



LEGISLATIVE UPDATE
2015 ANNUAL EM POLICY & LEADERSHIP FORUM
ALEXANDRIA, VIRGINIA

SUMMARY

Elections and the seating of the 114th Congress dominated news in Washington, D.C. since NEMA last met in October. While there are many new faces in Congress, issues for emergency management and homeland security professionals continue to be a priority.

The hearing schedule lightened a bit, but NEMA was able to provide a witness for the House Transportation and Infrastructure Committee Subcommittee on Economic Development, Public Buildings, and Emergency Management. On January 27, NEMA President Bryan Koon (FL) testified in a hearing focused on reducing disaster costs and speeding recovery. Koon discussed the need for FEMA to complete their PA Reengineering project, gain a better understanding of the deobligation process, and bringing disaster management costs in line with actual expenditures.

The budget suffered a now-traditional fate of a short-term Continuing Resolution (CR) into December at which time Congress passed an omnibus for the balance of the fiscal year. The omnibus covered all departments and agencies except the Department of Homeland Security (DHS). Due to an Executive Order by the White House on immigration, Congress delayed a decision on DHS with another CR until February.

Almost immediately, the House passed a DHS budget, funding the department for the rest of the fiscal year. For emergency management, the bill covered all the bases and funded those priorities of most importance. However, with the countless immigration amendments, the measure hit a wall. Lawmakers managed to avert a shutdown in the eleventh hour and passed a one-week stopgap funding measure for DHS. This move forestalled a funding lapse for the DHS, whose budget authority was set to expire at midnight on February 27th. The new measure extends the authority through March 6th. Congress will have another week to determine whether they will pass a funding bill for the department or pass another continuing resolution. Note: the NEMA Legislative Update was prepared on March 2nd with the latest information available to date.

In addition to the budget and normal activities associated with the Congressional calendar, one focus for NEMA was the outreach to new Hill staff, especially those with committees of jurisdiction over homeland security and emergency management. In total, three committees experienced turnover either in staff or membership. By the end of January, NEMA staff and leadership had met with all new staff members.

While the new Congress finds their footing and determines priorities for the coming years, please check the [Government Relations](#) page of the NEMA website where there will be links to bill summaries, reports on the latest Congressional action, and much more!

CAPITOL HILL HIGHLIGHTS

Since the 2014 Annual Forum in Atlanta, NEMA continues to closely monitor the unpredictable atmosphere of Washington politics. With all the new faces in the 114th Congress NEMA has had many opportunities to continue educating Hill staff on critical issues affecting the States and provide them with homeland security and emergency management expertise. As Congress carries on and legislation continues to move throughout both houses, we are looking forward to examining the ways NEMA can help inform Congress and assure that emergency management and homeland security remain top priorities in the months to come.

NEMA PRESIDENT TESTIFIES ON REDUCING DISASTER COSTS

In January, NEMA President Bryan Koon testified before House Transportation and Infrastructure Committee Subcommittee on Economic Development, Public Buildings, and Emergency Management. The hearing focused on lessening the impacts of disasters and strategies for speeding disaster recoveries.

A large piece of Koon's testimony focused on the re-engineering of FEMA's public assistance (PA) program. His testimony stated, "the PA Program represents an area with the greatest number of fundamental and ongoing issues for states and those responsible for administering the program. Some of these include: adequate management and administrative costs; inconsistent application and interpretation of FEMA policy by various personnel at both regional and headquarters; untrained and under-trained personnel making binding obligation decisions; project worksheets which are unwieldy and result in unnecessary errors; and, closeout reviews which have become audits instead of validations."

Another portion of Koon's testimony addressed the deobligations that have occurred. He explained, an improved PA process would also reduce the opportunity for future audits and deobligations by



simplifying and standardizing efforts across the country, and reducing the time necessary to close disasters. The current rate of deobligations causes significant economic hardship to the states and communities that have expended those funds long ago, and requires significant staff time that would be better spent preparing for future disasters.

Koon concluded by encouraging the subcommittee to consider programs and principles such as EMAC, USAR, and IPAWS as opportunities to drive down the costs of disasters in future FEMA legislation.

FEDERAL FLOOD RISK MANAGEMENT STANDARDS

The President issued Executive Order 13690, "Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input" in January. Prior to implementation of the Federal Flood Risk Management Standard, additional input from stakeholders is being solicited and considered on how federal agencies will implement the new Standard. To carry out this process, a draft version of Implementing Guidelines is open for comment until April 6, 2015.

The new Executive Order amends the existing Executive Order 11988 on Floodplain Management and adopts a higher flood standard for future federal investments in and affecting floodplains, which will be required to meet the level of resilience established in the Federal Flood Risk Management Standard. This includes projects where federal funds are used to build new structures and facilities or to rebuild those that have been damaged. These projects make sure that buildings are constructed to withstand the impacts of flooding, to improve the resilience of communities, and protect federal investments.

EBOLA DOMINATES CONGRESSIONAL CONVERSATION

The Ebola outbreak dominated conversations on Capitol Hill last year. Since its outbreak in Guinea in 2013, the virus has since spread to Sierra Leone and Liberia causing alarming number of deaths and infections. Congress has spent \$2.6 billion to help aid the epidemic and has held several hearings on the topic. Nearly every hearing featured top members focusing on the Obama administration's response. The White House asked Congress for \$6.18 billion to fight the disease internationally as well as domestically many lawmakers were skeptical of the amount.

The House Committee on Oversight and Government Reform held a hearing to examine the degree of coordination in federal efforts and “to determine what improvements may be needed in planning for potential, future outbreaks,” the committee said in a statement. The Senate Appropriations Committee also held a hearing to examine the federal response and get an understanding of the levels of funding need to combat the outbreak

The Senate Homeland Security and Governmental Affairs Committee held a hearing and discussed whether the Department of Health and Human Services agency and the Department of Homeland Security’s (DHS) Science and Technology Directorate have properly allocated resources to help guard against the 21 nuclear, radiological, chemical, or biological threats identified as priorities by DHS. The House Committee on Foreign Affairs and the House Committee on Energy and Commerce also held hearings to discuss the outbreak.

Some Lawmakers called for travel restrictions to prevent new Ebola cases from coming to U.S. shores while others provided backup for the Obama administration and gave health officials, a chance to explain why a ban would not be effective and could, in fact, make the situation worse.

The Center for Disease Control and Prevention (CDC), the lead agency in coordinating actions across the Federal government in response to Ebola, released an infectious disease event disaster assistance fact sheet. The fact sheet described the scope of assistance that may be provided under a Stafford Disaster Relief and Emergency Assistance Act, as amended in response to a potential infectious disease declaration. Liaisons from several federal agencies including FEMA helped gauge situational awareness from the CDC’s emergency operations centers.

NEW FACES IN THE 114th CONGRESS

Most of the subcommittee chairs on House Homeland Security Committee in the 114th Congress will be new to their positions, and they are all relatively new to Capitol Hill. Four of the six subcommittee chairmanships are changing hands. And, of those four new chairmen, three are freshmen, while the other is just starting his second term. The newcomers are leading House GOP voices on prominent issues including terrorism and cybersecurity.

The increasingly important Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies is now led by freshman Rep. John Ratcliffe (R-TX). The Subcommittee on Emergency Preparedness, Response and Communications is led by first-term Rep. Martha McSally (R-AZ). A third freshman, Rep. John Katko (R-NY), chairs the Subcommittee on Transportation Security. The Subcommittee on Oversight and Management Efficiency is run by Scott Perry (R-PA), a second term member.

The House Appropriations Committee unveiled a list of new subcommittee members. Rep. John Carter, (R-TX), has remained the Homeland Security Subcommittee’s chairman. But down the ladder there is considerable change. The panel has three new GOP members: Andy Harris (R-MD), Chris Stewart (R-UT), and freshman David Young (R-IA).

In the Senate, the Appropriations Subcommittee on Homeland Security has a new chairman, Sen. John Hoeven (R-ND). Democrats had previously announced their new ranking member on that panel, Sen. Jeanne Shaheen (D-NH). The Senate Homeland Security and Governmental Affairs Committee is also under new management, Senator, Ron Johnson (R-WI) has taken over as chair.

In addition to seat changes for Members of Congress, many staff have moved around as well. The Senate Homeland Security and Government Affairs Committee had the most number of changes with new leadership and significant turnover at the staff level. The Senate Appropriations

Homeland Security Subcommittee also saw leadership changes, but relative stability at the staffing level with some familiar faces moving into new roles. The House Homeland Security Subcommittee on Emergency Response, Preparedness, and Communication maintained existing staff but received a new chairman.

LEGISLATION OF THE 113TH and 114TH CONGRESS

As Congress settles in, new legislation that affects the emergency management community continues to be introduced. The bills below represent the key pieces of legislation NEMA has been watching so far this year.

H.R. 240 Department of Homeland Security Appropriations Act, 2015: This bill provides appropriations to the Department of Homeland Security (DHS) for fiscal year 2015. The bill passed the House with a 236-191 vote and has been placed on the Senate Legislative Calendar. NEMA supports this legislation related to funding.

HR 3333 Wildfire Prevention Act of 2013: This bill amends the Stafford Disaster Relief and Emergency Assistance Act to authorize the President to provide: (1) hazard mitigation assistance in any area in which fire management assistance was provided, whether or not a major disaster had been declared; and (2) fire management assistance in any area in which hazard mitigation. Even though Rep. Ruiz's bill did not gain any traction through regular order, the Senate included a provision in their version of the FY 15 spending bill to allow for HMGP to be awarded to FMAGs for a trial period of the next year. Once the new Congress was seated, the House also included language in their second attempt at a FY15 budget bill, the outcome of which remains to be seen. Regardless of the efforts through Appropriations, Rep. Ruiz hopes to reintroduce his bill in the new Congress and make the provision permanent. NEMA continues working with the International Association of Fire Chiefs (IAFC) to pass this initiative.

Upon completion of the Forum, please visit the [NEMA Government Relations](#) page on the NEMA website for more detailed bill descriptions and summaries, committee hearing reports, and status of all important legislation. The NEMA-DC staff will answer any questions or comments you might have regarding your Congressional needs.

**This Legislative Update was prepared by Legislative Committee
Chair Jimmy Gianato (WV) in coordination with
Rachel Mouser from the NEMA-DC Office.**