and local governments will also continue to play their traditional roles, and the panel has not been convinced that there should be a basic change in the order of response (except for national security emergencies or those affecting federal installations). Local first, state second, and federal third.

### **STEPS TOWARD IMPROVEMENT**

In order to build a cooperative intergovernmental system that performs as an emergency

management system should, the nation must change the way people deal with the myriad of organizations involved. As discussed in Chapter Three, the federal government can take the lead in conducting a joint assessment of disasters and responding more rapidly in catastrophic disasters. But responses should still be authorized by local and state officials and funding arrangements worked out in advance.

The establishment of a Domestic Crisis Monitoring Unit would make it possible for the President and other key officials to stay better informed of developing crises, including those that fall outside the normal range of FEMA responsibilities. A DCMU would enable officials to make crucial decisions in a timely fashion, and the federal coordinating agency, FEMA, would not only have access to top-level officials, but a reason for them to be concerned with its capabilities on a continuing basis.

The Federal Response Plan is a promising beginning. The rudiments of a cooperative intergovernmental system of emergency management based on shared governance can begin to take shape if FEMA and the agencies involved proceed to derive operational plans for each Emergency Support Function, if FEMA works with its regions and with state and local governments to build interlocking operational plans, and if those plans are contingent upon a gradated disaster scale used by the joint assessment teams.

Equally important to the emergence of that system is a strategic plan on the part of FEMA for its relationships to states and local governments. It must build a cooperative, intergovernmental emergency management system by prioritizing funding and building plans. The strategic plan must be based upon building a minimal capacity nationwide, and then focus more intensively on vulnerable areas.

Finally, a crucial element in the development of a national system is the agency at the federal level which has responsibility for coordinating most emergencies and disasters that overwhelm the capacities of state and local governments. For the past 14 years, that agency has been FEMA.

## GOALS OF 1978 REORGANIZATION NOT MET

Only minuscule progress has been made toward the goals outlined in the reorganization plan creating FEMA. It has not become the "one-stop" federal agency for emergency management; it is one address with the same number (or more stops) as existed in 1978. Moreover, several other departments and agencies continue to operate their own programs for disaster response and recovery. FEMA's Federal Response Plan is a major step toward assuming a coordinative role among federal agencies. And though it is no small achievement, it must be seen as only a beginning.

A second unfilled goal of the reorganization was to achieve dual use of assets and resources across national security and natural disaster response lines. A changing world has made reliance on a national defense underpinning for federal support of, and funding allocations to, state and local emergency management of increasingly dubious value. Still, many in FEMA

and in state and local governments cling to this because of concern about program vulnerability in the domestic arena in both the White House and on Capitol Hill.

A third goal to provide an improved basis for determining the relative cost effectiveness of allocating resources to various functions -- mitigation, preparation, response and recovery -- has seen little progress. It requires better integration across the functions of management and that has been thwarted for a variety of reasons described in previous chapters. Mitigation efforts by the Federal Insurance Administration with the flood insurance program, and by the USFA with its training and research efforts in fire protection have had some success. Still, precious little knowledge from these programs has passed across program boundaries to enhance overall emergency management efforts.

Finally, the reorganization was intended to link emergency management functions more closely to the White House. This was achieved briefly in the early 1980s, partly through a personal relationship between the FEMA director and a counselor to the President. FEMA, however, has never succeeded in becoming a major player in the senior policy-making bodies surrounding the President. During the Bush administration, only the National Security Council considered policy issues relating to emergency management; FEMA played primarily a support role. In fact, the NSC currently has the policy role on national security emergency matters formerly the responsibility of FEMA.

Whether examined goal by goal or as a whole, the reorganization of 1978 has borne meager fruit. The organizational design -- which would bring together marginally related programs in order to achieve a synergistic outcome that would enhance all the functions of emergency management -- was an imaginative one. It is a challenging proposition under any conditions, and FEMA has had some of the worst imaginable conditions. In the early 1980s, the lion's share of political attention and large-scale funding went toward a build-up of civil defense and continuity of government functions. In the early 1990s, it went to pass-through funds to pay the bill for catastrophic disaster recovery.

FEMA has not had the visibility, leadership or political clout to bring about the integration of programs or the investments in mitigation and preparedness. With the end of the Cold War, FEMA's national security functions are uncertain. Meanwhile, public expectations of FEMA in disaster response and recovery situations have grown by quantum leaps. After less than stellar performances in meeting a series of major disaster response challenges -- and before it has a chance to learn from them -- FEMA now finds itself in uncharted waters. Agency officials are trying to cope with the complexities of applying disaster-related programs and funding mechanisms to events like last year's civil disturbance in Los Angeles and flooding caused by a tunnel collapse under the streets of Chicago.

## **ACTIONS NEEDED FOR REFORM**

The panel strongly believes that an effective coordinating agency is the linchpin in building a cooperative, intergovernmental emergency management system in the U.S. government of shared powers. It also believes that a small independent agency can fulfill that

role. FEMA or a successor must, however, become a highly respected agency capable of coordinating (and therefore leading) other federal agencies as well as state and local governments. During FEMA's first 14 years, it has never had the essential conditions or support from the White House and Congress that would enable it to reach this goal.

At several places in this report, the panel has made recommendations designed to create a high-performance, high-reliability agency and otherwise strengthen the federal emergency management function. Here, it summarizes what it believes are the essential conditions that the President, Congress and strong, competent FEMA leadership must provide to reach the goal. They are:

1. Reduction or elimination of political appointees and development of a competent, professional career staff as well as a career executive director.
2. Access to, and support of, the President through the creation of a Domestic Crisis Monitoring Unit in the White House.
3. Integration of FEMA's subunits into a cohesive institution through the development of a common mission, vision and values, and creation of an integrative career development program.
4. Development of structure, strategy and management systems to give agency leadership the means to direct the agency.
5. A new statutory charter centered on integrated mitigation, preparation, response and recovery from emergencies and disasters of all types.
6. Joint assessment teams and a gradated response scale for more timely and effective responses to catastrophic disaster.
7. Development of functional headquarters-field relationships.

Additional funding in the near term will be required to meet these conditions, but the panel believes that the result will be improved efficiency and program effectiveness that, in the long run, would reduce costs. Given the current government-wide budget stringencies, FEMA must do everything possible to economize and make best use of existing resources.

## **THE NEED FOR A GALVANIZING EVENT TO BRING ABOUT CHANGES IN THE WAY AMERICA RESPONDS TO EMERGENCIES**

Changes of the magnitude recommended by the panel will require strong and sustained White House and congressional attention and support. Given the nation's economic and social problems and the foreign policy challenges likely to occupy the political leadership, the panel believes a galvanizing event, such as a White House or governor's conference on emergency management, a summit meeting between the President and the governors, a national commission

chartered by Congress, or a task force appointed by the President, will be needed to forge a new compact between the states and the federal government on how the nation will prepare for and respond to emergencies and who will pay the costs.

#### **WITHOUT SIGNIFICANT PROGRESS ON CONDITIONS SPECIFIED ABOVE, CONSIDERATION SHOULD BE GIVEN TO A MORE DRASTIC OPTION**

If after a reasonable period, most of the essential conditions listed above cannot be met, other alternatives should be examined. Time, however, has not permitted thorough study of alternative options. If the time comes to consider them, an additional study would be required to analyze the pros and cons of the more drastic actions outlined below.

One option might be to abolish FEMA and return its component parts to their agencies of origin or place them elsewhere. For example, disaster assistance could be returned to HUD and civil defense planning to DOD. A small office in the Executive Office of the President would be needed to perform the coordination function under the FRP.

This, however, was the unfortunate condition which caused FEMA to be created in the first place, and the panel sees this as a useful option only if no other is available.

A second, marginally better, option would be to transfer most FEMA functions intact to an existing department or agency, such as Commerce, HUD or EPA. To retain its present grade structure and some visibility, the director would need to be given deputy secretary status. No other department or agency, however, provides an ideal home for the emergency management function, and all have other priorities and problems.

In any event, the panel does not recommend that this function be transferred to DoD. Many of FEMA's problems with disaster response can be traced to a preoccupation with national security emergency preparedness. The panel believes the time has come to shift the emphasis from national security to domestic civil emergency management using an all-hazards approach. In addition, making this function a routine part of the defense mission would further complicate larger issues of the Armed Forces' peacetime roles.

#### **SUMMING UP**

The rationale behind the creation of FEMA has not lived up to expectations. The responsibility for that lies with both the executive and legislative branches, and with both the public and its leaders. The panel believes it is possible for a small independent agency to coordinate the federal response to major natural disasters, but certain essential conditions must be met. If these conditions are not met, then the President and Congress should consider a more drastic option, such as transferring these functions to a Cabinet department or major independent agency. Without bold action, America's frustration with the timeliness and quality of the federal response is very likely to continue.

## **APPENDICES**

## APPENDIX A

## BIOGRAPHICAL SKETCHES

ACADEMY PANEL ON GOVERNMENTAL RESPONSES TO  
MAJOR NATURAL DISASTERS

**Philip A. Odeen**, Panel Chair - President and CEO, BDM International, Inc. Former Vice Chairman, Management Consulting Services, and Regional Managing Partner, Coopers and Lybrand, Washington, DC; Director of Program Analysis, National Security Council; Principal Deputy Assistant Secretary of Defense for System Analysis.

**Yvonne B. Burke** - Supervisor, Second District, Los Angeles County Board of Supervisors. Former Attorney, Jones, Day, Revis & Pogue; Member, U.S. House of Representatives (California); Assemblywoman, State of California.

**Frank C. Carlucci** - Vice Chairman, The Carlyle Group. Former Secretary of Defense; National Security Advisor; President, Sears World Trade; Under Secretary, U.S. Department of Health, Education and Welfare; Deputy Director, U.S. Office of Management and Budget.

**Charles L. Dempsey** - Chuck Dempsey & Associates. Former Inspector General, Assistant Inspector General for Investigation, and Assistant Inspector General for Administration, U.S. Department of Housing and Urban Development; Acting Inspector General, U.S. Environmental Protection Agency.

**Thomas M. Downs** - Commissioner, New Jersey Department of Transportation. Former President, Triborough Bridge & Tunnel Authority; City Administrator, Washington, D.C.; Executive Director, U.S. Urban Mass Transportation Administration; Associate Administrator for Planning and Policy Development, Federal Highway Administration.

**Andrew J. Goodpaster** - Chairman, Atlantic Council of the U.S.; Former President, Institute for Defense Analysis; Commander-in-Chief, United States European Command, Supreme Allied Commander, Europe; Secretary to the President of the United States, General, U.S. Army, Ret.

**Stan M. McKinney\*** - Director, Division of Public Safety Programs, Office of the Governor, State of South Carolina; Former State Coordinating Officer for Hurricane Hugo; former county coroner, Greenville, South Carolina.

**Elmer B. Staats** - Chairman of the Board, Harry S. Truman Scholarship Foundation. Former Comptroller General of the United States; Deputy Director, U.S. Bureau of the Budget; Executive Officer, Operations Coordinating Board, National Security Council; Research Director, Marshall Field & Company.

**Lee M. Thomas** - Chairman and CEO, Law Environmental, Inc. Former Administrator, U.S. Environmental Protection Agency; Assistant Administrator for Solid Waste and Emergency Response, EPA; Executive Deputy Director and Associate Director for State and Local Programs, Federal Emergency Management Agency; Director, Division of Public Safety Programs, State of South Carolina.

\* Not an Academy Fellow

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**Gary L. Wamsley**, Project Director, is a Professor of Public Administration and Policy at Virginia Polytechnic Institute and State University. He was the founder and director of that university's Center for Public Administration and Policy. He is the editor of Administration and Society, a consultant to federal, state, and local government, and an author of numerous books and articles on organization theory and public administration.

**John A. Bell** worked for many years as a legislative counsel for federal agencies, including associate general counsel at the Department of Housing and Urban Development, special assistant to the solicitor of the Department of the Interior, and assistant general counsel, Office of Economic Opportunity. He is a graduate of the Georgetown University Law School.

**Laurance A. Bernosky** is currently the director, Center for Information Management at NAPA (serving in this capacity on an IPA assignment from the Department of the Air Force.) He previously served as Deputy Director for C4 Systems at the U.S. Transportation Command. The majority of his career has been involved with design and development responsibilities on defense related information systems. He also has extensive background in establishing and managing career development programs in DOD.

**Albert J. Kliman** was the budget officer for the Department of Housing and Urban Development from 1975 until his retirement in 1990. He is now an independent consultant in the fields of government organization, budgeting, and financial management. Mr. Kliman has an AB from Harvard College and an MPA from Harvard's Littauer School of Public Administration.

**Jill A. Martin** is currently in the masters program of Public Administration at The George Washington University concentrating in state and local government and economic development.

**William L. Murray** is a management analyst for the Department of Veteran's Affairs. He is also a doctoral candidate at Virginia Polytechnic and State University in the Center for Public Administration and Policy.

**Claire B. Rubin** is an independent consultant in the fields of emergency management and public management. From 1983-90, she was a senior research associate at The George Washington University, Center for International Science and Technology Policy. Ms Rubin has published a variety of articles, monographs, and reports on emergency management topics. Ms. Rubin holds a Bachelor's Degree from Simmons College and a Master's Degree in political science from Boston University.

**Roger L. Sperry** is NAPA's director of management studies. Formerly, he was a professional staff member of the Senate Committee on Governmental Affairs, and senior group director and special assistant to the Comptroller General at the U.S. General Accounting Office. He has a Master of Public Administration degree from Harvard University's John F. Kennedy School of Government.

**Terence J. Tipple** is a program analyst with the Strategic Planning Office, U.S. Forest Service. He has a Doctor of Philosophy degree in public administration and policy from Virginia Polytechnic and State University.

## APPENDIX B

## INTERVIEWS CONDUCTED AND CONTACTS MADE DURING NAPA STUDY

## CALIFORNIA

California State Government

Dr. Richard Andrews	Director, Office of Emergency Services
Major Tony Palumbo	National Guard
Col. Guido J. Portante, Jr.	Deputy Chief of Staff, Operations, National Guard
L. Thomas Tobin	Executive Director, California Seismic Safety Commission
Charles Wynne	Chief, Disaster Assistance Div., Office of Emergency Services

City of Los Angeles

Shirley Mattingly	Director, Office of Emergency Management
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County of Los Angeles

Yvonne Brathwaite Burke	Supervisor, Second District
Robert Garrott	County of Los Angeles, Emergency Management
Michael Henry	County of Los Angeles, Emergency Management
Lt. Ben Nottingham	County of Los Angeles, Emergency Management
Lt. Richard E. Odenthal	Emergency Operations Bureau, Sheriff Dept.
Thomas G. Page	Battalion Chief, Office of Emergency Management
Constance Perett	Assistant Manager, Office of Emergency Management
Alvia A. Shaw, Jr.	Chief, Administrative Office, Office of Emergency Management
William J. Zeason	Operations Chief Deputy, Fire Department

City of Oakland

Henry Gardiner	City Manager
Hon. Elihu Harris	Mayor
Henry Renteria	Emergency Services Manager

City of San Francisco

Adm. John Bitoff (Ret.)	Director, Mayor's Office of Emergency Services, San Francisco
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## FLORIDA

### Florida State Government

Tom Herndon	Chief of Staff to Governor
Frank Koutnik	Division of Emergency Management
Robert G. Nave	Director, Division of Emergency Management
Patricia Pepper	Director, Housing and Community Development Division
Ben Starrett	Executive Director, Governor's Commission on Hurricane Andrew
Rod Westfall	Division of Emergency Management

### City of Homestead

Chris Bezruki	Assistant City Manager
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### Florida City

Rafael Casals	Assistant City Manager
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### Dade County Government

Kate Hale	Director, County Office of Emergency Preparedness
Commissioner Hawkins	County Commissioner
Andy Menendez	Director of Homeless Programs
Patrick O'Connor	Director, Audit and Management

## HAWAII

Thomas O. Batey	Office of the Mayor, County of Kauai
Roy C. Price, Sr.	Director, Vice Director of Civil Defense
Gen. E. V. Richardson	Adjutant General and Director of Civil Defense
Joanne Yukimura	Mayor, County of Kauai

## LOUISIANA

Brett Krieger	Deputy Director of LA Office of Emergency Preparedness
Burtram Madere	Emergency Director, St. John The Baptist Parish
Craig Romero	Former President, New Iberia Parish
Gen. Ansel M. Stroud, Jr.	Adjutant General
Lt. Col. William Croft	Director of LA Office of Emergency Preparedness/Deputy AG

**CONGRESSIONAL STAFF**

Carolyn E. Apostolou	Professional Staff Member, Senate VA-HUD-Independent Offices Appropriations Subcommittee
Keith Bea	Congressional Research Service
Michele Burkett	House VA-HUD-Independent Offices Appropriations subcommittee
Rob Connor	Professional Staff Member, Senate Committee on Environment and Public Works Subcommittee
Kevin Kelly	Staff Director/Chief Clerk, Senate VA-HUD-Independent Offices Appropriations Subcommittee
Richard Malow	Staff Assistant, House VA-HUD-Independent Offices Appropriations Subcommittee
Thomas Kirk McConnell	Professional staff member, Senate Armed Services Committee
Alma Moore	Staff of Senate Armed Services Committee, Military Installations Subcommittee
Frank Moore*	Counsel, Subcommittee on Policy, Research and Insurance, House Banking, Housing and Urban Affairs Committee
Cheri Roe	Professional staff member, House Committee on Public Works
Errol L. Tyler	Counsel, Subcommittee on Water Resources, House Committee on Public Works
Jack Wells	Staff of House Committee on Public Works and Transportation

**DEPARTMENT OF DEFENSE**

Maxwell Alston	Office of the Secretary of Defense, Washington, D.C.
Lt. Col. William Butler	Operations Officer, Office of the Director of Military support, U.S. Army, Washington, D.C.
Lt. Gen. Johnnie Corns	Commander, U.S. Army Pacific Area, Fort Shafter, Honolulu, HI
Lt. Col. Wayne Lesak	U.S. Sixth Army HQ, San Francisco, CA
Dr. Enrique Mendez, Jr.	Assistant Secretary for Health Affairs, Office of the Secretary of Defense
Lt. Col. Phil Mugford	U.S. Sixth Army HQ, San Francisco, CA

**DEPARTMENT OF TRANSPORTATION**

Andrew H. Card, Jr.	Secretary of Transportation
John Porco	Deputy Director, Office of Emergency Transportation

**EXECUTIVE OFFICE OF THE PRESIDENT**

Daniel Casse	Special Assistant to the President for Cabinet Affairs
Edith E. Holliday	Assistant to the President and Secretary to the Cabinet
Patrick H. Linhares	Director of Emergency Preparedness, National Security Council

**FEDERAL EMERGENCY MANAGEMENT AGENCY****Office of the Director**

David A. Cole	Senior Advisor to the Director for Management and Administration
Thomas R. McQuillan	Senior Policy Advisor
Wallace E. Stickney	FEMA Director
William C. Tidball	Director of Human Resources Management and Acting Director

**State and Local Programs and Support Directorate**

Laura J. Buchbinder	Superintendent, EMI/Acting Regional Director, Reg. VII
Bonnie Butler	Chief, EMI Emergency Management Division
Curtis Carleton	Emergency Management Specialist, Disaster Assistance Programs
Gregg Chappell	Assistant Associate Director, Disaster Assistance Programs
Dennis R. DeWalt	Chief, State and Local Support Division, Off. of Emergency Mgt
Gary D. Johnson	Assistant Associate Director, Earthquake and Natural Hazards W.
Richard Krimm	Deputy Associate Director, SLPS
Dennis Kwiatkowski	Assistant Associate Director, Office of Technological Hazards, SLPS
John McKay	Assistant Associate Director, Office of Emergency Management,
Grant C. Peterson	Associate Director, SLPS
Stephen Sharro	Deputy Superintendent, EMI
Robert F. Shea, Jr.	Chief, Office of Program Analysis and Coordination, SLPS
Patricia Stahlschmidt	Chief, Hazard Mitigation Branch, Disaster Assistance Programs
Robert H. Volland	Chief, Individual Assistance Division,
Laurence Zensinger	Chief, Public Assistance Division

**National Preparedness Directorate**

Bruce J. Campbell	Assistant Associate Director
Gordon Fullerton	Deputy for Information Resources Management
Homer V. Hervey	Assistant Associate Director
G. Clay Hollister	Deputy Assistant Associate Director, Acting Director, Reg. VI
John D. Hwang	Acting Assistant Associate Director
William F. W. Jones	Deputy Associate Director
James Kellett	Acting Assistant Associate Director
Edward Kernan	Assistant Associate Director
Elaine S. Kramer	Chief, Management Analysis Division
Antonio Lopez	Associate Director
Joseph A. Moreland	Assistant Associate Director

**National Emergency Coordination Center**

William W. Donovan	Secure Information Systems Services
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Robert K. Fetter	Information Systems Support Center
Robert A. Morris	National Network Operations Center
Tuck Palmer	Mobile Air Transportable Telecommunications
James G. Pendleton	Chief, NECC

#### Federal Insurance Administration

Francis V. Reilly	Deputy Administrator, FIA
C.M. Schauerte	Administrator, FIA
Frank Thomas	Assistant Administrator, FIA

#### U.S. Fire Administration

James F. Coyle	Assistant Administrator for Fire Prevention and Arson Control
Ronald P. Face, Jr.	Director of USFA NETC Operations and support
Albert C. Kirchner, Jr.	Superintendent, National Fire Academy
Roger Lanahan	Assistant Administrator for Firefighter Health and Safety
Bernard Marshall	Director, Office of Educational Technology
Edward M. Wall	Deputy Administrator

#### Office of the General Counsel

William R. Cumming	General Attorney, Program Law Division
Patricia M. Gormley	General Counsel
Michael B. Hirsch	Associate General Counsel
H. Crane Miller	Legislative and Regulatory Attorney
Kathryn L. Newman	Deputy General Counsel

#### Office of the Inspector General

Deborah Hart	Assistant IG/Inspections
Paul J. Lillis	Assistant IG/Investigations
William R. Partridge	Deputy Inspector General
Richard L. Skinner	Assistant Inspector General, Audits

#### Other FEMA HQ Staff

W. Russell Asher	Chief Financial Officer
Leo V. Bosner	Acting President, AFGE Local 4060
Col. P. F. Dabrowski, Jr.	Military Support Liaison Officer
Barbara Jacobik	Budget Officer
Robert L. McFerren	Director, Office of Regional Liaison

FEMA Regional Staff

Frank Begley	Deputy Regional Director, Region VII
Charles Biggs	Chief, Emergency Management Programs Division, Region VII
Lee Clark	Region VII Telecommunications
Bobby Blalock	Chief, Emergency Management and National Preparedness Division, Region IV
Mike DeLorenzo	Branch Chief, Region IV
Roy Gorup	Chief, Public Assistance Programs, Region IX
R. Dell Greer	Chief, Emergency Management and NP, Region VI
Steve Harell	Chief, Natural and Technological Hazards Division, Region VII
Bradley Harris	Region VI Director
Edwin H. Harris, Jr.	Chief, Denton MERS unit
Richard Klein	Region VII Analyst
James LeGrote	Chief, Natural and Technological Hazards Division, Region VI
Bill Massey	Region IV staff -- Hurricane Program Manager
Major P. May	Region IV Director
James McClanahan	Deputy Regional Director, Region VI
William Medigovich	Region IX Director
Nicholas Nikas	Chief, Emergency Management and NP Programs Div., Reg IX
Dale Peterson	Pacific Area Office Director
Michael Polny	Region IV, Individual and Family Grants
Warren Pugh	Chief, Disaster Assistance Program, Region VII
Tim Seidel	Region VII IRM staff
Richard H. Strome	Region I Director
Neal Voltz	Administrative Officer, Region VII
Daryl Wait	Disaster Assistance Programs, Region IX
Leland Wilson	Acting Chief, Disaster Assistance Programs, Region VI
Jim Yeager	Disaster Assistance Program Network Manager, Region VII

**GENERAL ACCOUNTING OFFICE**

Stanley Czerwinski	Assistant Director, Housing and Community Development Issues
Judy A. England-Joseph	Director, Housing and Community Development Issues
Cliff Fowler	Deputy Director, Housing and Community Development Issues
Jeff Itell	Housing and Community Development Issues
Valerie Rogers	Housing and Community Development Issues

**OFFICE OF MANAGEMENT AND BUDGET**

Chris Heiser	Examiner, FEMA programs
Franklin S. Reeder	Assistant Director for General Management
Kenneth Ryder	Deputy Associate Director, Housing, Treasury and Finance

**OTHER FEDERAL AGENCIES**

Kathy Kobers	Public Health Service Nurse Practitioner
Dave Nash	SBA Field Office Rep. Region IV
Leonard Mondrgac	Emergency Coordinator, USDA
Terry Tipple	U.S. Forest Service

**FORMER FEDERAL OFFICIALS**

George Bernstein*	Former FIA Administrator and Chairman of the National Earthquake Hazards Reduction Advisory Commission
Dr. Ralph Bledsoe	Executive Director, Ronald Reagan Library/Former Domestic Advisor to the President (Reagan)
Tom Dunne	Former Administrator, Federal Disaster Assistance Administration
Gen. Andrew Goodpaster	FEMA Advisory Board -- Security Practices Committee
Dwight Ink	Institute of Public Administration/Special Coordinator for 1964 Alaska Earthquake
Harold Seideman	Guest Scholar, Center for the Study of American Government, Johns Hopkins University/Former Assistant Director, Bureau of the Budget

**NATIONAL EMERGENCY MANAGEMENT ASSOCIATION**

Martha Braddock	NEMA Legislative Representative
Harvey Ryland	Executive Director, Central United States Earthquake Consortium
Lacey Suiter	Director, Tennessee State Emergency Management Agency
James Lee Witt	Director, Arkansas Office of Emergency Services

**NONPROFIT AGENCIES**

Rev. Eugene Boutillier	Administrator, Los Angeles Local Board, Emergency Food and Shelter Program
Jennifer Dorn	Senior Vice President, Policy and Planning, American Red Cross
Donald W. Jones	General Manager, Disaster Services, American Red Cross
Susan Smith	Public Policy and Planning Associate, Red Cross
Col. Walter C. French	Head of Disaster Services, Salvation Army
William H. Reno	Senior Vice President, National Operations, American Red Cross

**ACADEMIC SOURCES**

Dr. Fred Krimgold	VA Polytechnic Institute and State University/Member of FEMA Advisory Board
Dr. Larry Lane	Dept. of Public Administration, The American University
Dr. Elliott Mittler	Anderson Graduate School of Management, UCLA

Dr. Gilbert White\* Director of Natural Hazards Research and Applications Information Center, University of Colorado

**OTHER**

Larry Larson\* Executive Director, Association of Flood Plain Managers  
Michael Tavillon Fairfax County VA Fire Department

NOTE: Titles of officials are as of the time interviewed.

\* = conducted by telephone

## APPENDIX C

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National Flood Insurance Act of 1968, as amended; Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4001 et seq.

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## APPENDIX D

**EXECUTIVE DEVELOPMENT: A VITAL PART OF  
BUILDING FEMA AS AN INSTITUTION**

References are made throughout this report to the need for improved executive development at FEMA. The agency should not interpret this identified need primarily as a means to "fix" the shortcomings of the existing executive cadre, nor primarily as a method of providing skills to the next generation of executives (e.g., today's GS14's & 15's). Well-conceived executive development programs are rarely based on a "fix it" approach. Rather, the executive development program at FEMA should be seen as a key leverage point for moving the organization toward the highly competent, professionalized institution prescribed in this document. It should be viewed as one more powerful mechanism available to implement the organizational change and direction articulated herein. To the extent it is viewed primarily as training or skill building, it will miss the mark.

This report has made it clear that FEMA's organizational design, requiring integration of marginally related functions to achieve a synergistic payoff, is difficult to carry out. It requires a minimization of turf battles and maximization of cooperation if it is to succeed.

The agenda for institution-building to effectuate that design outlined in this report is very ambitious. Virtually no stone remains unturned. Changes are prescribed in vision/mission/values, strategy, structure, communication channels, and management processes such as budgeting, human resource management, information resources systems and program analysis and evaluation. Taken as a whole changes will begin forging the "FEMA Identity" that GAO found lacking. However, such an ambitious program of change can only be implemented by a competent executive cadre which shares some common vision, sense of mission and values. This does not mean a homogenized executive cadre that works together in complete harmony. That would be as unhealthy for the agency as it is impossible for humans to behave. But without some unity of perspective and competency, the executives will fail to send consistent signals to the rest of the organization and thereby undermine the efforts to improve FEMA. Hence, executive development efforts at FEMA should concentrate on building an executive cadre capable of orchestrating the desired changes.

Leading figures in executive development argue that executive development programs should be closely linked to organizational strategy.<sup>68</sup> Others call for executive development programs to be coupled with succession planning efforts.<sup>69</sup> There are still others who offer a

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<sup>68</sup> Bolt, James F., "Tailor Executive Development to Strategy", Harvard Business Review, Nov-Dec 1985, (168-176)

<sup>69</sup> Hall, Douglas T., "Dilemmas in Linking Succession Planning to Individual Executive Learning", Human Resources Management, Summer 1986, 25(2):235-265

way to organize a number of organizational factors such as strategy and succession planning into a "framework for coherence" from which the content and supporting processes can be derived.<sup>70</sup> In this approach a few "central messages" should be developed, around which, the program should be built. By utilizing such a focus, individual development can be merged with organizational improvement or institution building.

The approach described here is compatible with a recent National Academy of Public Administration report, Paths to Leadership, which was sponsored by 20 federal agencies.<sup>71</sup> Beginning at different points, both call for a strategic perspective.

## EFFORTS AT FEMA

FEMA executives seem aware of the need for an improved executive development program. They also seem increasingly aware of the potential it has as a leverage point for change. The challenge will be to develop the program from the strategic perspective rather than from traditional "training and development" perspective. The emerging executive development program should be thought of more as an organizational intervention than a training effort. Given the present situation, the emphasis should be on building a capable executive team with a shared perspective, not on providing executive A with skill Y.

The implications for adopting a strategic rather than a training perspective are profound. For example, since the strategic objective of the program should be to help foster an institutional building organizational change, emphasis should be placed on providing a developmental experience for the key change agents in the organization, regardless of their exact job title or grade. The result might be a mixture of participants from the field and headquarters representing a range of grades from mid to senior management. In contrast, a typical training approach would "target" a certain hierarchical slice of the organization such as "all SES members" or all GS/GM 14's & 15's. Yet the reality might be that not all SES members are key to bringing about the desired organizational change, but that some GS/GM 14's & 15's are.

The above example is particularly salient for FEMA, as distinctions such as SES/non-SES, career/political, headquarters/field, classified/non-classified, and stovepipe X/stovepipe Y have contributed to the lack of cohesion within the agency. The executive cadre which will drive a successful organization transformation at FEMA must minimize the labels and categories which result in exclusivity, and focus on the shared aspects which are inclusive and can build commitment to the larger organizational purpose. Until the key executives share a common perspective about the desired future state of the organization and the means for getting there, the other employees will mirror the lack of shared purpose and direction. The executive development program should be central to establishing that common perspective.

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<sup>70</sup> Tipple, Terence J., Executive Development Programs: A Framework for Coherence, 1991, Ph.D. Dissertation, Center for Public Administration & Policy, Virginia Tech.

<sup>71</sup> National Academy of Public Administration. Paths to Leadership: Executive Succession Planning in the Federal Government. (Washington, DC: NAPA). December 1992.

## EXECUTIVE DEVELOPMENT STRATEGIES

In creating the executive development program recommended in Chapter Four, there are several strategies which FEMA officials should consider. They are:

1. Adopt a strategic perspective in creating the executive development program. Blend individual development with organizational improvement strategies.
2. Avoid a "training" perspective at this point.
3. Use a structured approach such as the "framework for coherence" to study the multitude of factors that have relevance for institution building and uses for the executive development program at FEMA.
4. Develop a few "central messages" which will be conveyed through the program's content and processes.
5. Be flexible in interpreting "executives," so as to be inclusive to all the true managerial change agents. (This also has the side benefits of encouraging diversity of participants and not establishing career expectations as sometimes occur in "candidacy" programs.)
6. Blend succession planning considerations into the executive development program, but keep succession planning and training subordinate to the strategic perspective of changing the organization through executive development.
7. Develop individual career development plans that allow for voluntary placement outside FEMA in related agencies either permanently or temporarily.
8. Do everything possible to prevent the treatment of executive development experiences as punishment or rewards.
9. Establish "continuous learning" as a norm within the agency so that continuous development and improvement is an expectation for all FEMA employees. This will provide an ongoing mechanism to bring about the desired organizational changes.

## APPENDIX E

## FEMA ORGANIZATION AND FUNCTIONS

FEMA was established pursuant to Reorganization Plan No. 3 of 1978 (5 U.S.C. app.) and Executive Orders 12127 of March 31, 1979, and 12148 of July 20, 1979.

The following is the description of the agency included in *The United States Government Manual 1992/1993*.

The Federal Emergency Management Agency (FEMA) is the focal point within the Federal Government for emergency planning, preparedness, mitigation, response, and recovery. The Agency works closely with State and local governments by funding emergency programs and providing technical guidance and training. These coordinated activities at the Federal, State, and local levels ensure a broad-based emergency program to protect public safety and property.

The chart on page 134 shows the current structure of the agency. The major divisions of the agency and associated resources<sup>72</sup> are as follows:

The United States Fire Administration (USFA). Established by the Federal Fire Prevention and Control Act of 1974, as amended, the mission of the USFA, is to provide coordination, direction, control, and administration for the agency's fire control programs. The USFA is responsible for the mitigation, research, planning, and dissemination of fire prevention information to the nation's firefighters and the general public. The USFA is also responsible for activities of the National Fire Academy, the National Fire Data Center, and management of the National Emergency Training Center at Emmitsburg, MD.

The authorizing legislation of the USFA includes a statutory priority for reducing the incidence of residential fires which the USFA identifies as the cause of the overwhelming bulk of fire-caused deaths.

The USFA has a FY 1993 budget of \$28.6 million in program dollars and \$8.2 million in salaries and expense funds, and 147 work years, representing 5.4 percent of FEMA's total work years.

The USFA director is appointed by the President and confirmed by the Senate.

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<sup>72</sup> Budget numbers were supplied by the Office of Financial Management (CFO) in December 1992 and confirmed, with minor adjustments, in February 1993.)

The National Preparedness Directorate (NP). This Office administers FEMA's major responsibilities for maintaining the continuity of government in the event of a national security emergency -- a nuclear attack upon the United States. The governing legislation is included in the National Security Act and the Defense Production Act as well as in certain Executive Orders. The bulk of FEMA's activities in this area are classified.

The directorate coordinates national security emergency management and preparedness responsibilities with federal departments and agencies. It develops, coordinates, and evaluates procedures that provide for the effective operation of government in a national security emergency, creates and coordinates concepts and systems to improve the mobilization of industrial and federal sectors, formulates concepts and systems to ensure the availability of resources required to fulfill defense and critical civilian needs, develops presidential emergency action documents, serves as the civil/military interface, and manages the 24-hour National Emergency Coordination Center.

The NP budget for FY 1993 includes \$78 million of program funds of which \$56.5 million is for classified programs, and \$57.6 million of salaries and expenses funds of which \$44.8 million is for classified activities. It has 1,019 work years, 37.7 percent of FEMA's total, of which 842 (82.6 percent) work in classified functions.

The National Preparedness Directorate is headed by an associate director appointed by the President and confirmed by the Senate.

The State and Local Programs and Support Directorate (SLPS). This Office is the one most closely associated with disaster recovery activities. It is that part of FEMA which coordinates the administration of disaster assistance, including responsibilities for administering the Disaster Relief Fund programs of Individual and Family Assistance Grants, Temporary Housing Assistance, Public Assistance Grants, and other associated programs.

The Individual and Family Assistance Grant Program provides grants of up to \$11,900 to individuals or families with serious needs and necessary expenses that can not be met through other governmental disaster assistance programs or other means. Programs of disaster unemployment insurance and crisis counselling are also made available to individuals.

The Temporary Housing Assistance Program provides 100-percent grants for rental assistance and home repair to individuals and families whose homes are damaged or destroyed and who do not have adequate insurance coverage. Mortgage and rental assistance is also provided to those who had a financial hardship and are therefore unable to make rent or mortgage payments. Mobile homes and travel trailers are provided when available rental housing in the area is insufficient to meet housing demand.

The Public Assistance Program provides assistance to state and local governments and certain private nonprofit organizations. This assistance covers the cost of repair or replacement of damaged facilities owned and operated by eligible applicants. Eligible costs also include debris removal and emergency protective measures. Grants are prescribed by law to be ". . . no less than 75 percent of the eligible costs. . ." Reimbursement of eligible public assistance costs sometimes exceeds the 75-percent rate in unusual circumstances based on a formula which reimburses at 75 percent for the first ten dollars per capita (based on state population) of total public assistance costs and a higher rate (up to 100 percent) for expenses over ten dollars per capita.

In addition to the basic disaster relief function -- which is centered primarily in one office within SLPS -- the Office of Disaster Assistance Programs (DAP), the Directorate has responsibility for the following programs and activities:

The Emergency Food and Shelter Program which supplements emergency food and shelter assistance to needy individuals that is currently delivered by traditional providers at the local level.

The program operates through a National Board composed of representatives from Catholic Charities, USA, American Red Cross, United Way of America, National Council of churches of Christ in the USA, Salvation Army, and the Council of Jewish Federations. The National Board distributes program funds based on a formula agreed to with FEMA.

Superfund and Relocation Assistance which provides relocation assistance to individuals, businesses, and facilities threatened by hazardous materials incidents.

The Emergency Management Institute which conducts training activities for the emergency management community in methods of preparing for, responding to, recovering from, and mitigating emergencies and disasters.

Civil Defense programs aimed at providing an integrated emergency management system at the federal, state, and local levels capable of protecting life, property, and vital infrastructure regardless of the cause of the disaster/emergency.

Earthquake and Other Natural Hazard Mitigation Programs. FEMA is the lead agency under the National Earthquake Hazards Reduction Act of 1977, as amended. It runs a cooperative federal/state hurricane program for population protection planning, property protection planning, and technical assistance. A small dam safety program is also in effect.

Chemical Stockpile Emergency Preparedness Program. This program is designed to assist state and local jurisdictions in responding to incidents related to the storage and destruction of the Army's stockpile of chemical weapons.

Radiological Emergency Preparedness. Working with the Nuclear Regulatory Commission, this program is designed to enhance the ability of state and local governments and others to respond to peacetime radiological emergencies.

The SLPS budget for FY 1993 includes \$292 million for the Disaster Relief Fund (which may be augmented by supplemental appropriations) and \$129 million for the Emergency Food and Shelter program. Its budget also includes \$156.6 million in other program funds and \$50.7 million in salaries and expense funds, and 800 work years, 29.6 percent of FEMA's total.

The State and Local Programs and Support Directorate is headed by an associate director appointed by the President and confirmed by the Senate.

The Federal Insurance Administration (FIA). The FIA administers the Federal Crime Insurance Program (FCIP) and the National Flood Insurance Program (NFIP). The FCIP is a federally subsidized program which began in 1971 and which authorizes the federal government to sell crime insurance at affordable rates in any eligible state. The program is somewhat regional at this stage with the bulk of the policy holders being in New York.

The NFIP is a federally backed program that makes flood insurance available to residents of communities in exchange for the community's adoption and enforcement of the NFIP's floodplain management regulations.

The FIA budget for FY 1993 reflects revolving fund income of \$846 million. In addition, the budget includes \$48.1 million of program funds and \$14.7 million in salaries and expenses funds and 214 work years, 8 percent of FEMA's total.

The FIA is headed by an administrator appointed by the President and confirmed by the Senate.

External Affairs Directorate. This organization is responsible for public affairs, congressional affairs, international contacts, and intergovernmental relations. Its 1993 budget is \$1.7 million of salaries and expenses funds and 20 work years.

The External Affairs directorate is headed by an associate director appointed by the President and confirmed by the Senate.

Management and Administration. This activity represents an array of offices handling general administration, procurement, human resources, and security. It has a 1993 budget of \$35.8 million of salaries and expenses funds, including centrally paid services such as rent, and 330 work years, 12 percent of the FEMA total.

Inspector General. The Office of the Inspector General is headed by an inspector general appointed by the President and confirmed by the Senate. It has a \$4 million budget for 78 work years in FY 1993.

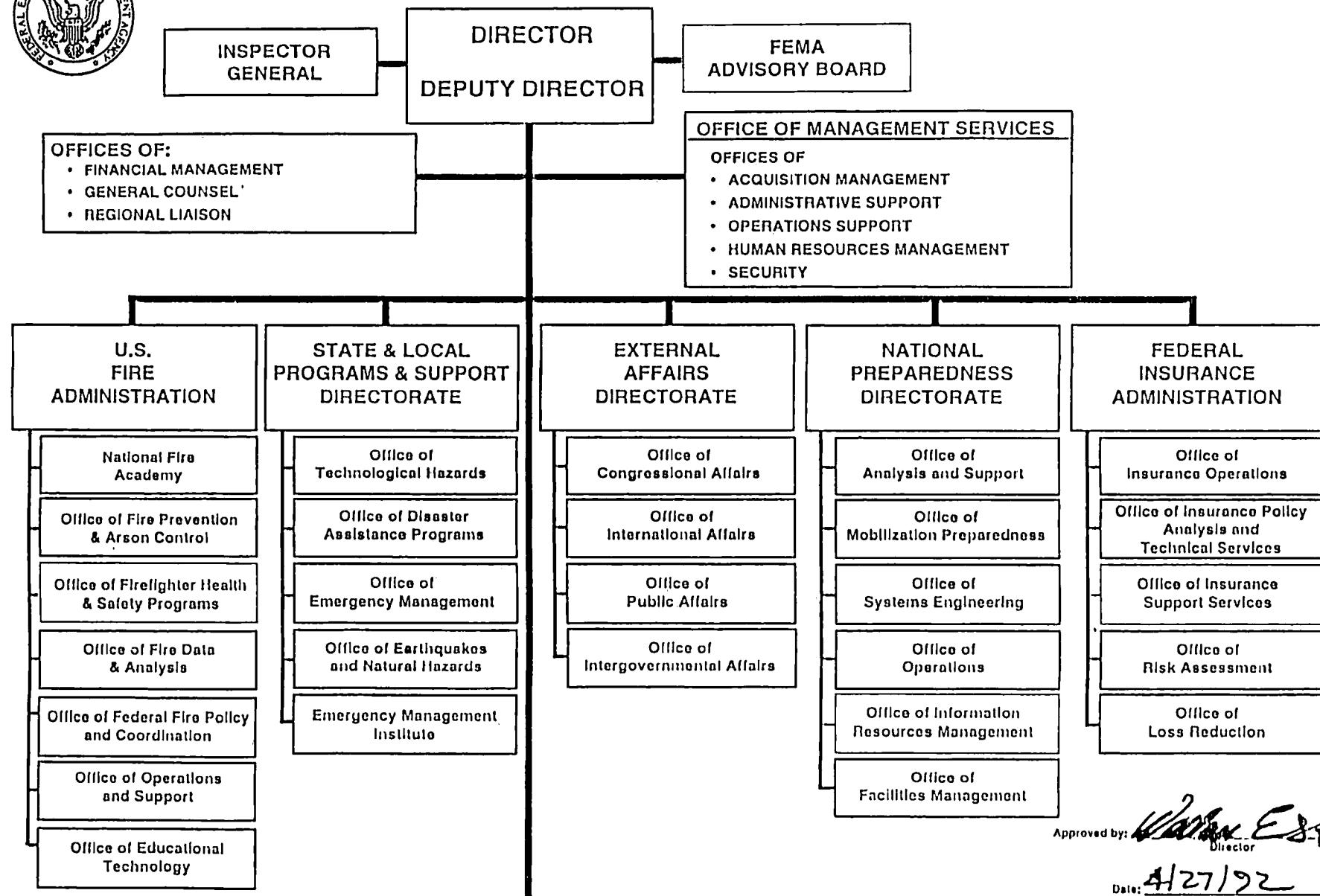
Regional Program Execution. This activity includes the Office of Regional Liaison and all ten offices of regional administration. (Funding for the balance of regional offices is included within the program office budgets described above.) This activity is budgeted for \$10.3 million and 110 work years, 4.1 percent of FEMA's total.

The tables which follow show the budget and staffing allocations. The first table shows the budget numbers for each component part of the organization. The second table shows comparable information for the regional offices.



# Organization

## Federal Emergency Management Agency



### REGIONAL DIRECTORS

I Boston, MA	II New York, NY	III Philadelphia, PA	IV Atlanta, GA	V Chicago, IL	VI Denton, TX	VII Kansas City, MO	VIII Denver, CO	IX San Francisco, CA	X Bothell, WA
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FEDERAL EMERGENCY MANAGEMENT AGENCY  
FY 1993 OPERATING PLAN  
(Dollars in Thousands)

ORGANIZATIONS/PROGRAMS		WY	S&E	EMPA	OTH	TOTAL
		=====	=====	=====	=====	=====
<b>MANAGEMENT &amp; ADMINISTRATION:</b>						
Office of the Director	M&A	6	\$589	\$0	\$0	\$589
Office of External Affairs	M&A	20	1,658	0	0	1,658
Office of General Administration	M&A	8	391	0	0	391
Office of Acquisition Management	M&A	36	2,028	0	0	2,028
Offices of Admin/Oper Support	M&A	67	18,301	0	0	18,301
Office of Human Resources Management	M&A	65	4,158	0	0	4,158
Office of Security Administration	M&A	16	1,352	0	0	1,352
		-----	-----	-----	-----	-----
Office of Management Services	M&A	192	25,839	0	0	25,839
		-----	-----	-----	-----	-----
Office of Financial Management	M&A	90	5,890	0	0	5,890
Office of General Counsel	M&A	22	1,538	0	0	1,538
<b>TOTAL MANAGEMENT &amp; ADMINISTRATION</b>		<b>330</b>	<b>35,514</b>	<b>0</b>	<b>0</b>	<b>35,514</b>
		-----	-----	-----	-----	-----
<b>U.S. FIRE ADMINISTRATION:</b>						
Fire Prevention and Arson Control	USFA	9	441	5,199	0	5,640
Firefighter Health and Safety	USFA	33	1,855	5,393	0	7,248
Federal Fire Policy and Coordination	USFA	6	330	1,236	0	1,566
Fire Data and Analysis	USFA	4	218	877	0	1,095
		-----	-----	-----	-----	-----
USFA Program Offices		52	2,844	12,705	0	15,549
		-----	-----	-----	-----	-----
Instructional Programs	NFA	28	1,594	2,464	0	4,058
Field Deployment Systems	NFA	9	465	845	0	1,310
Resident Programs	NFA	23	1,179	2,390	0	3,569
		-----	-----	-----	-----	-----
National Fire Academy		60	3,238	5,699	0	8,937
		-----	-----	-----	-----	-----
NETC Site Administration	USFA	0	0	195	0	195
NETC Site Administration	NFA	22	1,758	2,767	0	4,525
NETC Site Administration	SL-CD	13	357	6,531	0	6,888
NETC Site Administration	SL-EMI	0	0	749	0	749
		-----	-----	-----	-----	-----
NFA Office of Operations and Support		35	2,115	10,242	0	12,357
		-----	-----	-----	-----	-----
<b>TOTAL U.S. FIRE ADMINISTRATION</b>		<b>147</b>	<b>8,197</b>	<b>28,646</b>	<b>0</b>	<b>36,843</b>
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FEDERAL EMERGENCY MANAGEMENT AGENCY  
 FY 1993 OPERATING PLAN  
 (Dollars in Thousands)

ORGANIZATIONS/PROGRAMS		WY	S&E	EMPA	OTH	TOTAL
		=====	=====	=====	=====	=====
<b>STATE &amp; LOCAL PROGRAMS &amp; SUPPORT:</b>						
Emergency Management Assistance	SL-CD	27	1,393	68,628	0	70,021
Other Assistance	SL-CD	80	4,664	20,452	0	25,116
Facilities and Equipment	SL-CD	70	4,119	20,047	0	24,166
Planning, Exercising & Response	SL-CD	46	2,572	2,650	0	5,222
Office of Emergency Management	SL-CD	223	12,748	111,777	0	124,525
Radiological Emergency Preparedness	SL	99	5,872	4,605	0	10,477
Chemical Stock Emergency Preparedness	DOD	43	2,846	10,000	0	12,846
Office of Technological Hazards		142	8,718	14,605	0	23,323
Earthquake Program	SL	46	3,884	16,430	0	20,314
Hurricane/Dam Safety/Mitigation	SL	10	555	1,526	0	2,081
Policy & Planning	SL	13	661	0	0	661
Office of Natural Hazards		69	5,100	17,956	0	23,056
Disaster Assistance	SL	302	20,568	400	292,095	313,063
Emergency Food & Shelter	SL	5	256	0	129,000	129,256
Office of Disaster Assistance		307	20,824	400	421,095	442,319
Instructional Programs	SL	3	171	1,968	0	2,139
Field Deployment Systems	SL	0	0	782	0	782
Resident Programs	SL	9	438	1,051	0	1,489
Civil Defense Support	SL-CD	47	2,735	8,019	0	10,754
Emergency Management Institute		59	3,344	11,820	0	15,164
<b>TOTAL STATE &amp; LOCAL PROGRAMS &amp; SUPPORT</b>		<b>800</b>	<b>50,734</b>	<b>156,558</b>	<b>421,095</b>	<b>628,387</b>
<b>REGIONAL PROGRAM EXECUTION:</b>						
Office of Regional Liaison	M&A	5	339	0	0	339
Offices of Regional Administraton	M&A	105	9,906	0	0	9,906
RPE Administration Offices		110	10,245	0	0	10,245
Program Offices (FTE/S&E/EMPA in HQs)		0	0	0	0	0
<b>TOTAL PROGRAM EXECUTION</b>		<b>110</b>	<b>10,245</b>	<b>0</b>	<b>0</b>	<b>10,245</b>

**FEDERAL EMERGENCY MANAGEMENT AGENCY**  
**FY 1993 OPERATING PLAN**  
(Dollars in Thousands)

ORGANIZATIONS/PROGRAMS		WY	S&E	EMPA	OTH	TOTAL
		=====	=====	=====	=====	=====
<b>NATIONAL PREPAREDNESS:</b>						
Government Preparedness (Classified)	FP	842	44,834	56,479	0	101,313
Information Systems	M&A	25	3,757	0	0	3,757
Civil Defense Telecommunications	SL-CD	85	4,560	17,597	0	22,157
NP Program Offices		952	53,151	74,076	0	127,227
Federal Readiness	FP	16	1,155	1,534	0	2,689
Mobilization Preparedness	FP	28	1,782	1,030	0	2,812
Mobilization Assessment	FP	12	829	904	0	1,733
Plans & Authorities	FP	11	648	495	0	1,143
NP Program Offices	FP	67	4,414	3,963	0	8,377
<b>TOTAL NATIONAL PREPAREDNESS</b>		<b>1,019</b>	<b>57,565</b>	<b>78,039</b>	<b>0</b>	<b>135,604</b>
<b>FEDERAL INSURANCE ADMINISTRATION:</b>						
Insurance Activities	FIA	54	3,971	0	0	3,971
Flood Studies & Surveys	FIA	53	3,346	37,102	0	40,448
Property Purchasing	FIA	6	352	4,720	0	5,072
Flood Hazard Reduction	FIA	95	6,309	6,270	0	12,579
Flood Program Offices		208	13,978	48,092	0	62,070
Crime Program Office	FIA	6	722	0	0	722
<b>TOTAL FEDERAL INSURANCE ADMINISTRATION</b>		<b>214</b>	<b>14,700</b>	<b>48,092</b>	<b>0</b>	<b>62,792</b>
INSPECTOR GENERAL	IG	78	4,000	0	0	4,000
<b>SUBTOTAL</b>		<b>2,698</b>	<b>180,955</b>	<b>311,335</b>	<b>421,095</b>	<b>913,385</b>
<b>OFFSETS:</b>						
Radiological Emergency Preparedness	SLPS	0	(5,872)	(4,605)	0	(10,477)
Flood Insurance Activities	FIA	0	(13,978)	(48,092)	0	(62,070)
Chemical Stock Emergency Preparedness	SLPS	0	(2,846)	(10,000)	0	(12,846)
Reimbursable Programs (ex CSEP)		48	55	0	0	55
<b>TOTAL FEMA</b>		<b>2,746</b>	<b>\$158,362</b>	<b>\$225,997</b>	<b>\$358,398</b>	<b>\$828,047</b>

FEDERAL EMERGENCY MANAGEMENT AGENCY

REGIONAL WORKYEAR ALLOCATIONS AS OF SEPTEMBER 1992

Regions	Bost-MA	NYC-NY	Phil-PA	Atla-GA	Chic-IL	Dent-TX	KC-MO	Denv-CO	SF-CA	Both-WA	Total
	I	II	III	IV	V	VI	VII	VIII	IX	X	
<b>Program Name:</b>											
Regional Program Administration	11.0	10.0	10.0	11.0	11.0	11.0	10.0	10.0	11.0	10.0	105.0
Information Systems	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	10.0
Government Preparedness	5.0	2.0	2.0	7.0	6.0	6.0	2.0	6.0	2.0	7.0	45.0
Federal Readiness/Coordination	**	**	**	3.0	**	3.0	**	**	**	**	6.0
Federal Preparedness	5.0	2.0	2.0	10.0	6.0	9.0	2.0	6.0	2.0	7.0	51.0
State/Local Emergency Management	4.0	4.0	4.0	5.0	5.0	5.0	4.0	5.0	4.0	5.0	45.0
Radiological Defense	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	10.0
Population Protection	7.0	6.0	7.0	9.0	9.0	8.0	7.0	8.0	7.0	6.0	74.0
Direction, Control & Warning	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	30.0
Training and Education	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	15.0
Communication and Warning	5.0	2.0	2.0	5.0	5.0	6.0	4.0	6.0	5.0	6.0	46.0
Civil Defense	21.5	17.5	18.5	24.5	24.5	24.5	20.5	24.5	21.5	22.5	220.0
Technological Hazards	12.0	9.0	8.0	10.0	11.0	9.0	8.0	1.0	5.0	3.0	76.0
Natural Hazards	2.0	2.0	1.0	3.0	1.0	2.0	1.0	1.0	3.0	2.0	18.0
Flood Plain Management	8.0	8.0	10.0	18.0	10.0	15.0	8.0	7.0	10.0	7.0	101.0
Disaster Assistance	17.0	23.0	19.0	28.0	21.0	24.0	17.0	16.0	32.0	15.0	212.0
Superfund Program (Reimb)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	20.0
Chemical Stockpile Program (Reimb)	**	**	**	4.0	3.0	3.0	**	4.0	**	3.0	17.0
<b>Cumulative Allocated Workyears:</b>	<b>79.5</b>	<b>74.5</b>	<b>71.5</b>	<b>111.5</b>	<b>90.5</b>	<b>100.5</b>	<b>69.5</b>	<b>72.5</b>	<b>87.5</b>	<b>72.5</b>	<b>830.0</b>

\*\* Program does not exist in the Region

