

NOMINATION OF JOSEPH L. NIMMICH

HEARING

BEFORE THE

COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE
ONE HUNDRED THIRTEENTH CONGRESS

SECOND SESSION

NOMINATION OF JOSEPH L. NIMMICH TO BE DEPUTY
ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S.
DEPARTMENT OF HOMELAND SECURITY

JULY 24, 2014

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NOMINATION OF JOSEPH L. NIMMICH
THURSDAY, JULY 24, 2014

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 3:46 p.m., in room SD-342, Dirksen Senate Office Building, Hon. Mark Begich, presiding.

Present: Senator Begich.

OPENING STATEMENT OF SENATOR BEGICH

Senator BEGICH. Thank you very much, and welcome again to the Committee on Homeland Security and Governmental Affairs, we appreciate you being here. We will call the Committee to order.

We are here today to consider the nomination of Joseph L. Nimmich to be Deputy Administrator for the Federal Emergency Management Agency (FEMA). As a former mayor, I know how critical it is to have leadership positions filled by capable people. I also understand the gaps in productivity and innovation and overall progress that can occur when key positions are vacant. It is for that reason I wanted to express my frustration with the situation we find ourselves in today, not due to you being here, or FEMA, but to the White House and how they operate on their nominations.

I am just very frustrated that for months people have been aware of this position, and now suddenly we are given your position to be nominated and move forward in the Committee, and we are being asked to move it very quickly—which I am happy to do. My frustration is not with you or FEMA. It is with the White House and their ability—or inability. So those who represent the White House here, please take note, and I hope you present that back over there.

Again, we have waited 6 months. We knew this was coming, and now we need to rush it through.

I know the nomination process is subject to many delays and consideration, but vetting and confirming nominees is one of the most important functions of this Committee, and we must be able to do our due diligence.

Committee staff on both sides of the aisle have worked very hard to expedite this process, and I appreciate their hard work. And I appreciate your hard work, Mr. Nimmich, during the prehearing phase, as we worked on such an expedited timetable. I spoke with FEMA Administrator Craig Fugate earlier this week, and I could hear his enthusiasm for your nomination, which I hope we can get completed very quickly in a favorable manner.

While some of your answers to the prehearing questions were encouraging, especially with such a needed focus on workforce improvements, similar to the Committee hearing we just had, I remain concerned that FEMA may be stuck in the mud on some of the most critical challenges facing the agency.

We have already heard your testimony and questioned you in our previous hearing, so we will not rehash those issues. But I wanted to be sure you recognize the many FEMA issues we have concerns about.

As you transition into your new position and better identify the role you will play implementing Administrator Fugate's vision for the agency, we hope you will keep open lines of communication with this Committee. I look forward to addressing my various concerns in the question-and-answer period, so I will conclude my remarks here, and if we can, we will go ahead and start. If I can have you stand, the rules require that all witnesses at nomination hearings give the testimony under oath, and so let me go ahead. Mr. Nimmich, would you please stand and raise your right hand? Do you swear that the testimony you are about to give to the Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Mr. NIMMICH. I do.

Senator BEGICH. Please be seated.

Since we already introduced you, Mr. Nimmich, in the last one, I will just let you introduce your family members, which I had the great pleasure to meet several of them as we were getting ready, and then we will go into your opening statement. Please.

TESTIMONY OF JOSEPH L. NIMMICH,¹ NOMINEE TO BE DEPUTY ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY

Mr. NIMMICH. Thank you. Thank you, Senator, and my statement has my introduction of the family, so if you do not mind, I will go through it so they can hear the way I have written it. [Laughter.]

That way I get it right.

Senator BEGICH. That means they wrote it to make sure you said everything right. [Laughter.]

Mr. NIMMICH. Good afternoon, Chairman Begich. I also would like to acknowledge Chairman Carper, Ranking Member Coburn, and Members of the Committee. Thank you for the opportunity to testify before you today.

I come before you as the nominee for the Deputy Administrator of the Federal Emergency Management Agency. I am humbled by the President's nomination and honored by the opportunity to continue to serve my country. Before I begin, I need to thank my wife, Cindy, and my children Lizzie, Abby, and Mallory, who are joining me here today. I would also like to thank my daughters Katie and Becky who are unable to be here due to scheduling difficulties, but I am told they are watching it on the Web. I would not be here without their love and support and the patience that they have for the times that my job has taken me away from home, and undoubt-

¹The prepared statement of Mr. Nimmich appears in the Appendix on page 11.

edly will again in the future. I also need to take a moment to thank Administrator Fugate for his leadership, his counsel, and his trust that he has afforded me.

Sir, as a Coast Guard officer for over 33 years, I have developed the leadership skills, management expertise, and strategic and operational decisionmaking ability to help lead FEMA. I would like to take a moment to tell you how I believe my experiences have prepared me for this opportunity.

As former Commanding Officer of Coast Guard Key West, I am personally aware of the challenges facing local communities as they work hard to prepare for, respond to, and recover from disasters. During that assignment, I worked closely with city and county officials. I have seen firsthand the issues facing local emergency managers as they balance the many competing requirements of local government.

As Director for Joint Interagency Task Force-South, I worked with interagency and international partners and navigated the opportunities and challenges involved in the interagency coordination process. I served tours at Coast Guard headquarters, where I managed the Federal budget process, developed strategic plans, and instituted performance-based management tools. If confirmed, I will continue to leverage this experience to help FEMA improve on its core capabilities and build on FEMA's interagency disaster response processes.

I have also shouldered great responsibility—not just for budgets and plans, but for the well-being of men and women in uniform. My proudest and most humbling experiences with the Coast Guard were providing for the safety and well-being of my crew through three afloat commands and three ashore commands. When in command you must be able to rapidly and correctly assess the situation and effectively make critical decisions. My experience in the Coast Guard helped me develop quick decisionmaking capability based on the best information available. I will continue to use that skill set to achieve FEMA's missions in support of disaster survivors and States and local communities as well as tribes.

Over the past year as FEMA's Associate Administrator for Response and Recovery, I have overseen a number of disaster responses across the country, including the tornadoes in Moore, Oklahoma; the floods in Galena, Alaska, and across Colorado; and the mudslides in Washington State. Throughout these operations, I worked with my team to hone FEMA's ability to employ both traditional recovery capabilities and alternate procedures, cutting through bureaucratic challenges to help disaster survivors and communities recover and rebuild. In every case, I have looked for lessons to improve FEMA's performance in the next disaster.

If confirmed as FEMA's Deputy Administrator, my focus will be threefold: to steady FEMA's disaster workforce; to stabilize FEMA's policies; and to develop the data analytics to support rapid, effective, and efficient decisionmaking. To this end, I will focus on effective management of FEMA's processes, particularly human resources, information technology (IT) systems and their security, and contracting and acquisition—all of which form the foundation necessary to reinforce a strong workforce that can effectively respond to and support the Nation in a time of disaster. We also need

to better define FEMA's policies, simplifying and streamlining them whenever possible. Finally, we must harness geospatial technology to more swiftly respond to the impacts of disasters in real time. Developing FEMA's critical analytic capability will allow us to more effectively utilize existing information systems for swift and sound decisionmaking.

I believe that fostering a close working relationship with Congress is critical to delivering the highest level of service to the American people. If confirmed, I will continue to build relationships with you and your colleagues to ensure Congress has access to the information it needs to fulfill its oversight missions. I will also continue to work with the full spectrum of Federal agencies within the Executive Branch, particularly the Office of Management and Budget, the Inspector General (IG), and the Government Accountability Office (GAO).

Providing States, survivors, and communities with the resources they need in an efficient and effective manner is my primary focus. Based on our conversations during previous hearings, I have no doubt that this Committee is focused on the same. The American people deserve an emergency management workforce that is capable, competent, and prepared to meet the challenges of the future. It is my hope that, if I am confirmed, I can continue to help strengthen FEMA's workforce and develop and improve its core capabilities, sustaining the organization into the future as a well-managed, performance-focused agency able to meet the expectations of the Nation.

Thank you, Mr. Chairman, for this opportunity to appear before you, and I look forward to answering your questions.

Senator BEGICH. Thank you very much. I have three standard questions in regards to your nomination, the first question is: Is there anything that you are aware of in your background that might present a conflict of interest with the duties of the office to which you have been nominated?

Mr. NIMMICH. Sir, I have no known conflicts of interest for the office to which I am looking to be confirmed.

Senator BEGICH. Do you know of any reason, personal or otherwise, that would in any way prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Mr. NIMMICH. Sir, if confirmed, there are no reasons, personal or otherwise, that would prevent me from fulfilling the requirements of the office to which I am nominated.

Senator BEGICH. Do you know of any reason, personal or otherwise, that would in any way prevent you from serving the full term of the office to which you have been nominated?

Mr. NIMMICH. Sir, if confirmed, there are no reasons that I will not be able to complete the full term for the office to which I am nominated.

Senator BEGICH. Thank you very much. I also have several letters that I will make sure are entered into the record¹ from different groups recommending you for this position.

¹The letters of support referenced by Senator Begich appear in the Appendix on page 77.

I just have some basic questions, and because we had a very good conversation on the Committee hearing just before this, I am not going to go into a lot of broad issues. I will have some specific Alaskan issues.

But, first, what do you believe—and you kind of said it in your opening on some of the things you wanted to work on, that you believe your principal responsibilities will be for this new position? And again, you are in a unique position because you are already in the system, but give me your thoughts on that, if you could.

Mr. NIMMICH. Yes, sir, and I think they warrant to be reiterated. Our workforce is our keystone. It is what makes us successful or not successful. We owe the workforce the ability to give them the training and experience and the equipment necessary to do their job. And then I need to hold them accountable that they do their job.

Much of what we have heard from the IG and the GAO go back to information provided very early in a disaster that has not supported the subgrantee or the grantee in making the right choices. And then the IG comes in afterwards, much later in the process, and we are in that debate as to how do we rectify that situation.

I want a workforce that does not create those problems, that rectifies the situation right from the beginning. I need to give them the ability and the tools so our IT systems and our information systems, will give them better analytics to understand the situation.

Finally, a lot of our policies are overly complex, overly difficult to interpret, even for our own workforce, and we need to make sure that we stay within the letter of the law and the spirit of the law, but that we make them as clean and as clear and as deliverable as possible to our customers, which are the citizens of this country.

Senator BEGICH. Your last comment there, it made me think—I had a note here on how long it takes some of the regulation process to move through FEMA. One, for example, is 8 years to get through, which also, as you can imagine, you are a disaster relief agency, so you have immediate needs every day, and yet if you cannot do a regulation, it can take up to 8 years.

What are some of your thoughts on how to—and these are my words, and I am not sure it is the right words to use, but streamline the process so you can get these regulations in place when there is a need to have guidelines, maybe, for example—I know you are working on the tribal regulations now. I would hate to see that take 8 years. But give me a thought there.

Mr. NIMMICH. So I want to delineate between two, sir. One is our policies, and then the others are what are really regulatory. The regulations do require an awful lot of effort, and you know that we will be looking at the factors in terms of declaration, not just for tribes but overall for States also. Those are going to be some of the challenges, and we need to stay focused on them, and we need to move them as quickly as we can, realizing that there are issues that are not always within our control.

But you have my commitment to move those as quickly as possible, particularly tribal, because we opened the existing State criteria for disasters for tribes, but those do not take into consideration cultural issues and the capabilities of the tribes. So we are

working very diligently to try to come up with a set of criteria that are more appropriate for the tribes.

The other side is policy, and sometimes it is the policies that we create and make overly restrictive in terms of what the regulations actually allow us to do. We need to make sure that we continue to look at those policies in a way that we, in fact, enforce that regulation, but do not necessarily make it more difficult—or easier on us rather than easier on the survivors, the subgrantees, and the grantees, sir.

Senator BEGICH. What would you consider—obviously you are moving to a different job. What would you consider your weakness that you know you have and know that in order to be successful in this job, you have to work on it? What would you say? I should try and ask your wife. [Laughter.]

Mr. NIMMICH. You might get a whole different set.

Senator BEGICH. I saw her smiling back there.

Mr. NIMMICH. Sir, I have the zeal to solve problems, and often the weakness is we try to take on too many and, therefore, we do not resolve those.

When I came to FEMA, I really looked at three imperatives every day, and those imperatives can become overwhelming in and of themselves. But that is the workforce. We have to keep focus on the workforce, and that is one of the reasons Administrator Fugate has asked me to take this job. We need to get that disaster workforce trained and the tools that they need to do their job. The policies, and then the ability to use the data that we have, those three imperatives—the analytics and the data capabilities, stabilizing our policies, and steadying that workforce are three things that I look at every day. And by using those, I try to remain focused as opposed to allowing virtually every problem to become a challenge and, therefore, get nothing done.

Senator BEGICH. Got you. In Alaska we have over 200 tribes, and there are obviously tribes all across the country, and we want to make sure that we are doing everything we can to make sure they have the knowledge, the training, the expertise, and so forth. But I am concerned that FEMA may not be able to handle this at this point. Tell me how we—and I say “we” collectively, to make sure that FEMA can ensure that there is sustainable levels of training for tribes and others within the tribal community, not only in Alaska but throughout the country, as they are entering into this kind of new potential process. How do we make sure that happens with the resources you have?

Mr. NIMMICH. So, sir, initially when the Sandy legislation was passed, the Administrator made it very clear we were not going to wait until we received new resources to implement these. We have carved resources out of the agency. In every region we now have a tribal liaison. We have just hired the tribal liaison here at headquarters. Mr. Booth, who happens to be an Alaska Native, brings to us some of that expertise. But we need to start taking those discussions and that counseling that we get from the tribes as to what do they really need and how much do they need. And then we need to come back and find whether we can identify additional resources inside FEMA or whether we need to ask for additional resources to do the job right.

What I can commit to you is we have started to build a tribal liaison corps and that we are going to continue to focus on tribal issues with the expedience that we can have.

Senator BEGICH. In a broader issue, the issue—and I have had a hearing on this and some other discussion regarding mitigation, what is happening with climate change, the impacts it is having on more severe storms, more costly storms, or disasters, I should say, in a broader sense, weather related. But one of the things I have noticed within FEMA, the pre-disaster mitigation (PDM) funds have gone the wrong direction in funding. And my concern is: Is it better to do pre-disaster or post-disaster investment? To me, obviously, it seems like, well, why wouldn't we want to—we recognize this is happening. Why are we not spending more time? But yet, when I look at the PDM program, it seems to be going the wrong way.

Mr. NIMMICH. Sir, I think that most of the studies indicate if you can mitigate the disaster or mitigate some of the impacts of the disaster before it happens, it has a much larger dollar value. But we also cannot sacrifice our ability to respond to disasters. That is the first and foremost. So you are correct that there has been a declining PDM budget. The President has asked for above-the-line authority to continue the PDM process.

What we are trying to do inside FEMA is look at the mitigation money that we have in other areas, in our recovery program, in our insurance programs, in the Federal Insurance and Mitigation Administration (FIMA)—the Federal insurance management part of FEMA—and how can we associate those and correlate those in a much better way to be able to do some of that mitigation, albeit after the fact of the disaster, but in a way that when we repair something or we make it so that it is insurable, we make it so that the risk is reduced dramatically by the works that we do rather than not having a correlated or a coordinated response.

Senator BEGICH. You have done a good job last Committee hearing and this one here, but let me ask you, this was one that just drives me crazy, and it is the flood mapping and how to get these accurate.

I was in the Matanuska Valley recently, which is just outside of Anchorage, and 40 percent of the maps are inaccurate, which, of course, means people are paying for flood insurance they should not have to pay for, or vice versa, they should have flood insurance but they are not in the mapping zone.

Then we have different agencies that have different technology for their maps and different requirements for their maps. This seems to be a never-ending problem and an expensive problem probably to solve.

In your list of responsibilities, is this one that you recognize as an agency we need to get after? Because it seems like with all the resources of mapping, maybe the National Oceanic and Atmospheric Administration (NOAA) or FEMA, you guys, the U.S. Geological Survey (USGS), the Bureau of Land Management (BLM), and the U.S. Department of Transportation (DOT), we will re-map an area seven different times from different agencies, and yet for some reason we are not sharing this data, and it seems like there

should be a baseline data sharing that should be going on to help make this job a little bit easier.

Can you give me some thought on that? And it is something that you will hear a lot on a regular basis from me.

Mr. NIMMICH. Yes, sir. There is no question that flood mapping and risk mapping are key focal points for the oversight committees, as they should be. We go to look at mapping and use the resources we have for creating the flood maps. Then the follow-on to that is the risk maps, how much of the risk that, in fact, creates, we do use experts in those fields. Those experts often look at all of the different factors that you have taken in. That is part of what the expense of the program is. We try to look at as many pieces of information and as much data as possible to be able to put the most correct map in place.

The world is a dynamic and continually changing environment, and simple things like, a flood that goes through Colorado completely changes the way that the watershed looks and drives a lot of our decisions. Fifty-two percent of our maps have been looked at and are accurate and can be used. We know that we have a lot more work to do, and we are continuing to do that. We are prioritizing based on where those maps will produce the most results in terms of the potential risks the country faces, sir.

Senator BEGICH. I am going to end my questions at this point. Just a couple things.

One, you heard in my last commentary how important it is that we believe our role here is oversight and constantly doing analysis and research regarding FEMA's work, talking to the IG and the GAO to make sure that we do our job here so we do not look back 5 years from now and say why didn't we ask this question, or we did, but they had a report, but no one responded to it. That is something you will feel from us. I say that in a polite way. You will feel that on a regular basis. It may be in a room like this or with staff in conversations. And I hope you will be receptive to that and that is not something that as an agency person you will hesitate to respond. Any thought on that?

Mr. NIMMICH. Yes, sir. If confirmed, I intend to continue to work very closely with you personally and with your staff. We have had great conversations over the last several months in terms of working toward producing the report that you released today. Your staff has been very inquisitive, digging very deeply into the challenges we face. And, sir, the oversight helps us do a better job for the public we serve, and you are the voice of that public. So we look forward to continuing to work, and if I am confirmed, sir, I will answer your questions wherever you have them.

Senator BEGICH. Fantastic. Let me pause for a second.

[Pause.]

I would like to thank you for your appearance here before the Committee, and your family, because I know it means—you thought he spends a lot of time at work now. He will spend more because, by that design, he will be dragged down here when probably you do not want to be. But I appreciate it, your willingness to serve in this very important job, but also your public service, because that is what it is. And you will be part of running an agency

that is delivering services in times of need where people are at a crisis state. So thank you for your willingness to do that.

For the record, the nominee has filed responses to the biographical and financial questionnaires. Without objection, this information will be made as part of the hearing record,¹ with the exception of the financial data, which are on file and available for public inspection in the Committee offices.

Without objection, the record will be kept open until 5 p.m. tomorrow for the submission of any written questions or statements for the record.

At this time the hearing is adjourned.

[Whereupon, at 4:11 p.m., the Committee was adjourned.]

¹The biographical and financial questionnaire for Mr. Nimmich appears in the Appendix on page 15.

A P P E N D I X

**Opening Statement
Joseph L. Nimmich, Nominee
Deputy Administrator, FEMA
United States Senate**

**Committee on Homeland Security and Governmental Affairs
July 24, 2014 – 4:00 PM, 342 Dirksen Senate Office Building**

Good afternoon, Chairman Begich, Chairman Carper, Ranking Member Coburn, and Members of the Committee. Thank you for the opportunity to testify before you today.

I come before you as the nominee for the Deputy Administrator of FEMA. I am humbled by the President's nomination and honored by the opportunity to continue to serve my country. Before I begin, I'd like to start by thanking my wife, Cindy, and my children Lizzie, Abby, and Mallory, for joining me. I'd also like to thank my daughters Katie and Becky who are unable to attend today due to scheduling difficulties. I would not be here without their love, support, and patience for the times my job has taken me away from home. I'd also like to take a moment to thank Administrator Fugate for his leadership, counsel, and trust he has afforded me.

As a Coast Guard Officer for over 33 years, I have developed the leadership skills, federal management experience, and strategic and operational decision making ability to help lead FEMA. I'd like to take a moment to tell you how I believe my experiences have prepared me for this opportunity.

As former Commanding Officer of Coast Guard Key West, I am personally aware of the challenges facing local communities as they work hard to prepare for, respond to, and recover from disasters. During that assignment, I worked closely with city and county officials to ensure that response plans were coordinated and that resources were delivered efficiently and effectively to support those in need. I have seen firsthand the issues facing local emergency managers as they balance the many competing requirements of local government.

As Director for Joint Interagency Task Force – South, I worked with interagency and international partners and navigated the opportunities and challenges involved in the interagency coordination process. I served tours at Coast Guard headquarters, where I managed the federal budget process, developed strategic plans, and instituted performance-based management tools. If confirmed, I will continue to leverage this experience to help FEMA improve its core capabilities and build on FEMA’s interagency disaster response processes.

I’ve also shouldered great responsibility—not just for budgets and plans, but for the well-being of our men and women in uniform. One of my proudest and most humbling experiences with the Coast Guard was providing for the safety and well-being of my crew through three afloat commands and three ashore commands. When in command you must be able to rapidly and correctly assess any situation and effectively make critical decisions. My experience in the Coast Guard helped me develop quick decision-making ability, based on the best information available, that I continue to use to achieve FEMA’s mission in support of disaster survivors.

Over the past year as FEMA’s Associate Administrator for Response and Recovery, I have overseen a number of disaster responses across the country, including: the tornadoes in Moore, Oklahoma; the floods in Galena, Alaska and across Colorado; and the mudslide in Washington State. Throughout these operations, I worked with my team to hone FEMA’s ability to employ both traditional recovery capabilities and alternate procedures, cutting through bureaucratic challenges to help disaster survivors and communities recover and rebuild. In every case, I have looked for lessons to improve FEMA’s performance in the next disaster.

If confirmed as FEMA Deputy Administrator, my focus will be threefold: to steady the FEMA disaster workforce; to stabilize FEMA’s policies; and to develop data analytics to support rapid, effective, and efficient decision making. To this end, I will focus on effective management

of FEMA processes—particularly human resources, information technology systems and security, and contracting acquisition—all of which form the foundation necessary to reinforce a strong workforce that can effectively respond to and support the Nation in times of disaster. We also need to better define FEMA’s policies, simplifying and streamlining them whenever possible. Finally, we must harness geospatial technology to more swiftly respond to the impacts of disasters in real time. Developing FEMA’s critical analytic capability will allow us to more effectively utilize existing information systems for swift, sound decision making.

I believe that fostering a close working relationship with Congress is critical to delivering the highest level of service to the American people. If confirmed, I will continue to build relationships with you and your colleagues to ensure Congress has access to the information it needs to fulfill its oversight mission. I will also continue to work with the full spectrum of federal agencies within the Executive Branch, particularly with the Office of Management and Budget, Inspector General, and Government Accountability Office. I will use my financial management skills to implement a metrics-based approach to improve budgeting efficiency and establish measurable outcomes across all FEMA program areas.

Providing states, survivors, and communities with the resources they need in an efficient and effective manner is my primary focus. Based on our conversations during the previous hearing, I have no doubt that this Committee’s focus is the same. The American people deserve an emergency management workforce that is capable, competent, and prepared to meet the challenges of the future. It is my hope that if I am confirmed, I can continue to help strengthen FEMA’s workforce and develop and improve upon its core capabilities, sustaining the organization into the future as a well-managed, performance-focused agency able to meet the expectations of the Nation.

Thank you, Mr. Chairman, for the opportunity to appear before you. I look forward to your questions.

REDACTED

HSGAC BIOGRAPHICAL QUESTIONS FOR EXECUTIVE NOMINEES

1. Basic Biographical Information

Please provide the following information.

<i>Position to Which You Have Been Nominated</i>	
Name of Position	Date of Nomination
FEMA Deputy Administrator	July 14, 2014

<i>Current Legal Name</i>			
First Name	Middle Name	Last Name	Suffix
Joseph	Lawrence	Nimmich	

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: 500 C Street, S.W.		
City: Dunkirk	State: MD	Zip: 20754	City: Washington	State: DC	Zip: 20472

<i>Other Names Used</i>						
First Name	Middle Name	Last Name	Suffix	Check if which name	Name Used From (Month/Year) (Check box if estimate)	Name Used To (Month/Year) (Check box if estimate)
None					Est <input type="checkbox"/>	Est <input type="checkbox"/>
					Est <input type="checkbox"/>	Est <input type="checkbox"/>

<i>Birth Year and Place</i>	
<i>Year of Birth</i> <small>(Do not include month and day.)</small>	<i>Place of Birth</i>
1955	Huntington, NY

<i>Marital Status</i>					
Check All That Describe Your Current Situation:					
Never Married	Married	Separated	Annulled	Divorced	Widowed
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Spouse's Name</i> <small>(current spouse only)</small>			
<i>Spouse's First Name</i>	<i>Spouse's Middle Name</i>	<i>Spouse's Last Name</i>	<i>Spouse's Suffix</i>
Cynthia	Leigh	Nimmich	

<i>Spouse's Other Names Used</i> <small>(current spouse only)</small>								
<i>First Name</i>	<i>Middle Name</i>	<i>Last Name</i>	<i>Suffix</i>	<i>Check or Mark X</i>	<i>Name Used From</i> <small>(Month/Year)</small> <small>(Check box if estimate)</small>	<i>Name Used To</i> <small>(Month/Year)</small> <small>(Check box if estimate)</small>	<i>Est</i>	
Cynthia	Leigh	Curtis			4/71	Est	6/97	Est
						Est		Est

Children's Names (If over 18)			
First Name	Middle Name	Last Name	Suffix
Rebecca	Marie	Wenrich	
Elizabeth	Jean	Nimmich	
Katherine	Mary	Straughan	

2. Education

List all post-secondary schools attended.

Name of School	Type of School (vocational/technical/trade school, college/university/military college, correspondence/distance/extension/online school)	Date Began School (month/year) (check box if estimate)		Date Ended School (month/year) (check box if estimate) (check "present" box if still in school)			Degree	Date Awarded
		Est		Est	Present			
US Coast Guard Academy	Military Academy	6/73	Est <input type="checkbox"/>	5/77	Est <input type="checkbox"/>	Present <input type="checkbox"/>	BS	5/77
NYU Graduate Business School	Stern School at NYU	6/87	Est <input type="checkbox"/>	8/88	Est <input type="checkbox"/>	Present <input type="checkbox"/>	MBA	10/88
Army War College	Military Senior Service School	8/96	Est <input type="checkbox"/>	6/97	Est <input type="checkbox"/>	Present <input type="checkbox"/>	Certificate	6/97
			Est <input type="checkbox"/>		Est <input type="checkbox"/>	Present <input type="checkbox"/>		

3. Employment

(A) List all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

Type of Employment (Active Military Duty, Station; National Guard/Reserve; USPHS Commissioned Corps; Other Federal employment; State Government (Non-Federal Employment); Self-employment; Unemployment; Federal Contractor; Non-Government Employment (excluding self-employment); Other)	Name of Your Employer/Assigned Duty Station	Most Recent Position Title/Rank	Location (City and State only)	Date Employment Began (month/year) (check box if estimate)	Date Employment Ended (month/year) (check box if estimate) (check "present" box if still employed)
Associate Administrator For Response and Recovery FEMA	DHS/FEMA	SES	Washington, DC	4/13 Est <input type="checkbox"/>	Est <input type="checkbox"/>
Director Maritime Security	Raytheon Corp.	Director	Arlington, VA	6/11 Est <input type="checkbox"/>	4/13 Est <input type="checkbox"/>
Pennsylvania State University	Applied Research Lab	Senior Advisor	Reston, VA	7/10 Est <input type="checkbox"/>	5/11 Est <input type="checkbox"/>
terminal leave	US Coast Guard	Rear Admiral UH	n/a	5/10	9/10
Military First CG District Commander	US Coast Guard	Rear Admiral UH	Boston, MA	7/09 Est <input type="checkbox"/>	5/10 Est <input type="checkbox"/>
Military Director Joint Interagency South	US Coast Guard	Rear Admiral UH	Key West, FL	4/07 Est <input type="checkbox"/>	6/09 Est <input type="checkbox"/>
Assistant Commandant for Planning	US Coast Guard	Rear Admiral LH	Washington, DC	2005 Est <input checked="" type="checkbox"/>	2007 Est <input checked="" type="checkbox"/>
Deputy Chief of Staff	US Coast Guard	Captain	Washington, DC	2003 Est <input checked="" type="checkbox"/>	2005 Est <input checked="" type="checkbox"/>
Commander Group Key West	US Coast Guard	Captain	Key West, FL	2000 Est <input checked="" type="checkbox"/>	2003 Est <input checked="" type="checkbox"/>
Chief, Plans and Policy	US Coast Guard	Captain	Washington, DC	1998 Est <input checked="" type="checkbox"/>	2000 Est <input checked="" type="checkbox"/>

Deputy Chief, Budget	US Coast Guard	Commander	Washington, DC	1997	Est <input type="checkbox"/>	1998	Est <input type="checkbox"/>
Army War College	US Coast Guard	Commander	Carlisle, PA	1996	Est <input type="checkbox"/>	1997	Est <input type="checkbox"/>
Office of Operational Law Enforcement	US Coast Guard	Commander	Washington, DC	1994	Est <input type="checkbox"/>	1996	Est <input type="checkbox"/>
Commanding Officer USCGC Sorrel	US Coast Guard	LT Commander	New York, NY	1992	Est <input type="checkbox"/>	1994	Est <input type="checkbox"/>
Office of Budget	US Coast Guard	LT Commander	Washington, DC	1988	Est <input type="checkbox"/>	1992	Est <input type="checkbox"/>
New York University	US Coast Guard	Lietenant	New York, NY	1987	Est <input type="checkbox"/>	1988	Est <input type="checkbox"/>
Commanding Officer USCGC Red Beech	US Coast Guard	Lietenant	New York, NY	1985	Est <input type="checkbox"/>	1987	Est <input type="checkbox"/>
Staff Assignments Coast Guard District 3	US Coast Guard	LT Junior Grade	New York, NY	1981	Est <input type="checkbox"/>	1985	Est <input type="checkbox"/>
Commanding Officer USCGC Point Estero	US Coast Guard	LT Junior Grade	Gullport, MS	1979	Est <input type="checkbox"/>	1981	Est <input type="checkbox"/>
Operations Officer USCGC Woodrush	US Coast Guard	Ensign	Duluth, MN	1977	Est <input type="checkbox"/>	1979	Est <input type="checkbox"/>

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

None

Name of Government Entity	Name of Position	Date Service Began (month/year) (check box if estimate)		Date Service Ended (month/year) (check box if estimate) (check "present" box if still serving)	
		Est <input type="checkbox"/>		Est <input type="checkbox"/>	Present <input type="checkbox"/>
		Est <input type="checkbox"/>		Est <input type="checkbox"/>	Present <input type="checkbox"/>
		Est <input type="checkbox"/>		Est <input type="checkbox"/>	Present <input type="checkbox"/>
		Est <input type="checkbox"/>		Est <input type="checkbox"/>	Present <input type="checkbox"/>

4. Potential Conflict of Interest

(A) Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Homeland Security's Alternate Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's designated agency ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

(B) Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration or execution of law or public policy, other than while in a federal government capacity.

None

5. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

Military Awards:

Distinguished Service Medal	5/10
Legion of Merit (3 awards)	5/00, 6/03, 4/05
Meritorious Service Medal	7/96
Coast Guard Commendation Medal (4 awards)	all prior to 6/95
Coast Guard Achievement Medal (3 Awards)	all prior to 6/95

6. Memberships

List all memberships that you have held in professional, social, business, fraternal, scholarly, civic, or charitable organizations in the last 10 years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax deductible donation of \$1,000 or less, Parent-Teacher Associations or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such

as AAA), discounts clubs (such as Groupon or Sam's Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

Name of Organization	Dates of Your Membership (You may approximate.)	Position(s) Held
Key West Sunrise Rotary	2000-03 2007-09	None

7. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?

No

Name of Office	Elected/Appointed/ Candidate Only	Year(s) Election Held or Appointment Made	Term of Service (if applicable)

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(B) List any offices held in or services rendered to a political party or election committee during the last ten years that you have not listed elsewhere.

None

Name of Party/Election Committee	Office/Services Rendered	Responsibilities	Dates of Service

(C) Itemize all individual political contributions of \$200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

None

Name of Recipient	Amount	Year of Contribution

(C) List all speeches and testimony you have delivered in the past ten years, except for those the text of which you are providing to the Committee.

Title	Place/Audience	Date(s) of Speech
Hearing on "Coast Guard Mission Capabilities"	before the House Transportation and Infrastructure Committee, Subcommittee on Coast Guard and Maritime Transportation	5/11/2006
Hearing on "U.S. Coast Guard Mission Performance"	before the House Transportation and Infrastructure Committee, Subcommittee on Coast Guard and Maritime Transportation	9/14/2006
Hearing on "The National Academy of Science Icebreaker Report"	before the House Transportation and Infrastructure Committee, Subcommittee on Coast Guard and Maritime	9/26/2006
Eighteenth International Seapower Symposium (no speech text)	Washington, DC	10/17-19/2007
Pacific Northwest Waterway Association (no speech text)	Portland, OR	8/25-29/2008
Coast Guard Academy (no speech text)	Connecticut	12/4-6/2009
Commencement Speaker St. Dominic (no speech text)	New York	Spring 2010
Secure Cities (no speech text)	India	9/20/2012
NOAA Hurricane Outlook (no speech text)	College Park, MD	5/23/2013
International Briefing for Director of UK Civil Contingencies Secretariat of UK Cabinet Office Topic--Space Weather (no presentation text)	FEMA HQ - M-01	6/3/2013

NAC Conference Call (no presentation text)		6/6/2013
National Emergency Managers Association (NEMA) - State Directors Course EMI (no presentation text)	FEMA Training Facility Emmetsburg MD	6/12/2013
Consular Corps College Symposium Topic--Disaster Assistance for Foreign Nationals (no speech text)	Washington, DC	12/6/2013
Analytics Services, Inc (no presentation text)	Falls Church, VA	1/31/2014
NEMA (no presentation text)	Alexandria, VA	3/10/2014
FEMA National Advisory Council (no presentation text)	Philadelphia, PA	3/18/2014
Civil Air Patrol Board of Governors (no speech text)	Dulles, VA	4/4/2014
Women's Economic Development of Long Island (no speech text)	New York	5/8/2014
South Florida Federal Executive Board (no speech text)	Miami, FL	6/18/2014

9. Criminal History

Since (and including) your 18th birthday, has any of the following happened?

- Have you been issued a summons, citation, or ticket to appear in court in a criminal proceeding against you? (Exclude citations involving traffic infractions where the fine was less than \$300 and did not include alcohol or drugs.)

No

- Have you been arrested by any police officer, sheriff, marshal or any other type of law enforcement official?

No

- Have you been charged, convicted, or sentenced of a crime in any court?

No

- Have you been or are you currently on probation or parole?
No
- Are you currently on trial or awaiting a trial on criminal charges?
No
- To your knowledge, have you ever been the subject or target of a federal, state or local criminal investigation?
No

If the answer to any of the questions above is yes, please answer the questions below for each criminal event (citation, arrest, investigation, etc.). If the event was an investigation, where the question below asks for information about the offense, please offer information about the offense under investigation (if known).

- A) Date of offense:
 - a. Is this an estimate (Yes/No):
- B) Description of the specific nature of the offense:
- C) Did the offense involve any of the following?
 - 1) Domestic violence or a crime of violence (such as battery or assault) against your child, dependent, cohabitant, spouse, former spouse, or someone with whom you share a child in common: **Yes / No**
 - 2) Firearms or explosives: **Yes / No**
 - 3) Alcohol or drugs: **Yes / No**
- D) Location where the offense occurred (city, county, state, zip code, country):
- E) Were you arrested, summoned, cited or did you receive a ticket to appear as a result of this offense by any police officer, sheriff, marshal or any other type of law enforcement official: **Yes / No**
 - 1) Name of the law enforcement agency that arrested/cited/summoned you:
 - 2) Location of the law enforcement agency (city, county, state, zip code, country):
- F) As a result of this offense were you charged, convicted, currently awaiting trial, and/or ordered to appear in court in a criminal proceeding against you: **Yes / No**
 - 1) If yes, provide the name of the court and the location of the court (city, county, state, zip code, country):
 - 2) If yes, provide all the charges brought against you for this offense, and the outcome of each charged offense (such as found guilty, found not-guilty, charge dropped or "nolle pros," etc). If you were found guilty of or pleaded guilty to a lesser offense, list separately both the original charge and the lesser offense:

3) If no, provide explanation:

G) Were you sentenced as a result of this offense: **Yes / No**

H) Provide a description of the sentence:

I) Were you sentenced to imprisonment for a term exceeding one year: **Yes / No**

J) Were you incarcerated as a result of that sentence for not less than one year: **Yes / No**

K) If the conviction resulted in imprisonment, provide the dates that you actually were incarcerated:

L) If conviction resulted in probation or parole, provide the dates of probation or parole:

M) Are you currently on trial, awaiting a trial, or awaiting sentencing on criminal charges for this offense: **Yes / No**

N) Provide explanation:

10. Civil Litigation and Administrative or Legislative Proceedings

(A) Since (and including) your 18th birthday, have you been a party to any public record civil court action or administrative or legislative proceeding of any kind that resulted in (1) a finding of wrongdoing against you, or (2) a settlement agreement for you, or some other person or entity, to make a payment to settle allegations against you, or for you to take, or refrain from taking, some action. Do NOT include small claims proceedings.

<u>Date Claim/Suit Was Filed or Legislative Proceedings Began</u>	<u>Court Name</u>	<u>Names of Principal Parties Involved in Action/Proceeding</u>	<u>Nature of Action/Proceeding</u>	<u>Results of Action/Proceeding</u>
1988	unknown	Mary Ann Larkin (now deceased), Mary Ellen Nimmich	Suit filed by passenger (Larkin) in car involved in accident driven by ex-wife (Mary Ellen Nimmich)	USAA Insurance (Nimmich's insurer) settled out of court with Ms. Larkin's insurer for an unknown amount.
9/1995	Howard County Circuit Court, MD	Mary Ellen Nimmich, Joseph Lawrence Nimmich	Divorce	Divorce (uncontested)

(B) In addition to those listed above, have you or any business of which you were an officer, director or owner ever been involved as a party of interest in any administrative agency proceeding or civil litigation? Please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.

None

<u>Date Claim/Suit Was Filed</u>	<u>Court Name</u>	<u>Names of Principal Parties Involved in Action/Proceeding</u>	<u>Nature of Action/Proceeding</u>	<u>Results of Action/Proceeding</u>

(C) For responses to the previous question, please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.

11. Breach of Professional Ethics

(A) Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court, administrative agency, professional association, disciplinary committee, or other professional group? Exclude cases and proceedings already listed.

No

<u>Name of Agency/Association/Committee/Group</u>	<u>Date Citation/Disciplinary Action/Complaint Issued/Initiated</u>	<u>Describe Citation/Disciplinary Action/Complaint</u>	<u>Results of Disciplinary Action/Complaint</u>

(B) Have you ever been fired from a job, quit a job after being told you would be fired, left a job by mutual agreement following charges or allegations of misconduct, left a job by mutual agreement following notice of unsatisfactory performance, or received a written warning, been officially reprimanded, suspended, or disciplined for misconduct in the workplace, such as violation of a security policy?

No

12. Tax Compliance

(This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

REDACTED

REDACTED

13. Lobbying

In the past ten years, have you registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State).

No

14. Outside Positions

See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

For the preceding ten calendar years and the current calendar year, report any positions held, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. Exclude positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

<u>Name of Organization</u>	<u>Address of Organization</u>	<u>Type of Organization</u> (corporation, firm, partnership, other business enterprise, other non-profit organization, educational institution)	<u>Position Held</u>	<u>Position Held From</u> (month/year)	<u>Position Held To</u> (month/year)

15. Agreements or Arrangements

See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

As of the date of filing your OGE Form 278, report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment.

Provide information regarding any agreements or arrangements you have concerning (1) future employment; (2) a leave of absence during your period of Government service; (3) continuation of payments by a former employer other than the United States Government; and (4) continuing participation in an employee welfare or benefit plan maintained by a former employer other than United States Government retirement benefits.

Status and Terms of Any Agreement or Arrangement	Parties	Date (month/year)

16. Additional Financial Data

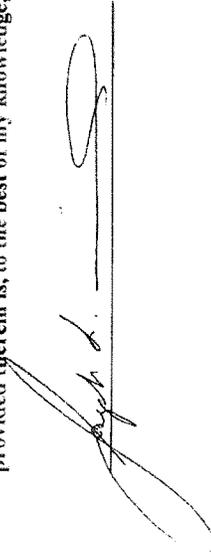
All information requested under this heading must be provided for yourself, your spouse, and your dependents. (This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

REDACTED

REDACTED

SIGNATURE AND DATE

I hereby state that I have read the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.



This 17 day of July, 2014

District of Columbia: SS
Subscribed and sworn to before me, in my presence,
this 17 day of July, 2014.

Michelle Taber Smith, Notary Public, D.C.
My commission expires July 14, 2017.





United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

REDACTED

JUL 21 2014

The Honorable Thomas R. Carper
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Joseph L. Nimmich, who has been nominated by President Obama for the position of Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

A handwritten signature in cursive script, appearing to read "Walter M. Shaub, Jr.".

Walter M. Shaub, Jr.
Director

Enclosures

REDACTED

June 19, 2014

Joseph Maher
Designated Agency Ethics Official
Department of Homeland Security
Washington, D.C. 20528-0485

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security.

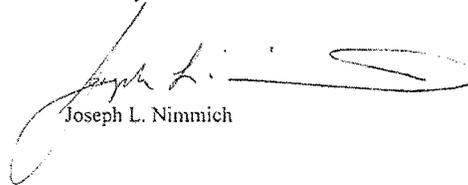
As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

My spouse is an employee of Calvert County Public Schools in Maryland. I will not participate personally and substantially in any particular matter involving specific parties in which Calvert County Public Schools is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I understand that as an appointee I am required to sign the Ethics Pledge (Exec. Order no. 13490) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this and any other ethics agreement.

I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with other ethics agreements of Presidential nominees who file public financial disclosure reports.

Sincerely,



Joseph L. Nimmich

U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-hearing questionnaire for the nomination of
Joseph L. Nimmich to be
Deputy Administrator of the Federal Emergency Management Agency,
Department of Homeland Security

I. Nomination Process and Conflicts of Interest

1. Why do you believe the President nominated you to serve as Deputy Administrator of the Federal Emergency Management Agency (FEMA)?

I believe the President nominated me to serve as Deputy Administrator of FEMA due to my public and private sector management experience; developed leadership skills; and the trust I have engendered with Administrator Craig Fugate, my colleagues, and our workforce as FEMA Associate Administrator for Response and Recovery. I also believe the President nominated me because I possess the requisite skills, knowledge, and ability to continue to improve FEMA's effectiveness and efficiency to ensure the entire organization is prepared to serve our country in times of need. My time in the United States Coast Guard includes over 30 years of experience working in and managing an organization under the federal budget process, a skill and knowledge set that plays an important role in managing FEMA's daily operations. As a commanding officer, I have demonstrated my ability to make tough decisions to preserve the lives and safety of my crew. Through my time at the Department of Defense, I developed an appreciation for interagency cooperation and coordination both at home and abroad. If confirmed, I believe all of these skills will be brought to bear as we work to address the challenges of preparing for and responding to disasters.

2. Were any conditions, express or implied, attached to your nomination? If so, please explain.

There are no conditions.

3. Have you made any commitments with respect to the policies and principles you will attempt to implement as Deputy Administrator? If so, what are they and to whom have the commitments been made?

I have made no commitments.

4. If confirmed, are there any issues from which you may have to recuse or disqualify yourself because of a conflict of interest or the appearance of a conflict of interest? If so, please explain what procedures you will use to carry out such a recusal or disqualification.

There should be no issues where I would have a conflict of interest. In the event of any potential conflict of interest, I would consult FEMA's designated ethics official.

II. Background of Nominee

5. What specific background and experience affirmatively qualifies you to be Deputy Administrator?

As a Coast Guard Officer with over 33 years of experience, I have developed the leadership skills, federal management experience, and strategic and operational decision making ability to prepare me for the opportunity to serve as FEMA's Deputy Administrator.

During my time with the USCG, I commanded three Coast Guard Cutters as well as one of the most active and complex shore units. As Commanding Officer of Coast Guard Group Key West, I led over 600 Coast Guard personnel, nine patrol boats, and three Coast Guard Stations in a dynamic, international environment dealing with sensitive illegal migration issues. As a commanding officer, every decision you make impacts the lives and safety of your crew. There is no greater responsibility. You must be able to rapidly and correctly assess any situation and effectively make critical decisions. My experience in the Coast Guard developed in me the quick decision making ability necessary to achieving FEMA's mission.

As Director for Joint Interagency Task Force South (JIATF-SOUTH), I received both interagency and international exposure, and saw firsthand the opportunities and challenges involved in the interagency coordination process. Additionally I served several tours at Coast Guard Headquarters, where I gained direct experience managing the federal budget process, developing strategic plans, and instituting performance-based management. I believe I can leverage my experience to help FEMA improve core capabilities to meet its mission and refine the interagency disaster response process.

As FEMA Director of Disaster Operations, I have overseen a number of disaster responses including the tornadoes in Moore, Oklahoma; floods in Galena, Alaska; floods in Colorado; and the mudslide in Washington State. I have participated in a number of exercises including the National Level Exercise, Alaska Shield. I am closely involved in the implementation of the Sandy Recovery Improvement Act, employing all of the tools at my disposal, including both traditional recovery capabilities and alternate procedures, to cut through bureaucratic challenges and help disaster survivors and communities recover and rebuild. Providing survivors and communities with the resources they need in an efficient and effective manner is my guiding focus and will continue to be if I am confirmed.

6. How would you describe your leadership and management style? What past experiences do you believe best demonstrate your approach and style in personnel management?

I would describe my leadership style as inclusive. I seek out many opinions in determining the most effective solution to a problem. I am, however, decisive.

I utilize the information, data, and analysis available to me when a decision is required, and act swiftly to make a decision when needed. I believe it is important to foster competing ideas in order to identify best solutions, but am decisive when a decision is due.

I am also a delegator. I believe in seeking out the best in every employee by providing them not only the tools but the ability to challenge themselves while developing the processes and solutions that best enable them to complete their mission. I do this through delegation and empowerment of those who work for me. I hold myself accountable to produce the results that are expected while upholding the highest standards of ethics, and expect the same of my employees. I maintain the highest expectations of my team's performance and take seriously our accountability to the organization and the American people.

7. If confirmed, what experiences and lessons learned from your time in private practice and government will you bring to the position of Deputy Administrator?

As a Coast Guard Officer for over 30 years and a senior executive at Raytheon Corporation, I have learned a number of lessons and skills that I believe, if confirmed, will serve me well as FEMA Deputy Administrator. First, I have developed the leadership skills necessary to help lead FEMA as it works to fulfill its strategic goals. As a USCG commanding officer, I developed the ability to make quick and accurate decisions, often with limited information, in high pressure—and sometimes life threatening—situations. As the situation develops and new information becomes available, I am adept at modifying those decisions to address any changes necessary.

I have learned the importance of working closely with Congress. If confirmed, I will continue to build relationships to ensure Congress has access to all of the information needed to make decisions that impact the American people. I will also continue to work within the executive branch, particularly through OMB, and will use my financial management skills to implement a metrics-based approach to improve budgeting efficiency and establish measurable outcomes across all FEMA programs.

In addition to budgeting and finance, I will focus on effective management of FEMA processes—particularly human resources, information technology systems and systems security, and contracting and acquisition—all of which form the foundation necessary to effectively respond and support the Nation in times of disaster. It is these core capabilities that will ultimately make the difference in our ability to respond quickly, smartly, and effectively to disasters and to build a more resilient Nation.

III. Roles and Responsibilities of the Deputy Administrator of FEMA

8. Why do you wish to serve as Deputy Administrator of FEMA?

I wish to serve as FEMA's Deputy Administrator for two primary reasons. First, the mission of supporting survivors and states after disasters is a noble and humbling charge. I am honored at the opportunity to serve communities across the country in, what for some, will be

their greatest time of need. Second, I wish to serve as Deputy Administrator because I feel I can make a difference. Since coming to FEMA as the Associate Administrator for Response and Recovery I have had three imperatives that I remind myself to work on every day. They are:

1. To steady the FEMA Disaster workforce;
2. To stabilize FEMA policies; and,
3. To develop data and data analytics to support rapid, effective, and efficient decision making.

As the Deputy Administrator, these imperatives become even more important as they impact the entire portfolio of FEMA missions. Using the leadership and management skills I have developed and successfully demonstrated throughout my career, I believe, if confirmed, I can help FEMA continue on the path of becoming a sound, well-managed agency. This position will allow me to work to make FEMA better which in turn makes the country more prepared, ensures survivors are better taken care of, and provides states with a clearer understanding of what FEMA can provide in terms of recovery and mitigation support.

9. What do you see as the principal mission(s) of FEMA?

FEMA's missions are quite simple: to develop the whole community (including individuals, state, local, tribal, territorial, private sector and other non-governmental partners) to be more prepared and resilient in the face of disasters; to support first responders in saving and then sustaining lives; to support survivors in getting back on their feet; and to help states recover from disasters and rebuild better and thereby become more resilient.

10. What do you believe will be your principal duties and responsibilities, if confirmed as FEMA Deputy Administrator? What do you see as the most critical responsibilities of the FEMA Deputy Administrator?

The principal focus of the Deputy Administrator is the day-to-day operations of the Agency to ensure its capability and capacity to meet its missions. These primary functions include: ensuring we have the background and supporting documentation for budget submissions; establishing efficient, secure IT systems to support prudent decision making; acquiring Federal Acquisition Regulation (FAR) compliant capabilities and equipment to meet mission needs; and most importantly, hiring and developing the most effective emergency management workforce possible. Without developing and maintaining these core functions, the Agency is not able to meet its mission. Focusing on these capabilities is critical to providing the support needed to assist states and local communities in preparing for and mitigating future disasters.

11. What do you see as FEMA's principal strengths and weaknesses in its ability to accomplish its mission(s)?

FEMA's primary strength is its focus on accomplishing the mission, particularly understanding its role to support citizens, first responders, and states in preparing for,

responding to, and recovering from disasters. This strength transcends FEMA's core competencies which are critical in supporting our obligations as outlined in The Stafford Act, as amended. FEMA continues to develop the necessary management capabilities to ensure mission success, but as noted by the Inspector General (IG), GAO, and multiple states' appeals, we need to better define and simplify FEMA's policies, develop its workforce, and better develop the critical analytic capability necessary to more effectively use FEMA's information systems for sound decision making.

12. If confirmed, what would be your top priorities and goals? What do you hope to have accomplished at the end of your tenure?

My top priorities remain the three imperatives under which I currently operate:

1. To steady the workforce;
2. To stabilize FEMA policies; and,
3. To develop data analytics to facilitate sound decision making.

The Deputy Administrator's primary function is the day-to-day operations of FEMA. That means a focus on the foundational organizational elements. Human capital, budget, IT and systems security, acquisition, and overall organization performance are all an important part of building that foundation. If confirmed, I hope to lead FEMA in further developing and improving upon these core capabilities that will sustain the organization into the future as a well-managed, performance-focused agency able to meet the expectations of the Nation.

IV. Policy Questions

Management

13. FEMA has struggled with a number of longstanding management difficulties. Over the past several years, GAO and the Department's Inspector General (IG) have called attention to problems FEMA faces in financial management, human capital, information technology, and performance management. If left uncorrected, these management problems could hinder FEMA's ability to respond to disasters and also lead to opportunities for waste, fraud, and abuse.

If confirmed, what will be your priorities with regard to management? What will you do to ensure that these problems are addressed?

I have already reviewed many of the last several years of IG and GAO findings that impact response and recovery operations, and am in the process of reviewing state appeals of decisions FEMA has made. If confirmed, I would look to do so for the entire organization. This review has helped me identify critical areas where, if confirmed as Deputy Administrator, I will need to focus. The majority of this focus will be on improving the management of FEMA.

Critical focus areas include development of programmatic budget processes based on performance. FEMA struggles with developing the ability to translate how funded activities result in specific, measurable capabilities. I have already taken steps forward by shifting ORR to an activity-based budgeting model. This budget format is based on a logic model connecting every activity to the capabilities it enables. We are now developing the performance metrics and standards to identify where to invest resources and which activities are not producing results.

Much of what the IG and GAO indicate as improper costs or contracting procedures that lead to recommendations for de-obligation of funds stem from a disaster workforce that has not been provided the training and tools to properly do their job. As a case-in-point, the last three years of IG capping reports identified a systemic problem in sub-grantee contracting procedures not being in compliance with the Federal Acquisition Regulation (FAR). As Director of Disaster Operations, I have already worked with FEMA's Office of Chief Counsel, implementing a temporary response team of contract attorneys to deploy within the first 48 hours of a disaster to support grantees and sub-grantees and ensure their actions are consistent with the FAR. This will eliminate the problem of de-obligating funds well after the event. This temporary solution will be incorporated into the legal program's Cadre Management as a permanent capability.

As the Director of Disaster Operations, I am responsible for ensuring that we have a prepared disaster workforce. To this end, I have developed a Cadre Management system whereby every employee is contacted regularly to ensure they are capable of fulfilling their position in the disaster workforce. This effort will, for the first time, bring together several existing emergency management programs to ensure that every employee's requisite capabilities and prior experience are monitored through a standardized Federal Qualification System (FQS) to ensure that each employee is fully prepared as an emergency management professional.

I will address FEMA's IT and cyber issues in question 15.

Whether it is grants, preparedness, flood insurance, or responding to and recovering from a disaster, sound, repeatable management procedures are critical to excellent, effective, and efficient performance. My focus will be on performance-based management built on the capabilities necessary to successfully support states and survivors of disasters.

14. What do you consider to be the principal challenges in the area of human capital management at FEMA? If confirmed, how do you intend to address these challenges?

- a. In particular, FEMA has struggled with severe morale problems. In 2012, it ranked 257 out of 292 among agency subcomponents in the Partnership for Public Service's Best Places to Work survey. What steps need to be taken to improve morale at the agency?**

Human capital is the ultimate foundation for the success of any organization. This is especially true at FEMA. FEMA has a unique workforce made up of several different types of employees—GS employees, term employees, reservists, and other

intermittent employees—each with unique needs and challenges. An organization with such a wide-ranging workforce requires a tailored, focused human resources approach to solve these diverse challenges. We at FEMA need to look at the complete human resources process—from recruiting, to hiring, to employee development, to career-path mapping—ensuring that each of our employees receives the support and development opportunities necessary to meet today’s requirements and prepare them for tomorrow. In the near term, we need to baseline our HR services, capabilities, capacities, and competencies to meet this requirement.

By baselining FEMA’s HR services, we can identify the capability and capacity necessary to support the rest of the agency in ensuring we have the right person with the right skills in every job. If confirmed, as a first step in this process, a baseline assessment will be conducted to identify those critical areas I will need to focus on to ensure FEMA is ready. We have already started this process with the disaster workforce through Cadre Management. This initiative will ensure every member of the workforce knows their job, has the tools to do it well, and is provided the training and knowledge necessary to complete their job, so that each employee is performing to their highest capacity.

- b. FEMA’s workforce is its greatest asset in working with disaster survivors, state, local and tribal governments. Yet challenges such as staff that lack necessary qualifications and training can result in inconsistent application of FEMA’s recovery policies, as well as misspent and wasteful spending and a slower recovery. What can FEMA do to improve its workforce training, especially in the area of project management best practices?**

FEMA’s workforce is the critical element in successfully supporting states and survivors during a disaster. In 2012, FEMA began a number of initiatives to improve the knowledge and preparedness of the disaster workforce. As you know, the FEMA Qualification System (FQS) was implemented in September 2012, just one month before Hurricane Sandy made landfall. Clearly this was not enough time to allow FQS to have the intended impacts on workforce preparedness and education. FEMA is continuing to move forward in this endeavor, providing the required training and experience to help the workforce develop their expertise in support of states, tribes, and communities.

This past June, FEMA launched the Cadre Management program, providing the sufficient workforce management capabilities to assess and engage every member of the disaster workforce community, including full-time employees, CORE employees, and reservists. This management initiative will provide leadership with a better understanding of the training needs that FEMA must provide. Further, FEMA is developing a disaster performance evaluation system to ensure that each employee is held accountable, is qualified, and is performing to the level necessary to support the states, tribes, and local governments.

- c. **In an era where FEMA continues to be tasked with strategic thinking and implementation of long-term goals like resilience and climate adaptation, is FEMA's designation of each employee as a readily deployable asset the most efficient way to assure critical work can continue even in the midst of a large response? When a catastrophic disaster hits and response and recovery ties up full-time employees for months at a time, do you believe FEMA has developed the best workforce structure to continue pursuing the strategic goals of the agency?**

FEMA has developed a workforce structure of full-time, CORE, and reservist personnel. Based on lessons learned from Hurricane Sandy, FEMA is developing a cadre of Incident Management (IM) CORE personnel. We are currently in the process of filling those IM CORE positions. This workforce will provide much of the management oversight required for each of the specific functional skill areas necessary to respond to and recover from a disaster.

These positions will deliver much of the capability provided by full-time employees during Hurricane Sandy. The hiring and training standards for these IM CORE positions sets a higher bar for FEMA's emergency management professionals. FEMA must continue to focus on the development of its entire HR program including filling the IM CORE and reservist positions to the prescribed levels. At full implementation, these specialists will ensure a disaster workforce with the flexibility to meet the needs of survivors while continuing to fulfill FEMA's steady-state responsibilities. If confirmed, I am committed to steadying the workforce to ensure we provide the most professional emergency management services possible to our stakeholders and those impacted by a disaster. FEMA will continue to ensure that all members of its workforce have the capacity and understanding to deploy for a truly catastrophic event, when the response requires.

- 15. FEMA has been directed to complete numerous reports as a result of large-scale legislation such as the Post-Katrina Emergency Management Reform Act and the Sandy Recovery Improvement Act. In addition, the Agency receives recommendations from advisory committees, internal task forces, and interagency working groups. If confirmed as Deputy Administrator, how will you work to assure that feedback and recommendations to improve FEMA processes are implemented in a timely manner and reports developed at the Agency are not simply "relegated to a bookshelf" once they are complete?**

If confirmed, I intend to use all of the internal and external indicators available to identify and work through systemic challenges facing FEMA. This effort is already underway. As I previously mentioned, recent IG and GAO reports indicated that insufficient training lead to improper costs and contracting practices during disasters, causing FEMA to de-obligate previously allocated funds. Based on these findings, I worked with FEMA's Office of Chief Counsel to implement a temporary response team of contract attorneys to deploy within the first 48 hours of a disaster. This team was assembled as a direct result of having audited and reviewed all of the IG audits, to support grantees and sub-grantees and ensure their actions

are consistent with the FAR. This is an important step to help states and local communities address the contracting challenges presented by our grant program.

In addition, FEMA set up an analytic unit to review all first and second appeals from states to identify systemic problems that drive states to appeal FEMA decisions. If confirmed, I intend to use the tools and information provided through internal task forces, interagency working groups, and others, to implement required changes into FEMA's policy documents. My intent is to make FEMA's policies clear, understandable, and as simple to implement as possible while living within the requirements dictated by law.

- 16. FEMA has faced a number of challenges in information technology management in recent years. In 2012, for example, the DHS Inspector General (IG) reported that FEMA needed to take steps to address security risks and improve the security of laptops and wireless networks and devices. Last year, the IG issued its FY2012 Information Technology Management Letter (OIG-13-64), which found that weaknesses in FEMA's financial IT systems contributed to a DHS department-wide material weakness in the area.**

a. What steps can FEMA take to improve IT management?

FEMA absolutely recognizes the challenge it faces in improving IT systems to ensure they meet the needs of our workforce, survivors, stakeholders, and our citizens. At the same time, these systems must meet the basic requisite standards to ensure data security. FEMA has launched a focused initiative to identify all existing FEMA systems and system owners, and provide guidance to ensure these systems meet Federal Information Security Management Act (FISMA) standards. This initiative is well underway and will provide an understanding of FEMA's strengths and weaknesses when it comes to IT management. Based on the inventory of systems taken, FEMA will identify a path forward to improve its capability, reduce redundancy, and ensure the security compliance of all systems.

However we cannot lose sight of the fact that these systems need to support the individual responding to and recovering from disasters, including individuals in states and local communities. Unlike most other components within DHS, FEMA has a unique position in the need to have readily accessible information systems available down to the individual citizen level. This creates a challenge for FEMA in terms of its ability to meet DHS requirements for security standards. FEMA intends to work closely with DHS, the executive branch, and Congress to ensure that FEMA's systems meet the needs of the wide array of users it supports.

Specifically, FEMA is planning to consolidate and modernize its financial systems and is evaluating best practices within the federal government. Part of this plan is to consolidate and improve FEMA's information systems that support the various grant programs, and to develop analytic tools to support decision making that allow for more effective, efficient, and timely decision making during and after disasters. This is an extraordinary challenge, as IT is for virtually every agency, but we do not shy

away from the challenge and will continue make progress towards building more reliable and secure IT systems.

- b. This Committee recognizes that FEMA has an opportunity to leverage its wealth of data from decades of Public Assistance and Hazard Mitigation projects as a tool for planning and managing future disaster recovery operations. But we have seen indications of FEMA's inability to track its own data and turn that into actionable intelligence. What steps can FEMA take to further apply data-driven decision making and predictive analytics to all facets of FEMA's missions?**

Data-driven decision making is critical both for managing current and anticipating the potential damage from future natural and manmade disasters. If confirmed, I will lead the work necessary to develop FEMA's analytic capability. I will remain personally engaged in the strategic agenda items to develop data and data analytics. This has always been one of my imperatives. It is my intention to help FEMA become a leader in using data-based decision making tools to perform its missions more effectively and efficiently.

Preparedness

- 17. Our national preparedness depends not only on the preparedness of the federal government, but also, perhaps more importantly, on the preparedness of states and localities throughout the nation.**

- a. What is your assessment of our nation's preparedness today, both at the federal level and at the state, local, and tribal government level?**

The national preparedness level today far exceeds that of pre-Katrina levels. That said, there is far too much variability between states, local communities, tribes, territories, and individual citizens. Continued focus on preparing the Nation through the National Preparedness System is a critical factor in the Nation's future capability to respond to, recover from, and build resilience toward natural and manmade disasters. Through FEMA's grant and other preparedness programs, we will continue to develop our national capabilities as defined by PPD-8 and work through each state and tribe down to the local governments to continue to stress the importance of and improve our preparedness as a Nation.

- b. What do you view as FEMA's role in promoting state, local and tribal preparedness, so that there are no weak links in our national preparedness for terrorism and natural disasters?**

FEMA has the key federal role in promoting national preparedness through both the Homeland Security Grants and the National Preparedness System, whereby we conduct an annual assessment of the Nation's capabilities. FEMA drives preparedness. We provide interactive tools through a variety of media (including FEMA.gov and Ready.gov, as well as our FEMA Facebook and Twitter accounts) to

provide individuals information on how to prepare themselves and their families. Additionally, we require states to assess on an annual basis how well they are meeting their capability needs to address the threats that they face.

FEMA is the only federal agency charged with promoting national preparedness as a core mission. We will continue to employ a whole of government approach through outreach to our state, local, tribal, and territorial counterparts; private sector partners; non-profit and faith-based organizations; as well as on an individual level, to ensure that everyone has access to life-saving information before, during, and after a disaster.

c. How can and should FEMA use the various homeland security grant programs it administers to foster national preparedness?

FEMA's primary vehicle to foster national preparedness is through the grant program. Each state is required to identify their own Threat and Hazard Identification and Risk Assessment (THIRA) and based on those assessments, identify the core capabilities needed to address those threats. They then use those core capabilities to request grant funds to help improve their preparedness level. Again, this is then assessed through a self-assessment process and reported in the National Preparedness Report, as required by PPD-8.

18. FEMA requires states and urban areas that receive preparedness grant funding to complete Threat and Hazard Identification and Risk Assessments (THIRAs). To a large extent, the THIRAs are intended to serve as a linchpin for the national preparedness system laid out in PPD-8. States, urban areas, and local governments conduct THIRAs, which FEMA hopes they will then use to plan and allocate resources. Ideally, THIRAs will guide a range of decisions, helping jurisdictions decide what capabilities to build and sustain and how to do so.

a. In your view, have the THIRAs worked as expected? Are there any improvements that need to be made to the THIRA process?

THIRAs have improved the ability for states to assess their needs and thereby harness their own resources and capabilities and request grants to ensure their ability to respond to and recover from natural and manmade disasters. THIRA is key in helping states identify risks they may not have considered, particularly those that do not occur routinely such as HAZMAT or chemical spills. However, the THIRA process can and is being improved.

In addition to THIRA, FEMA is working to establish Comprehensive Preparedness Guides. These guides are designed to improve planning, identify and incorporate best practices, improve relevant information sharing, and provide consistent guidance on a variety of preparedness issues. The Comprehensive Preparedness Guides provide a mechanism for consistency across all of federal government, are used by FEMA, and are recommended to all state, local, tribal and territorial communities.

- b. If confirmed, do you plan on reviewing and assessing how useful FEMA's THIRA approach has been in the past and making any changes to the assessment process?**

If confirmed, I will continue to evaluate and develop the process to ensure that THIRA is a critical and useful part of the review for all grants.

Homeland Security Grants

- 19. Homeland security grants are the principal means DHS has to ensure that state and local governments are prepared for all hazards, whether natural or manmade. How will you ensure these grants are effectively building our national capabilities to respond to—and, in the case of terrorist attacks and other manmade incidents, prevent—disasters?**

To ensure that grants provided to state, local, tribal and territorial governments are improving their ability and our national capabilities to respond to, recover from, and prevent disasters, if confirmed, I will rely on a combination of existing reports which together, provides a picture of our national capability to prevent and respond to disasters. Each state provides a State Preparedness Report, which is a self-assessment of each state's preparedness level. The self-assessment requires each state to evaluate their preparedness capabilities against their THIRA and identify where grant funding can improve their core capabilities. Additionally, the National Preparedness Report provides a comprehensive analysis of all 31 core capabilities as identified by PPD-8. The Report addresses the goals for all 31 core capabilities established in the National Preparedness Goal, and applicable across all levels of government, including the federal government. The National Preparedness Report and the State Preparedness Reports are some of the information sources used to ensure that grants are effectively building our national capacity to respond to and prevent disasters.

- 20. Since 2003, the Department has issued nearly \$40 billion in preparedness grants. While the Post-Katrina Emergency Reform Act and the Implementing Recommendations of the 9/11 Commission Act of 2007 require FEMA to develop performance measures and a comprehensive assessment system to evaluate their effectiveness, FEMA has yet to meet these requirements. As a result, we lack systematic analysis of grant effectiveness and are unable to gauge how much the grants have contributed to strengthening preparedness.**

- a. If confirmed, what will you do to ensure that FEMA finally meets these requirements?**

I place a great deal of emphasis on performance. Without performance measures, it is difficult to determine whether we are making any progress. While State Preparedness Reports are a useful tool, it is a self-assessment. If confirmed, I would look to further develop performance measures as required by the Post-Katrina Emergency Management Reform Act (PKEMRA), in concert with the National Emergency Managers Association (NEMA) and the International Association of Emergency

Managers (IAEM). My intent would be to develop more holistic performance measures that I could report to Congress so we may better allocate these limited grant funds and ensure the greatest value for the Nation.

- b. **What performance metrics do you believe are appropriate for assessing the effectiveness of the preparedness grants? How do you plan to measure performance of an NPGP recipient against achieving the 31 core capabilities? For example, one of those capabilities is “Economic Recovery.” How will you measure states ability to achieve economic recovery? How will you know when a state has received enough money to complete preparing for “Economic Recovery?”**

The current measure of grant effectiveness as related to PPD-8’s 31 core capabilities are the THIRA and the State Preparedness Report. These self-assessments are used to identify the gaps and challenges associated with state preparedness. If the National Preparedness Grant Program (NPGP) is approved by Congress, these self-assessment measures will continue to serve as the indicator of success for the NPGP. If confirmed, I will look to improve these performance measures, working through each of the Recovery Support Function Leadership Groups (RSFLG) to review the specific core capabilities associated with their functional area and identify specific quantitative measures to assess achievement in each area. For example, to assess the core capability “Economic Recovery”, I would consult with the Economic Development Administration to identify measures which determine the success and performance level of the grants provided.

- c. **In your view, do the National Preparedness System, the National Preparedness Goal, the National Preparedness Report, and related assessments and frameworks satisfy the requirements contained in the Post-Katrina Emergency Management Reform Act for FEMA to develop “clear and quantifiable performance metrics, measures, and outcomes”?**

In my view, the National Preparedness System, National Preparedness Goal, and the National Preparedness Report, provide a viable framework to ensure that we create the capabilities necessary to prepare for, respond to, recover from, and mitigate manmade and natural disasters. While most of the report employs subjective measures, if confirmed, I will continue to evaluate and work with the grant program office to identify areas where more clear and quantitative metrics can be incorporated as we continue to improve methods to evaluate the Nation’s preparedness.

21. **The President has proposed reforming the homeland security grants by eliminating all of the Department’s terrorism-related grants and replacing them with a single, all-hazards “National Preparedness Grant Program” (NPGP).**

- a. **Do you think that the grants should be consolidated? If so, why?**

The President's proposal to consolidate many of the Homeland Security Grants operates on the premise that providing a larger, single-focus grant allows the states better ability to allocate grant money to the threats they have identified through THIRA. By law, 80 percent of the HSGP must be passed through the state to local units of government. By allowing the state to determine the best use of money, we eliminate purchasing redundancy (for example, multiple communities in a single state unknowingly purchasing the same capability) and encourage resource sharing. Restricting grant funding to specific areas that may or may not appear in a state's THIRA reduces their ability to address the threats as they see them.

- b. One of the major questions that came out of the NPGP proposal is whether consolidation will have an impact on the ability to measure performance of grant funds. Do you feel the structure of the grants needs to be streamlined in order to effectively measure performance or can performance measures be realized within the current grant structure?**

The assessment process, which is driven by each state's self-evaluation of its capabilities through the State Preparedness Report compared against its threat assessment through the THIRA, currently continues to be the best evaluation of a state's capability. The NPGP proposal should not have a substantive impact on the ability to measure improvement in a state's preparedness as a result of the grant. In essence, the current performance measurement system will work for either grant methodology. If confirmed, I will continue to work with FEMA's Grant Programs Directorate to examine the potential for incorporating additional quantitative measures.

- c. Transportation systems and cargo ports present attractive targets for terrorists. However, the administration's proposal would eliminate dedicated grant funding for transit and port security. Do you believe that without these dedicated programs, that states and localities will allocate their increasingly limited dollars to transit and port security efforts? What steps, if any, should be taken to ensure that adequate funding goes to transit and port security efforts if the President's grant reform proposal is adopted?**

I believe that states will allocate the limited money they have based on the risks identified in their THIRA. By using a threat-based risk model, the money should be allocated to the area of highest risk. While ports are arguably an attractive target, their security risk would already be included in that state's annual risk analysis. Based on the final assessment, a particular port or transportation system may not rank as a state's highest threat. In some cases, allocating money directly to transportation systems and cargo ports may reduce states' ability to address larger threats. I believe that the state is in the best position to make these allocation decisions.

To ensure that ports and transit receive adequate support, local entities should participate with the state through the THIRA process to identify relevant threats and request necessary funds.

- 22. In 2011 and 2012, Boston conducted the Urban Shield exercises, in which emergency responders from 50 city, state, and federal agencies participated and practiced against a variety of scenarios—such as explosives placed in backpacks, suicide bombings, and partial building collapses. When Committee staff visited Boston, officials repeatedly pointed to these exercises as invaluable for preparing for the marathon attack. In fact, Commissioner Davis, in his testimony before the House Homeland Security Committee, said, “People are alive today because of Urban Shield and the terrorism training that the Department of Homeland Security provided to us. There is no doubt about that. Further investment needs to be made in those things.”**

Given the value of exercises such as these, should FEMA steer more grant funding in this direction or prioritize it over other eligible expenses?

Exercises are our best way to identify national response and recovery capabilities, and even more importantly the gaps in those capabilities, outside of a real disaster. Clearly exercises like Urban Shield improve our understanding of threats and how existing capabilities should and can be applied, as well as identifying any gaps in capabilities for future disasters. As the lead for the Nation’s National Exercise Division, FEMA funds exercises from the federal level down to the state and local level.

The debate over allocating additional exercise funds versus funding other grant capabilities is a challenging one. The need to exercise our capabilities is imperative. However, exercise without capability is an exercise in frustration. Additionally, capability and exercise vary widely from state to state and city to city. Some locations are far more capable with robust response apparatus and resources, while other areas are less so. Continuing to exercise the same people in same location year after year does not increase our ability to respond. We must strike a balance between these two priorities while allowing states and local communities the flexibility to address their greatest needs.

- 23. With the increased authority provided to tribes under the Sandy Recovery and Improvement Act, tribal governments may need to be prepared to handle the burden of large-scale response and recovery procedures that stress even the most advanced emergency management divisions. How can FEMA better engage tribal stakeholders to assure the existing grant structure can adapt to newly identified needs? Do you believe the current structure for calculating grant allocations can adapt to the needs of tribes?**

In January 2013, the President signed into law a bill allowing tribes to request disaster assistance directly from the federal government. This landmark legislation allows tribes to request funds independent of states, promoting tribal sovereignty and allowing FEMA to more quickly and directly respond to the needs of tribal communities. We must continue to develop tribal competencies and capabilities just like we do for a state. The Tribal Homeland Security Grant Program provides funds to eligible tribes to help strengthen their capabilities

to respond to the risks associated with potential disasters. Grant awards are reviewed and scored independently by subject matter experts and the final funding recommendations are based on peer reviewed results. We intend to continue to work closely with the tribes to identify if the existing structure for calculating grants needs to be changed in any way and to assess how well the Tribal Homeland Security Grant Program produces effective response and recovery for the tribes.

- 24. In response to the requirements of the Implementing Recommendations of the 9/11 Commission Act of 2007, the DHS Inspector General (IG) reviews individual states' management of their State Homeland Security Program and Urban Areas Security Initiative grants. While the IG has found that states and urban areas often use the grants efficiently and effectively, the IG has also found a number of shortcomings. In many cases, for example, the IG has found that states lack performance measures and that sub-grantee monitoring and compliance with procurement and property management requirements needs to be improved. What steps can FEMA take to help states and urban areas improve their management of these grants?**

Management of grants is a continuous challenge both for states and FEMA. We are often faced with states and municipalities requesting an extension of grant timelines due to an inability to execute or manage grants within the timeframe allotted. The question of whether FEMA should provide support to states in managing these grants is difficult. Ultimately, extensive management oversight takes authority away from states, which is an issue that must be fully considered. As FEMA is doing with other IG reports, we are working to identify opportunities where we can educate and advise the states through the process and will evaluate whether our existing processes for disaster recovery grants could be applied similarly to our other grant programs. If confirmed, I will continue to work with our Preparedness and Grants directorates to identify best practices and establish a process that both allows the states and municipalities the freedom to manage their grant funding while ensuring they remain in compliance with procurement and property management requirements.

Mitigation

- 25. What do you see as the proper role of FEMA in mitigation against disasters, both man-made and natural?**

FEMA maintains a critical role in mitigation both before and after a disaster. FEMA, through its grant programs, technical publications, technology tools, and outreach, works to mitigate disaster by creating capability to detect and withstand the stressors of all disasters, both natural and manmade. Following a disaster, FEMA recovery and mitigation funding is specifically focused on rebuilding better and more resilient buildings and infrastructure so future disasters do not have the same impact as previous ones. FEMA's role in mitigation is inseparable from the operations it conducts.

- 26. Past studies have shown that mitigation can be an effective and cost-effective way for reducing loss of life, personal injuries, damage to and destruction of property, and**

disruption of communities from disasters. In 2007, for example, the Congressional Budget Office (CBO) issued a report evaluating the assistance that resulted from the Pre-Disaster Mitigation (PDM) program. CBO found that available information suggested that future losses are reduced by about \$3 (present value) for each \$1 spent on mitigation efforts supported under the program. Moreover, CBO found that PDM-funded projects could lower the need for federal post-disaster assistance so that the federal PDM investment would actually save taxpayer money in terms of the federal budget. Additionally, a 2005 report by the Multihazard Mitigation Council shows substantial benefits and cost savings from FEMA's hazard mitigation programs generally.

a. How much of a priority will you place on mitigation if you are confirmed as FEMA Deputy Administrator?

Mitigation funds are one of the significant elements by which communities rebuild better than they were before and introduce resiliency into their systems. There are multiple mitigation funding streams within FEMA. In addition, mitigation programs help communities build properly before an event occurs to help minimize the impact from the disaster. My priority is for each and every mitigation funding stream granted to support the larger goal of building infrastructure for the future, rather than attempting to restore the past.

b. What needs to be done to encourage and support state and local governments, individuals, and businesses to adopt mitigation measures?

FEMA should continue to engage with NEMA, IAEM, tribes, territories, and the private sector as well as directly with state and local communities to discuss the future sustainment value of mitigating risks before and after disasters. This engagement should be as regular and often as possible, conducted through FEMA headquarters and the Regional Administrators to their state, local, and tribal counterparts, to constantly encourage the most effective use of federal funds to develop future resiliency.

c. Do you have any thoughts on whether any changes or improvements are needed to the mitigation programs administered by FEMA?

As indicated, FEMA administers several different mitigation funds authorized by Sections 404 and 406 of The Stafford Act, as well as pre-disaster mitigation (PDM) funds. Each of these has an independent process by which states can utilize funding. FEMA must coordinate these various mitigation funding sources and its own mitigation programs to ensure the optimal return on infrastructure investment and create the resiliency necessary to minimize the impact of future disasters.

d. What steps should be taken to ensure that federal mitigation activities are well-coordinated so that efforts are not duplicated?

I interpret federal mitigation activities as more than FEMA's federal mitigation funding, but a broader scope that includes those capabilities rendered by our many federal agency partners. The best way to ensure federal mitigation activities are well-coordinated and avoid duplication is by supporting the National Mitigation Framework and the Mitigation Framework Leadership Group (MitFLG) which FEMA chairs. The National Mitigation Framework establishes a common platform and forum for coordinating and addressing how the Nation manages risk through mitigation capabilities.

27. Mitigating the effects of extreme weather will be critical for communities across the country. In June the Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia held a hearing on FEMA's preparedness grant programs—which have spent approximately \$43 billion since DHS was created.

a. How much of these grant funds have been used to prepare states and locals to manage complex recovery and mitigation programs?

In my current position as Associate Administrator for Response and Recovery, I have a broad understanding of the grant programs process. Through the first steps of this confirmation process I have begun to further familiarize myself with this program. If confirmed, I will continue to build a greater understanding and knowledge of the grant programs, with a particular focus on how the funds are used to prepare state and local communities versus other grant programs.

b. Does the current preparedness grant process overemphasize response capabilities at the expense of recovery or mitigation capabilities?

There is always a high degree of tension when determining how to allocate scarce resources across response and recovery functions. Most studies indicate that recovery efforts with an eye towards mitigating and rebuilding for the future will reduce or even eliminate future disaster costs. However, FEMA and its partners should never lose sight of the need to rapidly and successfully respond to survivors needs. FEMA continues to look for ways to better allocate funding that supports communities well into the future, while ensuring that each time we respond we do so quickly and efficiently.

28. The President's FY2015 budget proposed cutting the Flood Hazard Mapping and Risk Analysis Program by \$10 million. Without accurate maps and data, homeowners are being charged inaccurate premiums and may not be fully informed about their risk.

a. What is your vision for improving FEMA's hazard and flood insurance mapping?

The flood mapping program is critical in helping FEMA identify flood hazards and associated risks and serves to communicate these risks to states and communities to support mitigation actions. FEMA has aggressively worked to create the Technical

Mapping Advisory Council (TMAC), as required under Biggert Waters. This advisory committee, along with technical experts FEMA uses in flood mapping, will help FEMA ensure it meets the requirement to use technically credible data for its mapping approaches. If confirmed, I will continue to aggressively work with our program experts to ensure mapping is completed quickly within the reasonable resources provided.

- b. How will stakeholders from across the federal government be involved in the improvement of flood mapping processes and do you believe the TMAC will be able to make progress in addressing the many challenges that exist in the mapping community?**

The TMAC is a federal advisory committee with membership comprised of the various stakeholders impacted by flood mapping. Stakeholders with equity in the flood mapping process have the ability to reach out to members of the TMAC to ensure their equities are being represented through the recommendations TMAC makes to the Administrator. FEMA will look to TMAC for recommendations on how to best meet our legislative mapping mandates. This includes identification of additional risk areas, better coastal flooding information, erosion, expected changes in flood hazards over time, and other areas where their expertise may provide FEMA insight in to producing better flood mapping products.

- 29. The Mitigation Framework Leadership Group (MitFLG) was established to coordinate mitigation efforts across the federal Government and to assess the effectiveness of mitigation capabilities as they are developed and deployed across the Nation.**

- a. What do you see as the goals and objectives of the MitFLG and how will you further these efforts of this collaborative organization?**

The goals and objectives of the MitFLG, much like the Emergency Support Function Leadership Group (ESFLG) and Recovery Support Function Leadership Group (RSFLG), are designed to ensure a holistic and complete government response to the challenges of mitigation.

Mitigation crosses many federal agencies and therefore this coordinating body has a responsibility to ensure alignment and best use of resources to mitigate against future disasters. In 2014, MitFLG participated in the National Level Exercise. For the first time, the national exercise spanned three functional areas: response, recovery, and mitigation. Together, the MitFLG and RSFLG spent three days identifying and discussing among themselves and with their state partners the best ways to recover from and mitigate the results of a major disaster. Products from this group are being used to develop plans that FEMA and the members of these committees can use as part of future coordinating efforts.

If confirmed, I will continue to ensure FEMA's active leadership in both the MitFLG and RSFLG coordination groups.

b. What will be your role in the MitFLG to ensure its success?

I have answered this in part a. above.

Response

- 30. The Sandy Recovery Improvement Act of 2013 made a number of significant changes to how FEMA offers disaster assistance. For example, it established alternative procedures for administering the Public Assistance Program and authorized FEMA to enter into agreements with private owners to expand post-disaster housing resources, among other things.**

In your view, has the Sandy Recovery Improvement Act improved the efficiency and quality of disaster assistance? Are further improvements necessary?

The Sandy Recovery Improvement Act (SRIA) provided FEMA with tools that have the potential to improve support to states and local communities by streamlining FEMA's processes to create greater efficiency. While cities and town have already begun to take advantage of these tools, we are still too early in the process to determine the full-breadth of the legislation's success.

Currently, FEMA grantees are utilizing SRIA-authorized processes in multiple disaster response operations, including the Oklahoma tornados, Colorado flooding, Tropical Storm Irene in Vermont, and particularly in the ongoing recovery efforts in New York and New Jersey from Hurricane Sandy. Communities are already realizing the advantages of the alternate procedures to develop cost estimates and identify potential mitigation values. Rather than attempting to restore the past, these new processes incentivize communities to build back better and for the future.

There are dozens of applicants using the 428 process to address recovery needs. As this program has been available for just over a year, the impacts, while logical, have yet to be fully realized. FEMA continues to monitor the program closely and is assessing the effectiveness and efficiencies likely to be realized. Initial indications of programs such as the alternate procedures for debris removal have proven successful in cases such as Moore, Oklahoma, that recovery can be initiated faster through the incentivized removal of debris. Within 60 days of the tornado in Moore, 90 percent of debris had been removed and homes were being rebuilt from the ground up.

FEMA has put metrics in place to capture the requisite data to determine the ultimate value of these procedures and will continue to advise Congress of their effectiveness. It is FEMA's intent that these innovative steps will bolster its ability to garner efficiencies and create resiliency in communities for the future.

As we continue to evaluate the alternate procedures under SRIA, we will identify and notify Congress of any additional improvements we feel will support states in their recovery efforts.

- 31. In July 2013, FEMA released its Hurricane Sandy After-Action Report. The report found that FEMA's response went well in many ways. For example, the agency was successful in using an online crisis management system to coordinate federal response operations, and it developed new programs to help survivors find shelter, repair their homes, and receive aid more quickly. But the report also found some areas for improvement, such as FEMA's ability to deploy sufficient numbers of credentialed personnel as well as to support its deployed personnel.**

In your view, what are the key lessons learned from Hurricane Sandy and what steps will you take to build on the successes and address the shortcomings identified in the report?

While the overall response to Hurricane Sandy was successful, there were clearly documented challenges that we need to address to ensure future responses are even better.

Strengths

- FEMA's ability to focus on survivors during Hurricane Sandy was a true strength. This mission-focused mantra was evident throughout all levels of response and recovery efforts. As a result, FEMA has institutionalized these tested, innovative approaches to ensure that the needs of survivors are met in an effective, cost-efficient manner.
- Our ability to reach out to the extensive number of non-English speaking populations through translated flyers and dedicated toll-free numbers was critical in reaching the entire impacted population. We need to continue to ensure all survivors have equal access to FEMA's services, including those with access and functional needs and limited English proficiency level.
- During Hurricane Sandy, FEMA integrated the response efforts of non-governmental partners in a more cohesive manner. The integration of voluntary organizations was vital and should be expanded.
- FEMA should continue to work closely with tribal leaders to ensure they understand the ESF process and are able to participate when they so choose.

Lessons Learned

The most important lesson learned from Hurricane Sandy is the need to develop FEMA's workforce and train our employees as true emergency managers. Just one month prior to Hurricane Sandy, the FEMA Qualification System (FQS) was implemented. This system is designed to develop core competencies within each of our disaster response functions. However, with FQS being implemented a mere month before the hurricane made landfall, FEMA was unable to fully develop the skill sets necessary for deploying personnel on such a large scale. I believe that developing a robust Cadre Management system will improve FQS implementation, thereby cultivating a workforce that ensures employees have the proper training for their emergency job while holding each employee accountable for their work in future disaster response.

Additional lessons learned include:

- The ESFs did not always operate as smoothly as they should. Certain ESFs took more of a department-focused approach rather than a coordinated whole of government approach. This reminds us that we need to continually work with and exercise the ESFs to ensure a coordinated emergency management function rather than a department-centric response.
- FEMA learned its mission assignment process was often cumbersome. FEMA has streamlined processes with pre-established agreements that will allow for greater resources to arrive quickly while reducing bureaucratic processes necessary for assignment. FEMA will continue to review its mission assignment process focusing on the most efficient and effective methods.
- The ability to use data and data analytic capabilities to drive operational decision making was less than desirable. We need to continue to focus on developing better analytic tools.

32. The Emergency Support Functions (ESFs) are the primary federal coordinating structures for delivering response capabilities. During the response to Hurricane Sandy, some of the ESFs faced serious challenges. For example, the Hurricane Sandy After-Action Report found that the Department of Energy (DOE), as the overall coordinator for ESF-12 (Energy), “lacked the operational capability to fully engage supporting Federal departments and energy-sector partners in addressing energy-restoration challenges.” As a result, the President directed the Department of Energy and FEMA to establish the Energy Restoration Task Force to coordinate work in this area.

- a. In your view, do the ESFs overall have the capacities they need to effectively respond to disasters?**

As the ESFs coordinate all of the federal agencies that have capability in a particular functional area, they do have the ability to effectively respond in a disaster. Overall coordination within the ESFs needs to be sustained in order to take advantage of all federal capabilities. Particular ESF leadership has, at times, taken a departmental approach as opposed to a whole of government approach and we at FEMA continue to work with ESFs to prevent that from happening.

- b. What role can FEMA play in strengthening the ESFs and ensuring that they have the capacity they need?**

Each of the Emergency Support Functions has the capacity, capability, and desire to effectively respond to all aspects of a disaster. As with any program, the transitioning of people and other competing national priorities causes individual ESFs to occasionally lose focus. It is FEMA’s responsibility to work directly with each ESF, particularly the lead agencies, to ensure they maintain their focus and readiness. The ESF structure has served the country well in multiple disasters before and since Hurricane Sandy. The shortfalls of ESF-12, as raised in this question, have been

rapidly addressed and multiple tools developed to provide critical energy information in a disaster.

- 33. Drawing from your experience within the Office of Response and Recovery, as well as your years of service at the U.S. Coast Guard (USCG), do you believe FEMA and the Coast Guard can better coordinate to achieve efficient and effective disaster response and share information to leverage positive taken by both agencies? How would this be achieved?**

FEMA and the USCG maintain a very strong working relationship. In fact, Coast Guard personnel brief daily at FEMA's operational coordination meeting.

FEMA looks to continue to build and expand the relationship with the Coast Guard, not just for disaster response and information sharing, but also by seeking opportunities to leverage Coast Guard acquisitions ensuring they are capable of supporting FEMA during a major disaster. FEMA looks to Coast Guard personnel for support to FEMA in times of disaster, and FEMA looks to support the Coast Guard. As it did during the BP Oil Spill, FEMA can offer its disaster response structure, through the Emergency Support Functions, to bring to bear all of the capabilities of the Federal Government to support the Coast Guard when they lead a national response.

The relationship between Coast Guard, FEMA, as well as the other operational agencies within DHS continues to develop and grow stronger through every opportunity presented.

Disaster Declaration Process

- 34. In a 2012 report, GAO recommended that FEMA reconsider the methodology it uses to determine whether federal disaster assistance is warranted (GAO-12-838). GAO found that FEMA relies on a single indicator—the statewide per capita damage indicator—to determine whether to award public assistance and argued that reliance on this figure “does not provide an accurate measure of a jurisdiction’s capability to respond or recover from a disaster without federal assistance.” GAO recommended that FEMA replace the per capita indicator with a more comprehensive methodology, such as an evaluation of Total Taxable Resources or Gross State Product.**

- a. Do you think FEMA should continue to rely on the statewide per capita indicator to determine eligibility for public assistance or should FEMA consider more comprehensive methodologies like those recommended by GAO?**

FEMA currently uses the guidance provided under the CFR in determining recommendations to the President for federal public assistance eligibility under a disaster declaration. This currently consists of six different factors: estimated cost of assistance, localized impacts, insurance coverage in place at the time of the disaster, existing hazard mitigation, number of recent disasters, and federal assistance programs that may be available. The per capita indicator is just one factor used in determining whether the extent of a disaster exceeds the state's capability to respond.

The GAO has noted that a per capita indicator may not be the best measure in assessing whether federal assistance is warranted. FEMA assesses multiple different indicators to determine if public assistance should be recommended to the President. This is an ongoing process and, as previously committed to GAO, FEMA will have recommendations, coordinated with the Executive Branch and Congress, by the Spring of FY15.

- b. What factors should FEMA consider when making this decision? Should a more comprehensive methodology also take into account unique needs and higher transportation costs to perform response and recovery activities, due to the remote distances as well as physical and seasonal challenges? For example, the DHS-OIG recently identified this issue in a June 2014 audit, recommending that FEMA better recognize the additional challenges to providing cost-effective ways to provide disaster response and recovery services to “nontraditional, remote, and inaccessible communities.”**

As indicated above, FEMA considers all factors currently in the Federal Code. We will work with states through the National Emergency Management Association to identify other potential, logical factors. These factors will be discussed with the Administration and Congress in developing FEMA’s proposal in response to the GAO.

FEMA has the capability and responsibility to respond to disasters in all parts of the country, including many locations that are non-traditional, remote, and inaccessible such as American Samoa, Alaska, Hawaii, and remote areas of the continental United States. Cost factors such as transportation costs are included in the Preliminary Damage Assessments (PDA), thereby ensuring that those remote areas receive the same service, regardless of cost, that FEMA would provide any community. FEMA works hard to ensure that every survivor in every state receives the same level of service, as proscribed by The Stafford Act.

- c. In the same report, GAO states that if FEMA continues to use the current indicator, it should update it to reflect annual changes in the economy since 1986. Further, GAO states, “Adjusting the indicator in phases over several years could help FEMA examine future requests for disaster declarations in a manner that reflects changes in per capita income or inflation since 1986 and provide jurisdictions more time to plan for and adjust to the change.” What do you consider an appropriate timeframe for updating the per capita indicator or adopting another methodology and why?**

As we review all of the factors and potential factors in making recommendations to the President on declarations, FEMA will evaluate the current per capita indicator to determine if updating it provides sufficient indication of states’ capability to respond to the disaster. It is important to note that The Stafford Act indicates that no single

measure or formula can be used to determine whether a disaster declaration should be recommended or not.

- d. **Administrator Fugate indicated in response to a question for the record from the FEMA FY15 Budget Hearing held by the Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia that FEMA's Office of Response and Recovery would conduct a review of the factors FEMA uses to evaluate when determining a state's ability to respond to a disaster. Has FEMA completed this review? If not, what steps remain and what is the estimated completion date? If complete, please provide a copy to the Homeland Security and Governmental Affairs Committee.**

The review is ongoing. We are currently in the process of developing recommendations which we intend to discuss with the National Emergency Management Association prior to finalizing them. We will continue to work through the Administration and with Congress to provide recommendations that will be submitted to GAO.

- 35. Under the implementation of Section 1110 of the Sandy Recovery and Improvement Act, tribal governments can make requests for major disaster or emergency declarations. As Deputy Administrator, and pulling from your experience in the Office of Response and Recovery, do you feel FEMA's tribal engagement is adequate and what more can FEMA do to engage tribal stakeholders that may play an expanded role under the new authorities?**

FEMA moved immediately following the passing of SRIA to facilitate tribes' ability to submit requests for a disaster declaration directly to the President. This required FEMA to utilize existing criteria that, while they may not be best suited for tribal requests, provided immediate access to the President during a disaster. FEMA has worked extensively, engaging tribes to develop a disaster declaration process within the existing resources available to FEMA at this time. Over the past year we actively engaged tribes in consultation to establish alternate proposals to address the unique needs of the tribal community.

As a part of this process, FEMA held numerous face-to-face meetings with tribes and tribal associations at all levels of leadership, from the Administrator and tribal leadership to Regional Tribal Liaisons who are in contact with their tribal counterparts daily. The comment period for the proposals remains open to ensure we address all tribal concerns. Once closed, the information and ideas proposed will be analyzed and new criteria announced, to include an additional comment period to ensure all tribes have the opportunity to influence the process. FEMA will then define the final criteria that will be used for evaluation when making a disaster declaration recommendation to the President. FEMA will continue to work through the Administration and with Congress to implement these new criteria. If confirmed, I will ensure this process is carried out as fully, accurately, and comprehensively as possible so that tribes have direct access to the resources and support they need.

The ability for tribes to directly request major disaster and emergency declarations was a watershed moment for FEMA and its growing role in supporting tribal emergency management. As I stated previously, we must continue to develop tribal competencies and capabilities just like we do for a state. Working closely with FEMA's National Tribal Affairs Advisor as well as our Regional Tribal Liaisons, we must continue to engage tribal leadership to ensure tribal nations have access to the same information in a manner they find both relevant and accessible.

- 36. In a 2012, the DHS-IG reported that the Preliminary Damage Assessment (PDA) process does not provide a thorough, accurate assessment of a state's capacity to truly respond to a disaster. The IG recommended FEMA improve the Preliminary Damage Assessment to estimate more accurately the magnitude and economic impact of a disaster. In your view, does the Preliminary Damage Assessment report accurately assess a state's capacity to respond?**

The Preliminary Damage Assessment (PDA) process assesses the degree of damage inflicted by a disaster, not the state's capacity to respond. Conducting joint PDAs gives both FEMA and the state an estimate of the extent of the damage. These PDAs are used in conjunction with other criteria as outlined in the CFR to determine whether a recommendation for public assistance and individual assistance eligibility under a disaster declaration would be made to the President. If confirmed, I will continue to review the PDA process, in conjunction with NEMA, to identify opportunities for improvement.

Recovery

- 37. What do you see as the proper role of FEMA in recovery from disasters, both man-made and natural? What, if any changes, do you believe need to be made to FEMA's recovery programs?**

FEMA's authority to support disaster recovery is well defined in The Stafford Act and is one of the original reasons FEMA was established. I believe the recovery program has opportunities to improve its consistency and application of policies across all of our state, tribal, and territory stakeholders. We have been actively working toward improving the quality of FEMA's recovery work.

- 38. The Recovery Support Function Leadership Group (RSFLG) was developed as part of the NDRF to improve disaster recovery. What do you see as the goals and objectives of the RSFLG and how will you further the efforts of this collaborative task force? What will be your role in the RSFLG to ensure its success?**

The goal of the RSFLG is to ensure the coordinated and effective use of federal capabilities to help states recover from disasters. This coordinated capability was tested in a real time as the RSFLG demonstrated through the successful coordination of recovery efforts in Colorado. As previously stated, the RSFLG was key in establishing a comprehensive, whole state approach to recovery including local, state, and federal capabilities. Their ability to coordinate a comprehensive response based across multiple counties is a best practice we will work to replicate, with support of the RSFLG, in future recovery efforts.

Additionally, RSFLG participated as part of the 2014 National Level Exercise in Alaska. For the first time, FEMA engaged in a multistate recovery exercise in coordination with FEMA's annual response exercise. The recovery exercise included evaluation of all of the federal capabilities with state input, to determine the best recovery methods for building back with a focus on future resilience. This three day exercise provided great insights for areas where the RSFLG should continue their work to best provide federal capabilities in recovery after a disaster.

If confirmed, my role will be to ensure FEMA maintains a strong leadership role in the RSFLG while continuing to develop a national capability to better recover from disasters and focus toward resiliency for the future.

- 39. Many have complained that FEMA has too much bureaucracy and red-tape in implementation of its recovery programs which slows recovery. What, if any changes, do you believe need to be made to FEMA's recovery programs? Do you believe any of FEMA's recovery programs need to be streamlined? If so, what ideas do you have on how to streamline FEMA's recovery programs?**

FEMA's recovery work prior to SRIA was often accused of being overly bureaucratic, as in many cases it could only replace exactly what was damaged item-for-item, piece-for-piece. The process took a substantial amount of time and was often confrontational. The alternative procedures authorized through SRIA allows FEMA the ability to work directly with grantees and sub-grantees to identify and estimate the cost of repair and mitigation up front, providing grantees far more flexibility in their ability to contract and rebuild for the future. SRIA provides FEMA the ability to streamline all recovery processes, including alternate procedures and debris removal. These procedures are just now being implemented and the anticipated success of these programs will be more fully measured over time.

- 40. The Recovery Support Functions (RSFs) described in the National Disaster Recovery Framework (NDRF) are intended to support "governments local governments by facilitating problem solving, improving access to resources and by fostering coordination among state and Federal agencies, nongovernmental partners, and stakeholders." In its Hurricane Sandy After-Action Report FEMA found that the RSFs faced a number of challenges. For example, many RSF coordinators had not been trained in NDRF concepts, and all of the RSFs had trouble convening meetings with relevant partners.**

What steps need to be taken to improve the RSFs and what role should FEMA play in accomplishing this?

The Recovery Support Functions (RSF) concept as defined in the National Disaster Recovery Framework (NDRF) was an exceptionally new concept when Hurricane Sandy devastated the Northeast. Since then, FEMA's leadership of the RSF has expanded. Regular meetings are being held and the RSF is beginning to function as designed. An exceptional case in point was how RSF set the stage for recovery from the devastating floods in Colorado in

September, 2013. RSF functions at both the national and regional level enabled a coordinated recovery including local, state, and federal capabilities. The true success of this program was in the RSFs realization that rather than rebuilding based on county-by-county delineations, solutions needed to be watershed based across multiple counties where recovery efforts in the mountains would have an impact on the plains. All regional, state, and federal entities accepted this concept and have developed more resilient solutions for Colorado because they focused on the watersheds vice each region. This could not have been done without the NDRF implemented by the regional RSFs.

- 41. The Department’s Inspector General (IG) has reported consistently on the need for disasters to be closed out in a timely fashion in order to reduce administrative cost and provide proper internal controls (OIG-9-32, OIG-10-49, and OIG-12-18). In 2011 Administrator Fugate issued the Disaster Closeout Initiative (DCI) Directive to closeout aged disaster declarations. If confirmed, what will you do to ensure disasters will be closed out timely and any unspent funds can be returned to the DRF and put to better use?**

I concur with Administrator Fugate’s concern that disasters are open far longer than they should be. Closing out disasters requires a joint agreement with the state, including a commitment that they will provide the necessary documentation to close out a disaster. FEMA must to continue to work closely with states and encourage them to provide information earlier than they have been. This is a concerted effort, and while we have not made the progress that I would like, I am committed, if confirmed, to ensuring eligible funds are expended in a timely manner.

- 42. A recent DHS-IG report found in the immediate aftermath of a disaster, FEMA personnel provided incomplete, and at times, inaccurate information to Public Assistance applicants regarding Federal procurement standards (OIG-14-46). The IG report noted similar instances have been occurring for years.**

- a. What steps do you believe FEMA can take to ensure the proper information is distributed to applicants in order to avoid questioned costs?**

FEMA realizes that providing accurate information requirements at the earliest possible opportunity is critical in addressing cost issues for recovery. Through the Cadre Management program, FEMA will continue to help the disaster workforce develop the skills, knowledge, and professional qualifications to support our state, local, tribal and territorial stakeholders. While we continue to develop our disaster workforce, FEMA has assembled a supplementary capability including various teams of subject matter experts ready to deploy to a disaster within the first 48 hours. These expert teams are a short-term solution to ensure that states and tribes have a reliable reference source through every step of the project worksheet development process.

- b. There have been numerous reports of the Department’s Office of Inspector General questioning disaster related costs for similar procurement related reasons. Do you think there is a system programmatic problem that contributes**

to these questioned costs? If confirmed, what will you do to work with the Inspector General's office to reduce questioned costs?

Many of the problems identified in the DHS Inspector General's report tie back to the need to improve the knowledge base of our disaster workforce. If confirmed, I will continue to work closely with the IG to identify any systematic problems and work towards a comprehensive solution. Through better management of our workforce as established through the Cadre Management program, we intend to ensure that each employee has the tools and training they need to be successful. This initiative will ensure that employees receive open, routine, documented evaluation of their performance so that they may provide better service to the state.

Office of the National Capitol Region Coordination

- 43. The Office of the National Capitol Region Coordination (ONCRC) was established in the Homeland Security Act of 2002 to focus on the unique planning and response needs of the National Capital Region (NCR).**

Do you believe that the Office is best able to achieve its mission as currently structured? Are there any improvements or changes that need to be made?

Through events like the June 2012 derecho, it became clear that the staff of the Office of the National Capitol Region Coordination (ONCRC) became isolated from FEMA's ability to respond to a disaster in the NCR. The office, as constructed, was not prepared to respond to the consequences of the event; other FEMA resources were applied. FEMA has spent a great deal of time over last year engaging Congress, partners, and stakeholders to identify the best structure to ensure FEMA and its partners are prepared to respond to any event in the NCR, manmade or natural.

Through this process, FEMA has identified a new structure for the ONCRC staff that provides planning and situational awareness as well as a structure in which supplemental response capabilities fold into the NCR so relationships developed in the planning process are sustained throughout response and recovery efforts. The structure has been briefed to the District of Columbia, the States of Maryland and Virginia, Congressional members and their staff, and coordinated through FEMA Region III. We believe this structure provides the best opportunity for the NCR to maintain critical relationships while surging additional FEMA capability in a larger response providing the best service to the National Capital Region.

Duplication and Reform

- 44. Given the serious financial difficulties facing the Government, what steps do you believe FEMA can take to ensure that federal funds expended by the agency are free from duplication and waste?**

- a. **Do you believe there are any programs within FEMA which you think can be eliminated because they are ineffective, duplicative, wasteful, unnecessary, or have outlived their purpose? Please provide examples, if any.**

It is FEMA's responsibility to ensure that the programs we provide deliver the requisite services to states and local community. We continually evaluate program productivity and outcomes whereby we can tie activity levels to the capabilities they produce. As we better identify and link activities to capabilities and develop associated performance measures, we will be able to better evaluate the effectiveness and necessity of each program we fund. If an identified activity does not produce the outcome expected, FEMA will look to eliminate that activity.

I have no particular activities to recommend to the committee at this time.

- b. **How do you plan to ensure accountability and transparency in the grant making process?**

The OpenFEMA initiative promotes Open Government through the release of FEMA data sets. By logging on to FEMA.gov, citizens and local government officials can access Hazard Mitigation Grant Program acquisitions as well as information on Public Assistance applicants and project worksheets for all funded projects.

This is just one step towards a more open process. We will continue our commitment to greater transparency and work through FEMA's recently released strategic plan to provide information to the public on grants and the performance and capabilities those grants have provided. OpenFEMA is an ever-evolving initiative and we are committed to increasing the information available so that the public can hold us, and each of our programs areas, accountable.

- c. **Do you have any specific recommendation for reforms for grant management?**

The President has proposed to reform FEMA's grant management by combining multiple existing grants into a larger single grant to be administered by the state. As a part of his budget proposal, the President recommended that transportation grants be combined with existing grant programs to be allocated at the states discretion. By law, 80 percent of the money must be moved through the state down to local communities.

As I previously stated, granting states the ability to make fund allocation determinations encourages resource sharing across communities and allows states to distribute funds to those areas they deem the highest threat according to their annual threat assessment.

National Flood Insurance Program

45. Over the past 11 years, GAO has identified a variety of challenges facing the National Flood Insurance Program (NFIP) and has made numerous recommendations to improve its administration of the program. FEMA has generally agreed with GAO's recommendations and has taken steps to address them. However, FEMA has not fully addressed all of the issues and will need to address provisions in both the Biggert-Waters Insurance Reform Act of 2012 (Biggert-Waters Act) and the Homeowner Flood Insurance Affordability Act of 2014 (2013 Act) that affect many of NFIP, including its finances, rate setting, and participation. If confirmed, what will you do to ensure these problems are addressed?

The NFIP, as implemented, is complex and requires extensive management. The program requires the use of Write-Your-Own insurance companies, monitoring of multiple private insurance programs, and the implementation of extensive legislative changes. If confirmed, I will work with the NFIP program office to implement these very complex, wide-ranging requirements in the most expeditious manner possible.

46. For the past few years, the DHS-IG has noted in the NFIP Financial Statement Audit Reports that FEMA does not provide adequate oversight to ensure NFIP claim files were processed and reviewed in accordance with NFIP guidelines before the approval and issuance of claim payments. If confirmed, what steps will you take to ensure FEMA provides more adequate oversight of NFIP?

Financial stewardship is a key component of the Deputy Administrator's portfolio, not just for the National Flood Insurance Program, but for the financial auditability of all of FEMA's programs. If confirmed, I will do everything within my ability to ensure we have comprehensive and capable oversight and put systems in place to monitor and validate that the National Flood Insurance Program is performing in compliance with its guidelines and procedures.

I take the fiduciary health and financial oversight of this organization very seriously, and, should I be confirmed, will make it a fundamental focus area of my tenure.

IV. Relations with Congress

47. Do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of the Congress if you are confirmed?

Yes.

48. Do you agree without reservation to reply to any reasonable request for information from any duly constituted committee of the Congress if you are confirmed?

Yes.

V. Assistance

49. Are these answers your own? Have you consulted with DHS or any interested parties?
If so, please indicate the individuals or entities with whom you have consulted, and the nature of the assistance they have provided.

The Administration had the opportunity to review these questions, but the answers are solely my own.

I, Joseph L. Nimmich, hereby state that I have read the foregoing Pre-hearing Questions and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.


(Signature)

This 21 day of July, 2014



District of Columbia: SS
Subscribed and sworn to before me, in my presence,
this 21 day of July, 2014.

Sherrick V. Thurman, Notary Public, D.C.
My commission expires June 14, 2018.

**Nomination of Joseph L. Nimmich to be Deputy Administrator, Federal
Emergency Management Agency, U.S. Department of Homeland Security
Questions from Senator Begich**

1. **Coastal and riverine erosion are a gap for FEMA. I'm sure your experience in recovery was rife with instances where, had something been done just a few days earlier to reduce risk, the results of a disaster would have been lessened or eliminated altogether.**
 - a. **Does FEMA have a role to play in erosion, drought, and other slow-moving disasters and how can you, as Deputy Administrator, help create a culture of risk reduction within an agency most known for their "disaster junkie" reputation?**

FEMA's role in long-term, slow moving disasters and the associated recovery process requires a whole of community commitment. States, tribes, local communities, the private sector, and individuals must be included if the process is to be effective. There are significant ways to reduce risk: through pre-established building codes, improved insurance standards, and often simply educating communities about the risks they face. FEMA continues to work with communities to educate and support their ability to prepare for and mitigate region-specific risks and to build resilience prior to a disaster.

As the lead for federal interagency coordination, FEMA has the capability to address issues outside of the standard risk paradigm. For example, in 2012, FEMA activated the Emergency Support Function (ESF) structure to support the Department of Agriculture in response to the Midwest droughts. FEMA continues this work today, actively engaging with other federal and state partners to address the current drought conditions affecting California.

However, while supporting these unique situations, FEMA can never lose focus on its response capabilities. Life-saving and life-sustaining operations are paramount. If confirmed, I am committed to balancing the requirements for a rapid and effective response with the ability to recover in the most effective way to support the whole community.

- b. **How can FEMA learn lessons from and collaborate with agencies that do long term investment successfully like the Corps of Engineers?**

FEMA works very closely with the United States Army Corps of Engineers (USACE). As the coordinating body for Public Works and Engineering projects through ESF-3, USACE is a critical partner in the interagency response to disasters. They bring to bear a wealth of knowledge as members of FEMA's Emergency Support Function Leadership Group (ESFLG), Mitigation Framework Leadership Group (MitFLG), and Recovery Support Functions Leadership Group (RSFLG), and we regularly participate in regional and national-level exercises

Nomination of Joseph L. Nimmich to be Deputy Administrator, Federal Emergency Management Agency, US Department of Homeland Security. 7/28/14

together. Additionally, USACE stations two full-time liaisons at FEMA to ensure alignment between the organizations.

The relationship between the two organizations is reciprocal: FEMA is a key participant in the USACE annual senior leaders meetings and actively participates in USACE semi-annual operational meetings. USACE and FEMA have many complementary goals and work together to ensure that our investments are supportive and address the needs of the Nation and local communities in reducing risk and responding to disasters.

2. **Following a catastrophic disaster, FEMA plays a vital support role to local and State officials. Just as FEMA has its own set of priorities, they must also be responsive to the most vital needs of the specific disaster area. While life-saving efforts are a critical priority in Alaska, efforts to get the pipelines restored and Ports online are needed to assure the economy can support long-term recovery. How will you assure that FEMA remains flexible during disaster response and recovery to assure they understand the unique priorities of disaster areas and don't allow their strict regulations to limit their flexibility?**

FEMA works closely with state, tribal, and local partners throughout every phase of a disaster. Once life-saving and life-sustaining operations stabilize the community, FEMA works closely with impacted states, tribes, and local communities, to develop a plan and prioritize those response and recovery projects deemed most critical. Depending on the location and extent of damage, this may include facilitating a critical road opening, re-energizing part of the electric grid, or the in the case of Alaska, restoring the trans-Alaska pipeline. Each of these decisions requires close coordination with state, local, and tribal governments as well as the private sector. National level interests with the potential to cause larger economic impacts, such as the pipeline, are taken into consideration from the very beginning of a disaster.

FEMA approaches each disaster with a renewed effort to be as creative and innovative as possible, while remaining within the limits of the law, to ensure we meet the most pressing needs of survivors in a timely manner.

3. **As more of the Arctic opens up to commercial use and our waterways become more crowded, the potential for disaster in the region is a true threat to the State of Alaska. How can FEMA work with the State of Alaska, Coast Guard, and local communities to encourage meaningful partnerships that address the potential increase in risk?**

FEMA continues to work closely with state, local, and tribal partners, as well as our federal partners including the Coast Guard, Army Corps of Engineers, Department of Interior, and others, to identify and proactively address potential issues in the Arctic. Through exercises like the 2014 National Capstone Exercise *Alaska Shield*, FEMA and its partners gain a better understanding of the risks and challenges faced by the unique conditions in Alaska. The exercise highlighted just how important logistics infrastructure

Nomination of Joseph L. Nimmich to be Deputy Administrator, Federal Emergency Management Agency, US Department of Homeland Security. 7/28/14

resiliency is to the safety and prosperity of all of Alaska, and how even those areas not directly impacted by an earthquake can experience devastating secondary effects. This collaboration reinforced the value of combined interagency and state exercises, and afforded great insights into the challenges that that FEMA and its partners must continue to address when determining the most efficient methods to respond to and recover from disasters.

- 4. Congress, the Inspector General, CRS, and GAO have released hundreds of reports over the last 10 years that touch almost every aspect of FEMA's programs. FEMA itself has released numerous reports. As Deputy Administrator, what role would you play in assuring recommendations are carefully considered and implemented in a timely fashion?**

If confirmed as Deputy Administrator, I will continue to direct the improvement, effectiveness, and efficiency of the core processes necessary to conduct business. In my current duties as Associate Administrator for the Office of Response and Recovery, I utilize reports from the DHS Inspector General (IG), Government Accountability Office, and other external indicators to identify systemic problems and implement long-term solutions. As an example, a recent IG report indicated that sub-grantees have difficulty meeting Federal Acquisition Regulations, a requirement for FEMA recovery grants. As a result, numerous reports and recommendations have been made to de-obligate funds. In my role as Associate Administrator, I have identified methods, both immediate and long-term, to support sub-grantees and ensure they have the knowledge necessary to develop FAR-compliant contracts. If confirmed, I will continue using these external indicators to identify opportunities to improve FEMA's performance, efficiency, and effectiveness while working to eliminate waste, fraud, and abuse.

- 5. Do you believe FEMA is capable of balancing their response and recovery responsibilities with the increasing need to prioritize strategic, long-term action? Are their barriers to doing this that Congress can help break down or is this just a result of having a workforce full of first responders?**

FEMA has proven that it has the capacity to focus on strategic priorities and long-term actions without sacrificing its ability to quickly assist states, tribes, and local governments in responding to and recovering from disaster. While during Hurricane Sandy, extraordinary numbers of FEMA's full-time personnel were required to respond to the extent of the disaster, actions have been taken to improve the structure and capability of the disaster workforce to allow FEMA to respond to disasters while maintaining its ability to focus on long-term strategic actions and continued engagement with Congress.

While it is important for all FEMA employees to be prepared to support disaster operations, we must find ways to balance the need to support response operations with the need to fulfill FEMA's day-to-day responsibilities. FEMA's focus on hiring incident management term employees and instituting more advanced training will allow FEMA to respond to ongoing disasters while still maintaining the sufficient full-time staff

Nomination of Joseph L. Nimmich to be Deputy Administrator, Federal Emergency Management Agency, US Department of Homeland Security. 7/28/14

necessary to support the day-to-day and strategic long-term responsibilities of the Agency.

6. **While I am sympathetic to the limited funds FEMA has been given over the years, flood mapping is greatly lacking in rural areas of the country, including many riverine and coastal communities in Alaska. Without accurate maps and data, homeowners are being charged inaccurate premiums and may not be fully informed about their risk. What would role, if any, do you envision having in encouraging greater attention to mapping needs and is the current budget structure adequate?**

If confirmed, my role in implementing the federal flood mapping program would be to work with staff so that the mapping standards currently used are adequate in addressing the requirements of remote and rural communities, providing for the needs of these communities to ensure that these areas are not forgotten. FEMA's mapping program utilizes the funds provided to address, to the maximum extent possible, those communities most impacted by physical changes, changes in climatology, and changes where engineering methods may have the largest impact. Currently there are several ongoing programs inside the State of Alaska to address riverine and coastal issues. If confirmed as Deputy Administrator, I will ensure the maximum utilization of the funds Congress has provided.

7. **In your testimony you mentioned data driven decision-making and the lack of resources at FEMA to harness the data you are able to access. Can you be more specific as to the type of data and provide additional details as to the type of workforce or organizational changes that may be needed to fully integrate data into critical decision making at the Agency?**

In my role as the Associate Administrator for the Office of Response and Recovery, I am working to ensure that FEMA more extensively employs the data it currently captures, along with data from state, local, tribal, territorial, and interagency partners, for more accurate, expedited decision making. A prime example is FEMA's burgeoning geospatial analytic capability. FEMA owns extensive amounts of disaster-related information that, when placed in a geospatial format, can allow for more expedient, precise decision making. However, GIS resources are intermittent and inconsistent from region to region. To rectify this situation, I have identified existing internal resources to establish a more robust GIS program ensuring consistent use of all available information. This capability will provide better situational awareness and allow FEMA the ability to make quicker, more accurate decisions in allocating response resources.

FEMA is partnering closely with the National Geospatial Agency (NGA) to identify tools and competencies enabling better use of the information sources available. These new capabilities would allow a more immediate response to situations such as the ongoing wildfires in Washington State. Through the use of GIS, FEMA could identify infrastructure and homes that have been damaged or destroyed, and utilize that information as part of its early determination of the impacts on states, tribes, and communities. FEMA can also make a faster initial determination of the likelihood of a

Nomination of Joseph L. Nimmich to be Deputy Administrator, Federal Emergency Management Agency, US Department of Homeland Security. 7/28/14

disaster declaration and be prepared to process those requests quickly, providing more rapid support to those individuals incurring major damage. In addition, FEMA is developing the capability for individuals to use their smart phones and other devices to provide imagery directly to FEMA, to be incorporated into response planning and mapping.

FEMA will continue to identify the competencies, capabilities, and workforce needed to fully utilize the power that GIS provides. FEMA looks to use these tools not only to address the impact of disasters, but to be able to better predict the impacts of known disasters when warning is provided, such as hurricanes. This capability will allow FEMA to more accurately pre-position resources and response personnel before a storm even makes landfall, while facilitating a more capable response and preparing communities for a thorough recovery.

Nomination of Joseph L. Nimmich to be Deputy Administrator, Federal Emergency Management Agency, US Department of Homeland Security. 7/28/14

**Nomination of Joseph L. Nimmich to be Deputy Administrator, Federal Emergency Management Agency, U.S. Department of Homeland Security
Questions from Senator Paul**

- 1. Last year, during a hearing on preparedness grants in the Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia, I asked how FEMA could justify grant approvals for things like sno-cone machines (an actual case from Michigan) within the context of national emergency preparedness. In response, FEMA provided testimony that a sno-cone machine was useful for making ice that could be used to respond to a disaster, citing the potential use of sno-cone ice in relief of victims of a plane bombing. I would like to revisit my question from last year: Please describe what FEMA is doing to focus preparedness grant funding on projects with the most direct impact on emergency response, and to prevent the expenditure of taxpayer money on more dubious projects. What further steps should be taken?**

FEMA continues to monitor each and every grant and is increasing oversight through a risk-based approach to grant management. One hundred percent of all grants are monitored through a tiered program of increasing scrutiny based on the financial management risk associated with the grant. As concerns or risks are identified, FEMA's level of engagement with grantees increases, up to and including site visits, to ensure the grantee has met all stated requirements.

FEMA is moving from a capabilities-based grant application process to a project-based application process, which requires grant applicants to provide detail on how funds will be spent as part of the application process, rather than reporting expenditures after the fact. Grantees will now have to demonstrate how expenditures produce capabilities before any funds are disbursed. FEMA continues to focus on putting processes and systems in place to maximize the use of resources provided by Congress and to eliminate waste, fraud, and abuse wherever possible. If confirmed, I will continue to advance the process and systems that FEMA currently has in place to ensure proper utilization of grant funds.

- 2. FEMA has continued to struggle with improper payments in disaster recovery. DHS-OIG audits from 2009 through 2013 have identified \$276 million in improper payments¹¹¹. What additional steps should FEMA take to limit improper payments?**

FEMA is focused on ensuring that decisions are accurate and do not result in improper payment. FEMA's workforce is critical in ensuring that the right information is provided at the right time to grantees and sub-grantees, so that payment decisions are correct the first time. FEMA continues to develop its workforce through multiple different initiatives to ensure we provide the most accurate information and that every payment made meets all laws, regulations, and policies.

Nomination of Joseph L. Nimmich to be Deputy Administrator, Federal Emergency Management Agency, US Department of Homeland Security. 7/28/14

Over the past year, FEMA has implemented the FEMA Qualification System (FQS) and restructured the workforce to ensure that incident management term employees are better skilled and trained. This past June, FEMA implemented Cadre Management, a workforce management system designed to monitor the qualifications, experience, and availability of every disaster employee as well as developing an employment system to ensure we provide each employee with the information they need to provide the correct information to disaster survivors and applicants each and every time.

FEMA is currently evaluating its entire public assistance program to incorporate a system of checks and balances to reduce improper payments. This effort has already proven successful through the individual assistance program, which, as audited, now has a less than one percent instance of improper payments annually.

FEMA is committed to ensuring that we prevent waste, fraud, and abuse in every one of our programs. In continued cooperation with Congress, the GAO, and DHS-IG, FEMA is committed to continued evaluation and review of our programs to ensure we are providing the best level of service to the American people.

July 21, 2014

The Honorable Thomas Carper, Chairman
Committee on Homeland Security and Government Affairs
United States Senate
Washington, DC 20510

The Honorable Tom Coburn, Ranking Member
Committee on Homeland Security and Government Affairs
United States Senate
Washington, D.C. 20510



201 Park Washington Court
Falls Church, VA
22046-4527 USA
Phone 703-538-1795
Fax 703-241-5603
Email: info@iaem.com
URL: www.iaem.com

Dear Chairman Carper and Ranking Member Coburn:

IAEM-USA, the nation's largest emergency management professional association, is pleased to strongly support the nomination of Mr. Joseph Nimmich to be Deputy Administrator of the U.S. Federal Emergency Management Agency (FEMA) at the Department of Homeland Security.

Mr. Nimmich brings extensive management, operational, and policy development expertise as well as knowledge of FEMA and its stakeholders. During his distinguished Coast Guard career he managed major operations, developed and exercised disaster response and recovery plans at the port and national levels, and led the Coast Guard's strategy and policy development. Furthermore as FEMA's Associate Administrator for Response and Recovery, he played a critical role in coordinating FEMA headquarters operational response activities during major disasters and emergency declarations.

Of great importance to IAEM-USA, Mr. Nimmich recognizes the significance of the Emergency Management Performance Grant Program in building emergency management capacity at the local level and strongly supports the Emergency Management Institute. He recognizes the importance of providing opportunities for local emergency managers to continue to improve their skills, as well as the importance of enhanced training for the FEMA workforce. IAEM applauds his intention to continue to review FEMA policies to see that they are sound and not confusing and are no more complicated than they need to be.

Therefore, we strongly believe Mr. Nimmich's experience qualifies him and urge a speedy confirmation.

Sincerely,

A handwritten signature in black ink that reads "Bruce Lockwood". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bruce Lockwood, CEM
President
IAEM-USA

IAEM-USA is our nation's largest association of Emergency Management professionals, with over 6900 members including emergency managers at the state and local government levels, tribal nations, the military, colleges and universities, private business and the nonprofit sector. Most of our members are city and county emergency managers who perform the crucial function of coordinating and integrating the efforts at the local level to prepare for, mitigate the effects of, respond to, and recover from all types of disasters including terrorist attacks. Our membership includes emergency managers from large urban areas as well as rural areas.



TRIBAL EMERGENCY MANAGEMENT ASSOCIATION
P.O. BOX 11901 RENO, NEVADA 89510 www.iTEMA.org 1-855-NDN-9111

July 22, 2014

The Honorable Thomas Carper
Chairman
Committee on Homeland Security & Government Affairs
United States Senate
Washington, DC 20510

The Honorable Tom Coburn
Ranking Member
Committee on Homeland Security & Government Affairs
United States Senate
Washington, DC 20510

Dear Chairman Carper and Ranking Member Coburn:

My name is Jake Heflin. I am an enrolled member of the Osage Nation and the President and Chief Executive Officer for the Tribal Emergency Management Association, iTEMA.

The purpose of this letter is to recommend Joseph L. Nimmich for confirmation as the Deputy Administrator for the Federal Emergency Management Agency, Department of Homeland Security.

Mr. Nimmich has worked diligently to identify and seek practical solutions for challenges that Tribal communities face relating to emergency management. Although there are many issues that require immediate attention, Mr. Nimmich has been open to suggestions and has made personal inquiries with the Tribal Emergency Management Association to identify ways FEMA can be more responsive to Tribal needs. Mr. Nimmich understands that there are specific unmet needs in "Indian Country" and that each Tribe is uniquely different. He understands the importance of Tribal sovereignty and has taken steps to assure that his agency is responsive to their trust responsibility.

Since 2013, as the Associate Administrator for Response and Recovery at FEMA, Mr. Nimmich has empowered those under his direction to support Tribal communities. Although he realizes

more support is necessary, Mr. Nimmich remains committed to developing collaborative partnerships that will lead to future successes.

Thus, as the President and Chief Executive Officer for the Tribal Emergency Management Association, it gives me great pleasure in asking for your support at the confirmation hearings for Mr. Joseph Nimmich. As the Deputy Administrator for the Federal Emergency Management Agency, Department of Homeland Security, Mr. Nimmich will continue his efforts to support Tribes and find ways to increase resiliency through building capacity and capability. This is essential for the preservation and protection of our culture and our communities.

Thank you.

A handwritten signature in black ink, appearing to read "Jacob C. Heflin". The signature is fluid and cursive, with a prominent initial "J" and a long horizontal stroke at the end.

Jacob C. Heflin, *Osage*
President/Chief Executive Officer, ITEMA
Tribal Emergency Management Association



President
Mr. Charley English, GA

Vice President
Mr. Bryan Koon, FL

Secretary
Mr. William Hackett, CT

Treasurer
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Mr. Greg Myers, NM

Region VII
Mr. Mark Schoulen, IA

Region VIII
Mr. Ed Tinsley, MT

Region IX
Mr. Chris Smith, NV

Region X
Mr. Brad Richey, ID

July 18, 2014

The Honorable Mark Begich, Chairman
The Honorable Rand Paul, Ranking Member
Subcommittee on Emergency Management, Intergovernmental Affairs, and the District
of Columbia
Committee on Homeland Security & Governmental Affairs
United States Senate
Washington, D.C. 20510

Dear Chairman Begich and Senator Paul:

The National Emergency Management Association (NEMA) would like to voice its support for the nomination of Mr. Joseph Nimmich as Deputy Administrator of the Federal Emergency Management Agency (FEMA). NEMA represents the emergency management directors in the 50 states, U.S. territories and District of Columbia.

Joseph L. Nimmich is the Associate Administrator for Response and Recovery at the Federal Emergency Management Agency, a position he has held since 2013. From 2011 to 2013, Mr. Nimmich was the Director of Maritime Surveillance and Security at Raytheon Corporation. He was a Member of the Senior Leadership Team at the Applied Research Lab at Pennsylvania State University from 2010 to 2011. From 1977 to 2010, Mr. Nimmich served in the United States Coast Guard, attaining the rank of Rear Admiral. From 2009 to 2010, he served as Commander of the First Coast Guard District. Mr. Nimmich was the Director of the Joint Interagency Task Force South at the Department of Defense from 2007 to 2009 and from 2005 to 2007, he served as Assistant Commandant for Policy and Planning. From 2003 to 2005, Mr. Nimmich served as the Deputy Chief of Staff of the Coast Guard after serving as Commander of the Coast Guard Group - Key West from 2000 to 2003.

Since joining FEMA, we've found Mr. Nimmich to be very focused on helping to build state and local response and recovery capabilities. As NEMA has identified issues that need to be addressed he's responded in a timely and collaborative manner. We believe that his background and experience make him an asset to FEMA and we support his nomination.

Sincerely,

A handwritten signature in black ink, appearing to read "Charley English".

Charley English
NEMA President

cc: The Honorable Thomas R. Carper, Chairman
U.S. Senate Committee on Homeland Security and Governmental Affairs

The Honorable Tom Coburn, M.D., Ranking Member
U.S. Senate Committee on Homeland Security and Governmental Affairs



NEMA OFFICES:
The Council of State Governments
2760 Research Park Drive • P.O. Box 11910 • Lexington, Kentucky 40578-1910 • (859) 244-8000 • FAX (859) 244-8239
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National Headquarters
2025 E Street, NW
Washington, DC 20006

July 23, 2014

The Honorable Thomas R. Carper
Chairman
Committee on Homeland
Security and Governmental Affairs
United States Senate
Washington, DC 20510

The Honorable Tom Coburn
Ranking Member
Committee on Homeland
Security and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Chairman Carper and Ranking Member Coburn:

I strongly support the nomination of Joseph L. Nimmich to be Deputy Administrator of the Federal Emergency Management Agency (FEMA). If confirmed, I know Mr. Nimmich will continue providing the exceptional executive leadership at FEMA that our nation requires and deserves.

As Associate Administrator for Response and Recovery, Mr. Nimmich has proven to be a valuable partner to the American Red Cross during numerous disasters over the past 15 months. I work closely with Mr. Nimmich and FEMA senior leadership to coordinate our independent activities to meet the response and recovery needs of survivors during large incidents. Mr. Nimmich's survivor-centric and expeditionary focus for FEMA, combined with his decades of operational experience, make him an outstanding candidate to serve as the Deputy Administrator.

Thank you for considering my endorsement. Mr. Nimmich possesses the skill and experience to serve with distinction as the FEMA Deputy Administrator. Please do not hesitate to contact me at 202-303-5090 if I can provide additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Reed".

Richard Reed
Senior Vice President
Disaster Cycle Services



National Headquarters
2025 E Street, NW
Washington, DC 20006

July 23, 2014

The Honorable Mark Begich
Chairman
Subcommittee on Emergency Management,
Intergovernmental Relations, and the
District of Columbia
United States Senate
Washington, DC 20510

The Honorable Rand Paul
Ranking Member
Subcommittee on Emergency Management,
Intergovernmental Relations, and the
District of Columbia
United States Senate
Washington, DC 20510

Dear Chairman Begich and Ranking Member Paul:

I strongly support the nomination of Joseph L. Nimmich to be Deputy Administrator of the Federal Emergency Management Agency (FEMA). If confirmed, I know Mr. Nimmich will continue providing the exceptional executive leadership at FEMA that our nation requires and deserves.

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Thank you for considering my endorsement. Mr. Nimmich possesses the skill and experience to serve with distinction as the FEMA Deputy Administrator. Please do not hesitate to contact me at 202-303-5090 if I can provide additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Reed", written over a faint circular stamp.

Richard Reed
Senior Vice President
Disaster Cycle Services