



July 16, 2018

The Honorable Heidi Heitkamp  
United States Senate  
Washington, DC 20510

Dear Senator Heitkamp:

Thank you for your letter to Administrator Brock Long regarding the recommendations developed by the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee and approved by the Federal Emergency Management Agency's National Advisory Council (FEMA NAC). Administrator Long has asked that I respond to your inquiry on his behalf.

FEMA provides world class training to the Nation's first responders through our network of providers. The Agency is committed to ensuring that training for responding to hazardous materials (HAZMAT) is accessible, affordable and builds critical competencies. In collaboration with our training partners, FEMA is implementing the recommendations from the FEMA NAC Report, *Ensuring Rail Preparedness: Improving Responder Training and Resource Allocation for Rail Hazardous Materials Incidents*, as follows:

**Recommendation One:** Federal agencies and training providers should place an emphasis on training in a local/regional/tribal setting with remote/mobile training opportunities.

**Response:** FEMA is dedicated to providing HAZMAT training in remote areas and through mobile instruction. FEMA has invested a total of \$15.1 million in FYs 2015, 2016, and 2017 combined to support 10 courses related to HAZMAT transportation incidents. Training includes classroom, mobile, and web-based deliveries. Between 2015 and 2017, more than 114,000 personnel received HAZMAT training through the aforementioned channels.

**Recommendation Two:** Federal funding opportunities for HAZMAT emergency responder training should be awarded based on open competition from all qualified organizations, including for-profit organizations, ensuring the most efficient and effective use of taxpayer funds. Before making changes to relevant programs, Federal agencies should obtain input from a diverse range of stakeholders; and assess the costs, benefits, and other implications of such changes. Regardless of what type of organization is awarded funding, training will still be provided free of charge to emergency responders.

**Response:** Through its Continuing Training Program, FEMA competitively awards funding to eligible applicants, including state and local governments as well as non-profit

organizations. FEMA invites applicants to propose training solutions that address gaps identified in the annual National Preparedness Report. HazMat has been a focus area in prior year solicitations as well as areas such as cyber, economic recovery, and housing. FEMA is prepared to open a dialogue with stakeholders regarding changes to the competitive process to increase the efficiency and effectiveness of the program.

**Recommendation Three:** FEMA and Department of Transportation (DOT) should consider allowing funding from grants, cooperative agreements, or other sources to cover a daily training attendance stipend for volunteer/unpaid emergency responders, based on demonstrated need.

**Response:** Demonstrated need is determined by State, local, tribal, and territorial officials. The Agency will explore the possibility of adjusting future Notices of Funding Opportunity (NOFO) for the Homeland Security Grant Program (HSGP) and Tribal Homeland Security Grant Program (THSGP) so attendance stipends for volunteers/unpaid first responders are listed as an allowable expense. DOT's Pipeline and Hazardous Materials Safety Administration responded to your letter and addressed prospective changes to their grant programs and cooperative agreements.

**Recommendation Four:** FEMA and DOT should consider allowing funding from grants, cooperative agreements, or other sources to cover backfill/overtime payments for career/paid emergency responders to attend training, based on demonstrated need.

**Response:** Backfill and overtime for career/paid responders to attend training are currently allowable expenses under the HSGP. DOT's Pipeline and Hazardous Materials Safety Administration responded to your letter and addressed prospective changes to their grant programs and cooperative agreements.

**Recommendation Five:** FEMA should develop plans to coordinate increased communications about training opportunities to tribal communities through the FEMA Regional Tribal Liaisons and Tribal Consultation Coordinators. Coordinated communications with national and regional tribal emergency management organizations should also be included in the plans.

**Response:** FEMA's National Tribal Affairs Advisor and the Tribal Partners Branch work in unison with the Regional Tribal Liaisons in each of the 10 FEMA regions and coordinators at FEMA's Emergency Management Institute (EMI) and the Center for Domestic Preparedness (CDP) to promote training opportunities and assistance available to tribes. Regional Tribal Liaisons are a critical piece of FEMA's outreach and collaboration as they serve as the primary points of contact for tribal governments.

FEMA staff conduct monthly teleconference calls with interested national and regional tribal associations and tribal emergency managers to share information regarding ongoing emergency management efforts in Indian Country. In addition, our staff attend several regional tribal association conferences throughout the year and work with national tribal associations, including the National Congress of American Indians; United South & Eastern Tribes; Inter-Tribal Emergency Management Coalition; National Tribal Emergency Management Council; National Native American Law Enforcement Association; Alaska

Tribal Transportation and Inter-Tribal Long Term Recovery Foundation. FEMA staff discuss policy updates, collect feedback from tribal governments through listening sessions, and provide outreach on training, exercise opportunities, technical assistance, and workshops at tribal association events and meetings. FEMA will continue to use these outreach methods to increase communications about rail HAZMAT training opportunities with tribal nation emergency managers and first responders.

**Recommendation Six:** FEMA should consult the National Tribal Affairs Advisor, Regional Tribal Liaisons, and Tribal Consultation Coordinators to develop recommendations, guidelines, or online training to assist any and all responders who will be working with tribal responders and tribal governments.

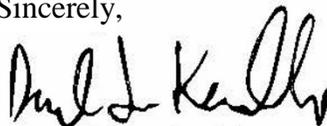
**Response:** FEMA is updating the Independent Study course IS-650.a “Building Partnerships with Tribal Governments” in 2018, which is now a mandatory training course for all FEMA employees (based on a previous NAC recommendation). This course provides first responders and other interested parties who work with tribal officials and governments, with methods and best practices for building effective relationships with tribes and would benefit non-tribal first responders in their engagement and work with tribes during response. In addition, the National Tribal Affairs Advisor, Tribal Partners Branch, and Regional Tribal Liaisons provide year round in-person tribal cultural sensitivity training in FEMA headquarters and regional offices and at Joint Field Offices when tribes are impacted by disasters, providing them with cultural awareness as they work with tribal officials during the disaster. The NTAA is also being consulted with as FEMA updates five additional training courses in emergency management, operations and mitigation and to reflect the new Sandy Recovery Improvement Act requirements that other policy changes that impact tribes.

**Recommendation Seven:** Under the direction of PHMSA and FEMA, create a “railroad emergency response toolkit” in a format that allows for the widest possible dissemination of real-time information to the emergency responder and emergency management communities.

**Response:** FEMA and PHMSA are working together to refine an existing online tool to include pre-incident planning and training capabilities. In addition, members of the FEMA NAC remain engaged with industry to refine the Ask Rail app and other tools for the HAZMAT response community to meet this recommendation.

I trust this information is helpful. If you have any questions, comments, or concerns, please have a member of your staff contact FEMA’s Congressional Affairs Division at (202) 646-4500.

Sincerely,



Dr. Daniel Kaniewski  
Deputy Administrator, Resilience

Cc: The Honorable Howard “Skip” Elliot

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