

Good morning, Chairman Duncan, Vice Chairman Curtis, Ranking Member Degette, and Members of the Committee. Thank you for this opportunity to speak on behalf of the State of North Carolina.

Broadly, critical infrastructure protection is a vital piece of the overarching homeland security enterprise. As we continue to see the type of threats, hazards, and incidents emergency management and public safety agencies nationwide are having to prepare for and respond to increase both in frequency and in complexity, the intersection and integration of the traditional homeland security enterprise and emergency management continues to grow in importance.

As the team here in North Carolina has reviewed the incident that occurred in December 2022 here in Moore County, there are four areas that are highlighted in the evaluation:

1. The importance of partnership

In emergency management, we utilize a whole of community approach as we execute our all-hazards mission. I cannot overstate the importance of partnerships here in North Carolina to do that effectively. Regardless of incident type or need, it takes public sector, non-profits and volunteer agencies, the private sector at all levels—federal, state, local, tribal—to effectively move through the continuum of mitigation, preparedness, response, and recovery.

This concept is not simply a talking point or platitude, but a strategy that is central to what we do. At every level of the response for the December incident, partnerships were key—whether moving equipment for power restoration, feeding and addressing the needs of those impacted, or as we have moved through the investigation.

Relationships fostered and developed pre-incident have been, and continues to be, essential to enhancing and improving what we do as emergency managers. This cannot only be focused on power restoration post-incident, but must focus on proactive measures to mitigate the incident. We enjoy a strong partnership with our electric infrastructure partners and have been intentional about that as a part of our emergency management strategy.

2. Information sharing protections

As I have said, the private sector is an essential part of preparedness and response. The percentage of the Department of Homeland Security-defined critical infrastructure sectors owned by the private sector is significant. We must evolve and recognize that public or private, we need the members of those sixteen sectors at the table and in partnerships in which they can be fully transparent.

Part of the value of the emergency management and homeland security enterprises is we come without a regulatory hat. The information sharing protections currently in place do not adequately support open, honest, and transparent dialogue between public and private sector. We must be able to work together in an environment that addresses the needs of both public and private sector in information and intelligence sharing. The current federal or state information sharing or intelligence protections do not fully address the need for open dialogue, while protecting all parties engaged.

3. Preparedness funding levels and flexibility

Many states, including North Carolina, heavily rely on federal funding from the Department of Homeland Security and the Federal Emergency Management Agency to support critical infrastructure protection program execution.

Federal funding levels have largely plateaued, accompanied by an increasing requirement to fund various national priorities with limited funding. While we certainly acknowledge the importance and validity of those national priorities, those do not always translate to meet the specific needs of states, locals, tribes, or territories. By forcing states to adopt strict and specific spending targets the funding is not as effective as it can be.

We have incredibly smart and competent emergency management and homeland security officials in states across this nation and we should trust the abilities of those individuals to make the best choices for their respective state or jurisdiction.

4. Authority challenges

The Robert T. Stafford Disaster Relief and Emergency Assistance Act is the major governing authority for federal disaster response and recovery. By extension, this Act has influenced many of the state disaster declaration acts in place. Currently, this federal act is not structured in a way that can support response and recovery for incidents such as the recent Moore County event on its own. It is largely still focused on the impacts of a natural hazard event.

If we are going to support the emergency management and homeland security apparatus across the county in responding to the consequence management needs of communities and individuals in need, we need a modernized federal disaster relief act. We know that FEMA and other agencies in the federal family will support response as they are able and will fully engage under their existing authorities, but the significant gap will be in the lack of ability of federal and state governments to support critical recovery efforts for communities that are experiencing significant impacts.

On behalf of the State of North Carolina, thank you for holding this hearing. And thank you for highlighting the importance of critical infrastructure protection as an integral part of our homeland security strategy and enterprise and the criticality of the intersection with emergency management and crisis management across this nation.