



**NEMA COMMITTEE REPORTS,
POSITION PAPERS, AND
RESOLUTIONS**

NEMA Legal Counsel Committee
April 3, 2016
Meeting Summary

Chair Brenda Bergeron (CT) opened the meeting, and the group at the table introduced themselves. Eleven states, the District of Columbia, EMAC, FEMA, and the private legal sector were all represented.

Potential Consequences of Public Health Emergency Response

Brenda Bergeron discussed a recent Federal District Court call action lawsuit planned by law students working with Yale's legal services organization against the state of Connecticut on behalf of residents affected by the State's Ebola quarantine policies. CT's public health emergency response act has due process provisions that include the right to a hearing, but the plaintiffs claim, among other things, that they were not informed of the legal right to challenge the quarantines and that they did not receive a written quarantine order. Regardless of the accuracy of these claims, legal advisors can help to make sure that there is a clear understanding of the legal requirements in a public health emergency, and that the parties involved (for example, state versus local public health) know who is responsible for doing what. Also, agencies need to be ready to communicate with a diverse community—what if the recipient of a written quarantine order can't read or can't read English? Also, the public health emergency statutes vary greatly from state to state, particularly with regard to who can declare an emergency and the effect of such a declaration.

Homeland Security Legal Issues

A number of the lawyers who advise on emergency management issues also work with their states' homeland security advisors and/or intelligence fusion centers. The NEMA Legal Committee will try to have at least one agenda item related to homeland security at future meetings. Brenda Bergeron and Anthony Crispino (District of Columbia) talked about the requirement that each fusion center have a Privacy, Civil Rights and Civil Liberties Policy, and a Privacy Officer. Every member of the fusion center or staff that work with the fusion center must be trained on the policy. CT convenes a legal working group with legal representatives of the different agencies serving at the fusion center to address issues like compliance with the Privacy Policy and Freedom of Information laws. As Privacy Officer, Mr. Crispino conducts training, revises the privacy policy as needed, audits documents, etc.... He attended the Naval Post Graduate School Fusion Center course, which was very helpful.

Mutual Aid Support System (MASS) 2.0 Agreement (MOU) Update and Legal Issues

NEMA EMAC Program Director Angela Copple explained the purpose of the MASS is to provide a clear view of the entire resource system. The agreement is intended to outline the terms of service for a user of the system. About 25 states have signed the agreement. Samantha Ladich (NV) discussed some potential legal issues in the language of the current MOU draft, including the forwarding of information requests to the states and also the use of the word "confidential" in Paragraph J. Some states have changed the language of the agreement in different ways.

The group also discussed the fact that some states have altered the language of the original Emergency Management Assistance Compact (EMAC) statute, making it unclear if there is really a "meeting of the minds" with those states if they send or receive assets under EMAC. It is important that legal advisors review their states' statutes for significant deviations from the agreed-upon terms.

Identifying Legal Challenges in the Use of Drones

Samantha Ladich (NV, Committee Vice Chair) spoke about a recent Nevada law, which is now going through the rule making process within state government. The state law was intended to prevent/limit government use and lists uses for drones (unmanned aerial vehicles or UAVs) which appear to conflict with the government functions as defined by federal law, 49 USC 4125(a)(2). In addition, the FAA believes it has the exclusive registry rights. The current proposed FAA reauthorization act includes an explicit federal pre-emption section, SB 2658 Section 2142. The FAA is doing advisory opinions on this issue, and has spoken with about 25 states. Ms. Ladich has found the FAA lawyers to be most helpful.

The group then had a roundtable discussion regarding drones. In Florida, there is a civil cause of action for trespass if what you see from the drone is something you can't see from the ground. In Nevada, there is a similar restriction, but an exception for areas of declared emergency. In Ohio, there is currently no state law, but at least one county sheriff uses drones. Drones have been used for recent wildfires in California; there are a couple of bills pending which may involve restricting the private use of drones—other efforts to regulate have been quashed on the grounds of federal pre-emption.

Legal Issues in Office of Inspector General Audits

Holly Welch (OH) spoke of some of the challenges in dealing with OIG audits of federal grant programs. First, when do you contest an audit finding? If no, then what do you do to pass the cost on to the subgrantee, which is often a municipality or county? Does your grant agreement explicitly state that the subgrantee is required to pay back money that is deobligated? It is important to review your agency's grant documents. It is a good idea to standardize grant documents with different attachments depending on the particular grant. The question often arises: is the state assuming a monitoring role or an auditing role? In California, the state does both. They teach and train when they monitor, and then they audit.

Questions that legal advisors might want to consider include: Are the locals being adequately trained and educated about the federal grant requirements? Will your state allow a lawsuit against a local government? What are the political ramifications of such action? Are there any administrative actions that must be exhausted before a suit can be filed?

With Hazard Mitigation Grant Program, make it clear that the municipality is responsible for the homeowner's actions, not the state. Florida tried unsuccessfully to introduce legislation to offset de-obligations with tax refunds. In Virginia, a company got a grant and then did all the work under the grant, but went out of business before the final product was delivered. FEMA completely de-obligated, which was unsuccessfully appealed.

Navigating FEMA Laws, Policies, and Rules on Disaster Determinations

Gregg Spellmeyer (NJ) spoke of New Jersey's recent request for a major disaster declaration to open the FEMA Public Assistance (PA) disaster assistance program as the result of an October 2015 Nor'easter. New Jersey met the statutory criteria for PA but the request was denied apparently because more than 50% of the estimated costs were for beach replenishment. The state was told that FEMA had a policy regarding this, but could not find it. They reached out to the FEMA Region II lawyers, who were very responsive. Nonetheless, NJ never got a copy of a published written policy. New Jersey unsuccessfully appealed the denial. North Carolina and Florida both faced this issue as well.

Lessons learned were: (1) it is very helpful to have good communication on the ground with FEMA regarding what they believe are the issues and the criteria to be used; (2) talk to the FEMA regional lawyers to see if the criteria are agreed upon; (3) determine what are the best points to emphasize. What is the rationale behind an applicable FEMA policy and what is the best way to address that rationale? What is most important to FEMA? In this case, New Jersey emphasized that the State had met the threshold and that they could not find a published FEMA policy on the beach replenishment ratio.

FEMA Legal Briefing

Adrien Sevier, FEMA Chief Counsel, briefed the group on a number of issues:

- (1) In response to the last presentation, Mr. Sevier stated that decisions on declarations are made at FEMA Headquarters and that FEMA regional attorneys are always available to help guide you.
- (2) With regard to the earlier public health emergency and quarantine discussion, due process is the key. Many of these public health laws are very old and may not have adequate notice and appeal provisions, so it is important to review them. Ebola is still out there, and Zika may or may not need it.
- (3) With regard to legal issues in OIG awards, lawyers from the FEMA Office of Chief Counsel are available as procurement disaster teams to provide training whether or not your state has a current declaration. A number of states are lined up to receive this training, which includes discussion of Supercircular procurement issues.
- (4) FEMA solicited and received a number of comments regarding its proposed PA deductible concept. FEMA is under increasing pressure to account for the number of disaster declarations. Craig Fugate asked the staff to explore the concept of a disaster deductible. FEMA published an advance notice of rulemaking and received over 140 comments. OCC staff is reviewing and may do a possible notice of rulemaking. The goal is to avoid a change to the thresholds and to incentivize state preparedness initiatives. If you go to Regs.gov, FEMA, you can read the comments; feedback is welcome. At this time, it is probable but not determined, that this will be an annual deductible, rather than applied anew to each disaster.
- (5) The FEMA 705 policy, drafted in response to the Florida lawsuit, is going to be published on Friday, April 1st. Under section 705, FEMA cannot take funds back from a grantee if (1) the grant has been awarded; (2) costs are reasonable, and; (3) the work has been completed. The release of this rule means that some pending cases will now be settled.

Ernie Abbott said that the biggest area of uncertainty with the new policy is if FEMA has made a \$1 million mistake and the applicant has made one minor technical mistake not directly related to the cost, such as not adequately addressing small/minority/women business contracting, what will be the extent of the potential de-obligation? Mr. Sevier said that this policy is not intended as a “gotcha” tool, but the OIG has expressed that FEMA should be enforcing those types of provisions.

NEMA Preparedness Committee
April 4, 2016
Meeting Summary

FirstNet – CEO Michael Poth and West Virginia Director Jimmy Gianato

Mr. Poth provided background and a status report on FirstNet (First Responder Network Authority), an independent authority, created by the Middle Class Tax Relief and Job Creation Act of 2012 and tasked with providing the first nationwide, high-speed, broadband network dedicated to public safety. After securing \$7 billion from an FCC auction of 20 MHz of radio spectrum, FirstNet met with each state to collect data on what the state needed from the system. This was used to develop a Request for Proposals from private sector entities. Those proposals are due May 13 and will represent a 25-year contract for the selected carrier. It's expected that the contract will be awarded by the end of 2016. There is a private sector advisory board, which includes Virginia Coordinator Jeff Stern representing NEMA and Jimmy Gianato representing the NGA. This ensures state emergency management feedback and input.

Mr. Gianato explained that once state plans have been developed, states will have 90 days to choose from three options: 1) to accept the building of the proposed state plan by the private sector carrier; 2) opt out of the proposed plan and build their own state plan (requires the states to provide detailed specifics on the system), or 3) do nothing, which results in opting in. The new system will not replace land mobile radios and will have a tight integration with NG911.

Cascadia Rising Exercise

- Washington Emergency Management Division Director Robert Ezelle
- Oregon Office of Emergency Management Director Andrew Phelps
- Chief of Idaho Bureau of Homeland Security Col. Brad Richy

This four-day exercise takes place June 7-10, 2016 with the premise of a 9.0 magnitude earthquake and resulting tsunami along the Cascadia Subduction Zone in the Northwest portion of the United States. The participating states of Washington, Oregon and Idaho will join British Columbia as well as various federal, local, tribal, private sector and military partners such as the U.S. Navy and the National Guard in the exercise. With estimates of significant injuries and fatalities, as well as the loss of fuel, water, power and communication systems, the main overall goal is to test response capability and coordination among the three central levels of government.

Specific state objectives in Washington and Oregon include testing the EOCs and their ability to provide accurate and timely situational awareness, establishing key transportation corridors, stabilizing the incident areas, and delivering public health and medical care to survivors. The naval response in such an event will be critical, so this will be exercised as well. Idaho is assuming an influx of people from Washington and Oregon, and will be testing how that will affect all types of Idaho infrastructure, housing, healthcare, etc.

Social Media Survey – NEMA Public Information Subcommittee Lead Greg Flynn

The subcommittee recently conducted a survey to gauge how state emergency is using social media and which platforms dominate. The last survey was conducted in 2010. Thirty-six states, the District of

Columbia and Guam completed the survey. The majority of states – 23 – have been using social media anywhere between 2009 and 2011. Only two states – Kentucky and Colorado – date back to 2006.

All states use Facebook and Twitter. Thirty-one states include YouTube recorded videos as part of their outreach. Seventeen states share photos through Instagram. Fifteen states have blogs for regular online columns. Finally, 12 states use Periscope for live video streaming. Graphics, pictures and anything weather related are the posts that get the most amount of reaction from the public. As for effectiveness of social media, New Jersey has reached the most people – 21 million with a single post. Many states have reached at least 1-2 million during big events. During its 2012 tornadoes, Indiana emergency management social media reached more people than the state's largest newspaper. The biggest challenge for states when it comes to social media are lack of time and staff/resources; ever changing technological landscape, and IT/security concerns. The most pressing needs are internal support for social media; training, especially when it comes to monitoring and analytics; and development of/access to Virtual Support Teams. The subcommittee will issue the full survey report in May.

Zika Virus Management and Preparedness

Don Boyce, Deputy Assistant Secretary, HHS Office of the Assistant Secretary for Preparedness and Response; Director, Office of Emergency Management

Mr. Boyce provided background on the virus, which was discovered in 1947 in Uganda and was mainly confined to Africa and Asia until last year. The virus can be contracted through mosquitos and via sexual contact with an individual who has Zika. There are more than 400 cases in the U.S. and all of these are the result of travel in and from infected regions of the world. To date, mosquitoes are not the cause for spread of the virus in the continental United States. There is no vaccine.

Mr. Boyce suggested there are two main areas of concern for the US: cost of care for patients and vector control (pesticides to abate mosquitos). He strongly urged emergency management and public health to continue working closely together in preparation and planning because the virus is expected to spread in the U.S., with the broader impact in southern states. The first death in a US territory occurred in Puerto Rico and other US territories including American Samoa and the US Virgin Islands, have several cases. State emergency management can find extensive resources at the HHS-ASPR website, including information about the risk in each state: <http://www.phe.gov/preparedness>.

FEMA Deputy Administrator for Protection and National Preparedness Tim Manning

Mr. Manning reminded the committee that all Preparedness System framework updates have been cleared and released. FEMA is also currently requesting public feedback on its National Incident Management System (NIMS) refresh. Comments will be accepted until May 9, 2016. Those areas that have been reviewed include the following: clarification that NIMS is more than just the Incident Command System (ICS) and that it applies to all stakeholders with roles in incident management across all five mission areas; provides guidance on a common structure and activation levels for operations and coordination centers, including EOCs; and distinguishes the difference with Multiagency Coordination Groups (MAC Groups). To access the document and the comment form, click on the following link: <https://www.fema.gov/media-library/assets/documents/115892>.

NEMA Mitigation Committee
April 4, 2016
Meeting Summary

Update from the State Hazard Mitigation Officers

Mitigation Chair, Kris Hamlet (UT) started the Mitigation Committee meeting by asking Brad Bartholomew (UT) to give an update from the State Hazard Mitigation Officers meeting.

Bartholomew mentioned that in the SHMO meeting the group discussed some of the best practices the states were seeing when applying for Hazard Mitigation Grant Program (HMGP) assistance on areas that declared fire management assistance (FMAG). Bartholomew explained some of the issues with HMGP and mentioned the SHMOs were interested in doing a white paper to explain the challenges and provide recommendations. During the SHMO meeting the group discussed the U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) Emergency Watershed Protection (EWP) Program, which responds to emergencies created by natural disasters. The SHMOs also discussed the disaster deductible and how it would impact HMGP and mitigation as a whole. Bartholomew ended by presenting the position paper on the National Emergency Management Information System (NEMIS) that the SHMOs created. The paper explained the issues with NEMIS and provide the following recommendations:

1. *Centralize systems and eliminate inefficient software capacity duplication;*
2. *Update NEMIS to current technology standards, ensuring the NEMIS HMGP grant management module provides required information to FEMA, while also ensuring access and data entry efficiencies; and*
3. *Migrate NEMIS HMGP grant management module into a new or existing system such as EMMIE or eGrants.*

The Mitigation Committee voted to approve the position paper unanimously. The paper will be sent to the directors for voting during the business session on April 6, 2016.

Lessons Learned When Applying for FMAG/HMGP Grants

Next Hamlet asked Andrew Phelps (OR) to highlight some of Oregon's best practices when applying for HMGP/FMAG grants. Phelps explained that 2015 was a busy year for wildfires. Oregon had 41 large fires and roughly 200 million acres to suppress. Oregon's first FMAG declaration was July 30, 2015 and the final of six total declarations was September 30, 2015. He explained the state focused on highlighting the major economic impact that the fires had on communities and he mentioned it was important to articulate the need for mitigation as well as the severity of the situation. Phelps also mentioned the difference in funds awarded for FMAG/HMGP for state's with enhanced mitigation plans.

The use of FMAG/HMGP funds must be on or near where the fires took place, Phelps stated. This allows for projects such as stream gauges to be put in place to measure streams that are affected by runoff. Phelps also said these projects create new partnerships and help local elected or appointed officials to understand the importance of mitigation.

Phelps did mention some of the challenges Oregon faced when applying for the FMAG/HMGP assistance. He stated that there were issues with the benefit-cost analysis of projects, so he suggested working with other agencies to determine the best projects to take on. He also explained challenges with managing multiple HMGP projects at once. At the time of their FMAG/HMGP applications, Oregon had six other disasters open with HMGP projects.

Overall Phelps encouraged FEMA to continue the FMAG/HMGP program and work to streamline the approval process. The Mitigation Committee echoed his remarks.

Best Practices from Florida; Working with the AIA on Construction Standards

The next presentation was from Bryan Koon (FL) updating the Committee on Florida's efforts with the Community Rating System (CRS) and Florida's involvement with the American Institute of Architects (AIA).

Koon began his remarks by highlighting the American Institute of Architects' work with Green Advantage and the development of Disaster Recovery Construction Specialists. He explained that this was a great resource for states and suggested that Committee members get involved.

Koon then provided the Committee with an update on the Community Rating System (CRS). He explained that 47 percent of Florida's communities are in CRS. Currently, Florida is working to engage other communities to become involved in CRS. Koon mentioned Florida was working with local officials and encouraging them to get their communities on board. He also highlighted a pilot program that Florida is developing for new communities coming into CRS. The "community assistance visits" ensure that communities are compliant with CRS standards.

Florida implemented a state wide emergency notification system which benefits each community in the CRS, Koon stated. He mentioned that the state has also worked to explain the economic benefits that CRS can provide to community leaders and citizens. Koon encouraged states to get their communities involved in the Community Rating System. He concluded by highlighting the Multi-hazard Mitigation Council's efforts to update the 4 to 1 mitigation investment information. He explained that this ongoing effort was challenging and asked that the Committee continue to be engaged.

Taking a Deep Dive; the Long-term Outlook of the NFIP

Following the best practices from the states, Kris Hamlet introduced Andy Neal to give the Committee an in depth examination of the current programmatic challenges with the National Flood Insurance Program (NFIP) and how those challenges speak to a larger disconnect between the original intent of the NFIP and the needs of communities and businesses in today's fiscal climate.

Neal, who is an actuary with FEMA, explained currently the NFIP is \$23 billion dollars in debt. The program has 5.1 million policy holders, however there is been a decline in the number of policies. In Florida alone, there has been a ten percent drop in policies. Neal explained that the NFIP is losing subsidized policy holders and gaining other groups. He mentioned that the NFIP can borrow up to \$30.5 million dollars from the Treasury which means the program could still afford a relatively large event. However, if an event exceeded that level, FEMA would have ask Congress for additional funds.

Neal talked extensively about the future of the program and the models that are used to predict the outcome. Currently the NFIP is predicated to be in a worse position than it is now in ten years. However, the models used to forecast the data can be unreliable because the program has so many variables, Neal stated.

Joint NFIP Policy Working Group Introduction

While on the subject of the National Flood Insurance Program, Kris Hamlet announced that the Mitigation Committee is joining the Legislative Committee to create an NFIP working group tasked with leading NEMA's interaction with Congress and the Administration during the lead up to the 2017 reauthorization. This group will be made up of Directors, key staff, and private sector members that

have an interest in this issue. While this working group will be a joint working group sponsored by the Legislative and Mitigation Committees, membership is not limited to these two groups.

The group will work to develop background materials to explain the overall interests of the emergency management community in a strong NFIP and the broad emergency management related priorities in a reauthorization bill. This effort will also include a type of “Tiger Team” that can review proposed legislative language, develop statements for the record for NFIP related hearings and briefings, and support additional interactions with other organizations.

Federal Insurance & Mitigation Administration Briefing

Kris Hamlet introduced Roy Wright who is the Deputy Associate Administrator for the Federal Insurance and Mitigation Administration (FIMA) and he gave an update on several of FEMA’s priorities.

First off, Wright updated the Committee on the FMAG/HMGP pilot program. He explained that during the defined window for projects, the pilot program had 34 events take place. Wright mentioned that \$14 million in HMGP funds have been used on projects from the pilot program. Wright did explain to the Committee that if Congress makes the program permanent, FEMA and its partners would need to determine how the challenges of the Environmental Historical Preservation (EHP) process would be addressed.

Next Wright gave an update on the National Earthquake Hazard Reduction Program. Wright mentioned that the position paper NEMA sent in November of 2014 provided recommendations that FEMA took into consideration. He explained that FEMA was putting the necessary steps into place to return state assistance grants for the earthquake program. He did mention that this would depend on the final outcome of the budget.

Following that conversation Wright discussed some of the changes that were occurring at FEMA. He explained that FIMA would be organized across four directorates: Resilience, CFO, Mitigation and Insurance.

Wright continued his remarks by providing an update for the claims that were filed against FEMA following Superstorm Sandy. October 15, 2015 was the last day for policyholders to request a review of their Sandy NFIP claim through the Hurricane Sandy Claims Review. As of March 31 more than half of requested claims reviews are through the process (9,594) and are ready for review with policyholders; 4,410 claims have been closed with claims paid totaling \$39,436,896 to 2,682 policyholders. Wright stated, “Everyone who wanted to settle has had the chance to do so”. Approximately 2,000 policyholders filed litigation against NFIP insurers over their Sandy flood insurance claims in Federal District courts of New York and New Jersey. Of the 1,695 eligible cases, 1,525 cases have been settled, with checks issued totaling \$153,669,345 as of March 31.

Wright concluded his remarks by discussing the reauthorization of the NFIP. He explained that FEMA is working to simplify the products but the affordability issue remains complex. He underlined that between 2008 and 2009 the NFIP had sixteen short term authorizations. Wright also explained that privatization is under consideration by many Members of Congress.

Lastly Wright spoke briefly about the recent Advance Notice of Purposed Rulemaking on the Disaster Deductible. Wright explained that the deductible may not change HMGP because state might have their own mitigation programs.

**NATIONAL EMERGENCY MANAGEMENT ASSOCIATION
MITIGATION COMMITTEE
POSITION PAPER**

DATE: April 6, 2016

SUBJECT: National Emergency Management Information System (NEMIS)

BACKGROUND: The Federal Emergency Management Agency (FEMA) developed the National Emergency Management Information System (NEMIS) in 1998 to integrate their data management efforts and more efficiently carry out their mission. The module within the NEMIS system used to manage data associated with Hazard Mitigation Grant Program (HMGP) funds (NEMIS HMGP) is the only one of the system's eight modules used to manage grant applications and reporting. As per the Unified Hazard Mitigation Assistance (UHMA) guidance, dated February 27th, 2015, grant recipients (States, Territories, and Federally-Recognized Tribes) are obligated to use this module for HMGP grant application, administration, and reporting.

NEMIS is one of many Federal systems used for managing grant funds, many of which provide similar or identical functionalities. FEMA and recipients who participate in their grant programs are responsible for maintaining literacy in NEMIS, eGrants, the Emergency Management Mission Integrated Environment (EMMIE), SmartLink, and the Non-Disaster Grants Management System (ND Grants). Different recipients use different combinations of these systems, as they provide highly overlapping services and tools.

DISCUSSION: Although use of a central data management system for grant management is a beneficial concept, recipients have seen major implementation issues with the NEMIS system.

FEMA has repeatedly altered the technological requirements for accessing the system for security reasons. Recipients have been required in the past to obtain and maintain RSA keys, FEMA-issued laptops, and locally maintained and operated systems to access FEMA's VPNs in order to use NEMIS. Access to NEMIS is intermittent at best, and HMGP grant recipients frequently spend entire days working with the FEMA HelpDesk to restore their ability to do their work. This inconsistency has been costly in terms of time and equipment, which is a drain on management costs FEMA provides to do the work of managing disasters.

Since it was first introduced in the late 1990s, the core functions of NEMIS has not changed, nor has there been any significant update to the system. The user

interface and functionality of the HMGP module, originally created for use with Windows 95, have not kept pace with current technology. This failure has created volumes of unnecessary work for State-level NEMIS users. Issues with file upload, data import, and operating system and browser compatibility have required HMGP recipients find alternative solutions. Some implemented solutions include laborious hand-key, duplicative entry of volumes of data and hand-delivering paper copies of required documentation to FEMA staff. FEMA has acknowledged these failures in several forms. They admit in the aforementioned UHMA guidance that some recipients are unable to gain access to NEMIS, and must work with their Regional offices to find alternative solutions. FEMA has created a Quarterly Progress Report spreadsheet that can be submitted to FEMA in order to bypass NEMIS. They have developed alternative systems for different grant programs, including EMMIE and eGrants, which perform largely the same function, but have not migrated the HMGP program to these new technologies.

RECOMMENDATIONS:

The National Emergency Management Association urges the following regarding the NEMIS HMGP module:

1. *Centralize systems and eliminate inefficient software capacity duplication* - Integrating these systems would allow the information to be available in one location. It would simplify the requirements for each system and make information easier to access for users.
2. *Update NEMIS to current technology standards, ensuring the NEMIS HMGP grant management module provides required information to FEMA, while also ensuring access and data entry efficiencies* - The core functions of NEMIS have not been significantly updated since it's introduced in the late 1990s. This failure to keep pace with technology has created tremendous volumes of unnecessary work for State-level users.
3. *Migrate NEMIS HMGP grant management module into a new or existing system such as EMMIE or eGrants* - EMMIE, supports numerous kinds of grant applications. It improves the collection of data, and provides improved tracking and a wider range of functionality than NEMIS. NEMIS was not designed to measure whether or not disasters are being closed in a timely manner. This is a functionality that is included in EMMIE. Through eGrants, applications are processed electronically which helps streamline the entire grant application process.

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DISPOSITION: PASSED UNANIMOUSLY

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A handwritten signature in blue ink, reading "William J. Anketell", enclosed in a thin black rectangular border.

NEMA Secretary

NEMA Mid-Year Forum, April 3-6, Alexandria, VA

NEMA Homeland Security Committee
April 4, 2016
Meeting Summary

James Joseph (IL), Vice Chair for the Homeland Security Committee opened the Committee meeting with a short statement and introductions. Committee Chair, Capt. Chris Kelenske (MI) was unable to attend the Mid-Year Forum due to pressing issues in the State.

FEMA State & Local Grant Discussion

The first presentation was from Brian Kamoie, FEMA Assistant Administrator for Grant Programs. Mr. Kamoie focused his comments on the FY16 budget and FY17 proposal. \$580 million is available for the Urban Area Security Initiative with 29 eligible urban areas identified. He also announced that the Secretary has designated \$7 million for the Non Profit Security Grant Program. The grant announcements were made on February 16th and applicants will have until April 25 to apply. EMPG, however, has a reduced application period which is now set at 30 days. Final allocations will be announced June 29th.

Kamoie also discussed new programs related to violent extremism and emerging threats to the homeland. The funding for countering violent extremism (CVE) and complex coordinated attacks was introduced in the FY16 omnibus. The funding level was set at \$50 million and while details were still under development, the money was designated for two years to allow ample time for application and allocation. The deadline for spending down the initial funding is September 2017. More detail regarding the requirements and priorities for the new grant program are forthcoming.

The FY17 budget proposal from the White House contained severe cuts to the FEMA grants budget. While Kamoie mentioned a \$460 million reduction in state and local grants, the cut comes out to \$560 million when you set aside the new \$100 million grant program proposed in FY17. The Secretary had testified already on the budget request and Administrator Fugate had been called to testify as well. Both officials would continue to describe the “tough choices” that had to be made to fit the budget request under the caps set in place by Congress.

One piece of the budget proposal for FY17 that was of particular interest was the new Regional Competition grant. Kamoie indicated that while the program has not been completely finalized, the goals of the new grant include rewarding innovation, encouraging coalition building, and placing importance on regional planning. As more details are firmed up, DHS and FEMA will do outreach with stakeholders.

Update from the Department of Energy

Sean Griffin from the Department of Energy presented before the Committee to discuss the partnership between DOE and NEMA and the opportunities for engagement in the coming months. NEMA and DOE signed a cooperative agreement and have been collaborating on outreach efforts to educate and engage State emergency managers.

Sean detailed the ongoing effort to update energy assurance plans at the state level. He pointed to the \$50 million in ARRA funds used to develop these plans originally and that many of the plans are now out of date. DOE is working to identify what key officials at the state level must be involved and clarifying chains of command to sort out jurisdictional challenges. NEMA will help DOE identify the key stakeholders within the states to start this process.

Griffin also highlighted the upcoming Clear Path exercise which is an energy sector focused response exercise, in Portland, OR on April 19 and 20. DOE is working with NGA and NEMA on coordination and planning for this exercise. The purpose of the exercise is to test, examine, and validate energy response plans to a Cascadia Subduction Zone earthquake and tsunami. Although an individual state may not be directly impacted by the tsunami and earthquake effects, per modeling analysis, the cascading impacts to energy systems and supply chains as a result of the disaster will ripple across the U.S., presenting challenges to States across the country.

The last component of Griffin's statement focused on the connection and coordination needed between various utility components when discussing energy assurance and restoration. Water, electric, waste management, and gas (to name a few) rely on power restoration during and after an event to function and contribute meaningfully to the recovery process. He called attention to a disconnect between timelines for power restoration and the type of transportation needed to assure it can happen in a timely manner.

UASI Subcommittee

Since the Annual Forum in Miami, NEMA sanctioned the creation of a UASI Subcommittee under the Homeland Security Committee. Kurt Schwartz (MA) was named as the chair. The Subcommittee had their inaugural conference call in February to discuss critical issues that the members would like to tackle over the coming months. Common themes included the 80/20 pass through requirement, working relationships between urban areas and fusion centers, and best practices for collaboration with all critical stakeholders. Brian Kamoie offered his support to the Subcommittee if additional data or information was needed.

Additional Items for Discussion

Dana Reynolds from Colorado made a suggestion that the Committee take an active role in examining the relationships between emergency management and fusion centers across the country and identify best practices. The emergency management community has a stake in better understanding the current needs of fusion centers and encouraging gap analysis to be conducted to identify key resource needs and opportunities for better collaboration as emerging threats evolve.

New Mexico expressed an interest in sharing information on the "Safety in Schools" program and would like to discuss ways they can share this with NGA/GHSAC/NEMA.

With the introduction of new grant funding for complex coordinated attacks and CVE, many members of the Committee urged that NEMA be active in helping FEMA/DHS scope out the new programs and make them as beneficial as possible for state and local stakeholders. There are many states and localities that have made great strides in community-based programs and relationship building and those achievements should be used as best practices so we aren't reinventing the wheel under such a tight timeframe. On the same topic, committee members asked that staff work with DHS to identify any resources available to help states prepare for the new programs that could be used to educate analysts. This will be an ongoing effort.

NEMA EMAC Committee
April 5, 2016
Meeting Summary

The meeting was called to order at 8:29am by EMAC Committee Chair Angee Morgan, KS. Angela Copple, NEMA called role. There was a quorum. Angee Morgan thanked Dave Maxwell, AR for his leadership as the Chair of the EMAC Committee and for his longstanding support of EMAC and wished him well in retirement.

Transition of EMAC Leadership Vote

Angee Morgan asked Victoria Carpenter if the EMAC Executive Task Force had a nomination for Chair Elect. Victoria responded that Susan Perkins from the state of Mississippi has been nominated by the EMAC Executive Task Force as Chair Elect. Angee asked for a motion to accept. Brian Satula made the motion to confirm the nomination of Susan Perkins as Chair Elect to the EMAC Executive Task Force. The vote was seconded by Robert Ezelle. All in favor. None Opposed. The motion passed.

Urban Search and Rescue (US&R) Standard Resolution

Nichole Ishmael provided background on the USAR standards noting that throughout the development of the standards, EMAC has had a representative serve on the standards development committee. The standard has been submitted to ANSI for final review. The EMAP commission put together the certification program and would now like NEMA's permission to use the EMAC logo on the USAR standards and for an EMAC representative to serve on the Standards Committee.

Angee Morgan adds that EMAC is excited because it adds credibility to the resource typing and the resources and credentialing put into the mass system.

Angee Morgan asked if there was a motion to approve the use of the EMAC logo on the SUSAR standards and to appoint an EMAC representative, either the EMAC Committee Chair or their designee to move the resolution forward to the full NEMA membership.

The motion was made by Dave Maxwell to appoint an EMAC representative, either the EMAC Committee Chair or their designee to move the resolution forward to the full NEMA membership.

Motion seconded by Robert Ezelle.
All in favor. None opposed.
The motion passed.

Consistency of EMAC Law

Angee Morgan introduced the topic of consistency of EMAC law in states. Over the past few months, NEMA conducted a review of EMAC law in each state, and expected it to be an academic exercise, but instead it identified some issues. NEMA will send the findings to state directors individually so the findings can be reviewed and take any appropriate actions. Some changes were made during state legislation sessions and deviated from the compact, and as state directors, the state laws need to be reviewed. This was discussed in detail in the legal committee. Look at state law and review against compact. If you have any problems/questions contact Angela Copple. This is a high priority for all EMAC Member States.

Virtual EMAC

NEMA President Bryan Koon, FL discussed the EMAC virtual EOC - supporting other states without traveling. Some of the Mission Ready Packages FL has been putting together for virtual EMAC includes GIS support, WebEOC, meteorology, information analysis, and social media. Bryan encourages states to review their resources and talk to their EMAC coordinator to identify resources that could be shared virtually. FL would be willing to virtually share resources without costs to test their usage virtually.

Rachel Smith, FL; discussed the process of identifying resources, beginning with interviews. A list of different areas that need to be further explored. Other ideas were debris removal in an advisory capacity and vector control.

NEMAC Update

Brian Satula, WI, co-chair for US NEMAC provided an update on the Compact including the development of forms to implement NEMAC. Currently in the compact: United States of Illinois, Indiana, Ohio, Michigan, Minnesota, Montana, New York, North Dakota, Pennsylvania, and Wisconsin; Canadian provinces of Alberta, Manitoba, Ontario and Saskatchewan.

NEMA is working with government affairs from FEMA Region 5 and Public Safety Canada and other agencies on the process of moving resources across the border.

NEMA recently conducted training in Saskatchewan, with agencies attending. Was a great training session, and the Saskatchewan director thanked NEMA for providing that training.

Brian Satula has confirmed that all three compacts are interested in working with EMAC in utilizing the EMAC Operations System for international mutual aid. Chris Herrick, VT director, been involved in the IMG from the beginning and offered assistance from IEMAC.

Update on Public Health/Medical Mission Ready Package Project

Christine McCombs, Hagerty Consulting provided an update on the Public Health Mission Ready Package (MRP) project. The project is currently in Phase 3 - conducting five pilots in states using the 16 public health templates.

In Phases one and two, NEMA partnered with ASTHO to develop sixteen medical and public health templates for MRPs. The templates were representative of the most frequently requested medical resources such as patient transport, fatality management, radiological, and behavioral health. Phase 3 takes the templates into five states to develop MRPs with public health, working through the state emergency management agencies. The five pilot states are KY, VA, WI, AR, and LA.

During the workshop, the MASS system and EMAC website are demonstrated. The results of the workshops so far: 150 participants, 40 MRPs are in development (4 out of 5 states). Feedback received has been positive: 95% said the workshops were an effective method for increasing information around public health and mission ready packaging and 100% said the workshop increased their knowledge of the process and tools available to them.

Law Enforcement Survey

Angee Morgan reviewed the results of the law enforcement survey sent out by NEMA. The survey was initiated to determine which states have procedures to deputize law enforcement officers into their state through EMAC.

Of the 26 states that responded: 35% have written procedures for deputizing law enforcement officers deploying into their state; 65% of states include a “use of force” orientation as part of the process; 23% of states place restrictions on the type of equipment that can be used in the state – such as using less than lethal options.

NEMA will continue to try and get replies from states that have yet to respond to the survey.

Mutual Aid Support System (MASS 2.0) MOU Update: Angee Morgan, KS

Half of the states have submitted the MASS MOU to NEMA with 258 MRPs in MASS 2.0. The Legal Counsel Committee discussed the MOU in their meeting earlier this week, looking at the MOU as a “terms of service” agreement to use MASS instead of a memorandum of understanding has increased adoption, but there is still confusion with the purpose. Most of the language in the MOU can be edited for your state. Contact Angela Copple if you have any questions.

NEMA will send an email to the EMAC Designated Contacts with the links to the in-state EMAC course and the Mission Ready Package workshop materials along with an explanation of how the workshops should be utilized.

EMAC Budget

Angee Morgan said that NEMA had received notification through Alexa Noruk (NEMA) that the budget for EMAC administration in support of the states was potentially going to be cut 56%. If these cuts were carried out, it would be crippling to the EMAC system. The system relies on the administrative support provided through the cooperative agreement to maintain the training, systems, and in essence, to maintain EMAC at a state of operational readiness. Doc Lumpkins, FEMA said that for this next budget cycle (FY16), funding was level to the previous year.

Update from the FEMA National Integration Center (NIC)

Doc Lumpkins, FEMA reported that the NIC is wrapping up the NIMS Update. It is a refresh of the NIMS content which has not been updated since 2008. Have learned a lot in 8 years. Those challenges and opportunities are integrated into the national preparedness system. It was time to look at the NIMS doctrine and determine where to update. The principles ascribed to ICS are really for NIMS, so time was taken in this draft to get back to basics and remind folks about what NIMS is and how the components work together. The biggest addition to the NIMS doctrine is how they function together. The document will be sent out on Friday and will be available for comment for 30 days. Webinars will be available to listen and ask questions.

Additionally, FEMA wants to make sure the resource typing program provides supporting materials to aid people for positions. Working with members of the EMAC Advisory Group, NWCG, Coast Guard, FEMA is working on 509s, position descriptions, and model task books. While NIMS is not mandatory, there are real gaps. The focus and intent is advancing mutual aid. As you review the content, look past the title and semantics, and look at the meat of the positions, do they align with what you do? Once national engagement is finished and comments processed, then will move forward to finalize NIMS.

EMAC Executive Task Force Update

EMAC Events:

Victoria Carpenter, LA provided an update on EMAC events since the annual conference: 12 events were opened in the EMAC Operations System, 1,216 personnel deployed, with estimated costs of nearly \$9 million dollars.

A-Team Training:

There are currently 746 trained A-Team members, with Puerto Rico being the only member who currently has no A-Team Members. NEMA has been working on outreach to PR to encourage them sending someone to the upcoming Region 2 A-Team Operations Course.

There are 4 A-Team courses scheduled through the end of August: California, New Jersey, Maryland, and New Hampshire.

Since last September 61 personnel have completed the A-Team Operations Course. The list of A-Team personnel for your state is listed on the EMAC Website. You can review it there and let NEMA know if individuals need to be removed from the list. The only way to be added to the list is to complete the A-Team Operations Course.

EMAC Bootcamp for Authorized Representatives:

The course is near completion and in the final checks. It provides a very solid overview of EMAC for State EMAC Authorized Representatives. The next step is to open the pilot course within the EMAC eLearning center. The EMAC Committee will be asked to take the online course and provide feedback; including tracking the time it took to complete the course.

Marketing eLearning Courses:

NEMA collected emails for the state training officers and finance/administration personnel and has sent emails to both groups to market the online courses. The Practice and Implementation of EMAC and the National Guard courses continue to have the most attendees: 31 for the Practice and Implementation of EMAC, and 56 for the National Guard and EMAC since January 2016. States that are conducting internal EMAC courses should use the online courses as pre-requisites. You can also send a link to the Just in Time EMAC Course to personnel who are leaving on an EMAC mission. Taking the course before they mobilize help them should they encounter any issues and reinforce that they have a methodology for tracking receipts.

Closing

Angee Morgan thanked the states for participating in the NCS Transition Exercise and thanked Victoria Carpenter for her time on the ETF. Victoria has been very proactive when states had disasters to reach out and offer support. Much of the work of the NCS is overlooked by states that don't have disasters.

Meeting was adjourned at 9:40 am.

NATIONAL EMERGENCY MANAGEMENT ASSOCIATION

A RESOLUTION ON SUPPORT OF THE URBAN SEARCH AND RESCUE STANDARDS, USE OF THE EMAC LOGO, AND NEMA POSITION ON THE EMAP US&R PROGRAM REVIEW COMMITTEE

Whereas, The American National Standards (ANS) approved the Urban Search & Rescue (US&R) Standard and operating procedures as developed by the Emergency Management Accreditation Program; and,

Whereas, The National Emergency Management Association (NEMA), the State Urban Search and Rescue Alliance (SUSAR), the National Governors Association (NGA), the Council of State Governments (CSG), the Federal Emergency Management Agency (FEMA), the National Integration Center (NIC) and other partners came together over the past two years to create the standards that have been used during the ANS process; and,

Whereas, The Emergency Management Accreditation Program is requesting NEMA's endorsement of the standards, usage of the EMAC's logo on the standards' cover, and for NEMA to select one (1) member to serve as a representative on the on the EMAP US&R Program Review Committee; now, therefore, be it

Resolved, by the National Emergency Management Association in general session assembled, That NEMA endorses the US&R standards and the usage of the EMAC logo on the standards' cover; and, be it further

Resolved, That NEMA approves the Chair of the EMAC Committee or his/her designee to serve on the EMAP US&R Program Review Committee.

Moved: Alabama

Disposition: Passed Unanimously

Second: North Carolina



Authenticated: _____

Secretary

NEMA Mid-Year Forum, April 6, 2016, Alexandria, VA

NEMA Pacific and Caribbean Territories and States Caucus
April 5, 2016
Meeting Summary

Briefing from National Oceanic and Atmospheric Administration

Vern Miyagi (HI) welcomed everyone to the meeting and asked those in the room to introduce themselves. He then asked if Chris Maier with the National Weather Service (NWS) would give the group an update.

Maier provided a map to the group that showed 74 percent of the Deep-ocean Assessment and Reporting of Tsunamis (DART) buoys were operable. The National Weather Service has access to the data that is produced from the international buoys however a few of them are inoperable. Maier mentioned that 29 of the 39 buoys were in operation. He explained that several were scheduled to be updated over the course of 2016.

Maier proceeded to provide an update on the National Tsunami Hazard Mitigation Program. He explained that NOAA has obligated a total of the \$36.5M between fiscal years 2008 to 2015. Currently 193 communities and counties are recognized as TsunamiReady.

The El Nino conditions remain present but are weakening, Maier stated. He explained that a transition to ENSO-neutral is likely by early summer 2016, with a fifty percent chance for La Nina conditions to develop by the fall. Maier also talked about the drought and wildfires. He mentioned 2015 was a record year for wildfires explaining that Alaska led the nation with 5.1 million acres burned.

Best Practices; Communication and Alert Warning Systems

After the update from the National Weather Service, the caucus discussed some of the best practices they have gained in communications with foreign nationals and tourists. Hawaii discussed their efforts to better coordinate with consulates. The state has made an effort to provide information to the consulates and meet with them regularly. They have also created a visitor evacuation task force that works with the tourism and hotel associations.

Representatives from Guam explained they provide a seat in their Emergency Operations Center for representatives from the tourism bureau. CNMI has also created a seat at their EOC for the tourism representatives and continues to work with the hotel commissions.

CNMI representatives also discussed some of the challenges they recently faced from a typhoon that hit on August 2, 2015. There was extensive discussion about the citizens who were unprepared for the storm. The representatives explained the issues with providing communication to citizens and their efforts to work with the hotels in the affected areas to prepare for 72 hours of unassisted time. The representatives mentioned it has been a long recovery process and there are still areas without cable and internet.

Preparing for and Responding to Public Health Threats

Next the group focused on the emerging public health threats that the states and territories are dealing with. In American Samoa there have been 421 reported cases of Zika. Currently, American Samoa is working on cleaning up the island so the mosquitoes have less places to lay their eggs. They are also working on the messaging to the citizens to ensure the message is clear and consistent.

Hawaii explained that they have been fighting Dengue since October 2015. They are preparing for the arrival of Zika with summer approaching. Miyagi highlighted Hawaii's efforts to coordinate with the public health community to determine who is in charge. He also mentioned some of the challenges the state was having in regards to HIPPA laws. Information about cases is being withheld and prevents the state from taking preventative action. Miyagi explained how important it is to have the CDC and the Department of Health in coordination with the strategy.

Roundtable Updates from States and Territories

The remainder of the meeting consisted of roundtable updates from the group. Hawaii explained they were working on the logistics of a mass care event and had two exercises coming up. Guam highlighted their catastrophic typhoon planning and mentioned that they also had exercises coming up. CNMI explained that they had a change in leadership and that they just completed a full scale exercise.

The caucus members finished the meeting by discussing ways to interact with one another on a more regular basis and discussed ways to share information.

NEMA Response and Recovery Committee
April 5, 2016
Meeting Summary

Extreme Weather Adaptation Work Group – Response and Recovery Chair Mark Ghilarducci

Mr. Ghilarducci began his report by thanking those directors who have agreed to serve on the work group: Dana Reynolds (CO), Chris Geldart (DC), Charles Esteves (Guam), Chris Kelenske (MI), Lee Smithson (MS), Mike Sprayberry (NC), Rick Flinn (PA), Chris Herrick (VT) and Jeff Stern (VA). In addition, Dr. Dima Smirnov from Dewberry has agreed to represent the private sector. The work group has identified five central goals: 1) Evaluate the most current climate threats, science, studies, and recommendations, and develop new or updated recommendations related to climate/extreme weather preparedness and mitigation needed to successfully adapt to extreme weather; 2) align actions and recommendations with the national and state climate adaptation strategies and related efforts; 3) collaborate with private and academic sectors, and other related NEMA committees/subcommittees as appropriate; 4) review current Stafford Act and insurance programs in relation to climate change and recommendations for changes; and 5) develop performance metrics for the work group.

On its most recent call, the group focused on several key discussion areas. These included how extreme weather affects overall readiness at the state and local levels; economic/business impacts of extreme weather; national security consequences; energy assurance; land use, particularly in regard to wildfires; and the bearing of sea level rise on current EM planning models/cycles. The group will continue to meet through conference calls and will have a preliminary report at the NEMA Annual Forum in Chicago.

Discussion with FEMA Office of Response and Recovery – Associate Administrator Beth Zimmerman and Region X Administrator Ken Murphy

The following discussion items were reviewed by FEMA:

- Role of the National Disaster Recovery Framework and the Federal Disaster Recovery Coordinator with a specific reference to how the FDRC concept worked in 2014 Arkansas tornadoes disaster. FEMA reported that the combined assistance from FEMA and other federal partners was more than \$1 billion. The coordination mechanism provided by the NDRF with Recovery Support Functions under the FDRCs resulted in a comprehensive recovery plan for infrastructure, housing, parks and watersheds that met the governor's recovery objectives. Ms. Zimmerman encouraged all states to meet their FDRC and take advantage of the pre-recovery planning and partnership coordination opportunities.
- New Public Assistance Delivery Model – pilot program continues to move forward in Oregon and the Consolidated Resource Center in Denton, TX is operating. A contingent of state representatives were invited to visit both Oregon and Denton, and will provide a report to all the states with their observations.
 - Mr. Murphy said that the new program has enhanced speed, greater consistency and more effective oversight.

- Mr. Ghilarducci stressed the importance of the PDA and Ms. Zimmerman said that extensive training on the new PDA process is a priority.
- Response and Logistics
 - Time Phased Force Deployment (TPFD) Model – FEMA developing this model to ensure assets are deployed to threatened or affected areas in advance. Goal is to reduce time spent on pre-event deployment of ad-hoc resources in order to focus on improved situational awareness and understanding the needs of the state.
 - Anything moved before the event will be paid for by FEMA.
- PA Deductible Model – Evan Rosenberg, lead for the NEMA PA/IA Subcommittee, quickly reviewed the proposal, which basically considers three over-arching options: raise the threshold; change the cost share or add the deductible for mitigation and other measures that improve the state of readiness and reduce risk. Ms. Zimmerman said that the proposal is in response to GAO and DHS OIG recommendations to increase the PA per capita indicator. The next step is for FEMA to draft a regulation, but it wants to do some additional outreach prior to that. She estimated there would be approximately 30-60 days to continue the discussion. This is a short window of time, so additional input from NEMA on behalf of the states will need to be provided quickly.
- FEMA is working to equip all future Manufactured Housing Units with fire suppression sprinklers. It began procurement of such units in June 2015.
- Non-Stafford Guide/Events – the NDRF and the National Response Framework provide a coordination structure even for those events when a federal entity is not the lead agency. Examples of this include the unaccompanied children crisis in 2014, the Ebola response in 2014 and 2015, and the Flint water crisis in 2015 and 2016. States can review these models to see how such events can be managed.
- Preliminary Damage Assessment Manual is completed and was released in early April.
- Update on 705c – states have been asking about the status of this. The final policy was released by FEMA. It provides clarity and establishes guidelines to determine whether Section 705 prohibits FEMA from recovering payments made under the PA program.

NEMA Snow Policy Work Group - Wisconsin Division of Emergency Management Administrator Brian Satula

Mr. Satula reviewed the history of the snow policy, which has been problematic since its inception in the late 1990s. In October 2014, FEMA suggested a joint working group to address the policy's flaws. There have been numerous conference calls and one in-person meeting. NEMA originally proposed a snow treatment stockpile concept, but FEMA was concerned that the approach could be manipulated to garner additional and unwarranted federal support. This led to the current proposal, which is still under development by the states and is referred to as the Severity Weather Index. It would also include a snow and ice application modeled after the Fire Management Assistance Grant (FMAG). This idea would provide simplicity of application and reduction of administrative costs; alternative assessment tool captures quantitative impact of a storm event; and include a pilot study with a sampling of states to

validate the assumptions and revise as necessary. Work continues on this version. However, there are concerns that all the work will be delayed in favor of the new PA delivery model implementation.

Earthquake Subcommittee Update – Chair and Washington Emergency Management Division Director Robert Ezelle

This new subcommittee has been holding regular conference calls since its formation last year and has representation from all FEMA regions as well as the regional earthquake consortia. The group has articulated several major goals including the Reauthorization of the National Earthquake Hazard Reduction Program; creation of an Earthquake Program Office within FEMA; and adequate funding of the FEMA's earthquake program that will in turn provide greater financial support to state programs. The subcommittee will also be garnering state feedback on the USGS's recent decision to include maps on human induced earthquakes, which are frequently the result of hydraulic fracking. The group's next call will take place in May after the National Earthquake Program Managers Meeting and Conference.

Mr. Ghilarducci also commented on an earthquake early warning system that the western states along with the USGS are pursuing. It would sense the primary wave of an earthquake, which could allow 90 seconds of warning. After the initial \$38 million for development, another \$16 million in annual costs would be required. He and Mr. Ezelle agreed that states will need a funding source to prepare for the system, including a broad public education system as well as training.

Hurricane Subcommittee – Chair and North Carolina Division of Emergency Management Director Mike Sprayberry

The subcommittee continues to hold monthly meeting via conference call. The 2016 Interagency Coordinating Committee on Hurricanes (ICCOH) held its annual meeting in February at the NC State EOC and was well attended by subcommittee members. The primary focus of the meeting was on the modernization of the decision support tools used in hurricane planning. With FEMA no longer funding Post-Storm Assessments and the subcommittee unanimously agreeing that a PSA is a critical tool necessary after all hurricanes, members of the group have started developing a tiered PSA template for minor, moderate and severe storms. As part of this effort, DHS S&T was contacted with the suggestion that a PSA feature be integrated into HES Modernization Project. NEMA is sending a letter of support with this proposal and there is a good possibility that it can be integrated into the next statement of work for the S&T research and development team. The subcommittee also completed a NHP Quick Reference Guide for State Hurricane Planners. It provides information regarding the responsibilities of the different federal agencies that support hurricane preparedness as well as the Points of Contact. It will be updated each year.

Other projects: Route PM – the subcommittee has agreed to support and with other hurricane states who attended the ICCOH further integration of Route PM, a real time evacuation planning model into our operations. HURREVAC-eXtended (HV-X) – this powerful product will have improved display and improved data interrogation capabilities, a storm surge explorer and the ability to integrate into the new HES Modernization Product. The Hurricane Subcommittee would be the point of contact for coordinating stakeholder input from the states on HV-X. Letter of Support for Extra-Tropical Coastal Storm Surge Tracking – subcommittee sent this letter in early April to Dr. Knabb at the National Hurricane Center. Training – the subcommittee and state ICCOH attendees agreed to initiate detailed discussions with FEMA and NOAA regarding the possibility of providing more opportunities for training

via a “Train the Trainer” process or other methodologies. Finally, the subcommittee is creating a Hurricane Program White Paper, which will serve as a guide for new state hurricane planners, detailing the types of available training, meetings and conferences they should attend for professional development as well as what type of tools they should have at their disposal to be more effective in their jobs.

PA/IA Subcommittee Report - Evan Rosenberg, Subcommittee Lead

In addition to comments about the PA Deductible proposal, Mr. Rosenberg reminded the committee about the state PA staff workshop, taking place at the forum. The agenda includes a joint session with FEMA to review and discuss the new PA Delivery Model. Other state-only items focus on the proposed PA deductible; FEMA PA assistance for public health emergencies and disasters; and lessons learned from select 2015 events. Mr. Rosenberg also suggested a state IA workshop at a future NEMA forum, perhaps at the Chicago meeting.

As a final item, Massachusetts Director Kurt Schwartz recommended an online depository, maintained by NEMA, for declaration requests. States might want to extract Meta data over time to see those areas that are the most productive and provide the greatest assistance in those requests. NEMA President Bryan Koon supported the suggestion and asked states to forward to him additional input on what else the depository should contain.

NEMA Legislative Committee
April 6, 2016
Meeting Summary

Jimmy Gianato called the meeting to order and welcomed all Committee members to the session. After a short introduction of Vice Chair, Jim Butterworth, he began to introduce invited Capitol Hill staff.

Hill Staff Update

First up was Matt Cowles and Drenan Dudley from the Senate Appropriations Subcommittee on Homeland Security. Their main focus was the President's FY17 budget proposal and the forthcoming Congressional appropriations process. Both majority and minority staff have significant concerns with the proposed cuts to state and local homeland security grant programs. While there is a belief that the proposed cuts will likely not be reflected in the appropriations bill put forth by the Committee, cuts may still impact emergency management in the near future and NEMA should be prepared to communicate the impact any cuts could have on operational readiness. They also pointed to the consistent funding for the Emergency Management Performance Grants (EMPG) as evidence that when we can quantify and illustrate the value of specific grant programs, they are often spared the cuts seen in tight budget years. Both Cowles and Dudley highlighted the importance of NEMA's engagement with hill staff and members and urged individual directors to continue their visits with their delegations to keep emergency management issues and priorities in the spotlight. Both staffers also reminded the committee that the coming year will bring new members and staff to the House and Senate which will increase the importance of continued education on our key priorities and history.

Kerry Kinirons and Moira Bergin from the House Homeland Security Committee joined the panel to discuss critical areas of focus for the Subcommittee on Emergency Preparedness. Representative Donovan recently took over for Representative McSally and continues the Committee's interest in homeland security grant programs and the role they play in state and local preparedness. Both staffers thanked NEMA for assisting with testimony for a recent hearing on the President's FY17 budget proposal. Jim Butterworth (GA) gave testimony that, in the words of the staff, clearly articulated the impact these cuts could have on critical first responders. Both Kerry and Moira mentioned additional topics that the committee would likely look into in the coming year, including: emergency response and coordinated planning for attacks on mass transit, interoperable communications, and infectious diseases like Ebola and Zika.

Dan Mathews from the House Committee on Transportation and Infrastructure has frequently presented before the NEMA Legislative Committee and joined the meeting again this year to highlight significant issues the emergency management community should watch over the coming months and through transition. Mathews reminded the membership that NEMA's success over the last decade has been in part due to the partnerships and coalitions we've built and sustained. Those coalitions will prove to be even more critical as a new Administration and new FEMA leadership takes office in 2017. Many of the wins and points of reform and progress we've contributed to need to be protected. Mathews reminded members of the various reforms made after Katrina and Sandy that significantly changed the emergency management system and the risk to the structure should those reforms be rolled back. Those who forget history are doomed to repeat it. Mathews highlighted 5 principles the emergency management community must protect including: emergency management led from the bottom up, all hazards focus, preparedness functions must be united with response, FEMA Administrator must be the single point of leadership during response, and strong regions and capabilities must be supported.

Following the prepared remarks from staff, NEMA membership asked questions. One of the members asked the staff for thoughts on the disaster deductible concept proposed by FEMA and whether NEMA should be ready to provide alternatives to Congress. While the proposal is in the “Advanced Notice of Proposed Rulemaking” stage, staff are very interested to hear state and local input. Disaster declarations are up and costs are of concern to most staff. The question they raised and posed back to the NEMA membership was “who bears the cost in disasters and where is that increased cost coming from.” This may be an area the membership can work on in the coming year. In addition, NEMA membership asked about the attention Congress is giving to cyber consequences. Staff highlighted the lack of specific information regarding the needs of state and local emergency managers. They do not fully understand the scope of the breakdown of responsibilities between state and federal governments and would benefit from the input of NEMA membership.

Partner Updates

Aaron Davis, Director of Legislative Affairs for FEMA, joined the panel to discuss the agency’s priorities for the coming year. First, Mr. Davis thanked the NEMA membership for our collaboration with FEMA and other coalitions in keeping potentially impactful wildfire language off the FY16 appropriations bill. Recently, NEMA also worked with House and Senate staff in a coalition with other organizations to change language adopted in a House bill that could be interpreted as preempting the authority of the FEMA Administrator during a crisis. Davis also highlighted the upcoming election and transition and the impact it could have on the emergency management community. FEMA will be engaging new staff and members and encouraged NEMA to do the same. In addition to comments on the FY17 budget proposal, Davis warned that the DRF will continue to be targeted and that NEMA should continue to engage to assure the account stays true to the intent outlined in the Stafford Act.

Robie Robinson with the International Association of Emergency Managers (IAEM) joined the Committee to highlight the continued partnership between IAEM and NEMA on a number of issues critical to the emergency management community. He mentioned the continued collaboration between the two associations on the annual EMPG report produced to illustrate the impact of the program on building and sustaining preparedness across the country. He requested that states provide lists of subgrantees for EMPG funding. Robinson then highlighted additional funding priorities IAEM would be supporting as the FY17 appropriations process continued including: the Emergency Management Institute (EMI) at \$1 million over FY16, restoration of the Predisaster Mitigation program funding, and the restoration of the funding for the State Homeland Security Grant Program and Urban Area Security Initiative. In addition, IAEM continued to support the National Weather Service contributions to the emergency management profession and the Emergency Management Accreditation Program (EMAP).

Larry Larsen with the Association for State Floodplain Managers began by thanking NEMA for the partnership our associations have shared since the days of Lacy Suiter. ASFPM is engaging heavily on the disaster deductible concept and is interested in the newly reenergized conversations taking place on the topic of risk reduction and mitigation. On the legislative side, ASFPM is tracking flood insurance legislation firming up in the House regarding privatization. There are numerous questions that remain, including questions about the policy fee and the future of activities paid by that fee if private policies are not required to pay in. In addition, ASFPM is heavily engaging, proactively, with House and Senate NFIP reform leads. They will be discussing actuarial rated vs. affordability, subsidized mitigation, and debt forgiveness. ASFPM will also focus on immediate improvements to mitigation beyond the NFIP including ICC and the repetitive loss program. Jimmy Gianato mentioned to Mr. Larson that NEMA will be forming an NFIP workgroup and would like to keep open lines of communication with ASFPM.

Updates from NEMA Committee Chairs

Mitigation: Kris Hamlet (UT) highlighted the white paper passed by the Mitigation Committee during the Mid-Year and reported up to the full membership.

Homeland Security: James Joseph (IL) mentioned current homeland related legislation and the Committee's interest in contributing to NEMA's engagement with House and Senate staff. With the potential impact of these pieces of legislation coming at such a transitional time, the Committee stands ready to engage and collaborate with the Legislative committee.

NEMA Private Sector Committee
April 2, 2016
Meeting Summary

Chair: Shandi Treloar

Vice-chair: Jonathan Monken

The meeting was brought to order by Committee Chair Shandi Treloar. Shandi welcomed those in attendance, described the purpose of the committee and how the committees' role within NEMA has recently evolved and will continue to do so in the coming years. The chair then introduced Joel Thomas to report out on the Information Sharing Task Force and upcoming Information Sharing Workshop. (see Information Sharing Task Force handout.)

The chair thanked Thomas for the update and requested feedback from the membership on the possible formation of working groups on the subject of post disaster community re-entry and procurement challenges and requirements. Interested parties should email the chair or NEMA staff.

The chair introduced the Director of FEMA's Private Sector Division, Rob Glenn for an update on FEMA's most recent private sector efforts.

- FEMA is exploring ways to create and develop private sector coordination cells.
- The NBEOC is challenged to communicate needed information and such cells could help coordinate and communicate necessary information in a timelier manner.
- The Private Sector office has partnered with FEMA community preparedness department to help small business develop emergency plans. Seven cities were chosen as pilots for this effort beginning with Kansas City in May.
- The loaned executive program has partnered with FIMA to choose an individual from the insurance industry at the next loaned executive for the NBEOC.
- FEMA will also be sending a FEMA staff person into the private sector to learn how the private sector works differently than government.

The chair thanked Glenn for his update and introduced Josh Batkin with FEMA to brief the committee on the proposed changes to the FEMA PA reimbursement program to a deductible model. The proposed change was [submitted for comment to the Federal Register](#). The deductible model would increase stakeholder investment and participation in disaster recovery as well as build capability for future risk thereby reducing the cost of disasters long term. States would be able to "buy down" the deductibles based on mitigation and other activities. The comment period has closed but NEMA did submit comments and a second opportunity for comments will be offered following the adjudication of the first round of comments. FEMA expects that if the system is implemented it will take several years.

The chair thanked Batkin for his brief and introduced Chris Brown with REMI to discuss economic forecast modeling for emergency management. Economic modeling tools assist with representing how a state, region and/or counties economic system works and how it might be impacted by disasters. They can help officials make decisions and find alternatives to the economic ramifications on local and state economies. Mapping, GIS tools help with aggregate concepts and help predict potential impacts before the disaster so that pre-planning can mitigate some of the impact. Based on the data input, these tools

can predict large scale international impacts all the down to the micro economic environment both short term and long term impacts that may not be felt until a year or more post disaster. Models can help emergency management direct efforts more effectively and predict everything from tax revenue changes to effective evacuation routes. The data injects are similar regardless of the type of disaster. The process uses data science to help make emergency management planning and preparedness more effective.

The chair thanked Brown and asked for a brief on the NEMA Webinar Series from Karen Cobuluis. The Private Sector Committee hosted three webinars on FNSS guidelines, transporting crude by rail preparedness and a cyber-attack on the energy grid. These webinars were viewed by more than 1100 participants. The committee would like to host 3-4 more in 2016 and is seeking volunteers to participate on a working group to select topics. Please contact NEMA staff at kcobuluis@csg.org to join the working group.

The chair asked the committee if there was interest in forming a working group on post disaster reentry. Volunteers should contact the chair or NEMA staff to participate. The chair then opened the floor for comments and questions.

With no further business the chair concluded by thanking the speakers and committee members then adjourned the meeting.