

WebMemo



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Cabinet-Level FEMA Not Needed

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As the House and Senate prepare their respective legislative strategies for the new Congress, one piece of legislation should be left off of the agenda—removing the Federal Emergency Management Agency (FEMA) from the Department of Homeland Security (DHS). Stakeholders who enjoyed having more authority and responsibility under a cabinet-level FEMA are putting pressure on Congress to remove FEMA from DHS.

But in the aftermath of 9/11, Congress recognized that stovepipes of authority and responsibility caused delays and confusion in the days following the attack. It acted by placing FEMA under DHS leadership in order to foster better integration between the various stakeholders involved in disaster response. By taking FEMA out of DHS, Congress would turn a blind eye to the lessons learned on 9/11. Putting constituent politics over effective disaster response is a move America can ill-afford.

From Past to Present. During the Clinton years, FEMA became a cabinet-level agency that reported directly to the President. Various stakeholders, from emergency managers to law enforcement officers, were given their own little piece of the homeland security pie. Regular communication between agencies whose missions intersected in a disaster was relatively non-existent. Essentially, each government stakeholder was given its own kingdom and, as a result, issues were simply sent up through a particular stovepipe to be handled within that agency.

Contrary to popular belief, FEMA, absent DHS, was not immunized from criticism over its response efforts. For instance, there was considerable public

outcry over FEMA's response to Hurricane Andrew, when the organization was decried for not providing adequate food or shelter for the 150,000 people temporarily left homeless by the storm.

9/11 as Catalyst. After 9/11, America realized that such an approach caused confusion over the roles of the particular agencies in a catastrophic disaster. There were enormous bureaucratic logjams that led to delays, hindering inter-agency communication. Determined to take a new approach, Congress, upon the creation of DHS in 2003, placed FEMA under its jurisdiction. DHS was to act as a leader—facilitating communication between various stakeholders so that they could seamlessly interact throughout the “life cycle” of a disaster—from intelligence aimed at thwarting attacks to on-the-ground relief in the aftermath.

But groups advocating for change at FEMA have used the DHS-led response to Hurricane Katrina in 2005 as an example that this new approach is not working. While there is no doubt that the FEMA response to this disaster was wholly inadequate, the shortfalls associated with Katrina stretched well beyond FEMA. In fact, a White House report issued on the lessons learned from Katrina identifies a variety of factors that exacerbated the failed

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response, many of which did not stem from DHS—such as the sheer magnitude of the destruction and inadequate coordination by other federal agencies. And that report did not delve into the inadequate state and local response, which has been identified as another significant source of delayed relief.

FEMA Fixed. A number of successes demonstrate that FEMA has been fixed and has learned from the lessons of Katrina. FEMA has been applauded for its response to disasters including the Midwest floods, the California wildfires, and Hurricanes Ike and Gustav. The agency has created partnerships with state and local officials and instituted internal changes, such as more staff and better technology (including electronic tracking of trucks). Most importantly, under Secretary Michael Chertoff's leadership, the stakeholders involved in disaster response have begun to communicate—an achievement unheard of prior to the inception of DHS.

Not the Kind of Change America Needs. Elevating FEMA would certainly please stakeholders looking for more access, money, and power on Capitol Hill. But moving FEMA to cabinet-level status would politicize the agency and turn the clock back on the progress made since 9/11. As 9/11 demonstrated, access does not equate to better disaster response. More likely, such a move would produce unrealistic expectations about the federal government's role in handling disasters, sending a message that it is okay for state and local governments not to develop their own robust programs because "FEMA has it covered"—a notion already perpetuated through the explosion of federal disaster declarations. Instead, Congress should:

- *Leave FEMA under DHS Leadership.* Elevating FEMA only adds more bureaucracy, making it more difficult to get assets where they are needed most in the aftermath of an emergency. Such a move also perpetuates the over-federalization of disaster response—that all disasters, regardless of severity, need to be handled at the federal

level—by insinuating that FEMA needs the highest leadership levels at its immediate disposal. This over-federalization diminishes the ability of state and local government to take an individualized approach to disaster response.

- *Let the Quadrennial Homeland Security Review (QHSR) Be a Guide.* The QHSR is scheduled to be released in December 2009. It will be a comprehensive review of agency progress since the agency's inception and will be a great resource for what changes need to occur at DHS—and which do not. The Obama Administration and Congress should wait until the QHSR is released before making major changes at DHS.
- *Reform Congressional Oversight of Homeland Security.* The current congressional oversight structure includes 108 committees, subcommittees, and commissions with jurisdiction over DHS. Because of this structure, these committees are often driven by politics and a desire to please constituents rather than a desire to put in place policies that are ideal from a security standpoint—thereby ignoring lessons learned from 9/11. Streamlining oversight into four committees (two in the House and two in the Senate) and splitting the Senate Homeland Security and Governmental Affairs Committee into two separate committees will ensure that Congress takes a course that is best for Americans—not stakeholders.

Sound Judgment as Guide. Reorganizing a federal agency on the basis of stakeholder politics is not the kind of change our nation needs in Washington. Congress and the new Administration must exercise sound judgment in its decision-making. And in the disaster response world, such sound judgment includes leaving FEMA alone.

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