



FEMA

National Advisory Council

October 16, 2015

MEMORANDUM FOR: W. Craig Fugate
Administrator
Federal Emergency Management Agency

FROM: James Featherstone 
Chairman
FEMA National Advisory Council

SUBJECT: Recommendations from September 2015 NAC Meeting

The purpose of this memorandum is to forward the FEMA National Advisory Council (NAC) recommendations from the September 2015 meeting in Washington, DC for your consideration.

The NAC met in a public session to review the progress of its three subcommittees since its last meeting in March 2015 and to deliberate any potential recommendations set forth by these subcommittees.

Through discussions and deliberations, the NAC concurred to submit 15 recommendations to you in the following 11 areas: National Flood Insurance Program (NFIP) Operations, Flood Mapping, Mitigation, Public Assistance Alternative Procedures (PAAP) Pilot Program, FEMA Communications with State/Local/Tribal Officials, Personnel Local Awareness, Policy Clarity During Damage Assessment Process, Recovery Training, Fatality Management Services, Tribal Government Participation in Emergency Management Preparedness Grant (EMPG) Program, and the Role/Responsibility of FEMA in Planning for and Responding to Cyber Attacks. The recommendations are as follows:

I. NFIP Operations

Issue: On June 23, 2015, the U.S. Senate Committee on Banking, Housing and Urban Affairs released a report on the NFIP that addressed the adequacy of the NFIP's structure and function in light of Superstorm Sandy related challenges. The report offered eight specific recommendations to improve accountability and effectiveness of the NFIP. As FEMA considers its response and implementation of these recommendations, the NAC offers three recommendations for consideration.

Recommendation 1: FEMA should advance training and professional conduct for the NFIP through the following actions:

- Explore current best practices used in the insurance industry to train, assist, and evaluate adjusters and consider implementing these best practices when and where appropriate;
- Develop and require ongoing professional education for adjusters and engineers who support the claims adjusting process, develop "Just in Time" training aids, and disseminate "best practice updates" to adjusters and engineers in the field; and
- Develop a method to track the performance of adjusters and field engineers. This could be similar to the performance metrics used to measure cadre staff.

Recommendation 2: FEMA should provide consistent, accurate guidance documents regarding the NFIP for state/local/tribal partners through the following actions:

- Develop clear, written guidance for policy coverage and claims adjustments. While there may be a need for oral guidance on occasion, FEMA should develop a process that rapidly reviews and formalizes oral guidance in a written format and disseminate this written guidance to all participants.
- Hire cadre staff focused on Quality Assurance/Quality Control to rapidly identify and correct errors, and recognize event specific trends such as wind versus flood damage (e.g., Hurricane Katrina) or foundation issues (e.g., Superstorm Sandy).

Recommendation 3: FEMA should institutionalize best practices for the NFIP. Before Superstorm Sandy, FEMA pre-authorized “partial payments of up to \$30,000 to cover building systems and related repairs when prompt action was necessary..., extended the time a survivor could submit a claim..., and instituted a rapid claims process.” FEMA should analyze the benefits and challenges of these proactive financial options and consider formalizing and implementing them for future events. FEMA has effectively used an ad hoc appeals processes for Hurricanes Katrina and Isabel and Superstorm Sandy. FEMA should formalize the ad hoc appeals process into a standing task force for appeals.

II. Flood Mapping

Issue: Current, granular maps are critical to effective flood plain management. The FEMA Technical Mapping Advisory Council (TMAC) is deliberating how to best improve the floodplain mapping effort. Significant events and recurring floods are occurring with increased frequency, limiting the value of the 100-year and 500-year flood maps.

Recommendation 4: As FEMA and the TMAC consider improvements to the program, FEMA should consider a more granular and responsive approach to flood mapping that considers the extent of potential flooding, flood elevations, the effects of climate change, and the changing built environment.

III. Mitigation

Issue: Flooding is the most costly repetitive loss disaster we face. Pre-disaster mitigation is critical to reducing repetitive losses. The NAC believes the original FY 2016 POTUS budget request of \$400 million for mapping and \$200 million for pre-disaster mitigation is critical to a resilient nation.

Recommendation 5: FEMA should accelerate the implementation of partial credit for partial mitigation efforts to identify premium credits for a range of pre-disaster mitigation measures other than elevation. In addition, FEMA should evaluate how different land use controls (i.e., buyouts, density, etc.) can be used to promote cost-effective pre-disaster mitigation.

IV. Public Assistance Alternative Procedures (PAAP) Pilot Program

Issue: The NAC believes that the Public Assistance Alternative Procedures (PAAP) Pilot Program authorized under Section 428 of the Sandy Recovery Improvement Act of 2013 is a more efficient and effective way to approach large Public Assistance projects.

Recommendation 6: The Public Assistance Alternative Procedures (PAAP) Pilot Program should become a permanent program within FEMA Public Assistance. In establishing this as a permanent program, FEMA should:

- Enhance outreach efforts to ensure jurisdictions are aware of the option to utilize PAAP Program funds;
- Provide additional training to jurisdictions and Public Assistance officers;
- Train subject matter experts who can support the PAAP Program and offer guidance to state and local jurisdictions; and

- Ask jurisdictions that participated in the pilot to help develop permanent PAAP Program policy that specifically addresses Direct Administrative Costs and Benefit Cost Analysis processes.

Recommendation 7: FEMA should expand the available options for using unspent funds from the PAAP Program (overages from projects) to allow for more uses of unspent funds. Current options are limited to hazard mitigation activities that will reduce the risk of damage in future disasters and activities that improve future Public Assistance Program permanent work operations, such as training and planning for future disaster recovery operations.

V. FEMA Communications with State/Local/Tribal Officials

Issue: FEMA is doing an excellent job of arriving to disaster areas quickly. However, communication between FEMA and state/local/tribal officials continues to experience delays. This creates confusion among local/state/tribal officials and the public. Consequences of this may include unsustainable public expectations and the possibility of legitimate FEMA personnel being questioned by local authorities over fraud concerns.

Recommendation 8: FEMA should ensure state/local/tribal officials are promptly notified when any FEMA affiliated personnel arrive, prior to any field activity occurring. This includes notification about federal and contract personnel who may arrive prior to a declaration.

VI. Personnel Local Awareness

Issue: Personnel responding to a disaster are often faced with a steep learning curve as they attempt to familiarize themselves with the affected state/local/tribal jurisdiction. Having tools readily accessible for personnel prior to travel could help increase their overall effectiveness once deployed.

Recommendation 9: FEMA should develop a template to assist personnel responding to a disaster who travel to new jurisdictions. A short term solution may include the development of a guide for each state that detail laws, regulations, policies, and other considerations that may impact emergency management activities. A longer-term solution may include new training opportunities covering state/local/tribal or regional considerations.

VII. Policy Clarity During Damage Assessment Process

Issue: Confusion continues to exist during damage assessments over what costs are eligible for coverage. Unclear or contradictory statements by project leads can exacerbate this confusion.

Recommendation 10: FEMA should seek mechanisms for improving communication clarity during the damage assessment process. This includes potentially developing or increasing communication related training opportunities for project leads and just-in-time training for on-the-ground personnel.

VIII. Recovery Training

Issue: Most training courses available today focus on either preparedness or response. For example, a quick search of the Emergency Management Institute website yields little in the way of recovery based courses. However, recovery represents an area where many state/local/tribal officials may spend a significant portion of their time and energy. Increased training opportunities would help these officials successfully navigate the recovery process.

Recommendation 11: FEMA should seek to increase the number and availability of pre- and post-incident recovery related training courses.

IX. Fatality Management Services

Issue: For four years in a row, the National Preparedness Report cited Fatality Management Services as being in the lowest third of States and territories self-assessment capabilities ratings. Management of fatalities is a local responsibility in the United States, and procedures and authorities vary widely by local jurisdictions. Societal, cultural, and religious demands drive requirements that may challenge standard Mass Fatality Management protocols.

Recommendation 12: FEMA and the U.S. Department of Health and Human Services should cooperatively develop a Mass Fatality Management Concept of Operations and involve state/local/tribal representatives in the development process.

X. Tribal Government Participation in Emergency Management Preparedness Grant (EMPG) Program

Issue: Tribal governments, with emphasis on those tribal governments which span across state boundaries, do not have consistent access to grant funds provided through the EMPG program.

Recommendation 13: FEMA should audit preparedness (non-disaster) grant programs to determine if there are barriers to participation for tribal governments and should support the inclusion of tribes as eligible grant program applicants if applicable and when necessary.

XI. Role/Responsibility of FEMA in Planning for and Responding to Cyber Attacks

Issue: Many stakeholders, including FEMA, will rely upon electronic communication systems and information services to coordinate response before, during and after a disaster event. A degraded technology mode (such as malicious activity or prolonged power outage) on the systems of a stakeholder will likely impede an effective response, and thereby deny the whole community access to vital services.

Recommendation 14: FEMA should review, primarily the National Response Framework, and secondarily the National Protection, National Prevention, National Mitigation and National Disaster Recovery Frameworks, to determine whether the roles and responsibilities of stakeholders are clearly defined. The core capability targets for cybersecurity need to be modified based upon recent events.

Recommendation 15: FEMA, through the states, should conduct a system wide gap analysis of the core capability of key stakeholders (i.e., local governments, first responders, hospitals, operators of critical infrastructure) to operate in a technology-degraded mode, both during the response to a disaster and during non-disaster periods.