Congress of the United States
Washington, DC 20515

September 6, 2005

The Honorable Tom Davis
Chairman
Committee on Government Reform
U.S. House of Representatives
Washington, DC 20515

The Honorable Don Young
Chairman
Committee on Transportation and Infrastructure
Acting Chairman
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Davis and Chairman Young:

The federal response to Hurricane Katrina has been woefully inadequate. Hurricane Katrina was an unstoppable force of nature. But it is plain that the federal government could have done more, sooner, to respond to the immediate survival needs of the residents of Louisiana and Mississippi. In fact, different choices for funding and planning to protect New Orleans may even have mitigated the flooding of the city.

We believe Congress has a responsibility to understand what went wrong and why. Unless our Committees conduct thorough oversight to examine the preparation for and response to Hurricane Katrina, few lessons will be learned and the nation will remain vulnerable to future natural disasters.

Over the next weeks and months, Congress and the public will learn much about the federal response. Already, however, at least ten key questions have emerged:

1. **Has FEMA been undermined and underfunded?** The Federal Emergency Management Agency (FEMA) has the lead responsibility for federal emergency response. Five years ago, FEMA had a reputation as one of the best-performing agencies in government. Since the transfer of FEMA into the Department of Homeland Security, inexperienced political leadership, bureaucratic bungling and funding cuts appear to have severely eroded FEMA's capacity to respond.

2. **Was the planning for a hurricane in New Orleans adequate?** Multiple studies have identified a hurricane striking New Orleans as one of the most dangerous natural disaster threats facing the nation. Despite this, there were no federal plans for evacuating residents without access to vehicles, sheltering displaced residents, or coping with a flooded city.

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3. **Could the New Orleans levee system have held?** The budget of the Corps of Engineers for construction projects in New Orleans district was cut by over 40% between 2001 and 2005, apparently to free up funds for the war in Iraq and homeland security projects. In 2004, for the first time in 37 years, the Corps halted all work on the New Orleans levee system.

4. **Did failures to protect the environment contribute to the impact of Katrina?** According to experts, the disappearance of wetlands along the Gulf Coast removed an important buffer that could have dampened the impact of the hurricane.

5. **Why was the federal government so slow to establish command and control?** According to FEMA, the foundation of disaster relief is to establish clear leadership, known as "command and control." But days passed after the hurricane hit without effective crisis management at the federal level.

6. **Why were federal relief supplies so late to arrive?** FEMA director Michael Brown testified before Congress in 2003 that FEMA was taking steps to ensure that disaster teams could respond within 12 hours and that disaster relief supplies could be delivered anywhere in the country in 24 hours. Yet stranded residents in New Orleans went four days without deliveries of food or water.

7. **Why did the Department of Homeland Security fail to ensure basic communications capacity?** When the disaster struck the Gulf Coast, there was no emergency communications system available to police and emergency personnel. Satellite phones can function even in the absence of a local telecommunications network, yet this technology was not utilized.

8. **Why was the federal medical response so slow?** The Department of Homeland Security runs the National Disaster Medical System, which is supposed to provide around-the-clock emergency medical response and deliver essential drugs and supplies to any state in the United States within 12 hours. Medical supplies did not begin arriving in New Orleans until three days after the hurricane.

9. **Why was the National Guard and military response so slow?** The stateside mission of the Army National Guard is to "[m]aintain properly trained and equipped units available for prompt mobilization for war, national emergency, or as otherwise needed." Yet there was no prompt mobilization of the National Guard in response to Hurricane Katrina.

10. **Is the Department of Homeland Security adequately helping state and local officials prepare to respond to natural disasters?** Many local first responders have been

unhappy with the federal emphasis on terrorism and the neglect of other types of emergencies, including natural disasters.

Our Committees should schedule hearings to begin to examine to these issues, as well as the host of questions that will surely arise about the ongoing federal response and how to help the displaced residents of New Orleans and the Gulf region restore their lives. We would like to work with you in planning for these hearings and coordinating across the Committees.

The rest of this letter provides more information about these crucial oversight issues and the questions that Congress needs to address.

Has FEMA Been Undermined and Underfunded?

In 2001, the Federal Emergency Management Agency was an independent, Cabinet-level agency highly regarded for its work in responding to both natural disasters and incidents of terrorism. Four years later, FEMA is a component of the sprawling Department of Homeland Security, which has devoted the vast majority of its resources to preparing for terrorism. Following this reorganization, FEMA's disaster preparedness programs have been cut, talented employees have left the agency, and FEMA's relationships with state and local emergency responders have suffered.

In 2002, as the President proposed the establishment of the Department of Homeland Security, experts warned that folding FEMA into a homeland or national security agency would seriously compromise the nation's previously effective response to natural hazards. Ranking Members Waxman and Obey wrote the White House in July 2002 that moving FEMA into the Department of Homeland Security "creates the risk that [its] responsibilities will be neglected and poorly performed."[1] Amendments were offered in the Government Reform Committee and on the House floor to retain FEMA as an independent agency, but these were defeated, even though the Transportation Committee had voted to keep FEMA separate.[2]

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[1] Letter from Rep. Henry A. Waxman and Rep. David R. Obey to Tom Ridge, Director, White House Office of Homeland Security (July 9, 2002).

[2] U.S. House of Representatives, Roll Call Vote on H. Amdt. 574 to H.R. 5005 (July 25, 2002) (165 ayes, 261 nos) (Oberstar Amendment); House Committee on Government Reform, Vote on Mink Amendment to H.R. 5005 (July 12, 2002) (failed by voice vote); House Committee on Transportation, Vote on Manager's Amendment to H.R. 5005 (July 11, 2002) (passed by voice vote).

The Government Accountability Office said that the merger of FEMA was a "high-risk" endeavor.[3] Programs that were likely to receive short shrift in a homeland security department included insurance and mitigation services, programs to assist states in preparing for hurricanes, and providing temporary housing and food for homeless people.[4] Another study warned that "while a merged FEMA might become highly adept at preparing for and responding to terrorism, it would likely become less effective in performing its current mission in case of natural disasters as time, effort, and attention are inevitably diverted to other tasks within the larger organization."[5]

Regrettably, the concerns about the negative effects of including FEMA within the Department of Homeland Security appear to have been realized. The vast bulk of the Department's funding has been directed toward counterterrorism, at the expense of disaster preparedness.[6] Nearly three-quarters of funds spent by DHS to train first responders go to counterterrorism, rather than disaster response.[7] Funding for functions previously performed by FEMA has been cut every year since 2002.[8] 500 jobs have been cut from FEMA, and as a result the number of emergency management teams, responsible for overseeing disaster relief, has been cut from three to two.[9]

FEMA's preparedness functions have been particularly hard hit. These functions were merged with the Office of Domestic Preparedness, a former component of the Justice Department that focused on terrorist attacks using weapons of mass destruction.[10] As a result, control of $800 million in emergency preparedness grants have been transferred since 2003 from FEMA to the Office of Domestic Preparedness, where they are designated for use in counterterrorism.[11] In the recent reorganization proposed by Secretary Chertoff, FEMA was to

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[3] U.S. Government Accountability Office, *Homeland Security: Critical Design and Implementation Issues* (July 2002) (GAO-02-957T).

[4] Letter from Rep. Henry A. Waxman and Rep. David R. Obey to Tom Ridge, Director, White House Office of Homeland Security (July 9, 2002).

[5] Brookings Institution, *Assessing the Department of Homeland Security* (July 2002).

[6] U.S. Government Accountability Office, *DHS' Efforts to Enhance First Responders' All-Hazards Capabilities Continue to Evolve* (July 2005) (GAO-05-652).

[7] *Id.*

[8] *Storm Exposed Disarray at the Top*, Washington Post (Sept. 4, 2005).

[9] *Why FEMA Was Missing In Action*, Los Angeles Times (Sept. 6, 2005).

[10] *Hurricane Tests Emergency Agency at Time of Ferment*, Wall Street Journal (Aug. 16, 2004).

[11] *Disaster Relief Efforts Put FEMA in Spotlight*, Wall Street Journal (Aug. 31, 2005).

be restored as an agency within the Department, but stripped of its preparedness functions.[12] FEMA would thus be limited to disaster response and recovery operations.[13] According to emergency management experts, the separation of preparedness from disaster response functions makes little sense.[14]

Disaster mitigation programs, which invest in protection for areas vulnerable to flooding and other natural disasters, have been cut in recent years.[15] In 2003, the Hazard Mitigation Grant Program was cut in half.[16] Another program, the Pre-Disaster Mitigation Program, awarded grants in 31 states in 2003 — but remarkably, all grant applications from Louisiana were denied.[17]

Due to the frequent reorganizations and de-emphasis on disaster preparedness programs, former government officials say that the federal government is less prepared for a major disaster today than on September 11, 2001.[18] In March, former FEMA Director James Lee Witt testified before Congress:

> I am extremely concerned that the ability of our nation to prepare for and respond to disasters has been sharply eroded. I hear from emergency managers, local and state leaders, and first responders nearly every day that the FEMA they knew and worked well with has now disappeared. In fact one state emergency manager told me, 'It is like a stake has been driven into the heart of emergency management."[19]

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[12] Press Release, Department of Homeland Security, *Homeland Security Secretary Michael Chertoff Announces Six-Point Agenda for Department of Homeland Security* (July 16, 2005).

[13] Press Release, Department of Homeland Security, *Homeland Security Secretary Michael Chertoff Announces Six-Point Agenda for Department of Homeland Security* (July 16, 2005).

[14] *DHS Reorganization Will Split FEMA in Two*, United Press International (July 12, 2005).

[15] *Destroying FEMA*, Washington Post (Aug. 30, 2005).

[16] *Disaster in the Making*, Independent Weekly (Sept. 22, 2004).

[17] *Homeland Insecurity*, Gambit Weekly (Sept. 28, 2004).

[18] *Storm Exposed Disarray at the Top*, Washington Post (Sept. 4, 2005).

[19] House Committee on Government Reform, Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs and Subcommittee on National Security, Emerging Threats and International Relations, Testimony of James Lee Witt, *The Homeland Security Department's*

The effect of FEMA's reorganization on its employees has been dramatic. Beginning in 2001, FEMA began to outsource government jobs to contractors.[20] By 2004, one FEMA veteran said, "Our professional staff are being systematically replaced by politically connected novices and contractors."[21] According to an investigative report in the *Wall Street Journal* in August 2004:

> FEMA's 1,700 staffers make up barely 1% of the Homeland Security Department's 180,000 employees. Long-serving FEMA employees, unhappy with the loss of independence and in some cases with new policies, have been leaving FEMA in droves — taking their years of experience with them. Once the highest-ranked government office for worker satisfaction, FEMA is now dead last, according to surveys conducted by labor unions and the federal government's Office of Personnel Management. In the most recent union survey, 60% of FEMA staffers said they would take a job elsewhere if one were offered, and 80% of respondents said they thought FEMA has become a poorer agency since joining Homeland Security."[22]

Was the Planning for a Hurricane in New Orleans Adequate?

President Bush has said, "I don't think anybody anticipated the breach of the levees."[23] But just the opposite is true. Multiple reports have predicted that a large hurricane could overflow the levees and cause massive damage in New Orleans.[24] Both the American Red Cross and FEMA ranked a hurricane in New Orleans as the nation's most dangerous natural disaster threat.[25]

In fact, FEMA itself funded training exercises last year to simulate the effects of a hurricane in New Orleans. In this five-day exercise, called "Hurricane Pam," emergency officials from 50 parish, state, federal, and volunteer organizations simulated the response to a

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Plan to Consolidate and Co-locate Regional and Field Offices: Improving Communication and Coordination, 108th Cong. (Mar. 24, 2004).

[20] *Disaster in the Making*, Independent Weekly (Sept. 22, 2004).

[21] *Disaster in the Making*, Independent Weekly (Sept. 22, 2004).

[22] *Hurricane Tests Emergency Agency at Time of Ferment*, Wall Street Journal (Aug. 16, 2004).

[23] *Good Morning America*, ABC (Sept. 1, 2005).

[24] *See, e.g., Washing Away*, New Orleans Times-Picayune (June 23-27, 2002).

[25] *Big Blow in the Big Easy*, U.S. News and World Report (July 18, 2005).

storm with sustained winds of 120 mph, up to 20 inches of rain in parts of southeast Louisiana, and a storm surge that topped levees in the New Orleans area.[26] The exercise anticipated evacuation of more than one million residents and destruction of more than half a million buildings.[27]

Despite these warnings, it now appears that critical elements of planning were either glossed over or never completed. Follow-up activities, such as planning for how to shelter thousands of people displaced by flooding, were not funded.[28] One expert who participated in the exercise says that "little attention was paid to the evacuation of New Orleans' 'low mobility' population — the elderly, infirm and poor without cars or other means of fleeing the city, who totaled about 100,000."[29] According to this expert, when question were raised as to how to evacuate this population, "the answer was often silence."[30]

Under the Clinton Administration, FEMA developed a plan to "pre-deploy nearby ships with pumps to remove water from the below-sea-level city and have hospital ships nearby."[31] But this plan appears to have been abandoned by the Bush Administration. Rather than being pre-deployed for Katrina, ships were not dispatched from their home ports until days after the disaster began to unfold.[32]

Could the New Orleans Levee System Have Held?

The Army Corps of Engineers has approximately 35,000 engineers and scientists, mostly civilians, who serve both the Army and the public. One of its primary missions is "[p]lanning, designing, building, and operating water resources and other civil works projects."[33] One

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[26] Press Release, Federal Emergency Management Agency, *Hurricane Pam Exercise Concludes* (July 23, 2004) (online at http://www.fema.gov/news/newsrelease.fema?id=13051)

[27] *Id.*

[28] *Government Saw Flood Risk But Not Levee Failure*, New York Times (Sept. 2, 2005); *Federal Government Wasn't Ready for Katrina, Disaster Experts Say*, Knight-Ridder (Aug. 31, 2005) (online at http://www.realcities.com/mld/krwashington/12528233.htm).

[29] *Government Saw Flood Risk But Not Levee Failure*, New York Times (Sept. 2, 2005).

[30] *Id.*

[31] *Federal Government Wasn't Ready for Katrina, Disaster Experts Say*, Knight-Ridder (Aug. 31, 2005) (online at http://www.realcities.com/mld/krwashington/12528233.htm).

[32] *Id.*

[33] U.S. Army Corps of Engineers, *Who We Are* (online at http://www.usace.army.mil/who/).

element of that mission, set out in the 1936 Flood Control Act, is "to provide flood protection to the entire country."[34]

In recent years, the Corps' budget for such projects has been repeatedly slashed. On September 1, Lieutenant General Carl Strock, Commander of the US Army Corps of Engineers, stated, "I don't see lack of funding as a contributing factor in this case."[35] However, it seems plausible that recent sharp decreases in relevant funding streams influenced the state of the levee system surrounding New Orleans.

The levee system in New Orleans was designed and built in the 1960s. In the ensuing decades, the system has required large amounts of maintenance and repair to continue to protect the city from the waters that surround it on three sides. In the last few years, funding for this work has dropped by over 40%. According to one recent analysis:

> [T]he Corps' construction budget for the district has gone from $147 million in fiscal 2001 to $82 million in fiscal 2005. Scores of projects, from efforts to build levees, canals and pumping stations to bridge improvements — all of which deal with flood mitigation — are incomplete. (The administration's fiscal 2006 budget proposal cut construction funding for the district even further, to $56 million.)
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> The Southeast Louisiana Flood Control Project has felt the pinch particularly hard. After receiving $36.5 million for fiscal 2005, the project was cut to $10.4 million in the fiscal 2006 White House budget. The House has endorsed that funding level, while the Senate voted to boost funding to $37 million.[36]

In 2004, for the first time in 37 years, the Corps nearly halted all work on New Orleans levee system.[37] Jefferson Parish Emergency Management Chief Walter Maestri told the *New Orleans Times-Picayune*: "It appears that the money has been moved in the president's budget to handle homeland security and the war in Iraq, and I suppose that's the price we pay .... Nobody locally is happy that the levees can't be finished, and we are doing everything we can to

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[34] U.S. Army Corps of Engineers, *Flood Damage Reduction* (online at www.usace.army.mil/public.html#Flood).

[35] *Critics Assail Response to Crisis: Federal Reaction Called a Disgrace*, Kansas City Star (Sept. 2, 2005).

[36] *Ex-Army Corps Officials Say Budget Cuts Imperiled Flood Mitigation Efforts*, GovExec (Sept. 1, 2005) (online at http://www.govexec.com/dailyfed/0905/090105jv1.htm).

[37] *Federal Government Wasn't Ready for Katrina, Disaster Experts Say*, Knight-Ridder (Aug. 31, 2005) (online at http://www.realcities.com/mld/krwashington/12528233.htm).

make the case that this is a security issue for us."[38]

In addition, it was reported in June 2005 that the Corps cancelled a study on how to protect New Orleans from a level 5 hurricane.[39]

Did Failures to Protect the Environment Contribute to the Impact of Katrina?

According to Center for the Study of Public Health Impacts of Hurricanes at Louisiana State University, the disappearance of wetlands along the state's coast put New Orleans and other coastal cities at higher risk of severe damage from a storm:

> One of the contributing factors to New Orleans heightened hurricane risk is continual land loss and the degradation of wetlands along Louisiana's coast. These features — wetlands and barrier islands — have, in the past, served as significant hurricane protection for Louisiana's coastal cities. Various research has shown that each mile of wetland and barrier island that stands between a hurricane and inland Louisiana before landfall causes proportional dampening of both wind speed (storm intensity) and storm surge.[40]

The degradation of the coastal wetlands was due in part to Army Corps projects intended to divert the flow of the Mississippi River. By changing the flow of the river, levees blocked the flow of silt which otherwise would have restored wetlands areas that are constantly eroded by water and wind.[41] The Louisiana delegation has sought $14 billion for a massive project to restore the coastal wetlands, but Congress has only appropriated $540 million.[42]

In addition, various forms of development have diminished the wetlands. Among these were support systems for offshore oil operations. The oil industry cut through wetland areas to connect to their offshore sites, and there does not appear to have been adequate federal

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[38] *Id.*

[39] *Id.*

[40] Louisiana State University's Center for the Study of Public Health Impacts of Hurricanes, *Louisiana Coastal Issues: Increased Hurricane Impact Due to Wetlands Loss* (online at http://www.publichealth.hurricane.lsu.edu/convert%20to%20tables/Louisiana%20Coastal%20Issuestf.htm)

[41] *New Orleans in Chaos: Disaster Proves Warnings True*, The Atlanta Journal-Constitution (Sept. 2, 2005).

[42] *Id.*

consideration of the implications of these steps or regulation to limit the harm caused.[43]

Why Was the Federal Government So Slow to Establish Command and Control?

According to FEMA, the foundation of disaster relief is to establish clear leadership, known as "command and control," over a rescue effort. Effective command and control permits the integration of diverse teams, a clear chain of command, and an efficient and swift response. A FEMA lesson for trainees explains that without command and control, problems are "far more likely to result from inadequate management than for any other single reason."[44] In December 2004, the Administration released a National Response Plan that promised the "alignment of federal coordination structures, capabilities, and resources into a unified, all-discipline, and all-hazards approach to domestic incident management" that would result in "vastly improved coordination among Federal, State, local and tribal organizations to help save lives and protect America's communities by increasing the speed, effectiveness, and efficiency of incident management."[45]

Yet FEMA failed to ensure adequate leadership in New Orleans. On Thursday, September 1, more than three days after Hurricane Katrina struck New Orleans, federal support still had not arrived and the city's mayor issued a "desperate SOS" for assistance.[46] The head of the Office of Emergency Preparedness in New Orleans publicly begged for "additional troops, food, water."[47] Local, state, and federal lawmakers universally condemned the slow response of the Administration, and President Bush called it "unacceptable."[48]

Rescue operations were few and sporadic, and groups and organizations that offered to help were left waiting for instructions. For example, FEMA was unable to take advantage of an

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[43] *U.S. Government Ignored Advice After Flood of '93*, St. Louis Post-Dispatch (Sept. 3, 2005) (online at http://www.stltoday.com/stltoday/news/stories.nsf/nation/story/A393EE46492AB85E8625707100235276?OpenDocument).

[44] Federal Emergency Management Agency, *Incident Command System (ICS) 100 Training: Lesson 1: Welcome/ICS Overview* (online at http://www.training.fema.gov/EMIWeb/IS/IS100CM/ICS0101summary.htm).

[45] Department of Homeland Security, *National Response Plan* (Dec. 2004).

[46] *Planning, Response are Faulted*, Washington Post (Sept. 2, 2005).

[47] *Despair and Lawlessness Grip New Orleans as Thousands Remain Stranded in Squalor*, New York Times (Sept. 2, 2005).

[48] *An Embattled Bush Says 'Results Are Not Acceptable,'* Washington Post (Sept. 3, 2005).

offer of assistance made Monday by 500 airboaters from Florida. The head of the Florida Airboat Association stated, "We cannot get deployed to save our lives ... [and] are physically sick, watching the New Orleans coverage and knowing that the resources to help these poor people is sitting right in our driveways."[49]

Other reports indicate that FEMA blocked the Coast Guard from providing 1,000 gallons of diesel fuel,[50] turned away three trailer trucks sent by Wal-Mart filled with water,[51] refused an offer from the American Ambulance Association to provide 300 emergency vehicles,[52] and rejected major assistance from the city of Chicago.[53] FEMA apparently cut the emergency communications line to Jefferson Parish. When the sheriff fixed it, he assigned armed guards to protect it from FEMA.[54]

Nor was there a coordinated effort to establish security. While the National Guard and military took days to arrive, New Orleans police were left without instructions, food, water, or supplies.[55] The force was unable to protect residents from roving gangs, lawlessness, and violence.

Many of those fortunate enough to have been lifted from flooded homes were later abandoned without basic necessities or security. Former FEMA Director Joseph Allbaugh stated that "[a] lot of decisions are being made that aren't being coordinated very well."[56]

Days passed without effective crisis management. Republican Congressman Charles W. Boustany, Jr. spent 48 hours trying to compel the Bush Administration to take charge.[57] On September 1, the New Orleans Director of Homeland Security stated, "FEMA has been here

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[49] *Airboaters Stalled by FEMA*, Orlando Sun-Sentinel (Sept. 2, 2005).

[50] *After Failures, Government Officials Play Blame Game*, New York Times (Sept. 5, 2005).

[51] *Id.*

[52] *Storm Exposed Disarray at the Top*, Washington Post (Sept. 4, 2005).

[53] *Id.*

[54] *After Failures, Government Officials Play Blame Game*, New York Times (Sept. 5, 2005).

[55] *Waiting for Help, Officers Keep a Lonely Vigil*, Boston Globe (Sept. 3, 2005).

[56] *Federal Aid Efforts Criticized Sharply*, Washington Times (Sept. 2, 2005).

[57] *Planning, Response are Faulted*, Washington Post (Sept. 2, 2005).

three days, yet there is no command and control."[58] Citing this statement, Republican Senator Chuck Hagel called the failure of leadership "astounding."[59] He added, "There must be some accountability in this process after the crisis is addressed."[60]

Why Were Federal Relief Supplies So Late to Arrive?

Timeliness is critical to disaster response. Food, water, and medical supplies are immediate needs for the survivors, particularly children, the elderly, and people with medical problems. In addition, living conditions in temporary shelters can deteriorate rapidly after a disaster, increasing both stress and the risk of infectious disease. On September 23, 2003, FEMA Director Michael Brown testified before Congress that the agency was "taking steps to reduce disaster response times so that eventually disaster teams will be able to respond anywhere in the country within 12 hours and disaster logistics packages, commodities, and equipment can be delivered anywhere in the country within 24 hours of a disaster declaration."[61]

Yet relief supplies came painfully slowly to New Orleans. At least four days without food or clean water took a rapidly mounting toll on people's health and created an increasing sense of desperation. Thousands of people trapped in the New Orleans Convention Center lacked basic necessities.[62]

Despite an array of promises, little was delivered quickly. John Copenhaver, a former southeastern regional director of FEMA, stated on Wednesday, "I would have difficulty explaining why there has not been a visible presence of ice, water, tarps — the kind of stuff that typically get delivered to hurricane areas."[63] When told that FEMA had blamed road conditions for delays, Joe Myers, former emergency management chief of Florida, responded, "I would

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[58] *Democrats and Others Criticize White House's Response to Disaster*, New York Times (Sept. 2, 2005).

[59] *Nelson and Hagel Troubled by Government Response to Katrina*, Associated Press (Sept. 2, 2005).

[60] *Id.*

[61] Under Secretary of Emergency Preparedness and Response Directorate Michael Brown, Statement before the Senate Committee on Environment and Public Works (Sept. 24, 2003) (online at http://epw.senate.gov/hearing_statements.cfm?id=212194) (emphasis added).

[62] *New Orleans in the Throes of Katrina, and Apocalypse*, USA Today (Sept. 2, 2005).

[63] *Federal Government Wasn't Ready for Katrina, Disaster Experts Say*, Knight-Ridder (Sept. 1, 2005).

think that yesterday they could have flown that in … Everyone was flying in …. Put it this way, FOX and CNN are there. If they can get there ….”[64]

Promises from the Administration vastly outpaced the actual provision of supplies. “I keep hearing that this is coming, that is coming. And my answer to that today is … where is the beef?” said New Orleans Mayor Nagin in a Thursday evening interview that ended with him and the interviewer in tears.[65]

According to news reports, mismanagement appears to have hindered a rapidly coordinated response. A FEMA manager reported that teams were being forced to wait for direction from Washington before reaching people in need.[66]

FEMA officials also appear to have been out of touch with what was actually happening. Local and state officials knew that thousands of people were at the Convention Center without food, water, or medicine. Yet FEMA director Michael Brown told Paula Zahn of CNN on Thursday — three days after the hurricane hit — that “the federal government did not even know about the convention center people until today.”[67]

Why Did the Department of Homeland Security Fail to Ensure Basic Communications Capacity?

According to the *National Strategy for Homeland Security*, an essential part of disaster management is to “enable seamless communication among all responders.” According to the *National Strategy*, “It is crucial for response personnel to have and use equipment, systems, and procedures that allow them to communicate with one another.” The Administration pledged three years ago that “the Department of Homeland Security will work with state and local governments to achieve this goal.”[68]

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[64] *Id.*

[65] *New Orleans Mayor, in Tears, Blasts Washington's Response*, Washington Post (Sept. 2, 2005).

[66] *Coast Under Water, FEMA Under Fire; Head of Federal Agency Defends Disaster Response*, Baltimore Sun (Sept. 2, 2005).

[67] Paula Zahn Now, CNN (Sept. 1, 2005).

[68] Department of Homeland Security, *The National Strategy for Homeland Security: Emergency Preparedness and Response* (2002) (Online at http://www.whitehouse.gov/homeland/book/sect3-5.pdf).

Yet when disaster struck the Gulf Coast, there was no emergency communications system. According to Louisiana Governor Katherine Blanco, "Part of the big problem is the communications network is down. We could not get cell phone access, we could not get BlackBerry access, much less a land line. The communications network is completely gone."[69]

Communication failures seriously compromise rescue and security missions. New Orleans police took turns using a single radio channel with walkie-talkies.[70] In Mississippi, the National Guard resorted to pen and paper. Major General Harold Cross stated, "We've got runners running from commander to commander .... In other words, we're going to the sound of gunfire, as we used to say during the Revolutionary War."[71]

These costly breakdowns in communication appear unnecessary. Satellite telephones can function even in the absence of a local telecommunications network, but this technology was not utilized.

Why Was the Federal Medical Response So Slow?

The Department of Homeland Security runs the National Disaster Medical System to provide around-the-clock emergency "medical response to a disaster area in the form of teams, supplies, and equipment" and assist "patient movement from a disaster site to unaffected areas of the nation."[72] When needed, this system is supposed to be able to mobilize the Strategic National Stockpile of essential drugs and supplies. According to the Centers for Disease Control and Prevention, the stockpile can be "delivered to any state in the U.S. within 12 hours."[73]

Yet the medical response to Hurricane Katrina was severely lacking. Thousands of people in the Superdome and Convention Center languished without basic medical care. In New Orleans hospitals, staff struggled to care for hundreds of patients for days without adequate electricity, light, food, or sanitation.[74] Area nursing homes issued desperate cries for help, including one banner stating: "HELP. THIS IS A HEALTH-CARE FACILITY. NEED

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[69] National Public Radio, Morning Edition (Sept. 2, 2005).

[70] *Katrina Rescuers Improvise Communications*, Associated Press (Sept. 1, 2005).

[71] *Id.*

[72] Department of Homeland Security, *National Disaster Medical System* (2005) (online at http://www.oep-ndms.dhhs.gov/index.html)

[73] Centers for Disease Control and Prevention, *Strategic National Stockpile* (Apr. 14, 2005) (online at http://www.bt.cdc.gov/stockpile/).

[74] *10,000 Patients and Staff Members Await Evacuation from Barely Functional Hospitals*, New York Times (Sept. 1, 2005).

MEDICINE. NO FOOD."[75] Front-line doctors complained that the Department of Homeland Security sent disaster medical assistance teams to Baton Rouge, not New Orleans.[76] Supplies from the Strategic National Stockpile did not begin arriving in Louisiana and Mississippi until three days after the hurricane struck.[77]

Why Was the National Guard and Military Response So Slow?

The stateside mission of the Army National Guard is to "[m]aintain properly trained and equipped units available for prompt mobilization for war, national emergency, or as otherwise needed."[78]

Yet National Guard troops were not promptly mobilized in New Orleans. It was at least four days before National Guard troops reached the Superdome with basic food, water, and medical supplies. As of Friday morning, only 12,000 members of the National Guard were on duty in hurricane-stricken areas. This is less than half of the 30,000 available in Louisiana, Mississippi, Alabama, and Florida,[79] and about a quarter of the 40,000 troops requested by Louisiana Governor Katherine Blanco.[80]

On Friday, New Orleans Mayor Ray Nagin expressed frustration with the military response. He told CNN: "I don't want to see anybody do anymore god damn press conferences. Don't do another press conference until the resources are in this city. And then come down to this city and stand with us when there are military trucks and troops that we can't even count. Don't tell me 40,000 people are coming here. They're not here."[81]

Part of the blame for the slow deployment may lie with Administration emergency managers, who must request assistance from the military. One officer stated, "There is a tremendous amount of frustration here, that we have assets stacked up ready to go and we don't

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[75] *Along Esplanade, Pleas for Help*, New Orleans Times-Picayune (Aug. 31, 2005).

[76] Dr. Richard Bradley, *A Local Doctor's View from the Front Lines in New Orleans* (Sept. 2, 2005) (online at http://blogs.chron.com/sciguy/archives/2005/09/one_local_docto.html).

[77] *HHS Ships Medical Supplies, Opens 'Medical Shelters' at Military Bases*, Associated Press (Sept. 1, 2005).

[78] Army National Guard, *State Mission* (online at http://www.arng.army.mil/).

[79] *Red Tape Ties Up Military*, Saint Paul Pioneer Press (Sept. 3, 2005).

[80] *The NewsHour with Jim Lehrer*, PBS (Sept. 1, 2005).

[81] *Newsnight with Aaron Brown*, CNN (Sept. 2, 2005).

have the requests for them .... All we can do is nudge the folks at FEMA and say, 'How about if we do this or that?'"[82]

Another contributing factor may be the war in Iraq. Over 3,000 members of the Lousiana National Guard are in Baghdad. Though the Louisiana National Guard members in Iraq will return home next week as part of regularly scheduled troop rotations, there will be no mass Guard movement back to the United States. "Everyone we have here, and every piece of equipment we have here, is needed here," said Major General Rick Lynch, senior spokesman for U.S. forces in Iraq, on Thursday.[83]

Similar patterns exist in neighboring states. The Mississippi National Guard has more than 4,000 troops in central Iraq. All of Alabama's National Guard units have already served in Iraq, and due to retention and recruitment problems, Alabama's Army National Guard has only 78% of its authorized number of troops.[84]

Is the Department of Homeland Security Adequately Helping State and Local Officials Prepare to Respond to Natural Disasters?

Local first responders have been unhappy with Department of Homeland Security's emphasis on terrorism at the expense of preparation for natural disasters, and they have asked for more flexibility to use grant funds to prepare for "events that were more likely to occur in their jurisdictions."[85] As the *Wall Street Journal* reported over a year ago:

> According to [FEMA Director Michael] Brown and other insiders, a quiet battle is under way within the Homeland Security Department. On one side are former law-enforcement officials, advocating secrecy, tight security and intelligence as the key to minimizing the trauma of any terrorist attack. On the other are firefighters and emergency managers who emphasize collaboration, information sharing, public awareness and mitigation efforts to reduce the impact of disasters. "It's a competing balance inside the department," Mr. Brown says. "The department has two missions. One is to prevent terrorism. The other is

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[82] *Red Tape Ties Up Military*, Saint Paul Pioneer Press (Sept. 3, 2005).

[83] *Troops Head Home to Another Crisis*, Washington Post (Sept. 2, 2005).

[84] *Strain of Iraq War Means the Relief Burden Will Have to Be Shared*, Washington Post (Aug. 31, 2005).

[85] U.S. Government Accountability Office, *DHS' Efforts to Enhance First Responders' All-Hazards Capabilities Continue to Evolve* (July 2005) (GAO-05-652).

> to prepare the country for all hazards. My job is to convince and show and lead by example that the all-hazard approach fits into their terrorism prevention."[86]

Conclusion

The nation has been horrified not only by the destruction caused by Hurricane Katrina, but also by the government's failure to come to the aid of our most vulnerable citizens in their greatest hour of need. While there will be much debate about appropriate legislative responses, one of the most important functions our Committees can perform is to provide thorough and independent oversight. Examining the questions raised in this letter — and the effectiveness of the on-going federal response — is essential to provide accountability and a roadmap to reform. Whether a disaster is natural or man-made, the federal government must be prepared to respond with leadership and resources.

We urge you to schedule a series of oversight hearings without further delay, and we offer our services in planning the hearings and coordinating across the Committees.

Sincerely,

Henry A. Waxman	James L. Oberstar	Bennie G. Thompson
Ranking Minority Member	Ranking Minority Member	Ranking Minority Member
Committee on	Committee on	Committee on
Government Reform	Transportation and Infrastructure	Homeland Security

[86] *Hurricane Tests Emergency Agency at Time of Ferment*, Wall Street Journal (Aug. 16, 2004).