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November 26, 2013

The Honorable Thomas R. Carper  
Chairman  
The Honorable Tom Coburn, M.D.  
Ranking Member  
Committee on Homeland Security and Governmental Affairs  
United States Senate

The Honorable Robert P. Casey, Jr.  
United States Senate

The Honorable Susan M. Collins  
United States Senate

**National Preparedness: Actions Taken by FEMA to Implement Select Provisions of the Post-Katrina Emergency Management Reform Act of 2006**

On August 29, 2005, and in the ensuing days, Hurricanes Katrina, Rita, and Wilma devastated the Gulf Coast region of the United States. Hurricane Katrina alone affected more than a half-million people located within approximately 90,000 square miles spanning Louisiana, Mississippi, and Alabama; ultimately resulted in over 1,600 deaths; and triggered one of the largest natural disaster relief and recovery operations in U.S. history. In the wake of these hurricanes, we and others issued reports and made recommendations related to the federal response to these events, concluding that the government was not adequately prepared to respond to catastrophic incidents.<sup>1</sup> In October 2006, the Post-Katrina Emergency Management Reform Act of 2006 (Post-Katrina Act) was enacted.<sup>2</sup>

<sup>1</sup> Beginning in February 2006, reports by the House Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, the Senate Homeland Security and Governmental Affairs Committee, the White House Homeland Security Council, the Department of Homeland Security (DHS) Inspector General, DHS, and the Federal Emergency Management Agency (FEMA) all identified a variety of failures and some strengths in the preparations for, response to, and initial recovery from Hurricane Katrina. We have issued a range of reports on emergency management and catastrophic disasters, including Hurricane Katrina, a selection of which are listed on the Related GAO Products page.

<sup>2</sup> The Post-Katrina Act was enacted as Title VI of the Department of Homeland Security Appropriations Act, 2007, Pub. L. No. 109-295, 120 Stat. 1355 (2006). The provisions of the Post-Katrina Act became effective upon enactment, October 4, 2006, with the exception of certain organizational changes related to FEMA, most of which took effect on March 31, 2007.

Almost 3 years prior to the hurricanes, and just over 1 year after the terrorist attacks of September 11, 2001, the Homeland Security Act of 2002 created the Department of Homeland Security.<sup>3</sup> The act merged 22 disparate agencies and organizations, including FEMA, into the new department. This act also generally charged DHS with securing the homeland against terrorist attacks and carrying out the functions of all transferred entities, including acting as a focal point regarding natural and man-made crises and emergency planning. Among its responsibilities, DHS was to build a comprehensive national incident management system comprising all levels of government and consolidate existing federal government emergency response plans into a single, coordinated national response plan.<sup>4</sup> Among other things, the Post-Katrina Act enhanced FEMA's responsibilities and its autonomy within DHS.<sup>5</sup> According to the act, FEMA's mission is to reduce the loss of life and property and protect the nation from all hazards by leading and supporting the nation in a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation.<sup>6</sup>

Given the importance of proper implementation of the act and the need for a unified, coordinated national incident management system capable of preparing for and responding to natural and man-made disasters, including catastrophic disasters, you requested that we review the status of implementation of five select provisions of the Post-Katrina Act related to the development of plans, exercises, capabilities, reports, and presidential certification of federal preparedness.<sup>7</sup> This report describes the actions FEMA has taken to address these select Post-

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<sup>3</sup> Pub. L. No. 107-296, 116 Stat. 2135.

<sup>4</sup> 6 U.S.C. § 314.

<sup>5</sup> For example, under the Post-Katrina Act, the FEMA Administrator reports directly to the Secretary of Homeland Security; FEMA is a distinct entity within DHS; and the Secretary of Homeland Security cannot substantially or significantly reduce the authorities, responsibilities, or functions of FEMA or the capability to perform them unless authorized by subsequent legislation. 6 U.S.C. §§ 313(c)(3), 316(a), 316(c)(1).

<sup>6</sup> 6 U.S.C. § 313 (b)(1).

<sup>7</sup> In November 2008, we reported on actions FEMA and DHS had taken in response to the Post-Katrina Act's provisions, areas where FEMA and DHS needed to take additional actions, and any challenges to implementation that FEMA and DHS officials identified. In general, we found that FEMA and DHS had made some progress in their efforts to implement the act since it was enacted, in October 2006. For most of the provisions we examined, FEMA and DHS had at least preliminary efforts under way to address them. However, we identified a number of areas that required action, and we concluded that FEMA and DHS had work remaining to implement the provisions of the act. The report provided information on the status of implementation efforts for the entire act, which includes over 300 discrete provisions. We did not assess the quality or likely outcomes of any of the actions that had been taken. For more details, see

Katrina Act provisions. On September 5, 2013, we briefed you on our overall findings (see enclosures I through V).<sup>8</sup> Table 1 summarizes the five provisions reviewed.<sup>9</sup>

**Table 1: Summary of Post-Katrina Act Provisions We Reviewed**

<b>6 U.S.C. § 319 (b)(2)(C):</b> Revise the Catastrophic Incident Annex and finalize the Catastrophic Incident Supplement
<b>6 U.S.C. § 748 (b):</b> Carry out a National Exercise Program and conduct periodic national exercises
<b>6 U.S.C. § 751 (b) and (d):</b> Develop an inventory of federal response capabilities and inventory database
<b>6 U.S.C. § 752 (b):</b> Annually submit to Congress a <i>Catastrophic Resource Report</i>
<b>6 U.S.C. § 753 (c) and (d):</b> FEMA’s development of pre-scripted mission assignments, and presidential certification of federal agencies with responsibilities under the National Response Plan

Source: GAO analysis of Post-Katrina Act provisions.

To conduct this work, we analyzed the five Post-Katrina Act provisions, reviewed agency documents—including emergency response and implementation plans and related reports—and discussed the act’s implementation with FEMA officials to identify actions taken in response to the act’s provisions during the period from October 2006 through November 2013. We also compared the actions described in agency documents and reported by officials with the provisions in order to describe any differences between the actions FEMA took and the language of the provisions. We did not assess the quality or likely outcomes of any of the actions that FEMA has taken. It was beyond the scope of this report to determine whether FEMA had fully complied with the provisions of the law or to evaluate the effectiveness—individually or collectively—of the actions that FEMA has taken. Additional focused evaluation in selected areas and, in some cases, more time for efforts to mature will be required in order to

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GAO, *Actions Taken to Implement the Post-Katrina Emergency Management Reform Act of 2006*, GAO-09-59R (Washington, D.C.: Nov. 21, 2008).

<sup>8</sup> The enclosures describe the actions FEMA officials report having taken in response to the five provisions. Each enclosure provides a summary of the provision’s requirements, relevant background information, information on actions FEMA officials reported taking in response to the provision, and our comparison of the actions taken against the language of the provision.

<sup>9</sup> For more details on the provisions reviewed, see enclosures I through V appended to this report.

evaluate the effectiveness of the actions taken to implement the law. Therefore, the description of an “action taken” for any given provision does not necessarily mean that FEMA has done all that is necessary to implement that particular provision or that FEMA has done so effectively. Further, where future actions to be taken are identified, it is not intended to suggest that once that action is completed, the relevant statutory provision will be fully implemented.

We conducted this performance audit from May to November 2013, in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit’s objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

In summary, we found that FEMA reported taking various actions to address each of the five provisions.

- **6 U.S.C. § 319 (b)(2)(C):** In response to this provision—which requires FEMA to revise the Catastrophic Incident Annex (the Annex) to the National Response Plan (NRP), now called the National Response Framework (NRF), and finalize and release the Catastrophic Incident Supplement (the Supplement) to the NRP—FEMA revised the Annex, and finalized and released the Supplement, but has not revised the Supplement to reflect the NRF.<sup>10</sup> For more details on the status of implementation of this provision, FEMA’s perspective, and background on the NRP/ NRF, the Annex, and the Supplement, see enclosure I.
- **6 U.S.C. § 748 (b):** In response to this provision—which requires FEMA to carry out a national exercise program and conduct periodic national exercises, not less than biennially—FEMA developed the National Exercise Program (NEP) in coordination with other federal agencies and two national councils within the time frame required by the act, and conducted five national exercises since fiscal year 2007. For more details on the status of implementation of this provision, FEMA’s perspective, and background on the NEP and national level exercises, see enclosure II.

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<sup>10</sup> The Post-Katrina Act predated the NRF and refers to the NRF’s predecessor, the NRP. When the Post-Katrina Act was enacted, in October 2006, the NRP was the name of the document that served as the nation’s comprehensive framework for the management of domestic incidents where federal involvement was necessary. DHS subsequently revised the NRP and reissued it in January 2008 under a new name, the NRF. Because the law defines “National Response Plan” as encompassing any successor plan to the NRP, the law applies to the NRF just as it did the NRP. See 6 U.S.C. § 701(13).

- 6 U.S.C. § 751 (b) and (d):** In response to this provision—which requires FEMA to develop an inventory of federal response capabilities as well as a database for the inventory—FEMA officials said that, taken together, the draft Federal Interagency Operational Plan for the NRF (Response FIOP) and FEMA’s Pre-Scripted Mission Assignment (PSMA) Catalogue address the requirement. Both the Response FIOP and PSMA Catalogue include information on capabilities that may be available from other federal agencies during disaster response, per the Post-Katrina Act requirement. However, neither document individually, or taken together, includes all of the information specified in the provision. For more details on the status of implementation of this provision, FEMA’s perspective, and background on the Response FIOP and PSMA Catalogue, see enclosure III.
- 6 U.S.C. § 752 (b):** In response to this provision—which requires FEMA to annually submit to Congress a *Catastrophic Resource Report* (CRR) that includes estimates of the resources of FEMA and other federal agencies needed for and devoted specifically to developing capabilities at all levels of government necessary to respond to a catastrophic incident—FEMA did not issue CRRs from fiscal year 2007 through fiscal year 2011, issued the first CRR in August 2012, and as of September 2013 FEMA officials said that they intend to issue the second annual CRR by the end of calendar year 2013. Further, we found that the 2012 CRR did not contain estimates of the resources needed for developing capabilities necessary to respond to a catastrophic incident, as specified in the provision. For more details on the status of implementation of this provision, FEMA’s perspective, and background on the CRR, see enclosure IV.
- 6 U.S.C. § 753 (c) and (d):** In response to this provision—which requires FEMA’s development of pre-scripted mission assignments and presidential certification that federal agencies with responsibilities under the NRP (now NRF) have, among other things, needed operational capabilities to meet the National Preparedness Goal—FEMA issued a PSMA Catalogue, and FEMA officials said that various recently issued and to-be-issued reports and a draft plan should collectively be considered to meet the presidential certification requirement.<sup>11</sup> However, the various recently issued reports that FEMA cited do not include

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<sup>11</sup> The National Preparedness Goal, issued by DHS in September 2011, defines success for national preparedness as “a secure and resilient Nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk.” This includes

- preventing, avoiding, or stopping a threatened or an actual act of terrorism;

an explicit presidential certification statement, nor do they specifically evaluate the Post-Katrina Act requirements that the President is called on to certify. For more details on the status of implementation of this provision; FEMA's perspective; and background on PSMAs, the PSMA Catalogue, and documents FEMA officials said should collectively be considered to meet the presidential certification requirements; see enclosure V.

For a timeline of FEMA's actions associated with implementation of these five provisions of the Post-Katrina Act, see enclosure VI.

### **Agency Comments**

We provided a draft of this report to officials from DHS and FEMA for their review and comment. FEMA provided technical comments that were incorporated as appropriate.

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We are sending copies of this report to the appropriate congressional committees, the Secretary of Homeland Security, the Administrator of FEMA, and other interested parties. In addition, the report is available at no charge on GAO's website at <http://www.gao.gov>.

If you or your staff have any questions concerning this report, please contact me at (202) 512-9971 or [kirschbaumj@gao.gov](mailto:kirschbaumj@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Key contributors to this report were Christopher Keisling, Assistant Director; Tracey King; David Lysy; Lara Miklozek; Amanda Miller; and Erin O'Brien.

Joseph W. Kirschbaum  
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Enclosures—I through VI

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- protecting citizens, residents, visitors, and assets against the greatest threats and hazards in a manner that allows the Nation's interests, aspirations, and way of life to thrive;
  - mitigating the loss of life and property by lessening the impact of future disasters;
  - responding quickly to save lives, protect property and the environment, and meet basic human needs in the aftermath of a catastrophic incident; and
  - recovering through a focus on the timely restoration, strengthening, and revitalization of infrastructure, housing, and a sustainable economy, as well as the health, social, cultural, historic, and environmental fabric of communities affected by a catastrophic incident;
- Department of Homeland Security, *National Preparedness Goal* (Washington, D.C.: September 2011).

**Enclosure I:** 6 U.S.C. § 319 (b)(2)(C): Revise the Catastrophic Incident Annex and finalize the Catastrophic Incident Supplement

**Enclosure II:** 6 U.S.C. § 748 (b): Carry out a National Exercise Program and conduct periodic national exercises

**Enclosure III:** 6 U.S.C. § 751 (b) and (d): Develop an inventory of federal response capabilities and a database for the inventory

**Enclosure IV:** 6 U.S.C. § 752 (b): Annually submit to Congress a *Catastrophic Resource Report*

**Enclosure V:** 6 U.S.C. § 753 (c) and (d): FEMA's development of pre-scripted mission assignments, and presidential certification of federal agencies with responsibilities under the National Response Plan

**Enclosure VI:** Timeline of Actions Associated with Implementation of Select Provisions of the Post-Katrina Emergency Management Reform Act of 2006

#### **Related GAO Products**

## Abbreviations

CIA	Catastrophic Incident Annex
CIS	Catastrophic Incident Supplement
CRR	<i>Catastrophic Resource Report</i>
DHS	Department of Homeland Security
DRW	Disaster Reserve Workforce
FEMA	Federal Emergency Management Agency
IMAT	Incident Management Assistance Team
NEP	National Exercise Program
NLE	National Level Exercise
NPR	<i>National Preparedness Report</i>
NRF	National Response Framework
NRP	National Response Plan
PPD-8	Presidential Policy Directive 8: <i>National Preparedness</i>
PSMA	Pre-Scripted Mission Assignment
Response FIOP	Federal Interagency Operational Plan for Response



## 6 U.S.C. § 319 (b)(2)(C)

This provision requires FEMA to

- revise the Catastrophic Incident Annex, and
- finalize and release the Catastrophic Incident Supplement to the National Response Plan (now called the National Response Framework).

### Background

DHS issued the Catastrophic Incident Annex to the NRP in December 2004. The Annex was intended to establish the overall strategy for implementing and coordinating a response to a catastrophic incident.

FEMA (a component of DHS) initially issued the draft Catastrophic Incident Supplement to the Annex in April 2005 and revised and finalized it in September 2006. According to the Supplement, FEMA developed it to establish a strategy for delivering federal resources in response to a no-notice or short-notice incident. The Supplement identified scenarios for such an incident, such as a natural disaster or terrorist attack, and included a schedule describing what resources should be deployed and when.

In January 2008, FEMA revised the NRP by, among other things, incorporating stakeholder comments, and renamed it the NRF.

For more information, contact Joe Kirschbaum at (202) 512-9971 or [KirschbaumJ@gao.gov](mailto:KirschbaumJ@gao.gov).

## 6 U.S.C. § 319 (b)(2)(C)

### Revise the Catastrophic Incident Annex and finalize the Catastrophic Incident Supplement

#### Summary of Findings

Since enactment of the Post-Katrina Emergency Management Reform Act of 2006 (Post-Katrina Act) in October 2006, FEMA revised the Catastrophic Incident Annex (the Annex) to the National Response Plan (NRP), and finalized and released the Catastrophic Incident Supplement (the Supplement), but has not revised the Supplement since its initial issuance. The Annex was released in December 2004 as part of the NRP. The Supplement was released in draft form in April 2005 and provides information on implementing the strategy contained within the Annex. To incorporate changes made in response to Hurricane Katrina, FEMA revised the NRP and Annex in May 2006, and revised and finalized the draft Supplement in September 2006 (a month prior to enactment of the Post-Katrina Act). Since that time, FEMA replaced the NRP in January 2008 with the National Response Framework (NRF), and revised and reissued the Annex in November 2008 to align with the NRF, but has not yet revised the Supplement. In May 2013, FEMA issued a revised NRF to implement requirements from Presidential Policy Directive 8 (PPD-8) on national preparedness. The 2013 NRF does not contain new or updated incident annexes or supplements.

FEMA officials stated that the agency does not plan to revise and reissue the 2008 Annex as part of the new NRF, nor does the agency plan to revise and reissue the 2006 Supplement, which aligns with the now-superseded NRP. Instead, FEMA officials plan to replace both the Annex and Supplement with a combination of all-hazards national and regional operational plans that include catastrophic incidents within their scope.

- At the national level, FEMA submitted the draft Federal Interagency Operational Plan for Response (Response FIOP), which was required by PPD-8, to the National Security Staff and other federal agencies for review in October 2012. Although the draft has not yet been finalized, as of November 2013, FEMA officials stated that the Response FIOP is currently in use. Both the Supplement and the Response FIOP contain planning assumptions, general resource inventories, and appendices on response capabilities that are applicable to catastrophic incidents. While the Supplement includes a schedule of when specific response tasks should be initiated, the Response FIOP lists the specific tasks without such a schedule. For a comparison of the Supplement and the Response FIOP, see table 2. FEMA officials stated that they plan to update, develop, or rescind (as needed) all incident annexes, such as those on radiological incidents or earthquakes, by fiscal year 2017.
- According to FEMA officials, as of September 2013, all 10 of FEMA's regions had developed all-hazards plans that provide information on regional resources that could be used to respond to a catastrophic incident.

Table 2: Comparison of the Catastrophic Incident Supplement and Federal Interagency Operational Plan

	<b>Catastrophic Incident Supplement (Supplement)</b>	<b>Federal Interagency Operational Plan (Response FIOF)</b>
<b>Scope</b>	Catastrophic incidents only.	All hazards, which includes both man-made and natural disasters, as well as incidents that are catastrophic in nature.
<b>Concept of operations and planning assumptions</b>	Describes the concept of operations and planning assumptions for each of the response capabilities in the Supplement.	Describes the concept of operations and planning assumptions for each of the response capabilities in the Response FIOF.
<b>Capabilities</b>	Includes appendices with additional information for each of the response capabilities, such as specific tasks to be completed. For example, these capability appendices include mass care services, search and rescue, and public information and warning.	In addition to the appendices included in the Supplement, the Response FIOF also includes appendices on other capabilities, such as planning, situational assessment, operational coordination, and operational communications. According to FEMA officials, the agency will develop incident-specific annexes by fiscal year 2017.
<b>Response tasks</b>	Includes a schedule of 152 response tasks that identifies the initiation time and agency responsible for each task. For example, in the case of a nuclear incident, no later than 30 minutes following the Secretary of Homeland Security's designation of the event as a catastrophic incident, the Department of Homeland Security is to activate the U.S. Coast Guard National Strike Force to deploy three 10-person hazardous materials teams.	Includes a list of 1,216 response tasks. For example, one of the tasks is to provide emergency repair of damaged public infrastructure and critical facilities. Generally, the list does not include information on when exactly the tasks are to be initiated. However, the annexes contain information regarding the phase (e.g., pre-incident, response, recovery) during which tasks should be initiated.
<b>Transportation support schedule</b>	Identifies 46 response teams and supplies, as well as the number of hours following an incident the resources are to be deployed.	Includes an appendix on critical transportation, but does not include a transportation support schedule.
<b>Risk assessment</b>	Does not describe the results of risk assessments.	Includes information from the Strategic National Risk Assessment and additional analysis of disasters since 1998. The purpose of this information is to illustrate factors that have the potential to impede the delivery of emergency response capabilities.
<b>Team and resource inventories</b>	Lists 85 response teams, a description, and a point of contact. Additional resources are included in the capability appendices.	Lists 251 response teams and other resources, including those related to chemical, biological, radiological, nuclear, and high-yield explosives.

Source: GAO analysis of FEMA documents.



## 6 U.S.C. § 748 (b)

The provision requires FEMA, within 180 days of enactment of the Post-Katrina Emergency Management Reform Act of 2006 (Post-Katrina Act) on October 4, 2006, to

- carry out a national exercise program and
- conduct periodic national exercises, not less than biennially.

## Background

In January 2007, the National Security Council and the Homeland Security Council (now combined as the National Security Council) unanimously reached agreement on a charter memorandum for the NEP, and in April 2007, the President approved the associated NEP Implementation Plan. For national-level exercises, FEMA, in coordination with other federal and nonfederal entities, designs the exercises to evaluate existing national plans and policies and test the nation's ability to perform missions or functions that prevent, protect against, respond to, recover from, and mitigate all hazards.

For more information, contact Joe Kirschbaum at (202) 512-9971 or [KirschbaumJ@gao.gov](mailto:KirschbaumJ@gao.gov).

## 6 U.S.C. § 748 (b)

Carry out a National Exercise Program and conduct periodic national exercises

## Summary of Findings

FEMA developed the National Exercise Program (NEP) in coordination with other federal agencies, the National Council on Disability, and the National Advisory Council within the 180-day time frame required by the Post-Katrina Act. FEMA issued a new NEP Base Plan in March 2011 to replace the initial NEP charter memorandum and related implementation plan issued in January 2007. According to the 2011 Base Plan, exercises are to be conducted with a high degree of realism, based on current risk assessments, and carried out with minimal notice, as appropriate. In June 2012, FEMA issued an updated NEP Implementation Plan, which further clarifies the roles and responsibilities of stakeholders, and details specific processes and procedures for carrying out the program. According to the Implementation Plan, exercise evaluation teams are to develop draft after-action reports and improvement plans for each national level exercise (NLE) no later than 30 calendar days following the exercise to help ensure that key issues are identified as soon as possible for corrective action.

Since enactment of the Post-Katrina Act, FEMA has conducted five national exercises focusing on different scenarios:

- Top Officials (TOPOFF) 4, on radiological dispersal device attack prevention, response and recovery;<sup>1</sup>
- NLE 2009, on terrorism prevention;
- NLE 2010, on improvised nuclear device attack response and recovery;
- NLE 2011, on response to a catastrophic earthquake in the New Madrid Seismic Zone; and
- NLE 2012, on cybersecurity.

Over 40 federal departments and agencies participated in these five national exercises, as did representatives from international, state, tribal, and local governments; nongovernmental organizations; and the private sector. FEMA developed and issued after-action reports and improvement plans for each of these exercises upon their completion.

FEMA's 2011 Base Plan established a 2-year exercise cycle for NLEs starting in calendar year 2013 (replacing the 2007 NEP implementation plan's prior annual requirement). According to the 2011 Base Plan, starting in 2013, each 2-year cycle is to culminate in an NLE (to be termed "capstone exercise" for 2014) that incorporates lessons learned from other, smaller exercises conducted during the same cycle. As of July 2013, FEMA officials stated that the agency is planning and preparing for the culminating NLE for the first 2-year NEP cycle (2013-2014) under the 2011 Base Plan.

<sup>1</sup> Prior to introducing the term "national level exercise" with NLE 2009, such exercises were referred to as "top officials" (TOPOFF) exercises. According to FEMA officials, starting in 2014 the term "national level exercise" will be replaced by the term "capstone exercise."



## 6 U.S.C. § 751 (b) and (d)

This provision requires FEMA to develop an inventory of federal response capabilities as well as a database for the inventory.

The inventory is to include (a) performance parameters; (b) time frames within which a given capability can be brought to bear on an incident; (c) readiness of a given capability to respond to all-hazards, including natural disasters, terrorism, and other disasters; (d) information on credentialed personnel; (e) categorized information on equipment; and (f) emergency communications assets.

The inventory database is to allow (a) real-time exchange of information on response capabilities, readiness, equipment compatibility, credentialed personnel, and resources categorized by kind and type; (b) easy identification and rapid deployment of capabilities during an incident; and (c) the sharing of the inventory with other federal agencies, as appropriate.

## Background

In November 2008, we reported that FEMA had not yet completed an inventory of federal response capabilities (see GAO-09-59R). According to FEMA officials at the time, the agency was in the process of assessing federal capabilities as part of its comprehensive assessment system.

For more information, contact Joe Kirschbaum at (202) 512-9971 or [KirschbaumJ@gao.gov](mailto:KirschbaumJ@gao.gov).

## 6 U.S.C. § 751 (b) and (d)

Develop an inventory of federal response capabilities and a database for the inventory

## Summary of Findings

FEMA officials said that, taken together, the draft Response FIOF and FEMA's Pre-Scripted Mission Assignment (PSMA) Catalogue address the Post-Katrina Act requirement for the development of an inventory of federal response capabilities and a related database.

- FEMA initiated the development of the draft Response FIOF to address the requirement in PPD-8 to develop an interagency operational response plan that included, among other things, information on detailed resource, personnel, and sourcing requirements. It includes lists of 251 response teams and other resources to respond to a disaster, including communications assets.
- As of June 2013, FEMA's PSMA Catalogue includes 256 PSMA's for 31 federal departments, agencies, and offices. PSMA's are draft work orders—established in advance of a disaster and then modified to meet the needs of a specific incident—issued by FEMA to another federal agency to request disaster response support. For example, one is for the Department of Defense to provide aerial imagery of an affected area in support of disaster operations.

Both the Response FIOF and PSMA Catalogue identify capabilities and communication assets, per the Post-Katrina Act requirement. However, as an inventory, neither document individually, or taken together, includes all of the information specified in the provision, such as performance parameters, time frames, and readiness, nor do the documents identify the available quantity of each resource. According to FEMA officials, because the kind and type of resources maintained by a given department or agency continually change, each department and agency maintains its own list of resources. Further, FEMA officials stated that the agency assigns missions to other federal entities based on the capability needed, not the individual resources that may be used to operationalize the requested capability.

Both the Response FIOF and PSMA Catalogue include information on capabilities that may be available from other federal agencies during disaster response, per the Post-Katrina Act requirement. However, as a database, neither document individually, or taken together, includes all of the information specified in the provision, such as compatibility, personnel, or resources. Further, while the draft Response FIOF is to be shared with other federal agencies, the PSMA Catalogue is available only through FEMA's internal website, and neither document itself allows for the real-time exchange of current information between federal agencies.

We previously reported that—while FEMA has taken steps to establish and assess capabilities—as of June 2013, the agency has not yet developed clear, objective, and quantifiable capability requirements and performance measures that are needed to identify capability gaps in order to determine what level of federal resources will be needed to close such gaps. For more details and related prior GAO recommendations to FEMA on capabilities, see GAO-13-637T.



### 6 U.S.C. § 752 (b)

This provision requires FEMA to annually submit to Congress a *Catastrophic Resource Report* that includes estimates of the resources of FEMA and other federal agencies needed for and devoted specifically to developing capabilities at all levels of government necessary to respond to a catastrophic incident.

### Background

FEMA issued the draft *Catastrophic Incident Supplement* to the NRP in April 2005 and revised and finalized it in September 2006 to address lessons learned from Hurricane Katrina. In January 2008, FEMA revised the NRP and renamed it the NRF. The second edition of the NRF was issued in May 2013.

PPD-8 was issued in March 2011. In May 2011, DHS issued an implementation plan for PPD-8 that called for DHS to develop a federal interagency operational plan to implement the NRF. According to FEMA officials, the Response FIOP will replace the 2006 Supplement. According to FEMA officials, as of August 2013, the draft Response FIOP is undergoing final interagency and National Security Staff review and issuance is anticipated to occur by the end of calendar year 2013.

For more information, contact Joe Kirschbaum at (202) 512-9971 or [kirschbaumj@gao.gov](mailto:kirschbaumj@gao.gov).

## 6 U.S.C. § 752 (b)

### Annually submit to Congress a *Catastrophic Resource Report*

### Summary of Findings

FEMA submitted the first *Catastrophic Resource Report* (CRR) to Congress in August 2012, issued to the Chair and Ranking Members of the Senate and House Appropriations Committees' Subcommittees on Homeland Security, as well as the Speaker of the House. As of mid-September 2013, FEMA officials said they were developing the second annual CRR and that they expected to submit it to Congress by the end of calendar year 2013. FEMA did not issue an annual CRR for fiscal years 2007 through 2011, and officials did not identify any specific reasons for not issuing the first annual report until late fiscal year 2012.

We found that the first CRR, issued in 2012, did not contain estimates of the resources of FEMA and other federal agencies needed for and specifically devoted to developing capabilities at all levels of government necessary to respond to a catastrophic incident. It instead provided a holistic view on national preparedness, according to FEMA officials. Specifically, we found that the 2012 CRR provided anecdotal information on accomplishments to date and planned future efforts related to execution of the 2006 *Catastrophic Incident Supplement*. The information contained in the report is organized by the resource categories identified in the Post-Katrina Act provision: planning; training and exercises; regional office enhancements; staffing, including catastrophic incident surge capacity; logistics capabilities; other responsibilities under the Supplement; state, local, and tribal government catastrophic preparedness; and increases in fixed costs or expenses devoted specifically to catastrophic preparedness. For more details on the accomplishments to date and planned future efforts identified in the 2012 CRR, see table 3.

FEMA officials stated that the 2013 CRR, when finalized, will provide information on efforts related to execution of the draft Response FIOP rather than the 2006 Supplement, as the Response FIOP will supersede the Supplement upon its finalization. For more details on the draft Response FIOP and the 2006 Supplement, see enclosure I on Post-Katrina Act provision § 319 (b)(2)(C).

**Enclosure IV**

**Table 3: Accomplishments to date and Planned Future Efforts Identified in the 2012 *Catastrophic Resource Report***

Resource Category	Accomplishments to date	Future efforts
Planning	<ul style="list-style-type: none"> <li>• Updated FEMA Strategic Plan with catastrophic preparedness focus</li> <li>• Updated the National Response Framework (NRF) Catastrophic Incident Annex and published the Catastrophic Incident Supplement to the Annex</li> <li>• Developed national catastrophic plans</li> <li>• Coordinated and integrated regional catastrophic plans</li> <li>• Expanded continuity of operations planning efforts</li> </ul>	<ul style="list-style-type: none"> <li>• Implementing the National Planning System informed by threat and hazard identification and risk assessment processes</li> <li>• Continuing catastrophic planning in FEMA regions</li> </ul>
Training and exercises	<ul style="list-style-type: none"> <li>• Established Surge Capacity Force training requirements</li> <li>• Coordinated increasingly complex National Level Exercises</li> <li>• Exercised catastrophic plans and capabilities</li> </ul>	<ul style="list-style-type: none"> <li>• Continuing FEMA Qualification System implementation</li> <li>• Implementing an updated National Exercise Program</li> </ul>
Regional office enhancements	<ul style="list-style-type: none"> <li>• Delegated additional authorities to FEMA regions</li> <li>• Increased regional staffing and resourcing</li> <li>• Developed regional whole community partnerships</li> </ul>	<ul style="list-style-type: none"> <li>• Implementing FEMA's planning, programming, budgeting, and execution process</li> <li>• Regionalizing homeland security grant programs</li> <li>• Improving regional preparedness for catastrophic scenarios</li> <li>• Implementing preparedness frameworks and plans at the regional level</li> </ul>
Staffing	<ul style="list-style-type: none"> <li>• Enhanced staffing capacity</li> <li>• Established Incident Management Assistance Teams (IMAT)</li> <li>• Enhanced the Disaster Reserve Workforce (DRW)</li> <li>• Developed a Surge Capacity Force</li> </ul>	<ul style="list-style-type: none"> <li>• Continuing Disaster Workforce transformation</li> <li>• Strengthening FEMA's human capital controls</li> <li>• Enhancing IMATs</li> <li>• Providing DRW training</li> </ul>
Logistics capabilities	<ul style="list-style-type: none"> <li>• Realigned logistics capability within FEMA</li> <li>• Improved processes, systems, and sourcing</li> <li>• Increased logistics staffing, training, and credentialing</li> <li>• Supported whole community logistics planning and coordination</li> </ul>	<ul style="list-style-type: none"> <li>• Enhancing logistics processes, systems, and sourcing</li> <li>• Conducting interagency logistics courses and resource planning</li> </ul>
Other responsibilities under the Catastrophic Incident Supplement	<p>Lists improvements in the following broad areas outlined in the NRF's Catastrophic Incident Annex and Catastrophic Incident Supplement:</p> <ul style="list-style-type: none"> <li>• Mass evacuations</li> <li>• Mass care, housing, and human services</li> <li>• Search and rescue</li> <li>• Decontamination</li> <li>• Public health and medical support</li> <li>• Medical equipment and supplies</li> <li>• Patient/casualty transportation</li> <li>• Public safety and security</li> <li>• Public information/incident communications</li> <li>• Critical infrastructure</li> </ul>	<p>Lists continuing efforts to further improve the broad areas outlined in the NRF's Catastrophic Incident Annex and Catastrophic Incident Supplement (identified at left).</p>
State, local, and tribal governments	<ul style="list-style-type: none"> <li>• Improved state and urban area emergency operations plans</li> <li>• Enhanced catastrophic plans through federal technical assistance</li> <li>• Improved regional catastrophic planning through federal grants</li> <li>• Improved capabilities through training</li> <li>• Tested capabilities through exercises</li> </ul>	<ul style="list-style-type: none"> <li>• Implementing Presidential Policy Directive 8: <i>National Preparedness</i></li> <li>• Integrating regional catastrophic planning efforts</li> </ul>
Increased fixed costs	<ul style="list-style-type: none"> <li>• Identified no fixed costs or expenses devoted specifically to catastrophic preparedness</li> </ul>	<ul style="list-style-type: none"> <li>• Identified no fixed costs or expenses devoted specifically to catastrophic preparedness</li> </ul>

Source: GAO analysis of FEMA's 2012 *Catastrophic Resource Report*.



### 6 U.S.C. § 753 (c) and (d)

This provision requires FEMA to develop pre-scripted mission assignments (PSMA) and the President to certify that federal agencies with responsibilities under the NRP (now NRF) have operational capabilities to meet the National Preparedness Goal, are compliant with the National Incident Management System, train and exercise their personnel, develop operational plans and related capabilities, and regularly update and verify information to be contained in a capability inventory.

### Background

FEMA's catalogue of PSMA's contains draft work orders that define activities to be performed by federal government entities, at the direction of FEMA, to aid state and local jurisdictions during a disaster or emergency. In March 2012, FEMA issued the first annual NPR, designed to identify progress made toward building, sustaining, and delivering preparedness capabilities in the decade following the September 11, 2001, terrorist attacks. FEMA issued the second NPR in May 2013, which focused on national preparedness accomplishments either achieved or reported during 2012. For more details on the annual CRR issued by FEMA, see enclosure IV on § 752(b).

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## 6 U.S.C. § 753 (c) and (d)

FEMA's development of pre-scripted mission assignments and presidential certification of federal agencies with responsibilities under the National Response Plan

### Summary of Findings

In June 2008, FEMA issued a printed catalogue of PSMA's, as required by the Post-Katrina Act provision. FEMA, as of November 2013, now maintains the PSMA catalogue on a FEMA intranet-based website. According to FEMA officials, the PSMA catalogue is to be continually updated based on lessons learned from disasters and preparedness exercises. As of June 2013, the PSMA catalogue contained approximately 256 federal mission assignments across 31 federal departments, agencies, and offices. A mission assignment is a work order issued by FEMA to another federal agency that directs completion by that agency of a specified task and sets forth funding, other managerial controls, and guidance. The Post-Katrina Act required FEMA to develop PSMA's in coordination with other relevant federal agencies, thereby enabling the expediting of federal assistance. For example, FEMA could use an existing PSMA as a basis for mission assigning the Department of Health and Human Services to activate the National Disaster Medical System in order to assist in the provision of emergency medical care in an affected area.

FEMA officials said that various recently issued and to-be-issued reports and a plan should collectively be considered to meet the presidential certification requirement in the Post-Katrina Act, but they did not provide documentation that included an explicit presidential certification statement. Specifically, these officials said the 2012 and 2013 *National Preparedness Reports* (NPR)—in conjunction with the (a) 2012 CRR and (b) not-yet-finalized 2013 CRR, (c) the not yet finalized Response FIOP, and (d) the not yet finalized 2013 *NRF Emergency Support Functions Report*—fulfill the intent of the provision. FEMA officials said that the 2012 and 2013 NPRs were approved by the President. However, the NPRs, as well as the 2012 CRR, do not include text referencing presidential approval or presidential certification that federal agencies meet the requirements identified in the provision. Further, neither the NPRs nor the 2012 CRR specifically evaluates the Post-Katrina Act requirements that the President is called on to certify. According to FEMA officials, future NPRs will include explicit language related to this provision to document that the NPRs are intended to satisfy the legislative requirement. FEMA officials did not identify any reports or plans related to the presidential certification requirement for the time period between passage of the Post-Katrina Act in October 2006 and issuance of the first NPR and CRR in 2012.

FEMA officials said that FEMA does not itself oversee and monitor the areas in the provision that the president is called on to certify, which includes the status of other departments' and agencies' operational capabilities, National Incident Management System compliance, training and exercising of personnel, and operational plan development. For more details on the status of FEMA's implementation of the Post-Katrina Act requirement to develop a federal response capability inventory and database, see enclosure III on § 751 (b) and (d).

**Enclosure VI**

**Timeline of Actions Associated with Implementation of Select Provisions of the Post-Katrina Emergency Management Reform Act of 2006**

Date	Event
December 2004	National Response Plan (NRP) issued, including a Catastrophic Incident Annex (CIA)
April 2005	Draft Catastrophic Incident Supplement (CIS) to CIA issued for interagency review
May 2006	NRP and CIA revised to incorporate changes made because of Hurricane Katrina
September 2006	Draft CIS revised to incorporate changes made because of Hurricane Katrina
October 2006	Post-Katrina Emergency Management Reform Act of 2006 enacted
January 2007	National Exercise Program (NEP) charter memorandum approved by the White House's National and Homeland Security Councils
April 2007	NEP Implementation Plan approved by the President and issued
January 2008	National Response Framework (NRF) issued, replaced the NRP
June 2008	Pre-Scripted Mission Assignment catalogue first issued
November 2008	CIA revised to conform with the NRF
March 2011	White House issues Presidential Policy Directive 8: <i>National Preparedness</i> (PPD-8)
March 2011	NEP Base Plan issued, replaced NEP charter memorandum
May 2011	PPD-8 implementation plan issued
September 2011	Per PPD-8 requirements, National Preparedness Goal issued
March 2012	Per PPD-8 requirements, first <i>National Preparedness Report</i> (NPR) issued
June 2012	NEP Implementation Plan revised to conform with NEP Base Plan
August 2012	First <i>Catastrophic Resource Report</i> (CRR) submitted to Congress
October 2012	Per PPD-8 requirements, FEMA submits draft Federal Interagency Operational Plan for Response (Response FIOP) for interagency review
May 2013	Per PPD-8 requirements, NRF revised and reissued (i.e., second edition)
May 2013	Per PPD-8 requirements, second NPR issued
December 2013	Anticipated submission of second CRR to Congress

Source: GAO analysis of White House and FEMA documents.

## Related GAO Products

*Civil Support: Actions Are Needed to Improve DOD's Planning for a Complex Catastrophe.* GAO-13-763. Washington, D.C.: September 30, 2013.

*Nuclear Terrorism Response Plans: Major Cities Could Benefit from Federal Guidance on Responding to Nuclear and Radiological Attacks.* GAO-13-736. Washington, D.C.: September 30, 2013.

*National Preparedness: FEMA Has Made Progress, but Additional Steps Are Needed to Improve Grant Management and Assess Capabilities.* GAO-13-637T. Washington, D.C.: June 25, 2013.

*National Preparedness: FEMA Has Made Progress in Improving Grant Management and Assessing Capabilities, but Challenges Remain.* GAO-13-456T. Washington, D.C.: March 19, 2013.

*Homeland Defense: DOD Needs to Address Gaps in Homeland Defense and Civil Support Guidance.* GAO-13-128. Washington, D.C.: October 24, 2012.

*National Preparedness: FEMA Has Made Progress, but Needs to Complete and Integrate Planning, Exercise, and Assessment Efforts.* GAO-09-369. Washington, D.C.: April 30, 2009.

*Actions Taken to Implement the Post-Katrina Emergency Management Reform Act of 2006.* GAO-09-59R. Washington, D.C.: November 21, 2008.

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