

Additional Views

Senator Tom Coburn, M.D.

I commend the Committee Chairman, Ranking Member, and investigative staff for their arduous investigation into the Hurricane Katrina disaster and the work that went into the voluminous Report. To a large extent, this Report provides a detailed account of the events leading up to, during and after the landfall of Hurricane Katrina. I am concerned, however, that the main recommendation of the Report – to abolish FEMA and reconstitute it as the National Preparedness and Response Authority – does not adequately address the root cause of the disaster. That root cause, in my view, was a lack of accountability for performance (both before and after the hurricane), rather than a flawed organizational or management structure. I would argue that by overemphasizing organizational change rather than performance improvement, these somewhat conflicting recommendations miss the point.

Misplaced Focus: Organization v. Outcomes

The Report recommendations focus on micromanaging the “how” and “who” of emergency preparedness and response rather than the “what.” Rearranging organization and prescribing certain qualities for, tasks of, and relationships between managers, and creating new teams and task forces, is not the appropriate role of Congress. We should ensure that taxpayers are getting the “product” they pay for with tax revenues, rather than dictating the specifics of how it is obtained. In other words, the Report recommendations should have focused more on developing an accountability system based on meeting actual preparedness and response indicators and benchmarks *as a condition* for receiving federal, state or local funds, using whatever management and organizational structures are preferred by a given President, Governor, and Mayor or County Executive. Different Executives will naturally have different personalities, management styles and operating procedures. They should be permitted to operate and organize in whatever lawful manner they choose. The key matter of importance to the Congress is that they deliver the level of performance on pre-legislated preparedness and response outcomes, improving after each exercise and real-life emergency.

The Committee’s investigation did not adequately address this aspect of accountability for performance over the long term. It uncovered the *symptoms* of the disease rather than the disease itself. I would argue that under-funding of emergency-planning activities is not a root cause, but rather, the result of consistent inattention to meeting emergency-planning goals.

Lack of oversight by accountable government officials, including Congress, is the reason behind any funding deficiency. When elected officials fail to recognize a dangerous lack of readiness, they are unlikely to have either the political will to increase funding or the attention span required to identify which underperforming functions require a redirection of existing funding streams. Perhaps, if adequate oversight were being performed, it would have been recognized that funding levels were saturated in some areas, but that more important or worse-performing areas needed targeted funding redirection. A non-specific accusation of “under-funding” does not explain why nobody with the power of the purse at the local, state, or federal level noticed that preparedness was not being achieved, or if it was noticed, nobody took the steps necessary to remedy the situation. Funding was provided over a period of years to achieve preparedness, but it took the massive real-life test of Hurricane Katrina to expose what should have been exposed and fixed by simulated or smaller-scale real-life tests such as the 2004 Florida hurricane season or the Hurricane Pam simulated exercise.

I believe that the reason why preparedness was not achieved is that measurable indicators of that preparedness were not demanded at any level of government by elected officials. If preparedness is operationalized using measurable indicators (such as performance during drills, testing of communications equipment and systems, testing of staff on certain aspects of a plan, and actual performance during smaller disasters), then officials have a way of targeting funds to where they are most needed, or conditioning funds on actual performance. Instead, the usual process involves automatic funding every year without any reference to what the American people are getting for those dollars. I suspect that Americans don't care how the Department of Homeland Security delivers adequate disaster planning and response; they simply want the Department to deliver at the point of crisis. Congress should take the same approach. A useful model can be found in New Zealand, which reorganized its federal legislative and oversight approach during the 1980s and 1990s to become entirely outcomes-focused, conditioning funding on performance on certain outcomes that were legislated in advance. The result was radical improvement in federal performance.

Misplaced Focus: Timeframe

Another weakness of the Report is the timeframe of its focus, which may be why the recommendations miss the mark. The primary failure of all levels of government in the Katrina disaster occurred years before landfall, and no amount of brilliant performance immediately before or after the hurricane would have overcome that neglect. That the performance wasn't satisfactory (far from it) is indeed relevant to the observed outcomes, but only marginally so. It should hardly have been the primary focus of the report and its recommendations. There is simply only so much a local, state, or federal government, with its layers of bureaucracies, rules, regulations, and systems, can do to help people during a disaster if the years of planning and drilling (until all systems and plans have been *demonstrably and measurably* tested) have been neglected.

As a primary example, the report acknowledges that without the breaking of the levee, most of the significant problems would have had far less of an impact on the city of New Orleans. Yet, the problems with the city's levee system go back 40 years or more. In fact, the very likelihood of a situation exactly like the one that occurred was predicted *for decades* by experts inside and outside the government. While it is keenly important to obtain the lessons learned from those that commanded the response and recovery activities, it is far more important to understand the long-term failures to prepare for this event.

Misplaced Focus: Expectations of Federal Government

Finally, the Report places too much blame on "last responders" in this disaster, that is, the federal government. Unwieldy, distant, slow, and inefficient *by nature*, the federal government is rightly the responder of last resort to any disaster. However, as the biggest source of funding for local and state preparedness activities, the federal government has the critical obligation to serve as a quality-assurance monitor in advance of any disaster. It is essential that the federal government conduct thorough, regular, and well-publicized oversight of state, local, and federal officials' performance, to observe whether they are performing in a way that reduces the need for a massive federal engagement following an emergency. If performance is substandard, then the well-publicized nature of such oversight can serve to generate public demand and political will for the conditioning of funds and other "tough love" measures that may be the only means of motivating improvement.

Given that the federal government is not designed to be a fast or first responder in a disaster, any federal bail-out of states and localities in a disaster would itself be a disaster. That means that the best and most effective federal role is to demand excellence, indeed, to condition funding on it, over the years prior to a disaster, ensuring that state and local officials are so prepared as to preempt the need for federal intervention, and certainly to preempt

the need for *quick and efficient* intervention. That the federal government had to *take over* Hurricane Katrina recovery and response, rather than simply help coordinate it, represents the real tragedy of the Katrina narrative. The Report fails to recognize the inherent inability of the federal government to respond well in a situation like this and instead castigates it for being what it must be: a large, slow bureaucracy.

Conclusion

The Congress often resorts to rearranging agencies in reaction to disasters and then criticizing the very agencies they organized and oversaw for being organized poorly. The Department of Homeland Security itself was the product of Congressional bureaucratic reshuffling after 9/11. Perhaps the problem is not flawed federal organization, but flawed oversight by local, state, and federal legislative and executive officials. All Americans, especially the victims of Hurricane Katrina, deserve better from us in the future.