

STATEMENT

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**“FEMA REAUTHORIZATION: RECOVERING QUICKER AND SMARTER”**

Submitted  
By

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## **Introduction**

Chairman Barletta, Ranking Member Carson and Members of the Subcommittee: Good morning. I am Joseph Nimmich, the Associate Administrator for the Office of Response and Recovery for the U.S. Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA).

I am here today to discuss how FEMA is continuing to assist communities affected by Hurricane Sandy, the tornadoes in Oklahoma and the numerous floods in the Midwest and Alaska, as well as how we are using the new authorities provided by the Sandy Recovery Improvement Act of 2013 (SRIA). At FEMA, we are committed to helping survivors and that guides our approach to everything we do – whether that be stabilizing an area in support of first responders, providing public or individual assistance or supporting long term infrastructure rebuilding in an area that has been damaged. Wherever disaster may strike, FEMA is committed to help our fellow citizens heal their communities and move forward on the road to recovery.

## **Response and Recovery for Hurricane Sandy**

On the evening of October 29, 2012, Hurricane Sandy made landfall in southern New Jersey, with impacts felt across 24 states. The storm battered the East Coast – particularly the densely-populated New York and New Jersey coasts – with heavy rain, strong winds and record storm surges.

In Sandy's immediate aftermath, more than 23,000 people sought refuge in temporary shelters, and more than 8.5 million customers lost power. The storm flooded numerous roads and tunnels, blocked transportation corridors and deposited extensive debris along the coastline.

At the direction of President Obama, FEMA coordinated the federal government's response and support for the critical emergency needs of affected states.

Hurricane Sandy led to 13 major presidential disaster declarations, and was the catalyst for one of the largest personnel deployments in FEMA's history. These declarations provided direct federal assistance to many communities through FEMA's Individual Assistance (IA), Public Assistance (PA) and the Hazard Mitigation Grant Program (HMGP).

FEMA coordinated with its interagency partners to provide federal resources to the response effort and to develop innovative programs to address power restoration, transportation, fuel distribution, and housing needs.

In the immediate aftermath, FEMA established the Energy Restoration Task Force at the President's direction to better coordinate federal, state, tribal, local and private sector efforts to restore power to the impacted areas as quickly as possible. The Task Force assisted in supplementing a massive private power restoration effort. Electric utilities from across the nation

executed mutual aid agreements to deploy more than 70,000 workers to the impacted areas – the largest ever dispatch of utility workers.

Today, FEMA works hand in hand with the Department of Energy, institutionalizing these lessons learned in emergency management from Hurricane Sandy and ensuring key energy issues are addressed quickly.

Additionally, the President authorized a temporary 100 percent federal cost share for emergency power restoration and emergency public transportation assistance, including emergency protective measures to secure public transportation infrastructure. FEMA also issued an interim final rule authorizing, for a limited time, the reimbursement of straight or regular time salaries and benefits of employees of Public Assistance applicants who performed disaster-related debris removal work.

To address the high cost of living in the region, FEMA increased the amount of rental assistance available to survivors in New York and New Jersey to 125 percent of the published Fair Market Rent rate. The necessary increase made an additional 3,000 rental resources available to survivors across New York and New Jersey.

On November 6, FEMA convened a Hurricane Sandy Catastrophic Disaster Housing Task Force to support the state-led task forces' efforts to plan for survivors' temporary and long-term housing needs.

FEMA also tapped into its Innovation Team to discover ways to deliver the services more efficiently – and those ideas were put to use. Following the storm, FEMA analyzed satellite and aerial imagery to determine what areas were inaccessible and expedited short-term rental assistance to residents that needed it most. In addition, FEMA employees – supplemented by DHS surge capacity force volunteers and FEMA Corps members, went door-to-door in some areas using tablet computers to help residents sign up for disaster relief without leaving their homes, even if they had lost power and internet access.

In the aftermath of the storm, FEMA provided 20 million liters of water, 16 million meals, nearly two million blankets and roughly 80,000 cots for survivors.

To meet survivor needs, FEMA deployed more than 1,700 Community Relations personnel to explain available programs and assist survivors registering for federal aid. FEMA personnel established a large presence of Disaster Recovery Centers (DRCs), including 37 centers in New York and 35 in New Jersey. FEMA call centers supported these field elements and survivors, while registering more than half a million survivors for federal assistance. All told, more than 17,000 federal personnel, including 7,500 FEMA staff were deployed to support response and recovery efforts.

The Individuals and Households Program (IHP) provides financial assistance and direct services to survivors to address their critical needs. As of September 5, 2013, FEMA has approved more than \$1.4 billion in IHP assistance for Hurricane Sandy survivors.

The PA program awards grants to assist state, local, and tribal governments, as well as certain private nonprofits, with response and recovery efforts. As of September 5, 2013, FEMA has obligated nearly \$2.8 billion in Hurricane Sandy PA grants.

FEMA is working closely with its partners to formulate project worksheet (PW) and process subgrants to address damage caused by Sandy. One of the ways in which FEMA is able to provide financial reimbursement to local governments is through Expedited Payments, which help local communities recover more quickly. These are commonly referred to as Expedited PWs. FEMA obligates a portion of the federal share of the estimated cost of work under Category A (Debris Removal) and Category B (Emergency Protective Measures), as estimated during the preliminary damage assessment. FEMA is also aggressively applying the Sandy Recovery Improvement Act programs, which I will discuss shortly.

Additionally, FEMA is supporting local governments whose budgets became strained as a result of the storm, offering Community Disaster Loan Program (CDL) funding for affected communities. The CDL program provides federal loans to local governments that are having difficulty providing government services because of a loss in tax or other revenue following a disaster. Thus far FEMA has provided 60 loans totaling \$174 million to communities impacted by Hurricane Sandy.

The HMGP assists state, local, and tribal governments with implementing long-term hazard mitigation measures. In New York and New Jersey, FEMA mitigation staff continues to work closely with State Hazard Mitigation Officers to discuss the states' Hazard Mitigation Plans, types of projects available and how best to proceed with long-term hazard mitigation.

### **The Sandy Recovery Improvement Act (SRIA)**

In January 2013, President Obama signed SRIA into law, authorizing several significant changes to the way FEMA delivers disaster assistance. SRIA is one of the most significant pieces of legislation impacting disaster response and recovery since the Post-Katrina Emergency Management Reform Act of 2006 and builds upon the Robert T. Stafford Emergency Relief and Disaster Assistance Act.

SRIA's various provisions are all intended to improve the efficacy and availability of FEMA disaster assistance and make the most cost-effective use of taxpayer dollars. FEMA is currently implementing the provisions of SRIA and the accompanying Disaster Relief Appropriations Act of 2013.

The agency has begun this work in earnest and has implemented or is nearing implementation for the following provisions from SRIA:

- Public Assistance Alternative Procedures for Permanent Work is a statutorily-authorized pilot program that provides substantially greater flexibility in project formulation and execution for applicants. Applicants accept grants based on fixed, capped estimates. Through this pilot, FEMA may accept project cost estimates that have been verified by licensed engineers, and the agency can fund an entire project based on the estimate rather than actual costs. Applicants may combine projects or pursue alternate projects without penalty. The alternative procedures are designed to expedite assistance, increase flexibility, lower administrative costs and speed recovery.
- Public Assistance Alternative Procedures for Debris Removal is a package of incentives to speed debris removal and encourage pre-disaster debris planning, including sliding scale cost share adjustments for rapid debris removal; a one-time, two percent additional cost share adjustment if an acceptable debris management plan is in place before the disaster; reimbursement for force account labor used in conducting debris removal; and provides for the applicant to retain proceeds from recycling debris. FEMA first implemented these procedures following the devastating tornadoes in Oklahoma in May 2013, and the statutorily-authorized pilot was implemented nationwide on June 28, 2013. The debris pilot will last for one year, with the option to extend the pilot if operations warrant. The pilot program will serve as a bridging strategy and data collection effort to inform the development of federal regulations promulgated pursuant to the Administrative Procedure Act, which affords interested members of the public an opportunity to participate in the rulemaking and submit comments. In determining whether to extend the pilot each year, FEMA will consult with DHS, the National Security Staff (NSS), and the Office of Management and Budget (OMB) not less than 90 days before the end of the one year pilot period.
- SRIA amended the statutory provision for HMGP to enable FEMA to: 1) set up a pilot program to enable states to administer certain aspects of the program if specific conditions are met; (2) provide not more than 25 percent of the amount of the estimated cost of hazard mitigation measures before eligible costs are incurred; and (3) streamline environmental and historic preservation review processes. FEMA issued guidance for all of these procedures in the spring of 2013.
- SRIA has given federally-recognized tribal governments the option of requesting an emergency or major disaster declaration to the President, through the FEMA Regional Administrator, instead of through a state. Thus far, FEMA has processed and the President has approved “major” disaster declaration requests from four tribes: the Eastern Band of Cherokee Indians, the Navajo Nation, the Standing Rock Sioux Tribe of North

and South Dakota, and the Karuk Tribe. With these declarations, Public Assistance and Hazard Mitigation Grant Program funding is being provided to the tribes.

- Dispute Resolution/Arbitration is a statutorily-mandated pilot program for Public Assistance disputes. A final rule implementing the program was published in the Federal Register on August 16, 2013. This program will be available for disputes of at least \$1,000,000, where the applicant bears a non-federal cost share, arising from disasters declared after October 30, 2012, and the applicant has completed a first appeal with FEMA. Requests for arbitration may be made until December 31, 2015.

FEMA is currently developing specific implementation procedures for each new authority and will continue implementation through a combination of a grantee engagement potential rulemaking and/or the development of policy or other guidance documents.

### **Lessons Learned from Hurricane Sandy and FEMA's After Action Report**

FEMA is also taking steps outside of the legislative process to improve its response to disasters, recently developing a Hurricane Sandy After-Action Report that reviewed all aspects of the Agency's preparations for, immediate response to and initial recovery from the October 2012 storm.

Administrator Fugate established the Sandy Analysis Team to develop the Agency's after-action report. The team compiled an event chronology, analyzed more than 40 FEMA component submissions on lessons learned from the storm, and interviewed more than 200 personnel from FEMA and other federal departments, as well as state and local governments.

The Hurricane Sandy After-Action Report identifies the Agency's strengths and more importantly provides recommendations to improve FEMA's response and recovery efforts. The report identifies four central themes for improvement:

- Ensuring unity of effort across the federal response: The severity of the storm underscored several areas for improvement related to FEMA's ability to coordinate federal operations, including integrating senior leader communications into response and recovery operations; coordinating resources through the Emergency and Recovery Support Functions (ESF and RSF respectively); refining the mission assignment process; and using analysis to drive operational decision-making.

Next steps include developing appropriate training, exercises, and outreach programs to foster greater coordination and communication among ESFs and RSFs, making the mission assignment process as efficient and transparent as possible, and improving efficiencies in the way FEMA provides support to large-scale events. Additional recommendations address implementation of the Agency's Lessons Learned/Continuous Improvement Program (LL/CIP).

In support of this effort, FEMA/National Exercise Division recently supported the National Security Staff in their conduct of a Principals' Level Exercise (PLE) for Cabinet members to review their roles, responsibilities, and authorities within the National Response Framework (NRF), the National Disaster Recovery Framework (NDRF), and the National Continuity Policy (NCP). Conducted prior to the start of the 2013 hurricane season, the exercise examined issues identified during previous incidents including interagency coordination during the 2012 hurricane season and, in particular, Hurricane Sandy. The discussion-based exercise focused on two central issues: the actions and mechanisms required to ensure a coordinated and rapid delivery of Federal support prior to and following a major storm threatening the U.S. mainland and the actions and requirements necessary to ensure continuation of the National Essential Functions (NEFs) and Primary Mission Essential Functions (PMEFs) in each department and agency.

- Being survivor-centric: Leadership at FEMA adopted a “cut the red tape” posture to better serve survivors and communities, but opportunities remain, including meeting survivors’ needs during initial interactions with FEMA; ensuring all survivors have equal access to services; and reducing the complexity of the public assistance program.
- Fostering unity of effort across the whole community: Sandy highlighted the need for FEMA to improve coordination with tribal governments and clarify how the agency interacts with local governments in disasters affecting large urban areas.

Recommendations include anticipating cities’ resource requirements and understanding their capabilities, coordinating directly with local jurisdictions when it supports a forward-leaning response, promoting better integration between states and large urban governments, including encouraging local and tribal participation in the Unified Coordination Group where appropriate, and preparing response teams to handle incidents where state, local and tribal jurisdictions require clarification of the roles and responsibilities or have differing priorities during an incident.

- Developing an agile, professional, emergency management workforce: In response to Sandy, FEMA completed one of the largest personnel deployments in its history. FEMA is committed to supporting disaster survivors and their communities through the most effective and efficient means possible. In support of this commitment, FEMA has sought to expand, improve and diversify its disaster workforce. One example of a successful improvement is the DHS Surge Capacity Force (SCF), which is comprised of volunteer employees from various DHS components that are activated during catastrophic or large scale events when required. Currently the SCF has 3,901 volunteers, all of whom receive basic FEMA disaster assistance training prior to deployment. Sandy marked the historic

inaugural activation of the SCF, with more than 1,100 SCF volunteers deploying in support of response and recovery efforts. The contributions of the SCF volunteers and other FEMA personnel in the areas of Community Relations and IA resulted in more than 182,000 survivors receiving more than \$1.42 billion in assistance as of September 5, 2013.

Further, beginning in April 2013, FEMA undertook a one-year pilot project to restructure its Incident Management Assistance Teams (IMATs) to provide increased capability by representing more FEMA programs and interagency representatives and by leveraging the hiring flexibilities provided by the Robert T. Stafford Disaster Relief and Emergency Assistance Act. These three pilot teams will have 32 full-time, excepted service FEMA employees. These teams completed a rigorous 12 week training program and are prepared to deploy now. These teams will represent 13 different FEMA offices with the potential for including up to nine representatives from ESFs and interagency partners. ESF partners have begun assigning personnel to these teams. This broad range of program representation at the field level will provide FEMA and its Federal partners with increased capability to support its state and local partners in helping disaster survivors. At the completion of the one year pilot period, FEMA will review the pilot IMAT team performance in consultation with DHS, the National Security Staff (NSS), and the Office of Management and Budget (OMB) and determine whether the program should be revised or expanded.

FEMA is continuing implementation of the FEMA Qualification System, improving plans and processes to support the logistical and administrative needs of a large deployed workforce, and improving continuity of operations and devolution plans to account for large-scale deployments.

FEMA has established a senior-level Continuous Improvement Working Group to track implementation of the recommendations and next steps included in the report. Thirty percent of the report's recommendations have been implemented already, with 90 percent expected to be completed by year's end.

### **Response and Recovery from the Oklahoma Tornadoes**

From May 18-20, 2013, a band of severe weather – including several tornadoes – impacted Oklahoma, with an EF-5 twister touching down near the cities of Moore, Oklahoma City and Newcastle. These storms had wind speeds of over 200 miles per hour, leaving massive destruction.

On May 20, the state of Oklahoma requested and received a major presidential disaster declaration. The declaration, and subsequent amendments, authorized PA for twenty counties



and IA for one county. Eight counties received both IA and PA. The declaration also included the HMGP statewide.

Within 24 hours of the declaration, FEMA opened two Mobile Registration Intake Centers (MRICs) in the affected cities of Shawnee and Moore.

Less than two weeks after the initial band of storms hit, another EF-3 tornado struck, this time in the city of El Reno. It was reported by the National Weather Service as having a record-breaking width of 2.6 miles.

FEMA was there after both events, providing assistance and helping survivors on their long road to recovery.

In addition to the MRICs, FEMA deployed its newly formed Disaster Survivor Assistance Teams (DSATs) to go door to door to register survivors in the field. DSATs provide on-site registration, applicant status checks, expedited delivery of disaster assistance, on-the-spot needs assessment; and provide access to Federal, state, tribal, local and non-government entities offering survivor services as needed.

Geospatial mapping and imagery was also used to provide information to first responders and emergency managers about damaged areas, making FEMA's assistance to survivors quicker and more effective.

The state has received 138 requests for public assistance and 136 have been approved.

Pursuant to SRIA, FEMA also implemented a debris pilot program in Oklahoma to expedite the removal of debris. As of September 4, approximately 1,191,328 cubic yards of an estimated of 1,241,880 cubic yards of debris had been removed – with more than 40 percent of debris removed within the first 30 days and 96 percent of the debris removed in 90 days. This has allowed the community to start rebuilding homes sooner and the community to recover more quickly.

Under the pilot, communities also have financial incentives to remove debris in a timely manner after an incident and to have a pre-incident debris management plan. Twenty-two applicants have requested participation in the debris pilot program. Three of those applicants already had debris management plans in place, which allows for an increased federal cost-share.

FEMA continues to coordinate the ongoing recovery efforts to help survivors rebuild their communities and give residents the assistance they need to move forward.

### **Response and Recovery from the Flooding in Illinois**

Federal assistance continues to flow to Illinois as the state recovers from storms and flooding that occurred there from April 16 to May 5. About \$1.5 million has now been obligated to help state, local governments and certain private nonprofit organizations recover.

This federal assistance is available for debris removal, and materials – including gravel and sandbags – equipment, and overtime used in responding to the spring’s severe weather event.

Thus far, more than 600 requests for Public Assistance have been submitted, with 40 counties eligible.

To date, \$155 million has been disbursed to individuals and families for their recovery.

### **Response and Recovery from the Flooding in Alaska**

FEMA is using the authority provided by Congress to authorities to implement innovative solutions to address unique challenges in Alaska and help communities recover and rebuild stronger in Galena and Eagle, where the promise of winter demands swift action.

When an ice jam caused flooding in Eagle 2009, the President declared a major national disaster and FEMA got to work, helping the community rebuild even stronger than before.

Shortly after the flood and with FEMA’s assistance, the Village of Eagle moved from the water’s edge in an effort to stop the repetitive losses from annual spring flooding. As a result, when another flood struck this year, there was no loss of life, injuries or damage to personal property.

FEMA works hard to meet the unique needs of survivors on the ground in Alaska, which offers many challenges to rebuilding affected communities.

For example, FEMA provided grants for communities whose fish wheels were damaged during flooding. Fish wheels are devices that Alaskans use to catch fish, a life-sustaining necessity for subsistence cultures in remote parts of the State.

After flooding in Galena this May, many of the town’s buildings were swamped by as much as seven feet of water. Following a major disaster declaration, FEMA began to offer assistance, working with partners at the state, local, tribal and federal level including the Alaska Division of Homeland Security and Emergency Management, the National Weather Service, the U.S. Coast Guard and the U.S. Department of Defense to provide aid. That aid is available to state, tribal and eligible local governments for emergency work, debris removal and the repair and or replacement of facilities damaged by the flooding.

A major priority at the moment is to rebuild as much as possible before hard winter sets in. In addition to limitations brought on by colder weather, rebuilding is more challenging in Alaska than in other places in the U.S. because of the vast distances and limited road system, so materials must be brought in using planes or barges.

FEMA is also working with the Salvation Army and the Red Cross to prepare meals for those in need.

FEMA also coordinated with the state to setup a Disaster Recovery Center (DRC) in Fairbanks, which is staffed by disaster recovery specialists who provide information and answer questions for local residents.

To ensure it captures the local perspective that is so critical in Alaska, FEMA is also currently looking for local hires, including positions for applicant service program specialists, writing and resource specialists and administrative assistants.

### **Conclusion**

At FEMA, we seek constant improvement to better support America's disaster survivors, citizens, first responders, and communities. We cannot make survivors whole after a disaster but by implementing lessons learned and by the authority given to us by Congress under SRIA, we are confident that more effective and efficient FEMA programs will provide survivors with the assistance, flexibility and incentives they need to speed recovery and become more resilient.

We look forward to continuing to work with Congress toward this common goal. Thank you.