

➤ **Maintain Funding and Flexibility for EMPG**

*EMPG is the only Federal source of funding to assist state and local governments with planning and preparedness activities associated with natural disasters. While support grows for EMPG each year, 2011-12 will be a critical time in assisting states in maintaining emergency management capabilities. The President's proposed funding level of \$350 million must be granted in order to continue realizing the benefits of this program. EMPG also offers a unique cost savings to the federal government by requiring a match to which NEMA continues to support. This match enhances the commitment to building strong programs and capability at the state and local level. Such enhancements lessen the need for federal disaster assistance.*

➤ **Sustain Homeland Security Grant Funding**

*As the Homeland Security Grant Program (HSGP) and associated programs continue to mature, programs and priorities at the state level continue to accompany a more effective spending strategy. Many states also utilize these programs as an enhancement to EMPG grants in building all-hazard capabilities. Greater flexibility, 100 percent funding, and a reduction in "carve outs" should continue as tenets of these programs to avoid duplicative efforts and less efficient uses of the grant.*

➤ **Ensure Allocation of the D-Block to Public Safety Community**

*NEMA strongly supports legislative efforts to prevent the auction of the D-Block and ensure public safety has all necessary tools to effectively respond to an incident. This nationwide broadband network is critical to ensuring our police, fire, medical, and emergency professionals have access to modern and reliable communications capabilities.*

➤ **Obtain Budget Line Item Funding for EMAC**

*Mutual aid is a cost savings to the federal government as it can lessen the need for federal assets during a response. EMAC is the first national disaster-relief compact ratified by Congress since the Civil Defense and Disaster Compact of 1950. Since ratification in 1996, 50 states, the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands have enacted legislation to become EMAC members. Annual line-item funding is critical for building EMAC capabilities and our nation's mutual aid system.*

➤ **Coordinate Stafford Act Changes with the Emergency Management Community**

*As Congress considers changes to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, NEMA and partners in the emergency management community should be consulted regarding any changes. NEMA continues to contend the Stafford Act currently has all flexibility to mount an effective national response, but consultation will provide for a comprehensive review of any impact to states and disaster response.*

➤ **Upgrade EOC's for the 21<sup>st</sup> Century**

*EOCs serve as the nerve center and coordination point for state and local coordination during disasters and emergencies. There continues to be a shortfall in the ability for states to build, retrofit, and upgrade state and local primary and alternate EOCs. The current EOC grant program is severely diluted through earmarks, so the program must be adequately funded beyond individual projects and focused more on a statewide strategy.*

## Maintain Funding and Flexibility for EMPG

### Background

Often referred to as the “*cornerstone of the evolving emergency management profession,*” the Emergency Management Performance Grant (EMPG) allows State, tribal, and local governments to make key investments to build capacity and enhance the capability of states and localities to respond to disasters.

EMPG is the *only* source of federal funding directed to state and local governments for planning, training, exercises, and key professional expertise for all-hazards emergency preparedness. The money is often used to support emergency operations centers which are the coordination hubs for all disaster response, and conduct risk and hazard assessments. The program also provides public education and outreach, enhanced interoperable communications capabilities, and the ability to manage statewide alerts and warnings.

Few federal programs boast EMPG’s 50-50 matching commitment from the state and local level. EMPG stands as the beacon of Congressional commitment to ensuring communities and states are more ready to prepare, mitigate, respond, and recover from any number of emergencies and disasters. EMPG does far more, however, than provide funds for planning, training, exercises, and communications. EMPG must continue to be strengthened and maintained through shared investments.

### Talking Points

- Only federal source of funding to assist state and local government with planning and preparedness activities associate with natural disasters.
- Primarily for maintaining emergency management programs and building capacity at the state and local levels.
- NEMA intends to focus heavily on building metrics to measure outcomes of the program and continues to support the matching requirement in exchange for flexibility.
- The program was funded at \$340 million in FY 2010, but authorized for \$680 million.

### Requested Action

- Congress should continue to make strong investments in EMPG and ensure adequate support for emergency management at the state and local levels. Congress should approve the President’s request funding level of \$350 million, but maintain the program as separate and distinct from other grant programs.
- EMPG must be maintained as a flexible and all-hazards program and not stray from the Congressional intent of authorizing legislation including the Stafford Act. Program funds should not be tied to specific percentages, or “carve outs,” for specific tasks, and improvements to emergency operations centers should continue as an allowable cost.

## **Sustain Homeland Security Grant Funding**

### **Background**

The Homeland Security Grant Program (HSGP) suite consists of five grant programs including the State Homeland Security Program (SHSP), Urban Areas Security Initiative (UASI), Operation Stonegarden (OPSG), Metropolitan Medical Response System (MMRS), and Citizen Corps Program (CCP). The core of HSGP provides funds to build capabilities at the state and local levels and to implement the goals and objectives included in state homeland security strategies and initiatives in their State Preparedness Report. Consistent with the *Implementing Recommendations of the 9/11 Act of 2007*, states are required to ensure that at least 25 percent of SHSP appropriated funds are dedicated towards law enforcement terrorism prevention-oriented planning, organization, training, exercise and equipment activities, including those activities which support the development and operation of fusion centers.

These homeland security grants must be used in support of building an all-hazard capability. Greater flexibility in use of homeland security funds for all hazards must be provided to states. Such flexibility allows the grant funding to be utilized by each state according to need, existing resources, and capabilities. The effort to enhance and build the national emergency response system is a national effort and federal resources must be continued at the current level to maintain effectiveness.

### **Talking Points**

- Recent funding levels combined with a maturing of the programs have facilitated a more effective spending strategy at the state level.
- NEMA supports the consolidation of grant programs in the interest of reducing administrative burdens, but not when coupled with a reduction in the top-line available funding.
- “Carve outs” in form of mandated percentages of the total allocation often have the unintended consequence of hindering the progression of a strategy forward or building a state-specific capability.

### **Requested Action**

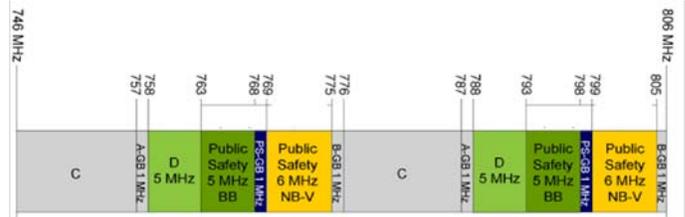
- NEMA urges Congress to appropriate sustained levels of funding on a multi-year basis to allow for long-range planning, maintenance, and implementation.
- Reduce or eliminate percentage-based “carve outs” from the program for specific objectives.

## Ensure Allocation of the D-Block to Public Safety

### Background

The Federal Communications Commission (FCC) has licensed 10 MHz of radio spectrum in the 700 MHz band to public safety for broadband services. Many national organizations agree this 10 MHz is insufficient to meet public safety's bandwidth needs. Public safety needs more spectrum.

For economic and technical reasons, additional public safety broadband spectrum should be in the same band as the current public safety broadband spectrum. Such spectrum exists and is available. The D-Block is two complimentary segments of radio spectrum comprising 10 MHz in the upper 700 MHz spectral band, located directly adjacent to the spectrum currently licensed to public safety for broadband services. The D-Block is also the only substantial contiguous spectrum remaining in the 700 MHz band yet to be licensed, so no licensed users would be displaced. Should public safety be forced to build an interoperable network in two separate bands, additional fiscal challenges would result due to the need of new technologies to bridge the disparate systems required to fulfill the comparable need of the singular D-Block.



Under current statute, the FCC is required to auction the D-Block spectrum for commercial services. Once auctioned, the D-Block would be encumbered and out of public safety's reach for the foreseeable future; in practical effect, it would be gone forever. To prevent such an auction, NEMA has joined the Public Safety Alliance (PSA) and numerous other organizations in urging Congress to pass legislation allocating the D-Block to public safety and providing a funding mechanism to aid in the build-out and operation of a nationwide broadband network. The PSA includes associations representing police, sheriffs, fire chiefs, emergency medical personnel, and emergency management.

The current legislation accomplishing all these goals is S.28, *The Public Safety Spectrum and Wireless Innovation Act of 2011*, introduced by Senator Rockefeller (D-WV). Senators Lieberman (I-CT) and McCain (R-AZ) and Representatives King (R-NY) and Thompson (D-MS) have also introduced legislation addressing the issue. The President's Fiscal Year 2012 budget provides \$10 billion to build and fund the network using the proceeds from the auction of other spectrum. Under these "incentive auctions," television broadcasters would relinquish their rights to certain spectrum in exchange for a portion of the proceeds when the spectrum is auctioned.

### Talking Points

- If the spectrum were auctioned, the opportunity to build-out this network for public safety would be lost.
- Once allocated to public safety, this network will have the capacity to transmit mission-critical real-time high-resolution video, voice, and data.
- The system must be run by public safety as commercial systems cannot be relied upon for mission-critical operations. Commercial networks often become congested with consumer applications and are unable to provide sufficient priority access to ensure public safety is given necessary capacity to transmit data.

### Requested Action

- Members of Congress should support legislation allocating the D-Block to public safety and provide a funding mechanism by which to build-out the network.

## Obtain Budget Line Item Funding for EMAC

### Background

EMAC was the first national disaster-relief compact ratified by Congress since the Civil Defense and Disaster Compact of 1950. Since ratification in 1996, every state, the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands have enacted legislation to become EMAC members. Annual line-item funding is critical for building EMAC capabilities for our nation's mutual aid system.

The strength of EMAC and the quality that distinguishes it from other compacts lies in its governance structure; its relationship with federal organizations, states, counties, territories, and regions; and the ability to move any resource one state has to assist another state including National Guard (in State Active Duty and Title 32), public works, fire and hazardous materials, law enforcement, search and rescue, incident management, animal health, emergency medical services, mass care, and medical-public health resources.

Specific funding for investment into EMAC is needed to continue to build capabilities. The response to Hurricanes Katrina and Rita resulted in the largest deployment of interstate mutual aid in the nation's history. EMAC deployed over 66,000 personnel comprised of multiple disciplines from all EMAC member states to respond to Louisiana, Mississippi, Alabama, Florida, and Texas. Most recently in 2010, EMAC was used to coordinate information between states and FEMA during the response to the earthquake in Haiti, flooding in Georgia, wildfires in South Carolina, and the 2009 floods in Minnesota and North Dakota.

### Talking Points

- All 50 states, DC, and 3 territories have enacted legislation to become EMAC members.
- The Post Katrina FEMA Reform Act authorized \$4 million annually for EMAC, but no funds were appropriated. The program is due for reauthorization.
- Line item funding for EMAC is *not* an earmark. The funds are for a nationwide mutual aid system and not for a specific state, jurisdiction, or project.
- Both the Senate and House versions of the FY 2011 appropriations included the requested line item funding for EMAC, but due to continuing resolutions, those bills were never enacted.

### Requested Action

- Reauthorize EMAC at \$4 million annually for 2012 and beyond.
- Provide budget line item for EMAC to the full authorized amount of \$4 million.
- Include an annual budget line item in FEMA to assist in training and education, resource typing requirements in the 2006 Post Katrina Emergency Management Reform Act and FY 2007 DHS appropriations, credentialing, and information and resource management.

## Coordinate Stafford Act Changes with the Emergency Management Community

### Background

The *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Stafford Act) authorizes the President to issue a major disaster declaration to speed a wide range of federal aid to states determined to be overwhelmed by hurricanes or other catastrophes. Financing for the aid is appropriated to the Disaster Relief Fund (DRF) and administered by DHS and FEMA. Funds appropriated to the DRF remain available until expended which makes it a “no year account.” The Stafford Act authorizes temporary housing, grants for immediate needs of families and individuals, repair of public infrastructure, emergency communications systems, and other forms of assistance.

Since the Stafford Act provides the President with permanent authority to direct federal aid to stricken states, Congress need not enact new legislation to meet immediate needs, but will occasionally address program reauthorization within the Stafford Act.

### Talking Points

- NEMA continues to engage Congressional committees as they explore potential changes to the Stafford Act.
  - Worked closely with House Transportation & Infrastructure Subcommittee last year on H.R. 3377 which reauthorized numerous provisions of the Stafford Act.
  - Last year, Senator Landrieu drafted the Disaster Recovery Act (DRA); a bill to address sweeping changes to the Stafford Act. NEMA collaborated with partner associations and Senator Landrieu’s staff during the early development stages of the DRA which is yet to be introduced in this new Congress. A working group was assembled including key members of the Legislative Committee and remains ready to assist again should the need arise.
- The Stafford Act Coalition, of which NEMA is a member, remains available to Congressional staff to discuss issues impacting the Stafford Act.

### Requested Action

- Should more broad changes to the Stafford Act be considered, NEMA should be utilized as a resource for consultation.
- NEMA stands ready to work with Congress on any efforts to explore changes to the Stafford Act.

## Upgrade EOC's for the 21<sup>st</sup> Century

### Background

Emergency Operation Centers (EOC) serve as the nerve center and coordination point for state and local coordination during disasters and emergencies. There continues to be a shortfall in the ability for states to build, retrofit, and upgrade state primary and alternate EOCs. The 2010 NEMA Biennial Report revealed that an estimated \$398 million would be needed to build, retrofit, and upgrade state primary and alternate EOCs. In addition, when considering the needs to build, retrofit, and upgrade local primary and alternate EOCs as well, the overall requirement is approximately \$1.3 billion.

The current EOC Grant Program is intended to improve emergency management and preparedness capabilities by supporting flexible, sustainable, secure and interoperable EOCs with a focus on addressing identified deficiencies and needs. This program provides funding for construction or renovation of a state, local or tribal governments' principal EOC. Fully capable emergency operations facilities at the state and local levels are an essential element of a comprehensive national emergency management system and are necessary to ensure continuity of operations and continuity of government in major disasters caused by any hazard. This program has become severely diluted, however through Congressional earmarks preventing funds from reaching the most critical projects as determined by state officials.

### Talking Points

- There continues to be a shortfall in the ability for states to build, retrofit, and upgrade primary and alternate EOCs.
- An additional \$398 million will be needed to complete needed EOC updates.
- The EOC Grant Program at FEMA provides funding for construction or renovation of a state, local or tribal governments' principal EOC.
- While appreciated, the effectiveness of the current EOC Grant Program is severely diminished through Congressional earmarks.

### Requested Action

- Congress should make a commitment to address EOC deficiencies as identified by the state.
- Continue to make clear that EMPG funds can be utilized for improvements to EOC as intended by the authorizing language in the Stafford Act.