

## 06.06.23 Documents for the Record

### **Majority**

1. A combination of educational documents submitted by Gregory J Buchwald
2. A May 30, 2023, article regarding AM Radios in Guam during a hurricane
3. A June 5, 2023, letter to House Leadership expressing concerns about removing AM radio from Autos.
4. Transcript of House T&I's Hearing on FEMA's strategic plan
5. A June 5, 2023, letter to Chair Rodgers and Ranking Member Pallone from the Hispanic Leadership Fund
6. A June 5, 2023, letter from NRB to Chair Rodgers
7. Letters to Autos from Senator Markey
8. A February 27, 2023, statement from the FCC

### **Minority**

9. Letter from NPR to Chair Latta and Ranking Member Matsui
10. Letter from Consumer Technology Association to Chair Latta and Ranking Member Matsui

**The United States House of Representatives Energy and Commerce Committee  
The Honorable Cathy McMorris Rodgers, Chairperson**

**Statements and Comments of Gregory J Buchwald;  
Re: Committee Hearing on AM Radio**

Chairperson Rodgers and Committee membership,

Thank you for the honor of submitting comments to the House Energy and Commerce Committee on the topic of AM radio and its importance and significance towards the preservation of an important means of communications and information dissemination: AM Radio.

A short introduction: I, Gregory J Buchwald, have nearly 50 years experience of radio broadcasting with an emphasis on AM broadcasting. I have been, on multiple instances, a member of the National Association of Broadcasters National Radio Systems Committee (NRSC). I am the author of the present day RF Emissions Mask that all AM broadcasters must show adherence to on an annual basis as codified in 47CFR73.44 (1991) and I was the author of the adopted (1989) and reaffirmed NRSC AM Audio Pre-emphasis standard. I have performed transmission and antenna design and work at well over 400 AM radio broadcast facilities in 17 countries; most being in the US and Canada. I remain active in the engineering community in AM Broadcasting and consult for various small and medium sized broadcast entities. This includes educating new RF engineers in the Society of Broadcast Engineers (SBE) Ennes Educational Program of educational classes and seminars. AM broadcasting is near and dear to me; both as a form of entertainment but, more importantly, as our last line of public communication and conveyance of information during difficult times such as natural disasters.

I also have 43 years experience in the Public Safety and Critical Infrastructure community. I have testified to the FCC on multiple instances including being an invited panelist / expert witness in multiple Public Forums on GPS protection and Experimental Licensing. I have been honored with multiple recognition awards including the prestigious DJ Atkinson Award from the National Public Safety Telecommunications Council (NPSTC) for my work to preserve and protect GPS services for Public Safety and Critical Timing needs from 2011-2016. We ultimately did protect Public Safety critical needs services provided through the use of GPS signaling.

I currently hold 30 US Patents in the areas of AM Broadcasting and Public Safety with additional patents pending.

I appreciate the ability to provide the following comments and informational material to you in this filing and submission.

## Executive Summary

- AM is worth saving based upon public safety, the needs of the public, and other on the basis of other factors
- AM is a critical means of communications during natural and manmade disasters that can't be replaced with streaming or other service as shown by multiple events over the last decade-plus
- Vehicle manufacturers that provide any access to entertainment services must provide access to AM (and FM) service
- Issues with AM radio have been growing for years in an unregulated fashion. Interference must be dealt with; 4 decade-plus old standards do not stand up today.
- AM is extremely important to certain blocks and ethnic interests: Farmers rely upon it daily. It provides necessary information and service to various ethnic communities. Denial of this service in the vehicle is akin to discrimination of service to these groups.
- Removal of AM (and FM for that matter) constitutes a Denial of Service / Restraint of Trade charge against those that selectively offer other services while denying AM and other licensed services licensed to operate in the public interest and pay spectrum and licensing fees to gain access to this service.
- Streaming is not an acceptable alternative: It fails when needed the most and, in addition, it constitutes another cost of operation by the broadcaster that is not always recoverable due to the additional performance royalty payments required. Are the vehicular manufacturers taunting streaming as a viable alternative willing to offset these costs for the broadcast? I think not.
- **Congress should be compelled to mandate the inclusion of AM (and FM) into vehicular entertainment systems as well as into certain other devices. Furthermore, Congress should direct the FCC to review and revise the interference protections provided by 47CFR15 and 18 to bring these standards up to date in consideration of the environment now in place with regard to RF sources of interference.**

## AM Radio in Times of Natural and Manmade Disaster

Just as in the work we did to protect GPS services for Public Safety, and the general public several years ago, we now find ourselves in a similar battle to protect AM Radio from demise at the hands of some auto manufacturers. Others have and will continue to comment on the importance of AM Radio as a **means of last resort for communications to the masses** during natural and manmade emergencies and disasters. Past and current FEMA officials as well as public safety entities and the public in general are forcefully vocalizing the need for AM radio in automobiles; I wholeheartedly agree with their sentiment. Example after example of events such as hurricanes Ian, Harvey, Sandy, and many more repeatedly teach us that consumer cellular services are not resilient enough to keep the public informed. These systems are built upon individual-stream-per-user technology (unicast) that is spectrum intensive during peak demand loading, are reliant upon backhaul systems that often include wired, terrestrial services

that also fail during these extreme disasters. The physics of the frequency allocations utilized are perfect for allowing great numbers of users in a small geographic area. They fail at being able to “broadcast” to a large number of users, over a large geographic area, when individual pieces of the system begin to fail during these events.

Broadcasting, on the other hand, is a multicast system: It was designed at conception to convey information to the masses over large geographic areas. It is perfectly suited to this end by means of the physics of propagation of AM frequencies. Furthermore, FEMA has refurbished the former Clear Channel, now Class A stations, as part of the Emergency Alert System (EAS), to stay on the air weeks at a time with the sole purpose of getting critical information to the public. The system is designed to be extremely resilient during these times of need. Furthermore, many smaller market stations also take it upon themselves to build their facilities for the same resiliency. There are many “WION”-like stations - a broadcast station in Ionia, MI - that maintains multiple, critical backup systems in place to keep their West-Central MI listeners informed under all types of impaired conditions. Many AM broadcasters exercise similar efforts to operate in the public interest; going above and beyond the terms of their license.

Recent history has taught us that the AM broadcast system works: Stations with hundreds of miles of coverage inform the public during natural disasters. While FM also does a good job, AM is uniquely qualified to do so based upon the extreme coverage the low frequency propagation of radiowaves allows. There exists no equivalent; it is incumbent upon us to protect this service for times of need as well as the general entertainment and informational dissemination to the public.

### **Restraint of Trade Arguments**

AM radio is a licensed service operating in the public interest. It is regulated to do exactly that. Broadcasters must fulfill their commitments to the license and are assessed renewal fees as well as annual spectrum fees to perform their function for the nation. Being a federally-regulated service, broadcasters should also expect protections from Congress in return for the valuable work they do.

Automobiles are manufactured and sold across state lines. It can be argued that removal of a licensed service from a broadcast receiver in a vehicle that operates on public highways across state lines, without offering an option to include the service, constitutes action on the part of the vehicle manufacturer to deny access to a regulated market, broadcasting, to and for the consumer. Allowing the vehicle manufacturer to deny access is a form of Restraint of Trade: AM Broadcasters would be locked out of their audience by the action of the auto manufacturers employing these restrictive actions. Remove the audience and the broadcaster's source of revenue is eliminated. This will lead to the ultimate demise of AM radio and the loss of this critical communications means as discussed in the first section of this submission.

The late Newton Minnow led the FCC as Chairman in the early 1960s. He saw the Commission through the process of instituting the All-Channel TV ruling that mandated the incorporation of UHF reception capability into all televisions sets. It can be argued that this action led to the success of UHF television; now an extremely important part of digital TV broadcasting and the transition to ATSC-3 and its services. Likewise, the FCC action to standardize and allow stereo broadcasting on FM saved the floundering FM industry and ultimately added greatly to the success of FM broadcasting starting in the 1970s. Mandating the incorporation of UHF in the early 1960s protected that licensed, regulated service from market denial by certain manufacturing entities. Likewise, similar action is warranted to protect AM, and potentially FM services from essentially identical denial of market access and prejudicial actions by certain manufacturers in this industry.

I, and many others, contend that similar action is warranted by Congressional direction to the FCC: Some form of mandated AM (and FM) reception in any entertainment system incorporated in a vehicle is necessary. Some manufacturers have publicly stated that revenue from streaming services is a tens-of-billions of dollars annual income stream. We have read of the possible removal of various connectivity links in automotive radio; denying the consumer from simply streaming from their phone to their in-car entertainment. In essence, they will remove both AM and, eventually FM, forcing the consumer to purchase a revenue-producing subscription product of either a manufacturer-provided streaming service or satellite radio (also a revenue stream to the auto makers). One can't deny this possibility; one auto manufacturer is already requiring a subscription be paid to turn on heated seats in a purchased vehicle!

The consumer should not be denied the right to free access to over-the-air broadcast services; both AM and FM.

Of note, REC Networks has advocated for the sunset of AM broadcasting as a means to further push FM broadcasting. To that end, they have suggested that current television channels 5 and 6, occupying 76-88MHz, be reallocated to FM broadcasting. FM receivers are already designed to receive this band in many instances and are blocked by software or hardware control here in the US. The 76-88MHz band is a broadcast band in Region 3 / Asia. They state that this allocation could replace AM radio. While I agree, in general with the reallocation of this spectrum eventually to FM broadcasting, it would displace a handful of full power TV stations and a number of LPTC services. I, along with the late Jim Carollo, then Director of Engineering of Tribune Broadcasting / WGN-AM filed for this very action in the early 2000's. The broadcast industry, and television in particular, opposed the action and the FCC denied consideration of this move. Instead, the FCC has since allowed AM broadcasters to obtain FM Translator licenses, at up to 250W, to cover geographic subsections of their AM coverage area. While this has been of great help to many AM stations, it in no way replaces the geographic coverage of the AM facility and is no substitute for AM in times of need. While I do not oppose the reallocation of the 76-88MHz television subband to radio broadcasting, and the eventual movement of many AM broadcasters to this as a digital service, aligned on a 100kHz raster, the time required to clear the spectrum, see the market flooded with receivers for this service thus providing a consumer basis for broadcasters, and allowing the transition of some AM services to

a new band of operation is likely in excess of a decade or longer. The current proposal and narrative by REC Networks, based upon the proposal I, Tribune Broadcasting at the time, and others pursued in the late 1990s and early 2000 time frame should, at best, be viewed as additive, not substitutive of AM services to and for the consumer.

### **Man Made Interference in the AM Band**

The AM industry has been struggling for decades to maintain its place in consumers' hearts and minds. While it remains very high on the needs list for many consumers, including the farm community, it also retains very high ratings overall in many markets. It remains in the top 10 in a majority of markets and, in the example of Cincinnati, remains #1. In Milwaukee, it holds 2 of the top 4 positions and is routinely #1. Other markets, including Chicago, Omaha, and many more continue to hold AM stations well within the Top 10 listener positions in their respective markets. Smaller communities often do not pay to participate in the ratings services or are simply too small to be considered in a market area. Recent data submitted to this Committee by others reflects the importance of AM to these markets overall.

AM has had to deal with poor receiver designs. This includes poor antenna systems in vehicles, narrow telephone-like audio bandwidth, and other issues. It has also had to deal with interference from an ever-growing plethora of noise sources in a poorly-regulated (my words) environment. Unintentional Radiators, such as traffic lights, consumer smartphone chargers, poorly maintained power grid structure, and, now, some Electric Vehicles create a harsh environment for AM receivers to operate in. Yet, they do operate successfully despite some of these growing issues. GM, Toyota (Prius), and others have shown that AM can work well in vehicles with electric motor prime movers / propulsion systems. I worked with the GM team decades ago on the EV and the incorporation of AM stereo receivers into these vehicles. Any statement by a manufacturer suggesting they can't provide AM due to interference generated by their electrical systems should be a dog whistle alerting us to a large problem: Interference is not just generated within the vehicle; it travels outside of the vehicle as well and causes interference to other vehicles nearby.

Case in point: Brian Winnekins, Owner and Operator of WRDN in Durand, WI should be well known to this Committee from his long-standing efforts to protect AM and bring improvement to the AM service. Brian and I recently tested a number of electric vehicles for radiated emissions. A bit of background is required:

AM broadcasters have hard limits on undesirable emissions they are allowed to generate. These include protection of co-channel (same channel) stations, first adjacent stations 10kHz removed from their license allocation, and other significant protections. During the 1980s, the NRSC, under the guidance of the NAB, undertook an extensive study to understand the minimum protection requirements to maintain a level of service attributed to consumer acceptance. One such measure was that of determining the point at which interference becomes objectionable. The B. Angell study reaffirmed the 26dB minimum protection requirements. While that is a technical parameter, suffice it to say that it reaffirmed that the

protected contours of AM stations, and the required protection of co-channel stations was reaffirmed. **For most AM stations**, the protected contour of service is the 500 microvolt contour. It is to be protected to 26dB or to the 25uV level - **a factor of 20x**. That means the interference can not exceed 5% of the desired level. This is a hard and fast rule that all AM broadcasters must comply with.

The Part 15 (and Part 18) FCC regulations on unintentional radiators date back some 40 years or more now. Over the course of time, what were once fleeting instance sources of interference have now become common, every day sources and these sources are additive. While other regions of the world have instituted tougher regulations to counter this insurgence of interference, Part 15 remains essentially unchanged. As a result, AM radio, and in some cases FM and even public safety radios, are affected.

The broadcaster is required to meet very stringent co-channel protections to other facilities within their service but the localized interference from other sources does not currently meet the same intention - it should. **Why should a service be held to strict standards (as it should be and that are proper for the service) only to have unlicensed radiators tear up that service at will?** That is exactly what AM, and other services under some instances, are enduring today.

Brian Winnekins and I recently measured an electric vehicle that produced several emissions within the **AM band** that were between **500 and 2000 microvolts per meter** at 3 meters from the vehicle. This meant that a nearby car, tuned to a station within its licensed contour, would **experience 1 to 1 interference, not a 20:1 protected ratio from interference**, because of a nearby car or truck. **To put this into perspective, some rural, lower power AM broadcasters, commonly found in rural communities, would have a service radius of a few miles**, at best, when confronted with the up to 40mV signal they need to provide for 26dB / 20:1 protection from these new vehicles(!). This is how far we have fallen due to neglect of proper standards to meet the new world of multiple radiators we live in today.

**First and foremost, interference from unintentional radiators should, at a minimum, match the protected service contours interference contours.** Some vehicles clearly do not come close to meeting that realistic level of protection based upon long-standing in-service parameters. The consumer should not have to endure this level of interference - regardless of the technology. Some manufacturers have shown that this level of interference protection is not a bridge too far to meet. During my more recent involvement with the NRSC, this topic has repeatedly come up with technical participants but all generally agree that Congress must act before this issue is resolved.

**The regulatory environment, and in particular, 47CFR Parts 15 and 18 should be revamped to afford the required protections to all services.** Congress should direct the FCC to undertake this matter with a minimum requirement to protect, in kind, services to the same level their individual Ruleparts support. The AM and FM bands should be protected from unintentional radiators, be standard measurement techniques utilizing a 3 meters test distance, from radiated emissions to the standards contained within 47CFR73. Likewise, other services,

such as Part 90.15 and 90.35-defined landmobile and public safety services should be protected to their -101 and -104dBm contours.

## **Various Societal Groups and Ethnic Groups are Adversely Affected by Dropping AM Radio**

Much has been said in the press recently about the negative ramifications of the removal of AM radio to farmers. They rely upon AM radio daily for crop reports, weather information, market analysis, and other critical needs information they must have. They often work in areas where cellular service is unreliable and streaming is not an option. Their voices have been heard recently, but those of many others have not been sufficiently voiced.

Many ethnic and religious groups are also adversely affected by the removal of AM radio. There simply is not enough FM spectrum to convey the ethnic programming including that of various Asian peoples, the hispanic and, more directly, Spanish communities outside of mainstream radio offerings, the African-American community and, in particular, religious and socially-directed outlets for all of these groups. There are many more groups that would be adversely affected.

This, too, is of utmost concern to many AM broadcasters. It removes their ability to serve their respective communities, makes business extremely difficult for them, and removes their unique ability to service their community in general.

## **Streaming Costs**

A final area of discussion is that of the use of a streaming alternative to over-the-air broadcasting; AM and FM. Yes, many people do stream content today. But, not all broadcasters can easily stream content. In some cases, streaming is ineffective due to a lack of cellular coverage over their (generally rural) markets. Many of their listeners don't have the ability to stream. Others can't afford the extended contracts and monthly charges required to support streaming services to their smartphone that is, in turn, connected to their receiver in the car. These are not insignificant factors.

A larger, underlying factor is that streaming of services costs the broadcaster. First, there is the internet connection as well as often paying the service that provides the presence of their streaming content. Those costs are generally reasonable. But, unlike over the air royalty payment to the syndicates including ASCAP, BMI, etc, streaming is paid on a hour-listened basis for many of these smaller stations. Those expenses become prohibitive for them and go up as more people stream their content. It is a model that simply eliminates the smaller, often rural broadcaster from being able to provide these services. SoundExchange separately and additive to over the air broadcast rights, charges the broadcaster additional fees to provide the service. The content is paid for when the listener chooses over the air program content based

on market size and other factors, but the broadcaster can get into a world of hurt if his streaming cumulative hours goes up significantly.

While some auto manufacturers have their eyes set on streaming content access subscriptions, they will enjoy the revenue of this content while the broadcaster would be locked out from over-the-air delivery and would not receive any income from the use of their stream. At least one broadcaster I know of is already asking their listeners to use the over-the-air product when possible to reduce the streamed hours content numbers; thus controlling their costs as opposed to simply eliminating steamed content entirely.

Simply put, the auto manufacturers, and other receiver manufacturers should not be allowed to force the broadcast out of business through a model that suits them and denies the consumer of the usual options of listening.

## **The Future**

AM radio has the means to continue to evolve and grow. There exists today, and in many cars, the means to receive digital broadcasting signals in the AM band. While the Hybrid system did, and does produce negative interference factors, the all-digital, MA-3 broadcast standard is an acceptable alternative to analog broadcasting. In addition, a broadcaster can easily revert to analog broadcasting in times of emergency; thereby assuring that all radios can receive the necessary information. Current all-digital broadcast stations are not likely set up to do so today, but this is an easy requirement to incorporate moving forward. It has been proven that the AM MA-3 all-digital broadcast waveform easily duplicates the coverage area of an analog signal and is a forward-looking technology for broadcasters. Since it utilizes the same AM broadcast transmitter, with added equipment, as utilized for analog transmission, the backward compatibility in times of need is easily accomplished.

Smaller market stations may not be able to afford to switch to all-digital broadcasting, For those stations, monaural AM is sufficient and stereophonic AM broadcasting is still permitted. Several of my clients use AM stereo analog transmission as it not only provides a superior service but also becomes a leading indicator of issues arising: It is a bellwether for the performance of the overall transmission system.

Finally, if the issue of AM interference is corrected through regulation, manufacturers can take advantage of numerous patents that are now in the public domain to improve receiver performance. Adaptive bandwidth, enhanced noise blanking, stereophonic audio decoding, synchronous detection when it is advantageous, and many other improvements to AM are available in the public domain today - if the manufacturers choose to take advantage of the technology. In software-defined receivers, these are simple lines of code - easily incorporated. Much of this was shown over 2 decades ago. Legal challenges that disrupted this improvement then are long since settled and cease to be an issue. But, external interference makes

manufacturers leery of having a go at it again. Proper revision of the regulatory environment can and will alleviate these concerns.

If you want to hear what AM can sound like, I invite you to listen to the streams of WION and WRDN; both stream from AM stereo receivers, off-air, using radios that are now 3+ decades old. These are real transmissions and show what AM is capable of.

Likewise, the all-digital MA-3 format indicates what is possible from digital transmissions within the AM band. You have a signal in the DC area that I ask you to check out.

### **In Summary**

Am continues to provide a unique and necessary service to the nation at large. It should be a protected service in terms of the mandating, by Congress, its incorporation into certain types of consumer receivers including all vehicular entertainment systems.

AM serves multiple markets including specialized ones such as rural / farm communities as well as many ethnic communities. This is in addition to its critical basis in our emergency alert and informational distribution system. It stands up when other services have failed.

Congress should not only act to protect AM but it should also direct the FCC to undertake revision of Part 15 and Part 18 with regard to interference to licensed services. Since the average consumer product device, outside of an automobile or home entertainment system, is about 18 months, action to reduce unintentional emissions would have results quickly. Enforcement is also another parameter that needs to be addressed, but the Commission has been proactive in this area recently - an encouraging sign.

The AM broadcaster, and, potentially soon the FM broadcaster as well, should not be financially impacted by the decisions of the auto manufacturers to exclude them from their largest market.

I call upon Congress to do the right things and protect this very valuable and necessary aspect of our lives: AM, and FM broadcasting.

Thank you for your attention to this matter.

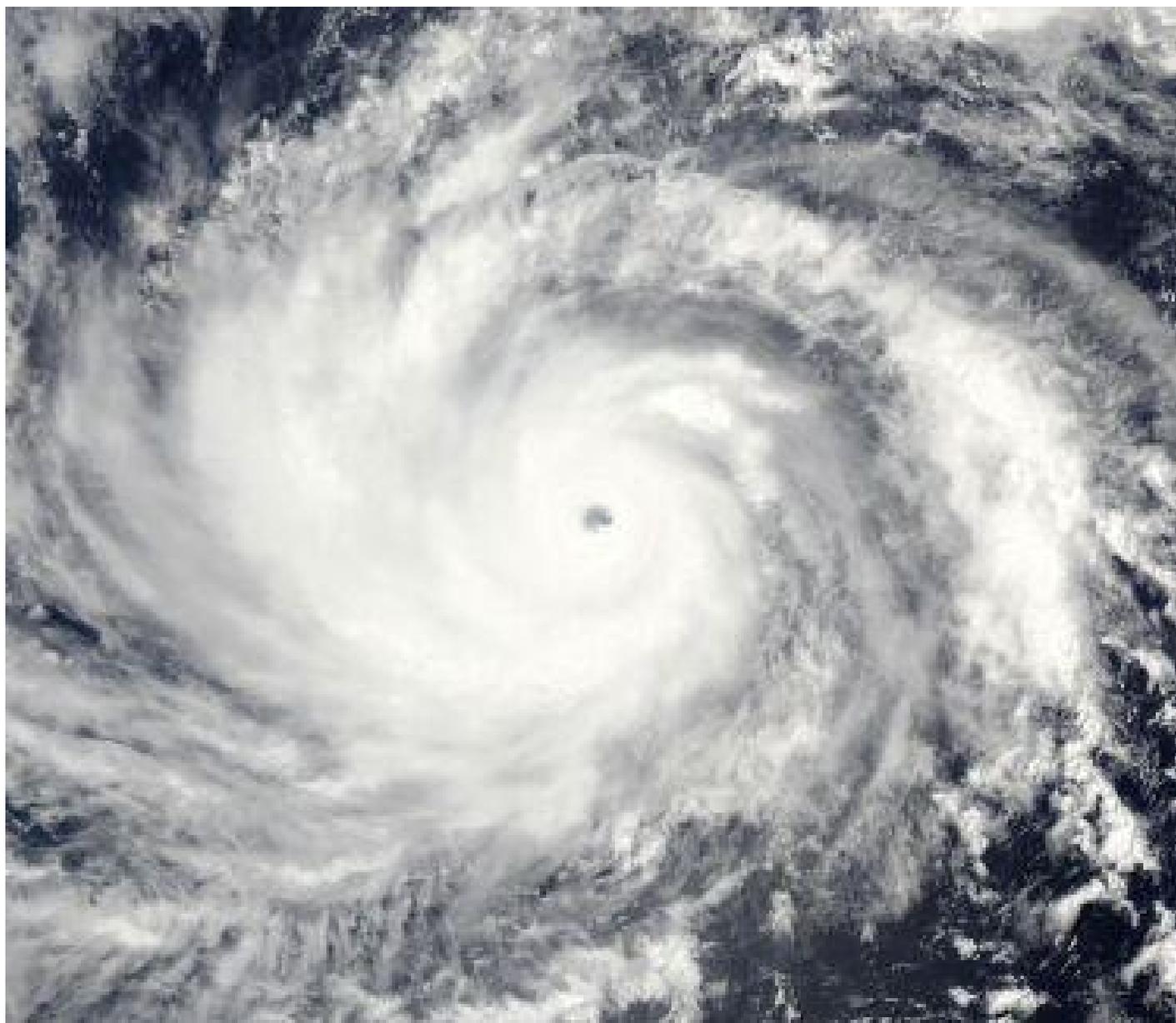
Respectfully submitted,

Gregory J Buchwald

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# AM Holds Up As Hurricane Hits Guam. U.S. Navy Turns To Radio To Reach Residents.

May 30, 2023



If policymakers considering whether to require AM radio in cars are looking for fresh evidence of the role the band serves during emergencies, they only need to look at the U.S. Pacific territory of Guam. That is where Super Typhoon Mawar struck Thursday. The Federal Communications Commission says that, as of today, all the AM stations remain on the air while three FMs and two television stations are out of service.

The FCC says based on information submitted to the Disaster Information Reporting System (DIRS), it believes Pacific Telestations' AC "Breeze 93.9" KUAM-FM, and Sorensen Pacific Broadcasting's ethnic "99.5 The Shark" KZGU and rhythmic CHR "Power 98" KZGZ are dark. It also reports KUAM-TV and KTGM-TV are also off the air. The report is, however, based on DIRS filings which represent only a snapshot in time. That means other stations may be off the air, and the ones listed as silent may be back to broadcasting.

In a further bolstering of the overall role radio plays, the FCC has also granted special temporary authority to the U.S. Navy's Nimitz Carrier Group to broadcast on commercial FM in Guam until May 31 to reach local residents and personnel stationed on the island.

The FCC says a majority of cell phone towers remain offline in Guam, although outages are down from a weekend peak when more than six in ten were dark. By far, the biggest culprit was loss of power, although a handful of towers were damaged. Cable and wireline companies also reported 4,959 subscribers out of service in the disaster area; which may include the loss of telephone, television, and internet services.

Mawar was the strongest storm to hit Guam in years, dropping over a foot of rain across the island with maximum sustained winds of at least 140 miles per hour. Similar to hurricanes in the Atlantic, typhoons in the Pacific typically form during the summer and early fall, with a season that runs through October.

June 5, 2023

The Honorable Kevin McCarthy  
Speaker  
United States House of Representatives  
The Capitol, Room H-232  
Washington, DC 20510

The Honorable Hakeem Jeffries  
Minority Leader  
United States House of Representatives  
The Capitol, Room H-204  
Washington, DC 20510

The Honorable Chuck Schumer  
Majority Leader  
United States Senate  
The Capitol, Room S-221  
Washington, DC 20515

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
The Capitol, Room S-230  
Washington, DC 20515

Dear Speaker McCarthy, Leader Schumer, Leader McConnell, and Leader Jeffries:

On behalf of the undersigned associations, we write to express our deep concern with the decision by some automakers to remove AM radio from their vehicles and to urge you to support legislation to include AM radio reception as a federal safety standard for all vehicles sold in the United States. Specifically, the AM Radio for Every Vehicle Act (H.R. 3413 / S. 1669) would direct federal automotive safety regulators to require automakers to maintain AM broadcast radio in their new vehicles at no additional charge to consumers, as a safety feature critical to ensuring that Americans can tune in to authoritative emergency information and updates.

As emergency managers working to maintain the nation's ability to prepare for, respond to, and recover from all emergencies, disasters and threats to our nations' national security, AM radio is an essential tool to effectively disseminating local, timely and crucial information to the public. When extreme weather events occur and broadband, electric power and cell service are out, people with AM radios can continue to receive critical, and possibly lifesaving, information. Unlike other services, AM broadcasts are unique in terms of their resiliency and reach, including to areas that may not be served fully, if at all, by cell and/or broadband service. Of particular concern to us is the fact that removing free broadcast AM radio from certain vehicles effectively dismantles the Federal Emergency Management Agency's system for ensuring the President can reach all Americans in the event of a public safety or national security emergency.

We were heartened by the recent announcement by the Ford Motor Company that – now recognizing the important role AM radio plays in our Nation's public safety infrastructure – it will continue to include AM in all of its 2024 model vehicles. However, while this was a step in the right direction, it is imperative that no American be overlooked when it comes to public safety, and that all vehicles in the U.S. be required to include AM radio as a standard, free, safety feature. We stand united in expressing our support for maintaining AM radio in automobiles, and we respectfully request that you support this important legislation.

Thank you for your attention to this matter.

Sincerely,

Big City Emergency Managers  
Council of State and Territorial Epidemiologists  
International Association of Emergency Managers  
International Association of Fire Chiefs  
National Association of Counties  
National Emergency Management Association

cc:

The Honorable Maria Cantwell, Chair, Committee on Commerce, Science and Transportation  
The Honorable Ted Cruz, Ranking Member, Committee on Commerce, Science and Transportation  
The Honorable Gary Peters, Chair, Committee on Homeland Security and Government Affairs  
The Honorable Rand Paul, Ranking Member, Committee on Homeland Security and Government Affairs  
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The Honorable Frank Pallone, Ranking Member, Committee on Energy and Commerce  
The Honorable Mark Green, Chair, Committee on Homeland Security  
The Honorable Bennie Thompson, Ranking Member, Committee on Homeland Security  
The Honorable Sam Graves, Chair, Committee on Transportation and Infrastructure  
The Honorable Rick Larsen, Ranking Member, Committee on Transportation and Infrastructure

# THE IMPACTS OF FEMA'S STRATEGIC PLAN ON DISASTER PREPAREDNESS AND RESPONSE

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(118-18)

## HEARING

BEFORE THE

SUBCOMMITTEE ON  
ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND  
EMERGENCY MANAGEMENT

OF THE

COMMITTEE ON  
TRANSPORTATION AND  
INFRASTRUCTURE  
HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

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MAY 17, 2023  
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Committee on Transportation and Infrastructure  
U.S. House of Representatives  
Washington, DC 20515

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Chairman

Jack Raddy, Staff Director

Rich Larsen  
Ranking Member

Katherine W. Dedrick, Democratic Staff Director

MAY 12, 2023

**SUMMARY OF SUBJECT MATTER**

TO: Members, Subcommittee on Economic Development, Public Buildings, and Emergency Management  
FROM: Staff, Subcommittee on Economic Development, Public Buildings, and Emergency Management  
RE: Subcommittee Hearing on “*The Impacts of FEMA’s Strategic Plan on Disaster Preparedness and Response*”

I. PURPOSE

The Subcommittee on Economic Development, Public Buildings, and Emergency Management will meet on Wednesday, May 17, 2023, at 10:00 a.m. ET in 2167 of the Rayburn House Office Building to receive testimony on “*The Impacts of FEMA’s Strategic Plan on Disaster Preparedness and Response*.” The hearing will examine the Federal Emergency Management Agency’s (FEMA’s) Strategic Plan (2022–2026), its goals, and how it impacts FEMA’s mission and disaster preparedness and response. At the hearing, Members will receive testimony from FEMA and the Government Accountability Office (GAO).

II. BACKGROUND

*FEDERAL ASSISTANCE FOR DISASTERS*

FEMA is the Federal Government’s lead agency in preparing for, mitigating against, responding to, and recovering from disasters and emergencies related to all hazards—whether natural or man-made.<sup>1</sup> FEMA’s primary authority in carrying out these functions stems from the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act; P.L. 93–288, as amended).<sup>2</sup> The Stafford Act authorizes three types of declarations: (1) major disaster declarations; (2) emergency declarations; and (3) fire management grant (FMAG) declarations.<sup>3</sup>

*Presidentially Declared Major Disaster*

When state and local resources are overwhelmed and the “disaster is of such severity and magnitude that effective response is beyond the capabilities of the state and the affected local governments,”<sup>4</sup> the Governor of the affected state may request

<sup>1</sup>See FEMA, 2022–2026 FEMA STRATEGIC PLAN: BUILDING THE FEMA OUR NATION NEEDS AND DESERVES 4–5 (2021), available at [https://www.fema.gov/sites/default/files/documents/fema\\_2022-2026-strategic-plan.pdf](https://www.fema.gov/sites/default/files/documents/fema_2022-2026-strategic-plan.pdf) [hereinafter STRATEGIC PLAN].

<sup>2</sup>Stafford Act, Pub. L. No. 93–288, 88 Stat. 143.

<sup>3</sup>*Id.*

<sup>4</sup>FEMA, A GUIDE TO THE DISASTER DECLARATION PROCESS AND FEDERAL DISASTER ASSISTANCE 1, available at [https://www.fema.gov/pdf/rebuild/recover/dec\\_proc.pdf](https://www.fema.gov/pdf/rebuild/recover/dec_proc.pdf).

the President declare a major disaster.<sup>5</sup> FEMA’s primary Stafford Act programs for disaster recovery in the aftermath of a major disaster are the Public Assistance Program and the Individual Assistance Program.<sup>6</sup> Following a major disaster declaration, FEMA also provides Hazard Mitigation Grant Program (HMGP) funds.<sup>7</sup>

The Public Assistance Program, authorized primarily by Sections 406 and 428 of the Stafford Act, reimburses state, tribal, and territorial governments as well as certain private non-profits for rebuilding damaged public infrastructure.<sup>8</sup> The Public Assistance Program does not provide direct assistance to citizens for private property damage. The Federal cost-share for Public Assistance is 75 percent but may be increased by the President.<sup>9</sup>

The Individual Assistance Program is authorized primarily by Section 408 of the Stafford Act. The Individual Assistance program includes the Individuals and Households Program (IHP), Mass Care and Emergency Assistance, the Crisis Counseling Assistance and Training Program, Disaster Unemployment Assistance, Disaster Legal Services, and Disaster Case Management. IHP is the primary FEMA program used to assist disaster survivors; it includes housing assistance and other needs assistance. Housing assistance includes money for repair, rental assistance, or “direct assistance,” such as the provision of temporary housing.<sup>10</sup> The current limits for IHP assistance is \$37,900 for housing assistance and \$37,900 for other needs assistance.<sup>11</sup>

Section 404 of the Stafford Act authorizes HMGP which is based on a percentage of Public Assistance funding. HMGP provides grants to state, tribal, and territorial governments to fund mitigation projects that: (1) are cost effective and (2) reduce the risk of future damage, hardship, and loss from natural hazards.<sup>12</sup> The purpose of this grant program is to fund practical mitigation measures that effectively reduce the risk of loss of life and property from future disasters.<sup>13</sup> For example, state, tribal, and territorial governments may use their HMGP funds to help families reduce natural disaster risk to their homes.<sup>14</sup> The Federal cost share for HMGP is 75 percent and the remaining 25 percent can come from a variety of sources (i.e., a cash payment from the state or local government).<sup>15</sup>

#### *THE DISASTER RECOVERY REFORM ACT OF 2018 (DRRA)*

On October 5, 2018, the President signed the Disaster Recovery Reform Act (DRRA; P.L. 115–254) into law.<sup>16</sup> DRRA addresses the rising costs of disasters in the United States and reformed Federal disaster programs to ensure communities are better prepared for future hazards such as hurricanes, flooding, earthquakes, and wildfires. The intent of this legislation was to improve pre-disaster planning and mitigation in order to reduce future loss of life and the rising costs of disasters through investment. FEMA implemented the key pre-disaster mitigation provision of DRRA as the Building Resilient Infrastructure and Communities (BRIC) program.<sup>17</sup> Studies have shown for every \$1 spent in mitigation, between \$4 and \$11 is saved in avoided disaster recovery costs.<sup>18</sup>

DRRA also addressed other critical issues such as wildfire prevention, eligibility for disaster assistance, and agency efficiency and accountability.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> See FEMA, *Assistance for Governments and Private Non-Profits After a Disaster* (Feb. 23, 2023), available at <https://www.fema.gov/assistance/public>.

<sup>9</sup> 42 U.S.C. § 5172.

<sup>10</sup> FEMA, *Individuals and Households Program* (Feb. 3, 2023), available at <https://www.fema.gov/assistance/individual/program>.

<sup>11</sup> 42 U.S.C. § 5174.

<sup>12</sup> FEMA, *Hazard Mitigation Grant Program (HMGP)* (Dec. 27, 2022), available at <https://www.fema.gov/grants/mitigation/hazard-mitigation>.

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> DRRA, Pub. L. No. 115–254.

<sup>17</sup> FEMA, *Building Resilient Infrastructure and Communities* (Dec. 1, 2022), available at <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities>.

<sup>18</sup> NATIONAL INSTITUTE OF BUILDING SCIENCES, *NATURAL HAZARD MITIGATION SAVES 2019 REPORT* (2019), available at [https://www.nibs.org/files/pdfs/NIBS\\_MMC\\_MitigationSaves\\_2019.pdf](https://www.nibs.org/files/pdfs/NIBS_MMC_MitigationSaves_2019.pdf).

### III. FEMA'S STRATEGIC PLAN

FEMA's mission is simple—to help people before, during, and after disasters.<sup>19</sup> The 2022–2026 Strategic Plan lists three goals for the agency to better achieve their mission: (1) Instill equity as a foundation of emergency management, (2) Lead whole of community in climate resilience, and (3) Promote and sustain a ready FEMA and prepared Nation.<sup>20</sup>

#### *Goal 1: Equity*

In its 2021 Executive Order 13985 on “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government,” the Biden Administration defines equity as:

[T]he consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.<sup>21</sup>

To achieve this goal, FEMA has vowed to ensure its employees “increasingly reflect the diversity of the [N]ation.”<sup>22</sup> The Agency plans to make their programs more accessible through a people first approach, to ensure FEMA resources can be accessed by underserved communities.<sup>23</sup> FEMA commits to periodically assess their programs and policies for inequities and redirect resources to eliminate any identified shortcomings.<sup>24</sup>

#### *Goal 2: Climate Resilience*

FEMA's Strategic Plan asserts that the number and severity of disasters is increasing, and consequently some communities are barely able to recover before another disaster strikes.<sup>25</sup> In order to increase climate literacy among the emergency management community, FEMA plans to integrate climate science into “policy, programs, partnerships, field operation, and training.”<sup>26</sup> The Agency also plans to use mitigation grant programs to allow communities to mitigate against climate change.<sup>27</sup> Finally, FEMA plans to expand “the availability of, access to, and understanding of future conditions data and modeling”<sup>28</sup> to empower risk-informed decision making.

#### *Goal 3: FEMA Readiness*

FEMA's Strategic Plan asserts that an increasing number of disasters requires FEMA to need more staff readily deployable in advance of disasters.<sup>29</sup> To do this, FEMA will invest in professional development and improve employee retention.<sup>30</sup> Further, as evident with the COVID pandemic, FEMA needs to be ready to respond to non-traditional Stafford Act disaster categories. The Agency plans to increase their capacity to mitigate against critical national capability gaps for all disasters.<sup>31</sup> FEMA also plans to unify coordination and delivery of Federal assistance by working with other Federal disaster partners to streamline the burdensome process.<sup>32</sup>

### IV. CONCLUSION

The hearing will focus on how FEMA's Strategic Plan for 2022 to 2026 is informing and impacting how FEMA is leading disaster preparedness and response for the Nation for current and emerging threats.

<sup>19</sup> STRATEGIC PLAN, *supra* note 1 at 3.

<sup>20</sup> *Id.*

<sup>21</sup> See Exec. Or. No. 13,985, 86 Fed. Reg. 7,009 (2021), available at <https://www.govinfo.gov/content/pkg/FR-2021-06-30/pdf/2021-14127.pdf>.

<sup>22</sup> STRATEGIC PLAN, *supra* note 1 at 10.

<sup>23</sup> *Id.* at 11.

<sup>24</sup> See *id.* at 13.

<sup>25</sup> *Id.* at 14.

<sup>26</sup> *Id.* at 15.

<sup>27</sup> *Id.* at 16.

<sup>28</sup> *Id.* at 18.

<sup>29</sup> *Id.* at 21.

<sup>30</sup> *Id.* at 22.

<sup>31</sup> *Id.* at 24.

<sup>32</sup> *Id.* at 25.

V. WITNESSES

- The Honorable Erik Hooks, Deputy Administrator, Federal Emergency Management Agency (FEMA), U.S. Department of Homeland Security
- Mr. Chris Currie, Director, Homeland Security and Justice, U.S. Government Accountability Office (GAO)

**THE IMPACTS OF FEMA'S STRATEGIC PLAN  
ON DISASTER PREPAREDNESS AND RE-  
SPONSE**

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**WEDNESDAY, MAY 17, 2023**

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC  
BUILDINGS, AND EMERGENCY MANAGEMENT,  
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,  
*Washington, DC.*

The subcommittee met, pursuant to call, at 10:03 a.m. in room 2167 Rayburn House Office Building, Hon. Scott Perry (Chairman of the subcommittee) presiding.

Mr. PERRY. The Subcommittee on Economic Development, Public Buildings, and Emergency Management will come to order.

I ask unanimous consent that the chairman be authorized to declare a recess at any time during today's hearing.

Without objection, so ordered.

I also ask unanimous consent that Members not on the subcommittee be permitted to sit with the subcommittee at today's hearing and ask questions.

Without objection, so ordered.

As a reminder, if Members wish to insert a document into the record, please also email it to DocumentsTI@mail.house.gov.

The Chair now recognizes himself for the purposes of an opening statement.

**OPENING STATEMENT OF HON. SCOTT PERRY OF PENNSYLVANIA, CHAIRMAN, SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT**

Mr. PERRY. I want to thank our witnesses, Mr. Erik Hooks, the Deputy Administrator of the Federal Emergency Management Agency, and Mr. Chris Currie, the Director of Homeland Security and Justice for the United States Government Accountability Office, or the GAO, for being here today.

Thank you for your time.

I look forward to working closely with Ranking Member Titus, who is on her way, on issues critical to this subcommittee, including eliminating waste, fraud, and abuse in our Federal response to disasters.

Today, we will focus on FEMA's strategic plan for 2022 through 2026, which is the first strategic plan that prioritizes things like equity and climate change over actual disaster readiness and re-

sponse. FEMA's core mission—core mission—is to help people before, during, and after disasters. The Biden administration is advancing a woke agenda focused on diversity and inclusion to the detriment of their core missions.

FEMA issued a request for information in April of 2021 for feedback on how the Agency's "programs, regulations, and policies could better advance the goal of equity for all, environmental justice, and bolster resilience to the impacts of climate change." FEMA received 340 comments in response, and while they may have generally referenced equity, they were more focused on how FEMA could better implement their programs through technical assistance and a less burdensome application process.

It is obvious to anyone who is making an honest assessment that FEMA is so focused on messaging that they are overlooking the real problem: their overly complex and bureaucratic process. Americans are also concerned about the role FEMA is playing at the southern border at the direction of Department of Homeland Security, the direction of Secretary Mayorkas.

The Homeland Security Act prohibits the diversion of FEMA assets, functions, or mission for the continuing use of any other DHS organization unless such assignments do not reduce the capability of FEMA to performance its missions.

FEMA clearly has a significant capacity problem, and every diversion of resources undermines its ability to perform the core missions. GAO confirmed this capacity issue in a report released earlier this very month. The report also mentions that, in addition to responding to disasters and other emergencies, FEMA was also busy assisting with Afghan refugee resettlement efforts and providing shelter and emergency supplies for unaccompanied children at the southern border.

The committee has sent multiple letters inquiring about FEMA's role at the border, but we have yet to receive substantive answers to questions regarding how FEMA's deputization by the Secretary has impacted FEMA's ability to respond to disasters across the country when their staffing level is already low at 65 percent.

Since the Post-Katrina Act in 2006, there was clear direction that FEMA would operate as a distinct entity and report directly to the President. Yet it is continuously being pulled into other DHS functions, regardless of capability or capacity.

FEMA's Emergency Food and Shelter Program, the EFSP, received \$114 million in the Supplemental Appropriations for Humanitarian Assistance and an additional \$800 million transferred from United States Customs and Border Protection to pay for actions associated with the illegal foreign national crisis at the border and beyond. How does FEMA justify allocating \$332.5 million of that amount to communities to support folks who have crossed the border illegally?

While FEMA regularly states that the number and intensity of disasters is steadily increasing, here it is clearly diverting resources to things outside of their mission. And I suspect, as an aside, that they are going to be coming to Congress at some point in the near future saying that they need more money to pay for disasters when they are spending the money that they have on things other than the disasters.

Today, I look forward to hearing from FEMA on their prioritization, or what I would generally characterize as a misprioritization, of equity over disaster readiness, and how this harms the American people.

[Mr. Perry's prepared statement follows:]

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**Prepared Statement of Hon. Scott Perry, a Representative in Congress from the Commonwealth of Pennsylvania, and Chairman, Subcommittee on Economic Development, Public Buildings, and Emergency Management**

Today, we will focus on FEMA's strategic plan for 2022 through 2026, which is the first strategic plan that prioritizes things like equity and climate change over actual disaster readiness and response.

FEMA's core mission is to help people before, during, and after disasters. The Biden Administration is advancing a woke agenda focused on diversity and inclusion, to the detriment of their core missions.

FEMA issued a request for information (RFI) in April of 2021 for feedback on how the agency's "programs, regulations, and policies could better advance the goals of equity for all, environmental justice, and bolster resilience to the impacts of climate change."

FEMA received 340 comments in response, and while they may have generally referenced "equity," they were more focused on how FEMA could better implement their programs through technical assistance and a less burdensome application process.

It is obvious to anyone who is making an honest assessment that FEMA is so focused on messaging that they are overlooking the real problem—their overly complex and bureaucratic process. Americans are also concerned about the role FEMA is playing at the southern border at the direction of Department of Homeland Security (DHS) Secretary Mayorkas.

The Homeland Security Act prohibits "the diversion of FEMA assets, functions, or mission for the continuing use of any other DHS organization unless such assignments do not reduce the capability of FEMA to perform its missions."

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The report also mentions that in addition to responding to disasters and other emergencies, FEMA was also busy assisting with the Afghan refugee resettlement efforts and providing shelter and emergency supplies for unaccompanied children at the southern border.

The Committee has sent multiple letters inquiring about FEMA's role at the border, but we have yet to receive substantive answers to questions regarding how FEMA's deputization by the Secretary has impacted FEMA's ability to respond to disasters across the country when their staffing level is already low at 65 percent.

Since the Post-Katrina Act in 2006, there was clear direction that FEMA would operate as a distinct entity and report directly to the President, yet it is continuously being pulled into other DHS functions regardless of capability or capacity.

FEMA's Emergency Food and Shelter Program (EFSP) received \$114 million in the Supplemental Appropriations for Humanitarian Assistance (SAHA) and an additional \$800 million transferred from United States Customs and Border Protection (CBP) to pay for actions associated with the illegal foreign national crisis at the border and beyond. How does FEMA justify allocating \$332.5 million of that amount to communities to support folks who have crossed the border illegally?

While FEMA regularly states that the number and intensity of disasters is steadily increasing, here it is clearly diverting resources to things outside of their mission. And I suspect that they're going to be coming to Congress at some point in the near future saying that they need more money to pay for disasters. They're spending the money that they have on things other than the disasters. Today, I look forward to hearing from FEMA on their prioritization, or what I would generally characterize as mis-prioritization, of equity over disaster readiness, and how this harms the American people.

Mr. PERRY. The Chair now recognizes the ranking member, Member Titus, for 5 minutes for an opening statement.

**OPENING STATEMENT OF HON. DINA TITUS OF NEVADA,  
RANKING MEMBER, SUBCOMMITTEE ON ECONOMIC DEVELOPMENT,  
PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT**

Ms. TITUS. Well, thank you very much, Mr. Chairman, I apologize for being late. We were in a markup in the Committee on Homeland Security, which, of course, is tied to what some of what FEMA does with the partner agencies.

I want to thank the witnesses also for joining us as we look at how FEMA is going to implement the “2022–2026 Strategic Plan.”

Last year, at the hearing where we addressed the strategic plan, this subcommittee heard from witnesses and stakeholders about climate change, and that climate change and related severe weather events have continued to alter the emergency management landscape. Since that hearing, we have certainly seen that to be the case. Today’s disasters are more frequent, they cause more damage, they are more expensive, and they take longer to recover from.

My home State of Nevada has experienced the impacts of this new disaster climate. While the West still addresses the impact of drought—and this is a decades-long drought—record snowfall this year brings with it severe flooding, landslides, and mudslides across the West and in Nevada, which has resulted in a major disaster declaration at home. I am committed to working with our Governor, Governor Lombardo, and FEMA, who is on the ground there, until every eligible repair project in the State has been completed.

As FEMA faces these unprecedented challenges, I would particularly like to thank our Deputy Administrator Hooks and his entire team for rising to the challenges that are fueled by climate change. You have supported nationwide disaster response and recovery efforts and simultaneously led the Federal effort to respond to COVID. That is quite a large order for you to have to meet, and we thank you for doing all that on all those different fronts.

But we know that work remains to be done to find solutions to how you can administer your assistance programs.

Natural disasters amplify existing disparities in our society, and the GAO has highlighted concerns with FEMA’s ability to administer its programs more fairly. Time and time again, we have seen well-resourced households recover more quickly from disasters than poorer ones. If you live in an upscale neighborhood and you have the resources to move somewhere during the disaster or aftermath, you seem to get benefits and recovery efforts more quickly than if you live in the poorer neighborhoods.

That is just not right, that some community members can resume normal life after a few weeks or a month or so after a disaster, while others are forced to live in substandard housing or sleep on the couch of a friend or neighbor for long periods while they are waiting for some assistance for recovery. Recent reporting is telling us that some of these individuals and families never get back after a disaster. They are permanently displaced from their communities, and some often experience homelessness.

As a result of these concerns, I introduced the Disaster Survivors Fairness Act, which includes a series of reforms designed to make Federal disaster aid more easily accessible to survivors. It removes

barriers to aid by creating a universal application for Federal disaster assistance, and it empowers the Agency to assess home damage more fairly and more accurately post-disaster. We hope that this would ease the burden on families applying for assistance from what has been most likely the worst days of their lives.

Deputy Administrator, I thank you and your colleagues again for the work you have done to guide FEMA in a positive direction, acknowledging and addressing the impacts of climate change, prioritizing equity, and investing in mitigation and resilience. Those are the kind of catch words that we should keep in mind as we look to implement your plan, and I look forward to your testimony and Mr. Currie's in hopes that this subcommittee can better understand what we can do to help you meet the needs of people who face disasters.

[Ms. Titus' prepared statement follows:]

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**Prepared Statement of Hon. Dina Titus, a Representative in Congress from the State of Nevada, and Ranking Member, Subcommittee on Economic Development, Public Buildings, and Emergency Management**

Thank you, Mr. Chairman. I want to thank our witnesses for joining us today as we discuss FEMA's ongoing efforts to implement the 2022–2026 Strategic Plan.

Since last year's Strategic Plan hearing, this Subcommittee has heard from witnesses and stakeholders that climate change and the related severe weather events have continued to alter the emergency management landscape. Today's disasters are more frequent, cause more damage, and take longer to recover from.

Even my home state of Nevada has experienced the impacts of this new disaster climate. While the West still addresses the impacts of a decades-long drought, record snowfall this year is leading to severe flooding, landslides, and mudslides in Nevada, resulting in a major disaster declaration. I am committed to working with Governor Lombardo and FEMA until every eligible repair project in my state is complete.

As FEMA faces such unprecedented challenges, I'd particularly like to thank our witness, Deputy Administrator Hooks, and the entire Agency staff for rising to the challenges fueled by climate change, supporting nationwide disaster response and recovery efforts, and simultaneously leading the federal effort to respond to the COVID–19 pandemic.

But work remains to be done to find solutions to improve how FEMA administers its assistance programs.

Natural disasters amplify existing disparities in our society, and the Government Accountability Office (GAO) has highlighted concerns with FEMA's ability to administer its programs fairly. Time and time again we see well-resourced households recover more quickly after a disaster than poorer ones. It is not right that some community members can resume normal life a few weeks or months after a disaster while others are forced to live in substandard housing or on the couches of friends and family for prolonged periods. Recent reporting is telling us that some of these individuals and families never get to go back home after a disaster. They are permanently displaced from their communities or experience homelessness.

As a result of these concerns, I reintroduced the Disaster Survivor Fairness Act which includes a series of reforms designed to make federal disaster aid more easily accessible to survivors, and it is my hope my bill would also help FEMA adapt to the current disaster climate. It removes barriers to aid by creating a universal application for federal disaster assistance and empowers the Agency to assess home damage more fairly and accurately post-disaster. This should ease the burden on families applying for disaster assistance after what might have been the worst day of their lives.

Deputy Administrator, I thank you and your colleagues for the work you have done to guide FEMA in a positive direction by acknowledging and addressing the impacts of climate change, prioritizing equity, and investing in mitigation and resilience. I look forward to testimony from you and Mr. Currie as it should help this Subcommittee understand the challenges the Agency faces this year and develop solutions. Thank you.

Ms. TITUS. Thank you very much, and I yield back, Mr. Chairman.

Mr. PERRY. The Chair thanks the ranking member. The Chair now recognizes the ranking member of the full committee, Mr. Larsen, for 5 minutes for an opening statement.

**OPENING STATEMENT OF HON. RICK LARSEN OF WASHINGTON, RANKING MEMBER, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE**

Mr. LARSEN OF WASHINGTON. Thank you, Subcommittee Chair and Subcommittee Ranking Member, for calling today's hearing, "The Impacts of FEMA's Strategic Plan on Disaster Preparedness and Response."

Today, we are here to discuss the challenges FEMA is facing and how meeting the goals outlined in the "2022–2026 Strategic Plan" will enable the Agency to rise to the challenge and fulfill its mission. This conversation is critical in an ever-evolving disaster landscape fueled by climate change. Natural disasters continue to become more costly and have greater impacts upon communities across the Nation, and Congress must ensure FEMA is equipped with the capacity and the resources it needs to respond.

This is also a timely and important discussion for my constituents in Washington State's Second Congressional District. The devastating flooding in November of 2021 and ensuing storms damaged critical infrastructure and more than 2,000 homes. Almost 1½ years later, the recovery in Whatcom County has been uneven. County officials estimate that still 100 residents lack permanent housing solutions. Some cannot figure out how to apply for assistance, others cannot get enough assistance to fully repair their homes, and some just seem to be falling through the cracks of multiple Federal, State, and local programs.

That is not acceptable, and I will keep fighting for every single person in my district until they have secured permanent housing.

Short- and long-term challenges following a natural disaster are not confined to Washington State. The 2017 and 2018 disaster seasons, the nationwide COVID–19 disaster declaration, and last year's deadly hurricane season have all signaled the transition to a year-round disaster season, seriously straining FEMA staff and resources.

Last year, Administrator Criswell reported a chilling statistic to this subcommittee: 10 years ago, FEMA managed an average of 108 disasters a year, but in 2022, that number had more than doubled—nearly tripled—to 311 disasters.

With a more than 50-percent increase in storms and disasters in the last 10 years, FEMA's strategic plan is crucial.

I look forward to discussing the progress FEMA has made to incorporate climate change projections, to expand capacity, and to adapt its programs so survivors receive the quality assistance they deserve.

But reforming FEMA's response and recovery programs is not enough.

FEMA needs a workforce that can rise to this challenge, but that requires adequate staffing. The GAO recently found that a 35-percent staffing gap exists across different positions at FEMA.

I support FEMA's efforts to recruit and retain a diverse workforce. FEMA's employees should be a reflection of the communities they serve. This won't happen by accident. Ensuring a diverse workforce and taking action to attract employees from as broad a pool of people as possible in the United States won't happen by accident. FEMA needs a plan to do just that.

Such diversity will improve the Agency's understanding of the challenges faced by disaster survivors across the Nation, including places like rural Mississippi, northern Alaska, Puerto Rico, New York City, and even the Puget Sound, and therefore will improve the quality of program delivery.

Expanding mitigation and resilience efforts must also be at the forefront of any conversation regarding the increased frequency, intensity, and cost of natural disasters. Overwhelming evidence has proven that mitigation is a commonsense, cost-effective way to save lives and to save property. That is why I strongly support expanding funding and access for mitigation and resilience projects.

The Bipartisan Infrastructure Law made great progress in making our Nation more resilient by providing \$5 billion for pre-disaster mitigation programs, yet more needs to be done. This includes ensuring pre-disaster mitigation grants are accessible to applicants across the country and that projects selected for mitigation awards receive those funds in a timely manner.

So, I look forward to discussing how we can work together to drive needed reforms inside FEMA so that the FEMA can fulfill its goals and its missions. I want to thank the witnesses for being here today, and I look forward to your testimony.

[Mr. Larsen of Washington's prepared statement follows:]

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**Prepared Statement of Hon. Rick Larsen, a Representative in Congress from the State of Washington, and Ranking Member, Committee on Transportation and Infrastructure**

Thank you, Subcommittee Chairman Perry and Subcommittee Ranking Member Titus for calling today's hearing on "The Impacts of FEMA's Strategic Plan on Disaster Preparedness and Response."

Today, we are here to discuss the challenges FEMA is facing and how meeting the goals outlined in the 2022–2026 Strategic Plan will enable the Agency to rise to the challenge and fulfill its mission.

This conversation is critical in an ever-evolving disaster landscape fueled by climate change. Natural disasters continue to become more costly and have greater impacts upon communities across the nation.

Congress must ensure FEMA is equipped with the capacity and resources it needs to respond.

This is also a timely and important discussion for my constituents in Washington State's Second Congressional District. Devastating flooding in November of 2021 and ensuing storms damaged critical infrastructure and more than 2,000 homes.

Almost a year and a half later, the recovery in Whatcom County has been uneven. County officials estimate that 100 residents are still lacking permanent housing solutions. Some cannot figure out how to apply for assistance, others cannot get enough assistance to fully repair their homes, and some seem to just be falling through the cracks of multiple federal, state, and local programs.

This is not acceptable, and I will keep fighting until every single survivor in my district has secured permanent housing.

Short and long-term challenges following a natural disaster are not confined to Washington State.

The 2017 and 2018 disaster seasons, the nationwide COVID–19 disaster declaration, and last year's deadly hurricane season have signaled the transition to a year-round disaster season, seriously straining FEMA's staff and resources.

Last year Administrator Criswell reported a chilling statistic to this Subcommittee. Ten years ago, FEMA managed an average of 108 disasters a year, but in 2022 that number had more than doubled to 311 disasters.

With a more than 50 percent increase in storms and disasters in the last 10 years, FEMA's Strategic Plan is crucial.

I look forward to discussing the progress FEMA has made to incorporate climate change projections, expand capacity and adapt its programs so survivors receive the quality assistance they deserve.

But reforming FEMA's response and recovery programs is not enough.

FEMA needs a workforce that can rise to the challenge, but that requires adequate staffing. The Government Accountability Office recently found that a 35 percent staffing gap exists across different positions at FEMA.

I support FEMA's efforts to recruit and retain a diverse workforce. FEMA's employees should be a reflection of the communities that they serve. This won't happen by accident. Ensuring a diverse workforce and taking action to attract employees from as broad a pool of people as possible in the United States won't happen by accident. FEMA needs a plan to do just that.

Such diversity will improve the Agency's understanding of the challenges faced by disaster survivors across the nation—including places like rural Mississippi, northern Alaska, Puerto Rico, New York City and even the Puget Sound—and improve the quality of program delivery.

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Overwhelming evidence has proven that mitigation is a commonsense, cost-effective way to save lives and property.

That is why I strongly support expanding funding and access for mitigation and resilience projects.

The Bipartisan Infrastructure Law made great progress in making our nation more resilient by providing \$5 billion for pre-disaster mitigation programs.

Yet, more still needs to be done to ensure our nation's readiness.

This includes ensuring pre-disaster mitigation grants are accessible to applicants across the country and that projects selected for mitigation awards receive those funds in a timely manner.

I look forward to discussing how we can work together to drive needed reforms inside FEMA to achieve the Agency's goals and its mission.

Thank you to today's witnesses. I look forward to hearing your testimony.

Mr. LARSEN OF WASHINGTON. With that, I yield back.

Mr. PERRY. The Chair thanks the gentleman.

I would like to again welcome our witnesses and thank them for being here today. Briefly, I would like to take a moment to explain our lighting system to our witnesses.

There are three lights in front of you. Green means go. Yellow means you are just about out of time, and red means wrap it up, let's get on with it. So, just—we are all operating under the same circumstance. We give you a little leeway there, but we don't want you to drone on for another 5 or 10 minutes after the red light comes on, all right?

And I ask unanimous consent that the witnesses' full statements be included in the record.

Without objection, so ordered.

As your written testimony has been made a part of the record, the subcommittee asks that you limit your oral remarks to 5 minutes.

With that, Deputy Administrator Hooks, you are recognized for 5 minutes for your testimony.

**TESTIMONY OF HON. ERIK HOOKS, DEPUTY ADMINISTRATOR,  
FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DE-  
PARTMENT OF HOMELAND SECURITY; AND CHRIS CURRIE,  
DIRECTOR, HOMELAND SECURITY AND JUSTICE TEAM, U.S.  
GOVERNMENT ACCOUNTABILITY OFFICE**

**TESTIMONY OF HON. ERIK HOOKS, DEPUTY ADMINISTRATOR,  
FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DE-  
PARTMENT OF HOMELAND SECURITY**

Mr. HOOKS. Chairman Perry, Ranking Member Titus, and members of the subcommittee, thank you for the opportunity to join you today. During our time together, I look forward to discussing how FEMA's strategic plan continues to guide the Agency's disaster response and recovery efforts.

In recent years, it has become increasingly apparent that the field of emergency management is at a pivotal moment in its history. For example, 10 years ago, FEMA managed an average of 108 disasters a year; today, that number is 311.

I can tell you that, from my previous time leading the Department of Public Safety in North Carolina, that this increase in the operational tempo is being felt across the emergency management enterprise. And like many of you, Administrator Criswell and I know what disasters mean from the State and local perspective. We understand that the challenges communities face are unique to them, and that it is FEMA's role to meet them where they are.

Under the leadership of Administrator Criswell, FEMA released our current strategic plan in December of 2021 that has three crosscutting goals.

The first goal is to instill equity as a foundation of emergency management. We know that there are disparities and differences in capacity, and that our programs are sometimes not easily accessible to those who need them. That is why FEMA is focused on reducing the barriers people face when accessing our programs, while also ensuring that all disaster survivors receive the assistance for which they qualify under the law.

For example, we know that some homeowners in rural areas of the country have informally inherited their homes over generations. To reduce the administrative burden they faced in proving this, FEMA now accepts a broader range of ownership and occupancy documentation when applying for assistance like DMV registration or utility bills. Since FEMA has implemented these changes, tens of thousands of homeowners and renters have received our help. From families recovering from floods in Appalachia or from tornadoes in Mississippi, assistance is now flowing to those who would have previously been denied.

And we have also implemented a new formula for our direct housing program based on total square feet rather than a fixed amount. This change has made it easier for people with smaller, modest homes to become eligible for direct housing. Bottom line: our priority is to make sure all survivors get the assistance for which they qualify under the law.

Our second strategic goal is to lead the whole-of-community in climate resilience. As climate change continues to deliver frequent, intense, and complex impacts, we must apply our robust disaster

response approach to disaster mitigation. And Congress' historic investment in FEMA's mitigation programs has indeed helped us become a more resilient Nation.

Your bipartisan support of the Building Resilient Infrastructure and Communities, BRIC, program and the appropriation of \$6.8 billion in funds to FEMA in the Infrastructure Investment and Jobs Act has provided vital funding to States, local communities, Tribes, and Territories seeking to reduce their risk to disasters and other natural hazards.

Our third strategic goal is to promote and sustain a ready FEMA and a prepared Nation. As our Nation's threat landscape continues to grow, and disaster seasons are turning into year-round events, FEMA must expand its approach to Agency readiness and to national preparedness.

As we prepare for the fast-approaching 2023 Atlantic hurricane season, FEMA is taking proactive steps to make sure that we are well postured to respond. For example, one of those steps is to strategically pre-position many more resources ahead of hurricanes. This forward-leaning posture helped us in Puerto Rico and Florida last year and will remain key to us delivering the assistance our Nation needs and deserves.

Finally, I can confidently say that the FEMA workforce demonstrates the very best of America and stands ready to serve those who need us most. Administrator Criswell and I are committed to supporting them in every possible way, and we ask that you continue to join us in those efforts.

Thank you for the opportunity to testify today, and I look forward to your questions.

[Mr. Hooks' prepared statement follows:]

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**Prepared Statement of Hon. Erik Hooks, Deputy Administrator, Federal Emergency Management Agency, U.S. Department of Homeland Security**

Chairman Perry, Ranking Member Titus, and Members of the Subcommittee, thank you for the opportunity to join you today. During our time together, I look forward to discussing how FEMA's Strategic Plan continues to guide the agency's disaster response and recovery efforts.

In recent years, it has become increasingly apparent that the field of emergency management is at a pivotal moment in its history. For example, ten years ago, FEMA managed an average of 108 disasters a year. Today, that number is 311.

I can tell you that from my previous time leading the Department of Public Safety in North Carolina, that this increase in the operational tempo is being felt across the emergency management enterprise. And like many of you, Administrator Criswell and I know what disasters mean from the state and local perspective. We understand that the challenges communities face are unique to them, and that it is FEMA's role to meet them where they are.

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owners and renters have received our help. From families recovering from floods in Appalachia or from tornadoes in Mississippi, assistance is now flowing to those who would have previously been denied. And we've also implemented a new formula for our direct housing program based on total square feet rather than a fixed amount. This change has made it easier for people with smaller, modest homes to become eligible for direct housing. Bottomline, our priority is to make sure all survivors get the assistance for which they qualify under the law.

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Finally, I can confidently say that the FEMA workforce demonstrates the very best of America and stands ready to serve those who need us most. Administrator Criswell and I are committed to supporting them in every way possible, and we ask that you continue to join us in those efforts.

Thank you for the opportunity to testify today, and I look forward to your questions.

Mr. PERRY. Thank you, sir. I appreciate your testimony.

Next, Mr. Currie, you are recognized for 5 minutes for your testimony.

**TESTIMONY OF CHRIS CURRIE, DIRECTOR, HOMELAND SECURITY AND JUSTICE TEAM, U.S. GOVERNMENT ACCOUNTABILITY OFFICE**

Mr. CURRIE. Thank you, Mr. Chairman, Ranking Member Titus, also Ranking Member Larsen and other members of the subcommittee. I really appreciate the opportunity to be here today to talk about our work at FEMA.

I just want to say, first of all, I think in our work and our oversight role at GAO, I get to work with the folks at FEMA every day, looking at what they do, traveling the country, talking to State and local emergency managers, and I have great respect for the work they do, the sacrifices they make for the country. And I think it is important to say that. I also think they have a very good culture of self-improvement and self-assessment that is important when you are trying to look at how to improve the Agency.

It is also why I think it is really important to honestly point to some of the challenges the Agency faces. There has never been more pressure on FEMA than there is today. Since 2015, the Federal Government spent about \$400 billion on disaster assistance, and FEMA is being asked more and more to be involved and to handle increasing national emergencies and other events. For example, they just spent over \$110 billion on the COVID response,

which no one ever expected they were going to do 5 years ago, and they are being asked to do more and more.

But this also takes a toll on the Agency, and that is why I want to start by talking about the workforce and some of our work. As you mentioned, we just identified 2 weeks ago that FEMA was about 6,000 people short in its disaster workforce. They have a goal of about a little over 17,000, and they are 6,000 short of that goal. And they were very honest about that. It is because of burnout, the never-ending disaster season. It is tough to hire people. They are competing with other folks, just like everyone else is in this country. Things like the COVID response really, really took a toll on the Agency. So, it is hard to keep up with what they need.

Without a strong workforce, it is really hard to make the improvements that we all think need to be made to some of the programs, as you talked about, and that is what I would also like to talk about, is some of the programs themselves. What we consistently have seen over the years in our work is that FEMA programs for disasters and survivors are way too complicated.

For example, we have talked to survivors and communities that there is confusion about eligibility for programs and what steps need to be taken. Communities are frustrated by years of back-and-forth on complicated infrastructure projects. And I think the impact of this is not just frustration, but the impact of this is lost opportunity for recovery. It makes it very difficult for people to recover when they don't know how to navigate complicated programs.

This also affects communities more that have less experience and capacity. These are really complicated programs. If you haven't gone through the process before, it is very overwhelming. And if you don't have the resources to bring in a bunch of support, it is going to be even that much harder.

I would also like to just talk about disaster recovery as a whole in this country. It is too complicated. It is fragmented across 30 different Federal agencies, also over 30 different congressional committees of jurisdiction. In our work, we visit disaster locations, talk to people in your own districts, in your communities. And what we hear is very consistent, that all of these programs together from the Federal Government make it really hard in recovery.

For example, many of them have different rules and requirements. Many of them have paperwork requirements that don't work in one program versus another. And they have different timeframes, as well. That makes it really hard to synchronize these programs for an effective recovery. It also makes it really hard to plan projects you want to do maybe like mitigation projects that are really complicated if you are sitting there trying to navigate whether you can use different programs together. So, that is a major area I think needs to be fixed if we are going to fix the whole disaster recovery system in this country.

Now, we have made a number of recommendations in this area over the years, almost 100 recommendations to FEMA. Many of those have been addressed. Many are still open. We also identified options that Congress and agencies can take to try to streamline these programs.

For example, as was mentioned by Ms. Titus, creating a unified application process so survivors or communities don't have to go to

all sorts of separate Federal agencies to apply for the same types of things. Documentation can be used in different programs. You don't have to recreate that over and over again. And that is just one option. I know in the Senate today—I think the Homeland Security Committee is actually voting on a bill that would try to do that, as well.

So, there are a number of steps that can be taken, but it is a huge challenge. And that is why we actually also suggest that Congress set up an independent commission to tackle this issue, because it cuts across so many different agencies. So, I look forward to the conversation today, and I appreciate the chance to be here. [Mr. Currie's prepared statement follows:]

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**Prepared Statement of Chris Currie, Director, Homeland Security and Justice Team, U.S. Government Accountability Office**

FEMA: OPPORTUNITIES TO STRENGTHEN MANAGEMENT AND ADDRESS INCREASING CHALLENGES

Chairman Perry, Ranking Member Titus, and Members of the Subcommittee:

Thank you for the opportunity to discuss our work on the challenges facing the Federal Emergency Management Agency (FEMA) and the agency's strategic plan.

Each year, natural disasters such as, hurricanes, floods, wildfires, and earthquakes affect hundreds of American communities. In 2022, FEMA reported providing assistance for 57 major disaster and emergency declarations, such as Hurricane Ian and Hurricane Fiona, 34 fire incidents, and awarded approximately \$1.7 billion in grants to disaster survivors.

FEMA, within the Department of Homeland Security (DHS), leads our nation's efforts to prepare for, protect against, respond to, recover from, and mitigate the risk of disasters. In recent years, FEMA has faced an unprecedented demand for its services and played an increasing role in various disasters and emergencies. For example, FEMA played a key role in the federal response to the COVID-19 pandemic and also assisted in the Afghan refugee resettlement efforts and at the southwest border.

In December 2021, FEMA released the agency's 2022–2026 strategic plan outlining three goals designed to address key challenges the agency faces.<sup>1</sup> Specifically the goals were to (1) instill equity as a foundation of emergency management, (2) lead the whole of community in climate resilience and (3) promote and sustain a ready FEMA and prepared nation.

In February 2023, the FEMA Administrator announced progress in addressing the agency's three strategic goals. Specifically, she noted agency efforts to simplify the grant application process for individuals, expanded access to some mitigation grant programs to benefit underserved communities, and the development of toolkits to assist individuals, states, territories, local governments and Tribal Nations to better respond and recover from disasters.

While we recognize the difficult job FEMA is tasked with, in recent years, we have reported on various mission and management challenges the agency faces. My statement today discusses our prior work and recommendations related to FEMA's challenges in four key areas: (1) workforce management; (2) removing barriers for disaster survivors; (3) building resilience to future disasters; and (4) coordination of federal assistance. FEMA has made progress in some areas. However, there are still opportunities to strengthen the agency and make progress towards implementing its strategic goals.

My statement today is based on products we issued from October 2019 to May 2023. To perform our prior work, we reviewed and analyzed federal law, agency guidance, and other agency documentation. We also analyzed data on FEMA's workforce, and disaster assistance programs, among others. We interviewed officials from FEMA, and selected federal agencies, as well as officials from states, local jurisdictions, and territories impacted by disasters. Additionally, we conducted a panel discussion with experts. More detailed information on the scope and methodology of

<sup>1</sup> FEMA. *2022–2026 FEMA Strategic Plan, Building the FEMA our Nation Needs and Deserves*, (Washington, D.C.: Dec. 9, 2021).

our prior work can be found in each of the issued reports cited throughout this statement.

We conducted the work on which this statement is based in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

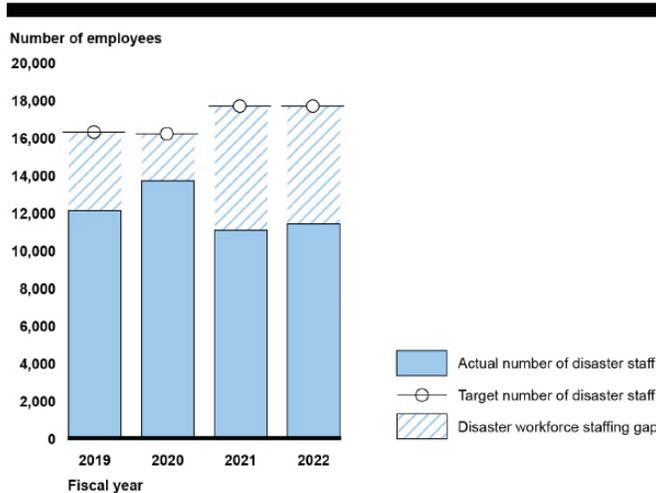
WORKFORCE MANAGEMENT

FEMA has faced challenges related to its workforce, which have affected its ability to achieve its mission. Recently, we reported on these challenges, specifically related to—(1) hiring processes and staffing gaps and (2) discrimination and harassment. We made recommendations to address various aspects of these challenges.<sup>2</sup>

*Hiring processes and staffing gaps.* In May 2023, we reported that FEMA uses different processes under various statutory authorities to hire employees by type such as full-time employees and temporary reservists.

At the beginning of fiscal year 2022, FEMA had approximately 11,400 disaster employees on board and a staffing goal of 17,670, creating an overall staffing gap of approximately 6,200 staff (35 percent) across different positions, such as logistics and information technology. While FEMA is taking steps to address staffing gaps, such as hiring events and use of contractors, we found that it is unclear if these efforts are effective.<sup>3</sup>

Figure 1: Overall Staffing Gaps for the Federal Emergency Management Agency's (FEMA's) Disaster Workforce, Fiscal Years 2019–2022



Source: GAO analysis of FEMA data. | GAO-23-106840

We recommended that FEMA document plans to monitor and evaluate the agency's hiring efforts to address staffing gaps in the disaster workforce. Such plans would help FEMA determine how effective hiring efforts are at closing staffing gaps and prioritize these efforts accordingly. DHS concurred with this recommendation and described FEMA's current and planned actions. For example, FEMA described

<sup>2</sup> GAO, *FEMA Disaster Workforce: Actions Needed to Improve Hiring Data and Address Staffing Gaps*, GAO-23-105663 (Washington, D.C. May 2, 2023); GAO, *FEMA Workforce: Additional Actions Needed to Help Prevent and Respond to Discrimination and Harassment*, GAO-23-105243 (Washington, D.C., Oct. 20, 2022)

<sup>3</sup> FEMA can augment its workforce with technical assistance contractors who are specialized contractors hired to perform specific responsibilities. Additionally, FEMA sought additional support from contractors and other federal agencies to support efforts to increase staff and expand recruitment. For example, contractors reviewed applicant resumes to support FEMA hiring specialists.

its November 2022 recruitment plan to achieve the agency's strategic priority of building a more diverse workforce through four cross-agency goals. FEMA also described efforts to develop an implementation plan to accompany the recruitment plan. The estimated completion date for these efforts is September 2023.

FEMA also reports its time frames for hiring employees, known as time-to-hire, on a quarterly basis to DHS. However, we found FEMA has challenges calculating and reporting consistent and accurate time frames for hiring to DHS. We recommended that FEMA establish and document clear and consistent procedures to collect and calculate accurate time-to-hire information. DHS concurred with this recommendation, stating that FEMA will create a job aid to communicate the time-to-hire process and train additional HR professionals to make these calculations and ensure consistency. The estimated completion date for these efforts is September 2023. Moving forward, we will monitor FEMA's implementation of these efforts to determine if they address the challenges we have identified.

*Discrimination and harassment.* We reported in October 2022 that FEMA took action to prevent and respond to discrimination and harassment; however, additional actions may enhance FEMA's ability to show commitment to improving workplace culture.<sup>4</sup> For example, FEMA made organizational changes and issued or revised policies on discrimination and harassment. Further, FEMA created an office to investigate harassment allegations, developed response policies and issued a *Culture Improvement Action Plan*.<sup>5</sup> Though these actions are helpful, overall, we found that the outcome of these actions is unclear because the agency has not taken steps that would enable it to oversee the effectiveness of its efforts.

Specifically, FEMA addressed some but not all areas of noncompliance identified by the Equal Employment Opportunity Commission in its 2017 evaluation of FEMA's compliance with regulations and management directives on equal employment opportunity programs. In an April 2022 review, the commission determined that since its previous review, though FEMA corrected three deficiencies, 13 remain, 10 of which were categorized as critical. Additionally, we found that FEMA's harassment complaint system generally met recommended practices, but FEMA does not consistently notify employees who allege harassment whether the agency took, or will take, corrective action. Lastly, though FEMA has implemented many actions identified in its *Culture Improvement Action Plan*, it has not assessed the effectiveness of its efforts.

In our October 2022 report, we made nine recommendations to FEMA. DHS concurred and described planned actions FEMA will take to address them. For example, we recommended FEMA implement a control to ensure—consistent with agency policy—those who allege harassment are notified whether corrective action has been or will be taken. FEMA issued a standard operating procedure to ensure decision makers notify individuals who make allegations of harassment whether corrective action has been or will be taken. However, FEMA has not implemented this recommendation because while the standard operating procedure outlines the decision maker's responsibility, it does not serve as a control to ensure officials consistently take action as expected. Additionally, FEMA has not addressed the remaining eight recommendations and we are monitoring FEMA's efforts to address these issues.<sup>6</sup>

#### REMOVING BARRIERS FOR DISASTER SURVIVORS

Disaster recovery is a complex process with many factors that affect individual and community outcomes, including in various socioeconomic and demographic groups. Our prior work and recommendations discuss a number of challenges that disaster survivors face as they apply for FEMA assistance. Specifically, we have reported on FEMA's efforts to (1) provide assistance to disaster survivors through the individuals and household programs (IHP); and (2) strengthen FEMA's housing inspection process.

*Individuals and Households Program.* In September 2020, we reported that survivors faced numerous challenges obtaining aid and understanding the IHP—one of FEMA's Individual Assistance programs that provides housing and other needs as

<sup>4</sup> GAO, *FEMA Workforce: Additional Actions Needed to Help Prevent and Respond to Discrimination and Harassment*, GAO-23-105243 (Washington, D.C., Oct. 20, 2022).

<sup>5</sup> The Action Plan focuses on six areas of engagement and advocacy, training and education, messaging and communications, employee resources, performance, and accountability and monitoring and assessment. FEMA, *Culture Improvement Action Plan*, (Washington, D.C.: Dec. 2020).

<sup>6</sup> Additional recommendations include FEMA should update the agency's anti-harassment training, collect data on time frames for key steps in the adjudication process, and DHS should provide an opportunity for employees to evaluate its anti-harassment training on a recurring basis, among others.

sistance to individuals affected by a major disaster or emergency.<sup>7</sup> FEMA, state, territory, and local officials said that disaster survivors did not understand and were frustrated by the requirement that certain survivors first be denied a Small Business Administration (SBA) disaster loan before receiving certain types of IHP assistance. FEMA did not fully explain the requirement to survivors and its process for the requirement may have prevented many survivors, including low-income applicants who are less likely to qualify for an SBA loan, from being considered for certain types of assistance. For instance, we identified tens of thousands of potentially low-income IHP applicants who were referred to the SBA but did not submit a loan application. As a result, FEMA could not consider these applicants for personal property assistance—for millions of dollars in verified losses—under its current process.

To address these and other challenges relating to the IHP, we made 14 recommendations, including identifying ways to simplify the IHP application process and providing more information to survivors about their award, among others. DHS agreed with our recommendations and has implemented 11 of these. For example, as of July 2022, FEMA implemented a recommendation by providing more information on how FEMA determines eligibility in the letter it sends to survivors after they apply for assistance (known as a cover letter) and more information about how FEMA determined award amounts in decision letters. However, FEMA still needs to address the three remaining recommendations which include improving the completeness and consistency of its communication of the requirement to apply for an SBA disaster loan prior to being considered for SBA-dependent other needs assistance.<sup>8</sup>

*Housing inspection process.* In October 2022, we reported that FEMA has taken actions to improve its housing inspection process since 2018.<sup>9</sup> For example, FEMA streamlined its approach in April 2020 for estimating damages to homes. Instead of recording itemized damages, inspectors estimated the overall damage level of a home based on a smaller set of key indicators (e.g., height of floodwater in a home). However, we reported that FEMA had not assessed this new approach to determine if it accurately estimates damages. We found that mean awards were 35 percent lower under the new approach than under the prior approach. Additionally, we found that FEMA had not assessed remote inspection fraud risks or developed a strategy to mitigate them. To address these and other challenges related to the IHP, we made seven recommendations including that FEMA assess the accuracy of its damage level approach for IHP housing inspections and adjust the model as needed. In response, FEMA stated that it will gather and analyze data to determine if any updates will be made to the current damage level model. The estimated completion date for this effort is June 30, 2023. To address fraud risks, FEMA hired a fraud contractor to assess its existing fraud controls and approved the creation of a new unit dedicated to fraud-related work. DHS anticipates staffing this unit by October 31, 2023.

DHS did not concur with two recommendations, specifically that FEMA (1) develop and implement a policy to consistently report on IHP and applicants' statuses and (2) take steps to ensure its policies on the use of applicants' self-assessments are supported by evidence. Based on the evidence provided in the original report, we continue to believe that FEMA should implement both recommendations in addition to the other five it has not yet addressed.

<sup>7</sup> GAO, *Disaster Assistance: Additional Actions Needed to Strengthen FEMA's Individuals and Households Program*, GAO-20-503 (Washington, D.C., Sep. 30, 2020).

<sup>8</sup> Some types of other needs assistance are only provided if an individual does not qualify for a disaster loan from SBA, such as personal property, transportation assistance and group flood insurance policies.

<sup>9</sup> GAO, *Disaster Assistance: Actions Needed to Strengthen FEMA's Housing Inspection Process*, GAO-23-104750 (Washington, D.C. Oct. 26, 2022).

Figure 2: Hurricane Ian Damage to Home in Pine Island, Florida



Source: GAO. | GAO-23-106840

#### BUILDING RESILIENCE TO FUTURE DISASTERS

We created the Disaster Resilience Framework to serve as a guide for analysis of federal actions to facilitate and promote resilience to natural disasters.<sup>10</sup> It is organized around three broad overlapping principles and a series of questions that those who provide oversight or management of federal efforts can consider when analyzing opportunities to enhance their contribution to national disaster resilience. Key principles include information, integration and incentives.

We have previously reported on the extent to which FEMA programs encourage resilience before a disaster and as part of recovery efforts following a disaster. We have found that federal and local efforts to improve resilience can reduce the effects and costs of future disasters. FEMA has made progress in this area by establishing an investment strategy to help federal, state, and local officials identify, prioritize, and guide federal investments in disaster resilience. FEMA published the National Mitigation Investment Strategy in August 2019. However, our prior work highlights opportunities to improve disaster resilience, which FEMA has taken steps to address. Specifically, we reported on FEMA efforts to (1) identify flood hazards and (2) improve hazard mitigation:

*Identify flood hazards.* We previously reported that FEMA had increased its development of flood maps and other flood risk products, but the agency faced challenges ensuring they comprehensively reflect current and future flood hazards.<sup>11</sup> For example, its flood risk products do not reflect hazards such as heavy rainfall and the best available climate science.

FEMA is addressing some of these challenges, but many may require years to address. Also, the agency was operating under an out-of-date plan that did not reflect new goals, objectives and timeframes. To address challenges in reflecting current and future flood hazards, we recommended, among other things, that FEMA update its plan to identify program goals, objectives, activities, performance measures and time frames for its various efforts. FEMA concurred and, according to officials, has updated its “Risk MAP Multi-Year Plan,” to include the items we identified. We are currently reviewing documentation to assess the extent to which FEMA’s update meets the intent of our recommendation.

*Improving hazard mitigation.* In February 2021, we found that state and local officials from selected jurisdictions reported challenges with FEMA’s hazard mitigation grant programs.<sup>12</sup> Specifically, officials we interviewed from 10 of 12 jurisdictions said grant application processes were complex and lengthy. To address this, FEMA officials augmented guidance and began monitoring application review time

<sup>10</sup> GAO, *Disaster Resilience Framework: Principles for Analyzing Federal Efforts to Facilitate and Promote Resilience to Natural Disasters*, GAO-20-100SP (Washington, D.C.: Oct. 23, 2019).

<sup>11</sup> GAO, *FEMA Flood Maps: Better Planning and Analysis Needed to Address Current and Future Flood Hazards*, GAO-22-104079 (Washington, D.C.: Oct. 25, 2021).

<sup>12</sup> GAO, *Disaster Resilience: FEMA Should Take Additional Steps to Streamline Hazard Mitigation Grants and Assess Program Effects*, GAO-21-140 (Washington, D.C.: Feb. 2, 2021). Hazard mitigation is any sustainable action that reduces or eliminates long-term risk to people and property from future disasters.

frames to identify opportunities to streamline the programs. However, the agency has not documented plans to do this. In addition, officials from eight of the 12 jurisdictions cited challenges with applicants' technical capacity to successfully apply for grants. To address this, FEMA developed training and guidance, but we found that these resources could be difficult for state and local officials to locate on different parts of FEMA's website.

We recommended that FEMA establish a plan with time frames to assess hazard mitigation grant processes to identify and implement steps to reduce the complexity of and time required for grant applications. DHS concurred with this recommendation and in July 2022 provided documentation of FEMA's planned steps and timeframes. For example, FEMA plans to have a common application portal for its programs in the fourth quarter of fiscal year 2023. Additionally in May 2022, officials confirmed that they began revising their grant application process. As a result of these actions, FEMA has implemented this recommendation.

To address difficulties in locating application resources, we recommended that FEMA create a centralized inventory of hazard mitigation resources on the FEMA website. DHS concurred with this recommendation and, as of June 2022, FEMA finished re-designing portions of its website to centralize guidance and other resources on its hazard mitigation programs. The reorganization makes the resources easier to find and better positions FEMA to help state and local applicants successfully apply for grants for mitigation products that enhance disaster resilience. As a result, FEMA has implemented this recommendation.

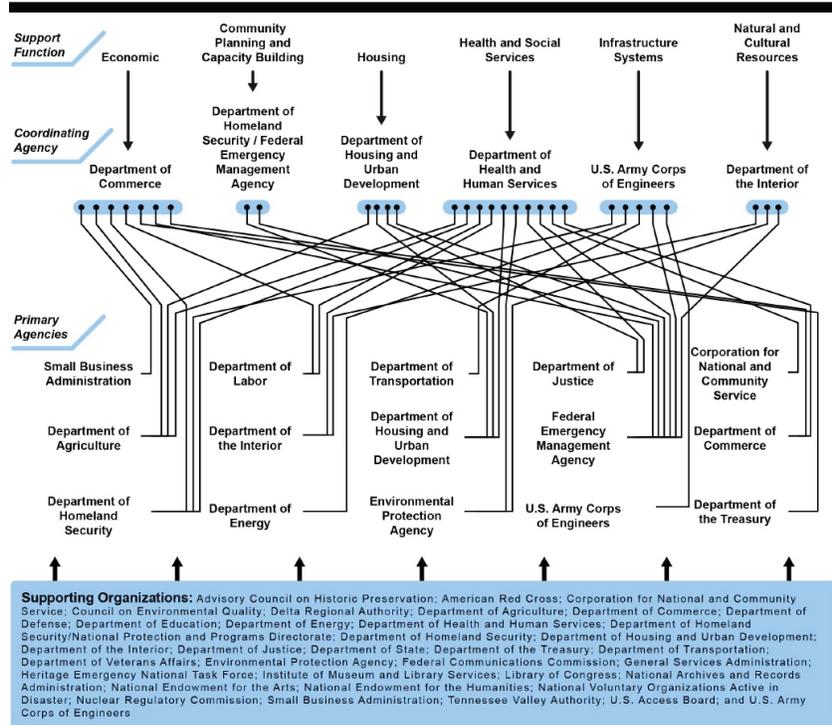
Additionally, in August 2021, FEMA launched the National Risk Index in an effort to help communities support mitigation planning, data-driven decision making and other actions to create resilient communities. This dataset is an online tool to help illustrate the U.S. communities most at risk for 18 natural disasters. According to FEMA documentation, FEMA designed and built this tool in close collaboration with various stakeholders and partners in academia; local, state and federal government; and private industry.

#### IMPROVING COORDINATION OF FEDERAL DISASTER ASSISTANCE

The federal approach is fragmented and no single federal agency or congressional committee has responsibility for managing the system as a whole. In November 2022, we reported that there are over 30 federal agencies and departments involved in disaster recovery and at least 32 congressional committees with responsibility overseeing federal disaster recovery programs.<sup>13</sup>

<sup>13</sup>GAO, *Disaster Recovery: Actions Needed to Improve the Federal Approach*, GAO-23-104956 (Washington, D.C. Nov 15, 2022). This count includes full committees only. However, each of the 32 committees may also have multiple subcommittees with jurisdiction over disaster recovery programs. For example, the House and Senate Committees on Appropriations each have 12 subcommittees that oversee disaster recovery programs.

Figure 3: Recovery Support Functions and the Various Federal Entities Involved in Disaster Recovery



Source: National Disaster Recovery Framework. | GAO-23-106840

Note: According to the National Disaster Recovery Framework, each recovery support function has a designated coordinating agency along with primary agencies and supporting organizations with programs relevant to the functional area. Coordinating Agencies provided significant engagement and management for the support function. Primary agencies are designated on the basis of their authorities, resources, and capabilities as well as supporting organizations which may bring relevant subject matter expertise and technical assistances as needed.

Specifically, we reported on (1) reported challenges managing multiple disaster recovery programs and (2) additional options for improving the federal approach to disaster recovery.

*Reported challenges managing multiple disaster recovery programs.* The current federal approach is the product of over 40 years of incremental efforts to address emerging issues in disaster recovery through legislative reform. These efforts have created a complex system of programs that were not always designed to work together effectively. State and local officials involved in recovery that we interviewed for our November 2022 report noted the importance of the support provided by the federal government after disasters, but told us they experienced a range of challenges obtaining support. Specifically, they reported challenges with navigating multiple disaster recovery programs, including: (1) different requirements across FEMA, Department of Housing and Urban Development (HUD), and Department of Transportation (DOT) grant programs; (2) differing time frames across programs; (3) multiple federal authorities; and (4) limited data sharing. These officials also noted that these challenges could create or exacerbate state and local capacity challenges.

In an effort to increase overall coordination, we recommended that FEMA, HUD, and DOT identify and take steps to better manage fragmentation between their individual disaster recovery programs and other federal programs. We also recommended that FEMA—as administrator of several disaster recovery programs—take steps to better manage fragmentation across its own programs, which could make the programs simpler, more accessible, and more user-friendly and improving

the effectiveness of its federal disaster recovery efforts. All three agencies agreed with the recommendations.

DHS officials told us that in response to our recommendations, FEMA is coordinating with HUD and DOT to identify specific actions they could take to address the issues we raised. DHS officials also indicated FEMA would examine ways to streamline its disaster assistance programs. HUD officials indicated they would consider the options in our report as they examine ways to streamline disaster assistance across programs. They estimated completing this review by December 2023. DOT officials agreed with the recommendation, but have not shared what specific actions they have taken or are planning. We are continuing to monitor agency progress to implement our recommendations.

The magnitude and significance of the negative effects of the current fragmented approach—inefficient use of federal resources and slower and less effective recovery from disasters—heighten the need for federal agencies to do so. In addition, by identifying and taking steps to better manage the negative effects of the fragmented approach, agencies could improve service delivery to disaster survivors and communities, and improve the effectiveness of recovery efforts.

*Additional options for improving the federal approach.* Based on our review of relevant literature; interviews with federal, state and local officials; and our panel of experts, we identified 11 options to improve the federal government’s approach to disaster recovery.<sup>14</sup> A consistent theme throughout options includes better coordination among federal agencies and programs. For example, options might include developing new coordinated efforts to clearly and consistently communicate about recovery programs and providing coordinated technical assistance throughout disaster recovery, among others.

Reforming the federal government’s approach to disaster recovery is a policy challenge and requires complex tradeoffs, including consideration of the strengths and limitations of the many options. We recommended that Congress consider establishing an independent commission to recommend reforms to the federal government’s approach to disaster recovery. By establishing an independent commission to reform disaster recovery Congress may identify actions it and federal agencies could take to improve the effectiveness of the federal approach. Such efforts could reduce the federal government’s fiscal exposure; improve service delivery to disaster survivors and state and local governments; and increase the speed of disaster recovery.

Thank you Chairman Perry, Ranking Member Titus, and Members of the Subcommittee. This concludes my prepared statement. I would be happy to respond to any questions you may have at this time.

Mr. PERRY. The Chair thanks you for your testimony, and the Chair now recognizes himself for some questioning.

Director Hooks, I am looking at—I think this is your publication, if that looks familiar to you, “FEMA Strategic Plan: 2022–2026,” and I think it is page 8 here, “Goals and Objectives.” Goal number 1, instill equity as a foundation of emergency management; goal number 2, lead whole of community in climate resilience; and then goal 3, promote and sustain a ready FEMA and prepared Nation.

Director Hooks, I am not sure what your background is beyond emergency management. I took a look at your submittal for the record and kind of your background, but it doesn’t go anything earlier in your life. I know as an Army guy, right, we have objectives, right? The big objective, of course, is to win the war, win the battle, or what have you. But then there are sub-objectives. It might be—we might list an objective like “take this hilltop” or something like that, and that is your focus because that is where your energies have to be applied, that is where your resources have to be applied.

But there are other things that are, as we would call them, implied tasks: make sure that the tank has fuel; make sure that your soldiers get some sleep; make sure that they are prepared and trained; make sure that they have the equipment and the supplies

<sup>14</sup>GAO–23–104956.

necessary to engage and be successful. Those are implied tasks, but that is not the mission. The mission is to win.

And it concerns me that these are your goals: 1, 2, 3. And with all due respect—and we will get into this, Mr. Currie, about the FEMA staffing issue—I am not sure, as a person that wants to go help out in disaster relief around the country, regardless of what that disaster is, that the person that is motivated to do that, that is encouraged, that has the cause to do that is going to see their first goal as your two first goals. They want to go get after helping people in our country that are in the perils of a disaster.

And I would just—I am taking this from the FEMA—yes, Wednesday, May 17—well, yes, OK, “Opportunities to Strengthen Management and Address Increasing Challenges” from Mr. Currie here, and this is a chart that is in that report that kind of outlines what citizens have to go through to avail themselves to FEMA’s services [indicating figure 3 of Mr. Currie’s prepared statement].

If you just look at housing, which is one of the smaller—that is this one, right here. If you just look at that, and look at all the different things that a citizen has to navigate, knowing that there are, I think, 32 Federal agencies and 30 different congressional committees—or maybe that is backwards; it is 30 and 32, it doesn’t matter, it is a lot—it seems to me your focus should be on your mission, which is getting after disaster and all that other stuff—yes, of course, that comes with the program. That is assumed. Those are implied tasks. Of course, we expect you to treat everybody with the same respect, regardless of where they live, what their religion is, what their color is, what their sex—we expect that as a matter of course in America. Can you speak to that?

Are these your goals or—where did you come up with—how were these derived?

Mr. HOOKS. Thank you, Mr. Chairman. Thank you for the opportunity to respond to your question.

First, thank you for your outstanding service to our Nation in the military. Just a little bit about my background. I am a career law enforcement public safety professional, spending over three decades in North Carolina, and served as the secretary of public safety. And in that portfolio was not only law enforcement, but also emergency management and approximately 13,000 National Guard troops. So, my reverence for the military certainly remains high.

I would say that our strategic plan in no way undercuts the mission of providing assistance to survivors and also supporting the Nation before, during, and after disasters. I can draw a parallel real quickly within the time allotted, in that, just as, as you well articulated, the mission of our military is to win any fight and project force around the world, but also there are times where things are emergent, such as suicides, that became very much of a primary focus of reducing suicides in the military. Those are things that needed a particular focus, but they in no way detracted from that overall mission. The goals in FEMA, as have been articulated—and you have pointed that out—in our strategic plan also, I believe, lead us on that pathway to executing the mission that has been previously described, as well.

And I would also say that, coming from the perspective where I come from, that these goals actually are still tied to one of the pri-

mary goals that resonate in my head from the previous administration, the previous FEMA Administrator, as well: to reduce the complexity of FEMA.

The bottom line is that we are trying to get disaster relief to all communities that deserve that relief under the law.

Mr. PERRY. The Chair thanks you for your answer, sir, and I thank you for your service, as well. I appreciate the information.

The Chair now recognizes the ranking member.

Ms. TITUS. Thank you, Mr. Chairman. When I was talking about the inequity of the programs, that some communities that are more affluent get them quicker than maybe a rural community or a poorer community, I wasn't suggesting that the policy of FEMA was to discriminate. I was talking about more systemic problems, that these folks may not have the resources, they may not have the knowledge, they may not have the assistance in filing a grant application. We certainly see that in small towns in rural America. So, those are the kinds of things that I wanted to address, not just the attitude or values of the Agency. I want to be sure I make that clear.

Also, we have heard the statistic about the increase from 108 to 311 disasters over the last decade. We know, as I said in my opening statement, disasters are more frequent, they cause more damage, they are more expensive, and they take longer to recover from.

I want to ask you a question. In a letter recently submitted to the House Committee on Appropriations, the Department of Homeland Security indicated that the Republicans' proposed return to fiscal year 2022 funding levels—going backwards—to cut FEMA's funding would mean cutting in half your assistance, your grant assistance programs, to help State, local, Tribal, and Territorial governments, and the private sector. So, instead of moving forward with the increase in problems, we want to move backwards, and that would cut that ability to assist in half. Would you elaborate on that, Mr. Hooks?

Mr. HOOKS. Thank you for the question, Ranking Member Titus. I would say that any reduction to our budget request could have significant impacts on our ability to meet our mission requirements.

Specifically, grants are often served as a very much of a capacity-building mechanism within our State, local, and Tribal communities. Many communities rely on those grants to build capacity because they don't otherwise have the funding from their own State legislatures or their local communities, whether or not that is an intentional decision by those local and State governments, or whether they just do not have the capacity to extend that. And so, it is very important that the funding requests that are made, that are contained within the President's budget with respect to FEMA and our ability to carry out our mission, are met. And I look forward to working with any Member of Congress to address those critical funding needs.

Ms. TITUS. Thank you. I want to ask you, too, about the workforce. We talk about it is hard to recruit, and you get burned out, you're sent away from home, you don't know how long you are going to be there, it is hard work when you get there.

Last Congress, we passed the CREW Act, and that was a bill that I introduced to try to extend—is it USERRA?—protections to FEMA reservists like you have in the National Guard, so someone can leave their job knowing that they have it to come back to after the disaster is over. Has that been in place long enough to tell if it is making a difference, or do we need to improve it in any way? Hopefully, it does give people a sense of security that may make them more inclined to do this kind of very difficult work.

Mr. HOOKS. Again, thank you, Ranking Member Titus. And I would like to personally thank you for your leadership in that area. You and many others have taken up the mantle, and we do believe that we will see a greater return on investment in our disaster workforce with protections that are very important.

Again, I used to be the cabinet lead in North Carolina for a number of National Guard soldiers. And knowing that the value that reservists bring to a war fight, in that case, domestic deployments, is very much the same in FEMA. In fact, our reservists are the backbone of our workforce to deploy to communities in disaster response.

And so, it is still a little early in the process, but as we work through our staffing levels, improved staffing levels, and promote the program with employers, just as we do with the National Guard, that there is great value in public service and service to communities, we expect great support and a great return from that investment of that legislation.

Ms. TITUS. Thank you. Do you agree, Mr. Currie?

Mr. CURRIE. I agree, anything we can do to try to make it easier for these people to be in those positions.

I think the challenge for FEMA is these are part-time positions. So, when you are part-time, you are going to recruit people that are willing to take part-time work and sometimes don't have full-time careers. So, anything you can do to make it more similar to the Guard or the Reserves, and to advertise to employers that this is important Federal service, not to punish them for leaving for periods of time is a good thing.

Ms. TITUS. OK. Well, thank you very much, and I yield back.

Mr. PERRY. The Chair thanks the ranking member. The Chair now recognizes the vice chair, Mrs. Chavez-DeRemer.

Mrs. CHAVEZ-DEREMER. Thank you, Mr. Chairman.

And I am representing Oregon's Fifth Congressional District, so, it is my pleasure to meet both of you as a new Member of Congress.

My team pulled together a couple of data points for me to discuss in relation to Oregon as it relates to this hearing, and one in particular for the record, Mr. Chairman, a letter written from the League of Oregon Cities, dated May 5th, I would like to enter that into the record.

Mr. PERRY. Without objection.

[The information follows:]



**Letter of May 5, 2023, to the Federal Emergency Management Agency from  
Michael Martin, League of Oregon Cities, Submitted for the Record by  
Hon. Lori Chavez-DeRemer**

MAY 5, 2023.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

RE: Docket ID # FEMA-2023-0007

Federal Emergency Management Agency (FEMA)

Thank you for the opportunity to review and comment on the Federal Emergency Management Agency's (FEMA) intent to prepare an Environmental Impact Statement (EIS) for the implementation of the plan for National Flood Insurance Program (NFIP)-Endangered Species Act (ESA) Integration in Oregon.

The League of Oregon Cities (LOC) is very concerned the proposed action will have adverse and detrimental impacts on municipalities that are in a current or future mapped special flood hazard area (SFHA). LOC's comments are intended to provide meaningful input and inform the Federal Emergency Management Agency (FEMA) about the adverse and detrimental effects the proposed action will have on local governments, residents, and the business community. The proposed action area will have significant adverse and detrimental impacts to a cross section of our members: including but not limited to low-income populations, land use, zoning, housing, commerce, transportation, community growth, and community infrastructure.

The direct, indirect, and cumulative effects of the proposed rules will push many struggling communities further behind in their efforts to secure a stable economic future for their citizens.

Many of the proposed mitigation or implementation measures encouraged in the plan would require local governments to expend significant monetary or staff resources to develop new stormwater regulations, and design manuals. The League of Oregon Cities has identified a \$23 billion need in water related infrastructure—and this action would likely increase the cost. Without technical or financial assistance made available to small and rural jurisdictions that do not have the capacity to develop such tools, this would prove to be a significant burden. These rules would effectively cause cities to reduce or stop providing core services to address the litany of new regulations. The rules will make it more costly to build homes, create opportunities for business development and effectively scuttle plans for development.

The only options available for local governments would be to require applicants to provide this analysis, which could significantly increase development costs and times. Additionally, because the final reporting tool has not been developed or tested, it is unsure how long it will take local government staff to compile and input the required information, potentially diverting staff resources from other state-mandates such as housing.

The adverse and detrimental effect of the proposed rules would delay the 36,000 new housing units a year that Oregon Governor Kotek established through executive order 23-04.

The League of Oregon Cities has serious concerns with the economic impact and livability this would have on communities across Oregon. As it is currently drafted, the plan will generate substantial financial expenditures and draw on already maximized staff capacities—costs that will primarily be borne by local governments with limited technical and financial assistance from state or federal agencies. The likelihood of increased litigation may impact jurisdictions' fiscal capacity and increase development costs for property owners.

Whether these rules are borne by the local government or developers, they will result in extreme levels of cost increases that will drive Oregon's housing affordability well beyond the current state-wide crisis. It will also impact Oregon and Washington's ability to replace the I-5 Bridge that is of national significance and a key transportation facility critical to interstate commerce, regional and local mobility, and national security.

We are requesting you withdraw the current proposal due to these adverse and detrimental impacts mentioned and re-draft rules that are consistent with community objectives, create opportunities for future development, and allow for flexibility at the state and local level to meet the intended outcomes.

Sincerely,

MICHAEL MARTIN,  
*League of Oregon Cities.*

Mrs. CHAVEZ-DE REMER. So, in regards to Deputy Administrator Hooks, constituents and communities in Oregon's Fifth Congress-

sional District have brought to my attention concerns about proposed changes to the National Flood Insurance Program. The League of Oregon Cities submitted comments to FEMA on May 5th, the letter I was referring to, about FEMA's work on an environmental impact statement for implementation of the National Flood Insurance Program. Specifically, these are concerns about the municipalities in current and future special flood hazard areas. Here are some of the comments from the letter:

"The proposed action area will have significant adverse and detrimental impacts to a cross-section of our members: including but not limited to low-income populations, land use, zoning, housing, commerce, transportation, community growth, and community infrastructure.

"The direct, indirect, and cumulative effects of the proposed rules will push many struggling communities further behind in their efforts to secure a stable economic future for their citizens."

So, additionally, the League mentions that around \$23 billion in water infrastructure is already needed, and these proposed rules would place more burdens on our communities. The League states that the rules could delay 36,000 new housing units a year, which were directed by executive order of the Governor of the State of Oregon.

Moreover, the letter states that the rules would "also impact Oregon and Washington's ability to replace the I-5 Bridge that is of national significance and a key transportation facility critical to interstate commerce, regional and local mobility, and national security."

So, Mr. Hooks, as FEMA develops new standards for the NFIP, will FEMA take into account the concerns expressed by local stakeholders?

Mr. HOOKS. Thank you, Congresswoman. I certainly recognize the value and the concerns that you bring to the table with those. And some of these certainly ring pertinent with me with the I-5 Bridge and some other things that you have brought up before us.

Pernicious and repetitive—

Mrs. CHAVEZ-DEREMÉR [interrupting]. Specifically the housing units, 36,000 housing units.

Mr. HOOKS [continuing]. Pernicious and repetitive flooding is indeed a problem all across this country, and it impacts communities in various different ways. We do engage with stakeholders on a much more regular basis over the last few years to address those community needs out there, and we will continue to do so based on any particular concerns that you may have from your region.

And I am more than willing to have our staff, both at headquarters and our regional staff, to sit down and discuss with any member of your team or any member of the State and local delegation that has additional concerns with that as we work through the challenges because, as I stated in my opening segment, that we recognize that weather events impact communities differently, and how we approach the recovery of those may impact them differently, as well. And so, I look forward to learning more about the specific circumstances, and I look forward to being engaged with you on that.

Mrs. CHAVEZ-DE REMER. Thank you. I am going to switch directions just a little bit because of what we have been seeing on TV. I took a tour to the border, Arizona and Texas, and I wanted to ask a few questions in regards to what we are experiencing today.

FEMA's current mission on the southwest border, does FEMA have the funding and personnel to carry out this mission?

Mr. HOOKS. Yes, ma'am. FEMA is not a border control or border patrol agency. We are a part of the flagship agency within the Department of Homeland Security. The major equity or focus that FEMA has at the border has been congressionally directed, in that we are administering the funding for humanitarian relief, and that is through our Shelter and Services Program, which is currently under development.

There was legislation passed that a certain amount of money was transferred from CBP for FEMA to administer the program, and that is our major role.

Mrs. CHAVEZ-DE REMER. Well, my time is expired. I hope my colleagues will continue to ask some line of questioning in regards to this. So, thank you for your time.

Mr. Chairman, I yield back.

Mr. PERRY. I thank the gentlelady and now recognize the ranking member of the full committee, Mr. Larsen.

Mr. LARSEN OF WASHINGTON. Thank you, Mr. Chair.

Deputy Administrator Hooks, your region 10 folks' response in Whatcom has been great. It is just a lot of work left to do because it hit a fairly small community, a fairly poor set of communities, a fairly rural set of communities, and it is just taking quite a bit of work to get through there. But your region 10 folks have been responsive. In fact, they have just hosted a tabletop exercise for my staff and for some others that we brought in so that we could understand who the players were in the event of something happening in the future, doing a little bit of pre-mitigation work ourselves in preparation.

So, I wanted to ask a question, though, about what Administrator Criswell said to the Appropriations Committee in April that the Disaster Relief Fund is expected to run out of funds in July. And since learning that in June, FEMA expects to only provide funding for immediate needs so the Agency can save what little money remains in the Disaster Relief Fund. And those are pretty troubling projections. And so, can you provide an overview of the consequences if FEMA has to implement this Immediate Needs Funding?

And then why, in your view, Congress needs to get off the dime and supply the DRF with supplemental funding—my words, not yours.

Mr. HOOKS. Thank you, Ranking Member Larsen, and thank you for your leadership in the ongoing recovery district. I have received the information from the region on how well those engagements have gone out there.

FEMA has been provided significant money in its history in our DRF, but we are at a moment in time that the expenditures have outpaced the amount of funding that is in the DRF. We are now projecting that we may be able to stretch that until maybe August timeframe before the DRF would run out of funding. And so, com-

ing into the summer, if we have to go to immediate and those critical needs funding, what that would ultimately do will focus our efforts in FEMA on just lifesaving, life-sustaining endeavors, which are extremely important as the priority, but that will delay mitigation and some of the recovery efforts, as well.

So, we may have to utilize the money that has been set aside for the BRIC program to cover immediate needs for those lifesaving needs around the country. So, it is really critical that we get that funding stream up to where it needs to be with additional appropriations.

Mr. LARSEN OF WASHINGTON. Is this related to the year-round disaster season issue that you have testified to?

Mr. HOOKS. Yes, that has been related to the OPTEMPO that we have seen. It is also related to the amount of COVID bills that are coming in.

And one of—that does remind me—one of the other impacts that could be delayed is reimbursement to hospitals around the Nation for their COVID expenses, too. Those could be delayed if we are lacking funding coming into the summer, sir.

Mr. LARSEN OF WASHINGTON. Yes. I don't have a question—I have one more question, but I don't have a question on the Emergency Food and Shelter Program. But I have been at facilities in a few cities in Texas who are using those dollars. And in my view, it is a very effective use of those dollars to ensure those migrants aren't on the streets of these cities, but actually are getting in touch with their sponsors, getting the help they need so they can get and move on to where their sponsors are in the country.

And so, to the extent that the EFSP is being used and being used well, it is providing relief to those cities to allow them to do their part, and to get these folks who are migrants to get the places they need to get to, as we want them to.

You mentioned BRIC. Investments in mitigation certainly help our communities deal with the impacts of natural disasters. One dollar in mitigation pre-disaster can yield up to \$13 in savings. So, the BRIC program is extremely helpful. It has been 3 years since we made the first round of selections for BRIC, and we have done two more rounds. Do you have some lessons for us, other than it is so successful that we might use it to backfill a different program because it is being overused? Do you have some lessons on the BRIC program for us?

Mr. HOOKS. Yes, sir. It is my belief that the BRIC program can be very transformative to communities. But what it requires is not just FEMA working in that mission space. What it requires are State and local communities being well versed into all of the Federal programs, so that they can learn to sequence and combine dollars to build more resilient communities.

The idea of BRIC is not only to just rebuild after a disaster, but it is to mitigate against future disasters, therefore making us a more resilient Nation. And also—and this phrase has been said by the President many times—to build back better, and that does make us a more resilient Nation.

Mr. LARSEN OF WASHINGTON. I appreciate that, and it seems to fit your goal 2.

And with that, I yield back.

Mr. PERRY. I thank the gentleman. The Chair now recognizes the gentleman, Mr. Van Orden.

Mr. VAN ORDEN. Thank you, Mr. Chairman. I actually want to do a couple of followups on Chairman Perry's questions.

Mr. Hooks, in your professional opinion, does a hurricane, tornado, earthquake, or flood care if an American is Black, Latino, indigenous, Asian, or Pacific Islander, another person of color, members of a religious minority, lesbian, gay, bisexual, transgender, or queer, or a person with a disability, or a person living in a rural area, or a person who is otherwise adversely affected by persistent poverty or inequality?

Mr. HOOKS. Thank you for the question as I understood it, because it was a long list there that was provided—

Mr. VAN ORDEN [interrupting]. It is from your priorities, sir.

Mr. HOOKS. OK.

Mr. VAN ORDEN. I didn't write that list, you did.

Mr. HOOKS. OK, all right. I am sorry, I just wasn't—

Mr. VAN ORDEN [interrupting]. I did not write that list, you did. That is your number-one priority.

Mr. HOOKS. All right—

Mr. VAN ORDEN [interrupting]. OK. So, with that list in mind, are your programs available to a middle-class Caucasian living in a city?

Mr. HOOKS. Absolutely. My reference was just my inability to hear you, sir, not—

Mr. VAN ORDEN [interposing]. OK.

Mr. HOOKS [continuing]. Not taking any issue with—

Mr. VAN ORDEN [interposing]. OK.

Mr. HOOKS [continuing]. What you said.

Mr. VAN ORDEN. All right. I've got to tell you, this, man. Hey, listen.

Mr. HOOKS. OK.

Mr. VAN ORDEN. Those two questions are intentionally absurd, as I think your priorities are with your strategic plan.

Mr. HOOKS. All right.

Mr. VAN ORDEN. And this is why. The Homeland Security Act of 2002 states very clearly that FEMA's mission is "to reduce the loss of life and property and protect the Nation from all hazards by leading and supporting the Nation in a comprehensive, risk-based emergency management program." So, that is your charter from the Department of Homeland Security, and yet your third priority is making sure FEMA is ready to go. Your first priority is to have this list of folks here, and apparently they are supposed to take precedence over other people.

Now, I am sure that you are not implying by putting this list that you have baked some type of discriminatory practices into your Agency. What I am telling you is this: If an average person were to pick this up, that is their immediate assumption. So, I really believe that you need to rethink your priorities and how they are listed.

I would like to move on to something else. Mr. Chairman, with your permission, I would like to have two letters entered into the record. One is from us going to the president and chief executive officer of the Ford Motor Company referencing AM radios.

Mr. PERRY. Without objection.  
[The information follows:]

**Letter of May 15, 2023, to James D. Farley, Jr., President and Chief Executive Officer, Ford Motor Company, from 101 Members of Congress, Submitted for the Record by Hon. Derrick Van Orden**

CONGRESS OF THE UNITED STATES,  
WASHINGTON, DC 20515,  
May 15, 2023.

JAMES D. FARLEY, JR.,  
*President and Chief Executive Officer,*  
*Ford Motor Company, One American Road, Dearborn, MI 48126.*

DEAR MR. FARLEY,

We write to you to express our concern about reports that your company removed, or plans to remove, broadcast AM radio receivers from current and future vehicles. As the backbone of the Emergency Alert System (EAS), AM radio serves a vital role in our nation's emergency communications infrastructure.

AM radio has more than 45 million listeners each month, and our constituents rely heavily on it for emergency alerts and local news, information, and weather.<sup>1</sup> In the case of natural disasters—tornadoes, floods, wildfires, and other local emergencies—AM radio is a lifeline. It provides early warning, up-to-the-minute local information needed to survive when these disasters strike, and ongoing, life-saving information in their aftermath when the danger is often the greatest.<sup>2</sup>

According to the Federal Emergency Management Agency (FEMA), over 75 radio stations, most of which operate on the AM band and cover at least 90% of the U.S. population, are equipped with backup communications equipment and generators that allow them to continue broadcasting information to the public during and after an emergency.<sup>3</sup> Most importantly, AM radio is free to all Americans, not requiring a subscription or a broadband connection.

For rural Americans, the importance of having access to AM radio in their car or truck is particularly important. When Internet connectivity and cell phone service is limited or unavailable, these residents do not have as many options to access emergency information as those living in more densely populated areas. AM radio stations are often our constituents' "go to" source for information in times of crisis. We cannot deprive them of that free, life-saving resource.

Due to your announcement, we request that you answer the following questions, in writing, by May 26, 2023:

1. Please provide a list of all vehicle models from which your company has removed AM radio receivers and the rationale for removing them.
2. Please provide a list of all vehicle models from which your company is planning to remove AM radio receivers. In each case, please specify the model year in which AM radio receivers will be removed and the rationale for removing them.
3. Please provide a list of all vehicle models that will continue to have AM radio receivers.
4. Has your company evaluated whether current technology is available that is capable of addressing signal interference from electric vehicles (EVs) to the AM radio receivers?
  - a. If so, what technology can be used to address signal interference from EVs?
  - b. What is the estimated dollar amount per vehicle to mitigate interference to AM radio receivers?
  - c. What steps has your company taken to avoid removing AM radio receivers from EVs? If your company has taken no steps, please explain why.
5. Please provide the details and the value of all federal loan, grant, and tax incentives your company has received in the last 15 years.
  - a. Can these government subsidies offset the cost to mitigate interference to AM radio receivers?

<sup>1</sup>Nielsen

<sup>2</sup>Integrated Public Alert & Warning System, FEDERAL EMERGENCY MANAGEMENT AGENCY, available at <https://www.fema.gov/emergency-managers/practitioners/integrated-public-alert-warning-system>.

<sup>3</sup>Ryan Felton, *Electric Vehicles Need AM Radio, Former Emergency Officials Argue*, THE WALL STREET JOURNAL (Feb. 2023), available at <https://www.wsj.com/articles/electric-vehicles-need-am-radio-former-emergency-officials-argue-9e69e297>.

6. Does your company plan to charge its customers for subscription-like access to free AM/FM radio in any vehicles?
7. Is this part of a broader effort by your company to have services in your vehicles dependent on a subscription, as has been highlighted in recent reports?<sup>4</sup>

We urge you to maintain AM radio receivers in all vehicles and prioritize consumers and public safety. We appreciate your prompt attention to this letter.

Sincerely,

ROBERT E. LATTA,  
*Member of Congress.*

GREG PENCE,  
*Member of Congress.*

GUS M. BILIRAKIS,  
*Member of Congress.*

NEAL P. DUNN, M.D.,  
*Member of Congress.*

EARL L. "BUDDY" CARTER,  
*Member of Congress.*

JEFF DUNCAN,  
*Member of Congress.*

AUGUST PFLUGER,  
*Member of Congress.*

DAN CRENSHAW,  
*Member of Congress.*

RICHARD HUDSON,  
*Member of Congress.*

DON BACON,  
*Member of Congress.*

TIM WALBERG,  
*Member of Congress.*

ANN MCLANE KUSTER,  
*Member of Congress.*

GARRET GRAVES,  
*Member of Congress.*

TROY BALDERSON,  
*Member of Congress.*

KAT CAMMACK,  
*Member of Congress.*

KELLY ARMSTRONG,  
*Member of Congress.*

NICHOLAS A. LANGWORTHY,  
*Member of Congress.*

MIKE EZELL,  
*Member of Congress.*

AARON BEAN,  
*Member of Congress.*

TOM TIFFANY,  
*Member of Congress.*

JEFFERSON VAN DREW,  
*Member of Congress.*

TOM COLE,  
*Member of Congress.*

MARIANNETTE MILLER-MEEKS, M.D.,  
*Member of Congress.*

BILL JOHNSON,  
*Member of Congress.*

GLENN "GT" THOMPSON,  
*Member of Congress.*

PAUL A. GOSAR, D.D.S.,  
*Member of Congress.*

MIKE JOHNSON,  
*Member of Congress.*

GLENN GROTHMAN,  
*Member of Congress.*

CHRIS PAPPAS,  
*Member of Congress.*

ABIGAIL DAVIS SPANBERGER,  
*Member of Congress.*

TIM BURCHETT,  
*Member of Congress.*

WARREN DAVIDSON,  
*Member of Congress.*

ANDY BIGGS,  
*Member of Congress.*

ELISE M. STEFANIK,  
*Member of Congress.*

DUSTY JOHNSON,  
*Member of Congress.*

ANTHONY D'ESPOSITO,  
*Member of Congress.*

DANIEL WEBSTER,  
*Member of Congress.*

RUDY YAKYM III,  
*Member of Congress.*

CHRISTOPHER H. SMITH,  
*Member of Congress.*

BRYAN STEIL,  
*Member of Congress.*

MARK E. AMODEI,  
*Member of Congress.*

DEBBIE DINGELL,  
*Member of Congress.*

THOMAS H. KEAN, JR.,  
*Member of Congress.*

SHARICE L. DAVIDS,  
*Member of Congress.*

BRAD FINSTAD,  
*Member of Congress.*

WESLEY HUNT,  
*Member of Congress.*

RANDY K. WEBER, SR.,  
*Member of Congress.*

CARLOS A. GIMENEZ,  
*Member of Congress.*

BEN CLINE,  
*Member of Congress.*

RANDY FEENSTRA,  
*Member of Congress.*

LIZZIE FLETCHER,  
*Member of Congress.*

RICK W. ALLEN,  
*Member of Congress.*

DAVID G. VALADAO,  
*Member of Congress.*

BETTY MCCOLLUM,  
*Member of Congress.*

DINA TITUS,  
*Member of Congress.*

LAUREL M. LEE,  
*Member of Congress.*

<sup>4</sup> <https://www.forbes.com/sites/forbesbusinesscouncil/2022/11/10/how-the-subscription-business-model-could-change-the-automotive-industry/?sh=389c42e956ff>

HARRIET M. HAGEMAN, <i>Member of Congress.</i>	ERIC BURLISON, <i>Member of Congress.</i>
BRAD R. WENSTRUP, D.P.M., <i>Member of Congress.</i>	LARRY BUCSHON, M.D., <i>Member of Congress.</i>
TROY E. NEHLS, <i>Member of Congress.</i>	MICHELLE FISCHBACH, <i>Member of Congress.</i>
CHELLIE PINGREE, <i>Member of Congress.</i>	ANDY BARR, <i>Member of Congress.</i>
MIKE BOST, <i>Member of Congress.</i>	PETE STAUBER, <i>Member of Congress.</i>
ED CASE, <i>Member of Congress.</i>	BOB GOOD, <i>Member of Congress.</i>
JOE COURTNEY, <i>Member of Congress.</i>	DEBORAH K. ROSS, <i>Member of Congress.</i>
MAX L. MILLER, <i>Member of Congress.</i>	MIKE CAREY, <i>Member of Congress.</i>
TERESA LEGER FERNANDEZ, <i>Member of Congress.</i>	SCOTT FITZGERALD, <i>Member of Congress.</i>
SAM GRAVES, <i>Member of Congress.</i>	SUSIE LEE, <i>Member of Congress.</i>
MARK POCAN, <i>Member of Congress.</i>	CLAUDIA TENNEY, <i>Member of Congress.</i>
CLAY HIGGINS, <i>Member of Congress.</i>	MICHAEL R. TURNER, <i>Member of Congress.</i>
SETH MAGAZINER, <i>Member of Congress.</i>	FRANK D. LUCAS, <i>Member of Congress.</i>
CLIFF BENTZ, <i>Member of Congress.</i>	KIM SCHRIER, M.D., <i>Member of Congress.</i>
C. A. DUTCH RUPPERSBERGER, <i>Member of Congress.</i>	JOHN R. MOOLENAAR, <i>Member of Congress.</i>
HAROLD ROGERS, <i>Member of Congress.</i>	JASON SMITH, <i>Member of Congress.</i>
MIKE FLOOD, <i>Member of Congress.</i>	SANFORD D. BISHOP, JR., <i>Member of Congress.</i>
DEBBIE LESKO, <i>Member of Congress.</i>	DERRICK VAN ORDEN, <i>Member of Congress.</i>
BRUCE WESTERMAN, <i>Member of Congress.</i>	ERIC SORENSEN, <i>Member of Congress.</i>
MARIE GLUESENKAMP PEREZ, <i>Member of Congress.</i>	EARL BLUMENAUER, <i>Member of Congress.</i>
MARK ALFORD, <i>Member of Congress.</i>	JAMES COMER, <i>Member of Congress.</i>
GLENN IVEY, <i>Member of Congress.</i>	TONY CARDENAS, <i>Member of Congress.</i>
STEPHANIE BICE, <i>Member of Congress.</i>	

Mr. VAN ORDEN. And one from the National Association of Farm Broadcasting referencing AM radios.

Mr. PERRY. Without objection.

[The information follows:]

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**Letter of May 9, 2023, to Hon. Derrick Van Orden from the National Association of Farm Broadcasting, Submitted for the Record by Hon. Derrick Van Orden**

NATIONAL ASSOCIATION OF FARM BROADCASTING,  
1100 PLATTE FALLS ROAD,  
PLATTE CITY, MISSOURI 64079,  
May 9, 2023.

DEAR REPRESENTATIVE VAN ORDEN,

We are writing you today as the Board of Directors of the National Association of Farm Broadcasting (NAFB) on behalf of agricultural and rural broadcast stations and networks across America. Founded in 1944, NAFB is dedicated to serving the

interests of the agricultural community. Farm broadcasters provide an invaluable service to producers and the agricultural community in rural America. Through this letter, we hope to express NAFB members' overwhelming support of broadcast radio and to cast a spotlight on the actions some automakers are taking to remove radio from their vehicles—especially AM radio.

In rural America, AM radio is critical for those without reliable cellular or broadband access. Farmers in the field and on rural roadways, not connected to cellular or broadband, also turn to AM radio for the latest weather updates, crop reports, local information, and entertainment. For farmers and ranchers, radio continues to be the primary source of daily agricultural news for listeners throughout the year. In fact, on average, ag radio consumers are listening for at least one hour on a typical weekday; more than 76% listen to the radio for agriculture markets, news, weather, and other information more than five days a week. Listeners to ag radio consistently rate their farm broadcasters high in credibility, accuracy, and timeliness for information.

Rural areas across the country are subject to extreme weather conditions such as tornados, flooding, droughts, wildfires, and hurricanes. When these extreme weather events occur and both the power and cell service are out, AM radio becomes a literal lifeline for rural Americans. As the backbone of the Emergency Alert System, the car radio often is the only way for people to get information, sometimes for days at a time.

As the professional trade association representing the interests of farm broadcasters, the agricultural community, and rural America, we are deeply concerned about the action some automakers have taken to remove AM radio from their vehicles. Of the top 20 automakers producing vehicles in the United States, eight of them have already removed AM broadcast from their electric vehicles, undermining the Federal Emergency Management Agency's (FEMA) system for delivering critical public safety information to the public. One major automaker, Ford, has already announced its intent to remove AM radio from their entire fleet of non-commercial vehicles beginning in 2024.

We ask you help us convey to auto manufacturers the importance of AM broadcast radio to America's farmers and Americans living in rural communities across the United States. Removing AM radio from vehicles will put into serious jeopardy an important lifeline and source of information to rural America, not just during times of emergency events but every single day.

Thank you for your attention to this matter. We look forward to working with you to urge auto manufacturers to keep this vital service as part of their vehicles.

Sincerely,  
2023 NAFB Board of Directors.

JOE GILL,  
*KASM Radio, Albany, Minnesota.*  
KC SHEPERD,  
*Radio Oklahoma Ag Network,  
Oklahoma City, Oklahoma.*  
CARAH HART,  
*Brownfield Ag News, Jefferson City,  
Missouri.*  
BRENT ADAMS,  
*Rural Strong Media, Charlestown,  
Indiana.*  
JEFF NALLEY,  
*Cromwell Ag Radio Network, Utica,  
Kentucky.*  
AUGIE AGA,  
*Northern Ag Network, Billings,  
Montana.*

GARDNER HATCH,  
*Woodruff, Cottage Grove, Minnesota.*  
AMY BIEHL-OWENS,  
*KRVN Rural Radio Network,  
Lexington, Nebraska.*  
SHANNON YOKLEY,  
*Missouri Wines, Jefferson City,  
Missouri.*  
ANITA VANDERWERT,  
*Brownfield Ag News, Jefferson City,  
Missouri.*  
DELANEY HOWELL,  
*Agricultural News Daily, Rhodes,  
Iowa.*  
TOM BRAND,  
*National Association of Farm  
Broadcasting, Platte City, Missouri.*

## PRESERVING AM RADIO IN VEHICLES

From FDR's fireside chats to global conflicts and once-in-a-generation disasters, AM radio has transported millions of listeners to the front lines of history and has for more than a century. Local stations have been the source of entertainment and connection to our communities. And, perhaps most importantly, when tragedy strikes, AM radio serves as the backbone of the Emergency Alert System, informing Americans of impending danger and directing people to safety. With its unique ability to reach a wide geographic area, AM broadcasting offers many Americans struggling with poor, or non-existent cellular and broadband coverage a chance to stay connected. The car often is the only source of power and news for many in times of emergency.

## THE ISSUE

As auto brands introduce more electric vehicles (EVs) into the market to meet growing consumer and clean energy demands, the availability of AM radio is declining or being eliminated altogether. This is due to electromagnetic interference causing static and limited coverage with AM radio in EVs. Despite well-known mitigation solutions, some automakers have stopped putting AM radios in their dashboards. Among them so far are Audi, BMW, Porsche, Tesla, Volvo, Volkswagen, and Ford.

## AM RADIO ESSENTIAL FOR CRITICAL EMERGENCIES

AM radio is one of the critical ways federal, state, and local officials communicate with the public during natural disasters and other emergencies. The Federal Emergency Management Agency (FEMA) stated the success of the national public warning system hinges on the use of AM radio due to the distances its signal carries and its resiliency during catastrophic events. Although many automakers suggested other communication tools like internet radio could replace broadcast AM radio, in an emergency, drivers might not have access to the internet and could miss important safety information and updates.

**AM radio serves a vital role in our nation's emergency infrastructure as the backbone of the Emergency Alert System. When the power goes out and cell networks are down, the car radio often is the only way for people to get information, sometimes for days at a time.**

## IMPORTANCE OF AM RADIO TO THE AG COMMUNITY AND RURAL AREAS REMAINS HIGH

Radio is the most used source of daily agribusiness information. Farmers and ranchers depend on AM radio to obtain information about topics such as weather, markets, ag news, ag commentary, and local events. AM radio is especially critical in areas where reliable broadband has yet to be deployed as well as in areas where FM signals don't extend. AM radio gives a larger coverage area and is often the only stable form of communication for rural areas.

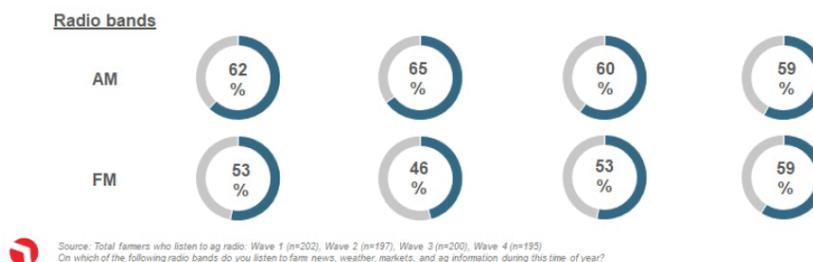
## AM RADIO MATTERS TO ALL COMMUNITIES, IS STILL VALUED BY AUTOMOTIVE CONSUMERS

There are more than 4,470 licensed AM stations across the country. Of those, 1,500+ provide agriculture programming. It is clear AM radio plays a vital role in connecting communities with stations that serve these audiences with niche and in-language programming. Urban and suburban residents rely on AM radio for news, weather, sports, and more. Consumers still desire AM in-car listening. Thirty-three percent of new car buyers say AM radio is a very important feature in a vehicle—higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants such as Google Assistant or Amazon Alexa.

THIRD-PARTY RESEARCH PROVES RADIO IMPORTANCE TO FARMERS, RANCHERS

In 2021, the National Association of Farm Broadcasting (NAFB) partnered with Aimpoint Research to execute a nationwide, year-long tracking study of approximately 800 farmers across four waves (quarters) throughout the year who listen to ag radio programming.

AG RADIO LISTENERS MOST OFTEN LISTEN TO AM AND FM RADIO FOR AG INFORMATION



Listeners report receiving a variety of topical information from ag radio; however, they are primarily listening to/for *agricultural markets, commodity prices, weather, and local/regional ag news*.

	Wave 1	Wave 2	Wave 3	Wave 4
Ag markets/commodity prices	93%	92%	95%	89%
Ag weather	72%	77%	78%	70%
Local/regional ag news	50%	53%	67%	61%
World ag/trade news	47%	32%	62%	49%
Farm commentary	43%	48%	54%	51%
Insights from Washington, D.C./policy updates	40%	31%	45%	37%
New products: seed, equipment, technology	36%	32%	40%	42%
Agriculture innovation	30%	26%	37%	33%
Other	3%	6%	11%	19%
None of the above	1%	1%	1%	1%

For those farmers and ranchers who listen to ag radio, it continues to be the *primary source of daily ag news for its listeners throughout the year*. Listeners most often are listening to AM and FM radio.

On average, ag radio consumers are listening for *at least one hour* on a typical weekday.

Ag radio listeners consistently rate their farm broadcasters *high in credibility, accuracy, and timeliness* of information.

Mr. VAN ORDEN. Thank you.

Mr. Hooks, AM radio has about 45 million listeners each month, and my constituents rely on this for emergency alerts, local news and information, and weather. In the case of natural disasters, tornadoes, floods, wildfires, and other local emergencies, AM radio is our lifeline in the rural community. And according to FEMA, 75 radio stations, most of which operate in the AM band and cover at least 90 percent of the U.S. population, are equipped with backup communications equipment and generators that allow them to continue broadcasting information to the public during and after an emergency. Most importantly, AM radio is free to all Americans, not requiring a subscription or a broadband connection.

So, Mr. Hooks, in your professional opinion, is the apparent move from the civilian commercial manufacturing sector, move away from AM radios going to affect your ability to communicate in an effective manner to the vast majority of the American population in the case of an emergency?

Mr. HOOKS. Yes, sir. Thank you for that important question, and it actually relates a little bit back to the equity question, which is the consistent and systematic, fair, just, and impartial treatment of all individuals.

And with that in mind, the use of AM radio is critically important to our ability for emergency managers and first responders in local communities to commit to inform and advise their communities to where the danger is coming from, how do we evacuate, and how to stay out of harm's way. And so, I fully support the recommendations that are moving forward to support the continued use of AM radio. That is a tremendous format by which we reach millions of Americans in times of need, sir.

Mr. VAN ORDEN. Well, thank you, Mr. Hooks. I am going to have my folks send this letter over to your office so you can review this, and I would appreciate your direct support on these types of initiatives.

Mr. HOOKS. Thank you, sir.

Mr. VAN ORDEN. Very well. And with that, I yield back.

Mr. PERRY. The Chair thanks the gentleman. The Chair now recognizes Representative Davids.

Ms. DAVIDS OF KANSAS. Thank you, Chairman, and thank you for our witnesses being here today.

And Deputy Administrator Hooks, I do want to extend a special thank you to you and all the employees at FEMA. I know the work that you all do is really, really important, and it helps the folks who are impacted by the disasters that we have been talking about today. It is very, very important service, so, thank you for that.

And my question is really for either witness that wants to share an opinion on this, but I am definitely particularly interested in hearing from Deputy Administrator Hooks on this.

I represent a district in Kansas that has—we have our fair share of experiences with natural disasters, like tornadoes and flooding and that sort of thing. And like the rest of the country, we saw a pretty big fallout from COVID. During the course of the pandemic, there were a lot of systemic vulnerabilities that we saw.

One of the things that ended up happening in the Third Congressional District is a company that has experience making PPE, Dentek, in my district, sought to pivot to making N95 masks to help backfill the national stockpile needs that we saw. But they had been previously priced out of the market. Through a lot of effort and some limited support that the Federal Government was able to provide, they were able to retool and expand to produce some of those critical supplies immediately and to be able to do that domestically.

I know in 2018—this was referenced earlier—U.S. hospitals faced widespread shortages of IV bags in the wake of Hurricane Maria which damaged and temporarily shut down several Puerto Rico factories that were the manufacturers of those bags. So, when tragedy hits, our first priority is, obviously, the safety of people and the

provision of emergency services, which is exactly what you all do. But there are also so many examples of ways that we need to maintain infrastructure supply chains that are critical for addressing those needs.

I am right now in the early stages of drafting a bill that I hope I will be able to introduce soon to empower the Economic Development Administration, which is also under the purview of this subcommittee, to stand up a pilot program that would help make grants available in the wake of these kinds of disasters for production of those supply chains that are impacted for critical resources and that sort of thing.

You started to talk a little bit about the interagency working, and working with communities, but I am particularly interested in the coordination of those wraparound services that exist as part of FEMA's strategic plan, specifically in the readiness goal that you all have laid out. Can you talk a little bit about that interagency coordination that takes place before, during, and in the aftermath of one of these disasters?

Mr. HOOKS. Thank you for the question, and I would say that FEMA looks forward to working with you and your staff and any of the committee staff on any initiatives that would drive us forward to being a more resilient Nation.

It is critically important that FEMA work on—and there are sometimes very few of these blue sky days across the interagency—to figure out where all of the authorities lie, and how we can best leverage the authorities not just within FEMA, but across all sectors of the Federal Government to support our local communities.

We learned a lot of lessons during COVID-19, and some of them some very hard lessons, as well. And one of those was that the supply chain could be greatly, greatly impacted by a worldwide pandemic and other issues that we could think through, as well. And I know that while I was serving in North Carolina, just as many other States, the critical need for PPE came to the forefront as it was brought to us by health officials and hospitals, as well. And so, every State ended up trying to buy up as much as they can, and we were competing against each other, and sometimes that created great difficulty.

So, there are a lot of lessons learned about how we can coordinate and how we can utilize PPE and other resources and shared resources in a degraded environment, so to speak, or which supply chains are limited.

Also, we are always looking—and part of our readiness, both for our employees and into communities—to educate about mental health, about those services that are available within FEMA for our own employees to support their own mental health, because sometimes they will carry the burden of those disaster survivors that they are working to serve.

And then also, as part of our community readiness, we challenge communities as well as educate communities not only to the things that they need to have to respond to a disaster event, but to recognize the real impacts of those events, as well. So, it is important to engage health and human services and mental health agencies to get those response needs out to disaster survivors.

Ms. DAVIDS OF KANSAS. Thank you so much. And we will follow up with additional questions about the lessons learned.

And I yield back, Chairman, thank you.

Mr. PERRY. I thank the Representative. I turn now to Representative Edwards.

Mr. EDWARDS. Yes, thank you, Mr. Chair. Thanks to our witnesses for being here today.

A situation that my district has faced is that in August 2021, Tropical Storm Fred devastated western North Carolina, particularly a very small, rural mountain community—it happens to be my hometown—destroying homes, washing away an entire season's worth of crops, and closing businesses for days and weeks at a time. The effects of that storm are still today plaguing communities in this district, like Haywood County, who, on top of disaster response, is now fighting to mitigate the impacts of their community's economic closing of a paper mill back at home.

And in the aftermath of Tropical Storm Fred, citizens of western North Carolina who applied for FEMA funds complained to me that the process was overly complicated. They had to have access to a computer. Now, mind you, many of them didn't have homes, or electricity, or access to internet, which are luxuries that are not available in the aftermath of a disaster. They had to seek out FEMA, and then FEMA provided checks for, in many cases, unfair assessments. One resident was provided just \$312 from FEMA to repair more than \$10,000 in home damage.

So, my first question, Mr. Hooks, is do you think \$312 in disaster assistance for a \$10,000 repair is fair?

Mr. HOOKS. Thank you, Congressman Edwards. And sir—

Mr. EDWARDS [interrupting]. I can't hear.

Mr. HOOKS. I am sorry. Thank you, Congressman Edwards, and thank you for the question.

I would say, overall, to your specific question, if there are needs that far exceed what FEMA is going to provide, there needs to be a larger discussion. FEMA recovery funds are meant to jumpstart a recovery. They typically are not, through congressional authorization, designed to make a person whole, unfortunately. And I have lived this and lived this right there in North Carolina.

But if there are any particular cases that you have in your community where the amount of reimbursement has not met the needs, those need to be important and tough conversations that need to be had both at the State level—and I am very familiar with your Emergency Management Director Will Ray, as his predecessor, Mike Sprayberry, and I both served in the State of North Carolina and with Will prior to me retiring from the State.

And so, we look to impact communities, and we look to hear where disaster recovery falls short. And so, again, Federal funds by congressional appropriation and direction are not meant to fully make them whole, and that is why there needs to be great commitments in the local community and in State legislatures. And I did find that, during my time there, that there were supportive individuals both in the executive branch of the Governor's office as well as in the legislature who focused on disaster relief. But any particular concerns with constituencies, would be willing to work with you.

Mr. EDWARDS. OK, thank you. So that I can get in my next question, Mr. Hooks, can you tell us what steps might FEMA be taking to help the application process as I described a while ago, where so many folks in my district had difficulty making application, without electricity and internet or even a place to store a computer?

Mr. HOOKS. Yes, sir, a very important question. And that is where, at the beginning of my testimony, where I talked about while—equity actually drives our response. Because there is a recognition that many communities, rural communities, don't have broadband. Some people don't even have access to the internet or computer at the time of disaster.

And so, in order to meet those individuals where they are at the times of disaster, both FEMA and the local responders, EMS—not just EMS, but local emergency management and State emergency management need to be out in communities.

What FEMA is doing in our forward-leaning posture is going out into those communities, holding townhalls, and registering people through our own paper process and through our own computers that may not have access to those resources. And we are moving forward, and I believe smartly, in doing so into this hurricane season.

We saw the benefit of that. I saw the benefit of that directly in Florida when I went down after Hurricane Ian to get out in those communities, meeting people in their homes, in their churches, in their communities because there is a false assumption if anybody believes that people can just get online and register for the programs. And we are endeavoring to reduce the complexity of those programs, as well.

Mr. EDWARDS. All right. Thank you, Mr. Hooks.

Chairman, I yield back.

Mrs. GONZÁLEZ-COLÓN [presiding]. Thank you. Now for her 5 minutes, Ms. Norton.

Ms. NORTON. Thank you.

Deputy Administrator Hooks, one of the stated goals of FEMA's "2022–2026 Strategic Plan" is to, and I am quoting, "instill equity as a foundation of emergency management," so that no person or community gets left behind. As of last year, FEMA did not collect data on racial demographics when assessing potential barriers to accessing disaster relief. Because FEMA does not collect this data, the GAO cannot fully analyze the potential racially disparate allocation of FEMA assistance.

So, sir, may I ask you, does FEMA have plans to collect information on racial demographics going forward?

Mr. HOOKS. Well, thank you for the question, Congresswoman.

FEMA does collect information, but that is strictly collected on a voluntary basis. We collect and analyze demographic data based on protected characteristics that are listed within the Stafford Act. So, we do not go outside of our authorities that are enumerated in the Stafford Act.

And so, while we are endeavoring to instill equity as a foundation of emergency management, those focus on communities that often have a lack of capacity. And ultimately, our goal is to provide

a consistent, fair, just, and impartial treatment to all individuals as we pursue equity as a part of our strategic goal.

Ms. NORTON. So, you collect it on a voluntary basis. Can you collect it more rigorously than that?

Mr. HOOKS. It is collected in accordance and analyzed within the confines of the Stafford Act itself. And they are enumerated in the Stafford Act. Under the Stafford Act, and particularly in section 308, we are charged with administering our programs in an equitable manner, and this is one of our highest priorities. We are not operating outside the authority that is within the Stafford Act, and this is an important aspect of the work that we are doing. Therefore, the goal of equity is a pillar of our work moving forward and will remain.

Ms. NORTON. Well, with the average number of climate disasters on the rise, it becomes important to invest before a disaster in resilient infrastructure that can withstand disasters. However, many disadvantaged communities often lack the staffing, resources, and expertise to sufficiently address complex application requirements for pre-disaster mitigation grants.

So, Mr. Hooks, has FEMA considered allowing nonprofits to submit applications for pre-disaster mitigation projects that benefit underserved communities which they are permitted to do for post-disaster mitigation projects?

Mr. HOOKS. Ma'am, the programs that are prescribed under law for us require us to go through certain avenues, and those are through the local governments that are established. So, that could be the State administrative agent—I happened to serve in that capacity in North Carolina, prior to coming to FEMA. So, those hazard mitigation funds, they have to flow through that State administrative agent, based on the direction that we have from Congress.

I do hear the need. And so, one of the things that we can do, even within the structures of those environments, is that we can draw a greater nexus by bringing State administrative agents, emergency managers, and nonprofit organizations to the table for those discussions as to how those hazard mitigation projects could potentially unfold to benefit those underserved communities, and to build capacity in those communities.

Ms. NORTON. Well, I see my time is expired.

Thank you, Madam Chair.

Mrs. GONZÁLEZ-COLÓN. Thank you, Ms. Norton. Now, with his 5 minutes, Mr. Ezell.

Mr. EZELL. Thank you, Madam Chair.

Deputy Administrator Hooks, you mentioned that one of your goals is to create equity through FEMA's strategic plan. Well, BRIC's application requirements and scoring criteria appear to create the opposite for my district. For example, the 25-percent local match requirements are already too burdensome for many communities in south Mississippi, yet BRIC applicants receive extra points for providing a 30-percent match. To me, it seems like this rewards communities that have more access, more resources.

Can you explain what work FEMA has done to balance equity with the BRIC program weighting in its strategic plan?

Mr. HOOKS. Well, yes, sir. Thank you for the question.

One of the larger discussions that we must continue to have is not only with those local communities, but how the State views those local communities as well, because the money from BRIC would flow through the State of Mississippi as those project plans are developed. And every State is different. There are some States that cover the full cost share, there are some States that do not. And so, that lends itself to a greater discussion at the State and local level as to which projects could be funded under BRIC.

One of the ways that we believe that we can advance the capacity for local communities to participate in all of our programs is through direct technical assistance to either local communities or through the State to sit down, to discuss, to learn about the threat hazards in a particular community, to learn about what are potential mitigation projects, and to help them have a pathway to development to developing those projects.

We can't design those individual projects for them, because—I won't say unfortunately, but the way it is designed is a competitive grant process that is always going to be oversubscribed. But we can provide them some of the basics through webinars, seminars, and meeting individuals in their community to help build that capacity, and we can do that through direct technical assistance on individual programs.

We also endeavor to do that through our FEMA integration teams, which are FEMA employees that are situated within the State that can go out along with those State emergency management directors and their programs to meet with local communities, understand their hazards, and address their mitigation response.

Mr. EZELL. Thank you. I also want to address some complaints that I received from my communities regarding FEMA delaying reimbursements.

As you know, Mississippi's electric cooperatives and local officials depend on FEMA's Public Assistance program to help restore power after natural disasters such as hurricanes. Given the complaints from stakeholders, can you comment on the issue of delayed reimbursements?

Mr. HOOKS. Well, I would say generally that I recognize that disaster assistance never comes fast enough, both for individuals that have suffered through storms and natural disasters and for communities trying to recover from them. And so, we are endeavoring to work specifically with those stakeholders and those communities to expedite disaster assistance where we have, again recognizing that the Federal Government programs are generally complex.

And so, to help them navigate through them, we have adopted a more forward-leaning posture of providing direct technical assistance to that, but—and I say that as no excuse for any delays, because we all feel that across the emergency management enterprise, and we want to be able to get those congressionally appropriated dollars out to those communities and to those localities that deserve that assistance under the law.

Mr. EZELL. They are very complex. And when you are without power, and water, and ice, and things such as that, and life is miserable, sometimes, we need to do better. All of us need to do better.

But I will tell you, there is so much redtape when it comes to getting our money back, or getting things done that that could be

easily done. Some of this redtape needs to be removed. And I would ask that you would do your due diligence in helping us, especially in south Mississippi, where we are rural, and we need help sometimes in a—like I say, when you are out of water, when you are out of opportunity there, we need your help.

Mr. HOOKS. Yes.

Mr. EZELL. Thank you.

Madam Chairman, I yield back.

Mrs. GONZÁLEZ-COLÓN. Thank you to the gentleman. This time, we are going to have Mrs. Napolitano for her 5 minutes.

Mrs. NAPOLITANO. Thank you, Madam Chair.

Deputy Administrator Hooks and Mr. Currie, I represent arid eastern Los Angeles County with major flood control systems along the San Gabriel River with multiple miles of flood control channels. Our region is arid and normally dry, and most of our residents forget they do live in a flood-prone region. This winter of very heavy storms has been managed very well, and we have not had any major flooding. But a historic storm could flood parts of southern California.

How does FEMA educate and inform constituents such as mine that live in arid regions of possible flood risks, their flood zone information, and how to obtain flood insurance? Which media do you use?

Mr. HOOKS. Yes, ma'am. Thank you, Congresswoman, and certainly recognize that, because of the impacts of fire in your district and in other places around the country, that debris, ash, and fire can form mudflows, and flooding is also a pernicious threat to those communities, as well.

One of the things that we certainly can do is to hold additional meetings, seminars, and opportunities for engagement not only with the State at that level, but within local communities. And so, we really need to consider even more leaning forward into how we can support those communities by holding those meetings where we can hold listening sessions, too, because I think there is great value in listening, too, and also educating those communities.

We have had hundreds of engagements around the country around what the flood risks are for individuals, and how to protect against those things, and discussions around the importance and the value of insurance—

Mrs. NAPOLITANO [interrupting]. What media do you use? What media do you use to get the word across?

Mr. HOOKS. Yes, they come across in a number of ways. Sometimes they are in-person meetings. I think those will increase as we are coming through the pandemic. There are also webinars and workshops and trainings that are available to communities.

And one of the things that I believe that we are and should be is a learning and growing agency. And so, we should be taking input back from not just those States, but those local communities as to how we can reach them more directly. Not bypassing the State, because they are an integral part of disaster relief and they have to take the lead in those mitigation dollars that flow through their State.

Mrs. NAPOLITANO. We have 3 councils of government that encompass 87 of the L.A. County cities that meet together, and I would

offer that you meet with them, because that covers all those cities, and they would be able to get the information to the cities direct, without having to go to each city individually.

Also, Mr. Currie?

Mr. CURRIE. Yes. The flooding situation in southern California, by the way, I think is a perfect example of an unexpected event, a flooding when people never expected to have flooding. So, it is also a community that has not been prepared for this type of event. They were more prepared for earthquakes and droughts and things like this.

So, I think I agree with you, it is very important that FEMA work with them on pre-disaster mitigation and planning, too, especially now that they know that is a risk, and maybe a possibility through the BRIC program and things like that of how we can divert some of those floodwaters in the future, now that we know it is a risk.

Mrs. NAPOLITANO. Well, the communities have done very well for themselves. They have managed to avoid any heavy damage. But there is certain concern about the debris basins.

Also, in your testimony, Mr. Hooks, the average number of disasters FEMA manages has increased. But how can you speak on the mental health of your staff? How often do you treat them for the burnout? Because last time I heard FEMA talk, you had a problem with your membership, going to another one right after an event, didn't want to travel.

Mr. HOOKS. Yes. Thank you, ma'am. Again, our operational tempo at FEMA is extremely high. And so, the most valuable commodity that FEMA has is the staff. And those just aren't words. And so, we have to make greater investments. And as we recognize that May is Mental Health Awareness Month, it is an opportunity for us to double down and focus on the mental health of our public safety professionals, which FEMA employees are a part of that.

And so, again, they take on oftentimes the heavy burdens that communities face after—

Mrs. NAPOLITANO [interrupting]. But what services does FEMA offer them?

Mr. HOOKS. Through our employees, we offer webinars, workshops, and trainings. We are having those not just this month, but those are ongoing. We are growing our ability to support our personnel through our mission support functions.

We have brought on a psychologist who leads a team of—a support—

Mrs. NAPOLITANO [interrupting]. One psychologist?

Mr. HOOKS. We have a psychologist at this point, but the ability to contract with other professionals to support that endeavor, and that is a way of growing our movement forward to support our own workforce.

Mrs. NAPOLITANO. Thank you, Madam Chair.

And I will talk to you later. Thank you, sir.

Mr. HOOKS. Thank you.

Mrs. GONZÁLEZ-COLÓN. Thank you, Mrs. Napolitano. At this time we are going to have Mr. D'Esposito for 5 minutes.

Mr. D'ESPOSITO. Well, thank you, Madam Chair, and thank you both for attending today's hearing.

I have spent my adult life in emergency management, serving as a 23-year member of the Island Park Fire Department, serving as chief there from 2009 to 2016. I am also a retired NYPD detective, and now have the honor to serve on the Homeland Security Committee as chair of the Emergency Management and Technology Subcommittee.

The DHS plays a near and dear role in the hearts of New Yorkers and many of the communities that I represent, from 9/11 recovery to the hard-working inspectors at our ports to, obviously, disaster mitigation. I was the incident commander in Island Park, which was one of the hardest hit communities probably in New York, during Sandy. And I know emergency management and structural resiliency are family table issues for many Long Islanders.

Mr. Hook, the ever-expanding scope of FEMA has directly led to the hemorrhaging of taxpayer dollars in order to bear the burden of Biden's humanitarian crisis at our borders, both the southern and northern. What is the administration's plan to address the financial challenges that jeopardize FEMA's strategic plan?

Mr. HOOKS. Well, sir, as I testified earlier today, that the role that FEMA has in supporting on the southwest border is one of setting up and administering the Shelter and Services Program that was congressionally directed for \$800 million to be moved from the CBP budget to set up that program so that that money is dispersed to localities and nonprofit organizations for humanitarian relief.

As far as our numbers, the number of individuals that have supported operations has actually been really small. And so, I would say to you that, across the many myriad of challenges that we face in emergency management and homeland security—and thank you for your great service in the past, and as you continue to serve in this new capacity—that the state of FEMA is strong, and that we are ready to support the Nation.

There is no doubt that we have challenges before us, and they are brought to bear because of the various threats that our Nation faces, the operational tempo and the number of weather events that we have, and then also just the lack of availability of a qualified workforce to draw upon. And so, we are working in all of those areas to support the Nation.

And I am still heartened by the commitment of those individuals that do serve and, as you know, they don't get to go home when everybody else goes home, that that commitment will continue.

Mr. D'ESPOSITO. Thank you. As the Disaster Relief Fund continues to dwindle to inadequate levels, what is the plan to protect vulnerable coastal communities like Long Island?

Mr. HOOKS. Well, that is one of the reasons that I believe—very strongly—that we need to constantly monitor the use of the Disaster Relief Fund. We are projecting a shortfall coming by the end of the summer.

And so, that is why we are working within the administration, and will be working with Members of Congress for any funding requests that need to be met so that we can meet the mission across the Nation, and that includes flooding and other issues that you may face in your district.

Mr. D'ESPOSITO. Well, thank you, because that mission is important, because people's lives and livelihoods depend on it.

Mr. HOOKS. Yes, absolutely. I believe that our greatest mission is the preservation and sustainment of life, and you are absolutely correct.

Mr. D'ESPOSITO. Thank you.

Mr. Currie, as the GAO reported, there is deadweight within FEMA that hinders the Agency's success, which ultimately harms the American people and those that are in need. Do you believe that expanding the scope of FEMA's oversight to include humanitarian relief to those who tried to illegally cross our borders has put the American people and those in need of FEMA's original mission at a disadvantage?

Mr. CURRIE. Sir, I mean, what we have looked at is the ever-expanding scope of FEMA's mission, not just at the border, but as was mentioned, settling Afghan refugees and the COVID pandemic. It is having a huge toll on the Agency. They are 6,000 people short in their disaster workforce, and they are having trouble keeping a lot of the people they already have.

Mr. D'ESPOSITO. Thank you.

Madam Chair, I yield back.

Mrs. GONZÁLEZ-COLÓN. Thank you, Mr. D'Esposito. Now I am going to do my 5 minutes. I know I will be doing more than that, but I will surely put some of those questions on the record.

First of all, thank you for being with us today. And coming from the island of Puerto Rico, where we did have Hurricanes Irma and Maria and a lot of flooding during the last years, we are still in the recovery process. And I want to say thank you to the FEMA, HUD, and all emergency personnel that are still on the island dealing with many of those issues.

I know the chairman actually did some questions, and one of those was regarding the report from the Government Accountability Office about all the agencies that need filled in forms even before some assistance can be given. And he showed page 11 of that report today. And one of my questions would be, should Congress specifically legislate that the Federal level institute a one-stop-shop disaster recovery model, so that all the information is gathered once and shared widely with the agencies?

Mr. HOOKS. Thank you for the question, Madam Chair. I am a firm believer that the more the interagency can work together to reduce the complexity of response and recovery to disaster, it is going to benefit our communities, ultimately save lives, and then lead to a more robust and quicker recovery.

We are right now working with HUD and other agencies about the response and immediate recovery actions. And so, the more we can reduce complexity—and there are challenges with that—

Mrs. GONZÁLEZ-COLÓN [interrupting]. So, the answer is yes.

Mr. HOOKS. It may be a little bit more nuanced than just yes for a one-stop-shop, every recovery agency, or something like that. So, that is why I add a few qualifiers around it, but trying to be responsive to your question.

Mrs. GONZÁLEZ-COLÓN. Thank you. One thing that we always ask about very anxiously by my municipalities, NGO, constituents, local agencies back home is the possibility of approved funding hav-

ing to be forgone or being taken away. So, my question would be, are there any FEMA funds for Puerto Rico at this time at risk of being lost or repurposed due to the deadline expirations, budgetary clawbacks, noncompletion of stages of work that was programmed, or other reason for the rest of 2023 or 2024?

Mr. HOOKS. We are working extremely well, I believe, with Puerto Rico in a number of ways.

Mrs. GONZÁLEZ-COLÓN. Is it yes or no?

Mr. HOOKS. Yes or no to which part, Madam?

Mrs. GONZÁLEZ-COLÓN. Of any money that can be forgone or clawed back or repurposed?

Mr. HOOKS. From?

Mrs. GONZÁLEZ-COLÓN. Because any deadline is not being completed. Of course, we are talking about a lot of funding in different areas. I will be happy to provide you with time so we can have a breakdown, or a chart, or a spreadsheet of such funds on how much may be forgone or be taken away.

Mr. HOOKS. Right. Based on the information that I have before me, if we are referring to the shortfalls that we see in the Disaster Relief Fund for 2023, we are not looking at clawbacks for them. What we are looking for is to fully fund the Disaster Relief Fund so that we do not have delays in some of those mitigation and recovery efforts.

Mrs. GONZÁLEZ-COLÓN. The reason I ask that question is because I know the Government of Puerto Rico is asking for extending waivers for the use of mitigation funds and Federal funds in many of those areas. And I don't want to see the Government of Puerto Rico returning a lot of this funding because it is not being used, or because they are not fulfilling any deadline that has been imposed by any Federal agency. So, the answer is no?

Mr. HOOKS. I clearly understand a little bit more, clearly understand what you are getting at. The timeframe by which you describe it, I am not quite sure—I do not see any—

Mrs. GONZÁLEZ-COLÓN [interrupting]. Let's do something—

Mr. HOOKS [continuing]. Immediate clawback of money from Puerto Rico.

Mrs. GONZÁLEZ-COLÓN. Let's do something. If there is something in 2023 or 2024 that could be forgone, or there is a deadline for the use of the funds, and the case of not using them is going to return the funds to the U.S. Government, can you make that list and submit it to the committee?

Mr. HOOKS. What I can do, ma'am, is that I can make sure that staff work with you and the Government of Puerto Rico on any particular concerns of any money being clawed back due to lack of execution.

We recognize that waivers and extensions have been granted. A lot of that has been because of supply chain, which we have talked about earlier in this committee, and just building capacity across the Nation to address those recovery efforts.

Mrs. GONZÁLEZ-COLÓN. And that includes inflation, and some projects that were estimated with some amount of funds are now—the projects are going to be needing more funds, and you don't have it. So, that can be included there.

Mr. HOOKS. It could, ma'am.

Mrs. GONZÁLEZ-COLÓN. OK. I know my time has expired, but I will submit some questions for the record.

I now will allow Mr. Rouzer for 5 minutes.

Mr. ROUZER. Thank you, Madam Chair, and I appreciate the panel being here today.

In North Carolina, we have experienced our fair share of hurricanes over the years. If you can describe just for the record—if you would take a minute and just describe, let's say a hurricane is barreling down on the coast of North Carolina, you do preparatory work, et cetera. Talk about that process real quick, if you can, for about a minute. And let's assume that you have the money that you need in the Disaster Relief Fund.

Mr. HOOKS. Yes, thank you, Congressman Rouzer, and certainly good to see you, and I recognize the fact that you are here and have served out there in the EOC at North Carolina when we have faced that exact circumstance.

Both FEMA and States that have experience in dealing with those response modes want to be forward-leaning in the response to those hurricane events that come down. So, there are notifications that need to be made, so, that is where it comes back to some of the earlier testimony of the importance of being able to notify the citizens across a broad array of communication systems, to include AM radio.

That—we also advise—advance advisories out there as to whether or not there are recommendations for evacuation, and how to—and the supplies and things that you need in the immediate aftermath of the storm.

Assets are pre-positioned. Both State, local, and Federal assets are pre-positioned just outside of where we believe the landing area may be for those hurricanes, and then immediately upon the impact, and when it is safe to do so, you will see first responders going into those communities, as well.

One of the things that we are doing even more so now in FEMA is that we are encouraging people to go ahead, whether they believe they have insurance or their insurance is not going to cover that, is to have teams on the ground, not only for commodities and supplies that will flow and are often delivered by military and first responder personnel and State emergency management, but also FEMA personnel on the ground, too, to as soon as possible get people registered for Individual Assistance and to work with those communities.

We are also leveraging technology in a more forward-leaning posture, as well. The use of GIS spatial technology allows us to use technology to do damage assessments much quicker. Hopefully, in terms of damage, in a matter of days versus weeks, and that will help jumpstart the recovery.

Mr. ROUZER. Yes. If I can cut you right there, because I've got about 2:05 left, and I want to get all this in. FEMA does, in my opinion, a very, very good job upfront in terms of response and saving lives.

I can tell you from my personal experience, one of my frustrations as a Member of Congress is, a hurricane comes through, you have all this damage, you know what your needs are, Congress passes an appropriations bill, we put in a significant amount of

money for the CDBG-DR program, Disaster Recovery program, and then it takes 3 or 4 or 5 years for any money to go out the door. And in the meantime, another Member of Congress has had a storm in their district, and they take all my money. Well, we know how that works.

So, I have got a bill to help correct this. It is the Natural Disaster Recovery Program Act. And basically what it does—forget everything anybody knows about CDBG-DR—it puts in place a true block grant facilitated through FEMA, where you take the unmet need that—Congress appropriates 50 percent of the money upfront that goes to the States. If that is used appropriately, and that is verified by an audit by the State, whether it is a State auditor or whoever, reports it back to the appropriations committees and the committees of authorization, and that checks out, then they get the other 50 percent.

It is immediate, rather than all this finger-pointing between the State and the Federal Government about, oh, you've got to have this work plan, et cetera, it has got to be approved at HUD, you have all kinds of miscommunication, and it just takes forever. I have victims from Hurricane Florence who still have no recovery help.

And so, anyhow, personally, I think simple is better. Simple is easy to implement. Simple is easy to enforce. Do you have any thoughts on that?

Mr. HOOKS. Yes, sir. I am an advocate of breaking down the complexity of the programs in the Federal Government. Having that experience coming from your home State, as well, I have actually lived through some of the frustrations of the immediate recovery response, transitioning over to Community Development Block Grant Disaster Recovery funding, as well, and having to navigate all of those.

And I would offer our staff to work with your staff and any member of the committee here on how we can move forward smartly to reduce the complexity of accessing programs in the Federal Government and also being good stewards of the taxpayers' dollars.

Mr. ROUZER. Thank you. I really appreciate both of you being here today.

I yield back, Madam Chair.

Mrs. GONZÁLEZ-COLÓN. Thank you, Mr. Rouzer. Thank you, witnesses.

Are there any further questions from any members of the subcommittee who have not been recognized?

Seeing none, that concludes our hearing for today, and I would like to thank each of the witnesses for your testimony today.

I ask unanimous consent that the record of today's hearing remain open until such time as our witnesses have provided answers to any questions that may be submitted to them in writing.

Without objection, so ordered.

I also ask unanimous consent that the record remain open for 15 days for any additional comments and information submitted by Members or witnesses to be included in the record of today's hearing.

Without objection, so ordered.

With that, the subcommittee stands adjourned.

[Whereupon, at 11:40 a.m., the subcommittee was adjourned.]

## APPENDIX

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### QUESTIONS FROM HON. SCOTT PERRY TO HON. ERIK HOOKS, DEPUTY ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY

*Question 1.* We understand that there is currently a proposal by the National Security Council (NSC) to consolidate federal disaster recovery efforts within a new federal entity.

*Question 1.a.* Is this accurate? What was the decision-making process behind this proposal?

*Question 1.b.* What is FEMA's position on this proposal? How will this proposal affect the structure of FEMA?

*Question 1.c.* When will the Committee be briefed on this proposal?

*ANSWER to 1.a.–1.c.* The White House/National Security Council (NSC) is running a policy process to identify and assess opportunities to improve Federal Government support to communities rebuilding from a disaster. FEMA is engaging in this process, as are a number of other agencies. The discussions are pre-decisional and internal to the Administration.

*Question 2.* The Homeland Security Act very clearly prohibits the diversion of FEMA assets, functions, or mission for use by the Department of Homeland Security (DHS) unless such assignments do not reduce the capability of FEMA, yet the Government Accountability Office (GAO) has highlighted that workforce challenges have affected FEMA's ability to achieve its mission. Together, this leads to the conclusion that any diversion of FEMA personnel will impact FEMA's mission.

*Question 2.a.* How are FEMA's activities at the border impacting FEMA's ability to carry out its core mission?

*Question 2.b.* Who has and is directing FEMA to engage in missions related to the border crisis?

*Question 2.c.* How has the termination of Title 42 on May 11, 2023, changed FEMA's mission at the border? Are new missions being discussed for FEMA related to the border?

*Question 2.d.* Where is the funding coming from for FEMA's missions related to the border?

*Question 2.e.* Has FEMA pushed back at all when directed to engage in these border missions?

*Question 2.f.* If FEMA was not in DHS, would these assignments be given to FEMA?

*ANSWER to 2.a.–2.f.* In the Consolidated Appropriations Act, 2023, Congress directed U.S. Customs and Border Protection (CBP) to transfer \$800 million to FEMA to support sheltering and related services provided by non-Federal entities to families and individuals encountered and released by CBP; and permitted FEMA to deliver up to \$785 million of this amount through the Emergency Food and Shelter Program (EFSP). The Joint Explanatory Statement to the 2023 appropriation expresses Congressional intent that FEMA and CBP establish a new Shelter and Services Program (SSP) with at least a portion of the \$800 million transferred to the new program.

The Consolidated Appropriations Act of 2023 authorized the creation of a new U.S. Department of Homeland Security (DHS) grant program, the Shelter and Services Program (SSP), to support these communities and directed the transfer of \$800 million to FEMA to support sheltering and related services provided by non-federal entities to noncitizen migrants. The Joint Explanatory Statement to the 2023 appropriation expressed Congressional intent that FEMA and CBP establish a new Shelter and Services Program (SSP), with at least a portion of the \$800 million transfer. The Consolidated Appropriations Act also authorized the use of a portion of that

funding for the existing Emergency Food and Shelter Program-Humanitarian (EFSP-H) until the SSP was established. DHS directed that \$350 million of the \$800 million be transferred to FEMA for the EFSP-H. This is in addition to \$75 million used for the EFSP-H during the December 2022 Continuing Resolution.

On June 12, 2023, FEMA announced that SSP made federal funds available to eligible recipients and subrecipients for costs associated with providing shelter and other eligible services to noncitizen migrants within 45 days of their release from by the DHS.

*Question 3.* In a report issued earlier this year, the DHS Office of Inspector General (OIG) found that there were numerous instances where Emergency Food and Shelter Program (EFSP) funding recipients misused grant funding. The OIG indicated this occurred because FEMA did not provide sufficient oversight and relied on local boards and fiscal agents to enforce the funding and application guidance.<sup>1</sup>

*Question 3.a.* How is FEMA working to fix this problem?

*Question 3.b.* How does FEMA vet nonprofits and other organizations that apply for and receive funding under the EFSP?

*Question 3.c.* What is FEMA doing to ensure the core mission of the EFSP, to assist American homeless persons, is not being ignored in favor of utilizing EFSP funds for migrants at the southern border?

*ANSWER to 3.a.-3.c.* The EFSP National Board is the sole recipient from FEMA of all funding appropriated to the EFSP grant program. Consistent with 42 U.S.C. §§ 11331(d) and 11346, the National Board, not FEMA, establishes the program's policies, procedures, and guidelines, including those pertaining to the dissemination of subgrants. The National Board and its Fiscal Agent, United Way Worldwide (UWW), provide technical assistance to both funded organizations and organizations that may be interested in participating in the program. FEMA provides policy guidance, monitoring and oversight, federal coordination, legal counsel, and staff assistance, as needed, to the EFSP National Board.

Since 2019, the EFSP National Board has provided funding through the Emergency Food and Shelter Program for humanitarian relief (EFSP-H) to eligible nonprofit, faith-based, and governmental organizations for food, shelter, and other supportive services provided to families and individuals encountered by DHS under a separate and specific appropriation. A total of \$715 million for EFSP-H was awarded by FEMA to the EFSP National Board since 2019. The mission to provide humanitarian relief support is in addition to FEMA's EFSP core mission of assisting local nonprofit and governmental organizations helping those experiencing or at risk of experiencing hunger and homelessness.

Provision of services to families and individuals encountered by DHS through EFSP-H has not impacted the EFSP core mission and both missions are being performed concurrently. The National Board issued separate guidance for the two missions and even though a local social service organization may receive subawards under both humanitarian relief and hunger and homelessness, they are separate subawards, and each is subject to unique mission requirements.

In response to the report from the DHS Office of the Inspector General (OIG) that was issued earlier this year, FEMA has undertaken efforts to increase both the breadth and effectiveness of monitoring EFSP grant funds awarded to the EFSP National Board for both missions. Among these are the following:

- Develop or update written policies, standard operating procedures, timelines, job aids, and other operational tools outlining FEMA's roles, responsibilities, and procedures for strengthening support and monitoring of the EFSP.
- To improve the timely delivery, thoroughness, and accountability of program data and reporting, FEMA is collaborating with the EFSP National Board's Fiscal Agent and Secretariat, UWW, as it modernizes the EFSP database system. The modernization will greatly improve the ability of the National Board (and FEMA) to use EFSP data to assess performance, deliver funds, and track program participation and accountability during each phase or fiscal year (FY) of funding.
- More detailed quarterly performance progress reports are being required by FEMA from the EFSP National Board and by the National Board from its subrecipients that mirror the reporting requirements set forth in annual Notice of Funding Opportunity (NOFO) and in Notice of Award Letter documents.

<sup>1</sup>DHS, OIG, OIG-23-20, FEMA SHOULD INCREASE OVERSIGHT TO PREVENT MISUSE OF HUMANITARIAN RELIEF FUNDS (Mar. 28, 2023) available at <https://www.oig.dhs.gov/sites/default/files/assets/2023-03/OIG-23-20-Mar23.pdf>.

To ensure subrecipients do not misuse EFSP–H funding by providing services to ineligible families and individuals, the following changes were made for the most recent application period:

- The EFSP National Board Guidance requires local recipient organizations (LROs) to maintain documentation for a period of 3 years after their applications were approved and payment released.
- The Guidance clearly defines “DHS Encounter” to mean an interaction with DHS that results in a non-citizen receiving an Alien Identification Number (A-Number).
- The EFSP National Board, with technical assistance from FEMA, developed an EFSP–H Advanced Funding Request Template that included several questions about how the LRO will ensure services are being provided to individuals and families encountered by DHS.

The 2023 Consolidated Appropriations Act directed the establishment of a new SSP under development by FEMA in coordination with CBP to support CBP in effectively managing noncitizen processing and preventing overcrowding of short term CBP holding facilities. Once the SSP launches, EFSP–H will sunset.

Eligibility and completeness reviews will be completed by FEMA designated staff on all SSP applications to ensure compliance with the criteria listed in the NOFO. As a lesson learned from EFSP–H, FEMA now requires SSP applicants to submit A-Numbers or evidence of DHS processing (e.g., I-94, I-385, I-860, I-862) for non-citizen migrants to mitigate misuse of funds. If A-Numbers or evidence of DHS processing is not readily available, then names, corresponding DHS release dates of those served, and corresponding service dates must be provided. In addition, designated program staff will review the criteria below to ensure:

- All required documentation as listed in the SSP NOFO was provided;
- Activities proposed are only those identified as allowable in the NOFO;
- The applicant demonstrates their capacity, either directly or through a partnership, to provide each SSP allowable activity proposed for funding;
- Proposed deliverables are consistent with the objectives and priorities of the SSP;
- Project timelines are realistic, attainable, and conform to the performance period of the SSP;
- Proposed costs are allowable, reasonable, and cost-effective in relation to proposed activities; and
- The applicant possesses the capacity to manage a federal award consistent with Federal statutes, regulations, and the terms and conditions of the federal award.

FEMA’s post-award activities will include monitoring and oversight of SSP recipients. FEMA will periodically monitor recipients to ensure administrative processes, policies and procedures, budgets, and other related award criteria meet Federal and FEMA regulations. Aside from reviewing quarterly financial and programmatic reports, FEMA may also conduct enhanced monitoring through either desk review, on-site monitoring visits, or both. Enhanced monitoring involves review and analysis of financial compliance and administrative processes, policies, activities, and other attributes of each federal assistance award, and it identifies areas where the recipient requires technical assistance, corrective actions, or other support. FEMA is responsible for monitoring their Recipients. Recipients who are pass-through entities are responsible for monitoring their subrecipients in a manner consistent with terms of federal award at 2 C.F.R. Part 200, including 2 C.F.R. § 200.332. This includes the pass-through entity’s responsibility to monitor activities of the subrecipient as necessary to ensure the subaward is used for authorized purposes in compliance with federal statutes, regulations, and terms and conditions of the subaward, and that subaward performance goals are achieved.

*Question 4.* The Homeland Security Act of 2022 states that FEMA’s mission is to “reduce the loss of life and property and protect the Nation from all hazards . . . by leading and supporting the Nation in a comprehensive, risk-based emergency management program.”<sup>2</sup>

*Question 4.a.* Would you please explain why FEMA is prioritizing equity and climate change over disaster preparedness, response, and recovery for all Americans?

*Question 4.b.* Please provide FEMA’s definition of equity.

<sup>2</sup>6 U.S.C. §313.

*Question 4.c.* How does FEMA plan to measure its goal of instilling “equity as a foundation of emergency management”<sup>3</sup>?

*Question 4.d.* How does FEMA define climate resilience and how does FEMA plan to measure its goal of leading the “whole of community in Climate Resilience”<sup>4</sup>?

*ANSWER to 4.a–4.d.* FEMA’s mission is to ensure that all disaster survivors get all the assistance for which they qualify, under the law. In fact, under Section 308 of the Stafford Act, FEMA is required to ensure that “distribution of supplies, the processing of applications, and other relief and assistance activities shall be accomplished in an equitable and impartial manner, without discrimination on the grounds of race, color, religion, nationality, sex, age, disability, English proficiency, or economic status.” Administering our programs in an equitable manner is one of our highest priorities, and this requires recognizing some communities are more vulnerable to the adverse impacts of natural hazards than others. Increased community vulnerability may be due to location, lack of broadband internet access, population age, or any number of other reasons. As an agency, we must have a “people first” focus, and eliminate barriers to individuals and communities accessing our programs.

FEMA defines equity as “the consistent and systematic fair, just and impartial treatment of all individuals,” which is in keeping with the definition of equity provided in Executive Order (EO) 13985.

FEMA is not just an emergency response and disaster recovery agency. We must recognize the changing climate and ensure the Nation is prepared for these changes. What we do to prepare for all hazards is often as important as what we do after disasters strike. Resilience building is what we do to prepare before disasters and what we do after disasters by leveraging disaster recovery programs. As a component of the implementing department (i.e., DHS) of the Presidential Policy Directive 8 (PPD8): National Preparedness, FEMA adopts the resilience definition in PPD8. According to PPD8, “resilience” refers to “the ability to adapt to changing conditions and withstand and rapidly recover from disruption due to emergencies.” Recognizing that the drastic shifts in climate conditions are fundamentally changing the hazard risk landscape, FEMA has focused attention on building climate resilience in its strategic plan. FEMA is currently measuring our efforts to lead a whole of community approach in climate resilience through Government Performance and Results Act performance measures, including the percent of U.S. population covered by planned mitigation strategies, number of properties with flood insurance coverage, percent of total floodplain mapped, and the percent of communities in high earthquake, flood, and wind-prone areas adopting disaster-resistant building codes.

*Question 5.* In the Disaster Recovery Reform Act of 2018 (DRRA), Congress directed FEMA to put greater consideration into localized impact when determining whether to recommend a disaster declaration. FEMA pushed out general guidance to the regions, but specific policy was never implemented.

Please provide the Committee with examples of how localized impact has been factored into disaster declaration decisions.

*ANSWER.* FEMA complies with section 1232 of the Disaster Recovery Reform Act (DRRA). Administrator Criswell considers severe, localized impacts and the frequency of recent disasters, along with the estimated cost of assistance and other factors identified in regulation (44 C.F.R. 206.48) in each recommendation she makes to the President.

In 2019, FEMA issued guidance to its Regional Administrators and updated its Presidential Disaster Declaration request cover letter template to prompt states, tribes, and territories (STTs) to specifically include detailed information regarding localized impacts and recent disaster history. FEMA’s Regional Administrators work with STTs requesting a major disaster declaration to assemble the Governor or Tribal Chief Executive’s request, carry out Preliminary Damage Assessments (PDAs), fill out a declaration request form and cover letter, and help address as many regulatory declaration criteria as appropriate. In September 2019, FEMA provided a report to Congress that outlined actions taken to implement sections 1232 and 1239 of the DRRA.

In December 2020, FEMA published a Notice of Proposed Rulemaking entitled, “Cost of Assistance Estimates in the Disaster Declaration Process for the Public Assistance Program” that stated: “With respect to the recent multiple disasters and localized impacts factors, FEMA proposes not to substantively amend 44 CFR 206.48(a)(2) and (5). As is discussed below, these factors are already sufficiently

<sup>3</sup> FEMA, 2022–2026 FEMA Strategic Plan, *available at* <https://www.fema.gov/about/strategic-plan>

<sup>4</sup>*Id.*

flexible to address the requirements of section 1232 of the DRRRA.” For additional context, please see the full text of the Notice of Proposed Rulemaking.

Across all grant programs and pursuant to its Strategic Plan, FEMA is focused on instilling equity, removing barriers, and adopting a people first approach. For disaster assistance, this includes working through the STTs to explore ways in which disaster survivors, including local governments, can more easily get access to needed disaster relief.

*Question 6.* In many recovery efforts, FEMA and the Department of Housing and Urban Development (HUD) funding are leveraged for projects yet many times these funding streams have different timing, different rules, and different requirements.

*Question 6.a.* What is FEMA doing to work with HUD to reduce conflicts that slow up the rebuilding process?

*Question 6.b.* What has FEMA done to coordinate with other agencies to make sure communities know where to go for disaster assistance?

*ANSWER to 6.a.–6.b.* In 2020, FEMA and the U.S. Department of Housing and Urban Development (HUD) signed a Memorandum of Understanding and issued joint implementation guidance to streamline coordination between FEMA and HUD where HUD’s Community Development Block Grant Disaster Recovery (CDBG–DR) funds are used by communities to meet non-federal cost-share requirements of FEMA’s Public Assistance (PA) projects.

This was particularly important in Puerto Rico, during recovery from Hurricanes Irma and Maria, where HUD CDBG–DR was used by the Commonwealth, in part, as non-federal cost share for billions of dollars in FEMA PA funding.

Although federal disaster recovery programs have requirements rooted in their legislative history and purpose, including environmental and historic preservation (EHP), public participation, and equity requirements, FEMA continually supports efforts like the Unified Federal Review (UFR) process to streamline and align disparate agency compliance requirements as much as possible, without reducing the effectiveness of each program in accomplishing the goals for which it was established.

As a result of different funding and program authorizing legislation, FEMA and HUD have different legislative authorities, exclusions, and allowances for EHP. For example, the Disaster Relief Appropriations Act of 2013 (P.L. 113–2) states that HUD grantees may adopt, without review or public comment, any environmental review, approval, or permit performed by another Federal agency when the HUD grantee is providing supplemental assistance to actions performed under sections 402, 403, 404, 406, 407, or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. No such legislative provision allowing for adoption without review or public comment exists for FEMA.

FEMA works closely with HUD and all its federal partners after presidentially declared disasters to coordinate recovery efforts to ensure communities are aware of all available disaster assistance to them, both disaster and non-disaster programs. Following a presidentially declared disaster, key field leadership roles are deployed to the field to begin setting up the appropriate organizational structures. Two of those key roles are the Federal Disaster Recovery Coordinator (FDRC) and the Federal Disaster Recovery Officer (FDRO). They serve as central coordinators of the federal interagency recovery effort, and communicate closely with their State counterparts to ensure the recovery remains community-focused and in support of their goals. Working closely within that field structure are deployed staff from many of the federal partners, field titled as RSFs. An RSF is a structure to facilitate problem-solving, access to resources, and close coordination in six functional areas of recovery. While some federal partners also deploy independently to support, the RSFs allow unity of effort in the field when solving for complex problems. HUD, as an example, coordinates and leads the Housing RSF.

FDRCs, FDROs, and RSF partners work closely with communities to help them define their recovery priorities and identify financial and technical support resources. In addition, FEMA created several online tools to help individuals and communities navigate federal assistance available for recovery. These tools are available at <https://www.fema.gov/emergency-managers/practitioners/recovery-resources>.

The coordination efforts outlined above are all derived from the National Disaster Recovery Framework (NDRF). This key doctrine outlines the roles and responsibilities of recovery stakeholders, a coordinating structure under which stakeholders operate in the field, and guides recovery planning in support of a more resilient nation. Presently, the NDRF version 3 is being worked on. The effort kicked off in 2022 for its next update cycle, but was paused so that the doctrine could remain best aligned with the National Security Council’s policy process currently looking at opportunities to improve Federal Government support. In the interim, FEMA led a

review of the RSF structures to identify any gaps or necessary adjustments needed to improve federal coordination, including interviews with field staff and federal partners. That process continues to move forward and their staffs, supported by other federal agencies organized in the RSFs under the National Disaster Recovery Framework (NDRF).

*Question 7.* FEMA created Consolidated Resources Centers (CRCs) to ensure all post-disaster documentation from victims is complete, in an attempt to minimize claw backs as FEMA completes reviews. However, it seems that CRCs are adding another unnecessary internal review and slowing the recovery process even more.

*Question 7.a.* What role are CRCs playing in the recovery process?

*Question 7.b.* What is FEMA doing to streamline the recovery process for disaster victims?

*ANSWER to 7.a.–7.b.* FEMA is committed to supporting each community’s recovery process as quickly and efficiently as possible while simultaneously being good stewards of taxpayer dollars. To support this goal, FEMA’s Consolidated Resource Centers (CRCs) were established in 2017 as part of FEMA’s Public Assistance (PA) National Delivery Model, which is committed to continuous improvements and efficiency in implementing the PA program. As disasters become more frequent, severe, and complex, demands placed upon the emergency management community increased dramatically. To address increasing demand and complexities of recovery, FEMA established dedicated, permanent offices to pool experts and specialized resources together to share their skills across operations, while also improving consistency. Today, there are four CRCs staffed with 588 full-time employees who support states, tribes, territories, local governments, and certain private non-profit organizations with grant applications under the PA Program to help communities recover from federally declared disasters.

CRCs are responsible for validating, developing, reviewing, and processing PA grant applications based on information and documentation provided by our field counterparts to enable communities to protect lives and property and rebuild their infrastructure after a major disaster declaration.

FEMA recently completed an independent assessment of the PA program to determine if the PA National Delivery Model and establishment of the CRCs were meeting the original design intent to standardize PA program delivery and increase accuracy, efficiency, and simplicity. Through extensive engagement with FEMA Regions, state PA programs, tribes, CRC staff, field staff, and PA contractors, the assessment found the structure enabled FEMA to deliver historic levels of assistance for COVID–19 without needing to hire thousands of additional staff. Additionally, the assessment found CRC processing for Scoping and Costing took an average of 21 days and accounted for less than 15 percent of the processing times for PA. By comparison the bulk of the time, 76 days on average or 60 percent of the processing times for PA, was dedicated to Impacts and Eligibility Assessments, where Program Delivery Mangers (PDMG) in a Joint Field Office work with applicants to assess their impacts from the disaster.

The Assessment noted that the Impacts and Eligibility Assessments time was reduced from 76 days to 16 days for COVID–19 events. FEMA introduced a Streamlined Project Application specific to COVID–19 projects which allowed applicants to directly submit projects to the CRC by providing clear instructions and standard questions instead of developing their application through a PDMG. In conjunction with the issuance of the Simplified Procedures Policy in January 2023, FEMA expanded use of simplified project applications for all emergency protective measures and debris removal in disasters declared since issuance of the policy. FEMA continues to simplify its entire PA application process and forms, to include a simplified application for infrastructure restoration and all phases of the post-award process.

The assessment also made a number of recommendations which FEMA is in the process of implementing, including:

- Re-establishing the Public Assistance Steering Committee. The committee is an advisory group of state, territorial, tribal, and local government representatives designed to help improve the PA process for applicants. The committee first convened in 2017 to provide real-world partner perspectives, inform strategic program changes and discuss overall program improvements.
- Simplifying documentation requirements for unobligated projects, including releasing the “Public Assistance Sampling Procedure” to standardize and simplify what supporting documentation must be submitted.
- Waiving the requirement that unobligated projects with completed small projects must be prepared based on actual costs.
- Deploying technical experts from FEMA CRCs to the fields to aid project scoping and development for complex operations and projects.

- Allowing additional flexibility in costs claimed for power restoration work.
- Not requiring separate cost analysis for work performed through the Emergency Management Assistance Compact during disaster response and recovery operations.

The Assessment also noted that Scoping and Costing processing times were reduced from 76 days to 16 days for COVID-19 events. In addition, FEMA introduced a Streamlined Project Application for COVID-19 events which drastically reduced time needed to assess and document damages by providing clear instructions and standard questions for applicants. In conjunction with the issuance of the Simplified Procedures Policy in January 2023, FEMA expanded use of simplified project applications for all emergency protective measures and debris removal in disasters declared since issuance of the policy. FEMA continues to simplify its entire PA application process and forms, to include a simplified application for infrastructure restoration and all phases of the post-award process.

*Question 8.* In a report issued in August 2022, the DHS OIG found that the fiscal agent of the EFSP heavily used spreadsheets to determine support and cost eligibility, including by allowing recipient organizations to remove ineligible expenses from the spreadsheet without requiring supporting documentation.<sup>5</sup>

Has FEMA worked with the fiscal agent to stop this practice? If not, why?

*ANSWER.* FEMA is committed to work with the EFSP National Board and UWW, the fiscal agent of the EFSP National Board, to address recommendations provided in the DHS OIG report. While the DHS OIG report noted the EFSP National Board and UWW heavily relied on spreadsheets to determine support and cost eligibility, the report did not list any recommendations to stop or reduce such reliance. The report notes that when UWW identified compliance exceptions, it would allow LROs to remove ineligible expenses from the spreadsheet and resubmit without requiring invoices, checks, or other supporting documentation.

UWW does require supporting documentation such as invoices or checks for eligible expenses incurred by LROs to ensure costs paid with EFSP funds are in accordance with statute, program guidance, and the EFSP National Board's grant agreement. Both proofs of payment and itemized invoices are required, and the National Board reserves the right to request additional information as deemed necessary to support expenditures under EFSP. Documentation for costs deemed ineligible and thus not paid under EFSP does not need to be submitted as it is unnecessary for UWW to collect and retain it in its grant files.

#### QUESTIONS FROM HON. DINA TITUS TO HON. ERIK HOOKS, DEPUTY ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY

*Question 1.* Disasters often strike the same community more than once. Therefore, it only makes sense that repairs to public infrastructure incorporate designs that will make them more resilient to the next disaster. What can FEMA do to incentivize state and local officials to incorporate mitigation measures when repairing disaster-damaged facilities using the Public Assistance program?

*ANSWER.* FEMA recognizes that after a disaster, the best time to protect damaged public infrastructure is during the recovery period. Prioritizing mitigation and building back better during disaster recovery can help save human lives and property and reduce costs and disruptions from future incidents.

For example, Lourdes Hospital, a critical care hospital in Binghamton, New York, is on the banks of the Susquehanna River. In 2006, the river flooded, forcing the hospital to evacuate its patients and close for two weeks. In addition, the disaster caused \$20 million in damages to the facility. After deciding that relocating to avoid future damage was not an option, the hospital incorporated a mitigation project into its repairs. A floodwall was built around the facility and in the event of flooding, entry-point gates would automatically trigger from floodwater pressure and raise to completely seal the property. The hospital used PA Mitigation funding from FEMA and New York State to fund the floodwall, which was completed in 2010, four years after the initial flood event. Just a year later in 2011, Tropical Storms Irene and Lee made landfall within 10 days of each other, causing the Susquehanna River to crest at over 25 feet—nearly twice the level necessary to declare a flood in that area.

<sup>5</sup> DHS, OIG, OIG-22-56, FEMA NEEDS TO IMPROVE ITS OVERSIGHT OF THE EMERGENCY FOOD AND SHELTER PROGRAM (Aug. 10, 2022), available at <https://www.oig.dhs.gov/sites/default/files/assets/2022-09/OIG-22-56-Aug22.pdf>.

Because floodwaters never breached Lourdes Hospital's floodwall, the facility was able to remain fully operational.

FEMA has dedicated increased attention to PA hazard mitigation over the past decade, obligating over \$8.6 billion since FY 2013.

FEMA encourages incorporation of PA hazard mitigation measures by communicating early and often about hazard mitigation with State, Local, Tribal and Territorial (SLTT) partners throughout delivery of the PA program; enabling disaster operations staff to help communities include hazard mitigation in their PA projects; and encouraging SLTT partners to set PA hazard mitigation as a recovery priority. To ensure applicants receive information they need when they need it, information about PA Mitigation is communicated to partners by a combination of fact sheets, standard applicant briefings, written technical guidance and, technical assistance provided by FEMA's hazard mitigation staff throughout the delivery of the PA Program.

Furthermore, FEMA's PA Program is working to develop a policy to implement Section 20606 of the Bipartisan Budget Act of 2018, which authorizes a 10 percent federal cost share increase for applicants who take measures to increase their readiness for, and resilience from, disasters. This authority amended the Stafford Act at Section 406(b)(3).

FEMA is also taking steps to further incentivize state and local officials to incorporate mitigation measures through the PA Program. Through coordination with the FEMA's Resilience Office, PA is improving staff and applicant training, clarifying policy and guidance, expanding prescriptive lists of cost-effective mitigation (Public Assistance Program and Policy Guide (PAPPG) Appendix J), developing tailored technical guidance (Hurricane and Flood Mitigation Handbook for Public Facilities, see Hurricane and Flood Mitigation Handbook for Public Facilities at FEMA.gov), coordinating across Regions and disasters to improve consistency and expedite issue resolution, further refining the agency-wide benefit-cost analysis tool, and advancing changes in current (Grants Manager/Grants Portal), and future (FEMA Grants Outcome) grant management systems to make it easier to request and obtain PA hazard mitigation.

These program-wide efforts are aimed at improving the applicant experience and increasing applicant uptake of PA Mitigation to increase community (and therefore the nation's) resilience.

*Question 2.* The constant strain of a climate change fueled disaster cycle is exhausting FEMA employees and local emergency managers. What can be done to support the health and wellbeing of this critical workforce? Do you have any recommendations regarding how Congress can help FEMA support the mental health of federal, state, and local emergency managers?

*ANSWER.* The health and well-being of the FEMA workforce remains a top priority. In recent years, FEMA enhanced mental health resources available to the full workforce, including by hiring mental health professionals within the agency and creating robust support programs.

To supplement work-life services already offered, FEMA provides every employee access to the Headspace health and wellness application. This initiative is designed to encourage and empower employees to take a breath and focus on mindfulness with unlimited access to hundreds of resources on everything from stress, to sleep, to focus, and anxiety.

This enhanced capability includes two psychologists (one on staff and one contractor) who oversee development and implementation of FEMA's internal services and provide clinical oversight and guidance to leadership. Over the last year, our psychologists, in addition to creating new policy, have provided crucial psychoeducation both in person and virtually to over 15,000 employees on topics such as depression, anxiety, trauma, and burnout. By providing real-time information, our clinicians are changing our culture and helping to break the stigma that surrounds seeking mental health assistance.

FEMA is currently hiring 11 licensed professional counselors to support field and regional staff while on deployments. In addition, FEMA implemented a DHS-accepted peer support program to provide a valuable resource to employees, which is part of FEMA's multi-layered approach for accessing mental health resources. In many situations, an employee will feel relief by having a confidential and safe person to speak to, and this is where peer support can "fill in" during non-emergencies. This allows licensed mental health professionals to be available for situations more appropriate to their experience and skill level, such as critical incidents.

In the FY 2024 President's Budget, FEMA requests an additional six health professionals, including a psychologist, senior counselor, two occupational health nurses, and two paramedics, to provide expanded services to address workforce men-

tal health and wellbeing, increase peer support training, enhance employee medical resilience, prevent occupational injuries and illnesses, and provide onsite medical and mental health support to FEMA responders deployed to disasters.

Finally, the FEMA Chief Medical Officer and psychologist, as well as a multi-disciplinary team of researchers, are in the process of gaining approval for a mental health research study to investigate perceived stress and emotional trauma specifically for emergency managers. This study will examine variables such as job title and role, employee type, deployment length, and age compared to levels of perceived stress and emotional trauma. Currently there is almost no available data on mental health baselines, or threats to or protective factors for emergency manager mental health, and this study could help to inform future initiatives and interventions to improve the mental health of our workforce before, during, and after disasters.

*Question 3.* Are any aspects of the current hiring process hindering FEMA's ability to address staffing shortages? If so, what parts of the process are limiting FEMA's ability to hire the people the agency needs?

*ANSWER.* FEMA is designing, developing, and implementing strategies for its Workforce Readiness Cycle (WRC) to better build, develop, deploy, and support a resilient, well-trained, and experienced workforce in the face of sustained increases to operational tempo. As part of the WRC, FEMA is working on four specific efforts to increase hiring and retention: (1) implementing the Civilian Reservist Emergency Workforce (CREW) Act, which provides Uniformed Services Employment and Reemployment Rights Act (USERRA) benefits to FEMA Reservists; (2) implementing FEMA's Strategic Recruitment Plan; (3) performing National and Regional Force Structure Reviews; and (4) introducing an enhanced demobilization process.

One of the ongoing challenges FEMA faces is that its Reservist workforce is subject to dual compensation laws that hinder federal retirees from joining FEMA and continuing to serve the nation as intermittent employees. FEMA Reservist positions, by nature, are intermittent and align with the lifestyle and schedules of federal civilian retirees; however, the salary offset is not appealing to many of these candidates. The intermittent nature of Reservist work is also a barrier for hiring more broadly. FEMA is working to amplify the USERRA benefits now provided to FEMA Reservists under the CREW Act by effectively communicating its protections to applicants, and current Reservists and their supervisors, to increase Reservist recruitment and retention. In combination with more flexible conditions of employment to be implemented in 2024, this will better serve Reservist needs related to outside employment. This initiative will provide FEMA broader and more experienced recruitment pools, especially for hard-to-fill positions, incentivize current Reservists to accept disaster deployments, and help grow public/private sector relationships through FEMA training and deployment experiences.

In November 2022, FEMA published its Strategic Recruitment Plan. The Plan supports the agency's strategic priority of building the necessary workforce size and skillsets for its full-time and disaster workforce. Additionally, it outlines goals to help FEMA increase outreach and improve upon technology and resourcing to support recruitment efforts, especially within the Incident Management (IM) Workforce. To aid in execution of the Plan, FEMA developed a Strategic Recruitment Implementation Plan that provides specific actions and milestones to document activities for monitoring and evaluating the agency's hiring efforts to address staffing gaps in the IM Workforce.

FEMA is conducting National and Regional Force Structure Reviews to take a data-driven approach to setting and achieving the topline force strength necessary to ensure FEMA continues to effectively manage increasingly frequent and severe disasters, as well as evolving responsibilities like Homeland Security Events and COVID-19. In 2023, FEMA finalized net growth targets for its 23 cadres for FY 2023-2026 that reflect the force strength goal for each FY, factoring in anticipated gains (hiring and progression into) minus anticipated losses (attrition and progression out) for each position in every cadre.

To ensure that all FEMA responders have access to the support needed to transition out of deployments, FEMA is implementing an enhanced demobilization process that provides dedicated time to complete disaster close-out activities, including debriefing on their deployment and accessing mental health resources as needed. FEMA also launched a Responder Demobilization Hub to centralize and amplify responder support resources. This enhancement of the demobilization process is a key step toward operationalizing Administrator Criswell's vision for a deliberate cultural change across the agency in terms of how FEMA supports its workforce to mitigate risk of burn out, increase morale, and promote retention.

*Question 4.* Surveys conducted under FEMA contract, have estimated that almost one-third of FEMA employees experience discrimination or harassment. GAO made

a number of recommendations to FEMA to improve anti-harassment and anti-discrimination efforts. What is FEMA doing to ensure that its policies adhere to promising practices for preventing harassment? What is FEMA doing to change the culture to further prevent harassment and discrimination? And how are employees at FEMA held accountable for such serious misconduct?

*ANSWER.* FEMA considers matters of alleged harassment and misconduct seriously and takes appropriate action in accordance with FEMA Instruction 300–21–0001: Anti-Harassment Program. Specifically, reports of harassment are thoroughly investigated, and our Labor and Employee Relations Branch works closely with decision makers to determine if violations of FEMA Instruction 300–21–0001 occurred and assists in taking swift and appropriate corrective actions. In cases of serious misconduct, FEMA uses its Disciplinary Review Board (DRB) to address misconduct. The DRB is a neutral panel that reviews serious misconduct cases and decides on the appropriate disciplinary action. Consistent with FEMA’s Table of Penalties, misconduct due to harassment—including failing to take appropriate action to prevent or curtail prohibited discrimination or harassment of a subordinate when the supervisory employee knew or should have known the conduct was discriminatory—carries a penalty ranging from suspension to removal from federal service depending on the circumstances.

FEMA continues to reinforce our Core Values of Compassion, Integrity, Fairness, and Respect and to address concerns of discrimination or harassment, to include through new and updated training required for all FEMA personnel and agency-wide guidance. The FEMA Office of Equal Rights (OER) updated its mandatory harassment training courses—“FEMA Equal Employment Opportunity (EEO) Employee Course 2022” (IS–0018.22) and “FEMA EEO Supervisor Course 2022”—in October 2021 and January 2022, respectively. These courses address how to identify and mitigate risk factors specific to FEMA’s workplace, provide easy to understand and realistic methods for addressing harassment, encourage employees to “speak up” at the lowest level in the chain of command first, and inform how to escalate up and outside the chain of command as circumstances may warrant. Further, FEMA published its 2023–2027 FEMA Diversity, Equity, Inclusion, and Accessibility Strategic Plan on March 6, 2023. FEMA is committed to developing a work environment free from discrimination and harassment and where employees feel acknowledged, valued, and respected.

FEMA OER acknowledges the importance of confidentiality associated with harassment complaints and will continue to evaluate and include more robust and relevant training on this important point. FEMA supervisors must take and achieve a passing score for the appropriate courses annually. For 2023, these include “Preventing and Addressing Workplace Harassment” and “Civil Treatment for Leaders.” Importantly, these courses address identifying and mitigating risk factors specific to FEMA’s workplace. FEMA OER also regularly offers a variety of additional EEO training to supervisors, including anti-harassment training.

FEMA is also developing easy-to-understand and realistic methods for addressing harassment. FEMA’s anti-harassment training for supervisors contains substantial information on preventing, recognizing, and promptly addressing harassment in the workplace.

The FEMA Management Development Program—provided to FEMA supervisors—reinforces management’s responsibilities regarding anti-harassment and their role as inclusive leaders. The FEMA Incident Workforce Academy offers “Elements of Supervision” training, which is divided into two components: Employee Rights-Unit 0602 for middle managers; and Supervisory Responsibilities-Unit 0603 for first-line supervisors. These courses and their subcomponents provide additional anti-harassment training to FEMA employees, supervisors, and managers.

FEMA also improved training for supervisors to ensure they know and understand confidentiality rules applicable to harassment complaints. By March 31, 2024, FEMA will update anti-harassment training available to supervisors to ensure these trainings include information on all four elements identified in Government Accountability Office’s (GAO) recommendation.

Consistent with FEMA Directive 112–13: Office of Professional Responsibility (OPR), FEMA employees have multiple options to report harassment. FEMA’s Office of Professional Responsibility has three ways to report employee misconduct and harassment to OPR: email [FEMA-Misconduct@fema.dhs.gov](mailto:FEMA-Misconduct@fema.dhs.gov); by telephone to 833–TELL–OPR (833–835–5677); and by mail to Office of Professional Responsibility, 400 C Street, SW, 7th Floor (7SW), Washington, DC 20472. This information, along with OPR’s process and approach to misconduct and harassment allegations, is available to all employees. In addition, FEMA employees can always report misconduct allegations to the DHS OIG. Another way of reporting harassment is to report it to FEMA’s OER at [fema-equalrights@fema.dhs.gov](mailto:fema-equalrights@fema.dhs.gov).

FEMA has undertaken several internally and externally driven assessments which provide valuable insight into harassment risk factors in its workplace. To that end, the FEMA Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints (EEOC Form 462) data indicates over the past three fiscal years, the number of formal EEO harassment claims filed dropped from 16 percent in FY 2021 to 13 percent in FY 2023.

Through commitment in terms of policy, and in integrating anti-harassment into a wide variety of our training programs, demanding accountability from leaders and employees, and being immediately responsive when there are allegations or reports of harassment, FEMA worked to build a positive, respectful workplace and culture where harassment is not tolerated.

*Question 5.* FEMA’s programs were designed with hurricanes and flooding in mind, so the Agency has struggled to adapt to the growing wildfire threat out west. In the past year, what progress has FEMA made to adapt its programs to the needs of survivors and communities before, during and after wildfire?

*ANSWER.* FEMA’s grant programs are authorized by the Stafford Act and other legislation. Programs are developed to implement those authorities based on a number of factors including, but not limited to, incident type, community needs, and best practices and lessons learned over time. The Stafford Act definition for “major disaster” includes the following incident types which are not limited to hurricanes and flooding: hurricane, tornado, storm, high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought, or, regardless of cause, any fire, flood, or explosion (42 U.S.C. 5122). As authorized by law, FEMA’s grant programs provide assistance for the purpose of preparedness, mitigation, response, and recovery in relation to the various incident types included in the Stafford Act definition for “major disaster.” The following programs provide assistance to individuals, communities, and public officials in the form of near real-time data to inform decision making, targeted messaging, training, emergency responder support, public assistance, and mitigation funding.

*FEMA U.S. Fire Administration*

FEMA’s U.S. Fire Administration (USFA) has always included structure fire and wildfire as part of its all-hazard approaches for the nation’s fire service and emergency medical service partners. In response to the growing threat of wildfire to the Wildland Urban Interface (WUI) and to suburban and rural communities and the increasing demands on state and local fire service, FEMA/USFA has:

- Launched a modernization effort and is working with DHS Science and Technology Directorate (S&T) to develop a new, interoperable fire information and analytics platform, the National Emergency Response Information System (NERIS). NERIS will support all-hazard incident data including WUI events and community risk reduction efforts by leveraging existing data sets from federal agencies and non-governmental organizations compiled to provide insights that individual data sets cannot.
- Convened a National Summit on Fire Prevention and Control in October 2022 with the leadership of national fire service organizations to develop a national strategy on key fire service challenges. One of the strategies identified was a focus on the WUI to prepare structural firefighters for climate-driven challenges. The Fire Administrator also established a stakeholder work group to identify actionable solutions for the challenges identified. The WUI strategy will be revisited and updated during the October 2023 USFA Summit.
- The USFA National Fire Academy (NFA) provides training for first responders and emergency managers to help them prepare more effectively for response to WUI fires. The NFA training and education curriculum provides first responders with the ability to create and sustain fire-adapted communities including land-use planning, code adoption, and evacuation planning.
- NFA courses are also offered for structural firefighters on wildland fire behavior, foundational wildland firefighting skills, and command and control. USFA works closely with federal interagency partners in the National Interagency Fire Center and National Wildfire Coordinating Group to support joint response operations and coordinated training and education needs. More information is available at <https://www.usfa.fema.gov/wui/training/>.
- The USFA provides a complete suite of research, tools, and resources for fire service and emergency management partners on WUI topics including community risk management at USFA WUI. Resources include communications tools for public messaging, an augmented reality app for wildfire home safety, resources for state and local partners to use for community outreach and engagement, and risk management efforts to support wildfire preparedness and recovery planning.

- USFA also supports the S&T wildfire development and implementation of recommendations from the WUI Operational Requirements and Capability Analysis which was developed in response to 2017 California fires. Projects include the Team Awareness Kit, a free-to-use GPS communications tool for mobile devices to improve situational awareness, and a wildland fire sensors project to develop a suite of sensors, platforms and other early wildfire detection technologies which is currently being field tested. All resources available at: <https://www.usfa.fema.gov/wui/research-technology/>.
- USFA along with the U.S. Departments of Agriculture and Interior co-lead the Wildland Fire Mitigation and Management Commission which began in 2022 and includes 11 Federal members and plays a key role in recommending ways that federal agencies can better prevent, mitigate, suppress, and manage wildland fires and wildfires that reach or originate in communities.

#### *FEMA Fire Mitigation Assistance Grants*

When a wildfire begins, FEMA moves quickly to provide financial support for emergency measures to protect life and property using Fire Management Assistance Grants (FMAGs). FMAGs provide funding for a wide breadth of firefighting and non-firefighting activities, including: expenses for field camps; equipment use, repair, and replacement; tolls, materials, and supplies; mobilization and demobilization; emergency work (e.g., evacuation, sheltering, and traffic control); public information dissemination; search and rescue; and administration.

FEMA continues to make improvements to support community resilience to wildland wildfires and to ensure actionable public assistance. For example, in April 2022, FEMA headquarters and regions came together for a Wildland WildFire Summit to discuss FEMA wildland wildfire policies and how the agency can be more effective in helping impacted communities.

Following the Summit, FEMA established the Wildfire Policy Initiative (WPI) which is designed to provide flexibility to better align policy with the unique circumstances surrounding wildfire incidents and has issued the following updates to PA policy as a result of the WPI efforts:

- Policy changes regarding debris removal that benefit declared wildfire incidents captured in the Simplifying the PA Program, Part 2 Memo, issued September 2022.

All policy changes implemented through these policy memos will be codified within Version 5 of the PAPPG. The WPI will continue to explore and recommend potential policy changes to address the complexities of wildfire incidents.

#### *FEMA and Wildland Wildfire Mitigation*

The FEMA Mitigation Directorate oversees a variety of assistance programs to enable State, Local, Tribal and Territorial (SLTTs) partners to implement risk reduction projects (i.e., mitigation) in order to become more resilient to the effects of multiple natural hazards, to rebound more quickly after a natural hazard event, and to reduce the overall costs associated with disaster response and recovery.

Most of FEMA's Hazard Mitigation Assistance (HMA) programs can fund wildfire mitigation projects, with the exception of the Flood Mitigation Assistance program. The Hazard Mitigation Grant Program (HMGP), HMGP Post Fire, Building Resilient Infrastructure and Communities, and the Safeguarding Tomorrow Revolving Loan program all provide funding that could be used for wildfire mitigation. The most common types of wildfire mitigation funded under these programs include hazardous fuels reduction, vegetation management, defensible space, and ignition-resistant construction. Other types of wildfire mitigation eligible under HMA include, but are not limited to, post-fire soil stabilization and post-fire flood risk reduction. HMA also regularly evaluates its program authorities and guidance and coordinates with stakeholders to identify additional opportunities for wildfire mitigation.

In the past year, HMA has implemented the following changes and initiatives to improve wildfire mitigation assistance:

- The 2023 HMA Program and Policy Guide was updated to remove the 2-mile limit for hazardous fuels reduction projects. Hazardous fuels reduction is no longer limited to a 2-mile radius from at-risk structures. The 2023 update also clarified that wildfire warning systems are eligible under HMA which was not explicitly listed in previous guidance. These updates to the guidance provide more flexibility to applicants seeking to apply for mitigation funding for wildfire projects. The HMA Wildfire Policy Work Group, in coordination with HMGP Post Fire, is also developing recommendations for expanding wildfire mitigation eligibility under HMA.
- HMGP and HMGP Post Fire has developed application support materials for the most common mitigation project types to streamline the application process

and improve stakeholder access to mitigation assistance. The application support materials include a project-specific application form, instructions for completing the application, and job aids for technical and EHP reviews. Application support materials are available for the following wildfire mitigation project types: hazardous fuels reduction/vegetation management/standing burned tree removal; defensible space; ignition-resistant construction; post-fire soil stabilization; and post-fire flood risk reduction.

*Question 6.* The Global Catastrophic Risk Management Act (GCRMA, 6 U.S.C. §821–§825) requires the Secretary of Homeland Security, in consultation with the Administrator of the Federal Emergency Management Agency, to lead a comprehensive, whole-of-government assessment of global catastrophic and existential risk over the next 30 years, and submit a report on these matters by December 23, 2023. The Act also requires updates to the Federal Interagency Operational Plans at the core of FEMA’s strategic plans to respond to catastrophes. Please update the Committee on the progress of implementing this law and developing its critical assessment of our national security, including:

*Question 6.a.* How the responsibilities of the GCRMA are delegated to senior officials and component offices inside DHS and FEMA;

*ANSWER.* The Administrator of FEMA delegated to the FEMA/Resilience/Risk Management Directorate the responsibility for carrying out the Global Catastrophic Risk Management Act (GCRMA). FEMA is working with DHS S&T and a Federally Funded Research and Development Center (FFRDC) to satisfy the risk assessment and the initial report which is due by December 23, 2023.

*Question 6.b.* If the heads of other federal departments and agencies, as identified in 6 U.S.C. § 822(b), have made available their senior designees to assist the DHS and FEMA in the production of the assessment and accompanying report;

*ANSWER.* 6 U.S.C. §822(b) names 24 officials at more than 12 departments and agencies. DHS and FEMA intend to engage their designees using an established National Security Council’s interagency coordination process. We anticipate this engagement can begin no earlier than mid-December in order to have a draft product which our interagency partners may examine and discuss. The Act identifies six hazards and requires assessment of each hazard according to the nine elements specified in the Act. Because the content and coordination requirements are extensive, and because this will be the first report in the series, it is hard to predict how long interagency coordination will require. And it would be unwise to shortchange any stakeholder, hazard or required element. Accordingly, we currently project that the initial report will be delivered after the date specified in the Act, possibly by as much as a few months.

*Question 6.c.* How the FEMA is planning to “regularly consult with experts” on global catastrophic and existential risk in the development of the assessment, as required by the law; and

*ANSWER.* DHS has contracted with the Homeland Security Operational Analysis Center (HSOAC), one of its federally funded research and development centers to satisfy the Act’s requirement of producing an initial report. Through HSOAC, DHS and FEMA can access subject matter expertise as required by the law. HSOAC has a confidential peer review process which will facilitate their research and drafting. Our understanding is the Act’s requirement for “regular” consultation begins with the production of the first report. Thereafter, regular consultation is expected to perform the other tasks specified in the Act and subsequent reports which are due each decade. We intend to use this initial production cycle as a means to identify whether HSOAC’s processes will be optimal to meet the requirement of regular consultation and to adjust as necessary to meet our obligations.

*Question 6.d.* FEMA’s planned schedule for updating the Federal Interagency Operational Plans to include an annex containing a strategy to ensure the health, safety, and general welfare of the civilian population affected by catastrophic incidents.

*ANSWER.* The Act’s requirement to update FIOP is necessarily sequential to the publishing of the initial report. The four strategic actions, six elements and five assumptions which the Act requires each FIOP to address must be informed by the hazard assessments, expert estimates, technical assessments, forecasts, proposals and other matters contained in the first report. It is therefore premature to schedule any specific timetable for revising FIOP. HSOAC is performing their tasking mindful that their report will be leveraged for FIOP updates. DHS and FEMA intend to confer with the interagency about the FIOP requirement as part of the coordination of the draft report as discussed above.

QUESTIONS FROM HON. JENNIFFER GONZÁLEZ-COLÓN TO HON. ERIK HOOKS, DEPUTY ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY

*Question 1.* We are all aware that the devastation in Puerto Rico after Maria totally overwhelmed both our public and private sectors and even FEMA at the time. Unable to handle everything at once, many entities in Puerto Rico have had to ask for extension after extension of deadlines. This lengthens the delays AND allows inflation to devalue the impact of the appropriated funding.

Is there a strategy for addressing these situations, to better prepare or assist recipients and subrecipients or better obtain results, so it does not have to get to the point of the threat that that funding will be lost?

*ANSWER.* Hurricane Maria represents one of the most complex disaster recovery missions in FEMA's history. FEMA continues to work with and support the Government of Puerto Rico and the Central Office for Recovery, Reconstruction and Resiliency (COR3) to expedite the obligation and the implementation of projects. At the federal level, FEMA is streamlining our processes to provide funding as quickly as possible to ultimately get shovels in the ground, while taking this opportunity to build more resilient infrastructure.

FEMA is providing a historic level of support to Puerto Rico, both financially and in the form of technical guidance. Some examples include assisting the Government of Puerto Rico with expediting its Requests for Proposal/contracts process, clarifying documentation requirements and conditions to help avoid delays and ensure project formulation processes can move forward, and providing detailed procurement compliance review to COR3 as part of its technical compliance assistance. Additionally, since 2017, FEMA and the Government of Puerto Rico have worked together to build tremendous levels of capacity on the island to recover from disasters.

Another strategy to speed recovery has been COR3's Working Capital Advance program. FEMA is supportive of this program, which aims to provide the liquidity that sub applicants need to execute contracts and begin construction work. The Working Capital Advance program originally sought to provide municipalities with a 25 percent advance of FEMA obligated funds for permanent projects, the program will now provide up to 50 percent of working capital per project, based on need, for immediate liquidity to advance recovery forward.

According to COR3, approximately 2,804 recovery projects are under construction and roughly 1,887 are complete. Some of the most vulnerable municipalities have the largest funding amounts obligated and reconstruction activities in their communities are underway.

FEMA continues to look for additional ways to support the Government of Puerto Rico and its efforts to recover in a timely and resilient manner. In terms of the extensions that are being approved, they are for Period of Performance extensions of obligated projects where the applicant has not yet completed its construction, and Fixed Cost Estimate (FCE) deadline extensions for Section 428 projects (a reduced number). Currently, the agency is not accepting Requests for Public Assistance.

Regarding inflation concerns, FEMA includes cost estimating factors (CEF) in every FCE for all PA Section 428 projects. The CEF includes an estimate of base construction costs and a series of factors to account for additional costs, including allowances for inflation over the length of the project. Each FCE is developed and mutually agreed upon by the Recipient, subrecipient and FEMA. Additionally, as part of the flexibility of Section 428 projects, the Government of Puerto Rico (Recipient) or subrecipient may use all or part of the excess funds to cover overruns on other Section 428 projects under the same Applicant.

Projects developed under PA Section 406 are funded to actual eligible costs, which includes increases due to inflation. FEMA considers inflation and other factors such as code or standard changes, availability of in-kind construction material, quantity, delivery schedules, and the economy.

*Question 2.* Specifically on the FEMA funding for the Puerto Rico electric utilities rebuilding under the FAAS program—this adds up to \$9.5 billion for long term reconstruction above regular emergency obligations.

We are aware of lobbying and even suits by groups demanding that someone, anyone in DC, be it DOE or FEMA or the Courts or Congress, mandate that not a cent of those funds be used for anything that uses any fossil fuel.

*Question 2.a.* Is that even something under FEMA's authority or scope? Does the agency reaffirm they will follow the existing Action Plan based on the needs and laws in Puerto Rico, which include using LNG as a transition bridge to other sources?

*Question 2.b.* What measures can FEMA implement to ensure that subrecipients and contractors are complying with the requirements for the Action Plan? Are there progress reports and plan updates being produced?

*ANSWER to 2.a.–2.b.* The Government of Puerto Rico is the entity with the responsibility and authority to define the public policy towards the use of allocated funds for the island's recovery. FEMA continues to provide a historic level of support to the government and remains committed to helping Puerto Rico meet its electricity needs with 100 percent renewable energy by 2050, as established in the Puerto Rico Energy Public Policy Act (Act 17).

One of these initiatives includes the Puerto Rico Grid Resilience and Transitions to 100 percent Renewable Energy Study (PR100), a 2-year study by the U.S. Department of Energy's (DOE) Grid Deployment Office and six national laboratories to comprehensively analyze stakeholder-driven pathways to Puerto Rico's clean energy future.

Funded primarily through an interagency agreement with FEMA, the study is based on rigorous modeling and analysis of stakeholder-driven pathways to achieve Puerto Rico's goal of 100 percent renewable energy by 2050 (PR100). The PR100 study aims to evaluate clean energy alternatives for the reconstruction of the power grid on the island to help the island meet its renewable energy targets and improve power sector resiliency.

This study is one of several strategies that FEMA is collaborating on—together with federal and local agencies—to support the recovery of the energy grid through equitable, sustainable and resilient solutions. Energy justice considerations and climate risk assessments are also incorporated into the study's modeling efforts.

At the halfway point of this 2-year study, this interim report provides initial modeling results and access to high-resolution data sets of wind and solar resources for Puerto Rico, along with other publicly available data sets. In the second year of the study, DOE and the National Laboratories will iterate on and refine these findings, and analyze all scenarios for their impact on transmission, distribution, emissions, energy justice and resilience.

For FEMA, the PR100 study represents a commitment to Puerto Rico to provide the resources, including technical assistance, that address identified long-term recovery needs after Hurricane Maria.

Besides the \$9.5 billion that the Agency has allocated for the reconstruction of the power grid through FEMA's Accelerated Award Strategy, the Government of Puerto Rico also relies on other funding to rebuild its energy system. This includes HUD's CDBG-DR funding and the partnerships for the development of infrastructure through the Puerto Rico Public-Private Partnerships Authority (P3).

*Question 2.c.* Is there any risk that any part of the \$9.5 billion in grid recovery obligation be clawed back or rescinded at any point? If so, where is that risk and how can it be addressed?

*ANSWER.* Funding for grid recovery was awarded as a fixed-cost amount following Alternative Procedures Project Funding Under Section 428 of the Stafford Act. Once the fixed-cost amount is obligated, FEMA considers if it is reasonable and eligible, the funding may be used for the proposed or alternate scopes of work if there is no evidence of fraud, and the Applicant complies with Federal grant conditions.

FEMA continues supporting the Government of Puerto Rico in their plans to rebuild the island's energy grid until the last project is completed. Reconstruction is moving forward and no FEMA funds for the energy system are presently at a foreseeable risk.

*Question 2.d.* What measures are in place with the recipients and subrecipients to ensure that the grid operators use this funding in the most effective manner? Does FEMA have any intervention or oversight on for instance if the grid operators purchase or contract from their own subsidiaries or sister corporations?

*ANSWER.* FEMA provides technical assistance to the Puerto Rico COR3 to support the island's long-term recovery projects. FEMA and COR3 each play a role in making program funds available to subrecipients. FEMA is responsible for determining eligibility, conducting environmental/historic preservation review, approving projects, and making the federal share of the approved grant available to COR3. COR3 is solely responsible for ensuring that reimbursements for recovery projects meet the statutory, regulatory, and programmatic requirements established by FEMA.

FEMA, in close coordination with the Procurement Disaster Assistance Team, has provided detailed procurement compliance training to COR3 as part of its technical compliance assistance, so COR3 is properly trained to discharge its management and oversight responsibilities. The intent behind this type of technical assistance and training is that projects meet not only federal contracting requirements, but

state and local ones as well. FEMA and its federal partners will continue to provide technical assistance to COR3 and all subrecipients to ensure recovery continues to move forward.

Recipients and Subrecipients are subject to federal and non-federal audits. Records are subject to audit by state or Territorial government auditors, FEMA, the DHS OIG, and GAO. FEMA may adjust project funding due to audit findings. FEMA requires the Recipient to report on the status of all open Large Projects on a quarterly basis. This enables FEMA to monitor grant performance. Recipients must submit Quarterly Progress Reports (QPRs) to FEMA no later than 30 days after the end of each quarter. The Subrecipient must include the status of work for each project. FEMA reviews QPRs for oversight and managing the progress of recovery, tracking potential time extension requests, and planning for closeout.

*Question 3.* The Strategic plan discusses the need for more deployable staff and investment in staff retention. In Puerto Rico post-Maria FEMA's own reports pointed to lack of staff and frequent turnover as factors in the slowing down of recovery.

What will be the focus of this staff development? More on-site inspectors, more evaluators and processors of claims, more staff at local Disaster Assistance Offices and maybe keeping those offices open for longer?

*ANSWER.* FEMA's Joint Recovery Office in Puerto Rico, established after Hurricane Irma in September 2017, currently has approximately 564 staff working on the ground to support Puerto Rico's long-term recovery from Hurricanes Irma and Maria. 98 percent of these employees live on the island. These employees are cross trained to assist in any future disasters in Puerto Rico and have been deployed to other disasters providing the expertise they have developed. This strong on-island presence in Puerto Rico helped FEMA be better prepared to respond quickly when Hurricane Fiona made landfall in September 2022.

Additionally, FEMA is designing, developing, and implementing strategies for its WRC to help build, develop, deploy, and support a resilient, well-trained, and experienced workforce in the face of sustained increases in our operational tempo. As a part of the WRC, FEMA is working on four specific efforts to increase hiring and retention—develop and publish a Strategic Recruitment Plan, conduct National and Regional Force Structure Reviews, implement and socialize the CREW Act that provided USERRA benefits to FEMA Reservists, and establish an Enhanced Demobilization Process.

In November 2022, FEMA published its Strategic Recruitment Plan. The plan seeks to achieve the agency's strategic priority of building a more diverse workforce and outlines goals that will help FEMA to increase outreach and improve upon technology and resourcing needs to support the increased need for recruitment efforts, especially within the IM Workforce. To aid in execution of the recruitment plan, FEMA developed a recruitment implementation plan that provides specific actions and milestones that will document activities for monitoring and evaluating the agency's hiring efforts to address staffing gaps in the IM Workforce.

Further, through the National and Regional Force Structure Reviews, FEMA is taking a data-driven approach to setting and achieving top line force strengths necessary to ensure FEMA continues to effectively manage increasingly frequent and severe disasters as well as evolving responsibilities like Homeland Security Incidents and COVID-19. In 2023, FEMA and its 23 cadres finalized net growth targets for FY 2023-2026 that reflect the force strength goal for each fiscal year, factoring in anticipated gains (Hiring and Progression Into) minus anticipated losses (Attrition and Progression Out) for each position in every cadre.

Additionally, FEMA is working to amplify the USERRA benefits now provided to FEMA Reservists by effectively communicating its protections to applicants and current Reservists and their supervisors in the hopes of increasing Reservist recruitment and retention. In combination with more flexible conditions of employment to be implemented in 2024, this will better serve the needs of Reservists with outside employment. This initiative will provide FEMA broader and more experienced recruitment pools, especially for hard to fill positions. It also incentivizes current Reservists to accept disaster deployments and will help grow public/private sector relationships through FEMA training and deployment experiences.

Lastly, to ensure that all FEMA responders have access to the support needed to transition out of their deployment, FEMA is implementing an Enhanced Demobilization Process which provides dedicated time to complete disaster close-out activities including debriefing on their deployment and accessing mental health resources as needed. FEMA has also launched a Responder Demobilization Hub to centralize and amplify responder support resources. This enhancement of the demobilization process is a key step toward operationalizing Administrator Criswell's intention for a deliberate cultural change across the enterprise in how FEMA supports its work-

force to mitigate the risk of staff burn out, increase morale, and promote staff retention.

*Question 4.* On page 11 of the GAO report presented today, we see a graphic on how the different federal agencies are connected in the different aspects of a recovery. And that is all before you get to the level of the state or municipal agencies. No wonder things get slowed down or delayed!

GAO recommends “that FEMA, HUD, and DOT identify and take steps to better manage fragmentation between their individual disaster recovery programs and other federal programs. We also recommended that FEMA—as administrator of several disaster recovery programs—take steps to better manage fragmentation across its own programs, which could make the programs simpler, more accessible, and more user-friendly”.

Should Congress specifically legislate that the Federal level institute a one-stop disaster recovery model? So that all the information is gathered once and shared widely?

*ANSWER.* Recovery is successful when it is federally supported, state managed, and locally executed. FEMA brings its significant resources, authorities, and experience to leading federal recovery. Communities overwhelmed by disasters and facing long-term recovery encounter a multitude of challenges—ranging from infrastructure rebuilding and post-disaster housing to health and social services as well as economic recovery. FEMA provides a range of coordinating functions and technical support to support those needs, including facilitating federal interagency coordination, EHP, and community planning and capacity building.

Additionally, FEMA is taking several actions under EO 14058, “Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government,” to streamline and simplify its programs.

First, FEMA PA is working to simplify its processes, including by implementing simplified procedures for projects with an estimated cost below \$1 million for all disasters declared after August 3, 2022, and refining its information collection forms to simplify the PA applicant’s experience by implementing a risk-based approach, recognizing that not all applicants or projects require the same level of resources, documentation, or oversight.

In an effort to reduce complexity and increase efficiency, FEMA continually supports efforts like the UFR process to streamline and align disparate agency EHP compliance requirements and review processes as much as possible, without reducing the effectiveness of each program in accomplishing the goals for which it was established. Providing FEMA authorities similar to those under the Disaster Relief Appropriations Act of 2013 (P.L. 113–2) that states that HUD grantees may adopt, without review or public comment, any environmental review, approval, or permit would allow for increased efficiencies and reduce complexity.

FEMA Individual Assistance (IA) is also simplifying and modernizing the IA Registration Intake process for taking registrations online through [www.disasterassistance.gov](http://www.disasterassistance.gov). By August 30, 2023, this streamlined process will transition IA’s online intake process from a linear questionnaire that all survivors must respond to regardless of their needs into a tailored, needs-based assessment process that only provides the questions each survivor should answer to meet their specific recovery needs. For most survivors, this will reduce the number of questions they answer and the time it takes to apply for individual assistance. Future enhancements are planned to incorporate these changes into IA’s intake process through call centers. Survivors experiencing barriers to power and internet can also visit a Disaster Recovery Center to apply in person, where FEMA staff are available to assist if needed, or to get help from a Disaster Survivor Assistance agent.

Finally, also under EO 14058, FEMA is working with the U.S. Small Business Administration (SBA), the Office of Management and Budget, and other interagency partners to develop joint recommendations and an implementation plan to improve disaster housing, casework, and other supportive services by minimizing duplication and survivor navigation burden between FEMA and SBA.

*Question 5.* As mentioned in the hearing, we have seen disasters that leave a sequel of extended consequences. The outlook is for potentially more repeat instances of such scales of damage and recovery. And one thing I run into with constituents is a perception that FEMA does *everything* related to every disaster and *everything* in a recovery is FEMA’s responsibility—even if under a different agency or a state or private responsibility—and an apparent expectation that FEMA is supposed to just *completely* make whole *everything*.

How do we manage these perceptions? The agency’s name says “Emergency Management” but, is there a need to also become, or to create, what would be specifically

a rebuilding, recovery and resilience entity that looks beyond the emergency to the full recovery?

*ANSWER.* Emergency Management, by nature, requires a whole of community effort to rebuild and recover. FEMA is the lead federal coordinator for disaster recovery, and brings its significant resources, authorities, and experience to the role of leading federal recovery. FEMA has separate directorates responsible for coordinating federal interagency response, recovery, and resilience support through the Emergency Support Function Leadership Group under the National Response Framework, the RSFLG under the NDRF, and the Mitigation Framework Leadership Group under the National Mitigation Framework (NMF). FEMA's FDRC, senior level officials empowered to directly access designated senior officials in every Federal agency that may contribute to recovery, help manage the development and implementation of the recovery support strategy.

Each agency brings considerable expertise and authorities within its own areas of responsibility, which would be difficult or impossible for FEMA to duplicate. The existing frameworks and leadership groups provide a national coordinating structure for each mission area, providing unity of effort among all federal agencies supporting states, local governments, territories, and tribes in the achievement of their response, recovery, and mitigation goals. Federal agencies coordinate policy at headquarters and regions, along with deploying expert staff to joint field offices to coordinate funding and technical support directly for each specific declared disaster and impacted jurisdiction.

*Question 6.* Just a reminder of my request that if possible we may arrange for my office to be updated as to whether there are any FEMA funds for Puerto Rico at risk of being lost or repurposed, due to deadline expirations, budgetary clawbacks, noncompletion of stages of programmed work, or other reason in the rest of 2023 and 2024, and of what they are for, how much, what especially needs to be done (and by who and when) to prevent losing them, the Agency Staff may contact my office directly or through the committee for this purpose.

*ANSWER.* FEMA continues to support the Government of Puerto Rico, its agencies, and municipalities, as well as nonprofit organizations, in their plans to rebuild the island until the last project is completed. FEMA has multiple grant programs with different eligibility criteria and works with the Government of Puerto Rico's COR3 to ensure Puerto Rico receives all funding that it is eligible to receive. For example, funding for grid recovery was awarded as a fixed-cost amount following Alternative Procedures Project Funding Under Section 428 of the Stafford Act. Once the fixed-cost amount is obligated, FEMA considers it reasonable and eligible, if there is no evidence of fraud, and the Applicant complies with Federal grant conditions. Nonetheless, as part of our commitment to the island's recovery, we will continue to monitor and provide technical support and assistance, as needed, to subrecipients so that they have the tools necessary to continue moving forward. FEMA is open to providing additional information in response to specific inquiries.

**QUESTIONS FROM HON. JOHN GARAMENDI ON BEHALF OF HON. MARK DESAULNIER TO HON. ERIK HOOKS, DEPUTY ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY**

*Question 1.* In your testimony, you described three crosscutting goals of the Strategic Plan that was released in December 2021. First among them was to "instill equity as a foundation of emergency management", stating that FEMA programs are "sometimes not easily accessible to those who need them", and that FEMA "is focused on reducing the barriers people face when accessing our programs, while also ensuring that all disaster survivors receive the assistance for which they qualify for (sic) under the law."

Most would agree that our homeless population is disadvantaged and poorly positioned to access and avail themselves of programs that might benefit them; an obvious truth that is likely magnified during times of disaster. This is true regardless of whether they are intended as the direct recipients of federal disaster assistance, or the beneficiaries. Unfortunately, I'm told that counties that housed residents in non-congregate housing from the earliest days of the COVID pandemic, many of whom were homeless and medically at-risk, might not get reimbursed for having done so.

Could you please provide for the Committee the total reimbursement amount that has been requested by counties around the country for housing of individuals that

were classified as asymptomatic, but at high-risk and required emergency non-congregate shelter as a social distancing measure?

*Question 2.* It is my understanding that the decision as to whether to reimburse counties for housing asymptomatic, high-risk individuals is being left to each FEMA region. Is it true that a county in Florida and a county in California may be treated differently with respect to being reimbursed for the housing of their asymptomatic, high risk populations during the COVID-19 pandemic?

*ANSWER to 1-2.* Following the March 13, 2020 national emergency declaration for the COVID-19 pandemic, FEMA's Regional Administrators were delegated authority to approve requests for COVID-19-specific non-congregate sheltering (NCS) for the duration of the public health emergency for COVID-19. FEMA Regions are responsible for reviewing and determining eligibility of the COVID-19 NCS-related work and costs, including projects that may have extended COVID-19 NCS to people experiencing homelessness. Communities were able to use NCS to shelter individuals experiencing homelessness when the local public health order specifically required it for the purpose of isolation and quarantine to protect public health and safety or for a limited period of time when people experiencing homelessness fit into one of the three criteria below.

Sheltering specific populations, such as the homeless, in NCS should be determined by a public health official's direction or in accordance with the direction or guidance of health officials by the appropriate state or local entities. Length of sheltering for individuals is based on written guidance and direction from appropriate health officials and should be limited to what is needed to address the immediate threat to public health and safety. Sheltering eligibility for sheltering activities may not extend beyond the state or local public health order or the HHS Public Health Emergency for COVID-19.

FEMA published the Coronavirus (COVID-19) Pandemic: Non-Congregate Sheltering FAQs in March 2020, which detail the criteria for approval of NCS requests. The criteria for approval is the same in all Regions throughout the nation, and includes provision of COVID-specific NCS to individuals as follows:

- Those who test positive for COVID-19 who do not require hospitalization but need isolation (including those exiting from hospitals);
- Those who have been exposed to COVID-19 who do not require hospitalization; and
- Asymptomatic high-risk individuals needing social distancing as a precautionary measure, such as people over 65 or with certain underlying health conditions (respiratory, compromised immunities, chronic disease.)

FEMA's Regional staff review COVID-19 NCS-project related work and costs and determine which are eligible for reimbursement. A request for funding for COVID-19 NCS for people experiencing homelessness, whether in a county in Florida or a county in California would be evaluated consistently based on the established criteria.

FEMA does not track information related to reimbursements for housing homeless individuals who did not test positive for COVID-19. Since multiple activities can be packaged into one project, it is difficult to ascertain what funding was specifically being provided for non-congregate sheltering for people experiencing homelessness. In addition, we are not tracking their COVID-19 infection status. If this information was tracked it would likely be by localities, not in FEMA databases.

*Question 3.* A March 27, 2020 letter written by the FEMA Director of Region IX to the Director of the California Governor's Office of Emergency Services states that FEMA will reimburse emergency non-congregate shelter costs incurred for, generally,

- (1) individuals who test positive for COVID-19, but do not require hospitalization, but need isolation or quarantine;
- (2) individuals who have been exposed to COVID-19 and do not require hospitalization, but need isolation or quarantine, and
- (3) individuals who are asymptomatic, but at high-risk and require emergency non-congregate shelter as a social distancing measure.

As such, wouldn't you agree that with regard to the non-congregate sheltering of our nation's homeless population, and in keeping with the guidance in the March 27, 2020 letter, a county that housed an individual who was asymptomatic, but at high-risk and required emergency non-congregate shelter as a social distancing measure, should be reimbursed for the sheltering of that person?

*ANSWER.* Eligibility for reimbursement is based on whether an applicant conducted COVID-19-specific NCS operations in alignment with a public health official's direction, sheltered only individuals who met the criteria listed in the FAQ,

and submitted documentation demonstrating compliance with the guidance in the FAQ.

On March 13, 2020, President Trump issued a nationwide emergency declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) for the COVID-19 Pandemic. Under this declaration, FEMA's Regional Administrators were delegated authority to approve requests for COVID-19 NCS for the duration of the Public Health Emergency for COVID-19. FEMA Regions are responsible for reviewing and determining eligibility of the COVID-19 NCS related work and costs, including projects that may have extended COVID-19 NCS to people experiencing homelessness. FEMA published the Coronavirus (COVID-19) Pandemic: Non-Congregate Sheltering FAQs, which detail the criteria for approval of NCS requests. The criteria is the same in all regions throughout the Nation, and includes:

- Those who test positive for COVID-19 who do not require hospitalization but need isolation (including those exiting from hospitals);
- Those who have been exposed to COVID-19 who do not require hospitalization; and
- Asymptomatic high-risk individuals needing social distancing as a precautionary measure, such as people over 65 or with certain underlying health conditions (respiratory, compromised immunities, chronic disease).

In March, 2020 EMA released COVID-19 Non-congregate Sheltering guidance and interprets the term "high-risk" as relating to the list of medical conditions identified in Centers for Disease Control and Prevention's (CDC) guidance (e.g., People with Certain Medical Conditions—CDC). An individual (regardless of whether they were experiencing homelessness or not) who was asymptomatic and confirmed to be at high-risk based on the CDC list of medical conditions referenced above may be eligible to be placed in COVID-19 NCS.

The applicant would need to justify that the sheltered individual experiencing homelessness was sheltered because they were either exposed to COVID-19 or that they were at high-risk and therefore specifically required Emergency NCS as a social distancing measure. The fact that the individual is experiencing homelessness does not, on its own, justify that the individual is at high-risk for contracting COVID-19 and is unable to socially distance appropriately.

The referenced FAQ also states:

- "Sheltering specific populations in non-congregate shelters should be determined by a public health official's direction or in accordance with the direction or guidance of health officials by the appropriate state or local entities." In addition to meeting the above criteria regarding who could be sheltered, the applicant would need to provide documentation that they were adhering to a public health official's direction that was in effect at the time the COVID-19 NCS was conducted.
- Tracking mechanisms must be in place to provide data and documentation to establish the eligibility of costs for which the Applicant is requesting PA funding (including the need for NCS of each individual, length of stay, and costs). As with any activity, lack of supporting documentation may result in FEMA determining that some or all of the costs are ineligible."

#### QUESTIONS FROM HON. SCOTT PERRY TO CHRIS CURRIE, DIRECTOR, HOMELAND SECURITY AND JUSTICE TEAM, U.S. GOVERNMENT ACCOUNTABILITY OFFICE

*Question 1.* GAO issued a report on Federal Emergency Management Agency's (FEMA's) workforce and GAO found that FEMA has an overall staffing gap of approximately 6,200 staff (35 percent) across different positions.<sup>1</sup>

*Question 1.a.* What factors do you attribute to this staffing gap?

*ANSWER.* FEMA's staffing gaps were due to multiple factors.<sup>2</sup> First, staffing gaps were partly due to an increase in force structure targets, which FEMA officials attributed to the growing number of disaster staff needed, as identified during a review of the disaster workforce in May 2019. For example, certain cadres such as the Public Assistance and Logistics cadres experienced increases in their targets of 130

<sup>1</sup> U.S. GOV'T ACCOUNTABILITY OFF., GAO-23-105663, FEMA DISASTER WORKFORCE: ACTIONS NEEDED TO IMPROVE HIRING DATA AND ADDRESS STAFFING GAPS, May 2023 available at <https://www.gao.gov/assets/gao-23-105663.pdf>

<sup>2</sup> GAO, *FEMA Disaster Workforce: Actions Needed to Improve Hiring Data and Address Staffing Gaps*, GAO-23-105663 (Washington, D.C. May 2, 2023).

and 26 percent, respectively.<sup>3</sup> Next, FEMA officials also attributed recent staffing gaps to the loss of staff due to the year-round pace cause by the COVID-19 pandemic and increasing number of disasters. FEMA initially increased its disaster workforce by almost 1,600 staff (or 13 percent); however in fiscal year 2020 the disaster workforce lost 20 percent of staff (over 2,600 employees). Starting in March 2020, officials stated that they faced additional responsibilities due to COVID, while also managing the traditional seasonal peaks of disaster activity during the year, which created burnout for many employees and increased employee attrition. These losses resulted in staffing gaps in certain positions, and an overall decline in force strength.

*Question 1.b.* Is FEMA's focus on the migrant crisis and COVID contributing to FEMA's lacking personnel numbers and capability to carry out its core mission?

*ANSWER.* We identified that FEMA's staffing gaps were partly due to increases in its disaster staffing targets. For example, there were increases in targets in certain cadres such as Public Assistance and Logistics. However, the year round pace of the COVID-19 pandemic and increasing number of disasters also contributed to recent staffing gaps. These included additional responsibilities due to COVID-19 and managing the rising disaster activity during the year, which increased burnout and employee attrition.

*Question 2.* GAO identified that there are over 30 federal agencies and departments involved in disaster recovery with at least 32 congressional committees involved.

*Question 2.a.* How did disaster recovery get this complex and do you have recommendations on how to streamline this web of agencies?

*ANSWER.* The current federal approach is the product of over 40 years of incremental efforts to address emerging issues in disaster recovery through legislative reform—most recently with the enactment of the Disaster Recovery Reform Act of 2018, as well as through evolving agency regulation and policy. These efforts have created a complex system of programs that were not always designed to work together effectively. There have been benefits to having multiple entities involved in disaster recovery. For example, agencies bring their various expertise to recovery projects, such as the Federal Transit Administration having key insights into how to successfully rebuild public transportation systems. In addition, different programs can have different focuses, such as the Department of Housing and Urban Development mainly serving low and moderate income populations. However, there have also been negative effects of this fragmentation. While Congress and federal agencies have taken some steps to improve the current system, including implementing some of our prior recommendations, these actions have largely focused on a single agency or program.

In November 2022, we provided options to improve the federal approach to disaster recovery in addition to recommendations to improve agency efforts.<sup>4</sup> Based on our review of relevant literature; interviews with federal, state and local officials; and our panel of experts, we identified 11 options. Some options could be acted on within one or more agencies' existing authorities while others may require Congressional action to implement.<sup>5</sup>

**Table 3: Options to Improve the Federal Government's Approach to Disaster Recovery**

1. Develop new coordinated efforts to clearly and consistently communicate about recovery programs.
2. Provide coordinated technical assistance throughout disaster recovery.
3. Develop models to more effectively coordinate across disaster recovery programs.
4. Develop a single online application portal for disaster recovery that feeds into one repository.
5. Standardize requirements of federal disaster recovery programs.
6. Simplify requirements of federal disaster recovery programs.
7. Further incentivize investments in disaster resilience as part of federally-funded recovery programs.
8. Identify desired recovery outcomes and develop a mechanism to track these across programs.
9. Prioritize disaster recovery funding for vulnerable communities across all federal programs.

<sup>3</sup>The FEMA Public Assistance cadre force structure targets increased from about 1,780 staff to over 4,000 staff. The Logistics cadre also increased force structure targets from approximately 1,600 staff to over 2,000 staff.

<sup>4</sup>GAO, *Disaster Recovery: Actions Needed to Improve the Federal Approach*, GAO-23-104956 (Washington, D.C. November 15, 2022).

<sup>5</sup>Other than where we have made prior recommendations related to certain options, we do not endorse any particular option. Our report identified ways each option could be implemented and the strengths and limitations of each.

**Table 3: Options to Improve the Federal Government’s Approach to Disaster Recovery—**  
Continued

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10. Consolidate federal disaster recovery programs.  
11. Adjust the role of the federal government in disaster recovery.
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Source: GAO analysis of relevant literature; interviews with federal, state, and local officials; and our panel of experts.  
GAO-23-104956

We recommended that FEMA and other agencies better manage fragmentation within their programs. Additionally, we recommended that Congress consider establishing an independent commission to recommend reforms to the federal government’s approach to disaster recovery, which may include the options identified in that report. As of June 2023, all recommendations remain open.

*Question 2.b.* Are agencies working with one another to resolve overlaps and conflicts?

*ANSWER.* As of May 2023, FEMA, and other agencies are coordinating to address our recommendations, including working with the White House and senior executives across the federal government through an Interagency Policy Committee. This interagency effort includes consideration of the options we identified. FEMA has paused its update of the “National Disaster Recovery Framework” until these efforts conclude. In the interim, FEMA and HUD are taking steps to streamline processes. For example, FEMA is working with the Small Business Administration, the Office of Management and Budget, and other partners to develop a plan for a single disaster assistance application, aligned with one of the options we identified, by end of calendar year 2023. In addition, HUD is seeking public input on ways to improve delivery of funds through its Community Development Block Grant-Disaster Recovery. We are continuing to monitor agency progress to implement our recommendations.

*Question 3.* Public Assistance is a complex and lengthy grant program that has long been a source of frustration for state and local officials. Complicating this is the fear that if rules are not followed or changed later, certain funding may be recouped years down the road. It seems that repeated attempts to streamline this program have not worked.

*Question 3.a.* What steps are needed to streamline the Public Assistance Program?

*ANSWER.* FEMA recognizes the need to streamline the Public Assistance program and as such has re-established the Public Assistance Steering Committee, a committee designed to help improve the Public Assistance process for applicants. It lists actions taken to date on its external facing website. For example, in September 2022, FEMA started allowing additional flexibility in costs claimed for power restoration work; and eliminated size requirements for the eligibility of the removal of hazardous trees, limbs, branches, and stumps for debris removal projects, among other things.

Additionally, according to officials, FEMA increased the small project threshold and published a Simplified Procedures Policy.<sup>6</sup> These efforts aim to reduce the administrative burden on small projects, which in turn can support equitable delivery of assistance to underserved communities and apply simplified procedures in a consistent manner. Further, FEMA refined its information collection forms to simplify the Public Assistance applicant’s experience. These efforts aim to implement a risk-based approach by recognizing that every applicant or project does not require the same level of resources or oversight.

Further, as mentioned previously, we developed 11 options to improve the federal government’s approach to disaster recovery. Options such as developing a single online application portal for disaster recovery and simplifying and standardizing requirements for disaster recovery programs, among others could streamline these processes as well.

*Question 3.b.* Are changes to the Stafford Act needed to address this issue?

*ANSWER.* We have not conducted a review of the Stafford Act to determine what changes if any may be needed to streamline FEMA’s Public Assistance program.<sup>7</sup> However, we have reported on the challenges faced by state, local, tribal, and territorial entities in navigating the program.

For example, we previously reported on Puerto Rico’s challenges in developing long-term permanent work projects under the Public Assistance program. For exam-

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<sup>6</sup>FEMA, *FEMA Policy: Public Assistance Simplified Procedures*, FEMA Policy FP-104-23-001 (Washington, D.C.: January 6, 2023).

<sup>7</sup>See 42 U.S.C. §§ 5170b, 5172, 5173.

ple, in February 2020, we reported that a large number of damaged sites and delays in establishing cost estimation guidance specific to Puerto Rico presented challenges to developing projects.<sup>8</sup> We recommended, among other things, that FEMA develop a repository for all current applicable Public Assistance policies and guidance for Puerto Rico and make it available to all recovery partners. FEMA agreed and, in response made Public Assistance policies and guidance documents accessible to Puerto Rico recovery partners. In November 2020, we reported that 3 years after the hurricanes destroyed much of Puerto Rico's electricity grid, neither FEMA nor the U.S. Department of Housing and Urban Development (HUD) had approved any long-term grid recovery projects in Puerto Rico.<sup>9</sup>

Additionally, in October 2021, we found that FEMA inconsistently interpreted and applied its policies for expenses eligible for COVID-19 Public Assistance within and across its 10 regions.<sup>10</sup> For example, officials in one state said that FEMA at one point had deemed the provision of personal protective equipment at correctional facilities as ineligible for reimbursement in their region but that states in other regions had received reimbursement for the same expense. These inconsistencies were due to, among other things, changes in policies as FEMA used the Public Assistance program for the first time to respond to a nationwide emergency. FEMA officials stated that it was difficult to ensure consistency in policies as different states and regions are not experiencing the same things at the same time.

We recommended that FEMA require the agency's Public Assistance Program employees in the regions and at its Consolidated Resource Centers attend training on changes to COVID-19 Public Assistance policy. FEMA concurred with the recommendation and stated that it took a number of actions to educate staff on changes to COVID-19 Public Assistance policy. For example, FEMA conducted a webinar with over 300 staff, which covered a number of issues. Between January 2022 and January 2023, FEMA posted two videos publicly and two for Program Delivery Managers related to COVID. In addition, it held the Public Assistance Working Session with state, local, territorial, and tribal partners in July 2022. However, FEMA has not provided information to us on whether these training sessions are required for its staff, nor whether they are ensuring FEMA Public Assistance staff understand the content and are applying it.

*Question 3.c.* What impact has COVID-19 Public Assistance reimbursements and staffing gaps had on the ability to ensure timely processing for more traditional disasters?

*ANSWER.* Specific to the impact of COVID-19 reimbursements on the timely processing for more traditional disasters, officials have stated that should the Disaster Relief Fund run a deficit, FEMA will prioritize funding disasters response and delay reimbursements for recovery operations. According to the June 2023 DRF monthly report, FEMA estimates a deficit at the end of fiscal year 2023 of approximately \$9.6 billion dollars. We currently have ongoing work in this area and will report preliminary observations later this year.

Regarding staffing gaps, as mentioned previously, we identified that these staffing gaps were partly due to increases in its disaster staffing targets. For example, increases in targets for certain cadres such as Public Assistance and Logistics and burnout and attrition due to the year round pace of the COVID-19 pandemic and increasing number of disasters contributed to recent staffing gaps.

#### QUESTIONS FROM HON. JENNIFFER GONZÁLEZ-COLÓN TO CHRIS CURRIE, DIRECTOR, HOMELAND SECURITY AND JUSTICE TEAM, U.S. GOVERNMENT ACCOUNTABILITY OFFICE

*Question 1.* On page 11 of the GAO report presented today, we see a graphic on how the different federal agencies are connected in the different aspects of a recovery. And that is all BEFORE you get to the level of the state or municipal agencies. No wonder things get slowed down or delayed!

GAO recommends "that FEMA, HUD, and DOT identify and take steps to better manage fragmentation between their individual disaster recovery programs and

<sup>8</sup> GAO, *Puerto Rico Disaster Recovery: FEMA Actions Needed to Strengthen Project Cost Estimation and Awareness of Program Guidance*, GAO-20-221 (Washington, D.C.: February 5, 2020).

<sup>9</sup> GAO, *Puerto Rico Electricity: FEMA and HUD Have Not Approved Long-Term Projects and Need to Implement Recommendations to Address Uncertainties and Enhance Resilience*, GAO-21-54 (Washington D.C.: November 17, 2020).

<sup>10</sup> GAO, *COVID-19: Additional Actions Needed to Improve Accountability and Program Effectiveness of Federal Response*, GAO-22-105051 (Washington, D.C.: October 27, 2021).

other federal programs. We also recommended that FEMA—as administrator of several disaster recovery programs—take steps to better manage fragmentation across its own programs, which could make the programs simpler, more accessible, and more user-friendly.”

Should Congress specifically legislate that the Federal level institute a one-stop-shop disaster recovery model so that all the information is gathered once and shared widely?

*ANSWER.* Reducing the complexity of the fragmented approach to disaster recovery is a policy challenge and any decision about the best path forward will require complex tradeoffs. In our November 2022 report, we identified options for improving the federal approach, including, for example, consolidating federal programs and developing a single application for disaster recovery assistance that feeds into a one repository.<sup>1</sup> Consolidating federal programs, such as reducing the number of agencies or collapsing the number of recovery programs, could simplify some processes and reduce the administrative burden on applicants. However, depending on how this option is implemented, it may not reduce the complexities of the programs and could negatively affect efforts to distribute resources equitably.

Developing a single online portal for federal disaster recovery program applications could help applicants, including state and local governments and individual disaster survivors, identify which federal programs fit their specific recovery needs based on their eligibility. Having the information feed into one repository could reduce the need for applicants to input duplicative application information for multiple federal programs.<sup>2</sup> It could also leverage existing federal sources of data to help inform program eligibility, such as tax data from the Internal Revenue Service.<sup>3</sup> However, implementing this option could be challenging due to data sharing and privacy concerns as well as additional costs associated with developing a new system. As of May 2023, FEMA is working with the Small Business Administration, the Office of Management and Budget, and other partners to develop a plan for a single disaster assistance application.

*Question 2.* As mentioned in the hearing, we have seen disasters that leave a sequel of extended consequences. The outlook is for potentially more repeat instances of such scales of damage and recovery. And one thing I run into with constituents is a perception that FEMA does everything related to every disaster and everything in a recovery is FEMA’s responsibility—even if under a different agency or a state or private responsibility—and an apparent expectation that FEMA is supposed to just completely make whole everything.

How do we manage these perceptions? The agency’s name says “Emergency Management” but, is there a need to also become, or even to create, what we could call a specifically rebuilding, recovery and resilience entity that looks beyond the emergency to the full recovery?

*ANSWER.* One of the options we discuss in our November 2022 report involves consolidating disaster recovery programs, including consideration of a new agency focused on long-term disaster recovery.<sup>4</sup> As we note in that report, addressing the fragmented approach to disaster recovery is a policy challenge and any efforts to do so should consider the complex tradeoffs and strengths and limitations. Reducing the number of agencies could simplify disaster recovery projects and reduce the siloes between funding streams.

Additionally, in September 2020 we reported that survivors experienced challenges with the requirements to apply for the Small Business Administration’s (SBA’s) disaster loan program and understanding FEMA’s eligibility and award decisions.<sup>5</sup> We recommended that FEMA improve the completeness and consistency of its communication of the requirement to apply for an SBA disaster loan prior to be considered for SBA-dependent other needs assistance. FEMA concurred with our

<sup>1</sup>GAO, *Disaster Recovery: Actions Needed to Improve the Federal Approach*, GAO–23–104956 (Washington, D.C.: Nov. 15, 2022).

<sup>2</sup>Leicht, Holly M., *Rebuild the Plane Now: Recommendations for Improving Government’s Approach to Disaster Recovery and Preparedness* (New York: July 2017): 6–7. Liu, Federal Post-Disaster Recovery, 6.

<sup>3</sup>Martín, Carlos, Brandi Gilbert, Dan Teles, and Brett Theodos. *Housing Recovery and CDBG–DR: A Review of the Timing and Factors Associated with Housing Activities in HUD’s Community Development Block Grant for Disaster Recovery Program* (Washington, D.C.: April 2019): 72. Liu, Amy, *Federal Post-Disaster Recovery: A Review of Federal Programs Summary of Key Observations and Recommendations from a Stakeholder Roundtable*, (Washington, D.C.: May 2010).

<sup>4</sup>See GAO–23–104956.

<sup>5</sup>GAO, *Disaster Assistance: Additional Actions Needed to Strengthen FEMA’s Individuals and Households Program*, GAO–20–503 (Washington, D.C., Sep. 30, 2020).

recommendation and in May 2023 provided updates of its letters to disaster applicants outlining its communications on SBA requirements.

Creating a new federal agency could provide an opportunity to design an approach that proactively focuses on mitigation, adaptation, and recovery while incorporating effectiveness and equity into its core mission. However, creating a new agency would not necessarily reduce the complexity of the individual programs or address the capacity challenges at the tribal, state, local, and territorial level. Creating a new agency for recovery and resilience may create additional coordination challenges as the line between response and recovery is not always clear and decisions made during response can impact recovery or result in more duplication of effort.





June 5, 2023

The Honorable Cathy McMorris Rodgers, Chair  
The Honorable Frank Pallone, Jr., Ranking Member  
U.S. House Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chair McMorris Rodgers and Ranking Member Pallone:

I'm writing on behalf of the Hispanic Leadership Fund (HLF), a non-partisan advocacy organization dedicated to strengthening working families by advancing common-sense public policy solutions that foster liberty, opportunity, and prosperity. I write to you regarding the AM Radio for Every Vehicle Act (H.R. 3413).

HLF believes that there would several harmful effects that would result from severely limiting Americans' access to AM Radio. Foremost among our concerns is protecting the effectiveness of the Federal Emergency Management Agency's Emergency Alert System (EAS). In addition to impacting the ability of the President to reach the American people in the event of a national emergency, the EAS also provides a mechanism for state and local authorities to deliver information about extreme weather and natural disasters, AMBER alerts, and similar events.

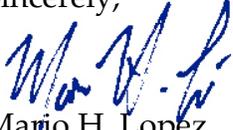
Importantly, even without activation of the EAS, the AM band provides a critical avenue for communication in times when power is out, cellular networks and/or internet access is limited or cut-off.

In addition, any restriction to access of AM radio would detrimentally impact many key economic industries and underserved communities across the country. Rural, agricultural, news journalism, and small businesses are among the sectors that would be directly affected.

For example, among the 4,500 AM radio stations across the U.S. whose signals reach over 80 million Americans a month, there are over 13 million American Latinos aged 12 years and up. Also, of the 1,500 minority-owned stations are about 600 stations that broadcast at least in part in a language other than English—including nearly 440 stations that have Spanish language or Latino/regional formats.

For these important public safety and economic reasons we urge support of the AM  
Radio for Every Vehicle Act.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mario H. Lopez".

Mario H. Lopez

President

Hispanic Leadership Fund

CC: Members of the U.S. House Committee on Energy and Commerce



June 5, 2023

The Honorable Cathy McMorris Rodgers  
Chair, Energy and Commerce Committee  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chair McMorris Rodgers,

I write to you today on behalf of the National Religious Broadcasters (NRB) association to express our concerns about several leading automakers' plans to drop AM radio from their vehicles, and to urge your support for H.R.3413, which would require the Secretary of Transportation to issue a rule requiring access to AM broadcast stations in motor vehicles.

NRB is a nonpartisan, international association of Christian communicators that has a long history of supporting and protecting AM radio and whose membership reaches millions of listeners, viewers, and readers. Today, we count 123 AM stations as NRB members, plus hundreds of AM stations affiliated with NRB member organizations.

Citing potential electromagnetic interference between the new technologies and AM radio, several large automakers including BMW, Mazda, Polestar, Tesla, Volkswagen, and Volvo, which produce hundreds of thousands of electric vehicles each year, have already removed AM radio receivers from new electric vehicles.

Christian radio serves as a beacon for tens of millions of listeners across America each week, who tune in to faith-driven talk and teaching to be encouraged and to grow in their faith. Christian radio has a uniquely local interest, often leasing airtime to churches and ministries in the community to reach a wider audience with their sermons and programs. Millions of listeners have been shaped and discipled by faithful Christian radio ministries that speak to the concerns of the local listener, meeting them exactly where they are. That work is put in jeopardy by automakers' decisions to drop AM radio from their vehicles.

Not only does AM radio benefit listeners across America as an accessible platform for news, information, and Christian content, but AM radio is time-tested and resilient in times of emergency, reaching Americans in their homes and automobiles when power lines and cell towers are impacted. Removing AM radio from the auto dashboard hinders a vital public safety system that has proven critical during disasters of the past.

H.R. 3413 will require the Secretary of Transportation to issue a rule under which vehicles made or imported to the U.S. will be required to have a device with AM capabilities and ensure that AM is conspicuous to the driver in the dash. This legislation is crucial to securing AM broadcast radio for those across the country who tune in to this lifeline every day, and we ask that you stand with our industry by supporting this legislation.

Thank you for your attention to this matter. We look forward to working with you to urge auto manufacturers to keep this vital service as part of their new consumer vehicles.

Respectfully,

Troy A. Miller  
President & CEO

# United States Senate

December 1, 2022

Sebastian Mackensen  
Chief Executive Officer  
BMW of North America, LLC  
300 Chestnut Ridge Road  
Woodcliff Lake, NJ 07675

Dear Mr. Mackensen,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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<sup>1</sup> *Audio and Podcasting Fact Sheet*, PEW RESEARCH CENTER (June 29, 2021), <https://www.pewresearch.org/journalism/fact-sheet/audio-and-podcasting/>.

<sup>2</sup> Lee Rain, *Cable and satellite TV use has dropped dramatically in the U.S. since 2015*, PEW RESEARCH CENTER (Mar. 27, 2021), <https://www.pewresearch.org/fact-tank/2021/03/17/cable-and-satellite-tv-use-has-dropped-dramatically-in-the-u-s-since-2015/>.

<sup>3</sup> *Mobile Fact Sheet*, PEW RESEARCH CENTER (Apr. 7, 2021), <https://www.pewresearch.org/internet/fact-sheet/mobile/>.

<sup>4</sup> Naomi Forman-Katz & Katerina Eva Matsa, *News Platform Fact Sheet*, PEW RESEARCH CENTER (Sept. 20, 2022), <https://www.pewresearch.org/journalism/fact-sheet/news-platform-fact-sheet/>.

<sup>5</sup> Randy J. Stine, *TechSurvey 2022: The Car is Getting Crowded*, RADIOWORLD (May 20, 2022), <https://www.radioworld.com/news-and-business/programming-and-sales/techsurvey-2022-the-car-is-getting-crowded>.

such as Google Assistant (12 percent) and Amazon Alexa (9 percent).<sup>6</sup> In other words, broadcast AM and FM radio remain an essential vehicle feature for consumers.

Moreover, broadcast AM radio, in particular, is a critical mechanism for government authorities to communicate with the public during natural disasters, extreme weather events, and other emergencies. AM radio operates at lower frequencies and has longer wavelengths than FM radio, so AM radio waves more easily pass through solid objects. As a result, AM radio signals can travel long distances, making them well-suited for broadcasting emergency alerts. For that reason, the Federal Emergency Management Agency's (FEMA) National Public Warning System — which authorities can use to deliver emergency alert and warning broadcasts, including presidential emergency warnings, to the public — operates primarily through AM radio stations. Thanks to investments by FEMA, these stations are equipped with backup generators and other protections, making them resilient to extreme weather events and other hazards.

FEMA officials — in both Democratic and Republican administrations — have hailed broadcast radio as the most dependable communication medium during an emergency. For example, in 2020, former FEMA Administrator Brock Long, who served under former President Donald Trump, wrote: “No other means of electronic communications in the country is as efficient or reliable as the radio.”<sup>7</sup> More recently, Craig Fugate, the FEMA administrator under former President Barack Obama, agreed: “The linkage between the local officials and the local radio stations is critical. It’s the one thing we know that will survive a lot of these disasters.”<sup>8</sup> Despite innovations such as the smartphone and social media, AM/FM broadcast radio remains the most dependable, cost-free, and accessible communication mechanism for public officials to communicate with the public during times of emergency. As a result, any phase-out of broadcast AM radio could pose a significant communication problem during emergencies.

Despite the importance of broadcast AM radio, some automakers have begun discontinuing the feature in new vehicles, particularly electric vehicles. Manufacturers have argued that batteries and other technology in EVs create an electromagnetic interference with AM radio waves, significantly impairing audio quality.<sup>9</sup> Although this interference is real, automakers have developed innovative technologies to address this problem. For example, research suggests that digital broadcast radio — through which consumers can receive AM stations — is less susceptible to electromagnetic interference than analog AM radio.<sup>10</sup> In 2018,

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<sup>6</sup> *Id.*

<sup>7</sup> Brock Long, *Opinion: Automakers, don't remove radios from the dashboard*, THE DETROIT NEWS (Mar. 12, 2020), <https://www.detroitnews.com/story/opinion/2020/03/13/opinion-automakers-dont-remove-radios-dashboard/5022902002/>.

<sup>8</sup> *Former FEMA Administrator Craig Fugate On Radio's Role During Disasters*, INSIDERADIO (Sept. 29, 2022), [https://www.insideradio.com/free/former-fema-administrator-craig-fugate-on-radio-s-role-during-disasters/article\\_4fb70f9c-3fc9-11ed-b31c-e78ffbae443b.html](https://www.insideradio.com/free/former-fema-administrator-craig-fugate-on-radio-s-role-during-disasters/article_4fb70f9c-3fc9-11ed-b31c-e78ffbae443b.html).

<sup>9</sup> See, e.g., Chester Dawson, *Your Tesla Can Go Zero to 60 in 2.5 Seconds But Can't Get AM Radio*, WALL STREET JOURNAL (Nov. 6, 2018), <https://www.wsj.com/articles/your-tesla-can-go-zero-to-60-in-2-5-seconds-but-cant-get-am-radio-1541523098>.

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the European Union mandated that all new vehicles be equipped with digital radio.<sup>11</sup> In fact, many EVs today are equipped with AM radio, demonstrating that many automakers do not view EVs and AM radio as technologically incompatible. As EVs rightfully become a greater share of new vehicles, automakers cannot defend the elimination of AM radio as necessary due to electromagnetic interference.

Although the auto industry's investments in electric vehicles are critical to addressing the climate crisis and reducing greenhouse gas emissions, automakers need not sacrifice the benefits of radio in the process. Given AM radio's importance for emergency communications and continued consumer demand, I urge your company to maintain the feature in its new vehicles and request that you answer the following questions in writing by December 22:

1. Has your company decided to discontinue access to free AM and/or FM broadcast radio in any of its vehicles?
  - a. If so, please provide the make, model, and manufacturing year of each vehicle that no longer will have AM and/or FM radio and explain why your company decided to omit AM and/or FM radio from those vehicles.
  - b. If not, please explain the type of technology, if any, that addresses electromagnetic interference with AM radio signals from EVs.
2. Does your company have any plans to omit AM and/or FM broadcast radio from future vehicle models? If so, please explain why your company is planning to remove AM and/or FM broadcast radio from them.
3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

James D. Farley, Jr.  
President and Chief Executive Officer  
Ford Motor Company  
One American Road  
Dearborn, MI 48126

Dear Mr. Farley,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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<sup>5</sup> Randy J. Stine, *TechSurvey 2022: The Car is Getting Crowded*, RADIOWORLD (May 20, 2022), <https://www.radioworld.com/news-and-business/programming-and-sales/techsurvey-2022-the-car-is-getting-crowded>.

such as Google Assistant (12 percent) and Amazon Alexa (9 percent).<sup>6</sup> In other words, broadcast AM and FM radio remain an essential vehicle feature for consumers.

Moreover, broadcast AM radio, in particular, is a critical mechanism for government authorities to communicate with the public during natural disasters, extreme weather events, and other emergencies. AM radio operates at lower frequencies and has longer wavelengths than FM radio, so AM radio waves more easily pass through solid objects. As a result, AM radio signals can travel long distances, making them well-suited for broadcasting emergency alerts. For that reason, the Federal Emergency Management Agency's (FEMA) National Public Warning System — which authorities can use to deliver emergency alert and warning broadcasts, including presidential emergency warnings, to the public — operates primarily through AM radio stations. Thanks to investments by FEMA, these stations are equipped with backup generators and other protections, making them resilient to extreme weather events and other hazards.

FEMA officials — in both Democratic and Republican administrations — have hailed broadcast radio as the most dependable communication medium during an emergency. For example, in 2020, former FEMA Administrator Brock Long, who served under former President Donald Trump, wrote: “No other means of electronic communications in the country is as efficient or reliable as the radio.”<sup>7</sup> More recently, Craig Fugate, the FEMA administrator under former President Barack Obama, agreed: “The linkage between the local officials and the local radio stations is critical. It’s the one thing we know that will survive a lot of these disasters.”<sup>8</sup> Despite innovations such as the smartphone and social media, AM/FM broadcast radio remains the most dependable, cost-free, and accessible communication mechanism for public officials to communicate with the public during times of emergency. As a result, any phase-out of broadcast AM radio could pose a significant communication problem during emergencies.

Despite the importance of broadcast AM radio, some automakers have begun discontinuing the feature in new vehicles, particularly electric vehicles. Manufacturers have argued that batteries and other technology in EVs create an electromagnetic interference with AM radio waves, significantly impairing audio quality.<sup>9</sup> Although this interference is real, automakers have developed innovative technologies to address this problem. For example, research suggests that digital broadcast radio — through which consumers can receive AM stations — is less susceptible to electromagnetic interference than analog AM radio.<sup>10</sup> In 2018,

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<sup>9</sup> See, e.g., Chester Dawson, *Your Tesla Can Go Zero to 60 in 2.5 Seconds But Can't Get AM Radio*, WALL STREET JOURNAL (Nov. 6, 2018), <https://www.wsj.com/articles/your-tesla-can-go-zero-to-60-in-2-5-seconds-but-cant-get-am-radio-1541523098>.

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the European Union mandated that all new vehicles be equipped with digital radio.<sup>11</sup> In fact, many EVs today are equipped with AM radio, demonstrating that many automakers do not view EVs and AM radio as technologically incompatible. As EVs rightfully become a greater share of new vehicles, automakers cannot defend the elimination of AM radio as necessary due to electromagnetic interference.

Although the auto industry's investments in electric vehicles are critical to addressing the climate crisis and reducing greenhouse gas emissions, automakers need not sacrifice the benefits of radio in the process. Given AM radio's importance for emergency communications and continued consumer demand, I urge your company to maintain the feature in its new vehicles and request that you answer the following questions in writing by December 22:

1. Has your company decided to discontinue access to free AM and/or FM broadcast radio in any of its vehicles?
  - a. If so, please provide the make, model, and manufacturing year of each vehicle that no longer will have AM and/or FM radio and explain why your company decided to omit AM and/or FM radio from those vehicles.
  - b. If not, please explain the type of technology, if any, that addresses electromagnetic interference with AM radio signals from EVs.
2. Does your company have any plans to omit AM and/or FM broadcast radio from future vehicle models? If so, please explain why your company is planning to remove AM and/or FM broadcast radio from them.
3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Mary Barra  
Chair and Chief Executive Officer  
General Motors Company  
300 Renaissance Center  
Detroit, MI 48265

Dear Ms. Barra,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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such as Google Assistant (12 percent) and Amazon Alexa (9 percent).<sup>6</sup> In other words, broadcast AM and FM radio remain an essential vehicle feature for consumers.

Moreover, broadcast AM radio, in particular, is a critical mechanism for government authorities to communicate with the public during natural disasters, extreme weather events, and other emergencies. AM radio operates at lower frequencies and has longer wavelengths than FM radio, so AM radio waves more easily pass through solid objects. As a result, AM radio signals can travel long distances, making them well-suited for broadcasting emergency alerts. For that reason, the Federal Emergency Management Agency's (FEMA) National Public Warning System — which authorities can use to deliver emergency alert and warning broadcasts, including presidential emergency warnings, to the public — operates primarily through AM radio stations. Thanks to investments by FEMA, these stations are equipped with backup generators and other protections, making them resilient to extreme weather events and other hazards.

FEMA officials — in both Democratic and Republican administrations — have hailed broadcast radio as the most dependable communication medium during an emergency. For example, in 2020, former FEMA Administrator Brock Long, who served under former President Donald Trump, wrote: “No other means of electronic communications in the country is as efficient or reliable as the radio.”<sup>7</sup> More recently, Craig Fugate, the FEMA administrator under former President Barack Obama, agreed: “The linkage between the local officials and the local radio stations is critical. It’s the one thing we know that will survive a lot of these disasters.”<sup>8</sup> Despite innovations such as the smartphone and social media, AM/FM broadcast radio remains the most dependable, cost-free, and accessible communication mechanism for public officials to communicate with the public during times of emergency. As a result, any phase-out of broadcast AM radio could pose a significant communication problem during emergencies.

Despite the importance of broadcast AM radio, some automakers have begun discontinuing the feature in new vehicles, particularly electric vehicles. Manufacturers have argued that batteries and other technology in EVs create an electromagnetic interference with AM radio waves, significantly impairing audio quality.<sup>9</sup> Although this interference is real, automakers have developed innovative technologies to address this problem. For example, research suggests that digital broadcast radio — through which consumers can receive AM stations — is less susceptible to electromagnetic interference than analog AM radio.<sup>10</sup> In 2018,

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the European Union mandated that all new vehicles be equipped with digital radio.<sup>11</sup> In fact, many EVs today are equipped with AM radio, demonstrating that many automakers do not view EVs and AM radio as technologically incompatible. As EVs rightfully become a greater share of new vehicles, automakers cannot defend the elimination of AM radio as necessary due to electromagnetic interference.

Although the auto industry's investments in electric vehicles are critical to addressing the climate crisis and reducing greenhouse gas emissions, automakers need not sacrifice the benefits of radio in the process. Given AM radio's importance for emergency communications and continued consumer demand, I urge your company to maintain the feature in its new vehicles and request that you answer the following questions in writing by December 22:

1. Has your company decided to discontinue access to free AM and/or FM broadcast radio in any of its vehicles?
  - a. If so, please provide the make, model, and manufacturing year of each vehicle that no longer will have AM and/or FM radio and explain why your company decided to omit AM and/or FM radio from those vehicles.
  - b. If not, please explain the type of technology, if any, that addresses electromagnetic interference with AM radio signals from EVs.
2. Does your company have any plans to omit AM and/or FM broadcast radio from future vehicle models? If so, please explain why your company is planning to remove AM and/or FM broadcast radio from them.
3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Noriya Kaihara  
President and Chief Executive Officer  
American Honda Motor Co., Inc.  
1919 Torrance Blvd  
Torrance, CA 90501

Dear Mr. Kaihara,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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FEMA officials — in both Democratic and Republican administrations — have hailed broadcast radio as the most dependable communication medium during an emergency. For example, in 2020, former FEMA Administrator Brock Long, who served under former President Donald Trump, wrote: “No other means of electronic communications in the country is as efficient or reliable as the radio.”<sup>7</sup> More recently, Craig Fugate, the FEMA administrator under former President Barack Obama, agreed: “The linkage between the local officials and the local radio stations is critical. It’s the one thing we know that will survive a lot of these disasters.”<sup>8</sup> Despite innovations such as the smartphone and social media, AM/FM broadcast radio remains the most dependable, cost-free, and accessible communication mechanism for public officials to communicate with the public during times of emergency. As a result, any phase-out of broadcast AM radio could pose a significant communication problem during emergencies.

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<sup>9</sup> See, e.g., Chester Dawson, *Your Tesla Can Go Zero to 60 in 2.5 Seconds But Can't Get AM Radio*, WALL STREET JOURNAL (Nov. 6, 2018), <https://www.wsj.com/articles/your-tesla-can-go-zero-to-60-in-2-5-seconds-but-cant-get-am-radio-1541523098>.

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the European Union mandated that all new vehicles be equipped with digital radio.<sup>11</sup> In fact, many EVs today are equipped with AM radio, demonstrating that many automakers do not view EVs and AM radio as technologically incompatible. As EVs rightfully become a greater share of new vehicles, automakers cannot defend the elimination of AM radio as necessary due to electromagnetic interference.

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3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

José Muñoz  
President and Chief Executive Officer  
Hyundai Motor America, Inc.  
10550 Talbert Avenue  
Fountain Valley, CA 92708

Dear Mr. Muñoz,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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<sup>5</sup> Randy J. Stine, *TechSurvey 2022: The Car is Getting Crowded*, RADIOWORLD (May 20, 2022), <https://www.radioworld.com/news-and-business/programming-and-sales/techsurvey-2022-the-car-is-getting-crowded>.

such as Google Assistant (12 percent) and Amazon Alexa (9 percent).<sup>6</sup> In other words, broadcast AM and FM radio remain an essential vehicle feature for consumers.

Moreover, broadcast AM radio, in particular, is a critical mechanism for government authorities to communicate with the public during natural disasters, extreme weather events, and other emergencies. AM radio operates at lower frequencies and has longer wavelengths than FM radio, so AM radio waves more easily pass through solid objects. As a result, AM radio signals can travel long distances, making them well-suited for broadcasting emergency alerts. For that reason, the Federal Emergency Management Agency's (FEMA) National Public Warning System — which authorities can use to deliver emergency alert and warning broadcasts, including presidential emergency warnings, to the public — operates primarily through AM radio stations. Thanks to investments by FEMA, these stations are equipped with backup generators and other protections, making them resilient to extreme weather events and other hazards.

FEMA officials — in both Democratic and Republican administrations — have hailed broadcast radio as the most dependable communication medium during an emergency. For example, in 2020, former FEMA Administrator Brock Long, who served under former President Donald Trump, wrote: “No other means of electronic communications in the country is as efficient or reliable as the radio.”<sup>7</sup> More recently, Craig Fugate, the FEMA administrator under former President Barack Obama, agreed: “The linkage between the local officials and the local radio stations is critical. It’s the one thing we know that will survive a lot of these disasters.”<sup>8</sup> Despite innovations such as the smartphone and social media, AM/FM broadcast radio remains the most dependable, cost-free, and accessible communication mechanism for public officials to communicate with the public during times of emergency. As a result, any phase-out of broadcast AM radio could pose a significant communication problem during emergencies.

Despite the importance of broadcast AM radio, some automakers have begun discontinuing the feature in new vehicles, particularly electric vehicles. Manufacturers have argued that batteries and other technology in EVs create an electromagnetic interference with AM radio waves, significantly impairing audio quality.<sup>9</sup> Although this interference is real, automakers have developed innovative technologies to address this problem. For example, research suggests that digital broadcast radio — through which consumers can receive AM stations — is less susceptible to electromagnetic interference than analog AM radio.<sup>10</sup> In 2018,

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<sup>6</sup> *Id.*

<sup>7</sup> Brock Long, *Opinion: Automakers, don't remove radios from the dashboard*, THE DETROIT NEWS (Mar. 12, 2020), <https://www.detroitnews.com/story/opinion/2020/03/13/opinion-automakers-dont-remove-radios-dashboard/5022902002/>.

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<sup>9</sup> See, e.g., Chester Dawson, *Your Tesla Can Go Zero to 60 in 2.5 Seconds But Can't Get AM Radio*, WALL STREET JOURNAL (Nov. 6, 2018), <https://www.wsj.com/articles/your-tesla-can-go-zero-to-60-in-2-5-seconds-but-cant-get-am-radio-1541523098>.

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the European Union mandated that all new vehicles be equipped with digital radio.<sup>11</sup> In fact, many EVs today are equipped with AM radio, demonstrating that many automakers do not view EVs and AM radio as technologically incompatible. As EVs rightfully become a greater share of new vehicles, automakers cannot defend the elimination of AM radio as necessary due to electromagnetic interference.

Although the auto industry's investments in electric vehicles are critical to addressing the climate crisis and reducing greenhouse gas emissions, automakers need not sacrifice the benefits of radio in the process. Given AM radio's importance for emergency communications and continued consumer demand, I urge your company to maintain the feature in its new vehicles and request that you answer the following questions in writing by December 22:

1. Has your company decided to discontinue access to free AM and/or FM broadcast radio in any of its vehicles?
  - a. If so, please provide the make, model, and manufacturing year of each vehicle that no longer will have AM and/or FM radio and explain why your company decided to omit AM and/or FM radio from those vehicles.
  - b. If not, please explain the type of technology, if any, that addresses electromagnetic interference with AM radio signals from EVs.
2. Does your company have any plans to omit AM and/or FM broadcast radio from future vehicle models? If so, please explain why your company is planning to remove AM and/or FM broadcast radio from them.
3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Joachim Eberhardt  
President  
Jaguar Land Rover North America, LLC  
100 Jaguar Land Rover Way  
Mahwah, NJ 07495

Dear Mr. Eberhardt,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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such as Google Assistant (12 percent) and Amazon Alexa (9 percent).<sup>6</sup> In other words, broadcast AM and FM radio remain an essential vehicle feature for consumers.

Moreover, broadcast AM radio, in particular, is a critical mechanism for government authorities to communicate with the public during natural disasters, extreme weather events, and other emergencies. AM radio operates at lower frequencies and has longer wavelengths than FM radio, so AM radio waves more easily pass through solid objects. As a result, AM radio signals can travel long distances, making them well-suited for broadcasting emergency alerts. For that reason, the Federal Emergency Management Agency's (FEMA) National Public Warning System — which authorities can use to deliver emergency alert and warning broadcasts, including presidential emergency warnings, to the public — operates primarily through AM radio stations. Thanks to investments by FEMA, these stations are equipped with backup generators and other protections, making them resilient to extreme weather events and other hazards.

FEMA officials — in both Democratic and Republican administrations — have hailed broadcast radio as the most dependable communication medium during an emergency. For example, in 2020, former FEMA Administrator Brock Long, who served under former President Donald Trump, wrote: “No other means of electronic communications in the country is as efficient or reliable as the radio.”<sup>7</sup> More recently, Craig Fugate, the FEMA administrator under former President Barack Obama, agreed: “The linkage between the local officials and the local radio stations is critical. It’s the one thing we know that will survive a lot of these disasters.”<sup>8</sup> Despite innovations such as the smartphone and social media, AM/FM broadcast radio remains the most dependable, cost-free, and accessible communication mechanism for public officials to communicate with the public during times of emergency. As a result, any phase-out of broadcast AM radio could pose a significant communication problem during emergencies.

Despite the importance of broadcast AM radio, some automakers have begun discontinuing the feature in new vehicles, particularly electric vehicles. Manufacturers have argued that batteries and other technology in EVs create an electromagnetic interference with AM radio waves, significantly impairing audio quality.<sup>9</sup> Although this interference is real, automakers have developed innovative technologies to address this problem. For example, research suggests that digital broadcast radio — through which consumers can receive AM stations — is less susceptible to electromagnetic interference than analog AM radio.<sup>10</sup> In 2018,

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the European Union mandated that all new vehicles be equipped with digital radio.<sup>11</sup> In fact, many EVs today are equipped with AM radio, demonstrating that many automakers do not view EVs and AM radio as technologically incompatible. As EVs rightfully become a greater share of new vehicles, automakers cannot defend the elimination of AM radio as necessary due to electromagnetic interference.

Although the auto industry's investments in electric vehicles are critical to addressing the climate crisis and reducing greenhouse gas emissions, automakers need not sacrifice the benefits of radio in the process. Given AM radio's importance for emergency communications and continued consumer demand, I urge your company to maintain the feature in its new vehicles and request that you answer the following questions in writing by December 22:

1. Has your company decided to discontinue access to free AM and/or FM broadcast radio in any of its vehicles?
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  - b. If not, please explain the type of technology, if any, that addresses electromagnetic interference with AM radio signals from EVs.
2. Does your company have any plans to omit AM and/or FM broadcast radio from future vehicle models? If so, please explain why your company is planning to remove AM and/or FM broadcast radio from them.
3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

SeungKyu Yoon  
President and Chief Executive Officer  
Kia Motors America, Inc.  
111 Peters Canyon Road  
Irvine, CA 92606

Dear Mr. Yoon,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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such as Google Assistant (12 percent) and Amazon Alexa (9 percent).<sup>6</sup> In other words, broadcast AM and FM radio remain an essential vehicle feature for consumers.

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the European Union mandated that all new vehicles be equipped with digital radio.<sup>11</sup> In fact, many EVs today are equipped with AM radio, demonstrating that many automakers do not view EVs and AM radio as technologically incompatible. As EVs rightfully become a greater share of new vehicles, automakers cannot defend the elimination of AM radio as necessary due to electromagnetic interference.

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3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Peter Rawlinson  
Chief Executive Officer  
Lucid Group, Inc.  
7373 Gateway Boulevard  
Newark, CA 94560

Dear Mr. Rawlinson,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

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the European Union mandated that all new vehicles be equipped with digital radio.<sup>11</sup> In fact, many EVs today are equipped with AM radio, demonstrating that many automakers do not view EVs and AM radio as technologically incompatible. As EVs rightfully become a greater share of new vehicles, automakers cannot defend the elimination of AM radio as necessary due to electromagnetic interference.

Although the auto industry's investments in electric vehicles are critical to addressing the climate crisis and reducing greenhouse gas emissions, automakers need not sacrifice the benefits of radio in the process. Given AM radio's importance for emergency communications and continued consumer demand, I urge your company to maintain the feature in its new vehicles and request that you answer the following questions in writing by December 22:

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  - a. If so, please provide the make, model, and manufacturing year of each vehicle that no longer will have AM and/or FM radio and explain why your company decided to omit AM and/or FM radio from those vehicles.
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3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Jeffrey Guyton  
President and Chief Executive Officer  
Mazda Motor of America, Inc.  
7755 Irvine Center Drive  
Irvine, CA 92618

Dear Mr. Guyton,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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such as Google Assistant (12 percent) and Amazon Alexa (9 percent).<sup>6</sup> In other words, broadcast AM and FM radio remain an essential vehicle feature for consumers.

Moreover, broadcast AM radio, in particular, is a critical mechanism for government authorities to communicate with the public during natural disasters, extreme weather events, and other emergencies. AM radio operates at lower frequencies and has longer wavelengths than FM radio, so AM radio waves more easily pass through solid objects. As a result, AM radio signals can travel long distances, making them well-suited for broadcasting emergency alerts. For that reason, the Federal Emergency Management Agency's (FEMA) National Public Warning System — which authorities can use to deliver emergency alert and warning broadcasts, including presidential emergency warnings, to the public — operates primarily through AM radio stations. Thanks to investments by FEMA, these stations are equipped with backup generators and other protections, making them resilient to extreme weather events and other hazards.

FEMA officials — in both Democratic and Republican administrations — have hailed broadcast radio as the most dependable communication medium during an emergency. For example, in 2020, former FEMA Administrator Brock Long, who served under former President Donald Trump, wrote: “No other means of electronic communications in the country is as efficient or reliable as the radio.”<sup>7</sup> More recently, Craig Fugate, the FEMA administrator under former President Barack Obama, agreed: “The linkage between the local officials and the local radio stations is critical. It’s the one thing we know that will survive a lot of these disasters.”<sup>8</sup> Despite innovations such as the smartphone and social media, AM/FM broadcast radio remains the most dependable, cost-free, and accessible communication mechanism for public officials to communicate with the public during times of emergency. As a result, any phase-out of broadcast AM radio could pose a significant communication problem during emergencies.

Despite the importance of broadcast AM radio, some automakers have begun discontinuing the feature in new vehicles, particularly electric vehicles. Manufacturers have argued that batteries and other technology in EVs create an electromagnetic interference with AM radio waves, significantly impairing audio quality.<sup>9</sup> Although this interference is real, automakers have developed innovative technologies to address this problem. For example, research suggests that digital broadcast radio — through which consumers can receive AM stations — is less susceptible to electromagnetic interference than analog AM radio.<sup>10</sup> In 2018,

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Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Dimitris Psillakis  
President and Chief Executive Officer  
Mercedes-Benz USA, LLC  
One Mercedes-Benz Drive  
Sandy Springs, GA 30328

Dear Mr. Psillakis,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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FEMA officials — in both Democratic and Republican administrations — have hailed broadcast radio as the most dependable communication medium during an emergency. For example, in 2020, former FEMA Administrator Brock Long, who served under former President Donald Trump, wrote: “No other means of electronic communications in the country is as efficient or reliable as the radio.”<sup>7</sup> More recently, Craig Fugate, the FEMA administrator under former President Barack Obama, agreed: “The linkage between the local officials and the local radio stations is critical. It’s the one thing we know that will survive a lot of these disasters.”<sup>8</sup> Despite innovations such as the smartphone and social media, AM/FM broadcast radio remains the most dependable, cost-free, and accessible communication mechanism for public officials to communicate with the public during times of emergency. As a result, any phase-out of broadcast AM radio could pose a significant communication problem during emergencies.

Despite the importance of broadcast AM radio, some automakers have begun discontinuing the feature in new vehicles, particularly electric vehicles. Manufacturers have argued that batteries and other technology in EVs create an electromagnetic interference with AM radio waves, significantly impairing audio quality.<sup>9</sup> Although this interference is real, automakers have developed innovative technologies to address this problem. For example, research suggests that digital broadcast radio — through which consumers can receive AM stations — is less susceptible to electromagnetic interference than analog AM radio.<sup>10</sup> In 2018,

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Although the auto industry's investments in electric vehicles are critical to addressing the climate crisis and reducing greenhouse gas emissions, automakers need not sacrifice the benefits of radio in the process. Given AM radio's importance for emergency communications and continued consumer demand, I urge your company to maintain the feature in its new vehicles and request that you answer the following questions in writing by December 22:

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2. Does your company have any plans to omit AM and/or FM broadcast radio from future vehicle models? If so, please explain why your company is planning to remove AM and/or FM broadcast radio from them.
3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Mark Chaffin  
President and Chief Executive Officer  
Mitsubishi Motors North America, Inc.  
4031 Aspen Grove Drive  
Franklin, TN 37067

Dear Mr. Chaffin,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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FEMA officials — in both Democratic and Republican administrations — have hailed broadcast radio as the most dependable communication medium during an emergency. For example, in 2020, former FEMA Administrator Brock Long, who served under former President Donald Trump, wrote: “No other means of electronic communications in the country is as efficient or reliable as the radio.”<sup>7</sup> More recently, Craig Fugate, the FEMA administrator under former President Barack Obama, agreed: “The linkage between the local officials and the local radio stations is critical. It’s the one thing we know that will survive a lot of these disasters.”<sup>8</sup> Despite innovations such as the smartphone and social media, AM/FM broadcast radio remains the most dependable, cost-free, and accessible communication mechanism for public officials to communicate with the public during times of emergency. As a result, any phase-out of broadcast AM radio could pose a significant communication problem during emergencies.

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3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Jérémie Papin  
Chairperson  
Nissan North America, Inc.  
One Nissan Way  
Franklin, TN 37067

Dear Mr. Papin,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

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Despite the importance of broadcast AM radio, some automakers have begun discontinuing the feature in new vehicles, particularly electric vehicles. Manufacturers have argued that batteries and other technology in EVs create an electromagnetic interference with AM radio waves, significantly impairing audio quality.<sup>9</sup> Although this interference is real, automakers have developed innovative technologies to address this problem. For example, research suggests that digital broadcast radio — through which consumers can receive AM stations — is less susceptible to electromagnetic interference than analog AM radio.<sup>10</sup> In 2018,

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<sup>6</sup> *Id.*

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<sup>8</sup> *Former FEMA Administrator Craig Fugate On Radio's Role During Disasters*, INSIDERADIO (Sept. 29, 2022), [https://www.insideradio.com/free/former-fema-administrator-craig-fugate-on-radio-s-role-during-disasters/article\\_4fb70f9c-3fc9-11ed-b31c-e78ffbae443b.html](https://www.insideradio.com/free/former-fema-administrator-craig-fugate-on-radio-s-role-during-disasters/article_4fb70f9c-3fc9-11ed-b31c-e78ffbae443b.html).

<sup>9</sup> See, e.g., Chester Dawson, *Your Tesla Can Go Zero to 60 in 2.5 Seconds But Can't Get AM Radio*, WALL STREET JOURNAL (Nov. 6, 2018), <https://www.wsj.com/articles/your-tesla-can-go-zero-to-60-in-2-5-seconds-but-cant-get-am-radio-1541523098>.

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the European Union mandated that all new vehicles be equipped with digital radio.<sup>11</sup> In fact, many EVs today are equipped with AM radio, demonstrating that many automakers do not view EVs and AM radio as technologically incompatible. As EVs rightfully become a greater share of new vehicles, automakers cannot defend the elimination of AM radio as necessary due to electromagnetic interference.

Although the auto industry's investments in electric vehicles are critical to addressing the climate crisis and reducing greenhouse gas emissions, automakers need not sacrifice the benefits of radio in the process. Given AM radio's importance for emergency communications and continued consumer demand, I urge your company to maintain the feature in its new vehicles and request that you answer the following questions in writing by December 22:

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3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Thomas Ingenlath  
Chief Executive Officer  
Polestar Automotive USA, Inc.  
777 MacArthur Blvd  
Mahwah, NJ 07430

Dear Mr. Ingenlath,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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<sup>5</sup> Randy J. Stine, *TechSurvey 2022: The Car is Getting Crowded*, RADIOWORLD (May 20, 2022), <https://www.radioworld.com/news-and-business/programming-and-sales/techsurvey-2022-the-car-is-getting-crowded>.

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Moreover, broadcast AM radio, in particular, is a critical mechanism for government authorities to communicate with the public during natural disasters, extreme weather events, and other emergencies. AM radio operates at lower frequencies and has longer wavelengths than FM radio, so AM radio waves more easily pass through solid objects. As a result, AM radio signals can travel long distances, making them well-suited for broadcasting emergency alerts. For that reason, the Federal Emergency Management Agency's (FEMA) National Public Warning System — which authorities can use to deliver emergency alert and warning broadcasts, including presidential emergency warnings, to the public — operates primarily through AM radio stations. Thanks to investments by FEMA, these stations are equipped with backup generators and other protections, making them resilient to extreme weather events and other hazards.

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<sup>9</sup> See, e.g., Chester Dawson, *Your Tesla Can Go Zero to 60 in 2.5 Seconds But Can't Get AM Radio*, WALL STREET JOURNAL (Nov. 6, 2018), <https://www.wsj.com/articles/your-tesla-can-go-zero-to-60-in-2-5-seconds-but-cant-get-am-radio-1541523098>.

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the European Union mandated that all new vehicles be equipped with digital radio.<sup>11</sup> In fact, many EVs today are equipped with AM radio, demonstrating that many automakers do not view EVs and AM radio as technologically incompatible. As EVs rightfully become a greater share of new vehicles, automakers cannot defend the elimination of AM radio as necessary due to electromagnetic interference.

Although the auto industry's investments in electric vehicles are critical to addressing the climate crisis and reducing greenhouse gas emissions, automakers need not sacrifice the benefits of radio in the process. Given AM radio's importance for emergency communications and continued consumer demand, I urge your company to maintain the feature in its new vehicles and request that you answer the following questions in writing by December 22:

1. Has your company decided to discontinue access to free AM and/or FM broadcast radio in any of its vehicles?
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  - b. If not, please explain the type of technology, if any, that addresses electromagnetic interference with AM radio signals from EVs.
2. Does your company have any plans to omit AM and/or FM broadcast radio from future vehicle models? If so, please explain why your company is planning to remove AM and/or FM broadcast radio from them.
3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Robert J. Scaringe  
Chief Executive Officer  
Rivian Automotive, Inc.  
14600 Myford Road  
Irvine, California 92606

Dear Mr. Scaringe,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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<sup>5</sup> Randy J. Stine, *TechSurvey 2022: The Car is Getting Crowded*, RADIOWORLD (May 20, 2022), <https://www.radioworld.com/news-and-business/programming-and-sales/techsurvey-2022-the-car-is-getting-crowded>.

such as Google Assistant (12 percent) and Amazon Alexa (9 percent).<sup>6</sup> In other words, broadcast AM and FM radio remain an essential vehicle feature for consumers.

Moreover, broadcast AM radio, in particular, is a critical mechanism for government authorities to communicate with the public during natural disasters, extreme weather events, and other emergencies. AM radio operates at lower frequencies and has longer wavelengths than FM radio, so AM radio waves more easily pass through solid objects. As a result, AM radio signals can travel long distances, making them well-suited for broadcasting emergency alerts. For that reason, the Federal Emergency Management Agency's (FEMA) National Public Warning System — which authorities can use to deliver emergency alert and warning broadcasts, including presidential emergency warnings, to the public — operates primarily through AM radio stations. Thanks to investments by FEMA, these stations are equipped with backup generators and other protections, making them resilient to extreme weather events and other hazards.

FEMA officials — in both Democratic and Republican administrations — have hailed broadcast radio as the most dependable communication medium during an emergency. For example, in 2020, former FEMA Administrator Brock Long, who served under former President Donald Trump, wrote: “No other means of electronic communications in the country is as efficient or reliable as the radio.”<sup>7</sup> More recently, Craig Fugate, the FEMA administrator under former President Barack Obama, agreed: “The linkage between the local officials and the local radio stations is critical. It’s the one thing we know that will survive a lot of these disasters.”<sup>8</sup> Despite innovations such as the smartphone and social media, AM/FM broadcast radio remains the most dependable, cost-free, and accessible communication mechanism for public officials to communicate with the public during times of emergency. As a result, any phase-out of broadcast AM radio could pose a significant communication problem during emergencies.

Despite the importance of broadcast AM radio, some automakers have begun discontinuing the feature in new vehicles, particularly electric vehicles. Manufacturers have argued that batteries and other technology in EVs create an electromagnetic interference with AM radio waves, significantly impairing audio quality.<sup>9</sup> Although this interference is real, automakers have developed innovative technologies to address this problem. For example, research suggests that digital broadcast radio — through which consumers can receive AM stations — is less susceptible to electromagnetic interference than analog AM radio.<sup>10</sup> In 2018,

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Although the auto industry's investments in electric vehicles are critical to addressing the climate crisis and reducing greenhouse gas emissions, automakers need not sacrifice the benefits of radio in the process. Given AM radio's importance for emergency communications and continued consumer demand, I urge your company to maintain the feature in its new vehicles and request that you answer the following questions in writing by December 22:

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3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Mark Stewart  
Chief Operating Officer  
Stellantis North America, LLC  
1000 Chrysler Dr.  
Auburn Hills, MI 48326

Dear Mr. Stewart,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Thomas J. Doll  
President and Chief Executive Officer  
North American Subaru, Inc.  
One Subaru Drive  
Camden, NJ 08103

Dear Mr. Doll,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

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Moreover, broadcast AM radio, in particular, is a critical mechanism for government authorities to communicate with the public during natural disasters, extreme weather events, and other emergencies. AM radio operates at lower frequencies and has longer wavelengths than FM radio, so AM radio waves more easily pass through solid objects. As a result, AM radio signals can travel long distances, making them well-suited for broadcasting emergency alerts. For that reason, the Federal Emergency Management Agency's (FEMA) National Public Warning System — which authorities can use to deliver emergency alert and warning broadcasts, including presidential emergency warnings, to the public — operates primarily through AM radio stations. Thanks to investments by FEMA, these stations are equipped with backup generators and other protections, making them resilient to extreme weather events and other hazards.

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Despite the importance of broadcast AM radio, some automakers have begun discontinuing the feature in new vehicles, particularly electric vehicles. Manufacturers have argued that batteries and other technology in EVs create an electromagnetic interference with AM radio waves, significantly impairing audio quality.<sup>9</sup> Although this interference is real, automakers have developed innovative technologies to address this problem. For example, research suggests that digital broadcast radio — through which consumers can receive AM stations — is less susceptible to electromagnetic interference than analog AM radio.<sup>10</sup> In 2018,

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the European Union mandated that all new vehicles be equipped with digital radio.<sup>11</sup> In fact, many EVs today are equipped with AM radio, demonstrating that many automakers do not view EVs and AM radio as technologically incompatible. As EVs rightfully become a greater share of new vehicles, automakers cannot defend the elimination of AM radio as necessary due to electromagnetic interference.

Although the auto industry's investments in electric vehicles are critical to addressing the climate crisis and reducing greenhouse gas emissions, automakers need not sacrifice the benefits of radio in the process. Given AM radio's importance for emergency communications and continued consumer demand, I urge your company to maintain the feature in its new vehicles and request that you answer the following questions in writing by December 22:

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3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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# United States Senate

December 1, 2022

Elon Musk  
Chief Executive Officer  
Tesla, Inc.  
13101 Harold Green Road  
Austin, TX 78725

Dear Mr. Musk,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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the European Union mandated that all new vehicles be equipped with digital radio.<sup>11</sup> In fact, many EVs today are equipped with AM radio, demonstrating that many automakers do not view EVs and AM radio as technologically incompatible. As EVs rightfully become a greater share of new vehicles, automakers cannot defend the elimination of AM radio as necessary due to electromagnetic interference.

Although the auto industry's investments in electric vehicles are critical to addressing the climate crisis and reducing greenhouse gas emissions, automakers need not sacrifice the benefits of radio in the process. Given AM radio's importance for emergency communications and continued consumer demand, I urge your company to maintain the feature in its new vehicles and request that you answer the following questions in writing by December 22:

1. Has your company decided to discontinue access to free AM and/or FM broadcast radio in any of its vehicles?
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  - b. If not, please explain the type of technology, if any, that addresses electromagnetic interference with AM radio signals from EVs.
2. Does your company have any plans to omit AM and/or FM broadcast radio from future vehicle models? If so, please explain why your company is planning to remove AM and/or FM broadcast radio from them.
3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Tetsuo “Ted” Ogawa  
President and Chief Executive Officer  
Toyota Motor North America, Inc.  
6565 Headquarters Drive  
Plano, TX 75024

Dear Mr. Ogawa,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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FEMA officials — in both Democratic and Republican administrations — have hailed broadcast radio as the most dependable communication medium during an emergency. For example, in 2020, former FEMA Administrator Brock Long, who served under former President Donald Trump, wrote: “No other means of electronic communications in the country is as efficient or reliable as the radio.”<sup>7</sup> More recently, Craig Fugate, the FEMA administrator under former President Barack Obama, agreed: “The linkage between the local officials and the local radio stations is critical. It’s the one thing we know that will survive a lot of these disasters.”<sup>8</sup> Despite innovations such as the smartphone and social media, AM/FM broadcast radio remains the most dependable, cost-free, and accessible communication mechanism for public officials to communicate with the public during times of emergency. As a result, any phase-out of broadcast AM radio could pose a significant communication problem during emergencies.

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3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Pablo Di Si  
President and Chief Executive Officer  
Volkswagen Group of America, Inc.  
2200 Woodland Pointe Avenue  
Herndon, VA 20171

Dear Mr. Di Si,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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1. Has your company decided to discontinue access to free AM and/or FM broadcast radio in any of its vehicles?
  - a. If so, please provide the make, model, and manufacturing year of each vehicle that no longer will have AM and/or FM radio and explain why your company decided to omit AM and/or FM radio from those vehicles.
  - b. If not, please explain the type of technology, if any, that addresses electromagnetic interference with AM radio signals from EVs.
2. Does your company have any plans to omit AM and/or FM broadcast radio from future vehicle models? If so, please explain why your company is planning to remove AM and/or FM broadcast radio from them.
3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

# United States Senate

December 1, 2022

Anders Gustafsson  
President and Chief Executive Officer  
Volvo Car USA, LLC  
1800 Volvo Place  
Mahwah, NJ 07430

Dear Mr. Gustafsson,

I write to urge your company to maintain broadcast AM radio in its current and future vehicles, including electric vehicles (EVs). Broadcast AM radio remains a crucial, cost-free source of news, sports, and weather, and, more importantly, is an essential medium for public safety officials — including the president — to communicate with the public during emergencies. Although EVs can cause electromagnetic interference with AM radio signals, car manufacturers appear to have developed innovative solutions to this problem. Therefore, as the United States works to meet President Biden’s goal of 50 percent electric vehicle sales by 2030, we urge your company to maintain broadcast AM radio in its vehicles to ensure that consumers have access to critical emergency response information.

AM radio has long been an important source of information for consumers. Before the COVID-19 pandemic, nearly 90 percent of Americans ages 12 and older — totaling hundreds of millions of people — listened to AM or FM radio each week,<sup>1</sup> higher than the percentage that watch television (56 percent<sup>2</sup>) or own a computer (77 percent<sup>3</sup>). Forty-seven percent of Americans receive news from the radio,<sup>4</sup> and tens of millions more listen to music. The car remains a main channel through which consumers listen to broadcast radio, with 89 percent of prospective U.S. car buyers saying a radio tuner should be standard in every car.<sup>5</sup> Moreover, 33 percent of new car buyers say that AM radio is a very important feature in a vehicle — higher than dedicated Wi-Fi (31 percent), SiriusXM satellite radio (27 percent), and personal assistants

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<sup>1</sup> *Audio and Podcasting Fact Sheet*, PEW RESEARCH CENTER (June 29, 2021), <https://www.pewresearch.org/journalism/fact-sheet/audio-and-podcasting/>.

<sup>2</sup> Lee Rain, *Cable and satellite TV use has dropped dramatically in the U.S. since 2015*, PEW RESEARCH CENTER (Mar. 27, 2021), <https://www.pewresearch.org/fact-tank/2021/03/17/cable-and-satellite-tv-use-has-dropped-dramatically-in-the-u-s-since-2015/>.

<sup>3</sup> *Mobile Fact Sheet*, PEW RESEARCH CENTER (Apr. 7, 2021), <https://www.pewresearch.org/internet/fact-sheet/mobile/>.

<sup>4</sup> Naomi Forman-Katz & Katerina Eva Matsa, *News Platform Fact Sheet*, PEW RESEARCH CENTER (Sept. 20, 2022), <https://www.pewresearch.org/journalism/fact-sheet/news-platform-fact-sheet/>.

<sup>5</sup> Randy J. Stine, *TechSurvey 2022: The Car is Getting Crowded*, RADIOWORLD (May 20, 2022), <https://www.radioworld.com/news-and-business/programming-and-sales/techsurvey-2022-the-car-is-getting-crowded>.

such as Google Assistant (12 percent) and Amazon Alexa (9 percent).<sup>6</sup> In other words, broadcast AM and FM radio remain an essential vehicle feature for consumers.

Moreover, broadcast AM radio, in particular, is a critical mechanism for government authorities to communicate with the public during natural disasters, extreme weather events, and other emergencies. AM radio operates at lower frequencies and has longer wavelengths than FM radio, so AM radio waves more easily pass through solid objects. As a result, AM radio signals can travel long distances, making them well-suited for broadcasting emergency alerts. For that reason, the Federal Emergency Management Agency's (FEMA) National Public Warning System — which authorities can use to deliver emergency alert and warning broadcasts, including presidential emergency warnings, to the public — operates primarily through AM radio stations. Thanks to investments by FEMA, these stations are equipped with backup generators and other protections, making them resilient to extreme weather events and other hazards.

FEMA officials — in both Democratic and Republican administrations — have hailed broadcast radio as the most dependable communication medium during an emergency. For example, in 2020, former FEMA Administrator Brock Long, who served under former President Donald Trump, wrote: “No other means of electronic communications in the country is as efficient or reliable as the radio.”<sup>7</sup> More recently, Craig Fugate, the FEMA administrator under former President Barack Obama, agreed: “The linkage between the local officials and the local radio stations is critical. It’s the one thing we know that will survive a lot of these disasters.”<sup>8</sup> Despite innovations such as the smartphone and social media, AM/FM broadcast radio remains the most dependable, cost-free, and accessible communication mechanism for public officials to communicate with the public during times of emergency. As a result, any phase-out of broadcast AM radio could pose a significant communication problem during emergencies.

Despite the importance of broadcast AM radio, some automakers have begun discontinuing the feature in new vehicles, particularly electric vehicles. Manufacturers have argued that batteries and other technology in EVs create an electromagnetic interference with AM radio waves, significantly impairing audio quality.<sup>9</sup> Although this interference is real, automakers have developed innovative technologies to address this problem. For example, research suggests that digital broadcast radio — through which consumers can receive AM stations — is less susceptible to electromagnetic interference than analog AM radio.<sup>10</sup> In 2018,

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<sup>6</sup> *Id.*

<sup>7</sup> Brock Long, *Opinion: Automakers, don't remove radios from the dashboard*, THE DETROIT NEWS (Mar. 12, 2020), <https://www.detroitnews.com/story/opinion/2020/03/13/opinion-automakers-dont-remove-radios-dashboard/5022902002/>.

<sup>8</sup> *Former FEMA Administrator Craig Fugate On Radio's Role During Disasters*, INSIDERADIO (Sept. 29, 2022), [https://www.insideradio.com/free/former-fema-administrator-craig-fugate-on-radio-s-role-during-disasters/article\\_4fb70f9c-3fc9-11ed-b31c-e78ffbae443b.html](https://www.insideradio.com/free/former-fema-administrator-craig-fugate-on-radio-s-role-during-disasters/article_4fb70f9c-3fc9-11ed-b31c-e78ffbae443b.html).

<sup>9</sup> See, e.g., Chester Dawson, *Your Tesla Can Go Zero to 60 in 2.5 Seconds But Can't Get AM Radio*, WALL STREET JOURNAL (Nov. 6, 2018), <https://www.wsj.com/articles/your-tesla-can-go-zero-to-60-in-2-5-seconds-but-cant-get-am-radio-1541523098>.

<sup>10</sup> See Pooja Nair, David Layer & Ashruf El-Dinary, *Electromagnetic Interference in Electric Vehicles and Its Impact on AM Radio* (June 2022) (Audi Engineering Society Conference Paper).

the European Union mandated that all new vehicles be equipped with digital radio.<sup>11</sup> In fact, many EVs today are equipped with AM radio, demonstrating that many automakers do not view EVs and AM radio as technologically incompatible. As EVs rightfully become a greater share of new vehicles, automakers cannot defend the elimination of AM radio as necessary due to electromagnetic interference.

Although the auto industry's investments in electric vehicles are critical to addressing the climate crisis and reducing greenhouse gas emissions, automakers need not sacrifice the benefits of radio in the process. Given AM radio's importance for emergency communications and continued consumer demand, I urge your company to maintain the feature in its new vehicles and request that you answer the following questions in writing by December 22:

1. Has your company decided to discontinue access to free AM and/or FM broadcast radio in any of its vehicles?
  - a. If so, please provide the make, model, and manufacturing year of each vehicle that no longer will have AM and/or FM radio and explain why your company decided to omit AM and/or FM radio from those vehicles.
  - b. If not, please explain the type of technology, if any, that addresses electromagnetic interference with AM radio signals from EVs.
2. Does your company have any plans to omit AM and/or FM broadcast radio from future vehicle models? If so, please explain why your company is planning to remove AM and/or FM broadcast radio from them.
3. Does your company include free, digital broadcast radio in its vehicles? If so, please provide the make, model, and manufacturing year of each vehicle equipped with digital broadcast radio.

Thank you for your prompt attention to these questions.

Sincerely,



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Edward J. Markey  
United States Senator

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<sup>11</sup> Council Directive 2018/1972, annex xi, 2018 O.J. (L 321) 36, 205 (EC).

**Media Contact:**

Michael Sweeney, (202) 418-1087

Michael.Sweeney@fcc.gov

**For Immediate Release**

**COMMISSIONER SIMINGTON UNDERSCORES NEED FOR AM RESILIENCY**

**WASHINGTON, D.C., February 27, 2023**—Today, Commissioner Simington echoed the sentiments expressed by former FEMA leaders in their letter to the Secretary Buttigieg of the Department of Transportation regarding AM radio’s continued importance for public safety. He said:

“I applaud the statement by FEMA leaders on the importance of AM radio for disaster response. As the FCC shares authority with FEMA for many aspects of our national emergency alerting systems, I underscore and affirm their concerns in the strongest possible terms. The issue of the continued inclusion of AM radios in electric vehicles deserves urgent attention.

“We know that auto manufacturers seek to produce new electric vehicles in a cost-effective manner. I have been pleased to support technological modernization whenever reasonable, from improved receivers to improved wireless device security, each of which, I think, improves spectral efficiency, and, ultimately, marginal efficiency. But we cannot count beans at the expense of farming them. As adoption of electric vehicles increases, we must not leave behind those in rural areas who depend upon radio for their news and alerts. According to the National Association of Farm Broadcasters, most agricultural radio listeners—themselves comprising most farmers—tune in to the AM band. Average listening time reaches over an hour per day, five days per week.

“I grew up in rural Saskatchewan—a connectivity desert (or, perhaps, a connectivity tundra). Then, as now, radio and the trades were essential for staying connected. Though it is not accurate to say that nothing has changed, not enough has changed to obviate the need for radio. The situation is similar in the United States.

“While many in rural communities depend upon AM radio for information about emergencies, particularly alerts about weather, AM radio is important for more than just emergency information and alerting. AM radio informs and entertains tens of millions of listeners. Broadcasters spend decades developing relationships with the local communities that they serve, and the trust engendered by those relationships pays dividends back through community-informed reporting. And, just like emergency alerting, an informed and engaged citizenry serves as an essential foundation for public safety.

“No one can doubt the public-spiritedness of the signatories to the open letter, who have lifetimes' worth of public service between them. They have done their part to raise the significance of this issue. The question now is: what shall the rest of us do?”

“I believe that the FCC should make clear the vital importance of AM radio. We should, further, be good stewards of the AM radio band. That includes protecting AM radio as a public resource by safeguarding reception of AM radio from arrogation by incidental and unintentional radiation.

“The public safety community and the American public rely on AM radio. Auto manufacturers now, and increasingly in the future will, rely on spectrum. Care should be taken to weigh the velocity of innovations against the stability of institutions. The Commission can, and must, play a role in striking that balance.

“I once again applaud the letter and offer my wholehearted agreement and support.”

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*This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).*



June 6, 2023

The Honorable Bob Latta  
Chairman  
Subcommittee on Communications and  
Technology,  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Doris Matsui  
Ranking Member  
Subcommittee on Communications and  
Technology,  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Latta and Ranking Member Matsui:

Thank you for holding this hearing today on the importance of AM radio in new cars. The AM and FM bands remain critical to public radio's ability to provide universal access to local news and life-saving public safety information and alerting. National Public Radio (NPR) appreciates the Subcommittee's recognition of the enduring importance of broadcast radio and the necessary availability of AM radio in new vehicles.

NPR is a non-profit membership corporation that produces, acquires, and distributes programming to more than 1,200 noncommercial public radio stations nationwide.<sup>1</sup> NPR also represents public radio's collective interests in public policy matters and operates the Public Radio Satellite System® (PRSS), which distributes programming to nearly 400 interconnected public radio stations serving almost 1,250 local NPR Member and non-member stations across the country. The PRSS is capable of receiving the Presidential-level Emergency Alert System feed directly from the Federal Emergency Management Agency (FEMA) and then transmitting the alerts nationally to its interconnected stations, of which several dozen broadcast on AM.

This large national network supports secure, reliable communications during emergencies without relying on the Internet, which may be offline or become unreliable, particularly during power outages and in more rural communities. Radio also is free and does not require a subscription like a mobile cellular service or home broadband. In fact, NPR/PRSS has been named as a resource in at least 20 states' emergency plans, and many of the public radio stations in these twenty states serve as a Local Primary station for the EAS.

At the local level, independently owned, noncommercial public radio stations provide important services for their communities, including life-saving public safety and emergency alerting and noncommercial educational news, information, and cultural programming. Public radio stations reach nearly 99 percent of the U.S. population over the air, broadcasting news and information to urban, rural, and underserved areas of

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<sup>1</sup> NPR also distributes content directly to its audiences through its website NPR.org, the NPR One and NPR smartphone apps, smart speakers, NPR podcasts, and natively on many social media platforms, and NPR provides a variety of digital services to its Members.



the country. In many communities, public radio stations are an important, if not the only, source of daily local news.

For example, WILL-AM in Champaign-Urbana, Illinois, has a far-reaching signal that serves a critical role across the state, especially in the spreading news deserts of downstate Illinois. Last year, WILL-AM was recognized with a regional Edward R. Murrow Award for coverage of the December 2021 historic tornado outbreak in the Midwest. WILL-AM, which has been broadcasting for 101 years, also has a partnership with the University of Illinois Extension to provide daily analysis of commodity markets and agricultural weather—something many farmers and agriculture business people rely on and hear on the car radio.

Additionally, in emergencies, public radio is an irreplaceable public-safety partner. NPR and NPR Member Stations are part of the essential backbone of the EAS and they take their public safety obligations very seriously. As EAS Participants, public radio stations are required to broadcast Presidential alerts, and they participate in broadcasting state and local EAS alerts on a voluntary basis. Public radio stations also keep local communities informed and connected before, during, and after disasters—providing crucial information about ongoing dangers, as well as shelter and other resources for those affected. When power outages occur and cell phone towers are congested, non-broadcast sources of news regularly become inaccessible. But public radio's one-to-many distribution cannot get congested, and its infrastructure is hardened and resilient, with backup auxiliary generators and built-in redundancy. This resiliency is a hallmark of public radio broadcasting, and it ensures that the public can receive life-saving information via their car radio even as they are driving away from danger.

AM radio continues to play an important role in this. Though fewer public radio stations broadcast on AM than on FM, the reach of AM is much farther—and in many cases provides free access to listeners with no FM alternative. For example, WBAA-AM News reaches most of Indiana with news and emergency information, including areas of rural Indiana that lack other service. Additionally, because of this broader reach, some AM public radio stations are used as EAS primary stations, including KWSU AM 1250, which serves most of Eastern Washington.

For these reasons, it is essential that AM (and FM) radio continue to be included in new vehicles. The alternative, as former FEMA administrators said in a February 26, 2023, letter to the U.S. Transportation Secretary, “will represent a grave threat to future local, state, and federal disaster response and relief efforts.”

Thank you for your support of AM radio and for your attention to this important matter.

Sincerely,

/s/ Marta McLellan Ross

Marta McLellan Ross

Vice President, Government & External Affairs

June 5, 2023

The Honorable Bob Latta  
Chair, Subcommittee on Communications & Technology  
House Energy & Commerce Committee  
U.S. House of Representatives

The Honorable Doris Matsui  
Ranking Member, Subcommittee on Communications & Technology  
House Energy & Commerce Committee  
U.S. House of Representatives

Dear Chairman Latta and Ranking Member Matsui,

In advance of the Subcommittee's June 6, 2023, hearing "Listen Here: Why Americans Value AM Radio," the Consumer Technology Association (CTA)® sees Congressional action to mandate amplitude modulation (AM) radio in all new vehicles as unnecessary and innovation-inhibiting. Even if a minority of Americans value AM radio in a vehicle, absent a strong safety case, mandating AM radio will have counter-productive ramifications.

A mandate for a medium that has questionable value as a safety feature would, in fact, further weaken AM radio: many Americans will view the mandate as an unnecessary government bailout of a declining media competitor. Requiring AM radio in all new vehicles would remove any incentive for car manufacturers and dealers to promote AM radio as a desired feature. More, resolving the interference for AM radio created by electric vehicle (EV) batteries will add costs to produce them, potentially delaying the EV transition.

As North America's largest technology trade association, CTA is the tech sector. Our members are the world's leading innovators – from startups to global brands – helping support more than 18 million American jobs. CTA owns and produces CES® – the most influential tech event in the world.

The automotive industry is fiercely competitive, constantly striving to meet consumer demands. In recent years, manufacturers have made significant investments in advanced infotainment systems, featuring Bluetooth, voice recognition, satellite radio, and smartphone integration. More, automakers are highly responsive to the desires of their customers. Functions and

Producer of



features - including the makeup of the audio entertainment system - are chosen to maximize user satisfaction. If consumers want AM radio as a standard feature, automakers will respond to customer demand and provide it.

According to CTA research, 17% of U.S. adults indicate they would pay more for a vehicle equipped with an AM radio receiver, - a small but significant minority. This polling suggests that there is opportunity for car dealerships and automaker to promote AM radio as an optional but valued feature for that consumer segment.<sup>1</sup>

However, mandates for non-safety features in technology products typically backfire. Features that are viewed as “free” are typically not valued by consumers – despite often significant costs for manufacturers and opportunities to innovate in design. Mandates make it more challenging for competitors to provide products tailored to their target market. For example, when Congress was enacting a law mandating “v-chips” in televisions to allow parental blockage of certain channels, CTA explained that it would not be valued or used by parents. That few know about the v-chip mandate speaks loudly to its total failure in the marketplace. If a feature is mandated, it cannot be promoted.

Even without a mandate, AM radio is not going away. This is true both in urban areas with popular AM stations and in rural America. As car companies choose which models have AM radio and which don’t, they can and will push AM radio as a valued feature. Car companies have differentiated models and are superb marketers knowing which customer segments want what packaged features. Models advertised or sold as coming with AM radio will enhance AM’s perception as valuable.

AM radio, now a century-old technology, is inherently susceptible to interference, particularly from atmospheric conditions. In the case of electric vehicles (EVs), EV drivetrains produce electromagnetic waves at similar frequencies to analog AM radio signals, which can disrupt the reception of AM signals and cause static noise. To counteract electromagnetic interference, manufacturers must install shielding cables and filters which require additional components and additional cost to automakers.<sup>2</sup> As a result, mandating AM radio would slow the transition from fossil fuels and increase prices to produce EVs, which could be passed on to consumers.

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<sup>1</sup> CTA’s *AM Tuner Study* (Jun. 2023)

<sup>2</sup> <https://www.nytimes.com/2022/12/10/business/media/am-radio-cars.html>

While we acknowledge the important role AM radio has played over the last century as part of the Emergency Alert System, AM radio is just one aspect of a system that is layered across different media with multiple technological redundancies. Along with AM radio, FM radio, digital, satellite, internet streaming services, and text alerts collectively provide a strong and redundant network to transmit emergency information. The Federal Communications Commission is working to continue improving the system to reach more Americans during emergencies.

More, AM radio stations do not comprise a resilient emergency network. While there are thousands of radio stations across the country, only 76 are Primary Entry Point (PEP) sources for national emergency alerts.<sup>3</sup> A national alert is sent from the government directly to PEP stations, and the 76 stations rebroadcast it. Other stations, known as Local Primary Stations, in each PEP station's broadcast area receive the signal from the PEP and retransmit it. Still more stations monitor the Local Primary (LP) stations and, after receiving an alert from the Local Primary, rebroadcast it to listeners. The multiple steps needed to rebroadcast alerts from federal officials via AM radio create many opportunities for transmission failure. And broadcast failure is a regular occurrence with AM radio. The FCC report following a nationwide test conducted August 11, 2021, found 531 stations reported themselves as being National Primary stations in the Emergency Alert System, when in fact there are only 76 such stations.<sup>4</sup> Tests in previous years similarly found that hundreds of stations did not understand their roles. As an example, during the nationwide system test in 2021 the test message failed to reach local radio listeners throughout the Detroit metropolitan area due to equipment failure at PEP station WJR-AM Detroit.<sup>5</sup>

Cell phones—owned by 97% of Americans today<sup>6</sup>—receive Wireless Emergency Alerts (WEAs) based on their location. Americans can receive WEAs even when cellular networks are unable to support other methods of communication (calls, text, and emails). WEAs are free to receive, short, and easily identified by a unique tone and vibration. According to CTA research, 78% of U.S. adults report receiving emergency alerts via cell phone alerts, while only 8% report

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<sup>3</sup> According to FEMA, there are 76 PEP stations nationwide. *Report: August 11, 2021 Nationwide EAS Test*, Public Safety and Homeland Security Bureau, Federal Communications Commission, December 2021

<sup>4</sup> Id. p. 9.

<sup>5</sup> "Michigan National EAS Test Summary," Michigan Association of Broadcasters, August 20, 2021.

<sup>6</sup> <https://www.pewresearch.org/internet/fact-sheet/mobile/>

receiving alerts via broadcast AM radio stations.<sup>7</sup> Unlike radio alerts, WEAs can also contain an embedded hyperlink to guide the recipient to helpful information within seconds of receiving the alert. In contrast to WEAs, AM radio alerts require the listener to have turned the radio on and be tuned in to select channels participating in the Emergency Alert System.

In addition, the Integrated Public Alert & Warning System (IPAWS) is FEMA's national system for local alerting that provides authenticated emergency information to the public through multiple platforms including digital and analog AM radio, digital and analog FM radio, internet-based radio, satellite radio and over cellular networks. IPAWS is a network that connects all public alert systems in the United States into a single system that includes the Emergency Alert System (EAS), Wireless Emergency Alerts (WEAs), National Oceanic and Atmospheric Administration's Weather Radio, and All Hazards. The system is designed to include maximum redundancies over multiple mediums so that Americans can receive alerts through their preferred means of communication. In FEMA's IPAWS Strategic Plan FY 22-26, the agency acknowledges, ***"The public is moving away from radio and broadcast/cable television as the primary channels for news and information. Just as IPAWS has adapted emergency alerting to smart phones via WEAs, the program must now find ways to communicate with the public however they receive information."***<sup>8</sup>

CTA was created almost 100 years ago as the Radio Manufacturers Association to foster the nascent medium of AM radio. This proposal might have made sense then for our great-grandparents who easily withstood the pops, clicks and hiss of AM radio until FM came along. But today this proposal does not significantly enhance public safety, will not help our shift to electric cars and in the long run, is not a situation requiring government interference into the market. We urge Congress to allow automakers to choose vehicle designs that prioritize innovation and competition and allow consumers to make purchase decisions that align with their preferences. CTA stands ready as a resource and expert as the Subcommittee continues to explore.

Sincerely,

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<sup>7</sup> CTA's *AM Tuner Study* (Jun. 2023)

<sup>8</sup> [FEMA IPAWS Strategic Plan FY 22-26](#)



Gary Shapiro  
President and CEO  
Consumer Technology Association

Cc: Members of the U.S. House Committee on Energy & Commerce  
Members of the U.S. House Committee on Transportation and Infrastructure