

Congress of the United States
Washington, DC 20515

December 15, 2005

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

Dear Mr. Chairman:

We are writing to renew my request for a White House subpoena and to urge you to schedule a hearing at which we can hear from White House officials in public session.

A briefing was held today from 11:00 a.m. until 1:00 p.m. with Ken Rapuano, the Deputy Homeland Security Advisor. The briefing was cut short, and we did not learn about White House actions after August 29, the day Hurricane Katrina struck. But what we did learn was (1) that there was a massive failure in virtually all aspects of the federal response and (2) that Congress will never understand why the federal response failed unless we obtain access to the emails and communications of Andrew Card and other senior White House officials.

The Preliminary White House Findings

During the briefing, Mr. Rapuano described the preliminary findings from the White House review of Hurricane Katrina. His presentation, which was accompanied by a series of slides, was stunning in that it showed that virtually every aspect of the federal response had deep flaws.

The preliminary findings in the slides identified an enormous number of failures and deficiencies in the federal response. Mr. Rapuano would not leave a copy of the slides with the members, but staff transcribed over 60 of the specific findings. They are included in an appendix to this letter.

The preliminary White House findings found problems with planning, military response, emergency communications, logistics, coordination with the private sector, training, public communications, environmental issues, shelter and housing, public health, and law enforcement. Key findings included the following:

- “National Response Plan command and coordination were slow and incomplete.”
- “The National Response Plan did not function as planned.”
- “The bureaucratic process delayed the Federal response.”
- “A unified national homeland security planning structure does not exist.”
- “Lack of comprehensive communications strategy and plans impeded response.”

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- “Federal departments and agencies did not effectively talk to command and control structure.”
- “Lack of comprehensive national strategy and plans to unite communications plans, architectures, and standards.”
- “Priority needs were not met expeditiously.”
- “Federal response did not inform nongovernmental organizations what resources were required and how to connect local, State, and Federal emergency managers.”
- “Insufficient cooperation, coordination, and planning between nongovernmental and governmental entities.”
- “Focus on terrorism rather than all hazards.”
- “TOPOFF schedule will take half a century to exercise the remaining 50 States.”
- “Federal agencies hampered the restoration of goods and services by taking uncoordinated actions without understanding their national impact.”
- “Plans and policies for relocating evacuees did not adequately provide for their shelter or housing.”
- “Inadequate coordination of Federal health assets.”

Need for White House Documents and Testimony

What the briefing did not answer is how these enormous failings could have occurred. We will not know the answer to these questions unless we subpoena the documents and emails that the White House is refusing to supply.

Mr. Rapuano emphasized that a major cause of the problems was that the federal response plan relied on state and local officials to take the lead in organizing and coordinating the response. In response to one question, he indicated that if federal officials did not hear from a local county in Mississippi, the federal agencies assumed that this meant that everything was under control, even if the county was so devastated that communications were impossible.

What Mr. Rapuano could not explain is why the White House and the Department of Homeland Security did not anticipate that state and local officials would be overwhelmed by the hurricane. The Committee has obtained documents from the Department of Homeland Security that indicate that federal officials had predicted before Hurricane Katrina that the state and local authorities would be overwhelmed. For example, one 2004 document states a major hurricane hitting New Orleans would “quickly overwhelm the State’s resources” and “creat[e] a catastrophe with which the State would not be able to cope without massive help from

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neighboring states and the Federal Government.”¹ The Hurricane Pam exercise reached the same conclusions. But Mr. Rapuano could not explain why White House officials were unaware of these reports and their significance.

The presentation included several caveats that it was not comprehensive, and Mr. Rapuano emphasized that it was “not an attempt at a full accounting.” For example, Mr. Rapuano said that he compiled the “key events” timeline by sitting down and asking people what they remembered, which he acknowledged was not a scientific process.

One problem with Mr. Rapuano’s presentation was that it omitted key facts and appeared misleading on key points. The timeline for Monday, August 29, the day the hurricane hit, stated that news media were reporting that New Orleans had “dodged a bullet.” It also included a situation report from 7:04 p.m. that stated: “reported levees have NOT been breached.”

But the chronology inexplicably omitted a situation report sent to the White House at 10:30 p.m. that summarized the observations of a FEMA official, Marty Bahamonde, who flew over New Orleans on the afternoon of August 29. This document reported:

- “There is a quarter-mile breach in the levee near the 17th Street Canal about 200 yards from Lake Pontchartrain allowing water to flow into the City.”
- “[A]n estimated 2/3 to 75% of the city is under water.”
- “Some homes were seen with water to the first floor and others completely underwater.”
- “The Coast Guard is flying rescue missions for people stuck on roofs. They reported seeing about 150 people but said that as they lifted people out, they saw others breaking through the roofs of adjacent homes.”
- “A few bodies were seen floating in the water.”

When Mr. Rapuano was asked why this critical situation report was omitted from the briefing, he said he was not sure if he saw the situation report or appreciated its significance. Multiple members expressed concern with this omission.

Another major problem with Mr. Rapuano’s briefing is that he consistently refused to provide any specifics about conversations that he and others had with top officials, such as Chief of Staff Andrew Card, Homeland Security Advisor Frances Townsend, and Secretary of Homeland Security Michael Chertoff. When asked whether the President had been aware before landfall of the magnitude of the threat facing New Orleans, he said, “I’m really not here to discuss specific information that was passed to the President.” Mr. Rapuano did say that he had been in constant contact with Deputy Homeland Security Secretary Michael Jackson during the

¹ Federal Emergency Management Agency, Combined Catastrophic Plan for Southeast Louisiana (2004).

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critical two days before landfall, but declined, on advice of counsel, to say whether Secretary Chertoff had been in the loop during those critical days. White House officials explained that the "rules of the road" that the majority had negotiated for the briefing were that such questions need not be answered.

Conclusion

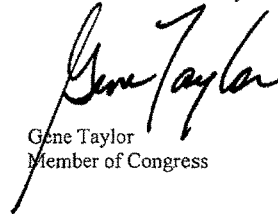
The White House briefing made it clear that there were major flaws in the federal response. But the briefing did not explain why these failures occurred and who should be held accountable. Every time specific questions were asked about the role of key White House officials, Mr. Rapuano either declined to answer or gave only a general answer that provided no details.

We therefore renew our request for a subpoena for the emails and communications of four key White House officials: White House Chief of Staff Andrew Card, his deputy Joe Hagin, Homeland Security Advisor Francis Townsend, and her deputy, Mr. Rapuano. We also believe the Committee should schedule another hearing at which these officials would testify.

Sincerely,



Charlie Melancon
Member of Congress



Gene Taylor
Member of Congress

APPENDIX:
PRELIMINARY WHITE HOUSE FINDINGS ON
HURRICANE KATRINA RESPONSE
(Pursuant to White House Briefing on December 15, 2005)

Problems with Planning

- “National Response Plan command and coordination were slow and incomplete.”
- “The Joint Field Office led a disjointed federal response.”
- “The Joint Field Office Coordinating Group never established.”
- “The Principal Federal Officer did not have enough authority over Federal resources.”
- “Time and resources were lost to ‘on-the-job’ Incident Command Structure training.”
- “The Joint Field Office was established late and lacked adequate staffing and operational procedures.”
- “The National Response Plan did not function as planned.”
- “The bureaucratic process delayed the Federal response.”
- “Interagency Centers did not provide adequate situational awareness or coordination, nor allocate resources in a timely manner.”
- “Federal agencies did not effectively synchronize.”
- “Interagency Incident Management Group was not staffed with trained, senior agency personnel and was not focused on appropriate missions.”
- “A unified national homeland security planning structure does not exist.”

Problems with Military

- “NORTHCOM was not fully aware of its deployed assets for the first 48 hours after landfall.”
- “The National Response Plan’s structure prevented best use of Title 10 Department of Defense assets.”
- “This structure is not sufficient for a catastrophic event.”

Problems with Emergency Communications

- “Lack of comprehensive communications strategy and plans impeded response.”
- “Federal departments and agencies did not effectively talk to command and control structure.”

- “Lack of comprehensive national strategy and plans to unite communications plans, architectures, and standards.”
- “No guidance for worst case effects to the communications infrastructure.”

Problems with Logistics

- “The Federal logistics system failed to provide certain resources in an efficient and timely manner in order to meet the needs of victims and response personnel.”
- “Priority needs were not met expeditiously.”
- “Lack of integrated procurement, supply, and distribution system.”
- “Poor coordination and planning between Federal, State, local, private sector, and nongovernmental resource managers.”
- “Lack of real-time asset tracking system.”
- “Inadequate planning for evacuations.”

Problems with NGO/Private Sector

- “Resources from nongovernmental organizations were underutilized.”
- “The lack of planning and coordination prevented the efficient use of nongovernmental assistance.”
- “Federal support to the private sector for protection and restoration of critical infrastructure must be prioritized.”
- “Federal response did not inform nongovernmental organizations what resources were required and how to connect local, State, and Federal emergency managers.”
- “Insufficient cooperation, coordination, and planning between nongovernmental and governmental entities.”

Problems with Foreign Assistance

- “Lack of coordination and integrated planning resulted in inefficient management and use of foreign assistance.”
- “Fundamental disconnect exists between planning and actual practice.”
- “National Response Plan based on the assumption that the U.S. would request assistance from foreign governments/international organizations only after domestic resources exhausted.”
- “Disparity between actual and perceived needs for assistance.”

Problems with Training and Exercises

- “Training and exercise programs did not prepare all levels of government.”
- “Federal, State, and local entities were neither properly trained nor exercised.”
- “Training was designed to respond to WMD incidents.”
- “Focus on terrorism rather than all hazards.”
- “No true National Exercise Program.”
- “TOPOFF schedule will take half a century to exercise the remaining 50 States.”
- “Limited State and local senior officials participate in training and exercises.”
- “No national exercise methodology.”
- “Fragmented training programs.”
- “No Agency Remedial Action Management Program.”

Problems with Public Communications

- “The public communications plan ... was unable to inform, guide, and reassure the American public during the immediate aftermath.”

Problems with Environmental Issues

- “Responders and victims entered potentially hazardous areas without proper protective equipment.”
- “There was a lack of standards ... to identify and communicate environmental risk to responders and general populations.”
- “Environmental assessment teams were not prepositioned to respond.”
- “Incompatible data formats used by the laboratory network delayed evaluation.”
- “Local officials misunderstood the debris removal process, especially the process to remove debris from private property.”

Problems with Critical Infrastructure

- “Federal agencies hampered the restoration of goods and services by taking uncoordinated actions without understanding their national impact.”
- “There was no Federal coordinating entity with a complete understanding of the interdependency of critical infrastructure sectors.”
- “There was no mechanism to coordinate the conflicting needs of various sectors for both protection and restoration.”
- “There are no protocols to address the relationship between protection and restoration of the infrastructure. Protection efforts were not coordinated with restoration efforts.”

Problems with Shelter and Housing

- “Plans and policies for relocating evacuees did not adequately provide for their shelter or housing.”
- “Relocation and sheltering of evacuees was haphazard and inadequate.”
- “No comprehensive database to identify suitable and available shelters.”
- “Failure of coordination across the interagency.”
- “Cumbersome restrictions prevented maximum use of available housing.”
- “Failure to involve Department of Housing and Urban Development early enough in the process.”

Problems with Public Health

- “Public health and medical support services were effectively but inefficiently delivered to the region.”
- “Healthcare and mortuary services were substantially delayed and poorly coordinated.”
- “Inadequate pre-storm risk communications regarding public health and medical emergencies.”
- “Inadequate pre-storm planning for the utilization of private sector volunteers.”
- “Inadequate coordination of Federal health assets.”

Problems with Law Enforcement

- “Federal law enforcement assets from certain agencies were underutilized.”
- “National Guard was not deployed as effectively as it could be.”
- “Incomplete evacuation left large population in New Orleans.”
- “Apparent absence of law enforcement emboldened criminal behavior.”
- “National Guard did not deploy to effectively respond to lawlessness.”