

# State Emergency Management and Homeland Security: A Changing Dynamic

By Trina R. Sheets

*The discipline of emergency management is at a critical juncture in history. Even before the horrific events of September 11<sup>th</sup>, 2001, emergency management and other public safety disciplines had recognized the growing implications and reorganized to deal with the growing threat of terrorism. The national effort towards achieving "homeland security" is challenging the resources, relationships, organizational responsibilities and fundamental principles of the entire emergency response community. The relationships between the community of emergency management and the new and evolving dynamic we call homeland security is yet to mature or be defined so that a clear and achievable future path to greater national security and safety can be pursued.*

## Introduction

Three years following the terrorist attacks of September 11, 2001 the federal government remains keenly focused on developing national goals and strategies that will help enhance the nation's capability to prevent, prepare for, respond to and recover from incidents of terrorism. While no additional attacks have occurred on U.S. soil, the threat remains and federal, state and local governments continue to be vigilant and focused on keeping citizens, communities and the national infrastructure safe from harm. While federal funding and resources trend toward support of homeland security activities at the expense of all hazards emergency planning and day-to-day public safety programs, Mother Nature recently reminded us she's still our biggest threat when four major hurricanes struck the state of Florida in the span of a three month period in the fall of 2004. These four consecutive hurricanes required the largest deployment of federal, state and interstate resources in the nation's history. Yet terrorism remains the number one focus of the federal government. This newly defined national priority has created an incredibly new and dynamic interaction of local, state, and federal governments, the private sector and the international community.

## Emergency Management Organizations

State emergency management agencies are responsible for developing emergency operations plans and procedures for all disasters and emergencies (including homeland security); training personnel; and conducting drills and exercises with local governments, other state agencies, volunteer agencies and the federal government. Emergency management agencies are also responsible for coordinating and facilitating the provision of resources and supplement-

tal assistance to local governments when events exceed their capabilities. In the aftermath of a disaster or emergency, the emergency management agency coordinates public education, information and warning; conducts damage assessments, resource management and logistics; facilitates mutual aid, sheltering and mass care; manages transportation and evacuation; leads incident management; and oversees the emergency operations center.<sup>1</sup> In times of disaster, the nation's governors depend on the emergency management agency to provide damage estimates, assist the governor's office in crisis communications by providing accurate and realistic information, activate mutual aid agreements to move resources quickly and efficiently, and to coordinate with local volunteer organizations to manage donations and supplementary assistance.

The organization of state emergency management agencies varies widely. Currently, in 13 states, the emergency management agency is located within the department of public safety; in 20 states it is located within the military department under the auspices of the adjutant general; and in 11 states, it is located within the governor's office. Regardless of agencies' organizational structure for daily operations, emergency management ranks high among governors' priorities. In 29 states, the emergency management director is appointed by the governor. The position is appointed by the adjutant general in 12 states, and by the secretary of public safety in seven states.

## Homeland Security Structures

The attacks on the World Trade Center and the Pentagon increased public awareness of the potential for domestic terrorism incidents and hastened preparedness efforts by all levels of government. The challenge states continue to face is to integrate home-

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land security planning and response activities into their existing emergency management and response systems.

All states have designated a homeland security point of contact. This position has become a critical component of a governor's staff and one that has an enormous responsibility to the public for preparing citizens, businesses and governments for the next emergency or large-scale disaster. To date, 17 states have established a unique position of homeland security director. In nine states, the emergency management director is the primary point of contact, and in eight states it is the adjutant general or director of the military department. Nine public safety secretaries also serve in the position. Several states have merged their emergency management and homeland security agencies and have named one individual to oversee both programmatic areas.

Increasingly, the homeland security director is becoming less a political appointment in the governor's office and more institutionalized in the organizational structure of state government. The number of homeland security offices, departments or agencies authorized through executive order or state statute has increased significantly over the last year. Funding and personnel for these offices has been on the rise as well, often matching and in many cases, surpassing the resources of the state emergency management agency and other state response agencies. The number of state personnel dedicated to homeland security activities ranges from two people to over 70 people. In several states, personnel from the emergency management agency have been transferred or reassigned to support homeland security functions. In others, homeland security functions have been an added responsibility for existing staff in the agency designated as the lead for homeland security. The majority of funding for homeland security offices comes from the federal government in the form of grants, although several states have appropriated their own funds to support counter terrorism. A popular and very necessary funding initiative among states to increase their preparedness levels is investing resources in statewide interoperable communications systems. Systems on the market today that allow the various emergency response disciplines to talk to each other through both voice and data cost several million dollars and require long-term financial investments by states and communities. There is not enough federal funding available to support such comprehensive interoperable communications systems throughout the country.

Many states have undergone internal reorganiza-

tions to adequately staff and fund homeland security offices and to appropriately realign their resources to accommodate the threat of terrorism. Seventeen states have recently completed or are planning a reorganization to address homeland security. Already, 15 states have combined the functions of emergency management and homeland security into one agency or department. In 16 states the two agencies have equal standing in the organizational structure. States are also employing regional approaches to homeland security. Regional coordination refers to defined areas within a given state or several states that have agreed to work together on common preparedness goals. These approaches provide for greater coordination and maximize state and federal funds. Mutual aid, or the sharing of resources across jurisdictional lines, is an important component of regional coordination. States can capitalize on the existing capabilities and years of experience and lessons learned from past disasters, which can be readily applied to domestic terrorism events. Emergency management is the central coordination point for all resources and assistance provided during disasters and emergencies, including acts of terrorism. Many states are building upon this experience and leveraging the ability of emergency management to bridge the gaps in communication and mobilize its resources to respond to any type of disaster, however unique, specialized or isolated.

### *Short-Term Investments for a Long-Term Problem*

For the past several years, Congress and the federal government have provided billions of dollars to build a national capacity for domestic preparedness. Funding was provided through states for distribution to local governments in support of objectives identified in the statewide homeland security strategies required by the U.S. Department of Homeland Security. Congress requires that 80 percent of all funding be passed through to local governments leaving a much smaller amount for use by the state to coordinate the state strategy. Just three years into the funding cycle, homeland security money is being diverted from states to major metropolitan cities. There is no doubt that big cities are considered serious targets for terrorism and their resource needs are significant. Instead of increasing the overall funding level to accommodate major city needs, money is being shifted from one level of government to another. Developing isolated pockets of capability for counter terrorism does nothing to promote statewide or regional coordination. In addition, Congress is considering legislation that would change the funding allocation

formula for states to receive federal homeland security grants, placing greater emphasis on risk and critical infrastructure vulnerability as opposed to the current approach of allocating dollars on a percentage plus population basis. Changes in funding allocations will have major impacts on smaller rural states that have become accustomed to receiving their share of terrorism preparedness monies. The terrorism response equipment purchased by states and localities, planning efforts and training conducted for thousands of state and local emergency response personnel require long-term support from the federal government for what can be characterized as a national security effort. Otherwise, the achievements that have been made thus far will fall to the wayside very quickly as day-to-day public safety needs consume the attention and resources of state and local governments. Among states and emergency response disciplines, there is a common concern regarding long-term sustainable federal funding for homeland security.

#### ***Traditional Funding is Losing Out***

While money remains in the pipeline for such programs as bioterrorism preparedness, law enforcement prevention activities and terrorism response equipment purchase, funding for traditional programs such as the Predisaster Mitigation Program, the Hazard Mitigation Grant Program, and the Emergency Management Performance Grant is losing its foothold. These programs provide long term, critical operational funding for emergency management and the proven, successful programs that minimize the risk to property and life before a disaster occurs.

Earmarking funds for a particular need is a popular legislative strategy, but traditional funding for basic state emergency operations, grants management, non-homeland security related training, and public outreach has been lost in a wave of stovepipe funding for equipment, terrorism exercises, border and port security, and critical infrastructure protection. These are legitimate needs, but states and locals are struggling to simply maintain adequate staffing levels, pay overtime and administer the funds channeled through their agencies.

Funding for emergency management programs has been stagnant for over a decade, with only modest increases in state operating budgets despite the national focus on homeland security. State budget cuts due to revenue shortfalls have hit emergency management and public safety agencies at a time when more is expected from them. Increased responsibilities for homeland security and the loss of adequate

funding for basic operations have taken their toll. In fiscal year 2005, agency budgets ranged from \$410,000 to \$280 million, plus state disaster appropriations ranged from \$20,000 to \$560 million. The national average for state agency operating budgets was \$12 million, and when disaster appropriations are included the national average increases to \$26 million. This represents a significant decrease from fiscal year 2004. These budgets support an average of 70 full-time employees. Staffing levels in individual agencies range from 13 to 459 full-time employees.

Most new federal funds are being directed specifically toward homeland security activities, while ignoring the needs of basic public safety systems. The nation's emergency management and response system can support homeland security efforts, but must be made more robust and then maintained over the long-term. As their budgets allow, some states are doing their part by appropriating additional funds for homeland security related activities such as planning, training, and exercises; intelligence sharing and analysis; improvements to local emergency operations centers; critical infrastructure protection; increases in law enforcement personnel; support costs for homeland security staff; and matching funds to assist local jurisdictions in meeting federal grant requirements. However, more can be done. States need the flexibility to direct federal funds to fill the gaps where they cannot – whether it be to develop a specialized response capability to deal with particular threats or to enhance overall emergency preparedness within the state.

#### **A New Strategy for Response**

*Homeland Security Presidential Directive #5 – Management of Domestic Incidents* calls for the U.S. Department of Homeland Security to integrate the current family of federal domestic prevention, preparedness, response and recovery plans into a single all-hazards plan, and to develop a comprehensive national incident management system to respond to terrorist incidents and natural hazards.<sup>2</sup> The fundamental requirements of this *National Response Plan* (NRP) are to develop a consistent approach to domestic preparedness as well as to incident management across the life cycle of the incident—from awareness, through prevention and preparedness, and into response and recovery—and to improve the effective use of resources that are available to during each step of the this cycle.<sup>3</sup>

The NRP:

- Creates a single, all-hazards plan that is flexible enough to accommodate all types of disasters and

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applies to all of the disciplines involved in the response;

- Emphasizes the unity of effort among all levels of government, private industry, volunteer organizations, and the public;
- Places equal emphasis on awareness, prevention, preparedness, response and recovery; and
- Establishes federal authorities to coordinate federal response efforts and outlines involvement of the Department of Homeland Security in incident management.

The NRP is being rolled out by the Department of Homeland Security in early 2005. The plan has wide implications for state and local governments, as they work to rewrite their existing emergency operations plans to reflect new relationships and protocols identified in the NRP. State and local stakeholder organizations have provided a significant amount of input to ensure that the plan does not create a new system entirely, but rather, takes advantage of the best procedures states already have in place. The new approach will take time to implement and exercising of the system will be needed.

### Mutual Aid Reaches New Heights

The Emergency Management Assistance Compact (EMAC) is a national interstate mutual aid agreement that allows states to share resources during times of disaster. EMAC has been in existence since 1992. To date, 48 states, two territories and the District of Columbia are signatories to EMAC. Membership requires that the compact legislation be enacted by the state legislature and signed into law by the governor.

The 2004 hurricane season required an extraordinary interstate mutual aid response to assist the impacted states of Florida, Alabama and West Virginia. EMAC reached a historic milestone when over 800 people from 38 states were deployed to help with disaster response and recovery efforts. EMAC assistance continued for over 85 straight days. The greatest needs were in the areas of 24 hour staffing for local emergency operations centers, managing donations, providing community outreach services to ensure disaster victims know where and how to access federal disaster assistance, and assisting the elderly and special needs population groups housed in emergency shelters. EMAC teams were also deployed to the Washington, D.C. headquarters of the Federal Emergency Management Agency (FEMA) where they worked for several weeks in coordination with FEMA and other federal agencies provid-

ing emergency support. This was the largest state to state utilization of mutual aid in history and the disaster threatened to overwhelm the federal government's response capability as well which made EMAC so valuable to the overall response.

As EMAC proved itself once again as the nation's premier interstate mutual aid mechanism, the Department of Homeland Security announced the rollout of the National Incident Management System (NIMS) which is intended to define a single comprehensive national approach to emergency and disaster prevention, preparedness, response and recovery. The overarching objective of NIMS is to ensure that all levels of government and the private sector are able to work together and communicate effectively. One of the main components of NIMS is mutual aid. All state and local governments are required to have mutual aid agreements in place by the end of fiscal year 2006 in order to be eligible to receive federal funding in the future.

States that are members of EMAC are ahead of the curve in the area of interstate mutual aid requirements by the federal government. At least 26 states have intrastate (local-to-local jurisdiction) mutual aid agreements in place and eight states are proposing such agreements be established. To date, approaches to implementing intrastate mutual aid have varied with 16 states making participation voluntary. Twelve states have mandated local mutual aid agreements through state statute and seven states require participation as a requirement for state/federal funding. The majority of agreements are cross-discipline allowing all first responders to participate i.e. fire, law enforcement, emergency medical services and others as determined appropriate by the participating mutual aid partners.

The National Emergency Management Association (NEMA) developed the National Model Intrastate Mutual Aid Legislation in 2004 and made it available to interested state and local governments. The model intrastate mutual aid agreement is based on EMAC and includes critical mutual aid provisions related to reimbursement, liability and workers compensation – all recommended in the NIMS document for inclusion in such agreements. Even those states with local mutual aid agreements already in place are now reviewing them against the national model and making revisions as needed to meet new requirements established through NIMS. At least 10 states plan to introduce the NEMA developed model into their 2005 state legislative sessions.

### Notes

<sup>1</sup> National Emergency Management Association.

<sup>2</sup> The White House, *Homeland Security Presidential*



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*Directive #5 – Management of Domestic Incidents* (Washington, D.C.: The White House, February 2003). <http://www.whitehouse.gov/news/releases/2003/02/20030228-9.html>.

<sup>3</sup> Department of Homeland Security, *National Response Plan*, (Washington, D.C.: Department of Homeland Security, 2004).

### References

National Emergency Management Association Web site  
<http://www.nemaweb.org>.

Emergency Management Assistance Compact Web site  
<http://www.emacweb.org>.

National Emergency Management Association. *NEMA 2004 Biennial Report: Organizations, Operations and Funding for State Emergency Management and Homeland Security* (Lexington, KY: National Emergency Management Association).

National Emergency Management Association. *If Disaster Strikes Today—Are You Ready to Lead? A Governor's Primer on All-Hazards Emergency Management*, (Lexington, KY: The National Emergency Management Association, 2002).

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