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Utilization of Private Resources to Supplement Government Resources in Case of Emergency

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Summary of the Issue

In a post 9/11 and Hurricane Katrina atmosphere and mindset, emergency management officials understand that government resources alone are not capable of serving the needs of a given population, depending upon the magnitude of the disaster. In the aftermath of 9/11, the resources of New York City were stretched not only by the disaster itself but also by the loss of first responders and emergency crews as they attempted to remove people from the towers. In New Orleans there was a delayed response due in part to communication failures, but also because government resources were unable to cope with the scope of the disaster in terms of sheer numbers and were not available in terms of deployment for a considerable amount of time.

Understanding this issue is vital as the state of Pennsylvania prepares to respond to threats, both natural and human-caused, that face us. Response to these emergencies takes on even greater significance when viewed through the prism of the War on Terror. The death and destruction created by a terrorist attack is a secondary goal when a terrorist attack occurs. Terrorists' primary goal is to frighten the population by making people feel vulnerable. This feeling of vulnerability is intensified when those charged with response and mitigation are unable to accomplish these tasks effectively.

Pennsylvania has many potential target cities for terrorist attacks. Philadelphia, Harrisburg, and Pittsburgh are all possible targets. Philadelphia has much of our national heritage within its boundaries. Pittsburgh has many bridges and tunnels, which are part of major access points to the city itself. The potential for massive disruption of services into and out of Pittsburgh is extremely high. In the aftermath of the Oklahoma City bombing, every state capitol has to be considered a potential target. Finally, Harrisburg has already been specifically targeted by terrorists for an Oklahoma City-style bombing on the federal building

in the downtown area. Pennsylvania must consider itself to have a higher than average probability of being attacked than most other states.

As we face these situations it is incumbent upon us to take inventory of what we in government can accomplish with the tools and resources at our disposal. When these allocations are not enough, we have a responsibility to take advantage of nontraditional resources within our state.

Background

There are many programs which have already been developed in response to this issue that may help illuminate the path forward toward more effective preparation and quicker responses.

The Community Emergency Response Team, or CERT, was originally developed by the Los Angeles Fire Department in 1985. It was then developed by the Federal Emergency Management Agency (FEMA) at the national level. CERT is designed to train members of the community to be their own first responders. Hurricane Katrina made it clear that individuals and community organizations need to view themselves as their own first responders. The CERT program trains people to do just that and can be built out of a school, daycare center, nursing home, or any type of community group, business, or organization that chooses to take part in the program. Training is offered in such aspects of emergency preparation as first aid and communications. Other training might include how to respond to the different Weapons of Mass Destruction (WMD) attacks, including chemical, biological, radiological, or nuclear. The importance of CERT cannot be overstated. Individuals are their own first responders. This fact is usually understated, and the usefulness of individual human capital is underutilized. People believe that government is going to come and save them, but as we have seen time and time again, this is just not the case. This program empowers individuals, organizations, and communities to better serve themselves.

In 1952, the Radio Amateur Civil Emergency Service (RACES) was established. The primary mission of this program is to mobilize amateur radio broadcasters for communication purposes when a disaster of some type has broken the normal avenues of communication. FEMA has provided organizational planning and technical assistance for the establishment of this program at state and local levels. The Federal

Communications Commission (FCC) regulates RACES operations and Pennsylvania uses the program at the local and state levels.

FEMA has also developed a national program called Voluntary Organizations Active in Disasters (VOAD), which is implemented by the Pennsylvania Emergency Management Agency (PEMA) for Pennsylvania. VOAD is not a directive organization since it has no controlling authority over the voluntary organizations from which it is made. Instead, its focus is primarily one of coordination and communication. Organizations involved are defined by their mission and capabilities. Some examples of this are:

Adventist Community Services

Collects food and distributes it to disaster victims
Collects clothing and distributes it to disaster victims
Collects hygiene products and distributes them to disaster victims
Provides counseling
Provides overnight shelter in some churches
Provides personnel for mass feeding, if necessary

American Baptist Men

Collects hygiene products and delivers them to disaster victim
Provides materials and logistical assistance
Provides mass feeding
Rebuilds, repairs, and offers cleanup operations
Provides volunteer personnel

VOAD's programs can be at a community, county, or regional level. The program is extremely important at these sub-state levels of government because they are the first responders to all emergencies and understand the special needs of their own communities.

Another program worth highlighting is the Logistical Civil Augmentation Program or LOGCAP. A number of wings of the military have developed their own programs based on LOGCAP, but LOGCAP was the first. It is a U.S. Army initiative that uses civilian contractors to enhance military non-combat capabilities. The military has always used civilian contractors in military support roles dating back to the Revolutionary War. After the Vietnam War, the U.S. Army realized that a system was needed to expedite the mobilization of contractors on the

battlefield. LOGCAP was established in 1985 by the publication of AR 700-137. During the Persian Gulf War, hundreds of different contractors were hired under as many different contracts with results that were less than satisfactory. The different contracts led to unclear mission statements and requirements. The resulting inefficiencies led to shoddy work and unsatisfied clients. This state of affairs led to a revision and expansion of LOGCAP in order to deal with any situation requiring military intervention that might arise, whether foreign or domestic. The first LOGCAP contract was awarded to the corporate precursor to Halliburton in 1992 for services and support in Somalia.

Since 1992, LOGCAP contracts have been used over a dozen times and currently are used in Iraq and Afghanistan. This program has supported hospitals and public health in the past. Some examples are:

The LOGCAP office administered the contractor operated Madeleine Albright Medical Clinic in Port-au-Prince, Haiti, from January 2000 through February 2001. The purpose of the clinic was to augment the Embassy medical staff in support of Embassy and United Nations (UN) staff personnel and their families. The clinic operated as a trauma unit with helicopter/vehicular paramedic's evacuation capabilities. The clinic was closed when the UN departed from Haiti. It was containerized and stored while an appropriate non-government organization was identified to take ownership.

Tempo Brave (June 2000 and October 2000) was a Combined Joint Task Force (CJTF) exercise for Consequence Management (CM) in the Pacific Theater, held at Fort Lewis, Washington, near 1st CORPS Headquarters. HQ 1 Corps assumed command and control of all CM operations as a JTF HQ within the U.S. Pacific Comment (PACOM) Area of Operations (AO) and was the lead agency, mitigating the effects and assisting in the remediation of the affected operational environment within a Joint Operational Area (JOA). This also tested the menu for the CM Plan written by the contractor. This was a CM exercise and planning development for a Statement of Work (SOW) used in the Pacific Theater.

These examples not only show the usefulness of such a program in supporting hospital and public health capabilities, but also show its versatility. From physical and administrative support to planning, this program can be adapted to fit the specific needs of many situations.

Problem Definition

How can obligations and responsibilities to the communities be served with limited resources and little ability to know the size, scope, and nature of emergencies likely faced? How can resources found outside of government be used in the state's communities in a way that is rapid, efficient, organized, cost effective, and flexible for any given situation?

These are some of the key problems faced in emergency management today. Emergency management personnel have the responsibility and the authority, but not the resources or ability, to fulfill their responsibilities. There are a number of options for dealing with the dilemma. This section offers pro and con arguments for each option listed below:

1. *Increase resources by allocating more funding for emergency management*
2. *Maintain current resource levels (status quo)*
3. *Increase resource availability through means other than increased funding allocations*

1. Increase Resources by Allocating More Funding for Emergency Management

Pros

- Increased funding means that the resources developed from that funding would be under the direct control of emergency management.
- Resources would be able to be quantified. We would know exactly what we have and what we don't.
- Those resources could be organized and allocated by emergency management service standards.
- The need for coordinating with other agencies or groups would be minimized so responses would be more efficient.

Cons

- It would be too expensive. Increasing funding to buy resources for preparations that may never be needed is inefficient and takes funding from other areas that may have more immediate needs.

- No amount of funding could ever prepare for every potential emergency. All funding is finite. It eventually comes to an end. Emergency management has to plan and prepare for as many emergency situations that both nature and humanity can come up with. There are individual emergency situations, such as a pandemic, that would be nearly impossible to have enough funding to prepare for, let alone all situations.

2. Maintain Current Resource Levels (Status Quo)

Pros

- It is inexpensive. The current level of resource availability has sufficiently handled all emergencies to this point.
- Funding can be used in other areas that impact the community immediately and not at some future time which may or may not come.
- Emergencies that outstrip the resources currently available probably won't happen so why do anything differently.

Cons

- Emergencies by their very nature are unexpected so when one comes that outstrips available resources we will have failed at managing that emergency.
- When inadequacies are known to exist, it is irresponsible and unacceptable to maintain the status quo and not address those inadequacies. It will be seen as such by the public who is underserved by this course of action.

3. Increase Resource Availability Through as of Yet Untapped Areas

Pros

- It is inexpensive. There is little need for reallocations of funding.
- There would be expanded capabilities. Capabilities can expand into areas that would be beyond the capabilities of any amount of funding to maintain.
- There is no need to maintain equipment and other resources which may never be used.

Cons

- We may not have direct control of resources. Our ability to access resources may increase, but the resources themselves may not be under direct government control.
- Some sort of oversight would be required to maintain the availability of those resources.
- Many community resources have already been tapped. We need to explore new avenues for expanded resource capabilities.

Factors Affecting the Options

As the various options are assessed, there are various factors that must be addressed. The first option of increasing the funding allocation for emergency management would need to be sold politically and to special interest groups. As stated earlier, there are no guarantees that preparations that increased funding would make possible would ever be needed. The funding would have to be taken from somewhere and those groups affected by this reallocation of funding would have concerns that need to be addressed. In addition, depending on where funding is allocated from, there may be racial or socio-economical issues brought up by special interest groups.

The second option has similar factors affecting its feasibility. First, politically, if an emergency occurs that might have been avoided if resource availability had been changed, the political fallout would be serious. Second, taking Hurricane Katrina as an example, when resources are not enough or are distributed incorrectly and disaster strikes, accusations of racism, socio-economic disregard, and incompetence surface.

The third option does not take resources away from the existing budget. However, the only area of resources not currently being accessed is private industry. There are already programs that coordinate and exercise nonprofit organizations, volunteer groups, and even individual citizens. The private sector remains largely untapped and yet that is where most of the resources are located. Private industry has a stake in emergency response and mitigation. Fear and disruption of daily life are bad for communities and business. This option does however need to be sold politically and administered fairly. There are groups who might see

this option as being unfairly beneficial to businesses with ties to government officials. There are programs like this at the federal level that have come under fire regarding this very issue.

Recommendations

The third option is in need of exploration. How do we tap into the private sector effectively? There are programs at the federal level that may offer the state a blueprint to follow. The Logistical Civil Augmentation Program (LOGCAP) is particularly noteworthy as a model. This is not a case for the use of military programs in domestic emergency management. Instead, as explained earlier, LOGCAP is a U.S. Army initiative which uses civilian contractors to enhance military non-combat capabilities. While the military has used civilian contractors in military support roles since the Revolutionary War, it wasn't until after the Vietnam War that the U.S. Army realized that a system was needed to expedite the mobilization of contractors on the battlefield and LOGCAP was established in 1985. During the Persian Gulf War, hundreds of different contractors were hired under as many different contracts with results that were less than satisfactory since many contracts had unclear mission statements and requirements. The resulting inefficiencies led to shoddy work and unsatisfied clients and LOGCAP was revised and expanded to deal with any situation requiring military intervention that might arise, both foreign and domestic. The first LOGCAP contract was awarded to the corporate precursor to Halliburton in 1992 for services and support in Somalia. Since 1992, LOGCAP contracts have been used over a dozen times and are currently being used in Iraq and Afghanistan.

This program has supported hospitals and public health in the past. Proposed here is that civilian contracting be used at the state and possibly regional levels to enhance response capabilities of emergency services. The recommendation is based on several basic considerations:

1. Efficient. In the event that an emergency outstrips emergency management resources, private companies will likely have the equipment, expertise, and incentive, including financial, and the desire to help victims in their own region or state. If contracts already exist and only need to be activated, companies are able to begin quickly the actual work that is needed rather than working out the red tape involved. If

contracts already exist, then there will be no lag time in deciding who should be called in to do the work.

2. Cost Effective. This program would require very little in the way of budget allocation or personnel resources. It could be administrated by relatively few people either at the state or in the case of Pennsylvania, within the regional system of nine counterterrorism task forces. There would be little or no waste of resources in that the contracts remain dormant except in the event of an emergency that requires their use. There would be no additional storage requirements for equipment. There would be no need to train additional personnel.

3. Economically Beneficial. When a disaster occurs, communities, regions, and states are hurt economically. If this program were instituted much of the federal emergency relief funding that would come into the area would stay in the area with local contractors. Out of state or even out of region companies would be limited to the needs that could not be supplied by local businesses.

4. Provides Organization for Private Sector Response. During 9/11 and Hurricane Katrina responses, many businesses took part in the relief efforts. However, there were many instances where because of a lack of organization, much needed supplies arrived swiftly and then were not distributed. An example is the case of Wal-Mart. The company was very good at moving the supplies (food, water, paper products, etc.) into disaster areas, but had nowhere to take them and no way to distribute them upon arrival. The program proposed here would allow for the organization of the private sector response, allowing them to do what they do best.

5. Avoids the Pitfalls. While there could be opposition to this option, the concerns involved could be reduced through oversight processes imposed on the program. One particular issue that needs to be addressed is one of fairness in bidding and contract development process. There have been many questions and accusations concerning the awarding of LOGCAP contracts to the company Halliburton in particular due to Vice President Dick Cheney's relationship with that company. To avoid these types of situations and perceptions there are two safeguards that need to be in place:

1. Oversight Committee: An oversight committee either bipartisan or independent needs to be formed to oversee the program. This committee would be responsible for awarding the contracts after

whatever process that is in place has been followed. The committee would not only have the power to award contracts, but would also be accountable for misuse of this power.

2. Transparency: The process and documentation of this process should be transparent and open to public scrutiny. Transparency keeps the process honest and fair. Committees can be lobbied and influenced in ways that the public in general cannot. An open process allows the people to be the ultimate judge as to the fairness of the process.

Conclusion

It is imperative to understand that emergency management by its very nature cannot ever be fully funded. If government sources can't supply enough resources we must look elsewhere to make up the difference. Volunteer organizations and nonprofits have already been tapped into and organized through VOAD. Individual citizens and small community groups are already being trained to be first responders through CERT. The private sector holds the majority of resources in the United States and has been largely ignored as a partner in emergency management. It would be irresponsible to continue to accept response and mitigation shortcomings when it is unnecessary. There is an opportunity to create a strong partner with little effort and we should take hold of it and develop that relationship to its fullest.

Relevant Legislation

Existing legislation must be examined and revised to utilize the LOGCAP model. At the state level, this includes the Counterterrorism Planning, Preparedness and Response Act, which provides for counterterrorism planning, preparedness, and response by imposing powers and duties on the Pennsylvania Emergency Management Agency, the Department of Health, counties and municipalities; and provides for the organization of various response teams. At the federal level, the relevant legislation includes, especially, the Disaster Mitigation Act of 2000, the Hazard Mitigation and Relocation Assistance Act of 1993, the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and the Volunteer Protection Act of 1997. The Stafford Act is

particularly important in that it includes the promotion of the interests of social service program beneficiaries and taxpayers and sustains the availability of programs, nonprofit organizations, and governmental entities that depend on volunteer contributions by reforming the laws to provide certain protections from liability abuses related to volunteers serving nonprofit organizations and governmental entities.

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