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Honorable Eleanor Holmes Norton  
Chair  
Subcommittee on Economic Development, Public Buildings,  
and Emergency Management  
House Transportation and Infrastructure Committee  
US House of Representatives  
Washington, DC 20515

Dear Chair:

I am writing to you about the continued and growing problems at the Federal Emergency Management Agency (FEMA) in hopes that you and your Congressional colleagues might take actions to help rescue our agency and restore it to credibility.

My name is Leo Bosner. I am the President of American Federation of Government Employees (AFGE) Local 4060, the union representing approximately 400 non-supervisory employees at FEMA Headquarters in Washington, DC. I have been with FEMA since the agency was established in 1979, and I currently work as a GS-14 Emergency Management Specialist.

Ten or twelve years ago, if you saw the word "FEMA" in the news, it was usually something complimentary, for example, FEMA's rapid response to the Oklahoma City bombing, or FEMA's efforts to reduce the impacts of disasters. Back then, FEMA was an example of a government agency that actually worked.

Nowadays it's a different story. Since Hurricane Katrina, FEMA has become associated with waste, incompetence, mismanagement, and the abuse of the power and resources given it by Congress.

After the debacle of Katrina, FEMA employees had hoped that our leadership would be eager to fix the agency's problems, but if anything, the problems have gotten worse. Just last week, we learned that FEMA had managed to allow millions of dollars worth of emergency food supplies intended for disaster victims to instead rot in warehouses. Somehow, the exemplary government agency of the 1990's has become a glaring example of government incompetence.

FEMA employees continue to report problems that hamper emergency operations, waste public funds, and hurt employee morale. As the FEMA Headquarters union president, I have tried several times to raise some of these issues with the FEMA Director, but he has declined to meet with me to discuss them, so I am summarizing as many of the reported problems as I can in this letter. They include, for example:

- Agency executives retiring to work at companies with multi-million-dollar FEMA contracts, some of which the executives themselves had arranged.
- Spending millions on questionable projects such as a \$9 million contract to a company to explain to FEMA executives what it is their staff are doing.
- Gross mismanagement of contracts and acquisitions.
- Withholding program funds appropriated by Congress, causing the funds to lapse and so impeding emergency plans and capabilities nationwide.
- Adopting impractical, unworkable disaster plans.
- Scattering FEMA employees to office locations across the Washington area to make room for contractors to work at FEMA HQ. (In some cases these contractors reportedly have little or no work to do.)
- Continually taking questionable and possibly illegal personnel actions.
- Replacing highly-skilled FEMA managers with outsiders who lack the required national-level emergency management experience.
- Systematically passing over experienced FEMA employees for advancement in favor of outside hires, many of whom have lower qualifications for the job.
- Ignoring and even endangering FEMA employees' health, safety, and security.
- Continuing race and gender bias against FEMA's minority and female employees.
- The continued confusion and inefficiency that results from FEMA being placed under the Department of Homeland Security.

I believe that all of these problems can be traced back to two interrelated causes: A lack of strong leadership at the top of FEMA; and FEMA being a part of DHS.

This letter recommends that:

- **FEMA be taken out of the Department of Homeland Security.**
- **The current FEMA Director be replaced,** and
- **Congress, either through the GAO or through some other reputable, independent organization, conduct a full review of FEMA operations and remedy the agency's problems while there is still time to do so,**

I hope that Congress will investigate the issues in this letter and take actions promptly to restore FEMA to its former strength and credibility.

### FEMA's Background

Major emergencies and disasters do not occur frequently, but when they do it is imperative that the government be able to marshal and coordinate Federal resources without delay. FEMA was created in 1979 by President Carter to coordinate Federal efforts to protect American lives and property from the consequences of emergencies and disasters.

During the 1980's, FEMA focused mainly on protection from nuclear attack, not natural disasters, and during Bush I (1989-92), FEMA became known as a "turkey farm" where the top jobs would be given to unskilled but loyal party members.

When Hurricane Andrew struck Florida in August 1992, FEMA's leadership was caught flat-footed, and the agency's response to the disaster was seen as slow and ineffective. When Bill Clinton was elected President three months later, one of his first priorities was to either abolish FEMA or to fix it so it worked.

He chose to fix it, bringing in former Arkansas State Disaster Director James Witt to rebuild the agency. Witt brought professionalism, leadership, and emergency management experience to FEMA. During his tenure, FEMA worked with other Federal agencies and the American Red Cross to finalize and implement the Federal Response Plan (FRP). The FRP laid out in plain terms what FEMA, the other Federal agencies, and the Red Cross would do in a major emergency or disaster.

The FRP was written in straightforward, understandable language, and was flexible enough to adapt quickly to new situations and to be updated and amended as needed. When terrorists bombed the Murrah Federal Building in Oklahoma City in 1995, FEMA was able to deploy Federal rescue teams within **hours** of the incident.

By the mid-1990's, the agency had matured, and it was clear that FEMA's status as an independent agency reporting directly to the President helped FEMA to coordinate a rapid Federal response to emergencies. In February, 1996, President Clinton elevated the FEMA Director to Cabinet level. Agency employees were proud to say that they worked for FEMA.

### Changes After 2001

When George W. Bush began his Administration in January 2001, most of us at FEMA expected that the lessons of Hurricane Andrew had been learned by both parties, Democrats and Republicans alike. We assumed that the new FEMA Director under President Bush would be an experienced emergency manager; a Republican to be sure, but an experienced emergency manager nonetheless.

That was not to be. The first FEMA Director under Bush II was Joseph Allbaugh, a political campaign manager with negligible disaster experience. But Allbaugh was fortunate – he had inherited a well-functioning agency with qualified, experienced staff. When the terrorists attacked our country on September 11, 2001, FEMA responded quickly and effectively, dispatching rescue teams and other personnel to the disaster sites without delay. FEMA staff had learned their trade well under eight years of Witt's leadership.

There were no complaints about FEMA's effectiveness in the response to the 9/11 attacks, but in the rush to bolster America's defenses against terrorism, FEMA was merged into the newly-created Homeland Security Department in the fall of 2002.

### FEMA Under the Department of Homeland Security

The theory of putting FEMA into DHS may have looked good on paper, but it contained a very basic flaw: DHS' mission is primarily to *prevent* terrorist acts through intelligence-gathering and law enforcement-type activities. By contrast, FEMA's job is primarily to *protect* and, if necessary, help *rescue* victims from the impacts of natural disasters and man-made incidents.

DHS officials who are working to prevent acts of terrorism naturally rely heavily on secrecy, on centralized control, and on the close restriction of access to information in order to thwart the terrorists. But FEMA officials who are working to protect Americans from the impacts of emergencies and disasters rely instead on the widespread enablement of non-FEMA resources, and on the broadcast of information to the public and to other agencies with little or no restriction.

These two very different mindsets pull in opposite directions, to the detriment of FEMA's mission. When FEMA was brought under DHS, it quickly became clear that the leaders at DHS were the insiders with close ties to the White House, and they would be the ones running things. FEMA's professional staff were seen as

being “outsiders” who “just didn’t get it” in the post-9/11 world. (In the first meeting I attended at DHS, I mentioned to one of my new DHS colleagues that I worked in FEMA’s Response and Recovery Division. His reply was, and I quote, “Well, if we do our jobs right and prevent more attacks from happening, there won’t be any need for Response.” I then asked him if he also planned to prevent hurricanes and earthquakes from occurring. I was not invited to any more meetings at DHS after that.)

Beginning in the spring of 2003 and continuing today, DHS leadership has undertaken a systematic purge of FEMA, ridding the agency of some of our most highly qualified people and our most effective emergency management tools:

- Long-time FEMA managers with years of experience in disaster mitigation, preparedness, response, and recovery were pushed aside, and their work was reassigned to inexperienced DHS staff and to contractors.
- Young and inexperienced political appointees were brought in and placed over highly-skilled career executives throughout the agency, including at the most senior levels.
- The clearly-written Federal Response Plan was junked in favor of a new National Response Plan (NRP), which was written by a Homeland Security contractor. A confusing and voluminous document, the NRP has never been clearly understood by emergency responders. Today, four years after the NRP was first drafted, DHS is still struggling to produce the final plan. .
- The Preparedness function was taken out of FEMA, breaking up the traditional partnership within FEMA of emergency mitigation, preparedness, response, and recovery, the four key phases of emergency management. (At the behest of Congress, Preparedness has now come back to FEMA.)
- FEMA has literally been pulled apart, with entire FEMA offices transferred out of our C Street Headquarters and moved to other locations in the District and in Virginia. Some employees tell me that they don’t even feel like they work for a single agency (FEMA) any more.
- FEMA’s budget was cannibalized and much of it given to DHS. FEMA staff training courses were routinely cancelled, the training budget having disappeared. As experienced FEMA staff left in disgust, their jobs were left unfilled, the funding for their positions having been given to DHS. By 2005, nearly one-third of FEMA’s full-time jobs were vacant.
- Today, FEMA is busily filling those vacancies: largely with ex-contractors, ex-military, ex-Coast Guard, and others who have often appear to have minimal emergency management experience but who seem to be well-connected at DHS. In reality, FEMA has become the DHS job bank.

## Hurricane Katrina and After

When Hurricane Katrina struck in August 2005, the effects of the neglect and mismanagement of FEMA hit home. Neither FEMA Director Michael Brown nor DHS Secretary Michael Chertoff were experienced emergency managers, and so the urgent warnings they received from the FEMA professional staff were either misunderstood or ignored, causing delays in the response and needless suffering for thousands of victims.

In the wake of the hurricane and the flooding, veteran FEMA staffers, supported by hastily-assembled teams of novice employees and contractors, did their best, struggling along with malfunctioning computers, supply shortages, and confusing plans. FEMA staff kept working, often 12 hours or more a day for months at a time, to help the victims of the storm. (I myself worked 12-hour night shifts at FEMA's Washington, DC Headquarters for nearly two months.)

The DHS leadership, caught off-guard by the intensity and the effects of Katrina, tried desperately to take control of a disaster response operation that they themselves did not understand. The results were predictable: FEMA staff, already short-handed and stretched to their limits, now had to contend with the added burden of answering endless questions from DHS. Drop everything, FEMA staffers were told, stop what you're doing and get us this information right away for Secretary Chertoff's press conference.

The stream of DHS queries reached such intensity that it impacted on the relief operation. In one instance, at about 2:00 a.m. in the middle of one of my night shifts, I was ordered by DHS to phone exhausted rescuers in Louisiana, and wake them from their few hours of sleep so they could explain some numbers in a report for the DHS Secretary. (I waited about ten minutes, then called back to DHS and told them that the phones could not get through to the field, that we would try calling again in the morning. I was not about to wake up the rescue teams at 2:00 a.m. to get some numbers for Mr. Chertoff.) One of my colleagues during all this described DHS as "a ball and chain around FEMA's ankle."

After Katrina, the FEMA Director, Michael Brown, was forced to resign, but FEMA's problems continued unabated. DHS leaders with no disaster response expertise insisted on being in charge of disaster response, resulting in wasteful spending and highly unrealistic disaster response plans.

For example: Last summer, just prior to the 2006 hurricane season, DHS executives learned that many hurricanes originate as tropical ocean waves forming off the coast of Africa, and that it takes an average of about one week for a tropical wave to become a full-fledged hurricane striking the U.S. From that information, DHS leadership ordered FEMA to develop its 2006 hurricane response plans *based on the premise that there would be a one-week warning before a hurricane strikes.*

But it's not that simple. According to hurricane experts, the great majority of tropical waves blow out to sea and disappear, never to become hurricanes. Those that do become hurricanes often follow an erratic, unpredictable track. Moreover, the "one week" time frame for a hurricane to build up is actually the best case scenario; in many cases, a hurricane can form close to the US coast in as little as two or three days.

So it is literally impossible to predict a week ahead of time that a hurricane will occur, much less where it will hit. Attempting to do so would result in a plethora of false alarms that would undercut the government's credibility for crying "wolf" too many times.

FEMA's professional staff argued bitterly against this approach. One FEMA manager went so far as to disprove the "one week warning" theory by charting the actual timelines and impacts of major hurricanes in 2004 and 2005, showing clearly the folly of assuming that these disastrous events could be predicted with any accuracy a week ahead of time.

But the new FEMA Director, David Paulison, himself a political appointee, ignored the realities of hurricane science and gave in to the demands of DHS. On June 1, 2006, FEMA published its "Concept of Operations (CONOPS) Overview for the 2006 Hurricane Season," leading off with the following statement:

"Overarching Assumption: The Nation will have at least 7 days advance warning of a hurricane with the potential to make landfall in the United States, its territories, or possessions. The National response will be scalable to severity of the event and the needs of the affected States."

The political appointees had again trumped the professionals at FEMA, and in the process ignored scientific reality. FEMA and the other Federal agency staff spent the summer and fall of 2006 training on a completely unrealistic hurricane response plan, and then continually mobilizing and deploying Federal responders to anticipated "hurricanes" that never materialized. Fortunately, there was no loss of life, just a huge waste of taxpayers' money and further demoralization of the FEMA staff. (The FEMA manager who had disproven the "one-week warning" hurricane theory was subsequently reassigned to other duties.)

### FEMA Continue to Deteriorate Under DHS

Clearly, a major cause of such unrealistic planning and such poor management is the continued influence of DHS over FEMA. After Katrina, many of us at FEMA had hoped that this problem would be rectified and DHS' influence over FEMA would be lessened. Unfortunately, the exact opposite has occurred: in the past year and a half, experienced FEMA managers who did their best to salvage the situation during Katrina have been systematically replaced by the

same types of minimally-experienced DHS managers who caused the Hurricane Katrina problems in the first place.

In many cases, it appears that DHS is bypassing Civil Service rules to place staff with questionable credentials in key positions throughout FEMA, often at higher salaries than the experienced FEMA employees. I constantly hear the same refrain from employees throughout the agency... "Our new boss doesn't know anything about what we do. How did he/she ever get hired?"

This has the dual impact of diminishing FEMA's emergency management capability while further lowering the morale of FEMA's experienced emergency staff, who more and more perceive that their future is definitely not with FEMA. For example:

- Highly qualified financial management specialists who were brought into FEMA's Office of Acquisition Management have told me that things in that office are so bad that they (the new specialists) are in some cases turning around and leaving FEMA almost as soon as they have gotten here.
- A highly qualified instructor hired by FEMA's National Emergency Training Center reportedly quit the agency in disgust two days after starting his job with FEMA.
- One of FEMA's best disaster response executives was reportedly attending a conference when he received a call on his cell phone offering him a new job outside of FEMA. According to reports, the executive accepted the offer on the spot. He no longer works for FEMA.
- This negative impact is especially critical with regard to the cadre of Federal Coordinating Officers, or FCOs. The FCOs historically have been FEMA's elite field commanders, experienced leaders who are trained to take charge quickly in chaotic disaster situations and run Federal relief operations on the front lines. But as FEMA has continued to deteriorate, many of our best and most experienced FCOs have left the agency, often citing their frustration with the "new FEMA" under DHS.

### Staff Morale and its Impact

While FEMA's morale problems have not been much in the news lately, the low morale at DHS, of which FEMA is a part, is no secret. In a January 31, 2007 article entitled "Homeland Security Employees Feeling the Blues," Stephen Barr of the *Washington Post* reported the results of a Government-wide Federal employee survey. According to Barr,

“Nearly 10,400 Homeland Security employees participated in the survey and gave the department essentially rock-bottom scores in key job satisfaction, leadership and management areas when stacked up against 35 other agencies in the survey.”

Barr goes on to point out that, “To a large extent, the 2006 responses by Homeland Security employees closely track what employees said in 2004...”

Unfortunately, the survey also indicates that morale at FEMA is below even the floor that DHS sets for the Federal government. A breakdown of DHS survey results by component shows that in a number of areas, particularly in the area of confidence in management, negative responses of FEMA employees exceeded the already low DHS-wide averages. Putting it another way, now that they are part of DHS, FEMA employees are the worst-off of the worst-off.

Interestingly, a little more than a year ago, in a March 1, 2006 article entitled “Wasted Year,” Justin Rood, Chris Strom, and Katherine McIntire Peters of *Government Executive* magazine came to a similar conclusion, pointing out that:

“DHS has made little progress during the past 12 months. How little? The department’s report on management challenges for 2006 contains sections that were cut and pasted from the 2005 report.”

So, staff morale at FEMA has sunk and the agency has lost many of its most experienced staff. While some might view this as a calamity, the DHS leaders apparently see this as a golden opportunity to place their friends and colleagues in Federal jobs at FEMA. More and more senior positions at FEMA are now being filled by outside hires and appointments, while experienced FEMA staffers are regularly passed over for promotion into those jobs, or forced to watch as less-experienced individuals are hired at higher salaries than experienced FEMA staff.

Many of the new hires are ex-contractors, ex-military officers, ex-Coast Guard officers...”ex” practically everything except the kind of emergency managers with Federal, State or local emergency management experience that we had in the past. While the new hires may have experience within their specific fields, by and large they do not appear to have the broad-based emergency management experience necessary for the positions they have been given. In other words, FEMA leadership positions have become “on-the-job training” opportunities for connected individuals. It now appears that disaster experience at FEMA has actually become a negative factor that will bar experienced FEMA employees from advancement within the agency.

This is not the way to rebuild our emergency management capability.

## Racial Bias Issue

The trend to repeatedly pass over in-house FEMA staff for advancement in favor of bringing in outside hires has taken an especially ugly turn with regard to FEMA's African-American and other minority employees.

About a year ago, our union obtained a copy of a January 26, 2006 memo from a FEMA executive regarding a proposed hiring action for a GS-14 analyst. In the memo, the executive justifies the hiring by stating that, "there is currently no existing staff that has the level of expertise necessary" to fill the job.

I was curious as to how the executive could have pre-judged that none of his current staff might be able to fill this job, so I asked the staff members how many GS-13's there were who might have applied for the job. I was told there were nine GS-13's in this particular department, all of them African American. I was also told that all but one of the current GS-14's in the office are white.

I found it outrageous that a Federal official would have such little regard for the skills of his own staff that he could conclude *in advance* that *none* of them qualified for a promotion such as this. I also found it highly coincidental that all of these supposedly unqualified staff were black, while those judged to be "qualified" for GS-14 jobs in this particular department were nearly all white.

Unfortunately, this problem is consistent with what I have been seeing at FEMA over the past few years. For example,

- In 2005 I tried to stop the firing of a black woman who, after seventeen years at FEMA, was suddenly discovered to be a "substandard" performer. This woman was a GS-14, the highest-ranking black woman in her office at the time, a woman who had been placed in an executive training program and who had repeatedly deployed to the field without complaint in response to numerous disasters and emergencies, including the 2001 terrorist attacks and the 2004 Florida hurricanes. No matter... she was fired anyway.
- In 2006, I received complaints from a FEMA field office where most of the employees were African-American. According to the complainants, employees at this site
  - were told to fill out leave slips to use the bathroom,
  - had their pay docked when they were required to evacuate the building during a bomb threat situation,
  - had their training cut back, and then were ridiculed and demeaned in FEMA training courses, and

- have generally been treated in such a way that some of them call their FEMA facility a “modern-day plantation.”
- In 2007, I spoke with a black female employee who had applied for a promotion advertised in her office several times. Each time she applied, she was judged by the selection panel to be “highly qualified.” FEMA’s response was to cancel the advertisement and continually re-advertise the position until they could reach past the highly qualified black female employee to reach another candidate. (This same woman states that, on the day of one of her interviews for the position, a white male executive walked into a large office and asked loudly and humorously whether anyone knew what a “tar baby” is. According to this woman, she was the only black employee present out of about 40 people.)
- Other African-American employees from various offices within FEMA have told me that they continually are passed over for advancement despite their qualifications and experience.

Given the seriousness of this problem, I have tried repeatedly to persuade FEMA management to address the issue, but to no avail. Therefore, our union has requested that the National Association for the Advancement of Colored People (NAACP) investigate and if possible assist the union in identifying and rectifying FEMA’s racial bias problems. The NAACP has agreed to help, and we are working with them at this time.

One final example shows just how deeply entrenched this problem is at FEMA. As cited above, in 2005 I tried unsuccessfully to stop the firing of an African-American female employee who had worked for FEMA for about 17 years. This woman had repeatedly deployed to the field to serve on FEMA’s front line, helping disaster victims, and had risen to the level of GS-14.

But in 2001, her new boss under the Bush Administration refused to give her a positive performance rating, complaining that she was “away from the office” too much. She was in fact away from the office a lot that year, *mostly in the field helping disaster victims, including a deployment to New York City to assist the victims of the 9/11 terrorist attacks on the World Trade Center.* What most people would consider to be exemplary performance of duty had now become a negative factor at FEMA.

This woman was subsequently determined, after 17 years at FEMA, to be a “substandard” performer, and was recommended for firing. The union did all we could to save her job, offering to have her accept a transfer from her nearly all-white office at FEMA to a different office, even at a lower pay grade.

In the fall of 2004, the State of Florida was hit with a series of devastating hurricanes, and FEMA deployed this woman to Florida to help disaster victims as

she had so many times before. While she was deployed to Florida, *while she was working 12 to 14 hours a day helping the hurricane victims*, she received a call on her FEMA cell phone. Stop your work she was told. Come back to Washington right away. Your firing notice has been processed.

The FEMA official who refused to give her a good rating because she was “out of the office” so often working at disasters, thus setting the stage for her firing? The same FEMA executive who, according to the *Washington Post*, now works for a company that has a \$71 million FEMA contract that the executive himself helped to promote while he was at FEMA.

The FEMA official who agreed that this woman should be fired? Now head of FEMA’s National Emergency Training Center, where employee morale has dropped as badly as at most other FEMA locations.

And the top-level official who actually signed the order firing this woman when she was pulled off disaster duty in Florida and brought back to Washington?

David Paulison, now the head of FEMA.

Clearly, this is not a low-level problem buried somewhere in the FEMA bureaucracy. This problem starts at the top.

### Gender Bias Issue

In addition to the problem of racial bias, the “new FEMA” also seems to have a gender bias issue. Female employees at FEMA field locations report that they are ordered to get coffee for male managers, clean male managers’ offices, and perform other tasks that are not part of their FEMA duties for which they are being paid. In some cases, “Old Boy” networks of male executives at field offices are reported to have sexually intimidated and even groped young female employees, in some cases telling the female employees that sexual liaison will lead to the female employees’ job advancement. When the female employees have attempted to report these behaviors through FEMA channels, I am told that their reports have been blocked by FEMA management or even handed over to the very perpetrators who had committed the acts in the first place. In other cases, inexperienced male employees reportedly have been hired at field offices at higher salaries than their more highly-experienced female counterparts.

This type of behavior seems to be especially egregious and to go unpunished at field offices, where many of the younger female employees may be at an economic disadvantage and not fully cognizant of their legal rights. At FEMA Headquarters in Washington, gender discrimination reported to me has not been as physically overt, but has instead taken the form of highly qualified female employees being systematically blocked from promotion or having duties taken away from them. Some of these female employees have availed themselves of

legal assistance and sued over the discrimination; in several cases they have reportedly received large financial settlements from FEMA. In other words, the taxpayers are being forced to pay the financial costs of FEMA executives' illegal gender discrimination.

### Health, Safety, and Security Problems

FEMA's disregard for its staff even extends to serious gaps in the health, safety, and security protection for FEMA employees, especially at disasters.

When we deploy to disasters, our staff are frequently placed in unsafe or unhealthy conditions, and often there seems to be little or no protection for our people. For example, a FEMA employee who deployed to New York City following the 9/11 terrorist attacks told me that FEMA employees working near the disaster site were constantly told "not to worry" about the air quality where they were working, even though tests would later show that the air was severely and dangerously polluted. Other examples include:

- In 2006, I spoke with an employee who had been ordered to deploy to Louisiana during Hurricane Katrina, but whose doctor recommended against it due to her health condition. According to this woman, she was told, "Deploy or be fired."
- In 2006 I also received a report from a FEMA executive who managed a FEMA team in Louisiana following Hurricane Katrina. According to this executive:
  - No briefing was provided to the FEMA responders regarding issues such as toxic water, soil, and threats of violence.
  - No briefing was provided regarding what type of clothes to bring, housing expectations, food, etc.
  - The evacuation plan issued to FEMA responders was completely inadequate.
- When FEMA staff return from field deployments and experience unusual symptoms, they are told, "Go see your doctor," if they are told anything at all. This has even been the response to FEMA employees who returned from the 9/11 deployments. I think this is an insult and completely inadequate for people who have put their health on the line to support FEMA's mission in the field.

This year, FEMA has sunk even further with regard to protecting the health and safety of our staff in disasters. When FEMA activates the National Response Coordination Center (NRCC) at HQ to help respond to a hurricane or other

disaster, many of our staff come in to work 12 -hour shifts, both day and night. Activations may last for several weeks or even months, as occurred in 2005.

Since 1995, FEMA has arranged hotel rooms close to our downtown Washington Headquarters during these activations so that employees who have long commutes can stay here in town and get sufficient rest between shifts without endangering themselves or others on the highway. They can then show up for their next shift well-rested and ready to carry out their duties. These employees generally share hotel rooms, two to four employees to a room, and they pay for their own meals. This is not a luxury by any means, but a bare necessity.

As far as I know, the Government Accountability Office (GAO) has expressed no objection to this practice, but in 2005, at the height of the Hurricane Katrina response, DHS lawyers said that FEMA could not continue to provide these hotel rooms as it might give the appearance that the agency was diverting emergency funds “for the creature comforts of its employees.” So beginning in 2006, DHS has ruled that only those employees working at least 15 hours a day can have hotel rooms, thus excluding our 12-hour-shift disaster workers from having hotel rooms during disaster activations. (The DHS lawyers who developed this ruling never did explain why it was legal to give an employee a hotel room after working a 15-hour day, but not after working a 12-hour day.)

As a result, many of our employees who live in the outer suburbs and have long commutes are showing up for their 12-hour NRCC disaster duty with insufficient sleep just when we need them to be at their peak performance. In addition, they are driving to and from their shifts extremely fatigued. Will FEMA wait until one of these employees falls asleep at the wheel of a car and causes an accident before remedying the situation?

In addition to problems during disasters, health, safety, and security problems are also showing up in FEMA’s day-to-day operations:

- If a medical emergency occurs in the FEMA Headquarters building, staff are not permitted to dial 911 for an ambulance. Instead, they are required to dial a four-digit extension for the building’s security guards. Since many employees may not know or remember a particular four-digit phone extension during a crisis, this can critically delay summoning aid. By contrast, most Americans instinctively know to dial “911” in an emergency. But not at FEMA.
- At a recent meeting I attended at FEMA, there was serious discussion of a proposal that *in the event of a fire alarm, some FEMA staff should delay exiting the building* until they could make phone calls to other offices to let people know they would not be at their desks to answer the phones. Is this good fire safety?

- Despite the increased threat of terrorism since 9/11, our union had to fight to persuade FEMA to hire security guards to screen visitors at the new FEMA facility in Crystal City, Virginia. And at FEMA's National Emergency Training Center in Emmitsburg, Maryland, FEMA has dismissed the security guards who had been screening automobiles entering this facility, which on any given day might house approximately 150 FEMA employees and 300 to 400 emergency management students. Now, anyone who wants can drive unimpeded onto the campus. I am told the guards were removed as an economy measure.
- To add a bizarre touch of humor to all this, at the same time as FEMA has been cutting back on its security guards, I was called in to the FEMA Office of Security last month and told that I would not be able to keep my security clearance. The reason I was given: Despite my 27 years with FEMA, the fact that I am a union representative now makes me a security risk. (Needless to say, I plan to file an appeal if necessary.)

### FEMA's Use of Contractors

Like most Federal agencies, FEMA employs contractors. At times this can be appropriate and useful, particularly for technical tasks, short-term requirements, and so forth. I have worked with FEMA contractor staff on many occasions in areas such as IT Services and the National Response Coordination Center (NRCC), and I have generally found them to be dedicated and exemplary colleagues who perform a valuable service for the government.

The problem is, in many cases FEMA and DHS have repeatedly used contract staff inappropriately and/or have mismanaged contracts, leading to inefficient operations and the waste of government funds. For example:

- In 2003, the National Response Plan (NRP) was slated to be written by experienced FEMA disaster response planners, but DHS took the assignment to write the NRP away from FEMA and gave it to a private company under contract. Four years and millions of dollars later, DHS is still struggling to correct the contractor's many errors and produce a workable NRP.
- In addition to the NRP contract, I recently received a report of FEMA employees having to finish a project for which a contractor had already been paid. The person reporting this indicated that this problem may be widespread throughout the agency.
- Last year, FEMA paid a contractor approximately \$9 million to study what it was that FEMA staff were doing and write a report for FEMA management. Some of the staff asked me: Why did our bosses pay \$9 million to have a contractor find out what we do? Why not just ask us?

- During disaster activations, contracting companies will often “rotate” their employees through FEMA to give them disaster experience, but then, once the employees have gained experience, pull them out and replace them with new, less-experienced employees. In this way, private companies use FEMA disaster response operations as no-cost on-the-job training for their least-experienced staff.
- Similarly, contract employees reportedly are enrolled in FEMA training courses at no cost their employers, the contracting companies.
- In some cases, contract employees performing critical tasks for FEMA have repeatedly had their contracts terminated and been sent home...only to be recalled to FEMA again a week or two later and their contracts renewed. After this happened more than once, some of the best of these contract staff got tired of the on-again-off-again FEMA employment and found jobs elsewhere.
- Perhaps the most glaring example of questionable contracting practices has been the connections between FEMA executives and contracting companies. As cited earlier, the *Washington Post* recently wrote about a FEMA executive who had retired to work for a company which has a \$71 million FEMA contract which, according to the *Post*, the executive himself had promoted while working at FEMA. How many more like this wait to be discovered?

My discussions with staff of FEMA’s Office of Acquisition Management lead me to believe that the mismanagement of contracts and funds is an ongoing, multi-million-dollar problem at FEMA, and that it is not being resolved.

### Problems Continue

The list of problems I continually hear reported by FEMA employees seems endless, and of a near-infinite variety...FEMA managers making personal use of the trailers intended for disaster victims...FEMA executives using government funds to purchase expensive leather-upholstered furniture to be used in temporary field offices...misuse of training funds...contractors paid for work they never complete...abusive managers...near-total confusion in FEMA’s Office of Financial Management.

I even heard from one FEMA employee who said he was reprimanded by his supervisor for stopping at the scene of a car accident to give first aid to the victims...he says that his supervisor was concerned that “FEMA might get sued” because the employee had been wearing a FEMA shirt when he stopped to help the victims. According to the employee, he was reprimanded for stopping to help, and shortly afterward he was relieved of his duty and sent home.

This letter began as an eight-page letter. As more complaints came in, the letter grew to ten pages, then twelve, then fifteen. Now it's up to nineteen pages, and I still feel I have only scratched the surface. I can no longer walk down the hall or go for a cup of coffee without being stopped by an employee to get another earful of complaints. I get calls from staff at FEMA facilities across the country, echoing the exact same complaints I hear at Headquarters. The message is always the same: Leo, they are killing FEMA.

Interestingly, most of these people are not what one would normally consider "complainers." Most of them have never filed a union grievance, and many of them have worked for FEMA for ten years, twenty years, or longer. They range from GS-5 clerks to GS-15 executives, and they are heartsick at seeing a strong, mission-oriented agency like FEMA being systematically ripped apart.

I suppose the blame for many of these problems could be laid at the feet of mid-level supervisors and executives who allow such things to happen at FEMA. But leadership comes from the top. Top leaders are responsible for knowing what is happening in their organizations and taking steps to see that problems like these are remedied swiftly, not allowed to continue. We are not seeing this type of strong top leadership in either DHS or FEMA.

### Summary

Since coming under DHS, FEMA has rapidly deteriorated, becoming a rudderless agency where problems are ignored or covered up, where funds are misspent and programs mismanaged, and where our best people are demoralized, many of them leaving the agency. Our orders increasingly come from political appointees and executives who clearly do not understand national-level emergency management. Experienced FEMA employees at all levels continue to get the message that their experience is of absolutely no value to FEMA or to DHS. In fact, FEMA experience now appears to be a detriment to advancement within the agency.

To address these problems while there is still time to revitalize FEMA, I strongly recommend the following actions be taken as soon as possible:

**1. Take FEMA out of the Department of Homeland Security.** The merger of FEMA into DHS may have sounded like a good idea at first, but it has proven to be impractical and counterproductive. DHS simply imposes an extra layer of bureaucracy on top of FEMA that impedes, rather than helps, emergency management.

The DHS leadership apparently believe that they understand emergency management, but clearly they do not. "Emergency management" and "homeland security" are not identical terms, nor are they interchangeable. Moreover, as we saw last year during the extended search for a new FEMA Director to replace

Michael Brown, FEMA's placement within DHS drives the best candidates away. Our current crop of leaders and mid-level managers at FEMA comes not from the ranks of professional emergency management but from the ranks of well-connected DHS job-seekers. To the detriment of the American public, FEMA has become nothing more than a job placement center for DHS.

For FEMA to function effectively, it needs to be made once again an independent Federal agency reporting directly to the President, an agency that will attract and keep top talent and that will work in partnership with all other Federal departments and agencies, including DHS, to protect the American people from all hazards, natural or man-made.

**2. Give FEMA new leadership.** David Paulison was selected for the position of FEMA Director last year only after numerous other candidates had turned the job down. Even so, many of us at FEMA, myself included, had hoped that Mr. Paulison would take charge and reinvigorate the agency.

Unfortunately, that has not been the case. In the year and a half that he has been in charge at FEMA, Mr. Paulison has not been able to address the many internal problems within the agency nor has he been able to stand up to the continual misdirection we receive from DHS. Since last year, I have repeatedly asked to meet with Director Paulison to discuss these problems with him; he has declined to meet. Many of our best people have left, our programs are struggling, and employee morale is the worst I have seen it in my 27 years with the agency. In short, FEMA has continued its downward spiral on Director Paulison's watch.

One reason for this is that David Paulison is in fact not in charge at FEMA. Although he is nominally the FEMA Director, Paulison's orders appear to come from DHS through retired Coast Guard Admiral Harvey Johnson. Johnson's official title is FEMA Deputy Director, but Paulison did not pick him for the job. Johnson was placed in that job by the leaders of DHS. As far as we can tell at FEMA, Admiral Johnson is the one running the agency, and Mr. Paulison is a powerless figurehead. Paulison has been described by some of his associates as a "prisoner in his own office." The U.S. Senate may have thought they were confirming David Paulison as FEMA Director last year, but Harvey Johnson is the actual head of the agency.

Like the hapless Michael Brown before him, Mr. Paulison has faithfully parroted the party line that being under DHS is the best thing for FEMA. To Michael Brown's credit, he at least struggled to push back against DHS at the 11th hour during Hurricane Katrina. But as far as I can tell, David Paulison has not even tried to push back. Mr. Paulison needs to be replaced as FEMA Director.

**3. Congress, through the GAO or similar official body, should conduct a thorough review of FEMA operations.** At a minimum, this should include:

- All hiring or promotion actions at the GS-12 level or above since 2002.
- Allegations of racial and gender bias at FEMA.
- Health, safety, and security issues that affect FEMA employees.
- FEMA Financial Management and Acquisition Management.
- FEMA's use of contractors.
- All FEMA plans and programs related to emergency preparedness, response, recovery, and mitigation.

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Now that FEMA has reorganized once again, the FEMA/DHS leaders will undoubtedly ask that we "give it a chance" to work. The answer this time must be "No." DHS leaders had the "chance" to strengthen FEMA from 2003 to 2005. Instead they weakened it, preparing the ground for Hurricane Katrina's many errors. They had another "chance" following the 2005 hurricane season, but in that year and a half we have only seen the situation at FEMA get worse.

The current approach has had its chance. It has failed. It's time for a change.

Ten years ago, FEMA staffers would proudly claim that we worked for the finest agency in the government. I hope that Congress will investigate the issues raised in this letter and will take actions now to restore FEMA to its former strength and credibility so FEMA employees can once again serve the American people with honor.

Thank you for giving this your consideration.

Sincerely,

/s/

Leo Bosner  
President  
AFGE Local 4060