Contact: Thad Huguley
IAEM-USA Government Affairs Director
Thad@iaem.com
Mobile: (615) 870-9316

International Association of Emergency Managers

IAEM Headquarters
201 Park Washington Court
Falls Church, VA
22046-4527 USA
703-538-1795
www.iaem.org

COMMENTS TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY
FROM THE
U.S. COUNCIL OF THE INTERNATIONAL ASSOCIATION OF EMERGENCY MANAGERS
ON THE
PROPOSED REVISION TO THE DISASTER DECLARATION FACTOR

DOCKET ID: FEMA-2020-0038

The U.S. Council of the International Association of Emergency Managers (IAEM-USA) remains in staunch opposition to the Federal Emergency Management Agency's (FEMA) recent announcement proposing to revise the estimated cost of assistance used to evaluate a governor's request for a major disaster.

This drastic change is ill-timed, coming as it does when state and local budgets are already stretched to the breaking point. No existing measure of fiscal capacity of any county, state, territory, or tribe can adequately represent the current perilous state of these economies during the ongoing COVID-19 response or forecast their capacity in the short term after COVID-19 is under control.

The proposal also brings into question significant equity issues at a time where resilience and equity are tied so closely together in the national psyche. As it stands, the proposal would unfairly and perhaps permanently shift the burden of disaster response and recovery towards counties and communities that are poor and already underserved. This will be particularly true in the large tracts of this nation that lie between the coasts. These states may have some reserves, but the significant increase in the per capita determining factor, coupled with the Total Taxable Resources (TTR) calculation, will mean that, short of catastrophic earthquake or tsunami, communities will be unable to receive Public Assistance aid. The poorer communities already have disproportionate impact from disaster, and now the capacity to restore and recover these communities will be even more disproportionately damaged.

In situations where impacted communities cross state lines, states with lower populations would be more likely to meet their indicators even if the damages are equally distributed across the community. The current per capita-based indicators already favor areas with lower populations, and the new proposal exacerbates that inequity.

The proposed inclusion of the Total Taxable Resources does not take into account the actual fiscal capacity of a state to respond to the needs of a disaster – even in states that have adopted disaster relief funds within their budgets – nor does it factor in various limits that may exist on individual state treasuries or local unit of government abilities to raise revenue. Finally, the exponential correction of the indicators to account for more than a decade of neglect will raise the indicators at a pace that no state or local government can possibly adapt their existing expectations, or rainy-day funds, to meet the new need.

There are legitimate policy questions related to the per-capita indicator and to the declaration process, but the proposed changes are an abrupt and dramatic 11th hour shift in policy. They should not be done during this time of political transition and national catastrophe. Finding the time to analyze, respond to, and deal with the implications of this shift during the largest catastrophe in our history – coincident with significant civil unrest and economic dislocation – is unsupportable. Time and again, local and state governments, and subject matter experts, such as those in our organization which represents thousands of professionals across the nation, have asked to be involved in crafting a viable solution to the issues that this policy attempts to address. We ask again to be involved in the formation of the concept, rather than be asked to provide input after the fact.

In short, this discussion can and should be held, however, it can and should wait until COVID is behind us and our economy regains some balance. The new rules should be developed after the new FEMA leadership team is in place and programs, such as the BRIC mitigation program, are on firm ground. Then, and only then, should FEMA, Capitol Hill, and state and local stakeholders representing the whole of America consider this as part of a comprehensive effort to reduce the costs of disasters to the federal government in a way that does not bankrupt state and local governments.

###