



## **NACo Policy Agenda for Disaster Preparedness, Mitigation, Response and Recovery**

In light of the widespread devastation caused by catastrophic flooding in the Midwest, destructive tornado outbreaks in central states, ravaging wildfires in the west, Hurricane Katrina, the terrorist attacks of September 11th, the 1994 Northridge earthquake, and countless other major tragedies, the National Association of Counties (NACo) joins our nation's commitment to protecting communities, and preparing the nation for future disasters.

The National Association of Counties recognizes that to ensure for the safety of people and the livability of communities, significant resources for disaster preparedness (including planning), mitigation, response, and recovery should be provided. These resources should provide for education and encourage the use of innovative approaches.

Disaster mitigation and recovery resources should be invested to improve the quality of life in the areas of public health and safety, environmental stewardship, and social and economic security. Plans designed to reduce the impact of disasters and to encourage recovery should provide incentives to individuals, the private sector, and government to pursue sustainable development and redevelopment. Individuals, the private sector, local, state, and the federal government should act as partners with shared goals and values to further the capacity of our communities to be self-sufficient. Decisions should be driven by a consensus based, inclusive process that stakeholders use and trust. The process should identify local sustainability priorities, leading to the investment of pre and post-disaster resources that will meet the needs of communities.

The National Association of Counties believes that counties are more than just local branches of the state or federal government. The federal government must recognize the partnership aspect of the federal system of government and the inalienable right of state and local governments to participate in the decision making process of that system. It must further recognize that because local governments are closest to its community's residents they are often best equipped to deliver services and administer programs. Strong county government is an essential component and partner in the effective operation of national-state-local government activities.

NACo continues our efforts to assist counties in these troubling times. In light of the critical role that counties play on the front lines of disaster preparedness, mitigation, response and recovery, NACo has revised our Policy Agenda for Disaster Preparedness, Mitigation, Response and Recovery. These recommendations are outlined on the following pages and contain proposals for protecting communities, and preparing the nation from future major disasters. Many of them are intended to assist the President and federal agencies as they continue to make investments and decisions in the wake and aftermath of major disasters. As we offer these suggestions, counties look forward to a sustained partnership with the federal government and our state and other local partners. This is critical to achieving our common goal of ensuring that all communities are prepared and ready to respond to future natural catastrophes.



## Strengthening Critical Infrastructure

### **Expediting Assistance at all Levels of Government**

Federal and state assistance for natural and man made disasters must reach first responders in an expedited fashion. As a result, all levels of government should work together to ensure the timely distribution of assistance to first responders. Reimbursements should at least cover all costs incurred in responding and recovering from major disasters or terrorist attacks. Furthermore, in the event that federal, state and local government legal, procedural and/or procurements processes delay the expenditure of funds; efforts must be made to establish an expedited authorization and appropriation process.

### **Strengthen Transportation Infrastructure**

Substantial funds will be needed to repair and rebuild highways and bridges, transit systems and airports damaged or destroyed by disasters. Although it may be some time before the full need is determined, Congress must continue to invest in the transportation infrastructure of embattled communities. The Emergency Relief Highway Program is authorized at \$100 million annually. However, this funding is likely to be totally inadequate to address the ongoing needs of communities ravaged by major disasters. Additional funds may also be needed for the Federal Bridge Program because many bridges have been damaged or totally destroyed. Once a determination has been made as to the damage sustained by transit systems in an affected region, the federal government must also appropriate additional funds as no emergency program exists for transit. Furthermore, although larger commercial airports may be up and operating in regions devastated by disasters, additional airports will need assistance. As a result, counties urge the federal government to provide additional assistance to the Airport Improvement Program.

### **Strengthen Public Safety Communications Infrastructure:**

Based on lessons learned from past disasters, and an ongoing understanding of the need for public safety communications, federal, state and local governments should act in concert to improve the basic infrastructure and provide robust networks across the country. An ideal public safety network supports the development of the next generation architecture that should be a vibrant and flexible system that accommodates different technologies. In particular, the system should incorporate traditional public safety land mobile radio systems into a broader converged architecture that includes satellite, terrestrial and emerging wireless broadband networks. Additional spectrum for new wireless technologies is essential for the roll-out of such networks. A robust communications network should be established to ensure adequate communications between federal, state and local responders during such events. Additional funding should be provided to communities that lack even basic communications infrastructure.

### **Strengthen Federal/State/Local Emergency Alert Systems.**

Before and during a natural disaster, communications with the public is critical. Emergency Alert Systems should be coordinated, and be as location specific as possible to ensure that the public receives accurate, timely information about the threats presented and possible alternatives for action. The FCC should insist that national and regional radio and television networks are responsive to local governments' alert needs before and after a disaster.

### **Assist Public Safety Communications Interoperability**

The federal government should assist counties to provide the broadest possible interoperability between public safety agencies across voice, data and geo-data and wireless technologies. The federal government also should assist counties in obtaining additional spectrum as soon as possible to address interoperability. In the event of a disaster or terrorist attack, all first responders should have access to a common set of frequencies that can be used to communicate between agencies. Working with the first responder community, a common standard "language" for interoperability communication needs to be established so that responders from various agencies can act on specific instructions without mistake or delay.



### **Drinking Water and Wastewater Infrastructure**

Natural disasters uncover our deepest vulnerabilities, none more so than the desperate need for drinking water and sanitation services. Providing operational services such as these helps prevent water-borne health diseases. Natural disasters highlight the need to quickly repair/reconstruct older, damaged systems. Without clean drinking water and wastewater services, communities face even more hazards on their road to cleanup. NACo urges Congress to appropriate needed funds to address these shortages. Fully funding USDA's Rural Development Water and Wastewater Grant and Loan Program is one critical program that has proven effective in helping with recovery efforts. The program currently has a \$2 billion backlog in projects.

### **Targeted Fiscal Assistance**

NACo believes that it is inappropriate to expect a local government that has experienced significant losses in population, infrastructure, and tax base to rely on municipal debt to finance its own redevelopment. In such an instance, credit support is insufficient and direct fiscal support must be provided. Counties continue to support targeted assistance to needy local governments along with the establishment of a permanent program to provide fiscal assistance to governments with the greatest need. A general targeted assistance program is the most efficient, effective and flexible federal program possible to permit counties that are experiencing fiscal distress to continue to provide essential public services in a manner that is based on locally determined needs. Additionally, NACo opposes any language that forbids the federal government from forgiving loan payments for cash strapped local governments, whose tax base and revenue has been depleted as a result of a catastrophic disaster.

### **Restore Valuable Coastal Resources and Protect Vital Energy Infrastructure**

Wetlands, once considered worthless wastelands, are now recognized as an essential part of the nation's resources. As Hurricane Katrina and the 2008 extensive Midwest flooding demonstrated, without wetlands as a buffer, storms can devastate the nation's critical energy infrastructure. NACo urges both the federal and state governments to provide incentives, including expanded federal funding for the restoration of wetlands, repair of habitat, and establishment of native vegetation on lands vital to water quality.

## **Aid to Community Residents**

### **Investing in CDBG and HOME for Short-Term and Long-Term Recovery**

The Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) are two critical resources for providing housing and services to areas damaged by natural, and other catastrophic disasters. As a result, counties urge Congress to provide significant resources for these programs. Both programs have a long history in providing assistance to communities with their housing and community development needs in times of disasters. For instance, communities assisting people who were displaced by Hurricane Katrina used CDBG funds to develop public facilities to provide temporary housing to disaster victims, rehabilitate units within the community to house evacuees, and provided much needed services (including food, child care, health care, case management and temporary shelter). In addition, CDBG funds provide rehabilitation assistance to homes and businesses damaged by natural disasters, build new ownership and rental housing, and provide improvements to local infrastructure. The HOME Program can provide tenant-based rental assistance to people displaced by catastrophic disasters, and be used to rehabilitate and construct new housing for low- and moderate-income people.

### **Enhance Public Health Response**

Additional federal funding is essential to establishing a robust system to enable counties with evacuees to assess and address the ongoing physical and mental health effects of persons who have endured major disasters or who were exposed to toxic contaminants due to these tragic events. Medicaid relief should be offered to counties for the financing and delivery of health care. Such relief should include a temporary



increase to the Federal Medical Assistance Percentage (FMAP) for Medicaid matching funds with requirements that a portion of the FMAP be passed through to counties operating and/or funding public hospitals and to counties contributing to the state share of Medicaid, including Intergovernmental Transfers (IGTs) and Certified Public Expenditures (CPEs). It should also include a moratorium on the implementation of any regulatory changes that, otherwise, would significantly reduce Medicaid funding for counties and those they serve.

#### **Additional Funding and Flexibility for Social Services Block Grant Program**

The federal government must provide an additional \$1.1 billion to the Social Services Block Grant Program (SSBG) and restore it to the 1996 level. SSBG allocates funds to states to support social services programs for adults and children. During times of disaster, SSBG can provide various services to children and the elderly, and be the conduit for other funds as it was after September 11th. Additionally, funds that have been or will be transferred from TANF to SSBG should be available for victims of major disasters. Currently the law restricts the use of the transferred funds and they cannot be used for single adults.

#### **Increase Funding for the National Emergency Grants and Dislocated Workers Program**

An additional \$500 million should be provided for the Department of Labor's National Emergency Grant (NEG) program which assists displaced/dislocated workers with temporary jobs for clean-up and restoration purposes as well as training. In the aftermath of Hurricane Katrina, DOL allotted \$191 million to the hurricane impacted Gulf Coast states. That exceeded prior and current funding levels available for the NEG program. The federal government should cover current NEG allocations and be prepared for future emergency needs by adding \$500 million to the NEG program. Congress should provide additional funding for the Dislocated Workers Assistance Program to train and retrain workers negatively impacted by recent major disasters and also to meet the needs of other dislocated workers.

#### **Ensure that Adequate Medical Surge Capacity Exists**

The federal government, in cooperation with state and local governments, should ensure that the medical surge capacity needs associated with events of mass casualties and large outbreaks of infectious diseases can be met, particularly in communities that serve as regional medical centers.

### **Provide for a Stronger County, State and Federal Response to Future Disasters**

#### **Homeland Security/Public Safety Funding**

NACo favors rapid federal response and reimbursement at rates authorized in the original language of the Stafford Act; and encourages The Department of Homeland Security (DHS) to apply all regulations and policies on a consistent basis in all presidential declared emergencies and disasters around the country. NACo encourages DHS to apply all regulations and/or policy changes on a prospective basis based on the declaration date of the emergency or disaster; and supports DHS' leadership in reducing excessive paperwork and overly restrictive and bureaucratic regulations. NACo supports federal legislation or requirements that would improve homeland security grant programs by streamlining application and planning requirements, promote flexibility and provide first responders and county governments with additional resources in an expedited fashion. Priority funding decisions should be based on a regional and/or a multi-jurisdictional planning and collaborative effort between state and all levels of local governments. DHS, in coordination with state, county, municipal and tribal governments should establish national standards for the management of grant funding. DHS, in coordination with state, county, municipal and tribal governments should develop an automated grant tracking system that would allow for the real time tracking of the distribution and use of homeland security- related funds. Recognizing that state, county, municipal and tribal governments of all sizes and resource levels are eligible to receive funding, DHS in coordination with representatives of state, county, municipal and tribal governments, should develop minimum staffing recommendations for grant and program management personnel. DHS should work closely with all levels of government to establish a comprehensive risk assessment



methodology to support the identification of high-risk, high consequence critical infrastructure and major events.

### **Reimburse Counties and States for their Foster Care Expenses**

States and counties should receive 100% reimbursement for all their expenses in foster care. Many of the counties and states that have taken in victims affected by current and past major disasters have higher payment rates. It is unfair to expect either the host or the home states to bear this financial burden.

### **Reimburse Counties and States for their Nutrition Assistance Administrative Expenses**

The federal government moved very quickly after Hurricane Katrina to ensure that the hurricane victims received nutritional assistance through the food stamps electronic benefit transfer system. However, there are additional state administrative expenses associated with the increased payments that should be reimbursed.

### **County/Municipal Debt Relief**

Counties continue to urge the federal government to provide simpler and more flexible criteria to determine whether arbitrage has been earned in using tax-exempt proceeds and to otherwise simplify current rules and statutes related to tax-exempt bonds. While these rules are complicated and burdensome for all state and local governments, they impose particularly difficult, or even impossible, requirements on a jurisdiction that has lost access to offices, records or employees. The federal government must immediately provide such flexibility to jurisdictions that are affected by a major disaster. Credit assistance should be automatically applicable to all legitimate state and local borrowing, and should not be subject to elaborate administrative procedures. In addition, NACo supports providing an additional advance refunding of outstanding tax-exempt bonds as was provided to New York City in the wake of the terrorist attacks of September 11, 2001.

### **Provide Immunity to Encourage Mutual Aid and Support**

The federal government and state governments, where applicable, should provide legal immunity from civil liability for counties and other local governments responding collaboratively to emergencies outside their primary jurisdiction. Also, the federal and state governments should allow reimbursement under public assistance for assistance rendered by mutual aid partners.

### **Sustained Funding for the Army Corps of Engineers**

Substantial funds will be needed to repair/rebuild the levee systems around our nation. Hazards to navigation need to be removed in the Mississippi and other rivers so that goods can move safely and efficiently on inland waterways. Additionally, the federal government must work with state and local governments to address beach erosion and damage to wetlands.

### **Reauthorization and Sustained funding for FEMA's Predisaster Mitigation Grant Program**

The Pre-Disaster Mitigation (PDM) program provides funds to states, and local communities for hazard mitigation planning and the implementation of mitigation projects prior to a disaster event. Funding these plans and projects reduces overall risks to the population and structures, while also reducing reliance on funding from actual disaster declarations. For a number of years, Congress has provided a short term authorization for this critical program. In addition, the program has seen its funding decrease as our nation's public safety priorities have shifted from an all-hazard focus to combating domestic terrorism. Adequate funding must be allocated for preventive measures that protect property and save lives. The federal government must reauthorize the pre disaster mitigation program for multiple years,

### **Support for Emergency Management**

In order to maintain effective state and local emergency preparedness, mitigation, response and recovery mechanisms, counties continue to support an investment in state and local emergency management. The Emergency Management Performance Grant Program (EMPG) assists in the development, maintenance,



and improvement of state and local emergency management capabilities, which are key components of a comprehensive national emergency management framework for disasters and emergencies that may result from natural disasters or accidental or terrorist events. EMPG provides the support that state and local governments need to achieve measurable results in key functional areas of emergency management. As a result, counties continue to urge the federal government to provide maximum funding for the EMPG Program (EPMG), and maintain it as a separate account in the DHS budget.

### **Post Disaster Hazard Mitigation**

The Hazard Mitigation Grant Program (HMGP) is a partnership that is designed to assist states, local governments, private non-profit organizations and Indian Tribes with implementing long-term hazard mitigation measures that will eliminate or reduce future damage from disasters. This grant program is available only after a federally declared disaster. HMGP funds are used following a disaster, when awareness of risk is high and important mitigation measures have a broad base of support. The value of mitigation programs is enhanced in a post-disaster environment because of the immediate awareness of risk and government willingness to commit state and local funds for cost-sharing with federal funds. In the tight fiscal situation that states and local communities are facing, the commitment of funds is most likely to occur when the devastation of a disaster proves the value of disaster mitigation measures. Therefore, counties strongly support HMGP and any reduced federal funding means a lost opportunity for communities and localities to act as partners and make positive use of the interest generated during the post-disaster period to reduce the costs of future catastrophes.

### **Flood Map Modernization**

Counties are grateful that Congress has continued to provide funding to FEMA's Flood Map Modernization Initiative. In the course of developing the initiative, mapping needs have been found to be greater than when they were originally projected in 1997. Continued investment is needed to ensure that these maps are kept up-to-date as the floodplain changes over time due to development upstream and elsewhere, effects of floods, erosion and other natural disasters like wildfires and man-made changes to an area's flood hazard. Because accurate maps must reflect the dynamic nature of floodplains and because the major floods of recent years have pointed to further mapping needs, we believe it is essential that on-going resources be provided to support mapping. The investments made so far will pay even greater dividends when 1) Up-to-date digital maps are extended to all NFIP participating communities; 2) Data is collected and shown regarding levees, their location and condition; 3) Data is collected on coastal flood hazards, on the 500 year floodplain and on areas which would be affected by failure of flood control structures; 4) Data is included from other federal sources (Army Corps of Engineers, USGS, NOAA, Fish and Wildlife Service); 5) Improved risk assessment enhances communication of flood risk; and 6) Changing flood hazards are assessed as an on-going task. Up-to-date and modernized flood maps provide critical data necessary for responsible pre- and post-disaster mitigation planning by states and localities. These maps also ensure that the National Flood Insurance Program (NFIP) can function adequately in its role to meet the needs of community residents. As a result, NACo urge Congress to provide sustained funding to FEMA's Flood Map Modernization Initiative.

### **Restore Damaged Forest Ecosystems**

Natural catastrophes such as wildfires, tornadoes, wind storms, and insect epidemics are frequent occurrences in the forests of the United States. Because of catastrophic events nationwide, there are now over one million acres of our national forests in need of reforestation—and this number is increasing. Hurricane Katrina alone damaged or destroyed approximately 19 billion board feet of timber spread over five million acres in Mississippi, Alabama and Louisiana. Rapid assessment of damage, quick action, and funding are needed following catastrophic events to restore landscapes and prevent adding to the reforestation backlog. Furthermore, research is needed on the effects and effectiveness of some post catastrophe treatments.



### **Training and Exercises for Disaster Preparedness, Mitigation, Response and Recovery**

Federal funding and assistance to state and local governments and their public safety agencies for training and exercising is critical. In order to prepare, mitigate, respond and recover from disasters, first responders need additional federal support for training and exercises. Tailored training and exercises enhances the capacity of states and local jurisdictions to prepare, mitigate, respond, and recover from all disasters.

### **Assist Counties to Develop Evacuation Plans**

NACo urges Congress to assist local governments in developing comprehensive evacuation plans. The evaluation of transportation and other infrastructure systems and comprehensive evacuation planning are essential to reducing the loss of life during a disaster.

### **Fund Local Public Health Emergency Preparedness**

Congress should continue to provide adequate funding for HHS cooperative agreements with states for public health emergency preparedness and give strong direction to the states to ensure that: 1) no less than 80% of the funds are used to improve local preparedness and local infrastructure; and 2) county public health agencies are consulted and concur with the state plans for expenditures of these funds.

### **Train Health Personnel**

Public and private sector health personnel should receive adequate training to manage public health emergencies, in cooperation with federal, state and local governments. While specific training relative to bio-terrorism and other emerging threats are needed, general competency building in public health is also needed to ensure that the workforce is fully prepared during times of disasters.

### **Strengthen Federal Coordination**

A unified and standardized approach for federal agencies before and after a major disaster is critical. While such a plan exists (DHS' National Response Framework), ongoing multi-jurisdictional efforts to recover from past major disasters have demonstrated the need for strengthened organization among federal agencies in order to improve coordination and communications with state and local government agencies. Additionally, NACo encourages Congress to prohibit any expenditure of federal funds to support the Principal Federal Official (PFO) position in a Stafford Act declared disaster or emergency.

### **Catastrophic Disaster**

Major changes are not needed to refine the Stafford Act to deal with Catastrophic Disasters. The law served Congress well with flexibility in response to Hurricane Katrina and a separate system should not be developed for catastrophic disasters, as Congress has the ability to consider each disaster's needs on a case by case basis. Any changes to the Stafford Act must fix some issues related to the last overhaul in 2000, and must be fully vetted with state and local governments. The Catastrophic Disaster Preparedness Program should be authorized and appropriately funded to include planning, training, exercise, and action plans to implement lessons learned. State and local governments must be partners in catastrophic disaster planning.

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