



HOMELAND SECURITY COMMITTEE

Statement of Subcommittee Chairman Scott Perry (R-PA) Homeland Security Committee

“Employee Misconduct: How Can FEMA Improve the Integrity of its Workforce”

July 27, 2017

Remarks as Prepared

The Federal Emergency Management Agency (FEMA) provides Americans invaluable support during times of great need. FEMA leads federal efforts to prepare for, respond to, and recover from disasters. To accomplish this enormous task, FEMA relies on a workforce of over 22,000 dedicated men and women, which includes both permanent and disaster-related temporary employees.

Often, FEMA employees are among the first responders helping lift up communities devastated by loss and destruction. The American people entrust FEMA’s employees with this vital mission, which is why instances of employee misconduct are all the more corrosive. A year-long review by the Government Accountability Office (GAO) uncovered troubling instances of employee misconduct and found several areas where FEMA must improve its management of misconduct matters.

GAO analyzed data from January 2014 through September 2016 and identified almost 600 misconduct complaints. The most common alleged misconduct dealt with issues of integrity and ethics. Examples included a FEMA employee allegedly taking illegal gifts from contractors; a terminated FEMA employee stealing a FEMA-owned laptop, and allegations of a supervisor bullying and cursing at employees.

A separate GAO review in 2016 found that four FEMA employees being investigated for personnel matters were placed on paid administrative leave for a year or more at a cost to taxpayers of over \$600,000. In addition, FEMA failed to properly investigate several allegations referred by the DHS Office of Inspector General leaving them to languish without investigation or resolution. GAO also criticized FEMA for its poor data tracking of misconduct cases, which limited its ability to analyze trends in employee misconduct over time.

GAO concluded that FEMA’s management of the misconduct process needs sustained improvement. Despite hundreds of misconduct allegations against FEMA’s workforce, FEMA lacks documented misconduct policies and procedures for its Surge Capacity Force and has not outlined disciplinary actions or the appeals process for its Reservist workforce. Together, these employees total over half of FEMA’s total workforce.

Additionally, FEMA does not instruct its workforce on the range of offenses and penalties that they might face if misconduct occurs. Although many agencies utilize a table of offenses and penalties to guide disciplinary actions, FEMA uses a “comparators” spreadsheet that is only shared on a case by

case basis with supervisors. This spreadsheet replaced a previously used table that had not been updated since 1981. Such an approach most certainly leads to inconsistencies in how discipline is administered across FEMA's regions. Legislation put forward by Subcommittee member Clay Higgins, H.R. 2131—the DHS FIRM Act, would require DHS components, including FEMA, to utilize a table of offenses and penalties to improve consistency with discipline across DHS.

GAO's report provides FEMA's new leadership an opportunity to make important changes that will improve the integrity of FEMA's workforce. I am encouraged by FEMA's concurrence with GAO's six recommendations and its plans to refocus on improving the agency's management. Americans from all corners of the Nation rely on FEMA during their darkest hours. We need the men and women of FEMA focused on that critical mission of lifting up our citizens facing disheartening times. I look forward to hearing how FEMA will improve on the deficiencies laid out in GAO's report and reaffirm its commitment to the integrity of its workforce.

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