



Written Statement for the Record

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**On behalf of the U.S. Council of the
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**For the hearing:
“Are We Ready? Recovering from the 2017 Disasters and
Preparing for the 2018 Hurricane Season”**

**Before the Committee on Transportation and Infrastructure’s
Subcommittee on Economic Development, Public Buildings, and Emergency Management
U.S. House of Representatives**

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Thank you, Chairman Barletta, Ranking Member Johnson, and members of the U.S. House of Representatives' Committee on Transportation and Infrastructure's Subcommittee on Economic Development, Public Buildings, and Emergency Management for this opportunity to testify on lessons learned from the historic 2017 disaster season to help guide our readiness for 2018 and into the future.

My name is Mistie Gardner, Emergency Management Coordinator for the City of Richardson, Texas. I have worked in public safety for 23 years, and I have been a Certified Emergency Manager for 10 years. I appear before you today as a representative of the U.S. Council of the International Association of Emergency Managers.

The International Association of Emergency Managers (IAEM), comprised of more than 6,000 emergency management professionals worldwide, is a non-profit educational organization dedicated to promoting the "Principles of Emergency Management" and representing THE profession dedicated to protecting America's local communities from all hazards and threats, natural and man-made.

Local governments serve as our nation's first line of defense when disasters strike. Immediately following a disaster, local responders, including emergency managers, are first on the scene and play a key role in coordinating local response and recovery efforts, working to mitigate further damage from disasters. In the aftermath of disasters, we coordinate and help fund clean-up, recovery, and rebuilding so our residents can return to their lives as quickly as possible. All disasters begin and end locally.

But, the most consequential work of local emergency managers actually happens BEFORE a disaster strikes. Emergency managers wake up every day thinking about and planning for the next disaster because hurricanes, public health emergencies, earthquakes, active shooters, floods, tornadoes, and technological hazards are going to happen, and usually with little-to-no notice. During times when we aren't responding to an emergency, emergency managers are hard at work behind the scenes, every day and in all levels of government and in all sectors of the nation, to help our communities become better prepared.

The 2018 hurricane season is already upon us, and numerous disasters have already struck the nation. I want to take a moment to look back at lessons learned during last year's epic hurricane season. I hope to contribute to the discussions Congress and FEMA are having about reforming our Nation's systems of disaster recovery. Ultimately, it is the hope of IAEM that Congress will pass the Disaster Recovery Reform Act (DRRA) as a demonstration of the federal government's commitment to supporting pre-disaster mitigation and helping to develop a culture of preparedness in which we are all more resilient to the impacts of disaster.

From August through October 2017, in response to Hurricane Harvey, I worked on a variety of different missions. On my first deployment, I served as the Emergency Operations Center Manager for the City of Dallas to help coordinate the sheltering of approximately 5,000 evacuees. During my second deployment, as a member of the Texas Emergency Management

Assistance Team (TEMAT), I worked in the State Operations Center to coordinate Public Works resources from around the State including 188 personnel to 28 impacted locations. I also helped process 450+ Memoranda of Understanding (MOUs) for response personnel statewide including 60 emergency management personnel deploying to 16 impacted jurisdictions. And, finally, I was deployed to the Victoria Disaster District as part of a Recovery Assistance Team supporting the recovery needs of 7 jurisdictions, including help with Public Assistance, Debris Management, and Damage Assessment. Based on my experiences, I offer the following thoughts to help provide context to the Subcommittee's deliberations and for the good of all emergency management stakeholders.

Information Sharing During a Disaster

Several information-sharing challenges have presented themselves from prior disasters and were again experienced during Hurricane Harvey. The "right to know" clause in many of the overarching policies needs to automatically include emergency management personnel. For instance,

-) Local jurisdictions are responsible for providing safety for patrons at a public shelter. However, if jurisdictions utilize non-governmental assistance such as the American Red Cross (ARC), the assisting organization cannot share the registration information with the local government. Thus, the local law enforcement agency does not have adequate information by which to check criminal history, warrant information, or even the sex offender database of those staying in shelters meaning there is no visibility for local officials to protect shelter residents from violent offenders.
-) Granting the Federal Emergency Management Agency (FEMA) flexibility to provide information to local governments related to the programs FEMA is offering in assistance and housing programs would alleviate a lot of confusion and frustration. Due to Federal Privacy Act (1974) restrictions, FEMA is not allowed to provide information to local jurisdictions about FEMA applicants unless a written consent is given. While this waiver could be obtained, it isn't routinely done resulting in FEMA staff who are not afforded the latitude to share this information with local emergency managers. Without knowledge of services FEMA is providing, emergency managers have NO ground truth about the remaining impacts on our citizens and what services that local governments COULD provide to address the gaps in FEMA assistance.
-) No requirement exists for communication service providers to share information with local governments for the sole purpose of emergency/disaster warning communications. While many jurisdictions have systems in place to warn the public and provide emergency information, the only information we can ascertain directly is "land line" information. This does not include cellular telephone numbers, satellite or Voice Over Internet Protocol products. The existing laws allowing the sharing of emergency number information has not kept up with the technology. In my jurisdiction alone, we

are losing 1,000 numbers per year on average due to citizens' migration from the "land line" service, to virtual and cell service only options. We do not have a way to access this data directly and most service providers see it as proprietary. As a result, citizens must register their numbers with us in order to receive life-saving emergency information. We work to educate the public regarding this fact but competing messaging and systems cause confusion for the public. While the Integrated Public Alert and Warning System (IPAWS) specifically fills a gap for widespread disasters and provides life-saving information of its own, the extensive nature of how warnings are distributed through the system causes confusion for the public because IPAWS messages cannot be limited to a geographic area. Thus, local governments cannot use IPAWS for localized warning information and especially for pre-disaster or preemptive messaging. In this context, if a local government uses IPAWS for a localized emergency it can easily cause citizen confusion, frustration as well as the unintended consequence of warning apathy. Truth be known, depending in which state one resides, many local governments do not have the authority or mechanism to directly activate IPAWS due to these limiting factors. All the while, IPAWS public service announcements rightly promote the use of the system for public warning and reference local governments' ability to activate the system for this purpose. The result, citizens are confused about the need to register for local notification systems. In the end, systems which are all meant to serve the public are inadvertently working against one another. We could mitigate these challenges if emergency managers are afforded direct access to public communication information for emergency messaging purposes.

FEMA Intermittent and Contract Recovery Employees:

Because of the intermittent nature of disasters requiring FEMA disaster recovery assistance, FEMA utilizes personnel who are temporary employees or contracted employees. These FEMA representatives sometimes provide misinformation to local governments contradicting the published Public Assistance guidance requirements. In prior disasters, locals have paid the price for taking guidance/instructions from the federal and state contract personnel who are sent to them as "experts." This has resulted in attempts to recover funds from a local jurisdiction that were applied for in good faith and on the guidance of good-intentioned contract staff. A change in the Stafford Act could remedy this unexpected hardship on locals from recoupment of funds if the jurisdiction were allowed to provide written evidence of erroneous guidance provided by contracted recovery staff.

Adequate Shelter Facility:

Local jurisdictions who are inland that support coastal evacuations do not have essential resources to shelter evacuees in a timely manner. A mechanism to improve this condition would be allowing local governments to utilize mitigation funds to build shelter capacity inland. Revision to the Stafford Act to allow local jurisdictions to house evacuees in all available shelter options is necessary. Currently, we are prohibited by federal statute from housing evacuees in

anything other than congregate shelters. Allowing the flexibility to house in church camps, dorms, camping cabins and other private or semi-private locations and still be eligible for Public Assistance reimbursement would build shelter capacity significantly.

Environmental and Historic Preservation (EHP) Process:

While this process is valuable and beneficial, the current method of use is ineffective and wasteful. Local, state, and federal staff waste time and money due to the extent to which these are currently required. For example, once we complete the next grant project, we will have completed 6 EHPs for the same location, our local Emergency Operations Center (EOC). The first one was obviously important when we were building the facility and grant dollars were going toward the capabilities within the structure. However, once a structure is built, thought should be given to limiting the types of work that require an EHP. We have had to do full EHPs for things such as installing a replacement display on an existing wall and installing an AV component into an existing AV Rack within a server room. I do not believe the intent of this policy was to require this type of review, but the interpretation of the policy is forcing this issue. Thus, updates and clarifications of policy can prevent this type of over-use and would be helpful, saving time and money at all levels of government.

Public Assistance vs. Mitigation Projects:

Public Assistance allows for a damaged structure to be repaired to “pre-disaster” condition, taking into consideration current building code requirements. Then, the jurisdiction may apply for Section 406 funding to take sustained actions to reduce or eliminate long-term risk to human life/property from a hazard event. While it is allowable to combine the two, it typically adds significant delays to the repair of a critical facility. If the process could be streamlined for 406 mitigation funds to work more efficiently with general PA projects, this issue could be alleviated and the rebuilding process would be more efficient for the locals as well as the State and FEMA who are trying to administer the funds. Additionally, it would make significant impacts toward local mitigation efforts if part of the Program Delivery Manager’s scope was to provide clear guidance on the benefits and best way to leverage 404 versus 406 Mitigation funds. Opportunities are not fully realized if locals are not aware of the potential for mitigation projects. This would save money in the future by preventing duplication of efforts and allow more strategic use of funding to shorten timelines to create resiliency and positively impact mitigation efforts.

Cost/Benefit Analysis:

The current Cost/Benefit Analysis (CBA) does not evaluate to the extent needed, impacts to either environmental or social areas. These areas, admittedly difficult to measure, play an important part in both mitigation and recovery. FEMA has a precedent for including multiple factors to determine assistance, such as the factors for Individual Assistance. A similar process could be employed beyond a limiting numeric measure with the CBA. The integration of a multi-criteria benefit analysis could help to identify a broader range of potential mitigation

measures and look beyond the CBA to other factors to positively impact an areas' ability to protect against future hazards and threats. As a start, a provision in 406 and PDM to allow for a preference for multi-jurisdictional hazard reduction regardless of the CBA would be helpful. For instance, a flood control project spanning an entire stream over multiple jurisdictions versus a single larger, more populated jurisdiction making improvements to only one small section of that same stream has farther-reaching improvements even though the CBA may not be as high.

Increase in Pre-Disaster Mitigation Grants: Congress should increase its commitment to disaster readiness and resiliency by authorizing and appropriating more funding for pre-disaster mitigation as well as by increasing the range of projects in which jurisdictions can apply and use that mitigation funding. The more jurisdictions are able to do ahead of a disaster, the stronger the resiliency after a disaster. To compare, in 2017 PDM for the **Nation** was \$90 million. For Harvey alone, the State of **Texas** has been allocated \$1 billion, with \$500 million up front. Given Harvey's unprecedented nature, the post disaster mitigation funding is crucial without a doubt. However, if Congress would increase pre-disaster mitigation funding each year, the cost of disaster mitigation funding after the fact would undoubtedly be lessened. Jurisdictions typically know the appropriate and most cost-effective pre-disaster projects to undertake. These projects could have exponential mitigation benefits ahead of a disaster with more time to plan and implement protection elements before citizens are hurt by disaster. Unfortunately, with the currently limited nature of pre-disaster mitigation funding, they often must wait for post disaster funding to support completion of these projects.

In closing, I sincerely appreciate your giving me the opportunity to share my thoughts about the response to Hurricane Harvey. Some of the suggestions I provided may not be directly applicable to the work you are doing in drafting the Disaster Recovery Reform Act, but I hope my testimony will help foster a discussion among all emergency management stakeholders as we all strive to improve the way we, as a Nation, respond to disasters. It is my hope that we will learn from the lessons of 2017 in order to make our communities safer and more resilient in 2018 and beyond.

Thank you, Chairman Barletta, Ranking Member DeFazio, and to all members of this Subcommittee.