



COMMITTEE ON HOMELAND SECURITY

FOR IMMEDIATE RELEASE

Hearing Statement of Emergency Preparedness, Response, & Recovery Subcommittee Chairman Donald Payne, Jr. (D-NJ)

Joint Hearing: FEMA Contracting: Reviewing Lessons Learned from Past Disasters to Improve Preparedness

May 9, 2019

This week is Hurricane Preparedness Week, and today marks 22 days until the 2019 hurricane season begins. Unfortunately, there are still real questions about FEMA's preparedness for disasters, not the least of which is that there is not a confirmed administrator at the helm of FEMA.

I am particularly concerned about FEMA's contracting for disasters. Proper disaster contracting is crucial to successful response efforts, as disaster contracts provide for several survival and comfort items like food, water, blankets, and cots that communities need following major devastation. Disaster contracts also provide for important response-related services like debris removal, translators, and housing inspectors. While the magnitude of the effects of hurricanes, earthquakes, wildfires, and the like are obvious, FEMA seems to continually fall short in the realm of disaster contracting.

From Hurricane Katrina, we learned that one of the most important aspects of disaster preparedness is advanced contracting. However, here we are 14 years after Hurricane Katrina, and the Government Accountability Office (GAO) noted in its December 2018 report (GAO-19-93) on 2017 disaster contracting that FEMA still needs to improve its advanced contracting practices. Specifically, the GAO found that the advanced contracts FEMA had in place prior to the 2017 hurricane season were not sufficient to cover the need; the absence of which caused FEMA to scramble to enter into post-disaster contracts. Simply put, there needs to be more contracts in place before a disaster strikes. While it is difficult to predict exact needs prior to disasters, we do know that hurricane season is every June 1 - November 30th; and history has shown us that FEMA is likely to be under prepared in some fashion.

From a recent April 2019 GAO report (GAO-19-281), we also know that FEMA is still struggling with acquiring and retaining its disaster contracting workforce. The absence of adequate staffing levels causes undue delays in the securing and delivery of important goods and services impacted communities need following disasters. Then there were instances in 2017 such as the failed Bronze Star and Tribute contracts from FEMA. In the case of the Bronze Star contract, deficiencies in FEMA's contracting procedures resulted in delayed delivery of crucial supplies that would have helped Puerto Ricans protect their homes from further damage after Hurricane Maria. Similarly, the Tribute contract was for 30 million emergency meals and it had to be canceled after Tribute only delivered 50,000 of the 30 million meals required. These types of contracting errors are troubling and have major consequences.

We need to have an honest conversation today about how FEMA should proceed with preventing future contracting missteps, the results of which are Americans going without emergency goods and services. When disaster strikes, the American people depend on the Federal government to get it right. Yet, as the GAO has reported, FEMA's disaster contracting apparatus is unprepared, and its disaster contracting workforce is overwhelmed and overworked. FEMA itself also has acknowledged its contracting workforce shortcomings, as evidenced in their 2017 Hurricane Season After- Action Report. To make matters worse, the President has again proposed cuts to the Agency's discretionary funding, further complicating FEMA's ability to address disaster contracting workforce challenges.

Furthermore, the recent Federal government shutdown -- roughly six months before the start of hurricane season -- caused FEMA to order a stop on outstanding contracts; causing the Agency to lose valuable disaster contracting preparation time. Emergency preparedness, response, and recovery is too important of a mission for this Agency to consistently struggle with disaster contracting. Having experienced the horrors disasters can cause a community with Hurricane Sandy, I know how critical it is for FEMA to have effective processes in place before disaster strikes.

With this, I look forward to engaging with the DHS Office of Inspector General and the GAO about the underlining issues they have identified that seem to chronically cause FEMA to miss the mark with disaster contracting. I also look forward to hearing from FEMA about what Congress can do to help the Agency improve its disaster contracting practices.

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