

EXECUTIVE SUMMARY

Day One Summary – July 29, 2009

The National Advisory Council (NAC) convened at 10:07 a.m. (CDT) on July 29, 2009 at the Alerus Center in Grand Forks, North Dakota.

NAC Members Present:

Kem Bennett, Chair
Robert Gougelet, Vice Chair
David Barron
Ann Beauchesne
Joseph Becker
Michael Brown
Joseph Bruno
Christina Catlett
Irene Collins
Nancy Dragani
Cathey Eide
Lee Feldman
Joanne Hayes-White
Charles Kmet
Suzanne Mencer
Kenneth Miller
Kenneth Murphy
John Stensgar

DHS/FEMA Staff in Attendance:

Craig Fugate, Administrator (via teleconference)
Jason McNamara, Chief of Staff
Bob Shea, Associate Deputy Administrator
Beth Zimmerman, Assistant Administrator, Disaster Assistance Directorate
Alyson Price, Designated Federal Official
Breese Eddy, Alternate Designated Federal Official

Meeting:

The meeting was called to order at 10:07 a.m. by Bob Shea, Associate Deputy Administrator

Remarks – Bob Shea, Associate Deputy Administrator

- Thanked the Mayor of Grand Forks for his hospitality
- Expired NAC membership appointments have been extended
- NAC membership appointment announcements are expected in August or September 2009

Remarks – Kem Bennett, NAC Chair

- Reminded attendees the meeting is open to the public and the media
- A portion of the July 30th agenda had been reserved for public comment
- The meeting agenda would be revised to ensure a quorum for all votes

Welcome to the City of Grand Forks, ND – Michael Brown, Mayor

- Welcomed NAC members and FEMA to Grand Forks
- Thanked FEMA for its help since the 1997 flood
- Rebuilding and mitigation efforts in Grand Forks included work such as
 - Required that all rebuilding comply with pre-disaster flood plain ordinances
 - Built residential subdivisions further from the river
 - Bought out and removed homes in vulnerable areas
 - Implemented a \$409 million flood protection project consisting of levees, flood walls, pump stations, shutoff valves, and the Greenway

Disaster Assistance Directorate Introduction – Beth Zimmerman, Disaster Assistance Directorate Assistant Administrator

- Disaster Assistance Directorate Priorities
 - Work with External Affairs to manage expectations
 - Meet with Voluntary Organizations Active In Disaster (VOAD) partners to promote further collaboration
 - Collaborate with other directorates to streamline resources

National Incident Management System (NIMS) Subcommittee Report – Nancy Dragani (For James Paturas and Russ Decker)

- Discussion Points
 - There is a need for separate instruction that explains how the Incident Command System (ICS) interfaces with Emergency Operation Centers (EOCs) on all levels (Federal, State, tribal, local) as well as the private sector, including hospitals and healthcare. Also how EOCs interface with other EOCs and Joint Information Centers
 - The proliferation of “NIMS Certified” instructional businesses
 - Conveys a false sense of being “certified”
 - Concern that these businesses are teaching to a FEMA NIMS standard that does not exist
 - The need to reevaluate training requirements, taking into account realistic expectations of positions, as current NIMS guidance requires training for anyone who might play a role in response. A more specific definition is needed of the individuals and type of training.
- Next Steps
 - Review and provide input for the Five Year Training Program and the next revision of the NIMS work plan
 - Form recommendations on how to integrate NIMS into ongoing activities and make NIMS a standard method of operation

- Recommendation for discussion and Council decision
 - Recommendation 1
 - There is a need for separate and specific training that explains the Emergency Operations Center's role in NIMS and how it should interface with the Incident Command System (ICS). This training should address the interface with EOCs on all levels (federal, state, tribal, local), as well as the private sector, including hospitals and healthcare. The training should also speak to how EOCs interface with other EOCs and Joint Information Centers (JICs).
 - The recommendation carried unanimously

Remarks – W. Craig Fugate, Administrator (via teleconference)

- Emphasized cooperation, partnership, and teamwork, with FEMA acting as a member of a team, not a team unto itself
- NAC is to provide input, not rubber-stamp decisions FEMA has already made
- Engage the public on personal preparedness

Briefing on new FEMA Leadership – Jason McNamara, Chief of Staff

- New or reassigned high-level FEMA personnel in place since the April meeting
 - Michael Coen, Deputy Chief of Staff; Kristin Cormier, Senior Advisor to the Administrator; Beth Zimmerman, Assistant Administrator for Disaster Assistance Directorate; Bill Carwile, Assistant Administrator for Disaster Operations; Brent Colburn, Director of External Affairs; Tracy Wareing, Esq., Counsel to the Secretary; Marcie Roth, Senior Advisor to the Administrator on Disability Issues; and Tim Manning, Deputy Administrator for National Preparedness
 - Pending appointees include Kelvin Cochran for Administrator of the US Fire Administration and Richard Serino for Deputy Administrator

Quadrennial Homeland Security Review (QHSR) – Jason McNamara, Chief of Staff

- QHSR is a congressional mandate that will establish the National Homeland Security vision, goals, priorities, and strategy for the next four years
- US Department of Homeland Security (DHS) Office of Strategic Plans coordinates QHSR
- Five DHS mission areas through seven study groups
 - Counterterrorism and Domestic Security Management
 - Securing Our Borders
 - Smart and Tough Enforcement of Immigration Laws
 - Preparing for, Responding to, and Recovering from Disasters
 - Maturing and Unifying DHS and the Homeland Security Enterprise via three Study Groups
 - National Risk Assessment
 - Planning and Capabilities
 - DHS Strategic Management
- Progress to date
 - Completed an initial literature review
 - Reviewed stakeholder white papers

- Developed a draft Vision and Goals
- Developed three study sub-groups
- National Dialogues on the QHSR is intended to encourage a conversation between Homeland Security stakeholders and DHS using an innovative web-based platform (<http://www.homelandsecuritydialogue.org>)
 - There are three opportunities for input and National Dialogues
 - August 3-9
 - August 31-September 6
 - September 28-October 4

Flood Response and Recovery Panel Discussion with State and City Officials

- Brigadier General Terry Robinson, North Dakota State Flood Recovery Officer
 - North Dakota is unusual in a disaster
 - Has a FEMA state program
 - Red River is the border between North Dakota and Minnesota, two different FEMA regions
 - North Dakota is in two different United States Army Corps of Engineers (USACE) districts
 - Three areas of concern
 - Difficulties when FEMA moves from a response phase to a recovery phase
 - In the recovery phase, FEMA works better in urban areas than rural areas
 - During the recovery phase, other agencies might not respond to agricultural rebuilding needs
- Mary Lee Nielson, Mayor of Valley City, ND
 - Managing expectations is important
 - Homeowners were told their property would be restored to pre-flood conditions
 - FEMA restored to pre-flood levels, not pre-flood conditions
 - It is not clear who approves project worksheets, FEMA or the state, and the town cannot get final approvals
 - If FEMA funds a project in error, FEMA should not demand repayment
 - Citizens turned down for reimbursement are being told to re-file, but many people, like senior citizens, will not re-file
- Ross Cole, Mayor of Lisbon, ND
 - Lisbon has many of the same problems as Valley City including inconsistent answers from FEMA on road repair
 - Permanent dykes need to be installed and building dykes are not allowed on buyout properties

Recovery in Grand Forks Panel Discussion with Local Officials

- Al Grasser, Grand Forks City Engineer
 - Discussed Post-1997 recovery efforts
 - City started to receive funds for the flood protection project in 2001
 - Letter of Map Revision (LOMAR) and certifications were put in place in 2007

- Howard Swanson, Grand Forks City Attorney
 - Discussed the role of acquisition in recovery
 - Acquired property using multiple sources of funds
 - 404 FEMA funds - approximately \$16 million
 - Community Development Block Grant (CDBG) - over \$27 million
 - Local and state funds – approximately \$47 million
 - Three goals of the acquisition program and policies
 - Mitigation Efforts
 - Assist in community rebuilding and recovery
 - Permanent flood protection
 - Effects of the acquisition program
 - Allowed homeowners to replace homes or purchase new homes
 - Created jobs and stimulated business
 - Allowed City to move forward with flood prevention programs
- Rick Duquette, Grand Forks City Administrator
 - Discussed the City Council’s 1997 document, “The First Season of Recovery.” In the event of another flood, the document provides local control and ordinances
 - Discussed the 1999 document “Plan for Recovery and Beyond,” which had widespread input from government, community, and consultants
 - Managing recovery requires local control, funds, and resources to manage the disaster
 - Stressed the importance of continuity of operations and letting people know the local government is running

Stafford Act Subcommittee Report – Nancy Dragani, Subcommittee Chair

- Recommendations for discussion and Council decision. The recommendations from constituency groups, general public, and NAC members to the amend the Stafford Act
 - Statutory Recommendation 1
 - FEMA Issue: Post-disaster recovery for states, tribes, and local government is difficult, labor-intensive, and complex. Block grants are flexible funds that provide monies to communities to address a wide range of unique community development needs
 - NAC Recommendation: The NAC recommends that FEMA seek statutory change to allow an option of a block grant program with suitable controls and accounting mechanisms
 - Statutory Recommendation 2
 - FEMA Issue: Large disasters causing physical impacts on business can cause unemployment. Survivors who lose their jobs as a result of a disaster also face losing their homes
 - NAC Recommendation: FEMA should explore options for a Mortgage and Rental Assistance (MRA) like program for specific instances
 - Statutory Recommendation 3
 - FEMA Issue: There is a need to augment rental housing capability when no other existing housing is available
 - NAC Recommendation: Amend Section 403 and 408 to allow rental repairs and authorize the use of Disaster Recovery Funds (DRF) for such

repairs; mandate a Rental Repair program fully articulated and with the capacity for full implementation when no other existing housing is available

- Statutory Recommendation 4
 - FEMA Issue: There are circumstances when the magnitude of a major disaster is so significant that the federal contribution under Public Assistance for repair and recover can be increased to 90 percent. It is appropriate that the same flexibility be authorized for the Hazard Mitigation Grant Program
 - NAC Recommendation: Allow FEMA the flexibility to recommend an increase in the Federal cost share for Hazard Mitigation Grant Program (Sec. 404) grants
- General Recommendation (Non-Statutory)
 - FEMA Issue: The bifurcation of authority to administer programs similar in nature increases both the costs of emergency and permanent repairs sustained in a disaster and the time that it takes a community to return its pre-disaster state
 - NAC Recommendation: FEMA should address the bifurcation under their role in coordinating Federal response and recovery resources
- All five recommendations carried unanimously
- Next Steps
 - The Subcommittee will address other issues brought to its attention during its next meeting
 - Private sector issues
 - Tribal issues
 - Defining the designation of “Catastrophic”
 - Miscellaneous issues - dispute resolution, events covered by the Stafford Act and HUD DRF funding as a new disaster housing lead

Post-Disaster Housing Subcommittee Report – Joseph Becker, Subcommittee Chair

- Discussion Points
 - FEMA update on recent activities
 - The National Disaster Housing Strategy, Annex and Implementation Plans have been completed
 - Menu of options for the housing problem - 6 prototypes for structures
 - National Disaster Housing Task Force – Acting Executive Director and Deputy Executive Director are staying on for consistency and to avoid delays
 - The Concept of Operations is due in February 2010
 - Subcommittee Comments
 - Over the past 18 months, state and locals have not received value from FEMA’s work on post-disaster housing
 - The only products to date are lists of existing programs and creation of a task force
 - The Strategy and Annex did not meet constituent expectations

- The Subcommittee should clarify expectations for the Concept of Operations
 - FEMA’s Federal partners have been reluctant to engage
- Recommendations for discussion and Council decision
 - Recommendation 1: the NAC recommends that the Administrator incorporate the following five elements into the National Disaster Housing (NDH) Concept of Operations
 - Menu of housed options researched, developed, “prototyped,” and contracted
 - Menu of existing and proposed federal program solutions (rent vouchers, repair program, block grants, etc)
 - Total capabilities of those programs quantified and run against various disaster scenarios
 - Delineate wrap-around social services for relocated populations
 - Provide a post-disaster housing gap analysis tool for utilization by states
 - Recommendation 2: to address the problem of Federal partners’ reluctance to fully engage, the NAC recommends that FEMA’s Administrator needs to reach out aggressively to its Federal Housing partners
 - Both recommendations carried unanimously

National Response Framework (NRF) Subcommittee Report – Cathey Eide, Subcommittee Chair

- Discussion Points
 - Review of the June 10th NRF Subcommittee teleconference notes related to FEMA’s NRF Review and Revision Process Outline
 - FEMA provided an update on work related to the NRF Partner Guides
 - The intent, role, and audience for the National Response Plan (NRP), NRF, and Partner Guides was discussed
- Recommendations for discussion and Council decision
 - Recommendation 1
 - The Subcommittee considers the National Response Framework to be doctrine and, therefore, should be underpinned by a federal response plan that is shared with non-federal partners
 - Recommendation 2
 - The Subcommittee believes the NRF Partner Guides are not applicable to doctrine and the Subcommittee recommends FEMA reassess the need for the Partner Guides
 - Recommendation 3
 - The Subcommittee has reviewed the FEMA-provided NRF Review and Revision outline document and will continue to be involved in the revision process. The Subcommittee would like to provide the following recommendations on this outline:
 - Suggest that objectives be added to each phase of the outline document;

- As indicated in the outline document, FEMA should provide updates to the NAC at the conclusion of each phase of the revision process;
 - Suggest that additional language on any preliminary analysis be followed-up on in later phases; and
 - It is recommended that the NAC be added as a formal point of review in Phase 4 of the revision process.
- All three recommendations carried unanimously

Public/Private Partnership Subcommittee Report – Ann Beachesne, Subcommittee Chair

- Discussion Points
 - FEMA provided an update on the Private Sector Division’s work to expand state-level partnerships
 - FEMA brief on Private Sector Preparedness Program (PS-Prep)
 - Review of the Private Sector wants and needs list
 - Request for a briefing on National Level Exercise 2010
 - Review of grant guidance language relating to public/private partnership
 - Discussed work of Region 1 RAC to build tools to incorporate greater public/private partnership
- Recommendations for discussion and Council decision
 - Recommendation 1
 - FEMA should develop the capacity to share the contacts and relationships with the Private Sector that they are developing at the national level so that they are available to state and local emergency managers. The contact information for those state and local emergency managers can also be made available to those private sector contacts.
 - Recommendation 2
 - The Subcommittee Recommends that Public/Private Partnership be made a priority by revising the Homeland Security Grant Program (HSGP) grant guidance language as reflected below. (Changes recommended to the current language are underlined and highlighted in red)
 - “Including the private sector in preparedness planning activities. States and urban areas should integrate private sector entities into their preparedness planning processes, leveraging public/private partnerships where they currently exist, and encourage the establishment of such partnerships where they do not so that the states and urban areas can augment and enhance community preparedness with the goal of promoting more resilient communities. Every consideration should be given to encouraging, participating in, and supporting public-private partnerships where appropriate to more effectively engage with the private sector activities to improve the jurisdiction’s capacity to prevent, protect against, respond to, and recover from major incidents as well as enhance coordination with key sectors and critical infrastructures. In particular, states and urban areas should engage with public/private sector entities as provisions for the voluntary private sector preparedness, accreditation, and certification program called for in the 9/11 Act are finalized in order to

ensure that all relevant parties have a comprehensive understanding of preparedness capabilities residing in their region.”

- Both recommendations carried unanimously

Special Needs Subcommittee Report – Irene Collins, Subcommittee Chair

- Discussion Points
 - FEMA update on the Regional Disability Coordinator positions
 - Change in FEMA Handbook terminology from “Go Kits” to “Resource Kits”
 - Revisions to FEMA Handbook on Accommodating People with Disabilities and Special Needs in Disaster
 - Discussion with Marcie Roth, Senior Advisor on Disability Issues
 - Briefing on Citizen Corps
 - June 24th Senate Special Committee on Aging Hearing
- Recommendations for discussion and Council decision
 - Recommendation 1
 - The Subcommittee proposes that FEMA have the funding in place for the Regional Disability Coordinator positions in the Fiscal Year 2010 budget
 - Recommendation 2
 - The Council recommends that FEMA review and revise the Mitigation Interim Policy, MRR-2-09-1: Hazard Mitigation Assistance for Safe Rooms to address concerns related to
 - Not allowing dual use of facilities
 - Hazard Mitigation Time of Protection
 - Both recommendations carried unanimously

Target Capacity List (TCL) Working Group Report – Sue Mencer (for James Paturas)

- Discussion Points
 - The Target Capabilities are generally worksheets that allow jurisdiction to do a gap analysis and provides them with preparedness and planning objectives
 - Over a three-month period the working group members reviewed, discussed and formulated comments on the following documents
 - TCL User Guide
 - Incident Command Capability
 - Multi-Agency Coordination Capability
 - WMD-HazMat Capability
 - Mass Transit Capability
- The working group provided a timeline for review of other target capabilities
 - Near Term
 - Intelligence
 - Livestock and Poultry Disease Emergencies
 - Within the next fiscal year 22 documents to be reviewed
 - Beyond the next fiscal year 14 documents to be reviewed
- Recommendations for discussion and Council decision
 - Recommendation 1
 - It is recommended that the Working Group membership be expanded, as needed, depending on the Target Capability under review

- Recommendation 2
 - The Working Group requests that NAC members identify individuals with the appropriate subject matter expertise and objectivity to review upcoming Target Capabilities
- Recommendation 3
 - It is recommended that the Working Group become a subcommittee to review new Target Capabilities that are provided to the NAC for review and utilize the process used for the first four Target Capabilities
- NAC Chair Kem Bennett stated a Council vote was not necessary, since he could enact those recommendations under the bylaws

The meeting recessed at 4:03 p.m.

Day Two Summary – July 30, 2009

The National Advisory Council (NAC) convened at 10:15 a.m. (CDT) on July 30, 2009 at the Alerus Center in Grand Forks, North Dakota.

NAC Members Present:

Kem Bennett, Chair
David Barron
Ann Beauchesne
Joseph Becker
Michael Brown
Joseph Bruno
Nancy Dragani
Cathey Eide
Lee Feldman
Joanne Hayes-White
Charles Kmet
Suzanne Mencer
Kenneth Miller
Kenneth Murphy
John Stensgar

DHS/FEMA Staff in Attendance:

Bob Shea, Associate Deputy Administrator
Jason McNamara, Chief of Staff
Donovan Puffer, Regional Analyst and RAC POC, Region VIII
Alyson Price, Designated Federal Official
Breese Eddy, Alternate Designated Federal Official

Meeting:

The meeting was called to order at 10:15 a.m. by Chairman Kem Bennett

Remarks – Kem Bennett, NAC Chair

- Thanked Mayor Michael Brown and his staff for the tour of Grand Forks
- Summarized the July 29th meeting proceedings and expressed appreciation to the members, presenters and staff for a productive day and stated NAC's work has affected policy and doctrine

Regional Advisory Council Update – Donovan Puffer, Regional Analyst and RAC POC, Region VIII

- Region I, III and V are focusing on integrating the private sector in preparedness activities
- Region II is developing a “menu of options” model for post disaster urban housing
- Region IV is focusing on the review of hurricane evacuations, the access of high profile EMS HazMat vehicles along evacuation routes and interstate evacuation coordination

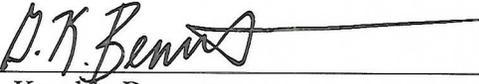
- Region VI is focusing on sheltering issues, lessons learned, special needs populations and outreach
- Region VII is continuing work on agricultural event preparedness
- Region VIII is supporting the Regional Interagency Steering Committee (RISC) Executive Committee in accomplishing priority work through RISC Subcommittees (Catastrophic Planning, Critical Infrastructure, Citizen Preparedness, Public Information and Tribal Liaison)
- Region IX is focusing on issues of emergency management within the region's one hundred forty Indian tribes
- Region X is focusing on enhancing community volunteerism and improving individual/family preparedness

Public Comment Period

- Ben Smilowitz of the Disaster Accountability Project (DAP)
 - DAP positions itself as a citizen and policy oversight entity for FEMA
 - Strongly urged FEMA to create an Office of Disability within the Office of the Administrator, in compliance with Section 513 of the Post-Katrina Emergency Reform Management Act
 - Reported emergency communication failures during Hurricane Ike
 - Offered to provide further information to NAC
- Ray Dohman, private citizen from North Dakota
 - FEMA's rules on compensation are not being followed
 - He was poorly compensated for his home and not compensated for his antique business
 - He feels he was prevented from securing legal counsel or an appraiser

The meeting adjourned at 11:19 a.m.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.



 G. Kemble Bennett
 Chairman
 National Advisory Council