

NATIONAL FRAMEWORK

Critical elements of the national response plan were executed late, ineffectively, or not at all

Summary

Similar to the troubled national responses to Hurricanes Hugo and Andrew in 1989 and 1992 respectively, the federal government failed to recognize the magnitude of the situation presented by Hurricane Katrina prior to landfall, adequately project future needs, fully engage the President, and respond in a proactive and timely manner. While the Federal Emergency Management System had evolved since Andrew to include a developed protocol for responding proactively to catastrophic disasters, important aspects of the National Response Plan were poorly executed, which contributed to the inadequate federal response to Hurricane Katrina.

With the creation of the Department of Homeland Security (DHS) and the development of the National Response Plan (NRP), an additional layer of management and response authority was placed between the President and FEMA, and additional response coordinating structures were established.¹ The Secretary of Homeland Security became the President's principal disaster advisor responsible for enabling the President to effectively utilize his authority under the Stafford Act to direct all federal agencies, particularly the Department of Defense (DOD), to respond in a coordinated and expeditious fashion. As part of these changes, critical response decision points were assigned to the Secretary of Homeland Security.² Secretary Chertoff executed these responsibilities late, ineffectively, or not at all. These secretarial authorities include:

- The designation of an incident of national significance (INS);
- The authority to convene the Interagency Incident Management Group (IIMG);
- The designation of the principal federal official (PFO); and

- The invocation of the national response plan's catastrophic incident annex (NRP-CIA).

There was plenty of advance warning by the National Weather Service, and the consequences of a category 4 hurricane striking New Orleans were well-documented. Fifty-six hours prior to landfall, Hurricane Katrina presented an extremely high probability threat that 75 percent of New Orleans would be flooded, tens of thousands of residents may be killed, hundreds of thousands trapped in flood waters up to 20 feet, hundreds of thousands of homes and other structures destroyed, a million people evacuated from their homes, and the greater New Orleans area would be rendered uninhabitable for several months or years.³ An August 28 report by the department's National Infrastructure Simulation and Analysis Center concluded: "Any storm rated Category 4 or greater . . . will likely lead to severe flooding and/or levee breaching, leaving the New Orleans metro area submerged for weeks or months."⁴

Under these conditions it seems reasonable to expect the criteria for designating an INS would have been met, the appointment of a PFO would be necessary to coordinate an unprecedented federal response, the IIMG would be convened to provide strategic guidance and recommendations to the Secretary and the President, and the NRP-CIA would be invoked to shift the federal response posture from a reactive to proactive mode in order to save lives and accelerate assistance to overwhelmed state and local systems. According to a recent letter submitted by DHS (see Appendix 7) in response to the preliminary observations of the Comptroller General (see Appendix 6), DHS viewed the NRP-CIA as applicable only to no-notice or short-notice events. And the Select Committee acknowledges that the State of Louisiana expressed its satisfaction with the supplies and that former FEMA Director Michael Brown directed that commodities be "jammed up" the supply chain.

While the NRP-CIA may be particularly applicable to a no-notice event, the Annex itself reflects only that a catastrophic incident may occur with little or no warning.

And the pre-positioning of supplies to the satisfaction of state and local authorities, while an appropriate measure for a disaster without catastrophic consequences, was clearly not sufficient for the catastrophic consequences of Hurricane Katrina.

Instead, absent a catastrophic disaster designation from Chertoff, federal response officials in the field eventually made the difficult decisions to bypass established procedures and provide assistance without waiting for appropriate requests from the states or for clear direction from Washington. These decisions to switch from a “pull” to a “push” system were made individually, over several days, and in an uncoordinated fashion as circumstances required. The federal government stumbled into a proactive response during the first several days after Hurricane Katrina made landfall, as opposed to the Secretary making a clear and decisive choice to respond proactively at the beginning of the disaster. The White House Homeland Security Council (HSC), situated at the apex of the policy coordination framework for DHS issues, itself failed to proactively de-conflict varying damage assessments. One example included an eyewitness account of a levee breach supplied by a FEMA official at 7:00 p.m. on August 29. The White House did not consider this assessment confirmed for 11 more hours, when, after 6:00 a.m. the next morning, it received a Homeland Security Operations Center (HSOC) Situation Report confirming the breach.

The catastrophic nature of Katrina confirmed once again that the standard “reactive” nature of federal assistance, while appropriate for most disasters, does not work during disasters of this scale. When local and state governments are functionally overwhelmed or incapacitated, the federal government must be prepared to respond proactively. It will need to anticipate state and local requirements, move commodities and assets into the area on its own initiative, and shore up or even help reconstitute critical state and local emergency management and response structures.

The need for assistance is extreme during the initial period of a catastrophic hurricane, yet the ability of state and local responders to meet that need is limited. That is why it is so important for the federal government, particularly DOD resources, to respond proactively and fill that gap as quickly as possible. Because it takes several days to mobilize federal resources, critical decisions must be made as early as possible so that massive assistance can

surge into the area during the first two days, not several days or weeks later. The CIA-NRP was drafted to meet this specific and well known requirement, yet Chertoff never invoked it for Katrina.

In contrast, the Emergency Management Assistance Compact (EMAC), a critical part of the national emergency management framework, successfully provided unprecedented levels of response and recovery personnel and assets to the Gulf coast in record time following Hurricane Katrina. EMAC is designed by statute to be adaptable and scaleable to meet the changing needs of each event. EMAC was widely praised for its quick and effective process for putting vital resources into every aspect of the response.

Finding: It does not appear the President received adequate advice and counsel from a senior disaster professional

Although the Select Committee’s access to White House documents, communications, and staff was not as comprehensive as we had hoped, the information we did receive suggests the President could have received better disaster advice and counsel.

The Stafford Act places the federal government’s disaster response authorities with the President. Similar to military matters, the President is the commander in chief of federal disaster response. Yet, unlike the military, which provides the Chairman of the Joint Chiefs of Staff as the President’s primary professional military advisor, the President does not have regular access to a senior disaster professional to advise him during disasters or on disaster response issues. The President lacks this resource even though catastrophic disasters may strike with little or no warning and require early Presidential involvement to reduce the loss of life, human suffering, and extensive property damage.⁵

Under the Homeland Security Act, the Secretary of Homeland Security reports to the President and is the department’s top disaster official; yet emergency management is just one of the Secretary’s many responsibilities.⁶ According to Chertoff’s testimony before the Select Committee, he is not a hurricane expert, nor does he have much experience with disasters.⁷

However, according to White House and FEMA documents, it appears the White House took several steps to improve the flow of information and strategic advice into the President. For example, HSC staff solicited regular situation reports from almost every federal agency for the White House situation room. The HSC commenced 24-hour operations the morning Katrina hit New Orleans.⁸ In addition, White House officials attempted to pressure the HSOC to convene the IIMG on the Saturday before Katrina made landfall.⁹

The IIMG consists of high level officials from all the major federal agencies, and it is intended to assess the magnitude of crisis situations, project future requirements for federal assistance, develop plans for meeting those requirements, recommend to the Secretary and the President appropriate courses of action, and provide strategic advice.¹⁰ The Secretary did not convene the IIMG until three days later, roughly 36 hours after landfall.¹¹

Within the emergency management community, there are a handful of potential catastrophes that keep disaster professionals awake at night. Perhaps the most troubling

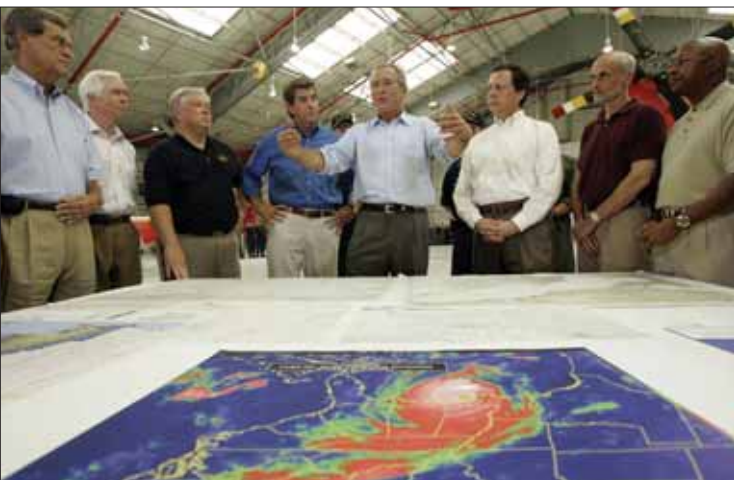
Comments such as those the President made about not expecting the levees to breach do not appear to be consistent with the advice and counsel one would expect to have been provided by a senior disaster professional.

of these has been a category 3 or larger storm striking New Orleans because of its high likelihood of occurrence, the extreme vulnerability of the city to long term flooding, and the difficulty of evacuating a large urban population over limited evacuation routes. As a result, this scenario has been studied, planned, and exercised perhaps more than any other potential catastrophic disaster in the country. A senior disaster professional would be well aware of the consequences of such a storm, recognize the challenges of responding to such a disaster, and appreciate the need for timely and proactive federal assistance.

Comments such as those the President made about not expecting the levees to breach do not appear to be consistent with the advice and counsel one would expect to have been provided by a senior disaster professional. Furthermore, it seems reasonable to expect delays in recognizing the need for and then requesting DOD mission assignments may have been avoided if the President had been advised of the need for early presidential involvement.

Finding: Given the well-known consequences of a major hurricane hitting New Orleans, the Secretary should have designated an incident of national significance no later than Saturday, two days prior to landfall, when the National Weather Service predicted New Orleans would be struck by a Category 4 or 5 hurricane and President Bush declared a Federal Emergency

The consequences of a major hurricane, defined as a category 4 or greater storm, striking New Orleans were well-known within Louisiana, the emergency management community, and DHS.¹² FEMA officials selected New Orleans as the first project for its catastrophic disaster preparedness program precisely because of its high probability of occurrence and horrific consequences.¹³ The New Orleans levee system was designed to withstand, in



AP PHOTO/SUSAN WALSH

essence, a category 3 storm. Anything larger would exceed the levees' design capacity and likely cause catastrophic flooding of the city. FEMA's Hurricane Pam exercise predicted the storm would inundate 75 percent of the city up to 20 feet and cause 60,000 deaths.¹⁴

Two days before landfall the National Weather Service predicted Katrina would strike New Orleans as a category 4 or 5 hurricane. The governors of Louisiana and Mississippi declared state emergencies and the President issued an emergency declaration for Louisiana. At this point in time, it was extremely likely FEMA's worst case hurricane scenario was about to unfold. Chertoff should have declared an INS in recognition of the severity of the situation and to allow for the immediate convening of the IIMG, designation of the PFO, and invocation of the NRP-CIA.

Finding: The Secretary should have convened the IIMG on Saturday, two days prior to landfall, or earlier to analyze Katrina's potential consequences and anticipate what the federal response would need to accomplish

The purpose of the IIMG is to anticipate evolving requirements and provide strategic recommendations or courses of action for the Secretary and President to consider as part of a national response to a major incident. The IIMG replaces the Catastrophic Disaster Response Group from the old Federal Response Plan and was created to fill an important operational planning gap. During a major incident, the NRP expects the response organization to be focused on the current and subsequent 24-hour operational period and unable to assess the overall disaster situation, project future needs, and develop effective plans to protect life and property. The NRP utilizes the IIMG, a group of experienced high level professionals with agency decision making authority, to look at the big picture, anticipate what will be needed several days in advance, and develop plans to fulfill those requirements. Those plans can then be provided to the operational commanders and implemented in a timely manner.¹⁵

The "single biggest failure" of the federal response was that it failed to recognize the likely consequences of the approaching storm and mobilize federal assets for a post-storm evacuation of the flooded city. If it had, then federal assistance would have arrived several days earlier.

The authority to convene the IIMG is the Secretary's,¹⁶ yet Chertoff did not execute that authority early enough for the IIMG to perform this function during the critical pre-landfall period and initial days of the disaster. According to an e-mail between top FEMA officials on Sunday, the day before landfall, White House officials were pressuring the head of the HSOC, Matthew Broderick, to convene the IIMG.¹⁷ Because the Secretary did not activate the IIMG until roughly 36 hours after landfall, despite the White House pressure, we will never know what the IIMG would have done, given the hurricane forecast and well-known consequences of a category 4 storm, in anticipation that the New Orleans levees would likely breach and force the rescue and evacuation of tens of thousands of victims from the flooded city.

If Chertoff had convened the IIMG, then perhaps on the Saturday or Sunday before landfall, when FEMA officials were deploying emergency response teams and moving tons of commodities into the surrounding region, the IIMG would have begun to accelerate DOD's involvement, develop plans to evacuate the Superdome, and pre-stage buses and boats outside the region for immediate deployment after the storm passed. Instead, the FEMA operational teams did not begin planning these critical actions until three days later, Tuesday evening, and the buses and boats did not arrive in large quantities until Thursday.¹⁸

According to Colonel Jeff Smith, Deputy Director for Emergency Preparedness with the Louisiana Office of Homeland Security and Emergency Preparedness

(LOHSEP), the “single biggest failure” of the federal response was that it failed to recognize the likely consequences of the approaching storm and mobilize federal assets for a post-storm evacuation of the flooded city. If it had, then federal assistance would have arrived several days earlier.¹⁹

By not convening the IIMG prior to landfall, the Secretary robbed himself and the President of the opportunity to receive professional advice and strategic options for proactively addressing the unfolding catastrophic disaster. The threat stream presented by Katrina was clear days before landfall, the potential consequences were well-known, and important tools for dealing with the situation were available yet not utilized.

Finding: The Secretary should have designated the Principal Federal Official on Saturday, two days prior to landfall, from the roster of PFOs who had successfully completed the required PFO training, unlike FEMA Director Michael Brown. Considerable confusion was caused by the Secretary’s PFO decisions

According to the NRP, “the PFO is personally designated by the Secretary of Homeland Security to facilitate federal support to the established Incident Command System (ICS) Unified Command structure and to coordinate overall federal incident management.”²⁰ During large multi-state disasters such as Katrina, the PFO’s role becomes particularly important for providing a coordinated federal response, as the FCOs appointed by the President for each state only control operations within their respective states. The Secretary should have begun this coordination earlier and appointed a PFO on Saturday.

The Secretary’s eventual designation of Brown as PFO on Tuesday evening was highly unusual and elicited a concerned and confused reaction from Brown.²¹ In order



to prepare PFO-designates to fulfill the responsibilities and functions of the PFO, the department conducts a formal training program, and maintains a roster of individuals approved and qualified to serve as a PFO. The NRP requires that “[u]nless extenuating circumstances dictate otherwise, all PFO-designates should satisfactorily complete this training program prior to performing PFO-related responsibilities.”²²

According to DHS officials, Brown had not taken the required PFO training program and was not on the approved PFO roster.²³ Coast Guard Admiral Thad Allen had successfully completed the training program, as had all of the other individuals designated by the Secretary to serve as PFO for past INS designations and National Special Security Events.²⁴ It is unclear why Chertoff deviated from the requirements of the NRP and designated an untrained individual to serve as PFO for such a catastrophic disaster.

There was confusion over the role and authority of the PFO

The Secretary was confused about the role and authority of the PFO. According to Chertoff’s testimony, he designated Brown PFO because Brown was his “battlefield commander.”²⁵ Yet, the NRP specifically states, “The PFO does not direct or replace the incident command structure established at the incident, nor does the PFO have directive authority over the SFLEO [Senior Federal Law Enforcement Officer], FCO [Federal Coordinating Officer], or other federal and state officials.”²⁶ Furthermore, the Stafford Act places all emergency response authorities with

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the President and requires that the President designate a FCO for each disaster or emergency declaration.²⁷ As a result, the legal authority to “command the battlefield,” as the Secretary put it, resides with the FCO, not the PFO.

The apparent confusion over the authority and role of the PFO does not seem to have been recognized until almost two weeks after Chertoff selected Allen to replace Brown as PFO. It was at that time that the unprecedented decision was made to appoint Allen the FCO for Louisiana, Mississippi, and Alabama *in addition* to PFO. This step was necessary because DHS eventually recognized Allen, as the PFO only, did not have the legal authority to commit the expenditure of federal funds or direct federal agencies under delegated authority from the President.²⁸ As described above, only the FCO has that authority. This confused and unprecedented series of actions by the department prompted the resignation and departure of Bill Carwile, one of FEMA’s most well respected FCOs, who was serving as FCO in Mississippi.²⁹

Finding: A proactive federal response, or push system, is not a new concept, but it is rarely utilized

What is a push system?

In response to most disasters, the federal government provides assistance in response to state requests. This reactive approach is often referred to as a “pull” system in that it relies on states knowing what they need and being able to request it from the federal government.³⁰ States may make these requests either before disasters strike because of the near certainty that federal assistance will be necessary after such an event, *e.g.*, with hurricanes, or afterwards, once they have conducted preliminary damage assessments and determined their response capabilities are overwhelmed.

Unlike the bulk of the disasters requiring FEMA’s response, catastrophic disasters require the federal response to be more proactive. This proactive response is referred to as a “push” system, in which federal assistance is provided and moved into the affected area prior to a disaster or without waiting for specific requests from the state or local governments.³¹

Implementing a push system—a proactive federal response—does not require federalization of the disaster or the usurping of state authority. Although a push system is a proactive response by the federal government, it still requires notification and full coordination with the state. The coordination process, however, should not delay or impede the rapid mobilization and deployment of these critical federal resources.³²

A proactive response, or push system, is nothing new. In 1992, the nation’s management of catastrophic disasters was intensely criticized after Hurricane Andrew leveled much of South Florida and Hurricane Iniki destroyed much of the Hawaiian island of Kauai.³³ In particular, a 1993 GAO report points to the slow delivery of services vital to disaster victims as a major flaw in the response to Hurricane Andrew in South Florida.³⁴ The report then contrasts this with the more effective response to Hurricane Iniki in Hawaii, where FEMA implemented a push system and sent supplies to the island of Kauai before local officials requested them.³⁵ This occurred despite being implemented in an ad hoc manner—rather than as part of an orderly, planned response to catastrophic disasters.³⁶ Furthermore, the long-standing authority for a proactive federal response resides in the Stafford Act. The current plan for how to utilize that authority is the NRP-CIA.

The pre-positioning of assets and commodities is a distinct action from the push or pull of those assets

The federal government will often pre-position life-saving and life-sustaining disaster equipment and supplies prior to landfall of a hurricane as close to a potential disaster site as possible. This pre-positioning of supplies can substantially shorten response time and delivery of initial critical disaster supplies to the field.

Although part of a proactive response, this pre-positioning of disaster supplies and assets is not in and of itself a push of commodities. Once assets are pre-positioned to go into the field, they still need to be mobilized and deployed into the field either proactively by pushing the commodities to the state or reactively by waiting for a request from the state.

Operational procedures for a push are not well exercised, practiced, or utilized

The majority of declared disasters are not catastrophic. Because of this, the pull system is most commonly used during disasters and training exercises and, therefore, is more familiar to disaster response personnel. In fact, the NRP-CIA has never been appropriately exercised.³⁷ As a result, federal personnel have little experience or comfort with instituting a proactive response.

Additionally, if the Homeland Security Secretary does not invoke the NRP-CIA, federal personnel have no clear instruction to switch from a reactive approach to a proactive approach. Without this clear direction, federal personnel can be uncomfortable pushing resources into the state because of the inherent risks, such as complicating the disaster response by diverting needed resources from other areas or wasting millions of dollars in a duplication of effort.

Finding: The Secretary should have invoked the Catastrophic Incident Annex (NRP-CIA) to direct the federal response posture to fully switch from a reactive to proactive mode of operations

Perhaps the single most important question the Select Committee has struggled to answer is why the federal response did not adequately anticipate the consequences of Katrina striking New Orleans and, prior to landfall, begin to develop plans and move boats and buses into the area to rescue and evacuate tens of thousand of victims from a flooded city. At least part of the answer lies in the Secretary's failure to invoke the NRP-CIA, to clearly and forcefully instruct everyone involved with the federal response to be proactive, anticipate future requirements, develop plans to fulfill them, and execute those plans without waiting for formal requests from overwhelmed state and local response officials.

The NRP-CIA was specifically written for a disaster such as Katrina. According to the NRP:³⁸

- A catastrophic incident results in large numbers of casualties and displaced persons.
- The incident may cause significant disruption to the area's critical infrastructure.
- A credible operating picture may not be achievable for 24 to 48 hours or longer. As a result, response activities must begin without the benefit of a complete needs assessment.
- Federal support must be provided in a timely manner to save lives, prevent human suffering, and mitigate severe damage. This may require mobilizing and deploying assets before they are requested via normal NRP protocols.
- Large-scale evacuations, organized or self-directed may occur.
- Large numbers of people may be left homeless and may require prolonged temporary housing.

It is clear the consequences of Hurricane Katrina exceeded all of these criteria and required a proactive response. According to the NRP, "Upon recognition that a catastrophic incident condition (e.g. involving mass casualties and/or mass evacuation) exists, the Secretary of DHS immediately designates the event an INS and begins, potentially in advance of a formal Presidential disaster declaration, implementation of the NRP-CIA."³⁹ On Monday evening, when DHS received reports the levees had breached in multiple locations, it should have been clear to the department the nation's worst case hurricane scenario had occurred and a proactive federal response was required.⁴⁰ Chertoff never invoked the NRP-CIA.

Smith, LOHSEP Deputy Director for Emergency Preparedness, believed, "the biggest single failure of the federal response was the Department of Homeland Security's failure to recognize that Katrina was a catastrophic event and implement the catastrophic incident annex to the National Response Plan... Had DHS recognized Katrina for the event that it was, a truly catastrophic event, had DHS implemented the catastrophic incident annex to the NRP, Louisiana should have had a significant number of federal troops and federal assets, days prior to their actual arrival. . . . Instead federal troops did not arrive in number until Saturday, after the evacuations of the Superdome, Convention Center and cloverleaf were complete."⁴¹

Finding: Absent the Secretary's invocation of the NRP-CIA, the federal response evolved into a push system over several days

Even though Chertoff never invoked the catastrophic annex, federal officials in the field began, in an ad hoc fashion, to switch from a pull response to a push system because of the operational demands of the situation. The switch was uncoordinated but widespread by the end of the first week. This has occurred in previous disasters. As previously mentioned, the response to Hurricane Iniki in Hawaii implemented an ad hoc push system as FEMA sent supplies to the island of Kauai before local officials requested them.⁴² Similarly, the response to Katrina evolved into an ad hoc push system, even though the NRP-CIA was not invoked.

The following Mississippi and Louisiana examples illustrate the switch to a push response and several other important principles of effective emergency management. First, they demonstrate the importance of having qualified and experienced professionals in charge of operations. Second, these officials need to have the authority to commit resources as they see fit without waiting to seek approval from above. And, third, federal officials need to have good working relationships with their state counterparts. In the first example, Carwile had been the FCO in Florida during the 2004 hurricane season and developed a close relationship with the Florida Director of Emergency Management Craig Fugate. It is clear from e-mails and numerous staff interviews that Carwile did not hesitate to authorize and Fugate provided any and all assistance to Mississippi without formal requests from Mississippi authorities.⁴³

On August 30, FEMA worked with Florida officials to push response assets into Mississippi. In an e-mail to Brown and Carwile, Fugate informed them Florida was pushing search and rescue teams into Mississippi. He noted the EMAC paperwork was not keeping up with the need, so they were working off of verbal requests. Specifically, he wrote, "To both of you, you need it, you got it from [F]lorida. [T]he paper work (sic) can follow."⁴⁴

On Thursday, September 1, Carwile and Fugate continued to push resources into Mississippi without clear mission requests:

[5:42 a.m. e-mail from Fugate to Carwile]

I'm out of water and ice from my stocks. I've directed Mike DeLorenzo [with the Florida Division of Emergency Management] to start purchasing and shipping product into the coastal Mississippi Counties. Not sure I have an EMAC mission, but our folks on the ground have concerns if they run out.

Not sure how much and when, but will try to keep you updated on progress. If this works, will continue until told to stop.

So far we have only been shipping water and ice. No food or baby products.

Craig

Craig Fugate, Director
Florida Division of Emergency Management

[10:26 a.m. reply from Carwile to Fugate]

Craig:

You are doing the right thing. Thanks. Know Robert [Robert Latham, Director of the Mississippi Emergency Management Agency] would concur. Will police up paperwork later – you have my guarantee.

Food is also critical. Need MRE [meals ready to eat] and/or heater meals if you have any. Water, ice, food in eastern counties should be your priority. Recommend Allen coordinate with MGen Cross (TAG, MS) for integration into their distribution system.

Also, know FL is providing law enforcement. Need all you can send. Public safety major concern (looting, etc.). Have used Dixie Co. body bags (250) got more?

Thanks, old friend, Bill

In Louisiana, FEMA response personnel tried on a number of occasions to push commodities and assets into the field. In cases where it was clear there was a need for life-saving and life-sustaining commodities but no clear state distribution system set up, FEMA acted proactively to provide assistance. For example, Louisiana FCO Bill Lokey noted there were situations where stranded individuals were not in immediate danger, but needed food and water. When FEMA gained access to several helicopters, FEMA began ferrying food and water to people stranded on high ground even though there was no formal request by the state to perform this function. In addition, FEMA contracted with over 100 ambulances to transport hospital evacuees. This mission was not requested by the state, but FEMA responded proactively because the situation demanded immediate action.⁴⁵

Although there are numerous examples of a push system being implemented at times, there were also a number of times when state or local officials expressed frustration that requests for assistance were not processed because they did not follow the formal request process. For example, according to Louisiana and FEMA officials, state and local officials verbally requested specific assets or commodities during conference calls that were never fulfilled.⁴⁶ In these cases no immediate action was taken because FEMA officials assumed the state would follow up the verbal requests with official written requests. If the catastrophic annex had been invoked, then perhaps FEMA would have expected requests outside the normal process and acted on them.

Finding: The Homeland Security Operations Center failed to provide valuable situational information to the White House and key operational officials during the disaster

During Hurricane Katrina, the roles and responsibilities of the HSOC were unclear. One of the primary roles performed by the HSOC is to maintain an accurate picture of events as an incident unfolds by gathering and integrating information from multiple sources, including the National Response Coordination Center (NRCC), the Coast Guard, and other DHS elements.⁴⁷ Specifically, the NRP has designated the HSOC as the national-level hub for information sharing management during domestic incidents. The HSOC provides primary situational awareness to the Secretary, the IIMG, and the White House.

Perhaps the single most important piece of information during Katrina was confirmation of the levee breaches in New Orleans. Beyond the importance of the information itself, the implications of the information determined whether or not Katrina would be just another bad storm in New Orleans or the nation's worst-case hurricane disaster. Because DHS failed to anticipate the likely consequences of the storm and procure the buses, boats, and aircraft that were ultimately necessary to evacuate the flooded city prior to Katrina's landfall, the next critical decision point of the federal response became

On Monday evening the HSOC failed to conclude levees breached in New Orleans despite a FEMA eyewitness report and the presence of numerous Coast Guard air assets over New Orleans, which had the ability to communicate to most anywhere in the country.



FEMA

confirmation of the levee breaches. If the levees breached and flooded a large portion of the city, then the flooded city would have to be completely evacuated.⁴⁸ Any delay in confirming the breaches would result in a delay in the post-landfall evacuation of the city.

On Monday evening the HSOC failed to conclude that levees had breached in New Orleans despite a FEMA eyewitness report and the presence of numerous Coast Guard air assets over New Orleans, which had the ability to communicate to almost anywhere in the country. According to the commander of the Coast Guard's Air Station New Orleans, Captain Bruce Jones, there were nine Coast Guard helicopters, including the helicopter he piloted, operating over New Orleans by Monday evening, and Rear Admiral Duncan was flown over the city in a Coast Guard Falcon aircraft to assess the situation.⁴⁹

In addition, a Coast Guard C-130 from Clearwater, Florida arrived over the city Monday evening after it heard the radio chatter from the rescue helicopter operations and diverted from its mission to reconnoiter the status of off shore oil rigs. The C-130 was able to communicate with all of the helicopters, and it could patch some communications through to the Coast Guard's division eight headquarters temporarily established in St. Louis. The division headquarters could then patch those communications through to a landline and reach almost any destination from there. The one important exception was calling into Baton Rouge, which was not possible.⁵⁰

According to Marty Bahamonde, a FEMA External Affairs official, and the Coast Guard, he was flown over New Orleans early Monday evening for the specific purpose of providing situational awareness to Brown and DHS headquarters.⁵¹ Captain Frank M. Paskewich said his unit took Bahamonde up in the helicopter because they were under the impression he had a direct line of communication into the White House. They thought Bahamonde could get the information regarding the status of the levees and flooding in the city to Washington faster than they could through the Coast Guard chain of command.⁵² Bahamonde's observations were received in the HSOC a few hours after his over flight and became a Monday 10:30 p.m. HSOC spot report that was sent to the White House situation room shortly after midnight.⁵³ This spot report can be found in **Appendix 2**. However, it is not clear if the other Coast Guard observations, including Duncan's reconnaissance flight, reached the HSOC on Monday evening or at all.



Because the HSOC failed to confirm the levee breaches on Monday, the first federal decision to procure buses was made by Deputy FCO Phil Parr, who was at the Superdome, on Tuesday when he saw the water reaching the Superdome and realized it would become an island and have to be evacuated. At that point he began to develop an evacuation plan and requested hundreds of buses.⁵⁴

The HSOC's role is not only to provide situational awareness and policy advice to top officials within DHS, but also to provide situational information and address lower level coordination issues. Yet, interviews suggest that while information was flowing upwards to the HSOC and onto the Secretary, it was less clear what valuable information was flowing down to key officials on the ground during the disaster. Edward Buikema, FEMA's former Acting Director of Response, and Mike Lowder, Deputy Director of Response, both stated that while situational reports were continually flowing up the ladder from FEMA headquarters to the HSOC, no information was flowing back down from the HSOC to the NRCC.⁵⁵

Finding: The White House failed to de-conflict varying damage assessments and discounted information that ultimately proved accurate

In response to document requests to White House Chief of Staff Andrew Card⁵⁶ and the Office of the Vice President,⁵⁷ the Select Committee received and reviewed 22,830 pages of Katrina-related documents.⁵⁸ Of this production, 16,482 pages were from staff of

the President's Homeland Security Council Prevention, Preparedness and Response (PPR) directorate, headed by Kirstjen Nielsen. The remaining 6,348 pages were produced by the Office of the Vice President.

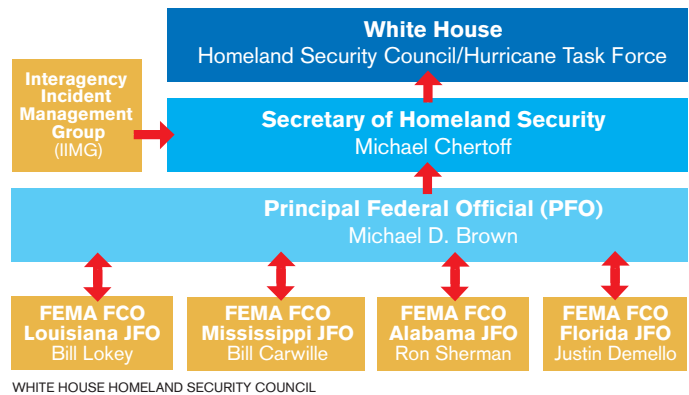
Homeland Security Council (HSC) staff received a continuous paper flow in the hours and days before Katrina made landfall and after. Of the 16,482 pages produced, almost all of the documents are repeated numerous times. The most commonly found documents include:

- HSOC Situation Reports
- HSOC Spot Reports
- Louisiana Office of Emergency Preparedness Situation Reports
- Mississippi Emergency Management Agency Situation Reports
- Alabama Emergency Management Agency Situation Reports
- E-mails from DHS Watch Officer to White House HSC Staff
- FEMA executive briefing slides
- FEMA Hurricane Liaison Team (HLT) Advisories
- FEMA National Situation Reports
- FEMA Regional Situation Reports
- DOE Energy Reports from Office of Electricity Delivery and Energy Reliability
- DOT Situation Reports
- Federal Highway Administration (FHWA) Status Reports
- Talking Points from both DHS and the White House
- National Disaster Medical System (NDMS) Reports
- Coast Guard briefing materials
- National Guard briefing materials
- Pipeline Situation Reports
- FAA Emergency Operations Division Reports
- HHS Operations Center Situation Reports
- HUD briefing materials
- White House Press Office materials, and
- Red Cross Disaster Operations Summary Reports

The HSC was situated at the apex of the policy coordination framework for responding to Hurricane Katrina.⁵⁹ A HSC chart has Chertoff, and the IIMG through the Secretary, seemingly reporting into the HSC. As the coordinator of policy, it would seem to follow that HSC was directly involved in the Katrina response:

Hurricane Katrina

Policy Coordination Framework for Response



Not really, according to Deputy Homeland Security Advisor Ken Rapuano, who twice briefed Select Committee members and staff. “We don’t do operations at the White House,” Rapuano said on January 27. “We’re a transit site for information. DHS is the operating agency for response, and we were working closely with them . . . At the time we believed we were fully supporting the [federal, state, and local response] requirements. Now we know differently.”⁶⁰

As discussed previously in the Investigation Overview chapter, the Select Committee grew frustrated by the White House’s slow response to requests for information and documents. On the one hand, it is true the Rapuano briefings the Select Committee ultimately received in lieu of more complete document production offered a wide array of acknowledged failures and lessons learned. On the other, the White House’s decision to withhold documents and communications raising concerns about executive privilege, leaves the Select Committee no choice but to find, based on the information we have received, that a *failure of initiative* plagued the White House as well.

Failure to resolve conflicts in information and the “fog of war,” not a lack of information, caused confusion

The White House did not suffer from a lack of information. At 1:47 a.m. on August 29, before Katrina made landfall, DHS forwarded an infrastructure advisory to the White House Situation Room and HSC staff indicating the risks associated with a potential levee

breach.⁶¹ The report advised a severe storm surge would likely lead to severe flooding, leaving New Orleans under water for weeks or months.⁶² The report further estimated an economic impact of \$7 to \$10 billion.⁶³ Detailed diagrams of the New Orleans levee system arrived at the White House at 12:14 p.m. on Sunday, August 28.⁶⁴

After Katrina made landfall and the levees failed, the White House continued to receive a substantial information flow. At 2:20 p.m. on August 29, a HSOC report stated some Louisiana parishes had eight to 10 feet of water and an unspecified number of Louisiana and Mississippi residents were stranded in flooded areas.⁶⁵ In a 6:00 p.m. HSOC report, the White House was advised extensive flooding in New Orleans could take months to reverse through the dewatering process.⁶⁶ At 12:02 a.m. on August 30, the White House received the Bahamonde spot report in which it was reported he observed a quarter-mile breach in the levee near the 17th Street Canal. Bahamonde also reported free-flowing water emptying into the city, Orleans Parish “under water,” homes completely underwater, hundreds of people on roofs and balconies, and bodies floating in the flood waters.⁶⁷

While Bahamonde’s report was detailed in a 10:30 p.m. HSOC spot report, that report was not e-mailed to or received by the White House Situation Room until shortly after midnight on August 30.⁶⁸ Even then, according to Rapuano, White House officials did not believe they had confirmation of any levee breaches, since an earlier Army Corps of Engineers’ report had not confirmed them and because “this was just Marty’s observation, and it’s difficult to distinguish between a [levee] overtopping and a breach.”⁶⁹

Bahamonde has testified, however, that he was certain the levee was breached.

At approximately 11 a.m. [Monday, August 29], the worst possible news came into the EOC. I stood there and listened to the first report of the levee break at the 17th Street Canal. I do not know who made the report but they were very specific about the location of the break and the size. And then they added it was “very bad.” I continued to provide regular updates to FEMA Headquarters throughout the day as the situation unfolded.

At approximately 5 p.m., I rushed over to the Superdome because I had been notified that a Coast Guard helicopter was able to take me for a

short flyover so that I could assess the situation in the city and plan for Under Secretary Brown’s visit the next day. My initial flyover lasted about 10 minutes and even in that short time I was able to see that approximately 80 percent of the city was under water, and I confirmed the 17th Street Canal levee break. I was struck by how accurate the 11 a.m. call was about the levee.⁷⁰

After his helicopter over flight at about 7:00 p.m., Bahamonde said he called Brown and explained what he saw.⁷¹ “I picked up the phone and I called Under Secretary Brown directly and I began a 10-, 15-minute conversation that explained everything that I have already explained in my statement.”⁷² Brown listened to Bahamonde’s report and did not ask any questions.⁷³ “All he said was, “Thank you. I am now going to call the White House.”⁷⁴

White House officials did not consider the breaches confirmed until roughly 6:30 a.m. the next morning, upon receipt of an updated situation report from DHS, Rapuano said.⁷⁵ “Confirmation of a full breach would not have changed anything we would have done,” Rapuano said. “We weren’t going to repair the levees overnight, and search and rescue was already operating in full gear, regardless.”⁷⁶

Determining the status of the levees could have spurred earlier evacuation for that population, which might have been facilitated by White House involvement.

But confirmation of the breach of the levees could have had practical implications for White House involvement in the response. Flooding from breaches and flooding from overtopping have different consequences. Overtopping flooding will stop as the waters recede; flooding through a breach will continue, as it did, through the breach until the water in the city is at the same level as the water in the lake. The latter flooding could drive more of the population that stayed behind from their homes, necessitating greater needs for evacuating that

population. When President Bush was concerned that Governor Blanco had not ordered the evacuation of New Orleans, he called her on Sunday morning to urge such an evacuation.⁷⁷ Similarly White House involvement could have spurred earlier evacuation post-landfall for those trapped by the floods from the breached levees.

Further, White House officials clearly were able to identify and locate resources for the relief effort when they had sufficient information to know what was needed. Maggie Grant, Special Assistant to the President for Intergovernmental Affairs, played a key role in coordinating shelter for 15,000 in Arkansas with Arkansas Governor Mike Huckabee and in coordinating shelter for thousands of others in Georgia and Alabama.⁷⁸

Regardless of what the White House did or did not, or could or could not, do with the information at its disposal, it appears clear officials charged with reviewing that information failed to de-conflict it. Among the primary tasks of the HSOC and HSC is to shuttle and synthesize information. Yet both appeared to discount information that ultimately proved accurate, and failed to provide decision-makers, up to and including the President, with timely information.

Brown testified that he spoke with White House officials as many as “thirty times.”⁷⁹ He said he had no trouble getting through to senior decision makers: “I had no problem picking up the phone and getting hold of Chertoff or Andy Card or Joe Hagin, or the President; I don’t have those problems.” Brown told *The New York Times* he advised both Chertoff and a White House official, either Chief of Staff Andrew Card or Card’s deputy, Joe Hagin, on Monday evening, August 29, “I am having a horrible time. I can’t get a unified command established.”⁸⁰ On Tuesday, August 30, he said he called to ask the White House to “take over” the Katrina response.⁸¹ In his testimony, Brown said that this was offered to Blanco.

One of the things that I was trying to do was to assist the Governor in any way that I could in the decision-making process, in trying to help her manage what was going on. And one of my suggestions was that, you know, that we could federalize this disaster and take over the National Guard and run the operation through that National Guard. And I — I do not know whether she considered it or not, but I know that she came back to me and rejected that.⁸²

Rapuano acknowledged at both briefings that “the fog of war” affected both the quality and quantity of information that reached the White House.

Neither Rapuano nor anyone else at the White House would confirm these accounts. Rapuano would only say he “was not aware that Brown called the White House asking us to take over.”⁸³

Rapuano acknowledged at both briefings that “the fog of war” affected both the quality and quantity of information that reached the White House.⁸⁴ The Select Committee also believes, in the absence of any information to the contrary from the White House, that the President’s Homeland Security team did not effectively substantiate, analyze, and act on the information at its disposal.

Listed in **Appendix 3** are examples of documents that flowed to the White House over the days right before and after Katrina made landfall, August 27 through September 3. The items logged do not reflect the entire information flow to the White House, or all documents provided to the Select Committee. Rather, they are meant to illustrate the type and range of information known to the White House suggesting Katrina and the subsequent flooding was not a standard emergency event. Yet the enormity of Katrina seemed not to have been fully understood by the White House until at least Tuesday, August 30.

Finding: Federal agencies, including DHS, had varying degrees of unfamiliarity with their roles and responsibilities under the NRP and National Incident Management System (NIMS)

It has become clear the response to Katrina was not unified and coordination among local, state, and federal authorities failed in several areas. The NRP and NIMS serve as a pre-established unified command structure for response to such a catastrophic incident. In order to seamlessly execute the NRP, each agency needs to develop effective operating procedures essential to satisfying that agency’s roles and responsibilities under the NRP and NIMS.

Some agencies had well developed standard operating procedures while others had none at all. The U.S. Army Corps of Engineers and the Department of Transportation had previously developed significant operating procedures that covered agency responsibilities under the NRP.⁸⁵ Both agencies had used these operating procedures during training exercises to ensure an understanding of operating procedures prior to real time application.⁸⁶ These agencies executed their responsibilities under the NRP fairly well. Other agencies lack sufficient operating procedures for their responsibilities under the NRP. Many, when asked for operating procedures, referred to related sections of the NRP. Since the NRP is not an operational plan, this led to problems with execution of Emergency Support Function (ESF) responsibilities.⁸⁷

While DOD, the Department of Health and Human Services (HHS), and the Coast Guard performed admirably in many respects, there were problems adequately coordinating their activities with other federal, state, and local agencies through the NRP structure.

unified command and without the knowledge of FEMA officials, resulting in a duplication of efforts and a delay in the evacuation. Additionally, Parr stated that the actual evacuation under Honoré's plan resulted in an additional 24 hour delay to evacuees.⁸⁸

In another case, HHS activated the National Disaster Medical System without prior notice or consultation with Alabama, thereby removing 200 beds from the inventory the state believed on hand, and to which state officials were still directing patients. Likewise, Coast Guard search and rescue operations were bringing survivors from Mississippi unannounced to already full hospitals until Alabama sent its own personnel forward to help triage cases and coordinate the direction of Coast Guard flights. This resulted in confusion over available hospital beds for victims through the Gulf coast and delay in the medical response.⁸⁹

Additional failures to adhere to the NRP were apparent in the lack of communication between the NRCC and the HSOC, which disrupted the overall information flow and situational awareness.

Finding: Once activated, the Emergency Management Assistance Compact (EMAC) enabled an unprecedented level of mutual aid assistance to reach the disaster area in a timely and effective manner

EMAC provided invaluable interstate mutual aid in support of Hurricane Katrina by deploying more than 67,891 personnel (19,481 civilians and 48,477 National Guard) to Louisiana and Mississippi.⁹⁰ EMAC facilitated mutual assistance from 48 states, the District of Columbia, the Virgin Islands and Puerto Rico.

In support of Hurricane Katrina, more than 2,188 resource requests (missions) were filled.⁹¹ Record numbers of National Guard troops, local responders, and health/medical personnel were deployed through the compact. EMAC also works in cooperation with the federal government by co-locating personnel, when requested, in the NRCC or Regional Response Coordination Center



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For example, DOD by-passed the NRP mandated unified command, taking requests from the states directly, absent the necessary input and coordination by FEMA. This was apparent in the evacuation of the Superdome. Parr completed a plan to evacuate the Superdome Wednesday morning with the support of the Louisiana National Guard. Shortly before implementation of the plan, Parr was informed of the decision by General Honoré of Northern Command to proceed with a different evacuation plan. Unknown to Parr, Blanco had requested DOD's involvement in the evacuation the day before. The Governor's request was made outside the

Not only did senior DHS officials fail to acknowledge the scale of the impending disaster, they were ill prepared due to their lack of experience and knowledge of the required roles and responsibilities prescribed by the NRP.

(RRCC) in order to share information on EMAC activities in the affected states, monitor the availability of needed resources being offered by assisting states, and facilitate overall emergency response and recovery activities.

Through state statute, EMAC addresses the legal issues of liability, workers compensation, reimbursement, and professional licensure—prior to a disaster or emergency when resource needs and timing are critical.⁹² State and territory members must pre-designate personnel with the authority to request and commit resources. Standard operating procedures exist for compact members and training and exercise of state personnel is required. While formalized protocols are in place, EMAC is designed to be adaptable and scaleable to meet the changing needs of each event.

Following each large scale activation of the compact, a review and evaluation of the response is conducted and standard operating procedures revised and updated to reflect lessons learned and best practices. For example, lessons learned from the 2004 Florida hurricanes led to an overhaul of some operational procedures related to mobilization and deployment of resources, an enhanced automation system to provide more accurate data and electronic tracking of resources, and a new standardized EMAC training curriculum and updated operations manual.⁹³ These enhancements were either in progress or completed prior to Hurricane Katrina.

In Mississippi, EMAC assistance was considered a success. The assistance in Mississippi included help from other states' security agencies (such as their state police) as well as various states' National Guards (troops and hard assets).⁹⁴ (See the MILITARY chapter for more detail.)

Louisiana state officials also viewed EMAC assistance as very successful. One state official said there were almost 900 EMAC agreements for assistance. Although the EMAC response from surrounding states varied, state officials applauded EMAC for successfully getting law enforcement manpower assistance. According to state police officers

Ralph Mitchell and Joseph Booth, Arkansas, Tennessee, New Jersey, and California all sent law enforcement officers through EMAC.⁹⁵

FEMA officials also noted the general success of EMAC. Because of the magnitude of the disaster, however, Louisiana was unable to handle all of the EMAC requests, requiring FEMA to become more involved in the process than normal. In particular, FCO Scott Wells noted some state offers of assistance through FEMA were rejected by Louisiana. He said these offers were rejected by SCO Smith because of concerns about the costs to the state.⁹⁶

Finding: Earlier presidential involvement might have resulted in a more effective response

Similar to other large scale disasters, the catastrophic nature of Katrina required early presidential involvement to direct federal agencies in a massive coordinated response. In practice, it takes presidential action to quickly deploy the logistical capability of the military to meet the tremendous food, shelter, and medical needs of large affected populations. According to the Government Accountability Office's (GAO) review of hurricanes Hugo (1989, SC and NC), Andrew (1992, FL and LA), and Iniki (1992, HI):

Often, when a catastrophic disaster leaves a gap between what volunteers can provide and the needs of disaster victims, DOD is the only organization capable of providing, transporting, and distributing sufficient quantities of the items needed to fill that gap. . . . While we clearly see a major role for DOD in providing mass care, we do not advocate turning over the entire disaster response, relief, and recovery operations to the military.⁹⁷

Similar to other large scale disasters, the catastrophic nature of Katrina required early presidential involvement to direct federal agencies in a massive coordinated response.

Instead, the GAO recommended increased presidential involvement in the disaster and an improved process for FEMA to request DOD assistance as the solution for enabling DOD to provide relief during the critical first few days of a catastrophic disaster.⁹⁸ The Stafford Act authorizes the President, not the director of FEMA or the Homeland Security Secretary, to direct federal agencies to save lives and protect property and support state and local response efforts.⁹⁹ While the Stafford Act requires the President to delegate *the coordination* of response efforts to a federal coordinating officer (FCO), the law does not give the FCO *command* authority over other federal agencies. As a result, the FCO is not in a position to direct the operations of large departments such as DOD. Only the President appears able to promptly engage active duty military forces and achieve a unity of effort among all the federal agencies responding to a catastrophic disaster.

During Hurricane Katrina this problem was apparent in FEMA's and DHS' inability to promptly task major mission assignments to DOD. For example, FEMA did not approach DOD about taking over the logistics mission until Thursday, September 1, according to staff interviews with senior FEMA officials.¹⁰⁰ In response, Colonel Chavez with the Assistant Secretary for Homeland Defense Paul McHale instructed FEMA that the request had to go to Secretary of Defense Donald Rumsfeld.¹⁰¹ Although details and

planning still needed to take place, the Secretary of Defense supported approval of the request on Friday, and Principal Deputy Assistant Secretary of Defense Pete Verga approved execution orders on Saturday, September 3.¹⁰² Out of this request, according to McHale, DOD found additional mission assignments that it could undertake and proposed them to FEMA. Seven other mission assignments were negotiated and approved over the next few days with senior DHS officials, including Deputy Secretary Michael Jackson and the Director of Operations Coordination Brigadier General Matthew Broderick (USMC-Ret).¹⁰³ But by the time all of these missions were assigned, it was one week since Katrina had made landfall.¹⁰⁴

Conclusion

Hurricane Katrina exposed numerous deficiencies in the existing national framework for emergency management, including specific mistakes that delayed an appropriate federal response. Confusion accompanied the implementation of the NRP, resulting in key elements of the plan executed late, ineffectively, or not at all. Not only did senior DHS officials fail to acknowledge the scale of the impending disaster, they were ill prepared due to their lack of experience and knowledge of the required roles and responsibilities prescribed by the NRP. The Secretary of DHS failed to declare an INS, convene the IIMG, and properly designate the PFO in a timely manner. The White House failed to de-conflict varying damage assessments and discounted FEMA-supplied eyewitness information that ultimately proved accurate. Furthermore, the government was limited to a reactive response due to failure to activate the NRP-CIA. Despite failures of the system, portions of the national framework were successful, including EMAC, which proved invaluable in providing necessary levels of mutual aid assistance. ■

Although the Select Committee's access to White House documents, communications, and staff was not as comprehensive as we had hoped, the information we did receive suggests the President could have received better disaster advice and counsel.

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- ¹ Homeland Security Act of 2002, Pub. L. No. 107-296, Title V, 116 Stat. 2135 (2002) [hereinafter Homeland Security Act].
- ² Dep't of Homeland Security, *National Response Plan*, (Dec. 2004) [hereinafter NRP].
- ³ State of Louisiana, *Southeast Louisiana Hurricane Planning Project*, (Sept. 5, 2005) [hereinafter *Southeast LA Planning Project*].
- ⁴ E-mail correspondence from Stephen York, Department of Homeland Security, to Andrew Akers, Homeland Security Operations Center (HSOC), Senior Watch Officer, et al. (Aug. 28, 2005) (11:59 a.m.) [hereinafter Aug. 28, 2005 York E-mail]; [http://www.cnn.com/2006/POLITICS/01/24/katrina.levees.ap/](http://www.cnn.com/2006/POLITICS/01/24/katrina levees.ap/) (last visited Jan. 28, 2006).
- ⁵ 1993 GAO Report.
- ⁶ Homeland Security Act.
- ⁷ *Hearing on Hurricane Katrina: The Role of the Department of Homeland Security Before Select Comm.*, 109th Cong. (Oct. 19, 2005) (written statement of Michael Chertoff, Secretary of Homeland Security) [hereinafter *Oct. 19, 2005 Select Comm. Hearing*].
- ⁸ See E-mail correspondence from Kirstjen Nielson, White House Homeland Security Council, to Tom Ryder, Department of Energy (Aug. 29, 2005) (10:58 a.m.).
- ⁹ E-mail correspondence from Michael Lowder, Deputy Director of Response, FEMA, to Patrick Rhode, FEMA, et al. (Aug. 28, 2005) (7:48 p.m.) [hereinafter Aug. 28, 2005 Lowder E-mail].
- ¹⁰ NRP at 22.
- ¹¹ Briefing for Select Comm. Staff by the White House in Washington, DC (Dec. 13, 2005).
- ¹² Aug. 28, 2005 York E-mail; E-mail correspondence from Andrew Akers, DHS, to Paul Perkins, HSOC, et al. (Aug. 29, 2005) (1:47 p.m.) [hereinafter Aug. 29, 2005 Akers E-mail].
- ¹³ Interview by Select Comm. Staff with Madhu Beriwal, Pres., Innovative Emergency Management in Washington, DC (Jan. 6, 2005).
- ¹⁴ *Southeast LA Planning Project*.
- ¹⁵ NRP at 22-23.
- ¹⁶ *Id.* at 22.
- ¹⁷ Aug. 28, 2005 Lowder E-mail.
- ¹⁸ *Hearing on Hurricane Katrina: Perspectives of FEMA's Operations Professionals Before the Senate Comm. on Homeland Security and Governmental Affairs*, 109th Cong. (Dec. 8, 2005) at 70-73 (testimony of Philip Parr, Deputy Federal Coordinating Officer, FEMA Joint Field Office, Austin, TX) [hereinafter *Dec. 8, 2005 Senate Comm. Hearing*].
- ¹⁹ *Hearing on Hurricane Katrina: Preparedness and Response by the State of LA Before Select Comm.*, 109th Cong. (Dec. 14, 2005) at 18 (statement of Colonel Jeff Smith) [hereinafter *Dec. 14, 2005 Select Comm. Hearing*].
- ²⁰ NRP at 33.
- ²¹ See E-mail correspondence from Ken Hill, Executive Secretary, DHS to Michael Jackson, Deputy Secretary, DHS, et al., (Aug. 30, 2005) (8:22 p.m.); E-mail correspondence from Michael Brown, Undersecretary for Emergency Preparedness and Response to Sharon Worthy, Special Assistant, DHS (Aug. 30, 2005) (11:00 p.m.).
- ²² NRP at 34.
- ²³ *Jan. 6, 2006 Buikema Interview*.
- ²⁴ *Id.*
- ²⁵ *Oct. 19, 2005 Select Comm. Hearing*, (written statement of Michael Chertoff).
- ²⁶ NRP at 33.
- ²⁷ Stafford Act, §§ 5143, 5170(a)-(b), 5192.
- ²⁸ NRP at 33-34.
- ²⁹ *Jan. 6, 2006 Buikema Interview*.
- ³⁰ Interviews by Select Comm. Staff with New Orleans officials in New Orleans, LA (Nov. 3-10, 2005).
- ³¹ *Id.*
- ³² NRP at 342.
- ³³ 1993 GAO Report at 3.
- ³⁴ *Id.*
- ³⁵ *Id.* at 7.
- ³⁶ *May 25, 1993 Senate Armed Forces Comm. Hearing* (Statement of J. Dexter Peach).
- ³⁷ Interview by Select Comm. Staff with Bill Lokey, Federal Contracting Officer for LA, FEMA, in Washington, DC (Jan. 23, 2006) [hereinafter *Jan. 23, 2006 Lokey Interview*].
- ³⁸ NRP at Catastrophic Incident Annex.
- ³⁹ *Id.* at CAT-4.
- ⁴⁰ *DHS HSOC Spot Report of Marty Bahamonte, Regional Director, External Affairs, Region One, FEMA* (Aug. 29, 2005) [hereinafter *Aug. 29, 2005 HSOC Spot Report*]; Interview by Select Comm. with Bruce Jones, Captain, Coast Guard New Orleans Air Commander in Washington, DC (Jan. 10, 2006).
- ⁴¹ *Dec. 14, 2005 Select Comm. Hearing* at 18 (testimony of Colonel Jeff Smith).
- ⁴² 1993 GAO Report at 7.
- ⁴³ E-mail correspondence from William Carwile, DHS, to Craig Fugate, Director, Florida Division of Emergency Management (Aug. 30, 2005).
- ⁴⁴ *Id.*
- ⁴⁵ *Jan. 23, 2006 Lokey Interview*.
- ⁴⁶ Interviews by Select Comm. Staff with FEMA and Louisiana officials in New Orleans, LA (Nov. 3-10, 2005).
- ⁴⁷ NRP.
- ⁴⁸ *Southeast LA Planning Project*.
- ⁴⁹ Briefing for Select Comm. Staff by U.S. Coast Guard in Washington, DC (Jan. 10, 2006) [hereinafter *Jan. 10, 2006 Coast Guard Briefing*].

- ⁵⁰ *Id.*
- ⁵¹ *Hearing on Hurricane Katrina in New Orleans: a Flooded City, a Chaotic Response Before the Senate Committee on Homeland Security and Governmental Affairs*, 109th Cong. (Oct. 20, 2005) at 9-13 (testimony of Marty Bahamonde, Regional Director, External Affairs, Region One, FEMA) [hereinafter *Oct. 20, 2005 Senate Comm. Hearing*]; *Jan. 10, 2006 Coast Guard Briefing*.
- ⁵² *Jan. 10, 2006 Coast Guard Briefing*.
- ⁵³ E-mail correspondence from Michael Inzer, HSOC, to Bethany Nichols, et al. (Aug. 30, 2005) (12:02 p.m.) [hereinafter Aug. 30, 2005 Inzer E-mail]; *Aug. 29, 2005 HSOC Spot Report*.
- ⁵⁴ Interviews by Select Comm. Staff with FEMA and Louisiana officials in New Orleans, LA (Nov. 3-10, 2005); *Dec. 8, 2005 Senate Comm. Hearing* at 70-73 (testimony of Philip Parr).
- ⁵⁵ *Jan. 6, 2006 Buikema Interview*.
- ⁵⁶ Letters from Select Comm. to Andrew H. Card, Jr., White House Chief of Staff, Sept. 30, Oct. 13, and Dec. 1, 2005.
- ⁵⁷ Letters from Select Comm. to I. Lewis Libby, Jr., then Chief of Staff to the Vice President, Oct. 13, 2005, and to David S. Addington, Counsel to the Vice President, Oct. 4 and Dec. 7, 2005.
- ⁵⁸ The Executive Office of the President produced 16,482 pages of documents and the Office of the Vice President produced 6,348 pages of documents.
- ⁵⁹ *Hurricane Katrina – Policy Coordination Framework for Response*, Office of the Vice President document supplied to the Select Comm.
- ⁶⁰ Briefing for Select Comm. Staff by the White House in Washington, D.C. (Jan. 27, 2006) [hereinafter *Jan. 26, 2006 White House Briefing*].
- ⁶¹ Aug. 28, 2005 York E-mail.
- ⁶² Aug. 29, 2005 Akers E-mail; DHS National Infrastructure Simulation & Analysis Center, *Fast Analysis Report (Update to Reflect Category 5 Status) to DHS IP on Hurricane Katrina, Gulf Coast* (Aug. 28, 2005).
- ⁶³ *Id.* at 1.
- ⁶⁴ E-mail correspondence from Stephen York, DHS, to Andrew Akers, HSOC SWO, et al. (Aug. 28, 2005) (12:14 p.m.); Homeland Security Operations Center, *Diagrams of New Orleans Levee Systems and Scenarios*.
- ⁶⁵ E-mail correspondence from Insung Lee, HSOC, to Frank DiFalco, et al. (Aug. 29, 2005) (2:20 p.m.). HSOC report received at the White House Aug. 29, 2005 at 2:20 p.m.
- ⁶⁶ E-mail correspondence from Tom Holz, to Bethany Nichols, et al. (Aug. 29, 2005) (6:13 p.m.); HSOC, *Hurricane Katrina SITREP #7*. HSOC report received at the White House, Aug. 29, 2005 at 6:13 p.m.
- ⁶⁷ Aug. 30, 2005 Inzer E-mail; *Aug. 29, 2005 HSOC Spot Report*.
- ⁶⁸ *Id.*
- ⁶⁹ *Jan. 27, 2006 White House Briefing*.
- ⁷⁰ *Oct. 20, 2005 Senate Comm. Hearing* (testimony of Marty Bahamonte, Regional Director, External Affairs, Region One, FEMA).
- ⁷¹ *Id.* at 27.
- ⁷² *Id.*
- ⁷³ *Id.* at 28.
- ⁷⁴ *Id.*
- ⁷⁵ *Jan. 27, 2006 White House Briefing*.
- ⁷⁶ *Id.*
- ⁷⁷ *Id.*
- ⁷⁸ Daily Video Teleconference amongst officials dated Sept. 2, 2005 [hereinafter Sept. 2, 2005 Daily Video Teleconference].
- ⁷⁹ *Hearing on Hurricane Katrina: The Role of the Federal Emergency Management Agency Before Select Comm.*, 109th Cong. (Sept. 27, 2005) at 213 (testimony of Michael Brown, then Director of FEMA) [hereinafter *Sept. 27, 2005 Select Comm. Hearing*].
- ⁸⁰ David D. Kirkpatrick and Scott Shane, "Ex-FEMA Chief Tells of Frustration and Chaos," *The New York Times*, Sept. 15, 2005, A1.
- ⁸¹ *Id.*
- ⁸² *Sept. 27, 2005 Select Comm. Hearing* at 104.
- ⁸³ Sept. 2, 2005 Daily Video Teleconference.
- ⁸⁴ *Jan. 26, 2006 White House Briefing*.
- ⁸⁵ U.S. Army Corps of Engineers, *ESF #3 Field Guide* (June 2001).
- ⁸⁶ Briefing for Select Comm. Staff by Department of Transportation in Washington, DC on Oct. 31, 2005; Interview by Select Comm. Staff with U.S. Army Corps of Engineers in Washington, DC on Oct. 28, 2005.
- ⁸⁷ *NRP* at 5.
- ⁸⁸ *Dec. 8, 2005 Senate Comm. Hearing* at 70-72 (testimony of Philip Parr).
- ⁸⁹ Interviews by Select Comm. Staff with Alabama Officials in Clanton and Montgomery, AL on October 11-12, 2005.
- ⁹⁰ Beverly Bell, NEMA, "EMAC Strides in 2005 Set a Precedent for Future," (Jan. 30, 2006) <http://www.mema.org/newsletterwork/temamain.html>.
- ⁹¹ Interviews by Select Comm. Staff with Louisiana Officials in New Orleans, LA (Nov. 3-10, 2005).
- ⁹² See Emacweb.org.
- ⁹³ Interviews by Select Comm. Staff with Louisiana Officials in New Orleans, LA (Nov. 3-10, 2005).
- ⁹⁴ *Hearing on Hurricane Katrina: Preparedness and Response by the State of Mississippi Before Select Comm.*, 109th Cong. (Dec. 7, 2005) at 2 (statement of Haley Barbour, Governor, State of Mississippi).
- ⁹⁵ Interviews by Select Comm. Staff with FEMA Officials in New Orleans, LA (Nov. 3-10, 2005).
- ⁹⁶ *Id.*
- ⁹⁷ *Hearing on Disaster Management: Recent Disasters Demonstrate the Need to Improve the Nation's Response Strategy Before the Subcomm. on Nuclear Deterrence, Arms Control and Defense Intelligence of the Senate Comm. on Armed Forces*, 103rd Cong. (May 25, 1993) at 11-12 (statement of J. Dexter Peach, Assistant Comptroller General) [hereinafter *May 25, 1993 Senate Armed Forces Comm. Hearing*].

- ⁹⁸ U.S. Gov't Accountability Off., Pub. No. GAO/RCED-93-186, *Disaster Management: Improving the Nation's Response to Catastrophic Disasters*, 2 (July 1993) [hereinafter *1993 GAO Report*].
- ⁹⁹ Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5170(a)-(b), 5192 (2005) [hereinafter *Stafford Act*].
- ¹⁰⁰ See Interview by Select Comm. Staff with Edward Buikema, former Acting Director of Response, FEMA [hereinafter *Jan. 6, 2006 Buikema Interview*], in Washington, DC (Jan. 6, 2006).
- ¹⁰¹ E-mail correspondence from Col. Richard Chavez, Senior Military Advisor for Civil Support, to Thomas Kuster, CIV, OSD-Policy (Sept. 2, 2005) (9:38 a.m.).
- ¹⁰² DOD and FEMA, *MOD 8 to EXORD for DOD Support to FEMA for Hurricane Katrina*, on file with the Select Comm., No. MMTF 00028-05.
- ¹⁰³ Correspondence from Paul McHale, Assistant Secretary of Defense for Homeland Defense, to Chairman Davis (Jan. 25, 2006).
- ¹⁰⁴ *Jan. 6, 2006 Buikema Interview*.



"FEMA pushed forward with everything it had in order to help the states respond after landfall ...Every single team, every single program of FEMA, was pushed to its limit to respond to Hurricane Katrina."

Michael D. Brown
Former FEMA Director, Select Committee Hearing,
September 27, 2005