



**U.S. House of Representatives**  
**Committee on Transportation and Infrastructure**

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Washington, DC 20515

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April 27, 2009

**SUMMARY OF SUBJECT MATTER**

**TO:** Members of the Subcommittee on Economic Development, Public Buildings, and Emergency Management

**FROM:** Subcommittee on Economic Development, Public Buildings, and Emergency Management Staff

**SUBJECT:** Hearing on "FEMA: Preparedness for the 2009 Hurricane Season"

**PURPOSE OF THE HEARING**

On Friday, May 1, 2009, at 10:00 a.m., in the James L. King Federal Justice Building in Miami, Florida, the Subcommittee on Economic Development, Public Buildings, and Emergency Management will hold a field hearing on disaster preparedness and response in anticipation of the 2009 Atlantic hurricane season.

**BACKGROUND**

**The 2009 Hurricane Season**

The Atlantic hurricane season runs from June 1<sup>st</sup> through November 30<sup>th</sup>. While hurricanes are not the most frequent disaster our nation faces, they are often the most catastrophic. The current forecast for the 2009 Atlantic hurricane season is for average hurricane activity.<sup>1</sup> Specifically, the forecast for 2009 is for 12 named storms (average is 9.6), six hurricanes (average is 5.9), and two major hurricanes (average is 2.3).<sup>2</sup> Further, there is a forecasted 82 percent chance of a named

<sup>1</sup> *Extended Range Forecast of Atlantic Season Hurricane Activity and U.S. Landfall Strike Probability for 2009* Philip, J. Klotzback and William M. Gray, Colorado State University, April 7 2009.

<http://hurricane.atmos.colostate.edu/Forecasts/2009/april2009/apr2009.pdf> (link accessed April 23, 2009).

<sup>2</sup> Id at p. 21.

storm, 63 percent chance of a hurricane, and a 32 percent chance of a major hurricane striking Florida or the east coast of the United States during the 2009 hurricane season.<sup>3</sup>

Florida faces a greater risk from hurricanes than any other state. According to the Federal Emergency Management Agency (FEMA), since Hurricane Andrew struck in 1992, Florida has received 22 major disaster declarations and eight emergency declarations under the “Robert T. Stafford Disaster Relief and Emergency Assistance Act” (Stafford Act) for hurricanes or tropical storms, which is greater than the number of declarations for any other state in the same time period.

The National Hurricane Center, part of the National Oceanic and Atmospheric Administration, is located in Miami, Florida. The mission of the National Hurricane Center is to save lives, mitigate property loss, and improve economic efficiency by issuing the best watches, warnings, forecasts, and analyses of hazardous tropical weather and by increasing understanding of these hazards.

The consequences of a hurricane can be devastating. For example, the state of Florida has a planning scenario known as “Hurricane Ono” that includes a category 5 hurricane making landfall just north of Fort Lauderdale and moving northwest across the state. In that scenario, the predicted effects include most of South Florida under between one and four feet of water for weeks, wide spread destruction of homes, more than three million evacuees, and six million people without electricity.<sup>4</sup>

### **Federal and Florida Emergency Management**

FEMA is responsible for the Federal Government’s activities to prepare for, respond to, recover from and mitigate all hazards.<sup>5</sup> The primary authority for these activities is the Stafford Act<sup>6</sup>. In carrying out these activities, FEMA works closely with state and local governments who have the primary responsibility for emergency management and are always the initial responders to any disaster.

The Florida Division of Emergency Management and Miami-Dade County Emergency Management agency are both recognized as leaders in emergency management. Unfortunately, a lot of their expertise comes from experience. Since the Miami area was devastated by Hurricane Andrew in 1992, Florida has taken many steps to improve in all areas of emergency management. One example is Florida’s adoption of a state-wide building code. The requirements in Miami-Dade County are the most stringent, generally requiring buildings to withstand winds of 146 miles per hour. Schools and other facilities that could be used as shelters are required to withstand winds of 186 miles per hour. Further, Miami-Dade County has invested over \$250 million in mitigation. A large portion of this investment was from non-Federal funds.

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<sup>3</sup> Id. at p. 22.

<sup>4</sup> Source Florida Division of Emergency Management, <http://www.floridadisaster.org/catastrophicplanning/> (link accessed April 23, 2009).

<sup>5</sup> See 6 U.S.C. 314.

<sup>66</sup> 42. U.S.C. 5121-5207.

## American Red Cross

In 1900, the American Red Cross received a federal charter that outlined its primary role in disaster relief and mitigation. Currently, the Red Cross organization serves as one of the primary mass suppliers of relief in federal disasters, although its role has changed recently. Under the National Response Framework, which became effective last year, FEMA has assumed the primary responsibility for “Emergency Support Function Six – Mass Care, Emergency Assistance, Housing and Human Services”. The American Red Cross is a now support agency for this function. However, at the local level, the role of the Red Cross remains the same.

### PRIOR LEGISLATIVE AND OVERSIGHT ACTIVITY

In the 111<sup>th</sup> Congress, the Committee on Transportation and Infrastructure acted on the following bills related to FEMA, the Stafford Act, and disaster assistance:

- **H.R. 1746, the “Pre-Disaster Mitigation Act of 2009”:** This legislation reauthorizes and makes improvements to FEMA’s Pre-Disaster Mitigation Program, including codification of the competitive aspects of the program. On April 2, 2009, the Committee ordered H.R. 1746 reported to the House.

In the 110<sup>th</sup> Congress, the Committee on Transportation and Infrastructure acted on the following bills related to FEMA, the Stafford Act, and disaster assistance:

- **H.R. 6658, the “Disaster Response, Recovery, and Mitigation Enhancement Act of 2008”:** This legislation amends the Stafford Act to improve the assistance the Federal Government provides to states, local governments, and communities after major disasters and emergencies. On July 31, 2008, the Committee ordered H.R. 6658 reported to the House.
- **H.R. 6109, the “Pre-Disaster Mitigation Act of 2008”:** This legislation reauthorized FEMA’s Pre-Disaster Mitigation program and makes improvements, including codification of the competitive aspects of the program. On June 23, 2008, the House passed H.R. 6109 by voice vote.
- **H.R. 3247, the “Hurricane Katrina and Rita Recovery Facilitation Act of 2007”:** This legislation provides additional Federal relief targeted to the recovery from Hurricanes Katrina and Rita in Louisiana and Mississippi. On October 29, 2007, the House passed H.R. 3247 by voice vote.
- **H.R. 3224, the “Dam Rehabilitation and Repair Act of 2007”:** This legislation establishes a program to provide grant assistance to states for use in rehabilitating publicly-owned dams that fail to meet minimum safety standards and pose an unacceptable risk to the public. On October 29, 2007, the House passed H.R. 3224 by a recorded vote of 263-102.

- **H.R. 1144, the “Hurricanes Katrina and Rita Federal Match Relief Act of 2007”:** This legislation provides significant relief for communities devastated by Hurricanes Katrina, Rita, and Wilma, by raising the Federal cost share for critical disaster relief programs to 100 percent and by authorizing the cancellation of Community Disaster Loans under certain conditions like all previous Community Disaster Loans. H.R. 1144 was enacted as part of P.L. 110-28, the “U.S. Troop Readiness, Veterans’ Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007”.

In the 110<sup>th</sup> Congress, the Committee also collaborated with the Committee on Financial Services on H.R. 1227, the “Gulf Coast Hurricane Housing Recovery Act of 2007,” to ensure that Louisiana is allowed to use Hazard Mitigation Program funds for its Road Home program. H.R. 1227 passed the House March 21, 2007.

The Committee and Subcommittee have held numerous hearings dealing with issues related to hurricane preparedness and response:

- “Post-Katrina Disaster Response and Recovery: Evaluating FEMA’s Continuing Efforts in the Gulf Coast and Response to Recent Disasters” (February 2009)
- “FEMA’s Response to the 2008 Hurricane Season and the National Housing Strategy” (September 2008)
- “Moving Mississippi forward: Ongoing Progress and Remaining Problems” (June 2008)
- “Assuring Public Alert Systems Work” (June 2008)
- “Saving Lives And Money Through The Pre-Disaster Mitigation Program” (April 2008)
- “Readiness in the Post Katrina and Post 9.11 World: An Evaluation of the New National Response Framework” (September 2007)
- “Legislative Fixes for Lingering Problems that Hinder Katrina Recovery” (May 2007)
- “Assuring the National Guard is as Ready at Home as it is Abroad” (May 2007)
- “FEMA’s Preparedness and Response to All Hazards” (April 2007)
- “FEMA’s Emergency Food Supply System” (April 2007)
- “Post Katrina Temporary Housing: Dilemmas and Solutions” (March 2007)

#### WITNESSES

**Mr. Major P. May**

Regional Administrator – Region IV  
Federal Emergency Management Agency

**Mr. Bill Read**

Director  
National Oceanographic and Atmospheric Administration – National Hurricane Center

**Ms. Karen Hagan**

Disaster Officer, Florida  
American Red Cross

**Mr. Ruben Almaguer**  
Deputy Director  
Florida Division of Emergency Management

**Mr. Curt Summerhoff**  
Interim Director  
Miami-Dade Department of Emergency Management and Homeland Security