Five Reasons Why FEMA Should Stay at DHS

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The FEMA Independence Act of 2009 is currently in the U.S. House of Representatives. This bill would move the Federal Emergency Management Agency (FEMA) out of the Department of Homeland Security (DHS) and elevate the agency to cabinet-level status.

This legislation, motivated by stakeholders seeking more access to the President, is the most recent in a litany of attempts to move FEMA out of DHS. However, DHS was created to stop this type of politics, which many attribute to the breakdown in information sharing and coordination on 9/11. Instead of taking FEMA out of DHS, Congress and DHS should increase disaster response capabilities outside the Beltway and improve congressional oversight of DHS and subsequently FEMA.

**Moving FEMA.** The FEMA Independence Act of 2009 is not the first attempt to take FEMA out of DHS and elevate the agency to cabinet-level status. In fact, during the Clinton presidency, FEMA was elevated to agency level after Hurricane Andrew. However, when DHS was created under the Homeland Security Act of 2002, FEMA was brought under DHS’s leadership along with 21 other agencies. The reason was simple: After 9/11 it became clear that all components of homeland security needed to work together more effectively.

While putting FEMA under DHS was an effective move—as evidenced by DHS’s response to such disasters as Hurricane Ike and the California wildfires—those who support taking FEMA out of DHS often refer to Hurricane Katrina as proof that FEMA has not excelled under DHS leadership. Hurricane Katrina was certainly not a success story for DHS-led disaster response; however, there are many more reasons to keep FEMA at DHS, including the following five.

1. **It Will Not Make Americans Safer.** Elevating FEMA will not make Americans any safer from acts of terrorism or natural disasters. First responders, not FEMA, are the most critical players in the first 24–72 hours after a disaster strikes. These individuals make the real difference in terms of lives and property saved. A cabinet-level FEMA will not make this response any more seamless. FEMA should be looking outside the Beltway, not further up the D.C. food chain, in its efforts to improve disaster response and recovery.

   FEMA also needs to be able to easily and efficiently collaborate with other agencies within DHS to provide an effective federal response when warranted. Agencies such as the Transportation Security Administration and the U.S. Coast Guard are integral partners in disaster response efforts. Separating FEMA from DHS would inhibit this coordination by creating bureaucratic barriers to information sharing.

2. **Time to Stop Reshuffling the Deck.** Since its inception, DHS has undergone nine major reorgani-
organizations. The frequency of these reorganizations has decreased morale while increasing confusion among stakeholders and employees about DHS mission, roles, and responsibilities.

Reorganizing DHS again for the sake of a cabinet-level FEMA is not the best use of resources and would send the wrong message to employees and stakeholders. As DHS matures, future reorganizations should be considered with caution.

3. More Federalization Is a Bad Idea. In the past few decades, the federalization of disaster response has grown exponentially. This growth can be seen in the great number of federal disaster declarations, a number that continues to increase every year.

In 1995, there were only 30 of these declarations; however, by 1996 there were 157, the highest number on record. The Obama Administration is on target to reach 139, with the Bush Administration coming in at 130. This federalization of disasters encourages state and local governments to be less prepared when disaster strikes because they know that the federal government will intervene. Not only is this a bad thing for the victims of disasters, but it also comes at major expense to taxpayers, who are forced to subsidize the response efforts.

A better approach is to encourage state and local governments to develop their own capabilities. A bigger FEMA bureaucracy resulting from cabinet-level status will send exactly the opposite message: that White House access will bring state and local governments even more federal resources.

4. Leaders Like a DHS-Led FEMA. Leaders on both sides of the aisle have expressed support for keeping FEMA at DHS. In fact, Secretary of Homeland Security Janet Napolitano herself has expressed support for keeping FEMA in place. So have Senators Joseph Lieberman (I–CT) and Susan Collins (R–ME). In fact, Senator Lieberman has stated that “FEMA is exactly where it belongs, at the center of the Department of Homeland Security, where it plays a critical role in helping to protect Americans where they live and work from both natural and man-made disasters.”

Given the enormous pressures placed on Members of Congress by constituencies seeking effective disaster response, the bipartisan support for this approach is a sign that a FEMA is working under DHS.

5. DHS-Led FEMA Is Working. While some have cited the failures of FEMA in response to Hurricane Katrina as a clear need for reorganization, the fact is that DHS has taken the lessons learned from Katrina and made changes at the department. These changes have led to tremendous improvements in federal disaster response capabilities.

From the flooding in the Midwest in 2007 to the California wildfires in 2008, FEMA has provided early response and cross-governmental collaboration with state and local actors while improving technology and staffing.

Do Not Undo Progress. Instead of reorganizing DHS, Congress and DHS should focus on:

- Reforming Congressional Oversight of Homeland Security. Currently 86 different subcommittees and committees have jurisdiction over these issues. This confusing web of jurisdiction keeps DHS overworked in responding to congressional demands and leaves Congress unfocused and unable to give quality oversight. Consolidating oversight would ensure that important areas of homeland security, including disaster response, are met with the appropriate level of congressional attention.

- Improving Outside-the-Beltway Response. DHS, for its part, should focus on improving its response from outside-the-Beltway examples and encouraging state and local governments to increase their own capabilities.

A first step would be to reform the homeland security grant program. This program has become a pork barrel spending program, coming at a high cost to taxpayers with little capabilities to show for it. One way to improve this grant process is to restrict homeland security grant funding to building the 37 capabilities on the DHS Target Capabilities list.

- Establishing Clear Limits on Federal Emergency Declarations. Emergency declarations should align with the scales used for disasters, such as the Richter scale. Also, when a disaster goes beyond the defined state and local capabilities,
then—and only then—should FEMA intervene. Such a limitation ensures that precious FEMA resources are dedicated to those disasters that truly require a national response.

A United DHS Needed. Taking FEMA out of DHS would effectively undo much of the progress that has been accomplished since 9/11. America needs to support a strong, united DHS. Keeping one of its biggest components within its ranks will help accomplish this task.

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