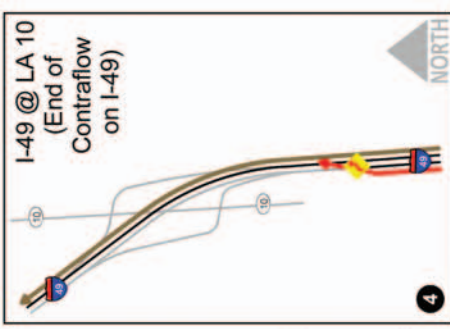
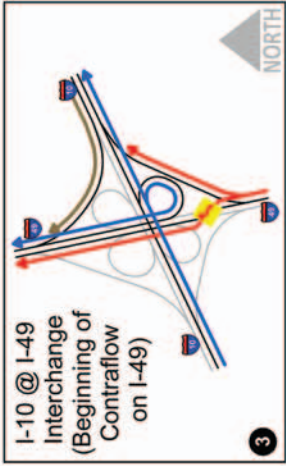
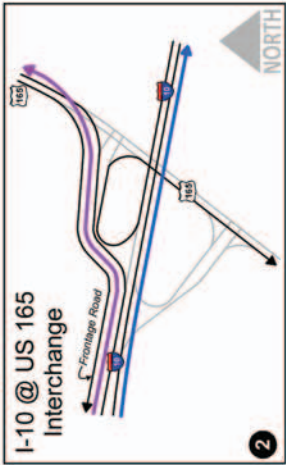
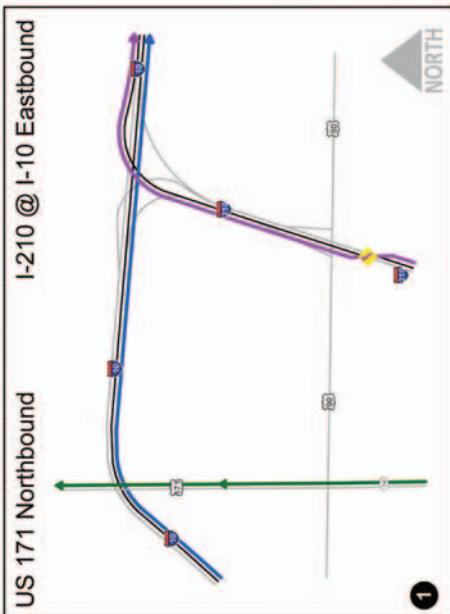
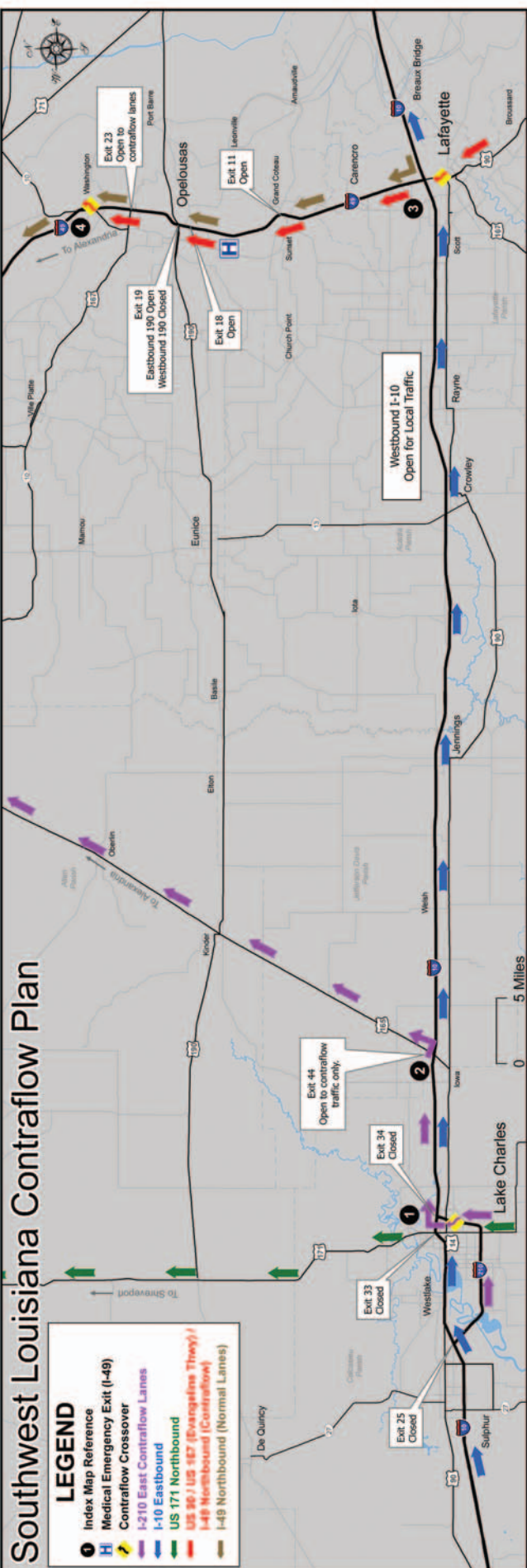


# Southwest Louisiana Contraflow Plan

**LEGEND**

- Index Map Reference
- Medical Emergency Exit (I-49)
- Contraflow Crossover
- I-210 East Contraflow Lanes
- I-10 Eastbound
- US 171 Northbound
- US 90 / US 167 (Bovangeline Thruway)
- I-49 Northbound (Contraflow)
- I-49 Northbound (Normal Lanes)



**Study this map and CHOOSE YOUR ROUTE WISELY.**  
 There will be many restrictions on the Interstate System.  
 Upon entering the Contraflow area, it may not be possible to change routes.  
 If you do not wish to evacuate under the Contraflow restrictions,  
 your best strategy is to **LEAVE EARLY** before Contraflow is activated.

# Pre-Storm Evacuations

## Louisiana

Louisiana's successful evacuation of about one million people from greater New Orleans through phased movements and the one-way "contraflow" use of highways was a great improvement over the Hurricane Ivan evacuation a year earlier. Still, officials expected that 100,000 to 150,000<sup>1</sup> persons would be unable or unwilling to evacuate the region before Hurricane Katrina struck.

This included those with special needs, such as the elderly and infirm; the poor, those lacking means to leave; and those simply refusing to evacuate, regardless of reason or means, and choosing to take their chances in "hurricane roulette."<sup>2</sup>

Some of those responsible for the evacuation argue that those who wished to leave the city prior to landfall did so. The Director of Homeland Security for the City of New Orleans, Terry Ebbert, stated that of the "100,000 left behind, most of that 100,000 chose to stay behind. That's a big difference."<sup>3</sup> This view seems to depend on an expansive definition of "evacuation." As Joseph Matthews, Director of the New Orleans Office of Emergency Preparedness (OEP) noted, officials may have considered "transporting [people] to the Superdome" evacuation as well.<sup>4</sup>

In any case, there was long-standing recognition that 100,000 to 150,000 people would remain in the city following an evacuation order, and that some of them would remain only because they could not move themselves. Officials explored means of moving people out of the city, but the issue took a back seat to plans to use the Superdome as a special-needs shelter and a refuge of last resort.

### **Before Landfall, Louisiana, Mississippi, and the Affected Southeast Louisiana Parishes Agreed to and Successfully Executed Louisiana's Contraflow Plan**

Even before catastrophe strikes, evacuations are not simple.

Careful planning is essential to a successful pre-landfall evacuation because of the problems that traffic congestion and timing pose for the evacuees. Evacuation from the greater New Orleans area faces unique challenges for at least four reasons. First, evacuating the area requires at least a 45 to 80-mile trip (as compared to the 10 to 15-mile trip out of the affected areas in Mississippi). Second, there are only two or three ways out of the area. Third, one of those ways out of the area runs into Mississippi, requiring that state's cooperation. And fourth, because of the limited number of ways to exit the metropolitan area, the northernmost parishes within the area (Orleans and Jefferson) must wait patiently for the southernmost parishes within the area (St. Bernard and Plaquemines) to evacuate first; otherwise, the northern parishes will choke off the southern parishes' ability to evacuate. When these problems go unaddressed, thousands of people might be precluded from evacuating or delayed in Hurricane Ivan- or Rita-like traffic jams extending for hundreds of miles.

After the pre-landfall evacuation for Hurricane Georges first exposed these problems in September 1998, the 13-parish Southeast Louisiana Hurricane Task Force asked the Louisiana Office of Emergency Preparedness<sup>5</sup> (LOEP) to solve these problems by creating a "contraflow" plan.<sup>6</sup>

Generally speaking, contraflow turns all highway lanes in one direction, creating additional roadways for the execution of evacuation. Louisiana's contraflow plan applied to Interstates 10, 12, 55, and 59, so that all lanes of those highways would be heading out of New Orleans either upstate or east to Mississippi.

Louisiana did not use its contraflow plan until the pre-storm evacuation for Hurricane Ivan in September 2004. In that initial experiment, the state and the parishes encountered serious problems with the execution of the contraflow plan, including disagreements among parishes as to which parishes should evacuate first and the emergence of traffic choke points in Baton Rouge and Slidell, Louisiana.<sup>7</sup> These problems resulted in delays of 12-15 hours for people evacuating from the New Orleans metropolitan area,<sup>8</sup> as well as the deaths of nursing-home residents who died on the road in the heat and chaos of evacuating for Hurricane Ivan.<sup>9</sup>

To address the problems with contraflow that arose before Hurricane Ivan made landfall, the Governor ordered the Louisiana State Police (LSP) and the Department of Transportation and Development (DOTD) to develop a better evacuation plan.<sup>10</sup> Those agencies assembled a task force and worked with private consultants, traffic engineers, parish leaders, and local law-enforcement organizations in the relevant communities and conducted focus groups with residents to revise the plan.<sup>11</sup>

What resulted from this effort was the state's 2005 contraflow plan, known as the Southeast Louisiana Emergency Evacuation Plan (LEEP). The plan resulted from cooperation between the governors and state police forces of Louisiana and Mississippi, as well as the state's successful brokering of an agreement signed in April 2005 by the 13 parishes of the Southeast Louisiana Hurricane Task Force.

The LEEP addressed the problems identified during Hurricane Ivan by (1) directing as much traffic as possible away from what had been chokepoints at Baton Rouge and Slidell,<sup>12</sup> (2) creating special procedures for coordination between Louisiana and Mississippi,<sup>13</sup> and (3) requiring Jefferson and Orleans Parishes to wait to evacuate their residents until after their neighboring parishes announced the evacuation of their residents.<sup>14</sup>

As to the last point, the LEEP seeks to manage the order in which parishes evacuate by establishing three phases for the pre-storm evacuation, based on geographic location and the time in which tropical storm force winds are forecasted to reach the affected area. Under the plan, Phase 1 of the evacuation begins at the 50-hour mark before landfall of a Category 3 or higher hurricane, but contraflow only begins in Phase 3, once Jefferson and Orleans Parishes have ordered evacuations, at around the 30-hour mark before landfall and after.<sup>15</sup>

Once the Governor finalized the plan in the spring of 2005, the state initiated a media blitz and public education campaign, with media outlets, the American Red Cross, and businesses like Wal-Mart, Home Depot, and Lowe's all helping to distribute more than 1.5 million copies of the "Louisiana Citizen Awareness & Disaster Evacuation Guide."<sup>16</sup>

Governor Blanco initiated contraflow at 4 p.m. on Saturday, August 27, and ended it at 5 p.m. on Sunday, August 28, with no vehicles waiting in queues to leave the potential impact area.<sup>17</sup>

By all accounts, Louisiana, Mississippi, and the Southeast Louisiana parishes successfully executed the 2005 LEEP, before Hurricane Katrina made landfall. With that plan, Louisiana evacuated approximately 1 million people before landfall.<sup>18</sup>

The post-Ivan revisions to the plan also contributed to the success of the pre-landfall evacuation, as traffic jams exceeded two to three hours at most before Katrina made landfall, compared to the 12 to 15-hour traffic jams evacuees experienced before Ivan made landfall.<sup>19</sup>

There was also close consultation between Louisiana and Mississippi officials, including conversations between Governor Blanco and Governor Barbour, which resulted in coordination between the two states on the execution of the pre-landfall evacuation.<sup>20</sup>

Despite the success of the revamped contraflow plan, some officials saw opportunities for more improvement. Major John Miller, from the Mississippi Department of Public Safety, said that he would have state troopers stand farther back from the road next time: “[E]very third or fourth car has to stop and ask him a question,”<sup>21</sup> snarling traffic. Other suggestions included diverting some traffic to avoid the bottlenecks at the northern ends of I-55 and I-59,<sup>22</sup> and working for better state-to-state communications interoperability.<sup>23</sup>

St. Bernard, Plaquemines, St. Tammany, and Jefferson Parishes successfully followed and executed the LEEP.

In St. Bernard Parish, Larry Ingargiola, the Director of Homeland Security and Emergency Preparedness for St. Bernard Parish, stated that he called for an evacuation of St. Bernard Parish – albeit something short of an actual mandatory evacuation – during the late evening of Friday, August 26.<sup>24</sup> He recalled mentioning on the news that “We strongly recommend that you leave now because I don’t believe I have enough body bags to cover the people that stay.”<sup>25</sup> The following evening, Saturday, August 27, the parish “called for mandatory evacuation, strongly recommended evacuation.”<sup>26</sup> Between Friday and Saturday, he said, all television channels in Orleans, Jefferson, Plaquemines, and St. Bernard Parishes ran scrolling news “zippers” noting the type of evacuation called for at the time.<sup>27</sup> Moreover, Ingargiola described some of his parish’s concern about issuing a mandatory evacuation as follows:

The big decision on mandatory evacuation is monetary, the businesses themselves. When you do a mandatory evacuation, the businesses are required to close down. The refineries are required to close down. We have three very large refineries down [here]. ... It takes them roughly 8 to 12 hours to close down the refinery. Every time they close it down, it’s over a million dollars to close it down and another million to bring it up. ... It’s not something you do easy.<sup>28</sup>

Furthermore, when asked whether St. Bernard’s evacuation of Saturday night was coordinated with other parishes, Ingargiola responded that it was not, because of concern that other parishes would act unilaterally:

No. We had a problem with Ivan because Jefferson Parish pulled the plug before everybody else for mandatory evacuation and contraflow was in [effect] ... If the other parishes, Orleans and Jefferson, pull the plug and we get contraflow, we are stuck. We can’t exit because we have one exit, Parish Road. You can’t go. You are not going to send your people through New Orleans because they are doing the same thing you’re doing. They are going to sit in another parking lot.<sup>29</sup>

Despite these challenges, Ingargiola noted that St. Bernard Parish was able to successfully evacuate 92 percent of its population<sup>30</sup> of approximately 66,000.<sup>31</sup> When asked whether he felt his Friday night call for evacuation was early enough, Ingargiola said it might have been wiser to do so on Thursday.<sup>32</sup> But Thursday, he noted, was a sunny day – had he called for an evacuation then, “The people would have thought I was crying wolf. That is your biggest fear, believe me. Somebody in my position, you will call it and somebody will just not believe what you call.”<sup>33</sup>

In Plaquemines Parish, Jesse St. Amant, Director of the Plaquemines Parish Homeland Security Office of Emergency Preparedness, described its pre-storm evacuation policy and results:

People like myself, as emergency managers, should not be thinking, if I make a mandatory declaration and I make that recommendation to the governor, that he hesitates to do that because it might cost too much, you're putting a dollar value on [a life].

And in my business, if you ask how much it costs to do something, you're in the wrong business cause you could in fact cost someone their life.

You have to do what you must do to save life, and promise, and I take it very seriously. I'll give you an example. By declaring a mandatory evacuation, it cost Philips Conoco millions of dollars to safely shut down a petrochemical facility, and then it cost millions of dollars to start it up. The two most dangerous kinds of petrochemical facilities is the shutdown and the start-up of that facility. Very dangerous; very costly. Yet I don't hesitate to advise parish presidents. He does not hesitate to support me. I have his ear. He has – since I've been here, he has – he hired me. And let me suggest this to you ... I will relate success. We had a 93 percent evacuation rate, one [of] the highest in the area, probably in the whole state. But we know we're also the most vulnerable. So the options aren't that great. You have to be out of this high-risk area.

The other issue that we do is we do – we're probably the first jurisdiction in the State of Louisiana to [start the evacuation process] that because we extend in the Gulf of Mexico.<sup>34</sup>

Plaquemines Parish issued a mandatory evacuation on Saturday, August 27.<sup>35</sup>

In St. Tammany Parish, Dexter Accordo has been the Director of Emergency Management and Homeland Security since July 18, 2004.<sup>36</sup> He said St. Tammany used the *EarthCall* notification system – a “reverse 911 [system] where you can dial up people by geographic area, and you can broadcast an audio message to them, giving them directions of what's going on”<sup>37</sup> – to warn residents to leave. When you order a mandatory evacuation, Accordo said, “At no point for the most part is it logistically feasible to go and knock on everybody's door, reach in and grab that person and yank them out of their house.”<sup>38</sup> So a broader program of education is called for:

We reinforce it with the brochure [of evacuation maps], we reinforce it with the phone calls, we reinforce it with the outreach program training, we reinforce it with other forms of media ... If I tell you, you need to do this, you're going to probably hesitate, but if you know why because we educate you why you need to do it, then there's a stronger probability you're going to do it.<sup>39</sup>

Accordo also spoke to the unique geography of St. Tammany Parish. He stated that the parish “represent[s] about two-thirds of the evacuation routes” for the metropolitan area, specifically the twin spans (I-10), the Causeway, and the “old highway” (highway 90) on the east side of St. Tammany and Orleans Parishes.<sup>40</sup> These plans have a large impact on St. Tammany Parish:

We get the biggest push probably through our area. We have to be cognizant of that because long before that 30-hour moment [i.e., the third phase of the State's evacuation plan], we're starting to feel the impacts of all this traffic.<sup>41</sup>

The number of evacuees from St. Tammany parish is uncertain. Accordo estimated that several hundred people were evacuated to a large special-needs shelter at Covington High School,<sup>42</sup> that 4,000 to 6,000 more were housed in other parishes' shelters,<sup>43</sup> and that about

127,000 were evacuated from the parish entirely, subject to check against a University of New Orleans post-storm study.<sup>44</sup>

In Jefferson Parish, Walter Maestri, Ph.D., is the Director of Emergency Management and Homeland Security.<sup>45</sup> Maestri recalls that Jefferson Parish President Aaron Broussard announced to the parish residents on late Friday afternoon, August 26, “that they should be ready to go [i.e., evacuate] Saturday morning.”<sup>46</sup> He believes that about 70 to 80 percent of the residents of Jefferson Parish evacuated prior to the storm,<sup>47</sup> a “successful evacuation.”<sup>48</sup> Maestri noted that Broussard’s call for a parish evacuation on Friday afternoon to take effect the following Saturday morning was not a call for a mandatory evacuation:

None of the Southeast Louisiana parishes, the larger ones, Orleans, Jefferson, St. Tammany, make mandatory evacuations. The reason for it, guys, is it’s un-enforceable. You can’t do it. . . . Now as you know, Mayor Nagin later changed that. He went to mandatory, after first going to recommended. But the bottom line is that we did not and never will in Jefferson call mandatory because you can’t do it.<sup>49</sup>

With respect to the 20 to 30 percent of persons who did not evacuate the parish, Maestri thinks “they got extremely lucky,” because the parish only got a “glancing blow.”<sup>50</sup> He notes that what hit Jefferson parish was primarily a “wind event . . . and that’s why the fatalities are as low as they are. But the water is the killer. And we didn’t get the water in Jefferson.”<sup>51</sup> Moreover, Maestri said about half of the residents that did not evacuate before the storm moved to refuges of last resort within the parish, and the other half stayed in their homes.<sup>52</sup> Lastly, Maestri indicated that the parish’s refuges of last resort were stocked with food, water, and first-aid supplies.<sup>53</sup> Maestri noted that he has a professional level, full-time person on his staff – the Shelter Coordinator – who has the responsibility to oversee and operate all of the parish shelters and refuges.<sup>54</sup>

#### **The City of New Orleans Failed to Prepare a Draft Mandatory Evacuation Order Before Katrina Approached the Gulf Coast**

Although it can never be known what impact earlier issuance of a mandatory-evacuation order would have had on the pre-landfall evacuation of New Orleans, it is clear that the city did not resolve all issues incident to a mandatory-evacuation order and did not have one prepared before Katrina approached the Gulf Coast.

On Friday, August 26, Mayor Nagin held a press conference at City Hall to announce that city officials were monitoring Hurricane Katrina.

On Saturday, August 27, Mayor Nagin joined Governor Blanco, and other officials for a press briefing at 1 p.m., during which the Mayor advised, according to talking points prepared for that briefing, that citizens should prepare for the storm, to include checking on neighbors and particularly the elderly, and announced the city would be calling for a voluntary evacuation later that afternoon or the morning of August 28 to coincide with the initiation of contraflow.<sup>55</sup>

According to a press report, Mayor Nagin said, “This is not a test. This is the real deal. Things could change, but as of right now, New Orleans is definitely the target for this hurricane,” later adding, “We want you to take this a little more seriously and start moving – right now, as a matter of fact.”<sup>56</sup> The Mayor also recommended that residents of Algiers, the Lower Ninth Ward, and low-lying areas begin evacuating. Citizens were also advised that there were two special-needs shelters open in the state in Alexandria and Monroe.

When Mayor Nagin issued a mandatory-evacuation order on Sunday, August 28, at approximately 9:30 a.m. CT,<sup>57</sup> it was the first time the City of New Orleans had ever issued a mandatory-evacuation order,<sup>58</sup> even though state law authorizes any parish to issue one.<sup>59</sup> He had ordered his staff to begin working on the order at noon on Saturday, August 27. According to witnesses, the city took nearly 24 hours to issue the order because it first needed to resolve legal and logistical questions.<sup>60</sup>

Chief among the issues to resolve was the determination of which classes of individuals would be exempted from the order. As initially drafted, there were four categories of exceptions: essential personnel of the city, regulated utilities, hospitals (including patients), and operating hotels (including guests).<sup>61</sup> After this draft was circulated to senior staff for review and comment, the list of exceptions was expanded to include the media and essential personnel of nursing homes (including residents). But then Colonel Terry Ebbert, New Orleans' Director of Homeland Security and Public Safety, recommended that the city not except nursing homes.<sup>62</sup>

The final order included the following exceptions: essential personnel of the United States of America, State of Louisiana and City of New Orleans; essential personnel of regulated utilities and mass-transportation services; essential personnel of hospitals and their patients; essential personnel of the media; essential personnel of the Orleans Parish Criminal Sheriff's Office and its inmates; and essential personnel of operating hotels and their patrons.<sup>63</sup>

In addition to these issues, the city was also concerned about how it would enforce the mandatory-evacuation order, and what transportation resources it had at its disposal to facilitate execution of the order.<sup>64</sup>

Long-term planning and preparation by the city before Katrina approached the Gulf Coast could have obviated this nearly 24-hour effort to resolve these issues.

Nevertheless, Governor Blanco insisted that Mayor Nagin's planning had been adequate, pointing out that evacuation was well underway before the mandatory-evacuation order was issued.<sup>65</sup>

**The New Orleans Health Director, Who Initiated Draft Agreements to Provide Transportation for New Orleanians Without the Means to Evacuate, Deserves Credit for His Ingenuity and Effort, but the City's Director of Homeland Security and Public Safety Should Have Finalized These Agreements Before and During the 2005 Hurricane Season**

Although the city's emergency plans anticipated at least 100,000 people without the means to evacuate after a catastrophic natural disaster,<sup>66</sup> the city's top officials failed to plan and prepare adequately for the pre-landfall evacuation of this less-mobile segment of the population.

When Terry Tullier, the former Director of the New Orleans Office of Emergency Preparedness, who served in that position from May 2001 to his retirement in 2004, realized "that the city did not have the resources and at the time ... perhaps not even the political will"<sup>67</sup> to move this segment of the population, he began exploring other transportation options. One was a volunteer program called Operation Brother's Keeper, which would enlist private citizens to help those who lacked transportation to evacuate.<sup>68</sup> A second involved informal discussions with the Regional Transportation Authority (RTA), the Orleans Parish School Board, and Amtrak to determine whether they would agree to provide transportation for a pre-landfall evacuation of New Orleans.<sup>69</sup>

Operation Brother's Keeper (OBK) was a faith-based initiative developed in collaboration with Kay Wilkins, the area's local Chapter Director of the American Red Cross. Through

the program, churches would identify those within their congregations who did not have the means or ability to leave the city and match them with those who could help. Tullier recalled briefing Mayor Nagin and Col. Ebbert, with Wilkins, about the initiative: “Mayor Nagin said in no uncertain terms, anything that the city can do to support you, I’m all for this initiative.”<sup>70</sup> There was apparent financial support for OBK, including a grant of \$216,000 from a private organization.<sup>71</sup>

Although Operation Brother’s Keeper was in place before landfall, it was not fully developed as logistical issues such as rally points and destinations had not been determined.<sup>72</sup>

The second of these initiatives, seeking alternative transportation from a variety of providers, was developed in late 2004, when Dr. Kevin Stephens, Director of the New Orleans Health Department, resumed Tullier’s work after he stepped down as the City’s Director of Emergency Preparedness (OEP), leaving the post vacant for almost six months.<sup>73</sup> Between Tullier’s retirement in December 2004 and the appointment of Chief Matthews in March 2005, the OEP director’s position was vacant. During this time, Dr. Stephens entered the breach and went to work on securing transportation for an evacuation of the city. Dr. Stephens explained why he saw the need to contract for transportation and shelters:

All of our plans had primarily been [to] evacuate [to] the Superdome. And so I just thought that maybe as a general shelter, refuge of last resort, we should probably try to get some places outside the city and not at the Superdome because of the limitations of the Superdome. . . . So I called Amtrak and I called the school board and RTA and other guys . . . and asked them would they be willing to transport people out of the city, and they said sure, we’d be happy to.<sup>74</sup>

Dr. Stephens prepared draft memoranda of understanding (MOUs) among the City of New Orleans and Amtrak, the RTA, the Orleans Parish School Board, and the Cities of Baton Rouge and Hammond, Louisiana, contemplating use of various transportation resources to evacuate people from New Orleans prior to a hurricane. These drafts, with the exception of the Amtrak MOU, were internal documents, not shared with the other named entities.<sup>75</sup>

Responsibility for the MOUs returned to the City’s OEP shortly after the Mayor appointed Chief Matthews to replace Tullier as Director in March 2005.<sup>76</sup>

Throughout the spring and summer of 2005, logistical obstacles dogged planning for the MOUs. Once people were evacuated from the city, was there enough shelter space to accommodate them? Once Amtrak delivered them to the Hammond train station, how would they be moved to state shelters? Most importantly, in the view of Chief Matthews, there was a shortage of drivers qualified to participate in an evacuation.<sup>77</sup>

However, the City’s OEP, part of the City’s Office of Homeland Security and Public Safety, did not follow through sufficiently to ensure execution of a single one of those agreements.<sup>78</sup> Shortly thereafter in June 2005 – three months before Katrina made landfall – the City’s Director of Homeland Security and Public Safety, Colonel Ebbert, effectively decided to halt the negotiations on these MOUs, based on the following rationale: “June starts the hurricane season. You can’t go to war still drafting you[r] plan, so you have to make decisions of what you’re going to do this season.”<sup>79</sup> With that decision, Colonel Ebbert lost opportunities to push his subordinate, Chief Matthews, to close these deals, and to ask the Mayor, the state, and the federal government for assistance in brokering these agreements.<sup>80</sup> The Committee disagrees with Colonel Ebbert that the city would be incapable of continuing work on long-term preparations for a catastrophic storm in the midst of hurricane season, as was evidenced by the city’s participation in a July 2005 workshop on transportation staging and distribution of commodities.



### **The Director of the City of New Orleans Office of Emergency Preparedness Turned Down Offers of Assistance With the Pre-landfall Evacuation From the Regional Transit Authority (RTA)**

Using federal funding granted in 2004,<sup>81</sup> the New Orleans Office of Emergency Preparedness composed a Comprehensive Emergency Management Plan (the plan) to establish procedures to prepare the city for an emergency such as a hurricane. The plan divided emergency response into the standard Emergency Support Functions (ESFs), designating the Regional Transit Authority (RTA) as the primary agency<sup>82</sup> for transportation during an evacuation.<sup>83</sup>

Specifically, the plan required the RTA to: “Supply transportation as needed in accordance with the current Standard Operating Procedures; place special vehicles on alert to be utilized if needed; position supervisors and dispatch evacuation buses; and if warranted by scope of evacuation, implement additional service.”<sup>84</sup> The plan listed the following entities as supporting agencies under ESF-1: Orleans Parish School Board (OPSB), Louisiana Department of Transportation, Louisiana National Guard, and Amtrak.<sup>85</sup>

It was the understanding of James Tillie, RTA’s Chief Operating Officer, that the city would direct the RTA “to transport the citizens of the city from one location to safe harbor,” although for Katrina that meant the Superdome and not shelters outside of New Orleans.<sup>86</sup>

The city’s plan required the New Orleans OEP to coordinate and facilitate preparedness and planning for the plan’s designated response agencies, such as the RTA.<sup>87</sup> The plan also required the OEP to direct and control those agencies with ESF responsibilities, such as the RTA, during emergency response operations.<sup>88</sup> Although RTA is not a city agency, the Director of the Office of Emergency Preparedness, Chief Matthews, acknowledged that the RTA, as the primary agency for ESF-1, would answer to and receive direction from the City’s OEP.<sup>89</sup>

Before Katrina made landfall, the RTA owned 372 buses and employed 650 drivers.<sup>90</sup> RTA officials estimated that each bus could transport 40 people and their luggage out of the city during an evacuation.<sup>91</sup> Of the drivers, approximately 100 volunteered for evacuation duty. (The number who remained in the city post-landfall was slightly lower, because some were prevented from returning to the city after driving special-needs evacuees to Baton Rouge because, consistent with the contraflow plan, the roads were closed a few hours before landfall.)<sup>92</sup>

Notwithstanding the RTA’s role under the City’s Emergency Operations Plan, RTA assets were not fully utilized in the pre-landfall evacuation because the Director of the New Orleans OEP, Chief Matthews, turned down the RTA’s offers of assistance on the Saturday and Sunday before landfall, citing a lack of identifiable shelters as the reason.<sup>93</sup>

### **The City of New Orleans, the State of Louisiana, and the Federal Government Failed to Retain Drivers for the Pre-landfall Evacuation, After City Officials Informed State and Federal Officials of This Need Over a Month Before Landfall**

Although the New Orleans OEP Director, Chief Matthews, informed state and federal officials – over a month before Katrina hit – that New Orleans lacked bus drivers for a pre-landfall evacuation,<sup>94</sup> that need went unaddressed before landfall.

The city had apparently designated buses from the RTA and the Orleans Parish School Board (the School Board), but the City’s Office of Emergency Preparedness was having difficulty getting them to agree to provide the city with bus drivers for the evacuation.<sup>95</sup> Both the RTA and the School Board are independent creatures of state law and do not report directly

to the city, although the city – through its majority representation on the School Board – has the opportunity to exert control over it.<sup>96</sup>

At the July 2005 transportation, staging, and commodities distribution workshop (which was part of the Hurricane Pam planning project), Chief Matthews alerted state and federal officials of this hole in the city’s planning for the pre-landfall evacuation.<sup>97</sup> Although he did not request assistance from the state and federal officials for buses or drivers,<sup>98</sup> the federal officials who participated in the workshop understood that the city needed drivers: FEMA representative Jules Hurst recalled the local officials reporting that “they didn’t know if they could get the drivers to report.”<sup>99</sup> A U.S. Department of Transportation representative, Dan Prevo, also recalled, based on the Pam discussions, that there was “no certainty that the drivers – if the buses would be made available, that the drivers would be available . . . a whole lot of research had to be done with regard to how many drivers would be available, or the liability issues that might be faced for the buses and for the drivers.”<sup>100</sup>

Informed of this need for drivers for over a month before Katrina hit, state and federal officials failed to explain why they did not take steps to recruit and retain drivers to participate in the pre-landfall evacuation. This inertia on the part of the state and federal government, which had been on notice of the city’s inability to muster drivers on their own, added to the city’s failures and resulted in a paucity of drivers available to participate in the pre-landfall evacuation – indeed, only 100 RTA drivers volunteered for duty.<sup>101</sup>

**The State’s Lead Agency for Transportation, the Louisiana Department of Transportation and Development, Failed to Meet its Responsibility Under the State’s Emergency Operations Plan for Identifying, Mobilizing, and Coordinating Transportation to Assist With a Pre-Landfall Evacuation**

The state failed to provide any transportation to New Orleans for the pre-landfall evacuation mainly because the Secretary of the Louisiana Department of Transportation and Development (LA DOTD) chose to ignore the Department’s responsibility under ESF-1 (transportation) of the April 2005 Louisiana Emergency Operations Plan to take the lead for coordinating transportation for the evacuation of at-risk populations.<sup>102</sup>

In January 2005, Louisiana Office of Homeland Security and Emergency Preparedness (LOHSEP) officials explicitly told Gordon Nelson, LA DOTD Assistant Secretary for Operations, and Joseph Modicut, the Department’s emergency services coordinator, that primary responsibility for Emergency Support Function 1 (ESF-1) would likely be shifted from the Louisiana National Guard to the LA DOTD to make the state’s plan consistent with the National Response Plan, which in December 2004 assigned the U.S. Department of Transportation to be the lead agency for ESF-1.<sup>103</sup> They also told the LA DOTD officials that their role in an emergency would be to coordinate obtaining buses from other sources, recognizing that LA DOTD did not maintain a fleet of its own.<sup>104</sup> Despite this notice and despite having signed the state plan in April, thereby binding the Department to assigned responsibilities within it, LA DOTD Secretary Johnny Bradberry and his Department took no steps to fulfill that responsibility. Bradberry said he assumed, albeit incorrectly, that the National Guard would handle mass bus transportation.<sup>105</sup>

Testifying before the Committee, Secretary Bradberry attempted to defend his agency by saying that the plan was “in transition,” and that he signed the plan to “keep things moving,” meaning he did not want to hold up the state’s overall emergency-operations planning process because of this issue. Nevertheless, he didn’t “necessarily agree with the idea that the Department of Transportation needs to have this transportation function.”<sup>106</sup>

Because he felt that the city was addressing the evacuation of its citizens,<sup>107</sup> Secretary Bradberry said that he had never had a conversation with Mayor Nagin, Colonel Ebbert, or Chief Matthews, about the evacuation of New Orleans residents without their own means to do so. Secretary Bradberry said: “We have done nothing to fulfill this responsibility ... we put no plans in place to do any of this.”<sup>108</sup>

Despite the January meeting with LOHSEP officials and the April signing of the plan by Secretary Bradberry, Nelson claimed he did not learn about the Department’s new responsibility until a July 2005 workshop, and Modicut said he did not learn about the new duty until the weekend before Katrina made landfall.<sup>109</sup> Nelson disagreed with the assignment because the Department did not have an in-house stable of transportation resources, but he said nothing at the time.<sup>110</sup> The Committee finds no reasonable explanation of why, for more than four months, the Department’s Assistant Secretary for Operations and Chief of Emergency Services were unfamiliar with a fundamental shift in the Department’s operational responsibilities under the state’s revised plan. These officials, like Secretary Bradberry, did not advise state officials that DOTD signed a plan that it did not intend to follow, choosing to remain silent.

In a letter to the U.S. Senate Homeland Security and Governmental Affairs Committee, Secretary Bradberry commented on his Department’s lack of ESF–1 planning:

To criticize the Louisiana Department of Transportation for failure to have a plan in place for transportation assets which were never requested is wholly unfair and unjust. Yes, DOTD should have acted sooner transitioning into the new responsibilities under the 2005 State Emergency Operations Plan, but the fact remains that DOTD did not receive any requests for transportation prior to Hurricane Katrina.<sup>111</sup>

Secretary Bradberry’s defense that there were no requests for transportation prior to Katrina rings hollow. The city discussed their lack of buses and drivers needed for a successful evacuation with state and federal officials at the July 2005 transportation, staging and commodities distribution workshop. Had LA DOTD taken meaningful steps to develop a plan, they would quickly have seen the inability of local government to manage its evacuation needs as a potentially catastrophic hurricane approached. Moreover, the state was not required to wait – and should not have waited – for a request from the city before offering assistance, particularly when a catastrophe was imminent.

As Katrina approached, some state officials were “leaning forward in the foxhole with [their] finger on the trigger.”<sup>112</sup> Secretary Bradberry was not one of those officials.

**The Louisiana Office of Homeland Security and Emergency Preparedness  
Did Not Exercise Sufficient Oversight to Ensure that Louisiana Department  
of Transportation and Development Would Fulfill its Responsibilities Under  
the State’s April 2005 Plan**

The Louisiana Emergency Operations Plan assigned LOHSEP primary responsibility for “all emergency activities conducted by state, local and parish governments ... before, during and after natural and technological disasters.”<sup>113</sup> Included within the scope of this charge is “planning and preparations before emergencies.”<sup>114</sup> This imposed the duty on LOHSEP to ensure that other agencies carry out their assigned responsibilities under the plan.<sup>115</sup> LOHSEP failed to discharge this duty in the case of LA DOTD’s ESF–1 responsibilities for transportation under the state plan.



Flooded school buses, New Orleans

AP/Wide World Photo

As noted earlier, LA DOTD officials Modicut and Nelson met with senior LOHSEP and Louisiana National Guard officials in January 2005 to discuss a possible shift of assigned responsibility for ESF-1 from the Louisiana National Guard to LA DOTD.<sup>116</sup> At this meeting and in subsequent correspondence, LOHSEP's Chief of Planning, Sean Fontenot, said that LA DOTD understood the responsibilities it would be accepting, and he attempted to provide some initial guidance regarding expectations for planning:

DOTD, the biggest concern ... was they had no resources. They didn't own buses. They didn't own [trucks], but the Guard owns trucks. ... You go to the Guard and say, "We need trucks," the Guard will give you trucks if they have them to give you. The buses, I mean, DOTD has relationships with organizations and agencies like Louisiana Motor Transit Authority Association. Use some of your – this is what I told them, use some of your contacts, use some of your relationships to build these databases, and things of that nature, and they agreed and they understood that, and we moved on.<sup>117</sup>

Based on Fontenot's statement that Modicut and Nelson were at the meeting, both should have been aware of the issue and, presumably, aware that the state was going to be looking to DOTD to meet this need.<sup>118</sup>

Despite this meeting and subsequent correspondence, once the plan was signed in April 2005, there was no substantive follow-up by LOHSEP officials to ensure that DOTD was undertaking planning to fulfill the new responsibilities assigned to it under the plan. As

Louisiana National Guard commander Major General Bennett Landreneau acknowledged, the need for LOHSEP to ensure that DOTD met its planning responsibilities “slipped through the cracks.”<sup>119</sup>

### **Governor Blanco Did Not Request Transportation Resources From the Federal Government for Pre-landfall Evacuation**

Although it is unclear precisely what transportation assets the state could have mobilized over the weekend to assist the city with the pre-landfall evacuation, neither the Governor nor any other state official offered to provide transportation to assist with the pre-landfall evacuation or requested federal assistance.

On August 27, the Governor sent President Bush a letter, requesting \$9 million for assistance for emergency protective measures under the Stafford Act, the federal law that coordinates federal disaster assistance to states.<sup>120</sup> Although the Governor, in this letter, requested that \$2.5 million be directed to evacuation needs, she did not specify a need for transportation.<sup>121</sup> The President issued an emergency declaration the same day, effectively granting the Governor’s request.

During video teleconferences with local, state, and federal officials on Saturday, August 27, and on Sunday, August 28, state officials discussed the success of contraflow,<sup>122</sup> but did not raise the issue of additional transportation assets, despite the long-standing realization that 100,000 people in New Orleans lacked transportation. Although LOHSEP Acting Deputy Director Colonel Jeff Smith noted on that call that the Governor “is very appreciative of the federal resources that have come into the state and the willingness to give us everything you’ve got because, again, we’re very concerned with this,” neither he nor the Governor made a specific request of the federal government for transportation resources before landfall.<sup>123</sup>

This lamentable failure by the Governor to request transportation resources shows not only a lack of initiative, but also a failure of leadership.

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## **Mississippi**

Before Katrina reached the Gulf Coast, thousands of Louisiana and Mississippi residents evacuated to other states, including Texas and Oklahoma. In Mississippi, localities declared mandatory evacuations as the hurricane approached. These were carried out relatively well, but some residents chose to disregard the orders. Many had already complied with two false-alarm evacuations over the last year.<sup>124</sup> Others had disagreeable evacuation experiences. Still others, approaching the end of the month, no longer had enough money to support themselves and their families on the road. State and local governments performed their roles well in evacuating those who agreed to leave, but must do better by those without the means.

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### **Evacuations of General Population Went Relatively Well**

The Mississippi Emergency Management Agency (MEMA) and the Mississippi Department of Transportation (MDOT) worked together to develop a hurricane evacuation guide that provides residents with a hurricane disaster checklist, information on evacuation routes, contraflow plans,<sup>125</sup> traffic control information, and emergency contact information.<sup>126</sup>

Though local governments must ultimately decide whether to order an evacuation,<sup>127</sup> the state participates in the decision making process.<sup>128</sup> This coordination is critical because once the city or county declares an emergency evacuation, the state becomes responsible

for managing traffic flow and maintaining shelters.<sup>129</sup> In preparing for Katrina, state officials worked with: the liaisons MEMA dispatched to the lower six counties along the Mississippi Gulf Coast; the Forrest County Emergency Operations Center in Hattiesburg; and the Louisiana Emergency Operations Center (because of contraflow agreements between Mississippi and Louisiana that provide for evacuations out of Southeast Louisiana to Mississippi).<sup>130</sup>

The Mississippi Emergency Management Agency began monitoring the storm's path and strength on August 24 – five days before landfall – and issued its first hurricane situation report that day.<sup>131</sup> Two days later, another MEMA report notified state and local agencies that the storm was now projected to make landfall near the Alabama/Mississippi border on Monday morning as a Category 4 hurricane.<sup>132</sup> As a result, Governor Barbour declared a state of emergency which, according to Darryl Neely, the Governor's Policy Advisor, prompted locals to begin evacuating coastal residents. State agencies met that afternoon at the state Emergency Operations Center (EOC) in Jackson, Mississippi,<sup>133</sup> and MEMA informed the three coastal counties of the storm's path and projected landfall.<sup>134</sup>

When Robert Latham, the Executive Director of MEMA, which is located in Jackson, headed to the coast on August 27 to meet with county emergency managers to discuss storm preparations, he was worried that many would ignore evacuation orders.<sup>135</sup>

Latham and other state officials, who had reports of low traffic counts on many evacuation routes and of residents having hurricane parties on the beach,<sup>136</sup> encouraged local officials to begin issuing mandatory, coordinated evacuation orders.<sup>137</sup> Though many local governments had already issued strongly recommended,<sup>138</sup> or mandatory evacuations,<sup>139</sup> and were beginning to evacuate areas threatened by Hurricane Katrina throughout Friday evening and Saturday, some cities and counties were “slow to get them to come around,”<sup>140</sup> according to the MEMA's Response and Recovery Director:

We were trying to make them understand that this was a bad storm and they didn't want to move aggressively enough with the evacuation orders ... they should have called for a mandatory evacuation much earlier ... based on the information ... they had ... we felt that they should have called for mandatory evacuations of a larger area earlier and gotten the people out of there.<sup>141</sup>

According to Latham, emergency managers had a tough call to make in terms of evacuating residents:

They did understand how serious [the storm] could be ... after you'd already been through two or three evacuations, ... you go to your mayor or your supervisor and say, we've got to do this evacuation, ... then it falls back on the mayor or the board to ... stand up to public scrutiny when ... nothing happens. ... They have to get reelected ... that's just an unfortunate part of it.<sup>142</sup>

Because Katrina continued to intensify, National Hurricane Center Director Max Mayfield personally began calling state and local officials in the evening of August 27 to emphasize the threat.<sup>143</sup> Mayfield also briefed Governor Barbour,<sup>144</sup> comparing Katrina to Camille, the Category 5 storm that struck Mississippi in 1969. Governor Barbour and Latham felt the comparison to Camille would resonate, and asked Mayfield to convey the gravity of Katrina to the public.<sup>145</sup> According to state and local officials, Mayfield and the Governors' press and public announcements had the desired effect. Traffic counts on evacuation routes began increasing.<sup>146</sup>

## Mandatory Evacuations Declared

Five Mississippi counties – Hancock, Jackson, Harrison, Stone, and Pearl River<sup>147</sup> – issued mandatory-evacuation orders on or before August 28 for specific areas<sup>148</sup> or zones in their counties and/or those living in mobile homes.<sup>149</sup> Residents were told to travel north or northeast to avoid incoming traffic from Louisiana and to use public shelters north of I-10.<sup>150</sup>

### Many Residents Disregarded the Mandatory Evacuation Orders Due to Complacency, Poor Evacuation Experiences, and Insufficient Financial Resources to Support Themselves and Their Families on the Road

State and local officials issued news releases, made appearances on local television and radio stations, used public address systems and, in certain neighborhoods, even went door-to-door to inform coastal residents about evacuation orders. Major Wayne Payne, Harrison County's Deputy Sheriff, said that officers were particularly concerned about residents in the Henderson Point and D'Iberville areas, where the houses are built on stilts or are near water:<sup>151</sup>

Henderson Point here, we went door to door. We said, this is a bad one, you all need to get out. ... These are houses on stilts. I mean, they're 10, 15 feet off the ground and they're gone. They're wiped out.<sup>152</sup>

Because officers did not have the authority to “drag people out of their homes” in places like Gulfport,<sup>153</sup> they were forced to resort to more psychological forms of persuasion. If a resident refused to evacuate in Harrison County, an officer asked him to fill out a form indicating next of kin, which seemed to have the intended effect.<sup>154</sup> In Waveland and Bay St. Louis, first responders asked holdouts to make sure to have Social Security numbers on their body in permanent marker for easy identification after the storm. Police compiled lists of locals who were determined to stay in their homes, recording names, birth dates, Social Security numbers, and next of kin.<sup>155</sup> These tactics proved effective in persuading residents to leave their homes.

Several factors contributed to resistance to evacuation. Evacuations earlier in the summer preceding a tropical storm and Hurricane Dennis, which largely turned out to have been false alarms, fostered skepticism.<sup>156</sup> Others who had made it through 1969's Hurricane Camille, the Category 5 storm that was the region's benchmark for catastrophic storms until Katrina hit, thought they would see no worse. Harrison County's Deputy Sheriff, Major Payne, explained:

I had a cousin that stayed in his house, and he said, Well, Camille only put a foot of water in my house. He stayed ... and had to climb in the attic to survive. Water got within six inches of his attic ... During Hurricane Camille, the tracks [railroad embankments] pretty well stopped the water. [With Katrina] we had storm surge on the Interstate.<sup>157</sup>

More than two-thirds of Katrina's casualties in Mississippi were of retirement age, complicating evacuation. Others feared that looters would strike if they abandoned their homes.<sup>158</sup> As the end of August neared, some residents had insufficient resources to support their families on the road. Latham explained:

People on fixed income had ... paid their rent, they paid the utilities, bought their food for the month. ... I mean, a lot of people live check to check. And this is the 29th. And people ... said, look I don't have money to evacuate.<sup>159</sup>

The average cost of evacuation for three days for a family of four, including lodging, food and transportation, could easily exceed a thousand dollars. Many county residents had already evacuated several times that summer and simply could not afford it. Colonel Joe Spraggins, Director of Harrison County's Emergency Management Agency recalled the explanation of one resident:

I'm single and have two children. ... I already evacuated ... twice when you all called before. And I had a choice. Because I am behind on everything now because I had to pay to go do that, and I have low income, and I had a choice, do I feed my children next month and pay the house rent or do I evacuate?<sup>160</sup>

State and local officials say that negative evacuation experiences in the past also contributed to residents' reluctance to leave. The evacuation before Hurricane Ivan had stalled in and around Hattiesburg, where major evacuation routes converge, tripling the three-hour drive from the Gulf Coast to Jackson.<sup>161</sup> As a result, Governor Barbour had asked Mississippi Public Safety Commissioner George Phillips to develop a plan that would provide additional law-enforcement officers to expedite evacuations, especially in the Hattiesburg area.<sup>162</sup> According to state officials, the plan,<sup>163</sup> completed prior to the 2005 hurricane season, was executed flawlessly when residents evacuated during Katrina.<sup>164</sup>

By late Saturday and early Sunday – the day before landfall – Mississippi Department of Transportation officials reported “consistently high” traffic counts and a “continuous increase in traffic” in contraflow areas (I-55 and I-59).<sup>165</sup> By late Sunday evening, traffic along the evacuation routes had decreased substantially.<sup>166</sup> MDOT and MEMA officials stated that the evacuations went relatively well. According to MDOT's Law Enforcement Coordinator, the biggest problem was residents' waiting until the last minute to evacuate and then expecting traffic to be minimal.<sup>167</sup>

Residents who, for a variety of reasons, ignored evacuation orders faced a greater set of problems than those evacuating. State and local governments performed efficiently and effectively in evacuating those residents who agreed to leave, and persuading those who were undecided. Nevertheless, these agencies could have done better by the many residents of their communities who didn't make it out not because of intransigence, but because they didn't have the means. State and local officials have an obligation to help evacuate those who need assistance and should have specific plans to do so.

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## The Federal Government

### The Federal Government Did Not Reach Out to State or Local Authorities About Transportation Alternatives for Those Lacking Means for Pre-Landfall Evacuation

In public-hearing testimony, Department of Homeland Security (DHS) Secretary Michael Chertoff acknowledged the critical importance of pre-landfall evacuation: “In a situation like a flood in Katrina or an earthquake, the critical, the number-one most important thing is to get people out of the area in advance. Once the event has occurred, it's going to be very difficult to rescue people.”<sup>168</sup>

As noted earlier, while Governor Blanco asked President Bush for and received the government's help in paying the costs of contraflow, among other pre-storm needs, she did not ask for transportation from the federal government to assist the state with the pre-landfall evacuation. Thus, in an effort to obtain transportation assistance, the Governor did not



initiate the longstanding practice of making a formal request of the federal government for assistance.

The federal government played no role in providing transportation for pre-landfall evacuation. Both in the run-up to Katrina and subsequent interviews, federal officials provided the same explanation: they were accustomed to the longstanding practice of generally deferring to the primary emergency response to state and local governments.<sup>169</sup> Although the National Response Plan (NRP) does not specifically address evacuations, a “basic premise of the NRP is that incidents are generally handled at the lowest jurisdictional level possible,” and that in “some instances, a Federal agency in the local area ... may provide direction or assistance consistent with its specific statutory authorities and responsibilities.”<sup>170</sup> (See Chapter 12 and 27 for a fuller discussion of the NRP and the specific statutory authorities.)

Throughout the weekend of August 27 and 28 it had become increasingly clear to federal, state, and local officials that Hurricane Katrina would be a catastrophe. Mayor Nagin took the unprecedented step (albeit with some hesitation) of calling for a mandatory evacuation of New Orleans. Both President Bush and Governor Blanco actively encouraged that step. There was no question that evacuation before landfall was the highest priority.

While the widespread support for mandatory evacuation is laudable, it is unfortunate that the federal government did not take a greater interest in the practicality of that evacuation in a city widely known to have made no arrangements for evacuation of the thousands of its citizens lacking personal transportation. Federal officials had participated actively in the Hurricane Pam exercise (See Chapter 8), which predicted that some 100,000 New Orleansians would lack means of evacuation.<sup>171</sup> Federal officials did not need to wait for a request before offering help.

Although time would not have been on their side in the last two days before landfall, the DHS had a window – however slim – within which to act. But it does not appear that DHS leaders asked about what the state and the city were doing to evacuate the 100,000 people without transportation. Nor did they ask whether it would be useful for the federal government to mobilize and deploy buses or drivers to Southeast Louisiana.<sup>172</sup> Nor did they ask whether it would be helpful to use the weight of the federal government to urge railroads, airlines, transit systems, or cruises to become engaged in the pre-landfall evacuation.

Further, as the Committee found in Chapters 12 and 27, Secretary Chertoff failed to activate the Catastrophic Incident Annex (CIA) to the National Response Plan before landfall. Had Secretary Chertoff activated the CIA, it would have sent a clear message to federal agencies that they should be pushing assets, including transportation assets, forward to mobilization centers close to the disaster or in certain circumstances directly to the incident scene.

During the Hurricane Pam exercise, and follow-up July 2005 workshop, federal officials had heard state and local officials openly discuss their shortage of buses and other resources to evacuate that population.<sup>173</sup> While there is some disagreement as to the firmness of federal commitment, federal officials evidently discussed at least the possibility of providing the buses that the state lacked.<sup>174</sup> Participants in the July 2005 Pam workshop on transportation, staging, and commodities distribution even agreed on a timetable to pre-stage buses ahead of landfall, to be prepared for post-landfall evacuation needs.<sup>175</sup> Even though this planning wasn't complete by the time Katrina struck, federal officials were aware of evacuation challenges for state and local governments.

With no plans to supplement state and local transportation resources, federal options were limited. Getting buses from distant sources to New Orleans, as it did after landfall, may not have been realistic, depending on when the effort was initiated over the weekend. On the

other hand, there were many transportation assets either in the area (such as municipal buses, riverboats and cruise ships) or accessible (such as trains and airplanes) that the federal government could have helped to make available. The post-landfall resourcefulness of many officials who arranged for transportation alternatives suggests what could have been easily attempted before landfall.

There is other evidence that the federal government can mobilize transportation resources for evacuation when it chooses to do so. Pursuant to a request from the State of Louisiana, the U.S. Department of Transportation (DOT) contracted for 1,100 buses and two drivers per bus for post-landfall evacuation during Katrina. Federal officials also staged a major air evacuation.<sup>176</sup> Later, in preparation for Hurricane Rita, DOT reached out to transit agencies from Texas to Georgia to Florida.<sup>177</sup> Four days before Hurricane Rita made landfall, FEMA, through DOT, ordered immediate staging outside of New Orleans of 650 buses “for use in evacuation of New Orleans and Southern parishes.”<sup>178</sup> Also before Hurricane Rita made landfall, the U.S. Department of Defense (DOD) evacuated 1,204 patients and people with special needs before landfall, between 7 a.m. on September 21, when they received the mission assignment and noon on September 23.<sup>179</sup>

The DOT’s Federal Transit Administration (FTA) is in a uniquely strong position to coordinate privately and publicly owned buses. The FTA has close relationships with regional transit authorities through emergency preparedness operations. For instance, New Orleans’ RTA is a 92 percent federally funded agency and has extensive relationships with the regional office of DOT.<sup>180</sup> Also, DOT situation reports show that the FTA was keeping close tabs before landfall on the Baton Rouge transit system buses.<sup>181</sup> Although the state was late asking the Baton Rouge transit system to participate in the post-landfall evacuation of New Orleans, it appears that the DOT did not ask the Baton Rouge transit system to participate at all.

Federal officials were both aware of state and local shortfalls, and had both the capacity and opportunities to help. But in the absence of adequate plans and policies, federal officials were paralyzed to act.

At 10:15 a.m. Sunday, August 28, the day before landfall, FEMA’s Acting Deputy Director Patrick Rhode, sent an e-mail to other FEMA officials, conceding that time had run out to help New Orleans with pre-landfall evacuation.<sup>182</sup> Contraflow ended at 5 p.m. that day.<sup>183</sup> Whether that seven-hour interval offered any opportunity for useful federal action is unclear, but federal officials did not engage state and locals on the issue.

During a noon video-teleconference call the same day, then-FEMA Director Michael Brown asked Colonel Smith if there were “any unmet needs, anything that we’re not getting to you that you need” to which Colonel Smith responded, “Mike, no.” Brown testified that he was seeking information from the state on what it needed at that moment only.<sup>184</sup> As with Rhode’s e-mail, by noon on Sunday, time was limited for the federal government to help New Orleans with its pre-landfall evacuation.

Secretary Chertoff was right when he said that evacuation was the primary mission before landfall.<sup>185</sup> A concentrated effort by the federal, state, and local governments to effect a more complete evacuation of New Orleans before landfall would have likely reduced the number of people to care for at the Superdome, the Convention Center, and other collection sites; eased the burden of the search-and-rescue effort; lessened the challenge of the post-landfall evacuation; and reduced the number of critical supplies, medical support, and law enforcement that were needed in New Orleans after landfall.

### The Federal Government Had the Authority to Assist With Pre-Landfall Evacuation, Even in the Absence of a Request for Assistance from State and Local Governments

Due to disagreement among officials as to whether, when, and to what extent the federal government could assist with a pre-landfall evacuation, it is helpful to examine the law and policy directing the way in which federal officials could have assisted with the pre-landfall evacuation.

Federal law imposes no requirement for the federal government to aid pre-landfall evacuations. Such a requirement would be inconsistent with the principle that local and state authorities have primary responsibility for emergencies, receiving federal assistance only when their own resources are overwhelmed. However, federal law does not prohibit the federal government from extending assistance, even without a request from the state, when preparing for or responding to an imminent catastrophe such as Hurricane Katrina.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act) gives the federal government the authority to assist the state and local governments with an evacuation. Congress made clear in the Stafford Act that its purpose was to “vest responsibility for emergency preparedness jointly in the Federal government and the states and their political subdivisions.”<sup>186</sup> Included within the Stafford Act’s definition of “emergency preparedness” is any measure “undertaken in preparation for anticipated hazards,” such as “the non-military evacuation of the civilian population.”<sup>187</sup>

The Stafford Act also authorizes the President – and, through Executive Orders, the Secretary of Homeland Security<sup>188</sup> – to direct federal agencies to “provide assistance essential to meeting immediate threats to life and property resulting from a major disaster,” including but not limited to the “movement of supplies or persons” and the “reduction of immediate threats to life, property, and public health and safety.”<sup>189</sup> A common-sense reading of this language would indicate that the Stafford Act authorized the President to direct a federal agency to help state and local governments move people out of New Orleans both before and after landfall to meet the “immediate threat” of Katrina.

The Homeland Security Act of 2002 enumerates FEMA’s functions which include assistance with evacuations. Under the Act, FEMA’s mission is “to reduce the loss of life and property and protect the Nation from all hazards by leading and supporting the Nation in a comprehensive, risk-based emergency management program,” including the responsibility for mitigation of risk to people and property, planning, and responding “to save lives ... through evacuating potential victims.”<sup>190</sup>

FEMA’s mission under the Homeland Security Act was to take steps to mitigate the risks to people that could arise from Katrina; plan to help officials prepare for Katrina and similar catastrophic storms; plan for an evacuation in the event of a catastrophic storm; respond to Katrina by “evacuating potential victims”; and coordinate efforts by other officials.<sup>191</sup>

The Catastrophic Incident Annex (CIA) to the NRP delineates federal policy on a more proactive response to catastrophes. These issues are discussed in Chapters 12 and 27.

### Provisions for Household Pets

Hurricane Katrina revealed that consideration of the needs of those with pets should be a factor in emergency planning for evacuations and sheltering.

The City of New Orleans' plans do not refer to pets, but the State of Louisiana's EOP includes an appendix entitled, "Animal Management in Disasters," which directs veterinarians, animal control personnel, and humane society volunteers to, among other things, "coordinate with the Louisiana Shelter Task Force on the sheltering of companion animals."<sup>192</sup> The NRP does not address the implications of evacuation and sheltering for pets, but has scattered references to animals. Most of these references relate to preventing outbreaks of disease through animals.<sup>193</sup>

More than 50 percent of U.S. households have pets.<sup>194</sup> In the aftermath of Katrina, the media brought to light many stories of individuals who refused to evacuate without their animals.<sup>195</sup> One study revealed that childless households with pets were twice as likely to fail to evacuate as households with children. In other words, in childless households, owners "were apparently willing to jeopardize their lives to stay with their pets."<sup>196</sup> In his after-action report on Hurricane Katrina, Captain Mark Willow of the Homeland Security Division of the New Orleans Police Department wrote that "Some of the fatalities in New Orleans and surrounding areas may be attributable to the fact victims would not leave their pets at home or would not consider leaving without them."<sup>197</sup>

Evacuation with pets before the storm was difficult for many since emergency shelters usually prohibit animals. The American Red Cross did not allow animals in its shelters.<sup>198</sup> Animals can cause allergic reactions for some residents of the shelter, increase hygiene problems, and may become dangerous or unruly in the stressful setting of a shelter.<sup>199</sup> Even after the storm passed, the media reported on many individuals unwilling to leave their homes despite dangerous conditions unless rescuers agreed to rescue their pets as well.<sup>200</sup>

The national organization of the American Red Cross works cooperatively with animal welfare organizations to develop procedures for stationing animal shelters close to its own shelters.<sup>201</sup> In this way, owners are able to evacuate with their pets and maintain contact after arrival at the shelter. The American Red Cross implements this policy by encouraging local chapters to work with animal organizations to establish local agreements.<sup>202</sup> However, Gulf Coast victims did not have pet accommodations inside or in close proximity to many of the available shelters.<sup>203</sup> In particular, the New Orleans Superdome, the city's refuge of last resort, had no pet shelter facilities inside or close by, and the Committee has seen no evidence of formal arrangements for Superdome refugees' pets.<sup>204</sup>

During Katrina, the Lamar-Dixon Expo Center in Gonzales, Louisiana, (approximately 30 miles from Baton Rouge) was designated as an animal shelter. Typically used for 4-H events and rodeos, it has almost 1,000 horse stalls and thus was able to serve both large and small animals.<sup>205</sup> During Katrina, the Center handled approximately 8,500 rescued animals.<sup>206</sup>

For Katrina, FEMA activated all four of its Veterinary Medical Assistance Teams ("VMAT") to the Gulf Coast.<sup>207</sup> This involved more than 200 veterinarians and was FEMA's largest simultaneous deployment of veterinary relief.<sup>208</sup> The National Guard and Louisiana State Police assisted in collecting stray dogs.<sup>209</sup> On September 2, 2005, the American Society for the Prevention of Cruelty to Animals (ASPCA) and the Humane Society of the United States (HSUS) began a coordinated campaign with a dozen local organizations and volunteers from across the country to rescue animals from the aftermath of Katrina.

For Katrina, no standardized system for tracking rescued animals was in place. The website Petfinder.com came to play an important role in allowing owners to find rescued pets.<sup>210</sup>

1 The number 100,000 is cited during numerous interviews including: Committee staff interview of Terry Tullier, then Director, New Orleans Office of Emergency Preparedness, LA, conducted on Nov. 22, 2005, transcript p. 18. *See also:* City of New Orleans, Emergency Response Shelter/Plan appropriations request, FY2006, p. 1 (Col. Terry Ebbert is the point of contact, “The city of New Orleans faces the reality that it is impossible to conduct a mandatory evacuation in advance of a Category 3, 4, or 5 hurricane, as well as respond to other disasters including terrorism. Even under the best conditions that currently exist in terms of emergency response in the New Orleans region, evacuation would leave 150,000 people in harm’s way.”).

2 Some attribute the reason for choosing not to leave as cultural. Both Col. Terry Ebbert and former Office of Emergency Preparedness Director Terry Tullier expressed this sentiment in interviews. Col. Ebbert noted: “But these people hadn’t seen a Cat 3 since Betsy, 1965. So you’re talking about people who don’t think it’s going to hit them. Ivan last year bored down on us until it got to the mouth of the Mississippi and it turned. ... And I think it’s a cultural thing that’s been brought along.” *Source:* Committee staff interview of Col. Terry Ebbert, Director, New Orleans Office of Homeland Security, LA, conducted on Oct. 13, 2005, transcript p. 97. Tullier said, “The first thing is a public official has to convince this cultural masses [sic] that have accumulated this cultural philosophical viewpoint over 40 years, has to convince them it is in their best interests [inaudible] to leave.” *Source:* Tullier interview, Nov. 22, 2005, p. 216.

3 Col. Ebbert interview, Jan. 12, 2006, p. 44.

4 Committee staff interview of Joseph Matthews, Director, New Orleans Office of Emergency Preparedness, LA, conducted on Nov. 23, 2005, transcript p. 193.

5 In 2003, the state renamed this office the Louisiana Office of Homeland Security and Emergency Preparedness.

6 Committee staff interview of Sean Fontenot, former Chief, Preparedness Division, Louisiana Office of Homeland Security and Emergency Preparedness (LOHSEP), conducted on Jan. 10, 2006, transcript pp. 108-109 (“After Hurricane Georges in ’98, local government in Southeast Louisiana Hurricane Task Force, which is comprised of the thirteen parishes in the southeast corner of the state ... went to the state and said, ‘we need help with this. We need Contraflow. We need you to do this.’”).

7 During the Hurricane Ivan evacuation, traffic ground to a halt in Baton Rouge as I-10 and I-12 converged. Sheila Grissett, “Evacuation decision expected today for metropolitan area,” *New Orleans Times-Picayune*, July 8, 2005. <http://www.nola.com/news/t-p/frontpage/index.ssf?/base/news-3/1120800310204660.xml>. Accessed on May 15, 2006.

8 Committee staff interview of Sec. Johnny Bradberry, Louisiana Department of Transportation and Development, conducted on Nov. 17, 2005, transcript pp. 38-39.

9 Committee staff interview of Joseph Donchess, Executive Director, Louisiana Nursing Home Association, conducted on Jan. 9, 2006, transcript pp. 64-65.

10 Committee staff interview of Henry Whitehorn, Superintendent, Louisiana State Police, conducted on Nov. 29, 2005, transcript p. 19.

11 Whitehorn interview, Nov. 29, 2005, pp. 20-21.

12 The plan established three corridors out of New Orleans on I-55 North, I-10 West, and I-10 East and excluded I-12 as a route to Baton Rouge, with hopes of directing as many people away from Baton Rouge as possible. *Source:* Committee staff interview of Bob Chapman, Emergency Services Manager, Mississippi Department of Transportation, and William Huff, Director, Enforcement, Mississippi Department of Transportation, conducted on Dec. 14, 2005, transcript pp. 28-30. Starting contraflow requires stopping traffic in the lanes heading into the evacuation area. This process takes about 30 minutes. Once contraflow is initiated, the routes leading out of the area are limited to help alleviate congestion caused by people who might otherwise try to turn or change routes. At a specific point, on I-10 West, I-10 East, and I-55 North, traffic must follow designated routes which end up either west of Baton Rouge or in Mississippi. As depicted on the Louisiana Citizens Awareness & Disaster Evacuation Guide, I-10 West will have eight lanes of traffic leading out of New Orleans, but at mile marker 209, those traveling on the eastbound lanes will be diverted onto the westbound lanes of I-10 and will continue west on I-10 toward Baton Rouge; those on the westbound lanes will be forced to go on to I-55 North to travel to Mississippi. If evacuees take I-10 East, they will also eventually wind up on I-51 traveling to Mississippi passing through Slidell. To alleviate congestion caused by entering or exiting traffic, traffic is “laned,” meaning that once on the route the evacuee is dedicated for some extended period of time. *Source:* Louisiana State Police, Louisiana Department of Transportation and Development, and LOHSEP, *Overview of the Louisiana Emergency Evacuation Plan*, 2005 [hereinafter *Overview of the Louisiana Emergency Evacuation Plan*].

13 Under the plan, if contraflow into Mississippi is needed, the Louisiana governor will contact the Mississippi governor, who will make the decision whether to implement contraflow. *Source:* Chapman and Huff interview, Dec. 14, 2005, pp. 69-71. The improved LEEP has two possible contraflow route operations: Option 1, Louisiana contraflow to state line, which is full-lane reversal only within the borders of Louisiana; and Option 2, Mississippi contraflow to I-59 mile marker and to I-55 mile marker 31. Mississippi requests four hours advance notice for contraflow to the state line, three additional hours advance notice to start I-55 and I-59 contraflow operations if the state line operation is already in place, and seven hours notice to go straight into I-55 and I-59 contraflow operations. These points were chosen to end contraflow because of concerns about manpower and the desire to get traffic flowing normally prior to arrival at a major metropolitan area, particularly Hattiesburg. *Source:* Mississippi Department of Transportation, *Contraflow Plan for Interstate Hurricane Evacuation Traffic Control*, Aug. 2005, pp. 7, 20, 22, 37, 39; Chapman and Huff interview, Dec. 14, 2005, p. 50.

14 Committee staff interview of Lt. Col. Mark Oxley, Chief of Staff, Louisiana State Police and Lt. Col. Joseph Booth, Special Projects Deputy Superintendent, Louisiana State Police, conducted on Dec. 9, 2005, transcript pp. 33-34. Phase

three of LEEP includes areas on the East Bank of the Mississippi River in the New Orleans metropolitan area, which are within the levee protection system but remain vulnerable to a slow moving Category 3 or any Category 4 or 5 storm.

*Source: Overview of the Louisiana Emergency Evacuation Plan.* Following Hurricane Dennis, during which Jefferson Parish evacuated out of plan order, Jefferson Parish President Aaron Broussard sent a letter in July 2005 to Governor Blanco criticizing part of the state's evacuation plan. According to the Jefferson Parish Director of Emergency Management, Dr. Walter Maestri, the plan put a tremendous burden on local law enforcement to get people through parish neighborhoods and onto the Interstates. Further, because of Jefferson Parish's geographic boundaries, citizens of the parish, depending on what part of the parish they reside, fall in Phase 1, Phase 2, and Phase 3 zones. So, "If we follow the State plan perfectly one of our three groups has got to leave at night in the dark." *Source: Committee staff interview of Walter Maestri, Ph.D., Director, Jefferson Parish Office of Emergency Management, LA, conducted on Oct. 25, 2005, transcript pp. 90-92.* It should be noted that Jefferson Parish followed the State Plan for the Katrina evacuation, although it helped matters for Jefferson Parish that the state operated the evacuation on a "compressed time line." While a "compressed time line" was in place for Hurricane Katrina, Jefferson Parish was criticized in Hurricane Dennis for compressing the time line of their evacuation. *Source: Maestri interview, Oct. 27, 2005, pp. 20-21.*

15 The LEEP is based on a phased evacuation process which calls for specific action by specified location at certain designated times before the scheduled landfall of a Category 2 or greater hurricane: (1) Phase 1 – at 50 hours before the onset of tropical storm winds, areas south of the intracoastal waterway may evacuate; (2) Phase 2 – at 40 hours before the onset of tropical storm force winds, areas south of the Mississippi River which are levee protected but remain vulnerable to Category 2 or higher storms may evacuate; (3) Phase 3 – at 30 hours before the onset of tropical storm force winds, areas along the East Bank of the Mississippi River in the New Orleans metropolitan area which are within the levee protection system but remain vulnerable to a slow moving Category 3 or any Category 4 or 5 storm may evacuate. The contraflow plan, reversing highway lanes so that all traffic can flow away from the potential impact area, is implemented during Phase 3. *Overview of the Louisiana Emergency Evacuation Plan.*

16 Whitehorn interview, Nov. 29, 2005, pp. 18-22.

17 Oxley and Booth interview, Dec. 9, 2005, pp. 167, 203.

18 Mayor Nagin, in testimony before the Committee on Feb. 1, 2006 stated, "Our region had one of the most successful mass evacuations in the history of the United States. Over 90% of our residents evacuated. Over one million people left the region within 24 hours." *Source: Testimony of Mayor C. Ray Nagin, City of New Orleans, LA, before the U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on Hurricane Katrina: Managing the Crisis and Evacuating New Orleans Feb. 1, 2006.* In testimony before the Committee on Feb. 2, 2006, Governor Blanco stated that "1.3 million people" were moved to safety "through our contraflow plan." *Source: Written Statement of Gov. Kathleen Blanco, Louisiana, for the U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on Hurricane Katrina: The Role of Governors in Managing the Catastrophe, Feb. 2, 2006, p. 1.*

19 Bradberry interview, Nov. 17, 2005, pp. 38-39.

20 Testimony of Gov. Haley Barbour, Mississippi, before the U.S. House, Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, hearing on *Hurricane Katrina Preparedness and Response by the State of Mississippi*, Dec. 7, 2005.

21 Committee staff interview of Maj. John Miller, Highway Safety Patrol, Public Safety Department, MS, conducted on Dec. 14, 2005, transcript p. 18.

22 Maj. Miller interview, Dec. 12, 2005, p. 19.

23 Maj. Miller interview, Dec. 12, 2005, p. 31.

24 Committee staff interview of Larry Ingargiola, Emergency Manager, St. Bernard Parish, LA, conducted on Oct. 26, 2005, transcript p. 69-70.

25 Ingargiola interview, Oct. 26, 2005, p. 69.

26 Ingargiola interview, Oct. 26, 2005, p. 64.

27 Ingargiola interview, Oct. 26, 2005, p. 79.

28 Ingargiola interview, Oct. 26, 2005, p. 65.

29 Ingargiola interview, Oct. 26, 2005, p. 68.

30 Ingargiola interview, Oct. 26, 2005, p. 66. Mr. Ingargiola noted that it is his belief that it takes between 36 to 48 hours to evacuate that percentage of people from St. Bernard Parish. *Source: Ingargiola interview, Oct. 26, 2005, p. 73.* Additionally, Mr. Ingargiola stated that he was happy with this percentage, noting that, "I would have loved to see more people get out, but I don't think we would have been able to get more people out than what we did." *Source: Ingargiola interview, Oct. 26, 2005, p. 100.* "The ones that were left that we had to evacuate wouldn't have left no matter what. I don't think. We would have had to personally drag them out." *Source: Ingargiola interview, Oct. 26, 2005, p. 153.*

31 U.S. Census Bureau, "QuickFacts: St. Bernard Parish, Louisiana," 2004. <http://quickfacts.census.gov/qfd/states/22/22087.html>. Accessed on Mar. 27, 2006.

32 Ingargiola interview, Oct. 26, 2005, p. 75.

33 Ingargiola interview, Oct. 26, 2005, p. 75.

34 Committee staff interview of Jesse St. Amant, Director, Plaquemines Parish Office of Emergency Preparedness, con-

ducted on Nov. 9, 2005, transcript p. 23-25.

35 Louisiana, Preparation and Response to Hurricane Katrina Integrated Timeline, p. 13. Provided to Committee.

36 Committee staff interview of Dexter Accordo, Emergency Manager, St. Tammany Parish, LA, conducted on Nov. 10, 2005, transcript pp. 3-4.

37 Accordo interview, Nov. 10, 2005, p. 47.

38 Accordo interview, Nov. 10, 2005, p. 50.

39 Accordo interview, Nov. 10, 2005, p. 50.

40 Accordo interview, Nov. 10, 2005, pp. 94-95.

41 Accordo interview, Nov. 10, 2005, p. 95.

42 Accordo interview, Nov. 10, 2005, pp. 96-97.

43 Accordo interview, Nov. 10, 2005, p. 97.

44 Accordo interview, Nov. 10, 2005, pp. 108-109.

45 Maestri interview, Oct. 25, 2005, p. 7.

46 Maestri interview, Oct. 25, 2005, p. 102.

47 Maestri interview, Oct. 25, 2005, pp. 75-76; Committee staff interview of Walter Maestri, Ph.D., Director, Jefferson Parish Office of Emergency Management, LA, conducted on Oct. 27, 2005, transcript p. 37. Maestri stated that this estimation is based on the analysis conducted by the Survey Research Center of the University of New Orleans. Maestri interview, Oct. 27, 2005, p. 37.

48 Maestri interview, Oct. 25, 2005, pp. 98-99. Moreover, Maestri stated, "We define that as everybody who wanted to go had the opportunity to go in Jefferson [parish]. So from my perspective that was a success." Maestri interview, Oct. 25, 2005, p. 99.

49 Maestri interview, Oct. 25, 2005, pp. 102-103.

50 Maestri interview, Oct. 25, 2005, p. 76.

51 Maestri interview, Oct. 25, 2005, p. 76.

52 Maestri interview, Oct. 25, 2005, p. 166.

53 Maestri interview, Oct. 27, 2005, pp. 49-51.

54 Maestri interview, Oct. 25, 2005, p. 20.

55 City of New Orleans, Mayor's Press Room, Katrina Update, Talking Points, Aug. 27, 2005, 1 p.m. Provided to Committee.

56 "Mayor Urges Storm Preparations," New Orleans *Times-Picayune*, Aug. 27, 2005. [http://www.nola.com/newslogs/breakingtp/index.ssf?/mtlogs/nola\\_Times-Picayune/archives/2005\\_08.html](http://www.nola.com/newslogs/breakingtp/index.ssf?/mtlogs/nola_Times-Picayune/archives/2005_08.html). Accessed on Mar. 21, 2006.

57 Gordon Russell, "Nagin orders first-ever mandatory evacuation of New Orleans," New Orleans *Times-Picayune*, Aug. 28, 2005. [www.nola.com/newslogs/breakingtp/index.ssf?/mtlogs/nola\\_Times-Picayune/archives/2005\\_08.html](http://www.nola.com/newslogs/breakingtp/index.ssf?/mtlogs/nola_Times-Picayune/archives/2005_08.html). Accessed on Apr. 15, 2006. When announcing the mandatory evacuation, the Mayor said, "I am this morning, declaring that we will be doing a mandatory evacuation," and "I wish I had better news for you. But we are facing a storm that most of us have feared. I do not want to create panic. But I want the citizens to understand that this is very serious. . . . We sent out a fax to all the churches that we could this morning, basically alerting them to exactly what we're doing, and asking them to buddy up, to find members in their congregations, to check on the senior citizens or a citizen who may not . . . have the means and is totally reliant upon public transportation to get around." The Mayor noted that the Superdome would open to the general public as a refuge of last resort at 12 p.m. There were 12 locations identified by the Regional Transit Authority (RTA) and announced by the Mayor as designated pick-up points for individuals in need of transport to the Superdome. The locations were: (1) E.J. Morris Senior Center, 1616 Caffin Ave.; (2) Frantz, 9th Ward, 3811 N. Galvez St.; (3) Warren Easton, Mid-City, 3019 Canal St.; (4) Augustine, Mid-City, 425 S. Broad St.; (5) S. Williams, Uptown, 5712 S. Claiborne Ave.; (6) Rabouin, CBD, 727 Carrondelet St.; (7) Arthur Monday Center, 1111 Newton St.; (8) O. Perry Walker H.S., West Bank, 2832 General Meyers; (9) Abramson, New Orleans East, 5552 Read Blvd.; (10) N.O. Mission, 1130 Oretha Castle Halley Blvd.; (11) McMain Uptown, 5712 South Claiborne; (12) Sarah T. Reid High School, New Orleans East, 5316 Michoud Blvd. Mayor C. Ray Nagin, "New Orleans Mayor, Louisiana Governor Hold Press Conference," Aug. 28, 2005. <http://transcripts.cnn.com/TRANSCRIPTS/0508/28/bn.04.html>. Accessed on Mar. 27, 2006.

58 Mayor Nagin, Senate Committee hearing, Feb. 1, 2006.

59 Louisiana Statute 29:724D(5) authorizes the Governor to direct and compel the evacuation of all or part of the population from any stricken or threatened area within the state if he deems this action necessary for the preservation of life or other disaster mitigation, response, or recovery. Louisiana Statute 29:727F(5) authorizes parish presidents to direct and compel the evacuation of all or part of the population from any stricken or threatened area within the boundaries of the parish if he deems this action necessary for mitigation, response, or recovery measures.

60 The policy of the city's previous mayoral administration was to shun mandatory evacuation orders because they would be "difficult to enforce" in a city the size of New Orleans. *Source:* Tullier interview, Nov. 22, 2005, p. 16. But Mayor Nagin testified that his main concern with issuing a mandatory evacuation order was whether the city would have

adequate legal authority to do so. *Source:* Mayor Nagin, Senate Committee hearing, Feb. 1, 2006. According to Sally Forman, communications Director for Mayor Nagin, the Mayor made a decision on Saturday morning, Aug. 27, to call for a mandatory evacuation: “The Mayor said it in the Saturday morning meeting, make it happen. Saturday morning. He said if there is any way to make this happen, make it happen. I don’t care what you have to do, make it happen.” *Source:* Committee staff interview of Sally Forman, Communications Director, Office of the Mayor, City of New Orleans, LA, conducted on Jan. 10, 2006, transcript p. 18.

61 Sherry Landry, e-mail to Mayor Nagin and others, Aug. 27, 2005, 11:31 p.m. CT. Provided to Committee. The subject line is: Mandatory Evacuation Order and the text reads, “This is just a draft of a mandatory evac order. Please review. Are there any other exceptions that should be made?” The text of the draft follows this question. Another copy of the e-mail, a response from Col. Terry Ebbert to Sherry Landry and others, dated Aug. 27, 2005, shows the time of the Landry e-mail as 22:30:32 hours (or 10:30 p.m.). The reason for this time stamp discrepancy is not clear.

62 About an hour after the nursing-home exception was added to the draft order, Col. Terry Ebbert sent an e-mail to the city attorney to warn, “Many of the facilities are in single level buildings with marginal electrical back up. I recommend we not give them a opportunity to stay.” Terry Ebbert, e-mail to Sherry Landry, Aug. 28, 2005, 12 a.m. CT. Provided to Committee.

63 Civil District Court for the Parish of Orleans, Promulgation of Emergency Orders, Aug. 28, 2005. Provided to Committee.

64 Testimony of Col. Terry Ebbert, Director, New Orleans Office of Homeland Security, LA, before the U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on *Hurricane Katrina: Challenges in a Catastrophe: Evacuating New Orleans in Advance of Hurricane Katrina*, Jan. 31, 2006 (“The delay was basically designed in and occurred because of the difficulties with doing something that [we had not] done before. And that is one of the challenges that we face this year is we have to, ahead of time, one, decide, what mandatory evacuation means. Two, what measures, legal measures, are we going to utilize to carry it out? Are we going to force people with police out of their particular homes? And then, three, ensure that when we issue that, that we have the capability to move these people.”).

65 Testimony of Gov. Kathleen Blanco, Louisiana, before the U.S. House, Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, hearing on *Hurricane Katrina: Preparedness and Response by the State of Louisiana*, Dec. 14, 2005; Maestri interview, Oct. 25, 2005, p. 109 (“[The Mayor of New Orleans] has a large population that doesn’t have the resources to evacuate on their own. They either don’t have vehicles or their vehicles are not roadworthy. And that’s a real problem, if you take non-roadworthy vehicles onto the interstate and onto the evacuation plan you stop it, you halt it. Nobody is going to be able to get out if these cars all start breaking down. So you have got to have this plan to deal with that.”).

66 Mayor Ray Nagin, letter to the Honorable Mary Landrieu, Oct. 1, 2002 (“As many as 100,000 residents of New Orleans have no means of transportation, rendering it impossible for them to evacuate the City.”); City of New Orleans, FY2006, Funding Request to Congress, Emergency Response Shelter/Plan Homeland Security Appropriations, Attachment: “The Louisiana Superdome: Refuge of Last Resort.” Provided to Committee.

67 Tullier interview, Nov. 22, 2005, p. 18. Tullier served as Interim Director beginning in May 2001 and became Director shortly after Mayor Nagin was elected to office. Tullier interview, Nov. 22, 2005, pp. 5-6.

68 Our Brother’s Keeper (OBK) was a faith-based initiative developed in collaboration with Kay Wilkins, local chapter director of the American Red Cross. Tullier interview, Nov. 22, 2005, pp. 18-20, 78-80.

69 In addition to OBK, Tullier had informal conversations with representatives from the Regional Transportation Authority, the Orleans Parish School Board, and Amtrak about using their transportation assets to move people out of high-risk areas. *Source:* Tullier interview, Nov. 22, 2005, p. 22. No formal agreements emerged, but in preparation for Hurricane Ivan, RTA buses had been staged to deliver citizens to the Superdome from assembly points throughout the city. *Source:* Tullier interview, Nov. 22, 2005, p. 20.

70 Tullier interview, Nov. 22, 2005, p. 81.

71 Committee staff interview of Kay Wilkins, Chief Executive Officer, Southeast Louisiana Chapter, American Red Cross, conducted on Dec. 20, 2005, transcript p. 27.

72 Wilkins interview, Dec. 20, 2005, p. 92 (“You had to first identify a lot of other intricacies. How are we going to meet, where are we going to go, how are we going to be sure who picks them up at the right time, bring them back at the right time? What about food, sitting in traffic? All of that takes a very simple solution and makes it extremely complex and challenging.”).

73 Committee staff interview of Kevin Stephens, M.D., Director, New Orleans Health Department, conducted on Nov. 9, 2005, transcript p. 25.

74 Dr. Stephens interview, Nov. 9, 2005, pp. 21-22. In addition to Amtrak, RTA, and the Orleans School Board, also made contact with the Delta Queen river boat.

75 Dr. Stephens interview, Nov. 9, 2005, pp. 26-28.

76 Recognizing that the city would need to make contact with other parishes regarding the MOUs, in April or May 2005, Dr. Stephens provided the drafts to the Director of the Office of Emergency Preparedness, Joseph Matthews. *Source:* Dr. Stephens interview, Nov. 9, 2005, pp. 23-24. The draft MOUs became part of the discussion on a larger, comprehensive evacuation plan for the city. Matthews said he started conversations with various agencies, including Amtrak, RTA, and the school board, sometime between March and May 2005, adding, “It was basically my office taking the lead.” *Source:*



Matthews interview, Jan. 10, 2005, pp. 14, 30. Matthews did not know whether conversations with these entities had begun before his tenure. *Source:* Matthews interview, Jan. 10, 2005, p. 13.

77 Matthews interview, Jan. 10, 2006, pp. 43-44.

78 Col. Ebbert interview, Jan. 10, 2006, p. 44

79 Col. Ebbert interview, Jan. 10, 2006, p. 44

80 Matthews interview, Jan. 10, 2006, p. 36 (“We brought the state in on the end. . . . The state – we were planning on bringing other entities in as we went along. First we were going to try locally, then reaching out, getting the MOUs, and then moving forward.”). Also, the record is not clear as to the level of contact Dr. Stephens made with the state government to help the city execute these MOUs. Once the Louisiana Office of Homeland Security and Emergency Preparedness (LOHSEP) became aware in late May 2005 that the city was working on a plan to obtain outside transportation, LOHSEP officials sought to meet with the City’s Office of Emergency Preparedness. *Source:* Fontenot interview, Jan. 10, 2006, pp. 133-135 (indicating that Dr. Stephens had discussed these MOUs with Dr. Jimmy Guidry, Medical Director, Louisiana Department of Health and Hospitals, and the State Health Officer for Louisiana). According to the then-Chief of Planning for LOHSEP, Sean Fontenot, the newly appointed New Orleans Office of Emergency Preparedness Director, Matthews, told LOHSEP officials in late May that he was not aware of what Dr. Stephens was doing. *Source:* Fontenot interview, Jan. 10, 2006, pp. 133-135.

81 U.S. Department of Homeland Security, Detailed Project Report by Project Type, Aug. 22, 2005, pp. 3, 13.

82 New Orleans Office of Emergency Preparedness, *Comprehensive Emergency Management Plan*, May 2005 [hereinafter *New Orleans CEMP*]. The Plan defines the role of the primary agency as follows:

An ESF primary agency is responsible for:

1. Coordinating response efforts within the functional area in order to achieve the specified desired outcome;
2. Providing an appropriate level of staffing for effective operation;
3. Activating and subtasking support agencies;
4. Managing mission assignments and coordinating tasks with support agencies;
5. Supporting and keeping other ESF primary agencies and organizational elements informed of ESF operational priorities and activities;
6. Obtaining equipment, supplies, and services as required following established regulations, policies, and procedures;
7. Coordinating response efforts with appropriate regional, state, and federal responders and support agencies, and volunteer support organizations;
8. Supporting planning for short and long term emergency and disaster operations.

*New Orleans CEMP*, Appendix: Emergency Support Functions.

83 *New Orleans CEMP*, Appendix: Emergency Support Functions, p. 3.

84 *New Orleans CEMP*, Annex I: Hurricanes, p. 18.

85 The Plan defines the role of a supporting agency as:

An ESF support agency is responsible for:

1. Supporting the ESF primary agency by conducting operation using its authority, capabilities, and resources;
2. Supporting the ESF primary agency mission assignments;
3. Providing status and resource information to the primary agency;
4. Supporting planning for short and long term emergency and disaster operations.

*New Orleans CEMP*, Appendix: Emergency Support Functions, p. 3.

86 Committee staff interview of James Tillie, Safety Director, Regional Transit Authority, City of New Orleans, LA, conducted on Dec. 19, 2005, transcript p. 18. As a political sub-division of the State of Louisiana, the RTA does not report directly to the Mayor. As a quasi-governmental agency, it is funded by local taxes, fares collected on the buses and federal funding sources. Committee staff interview of William Deville, General Manager and Chief Executive Officer, Regional Transit Authority, City of New Orleans, LA, conducted on Nov. 22, 2005, transcript pp. 5-6.

87 *New Orleans CEMP*, pp. 2-3.

88 *New Orleans CEMP*, pp. 9-10.

89 Matthews interview, Jan. 10, 2006, pp. 9-10.

90 Deville interview, Nov. 22, 2005, pp. 40, 42.

91 Tillie interview, Dec. 19, 2005, p. 11.

92 Deville interview, Nov. 22, 2005, p. 64.

93 James Tillie, e-mail to William Deville, Oct. 23, 2005, 11:29 a.m. Provided to Committee. The e-mail had a cc to Pat Judge and was in regard to RTA Activities for Hurricane Katrina. (“Nothing significant occurred on Saturday, August 27, 2005 as it relates to the RTA. I asked Chief Matthews, Director of the OEP if RTA would be required to evacuate citizens from the CITY OF NEW ORLEANS. Chief Matthews stated that shelters had not been identified. Therefore, RTA was not needed on Saturday, August 27, 2005. On Sunday, August 28, 2005 at about 9:00 a.m. I had another conversation with Chief Matthews relative to evacuating citizens from the CITY OF NEW ORLEANS. I advised him that RTA had approximately 100 operators and buses at Canal Station available to evacuate citizens out of town. Chief Matthews advised me that they still had not identified shelters to receive evacuees.”). The Orleans Parish School Board (the School Board) designee to the EOC reported that he left a voice-mail message for the Director of the Office of Emergency Preparedness on Friday, August 26, to ask if the School Board’s buses and drivers would be needed to evacuate the city, but said he never heard back and assumed the School Board’s buses weren’t needed. *Source:* Committee staff interview of Ed Johnson, Safety and Training Manager, New Orleans Public Schools, LA, conducted on Nov. 29, 2005, transcript pp. 10-11, 20-21. It is unclear how useful the School Board’s offer on Friday would have been since that same School Board employee reported that the school buses were not moved to high ground because there were too few bus drivers working on a pay-day Friday afternoon. *Source:* Johnson interview, Nov. 29, 2005, pp. 33-34.

94 Matthews interview, Jan. 10, 2006, pp. 20-21, 44 (“It was a well known fact that drivers were the impediment.”); Col. Ebbert interview, Jan. 10, 2006, p. 50 (stating that the city’s need for evacuation drivers “was always a constant discussion”).

95 Matthews interview, Jan. 10, 2006, pp. 43-44 (“Q: Did you have buses? A: Well, yes, that’s what we were told by RTA and the New Orleans public school system that there were busses. They had identified a number of buses, but as always, drivers were the problem. I think it was like 350 buses or something like that that were identified.”). Despite this assertion, as noted in above endnote, RTA and OPSB officials assert that they offered buses and drivers.

96 Under Louisiana law, the Orleans Parish School Board (the School Board) is a constituted corporate body, and is funded by local taxes and state and federal funding sources. *Source:* La. R.S. 15:51. The School Board had 324 functional buses and approximately 250 drivers, available at least on a part-time basis. *Source:* Committee staff interview of Marva White, Director, Transportation Department, Orleans Parish School Board, LA, conducted on Nov. 23, 2005, transcript p. 12. Approximately 260 buses were lost to flooding. *Source:* White interview, Nov. 23, 2005, p. 14. These resources presumably could have been utilized if emergency planners had arranged for drivers, fuel, and destinations for evacuees, and resolved liability issues, employment contract concerns, and logistical issues.

97 Matthews interview, Jan. 10, 2006, pp. 22-25 (“We have buses, we have everything but drivers.”). However, other state and federal officials, who participated in that workshop, recalled the city informing them of a need for buses, as well: According to the notes from the July 2005 workshop, Don Day of the U.S. Department of Transportation said, “We’re less than 10% done with this trans[por]tation planning when you consider the buses and the people,” and Col. William Doran of the Louisiana Office of Homeland Security and Emergency Preparedness said, “buses we are tapping will be from the Parish. Might not be able to get a driver. Orleans Parish might be RTA buses. Drivers not provided.” *Source:* IEM, Inc., notes from Unified Command Final Briefing, July 29, 2005, p. 4.

98 Matthews interview, Jan. 10, 2006, pp. 22-25 (Interview question: “At any time prior to Hurricane Katrina did you make a request for assistance from the state or federal government for drivers?” Matthews answer: “No.”).

99 Committee staff interview of Jules Hurst, Transportation Supervisor, Logistics Branch, FEMA, conducted on Jan. 27, 2006, transcript p. 37.

100 Committee staff interview of Dan Prevo, former Region VI Regional Emergency Transportation Representative, U.S. Department of Transportation, conducted on Jan. 17, 2006, transcript pp. 12-14.

101 Deville interview, Nov. 22, 2005, p. 50.

102 Under the state’s plan, LA DOTD was responsible for “identifying,” “mobilizing,” and “coordinating” transportation for the evacuation of at risk populations. Under the LA EOP ESF #1, DOTD is charged with the following:

Under ESF #1, I. Purpose: ESF 1 provides transportation out of a disaster area for people in need, and provides transportation essential to support emergency response in the event of a disaster.

Under ESF #1, II. Scope: The State services provided under this ESF will include the identification, mobilization and coordination of available state owned, private industry and volunteer transportation equipment, manpower and technical expertise to meet the requirements of providing essential emergency response in the event of an emergency or disaster.

Under ESF #1, III.A. Concept of Operations, Mitigation: The Secretary of [DOTD] will designate an ESF 1 Emergency Transportation Coordinator to organize and coordinate transportation services.

Under ESF #1, III.B.1. Concept of Operations, Preparedness: The Coordinator will develop plans and procedures to mobilize transportation to support emergency evacuation for at risk populations and to support other operations of State Agencies.

Under ESF #1, III.B.2. Concept of Operations, Preparedness: The Coordinator will maintain information about transportation resources, with particular emphasis on resources in or near state risk areas.

Under ESF #1, III.C.1. Concept of Operations, Response: The Coordinator will process requests for transportation and arrange for National Guard, state agency, private industry and volunteer resources to be allocated to the highest priority missions.

Under ESF #1, III.C.2. Concept of Operations, Response: The Coordinator will continue to acquire, allocate and monitor transportation resources as the emergency continues.

Under ESF #1, IV.A. Organization and Responsibilities: The [DOTD] has the Primary Responsibility for Emergency Transportation. That responsibility includes coordinating with support agencies to make sure that they develop and maintain plans and procedures.

Under ESF #1, VIII. Plan Maintenance: This ESF 1 Transportation Coordinator is responsible for developing, maintaining and coordinating plans, procedures, arrangements and agreements in support of this ESF. Louisiana Office of Homeland Security and Emergency Preparedness, *Emergency Operations Plan*, Apr. 2005, ESF-1 [hereinafter *Louisiana Emergency Operations Plan*].

It should also be noted that DOTD is listed as a supporting agency under the New Orleans OEP Comprehensive Emergency Management Plan. *New Orleans CEMP*, Emergency Support Functions Appendix, p. 3.

103 Fontenot interview, Jan. 10, 2006, pp. 22-23.

104 Fontenot interview, Jan. 10, 2006, pp. 25-26.

105 Sec. Bradberry interview, Dec. 21, 2005, p. 68.

106 U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on *Challenges in a Catastrophe: Evacuating New Orleans in Advance of Hurricane Katrina*, Jan. 31, 2006.

107 Sec. Bradberry interview, Nov. 17, 2005, pp. 47-48 (“I had a confidence level that the city was addressing that issue.”).

108 Sec. Bradberry interview, Dec. 21, 2005, pp. 84-85.

109 LA DOTD’s Assistant Secretary for Operations, Gordon Nelson, said he first became aware that the State was expecting LA DOTD to be responsible for ESF-1 Transportation, specifically, buses for an evacuation, at a July 2005 meeting of the Southeast Louisiana Task Force in St. Charles Parish. Committee staff interview of Gordon Nelson, Assistant Secretary for Operations, Louisiana Department of Transportation and Development, conducted on Jan. 6, 2006, transcript pp. 52-55. Committee staff interview of Joseph Modicut, Emergency Services Coordinator, Louisiana Department of Transportation and Development, conducted on Jan. 5, 2006, transcript pp. 38-39.

110 Nelson interview, Jan. 6, 2006, pp. 58-59.

111 Sec. Johnny Bradberry, letter to the Honorable Susan Collins and the Honorable Joseph Lieberman, Re: Supplemental Testimony, Feb. 14, 2006. Provided to Committee.

112 Committee staff interview of James Ballow, Senior Operations Officer, LOHSEP, conducted on Jan. 4, 2006, transcript p. 151.

113 *Louisiana Emergency Operations Plan*, p. ESF-5-1.

114 *Louisiana Emergency Operations Plan*, p. ESF-5-1.

115 Ballow interview, Jan. 4, 2006, p. 154.

116 Fontenot interview, Jan. 10, 2006, pp. 22-23 (Discussing Jan. 2005 meeting, attended by Modicut, Nelson, LOHSEP Acting Deputy Director Col. Jeff Smith, and LOHSEP Chief of Planning Sean Fontenot, regarding LOHSEP’s intention to reassign ESF-1 responsibilities to LA DOTD.).

117 Fontenot interview, Jan. 10, 2006, pp. 24-25.

118 As Col. Jeff Smith stated, “Well, they [DOTD] signed off on the plan, so you know, the assumption has to be that they understood that that was the role or I would assume they wouldn’t have signed off on the plan.” Committee staff interview of Col. Jeff Smith, Acting Deputy Director, LOHSEP, conducted on Jan. 13, 2006, transcript pp. 171-172.

119 Committee staff interview of Maj. Gen. Bennett Landreneau, Adjutant General, Louisiana, conducted on Jan. 11, 2006, transcript p. 154 (Responding affirmatively to a question whether LOHSEP’s discharge of its duty to ensure that LA DOTD met its responsibilities under ESF-1 “slipped through the cracks.”).

120 Gov. Kathleen Blanco, letter to President George Bush, Aug. 27, 2005, pp. 2 and Enclosure.

121 In the letter to President Bush, Governor Blanco sought the following distribution of funds to assist the state with the coordination of the evacuation, but she did not specify a request for transportation resources:

Louisiana State Police (LSP): Costs to support evacuations (Providing support for the phased evacuation of the coastal areas) – \$300,000 for a non-direct landfall.

Louisiana Department of Wildlife and Fisheries (WLF): Costs to support evacuations (Supporting the evacuation of the affected population and preparing for search and rescue missions) – \$200,000 for a non-direct landfall.

Louisiana Department of Transportation and Development (DOTD): Costs to support evacuations (Coordinating traffic flow and management of the evacuation routes with local officials and the state of Mississippi) – \$2,000,000 for a non-direct landfall.

Letter from Governor Blanco to President George Bush, Aug. 27, 2005, pp. 2 and Enclosure.

122 Col. Jeff Smith, FEMA Daily Video Teleconference, Aug. 28, 2005, p. 17. Provided to Committee (“I’ll just tell you that the evacuation process is going much better than it did during Hurricane Ivan. Nobody anticipated that it would be easy. Nobody anticipated that there wouldn’t be traffic jams. But by and large, it has gone much better than it did with Ivan.”).

- 123 Col. Jeff Smith, FEMA Daily Video Teleconference, Aug. 28, 2005, p. 16. Provided to Committee.
- 124 Committee staff interview of Darryl Neely, Policy Advisor, Office of the Governor, Mississippi, conducted on Jan. 21, 2006, transcript p. 12-14.
- 125 Contraflow is a program designed for quick emergency evacuation of an area. Some incoming highway lanes to a city are changed to outbound lanes.
- 126 Mississippi Department of Transportation, Mississippi Hurricane Evacuation Guide, 2006. [http://www.mdot.state.ms.us/cetrp/ms\\_coastal\\_hurricane\\_05\\_01\\_06.pdf](http://www.mdot.state.ms.us/cetrp/ms_coastal_hurricane_05_01_06.pdf). Accessed on May 5, 2006.
- 127 Harrison County, Standard Operating Procedures for Hurricane Evacuation, May 2003, p. 1. Harrison County's Standard Operating Procedures for Hurricane Evacuation state that a number of factors must be considered in deciding whether to order an evacuation. Among them are "the characteristics of the hurricane itself. Magnitude, intensity, spread of onset, and duration are all significant elements to be considered. These will determine the number of people to be evacuated and the time and distance of travel necessary to insure safety. Another important facet is the availability of evacuation routes, their capacities, and their vulnerability to hurricanes. Mode of transport is also very significant and provisions must be made for those persons unable to supply their own transportation."
- 128 Committee staff interview of Robert Latham, Executive Director, Mississippi Emergency Management Agency (MEMA), conducted on Jan. 27, 2006, transcript pp. 51-52, 56.
- 129 Committee staff interview of Robert Chapman, State Transportation Emergency Coordinator, Mississippi Department of Transportation, conducted on Dec. 13, 2005, transcript p. 32. Testimony of Robert Latham, Executive Director, MEMA, before the U.S. House, Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, hearing on *Hurricane Katrina: Preparedness and Response by the State of Mississippi*, Dec. 7, 2005.
- 130 Latham interview, Jan. 27, 2006, p. 25. Latham, House Select Committee hearing, Dec. 7, 2005.
- 131 MEMA, Hurricane Situation Report, Aug. 24, 2005, 10 a.m. Provided to Committee; filed as Bates no. MEMA-0010808.
- 132 MEMA, Hurricane Situation Report, Aug. 26, 2005, 4:30 p.m. Provided to Committee; filed as Bates no. MEMA-0010828.
- 133 MEMA, Hurricane Situation Report, Aug. 27, 2005, 12 noon. Provided to Committee; filed as Bates no. MEMA-0010834. State agencies also began preparing for the evacuation of Louisiana residents. On Saturday, Louisiana's Department of Transportation informed Mississippi's Department of Transportation that it would begin implementing contraflow (which reverses the flow of traffic on some inbound highway lanes) later that afternoon. State law enforcement officers were deployed along the routes and in communities to assist evacuation operations. Mississippi had revised its evacuation plan after encountering traffic problems during Hurricane Ivan in 2004. Chapman and Huff interview, Dec. 14, 2005, pp. 12-20; Neely interview, Jan. 21, 2006, pp. 5-7.
- 134 Robert Latham, e-mail to various Mississippi officials, Aug. 26, 2005, 3:46 p.m. Provided to Committee.
- 135 Robert Latham, e-mail to various Mississippi officials, Aug. 26, 2005, 3:46 p.m. Provided to Committee ("The big question now is will our citizens evacuate if they are asked to do so? I plan to go to the coast tomorrow.").
- 136 Latham interview, Jan. 27, 2006, pp. 37-39.
- 137 MEMA's emergency operations plan emphasizes the importance of coordinating evacuations within and among counties. *Source*: MEMA, *Mississippi Comprehensive Emergency Management Plan*, 1999, Section ESF-1-4. MEMA's Executive Director, Robert Latham, told committee staff that after Hurricane Dennis, he was concerned about lack of clarity in evacuation orders. Officials, particularly in Harrison County, had considered evacuating by flood zone, whereas many coastal residents didn't know in which zone they lived. Latham met with coastal emergency management officials to streamline the process. "If you are doing a mandatory in one area and the county next to you or the city next to you is only doing a recommended ... it gets confusing." *Source*: Latham interview, Jan. 27, 2006, pp. 32-33.
- 138 Local governments currently make evacuation decisions without criteria on the conditions that need to be in place for a "recommended" evacuation, "strongly recommended" evacuation and "mandatory" evacuation.
- 139 MEMA, Hurricane Katrina Situation Report, Aug. 28, 2005, 4 p.m.
- 140 Committee staff interview of Tom McAllister, Director, Response and Recovery, MEMA, conducted on Jan. 27, 2006, transcript p. 37.
- 141 McAllister interview, Jan. 27, 2006, pp. 36-40.
- 142 Latham interview, Jan. 27, 2006, p. 43.
- 143 Committee staff interview of Max Mayfield, Ph.D., Director, National Hurricane Center, conducted on Jan. 27, 2006, transcript p. 56.
- 144 Mayfield said that he had only made such a call to warn a governor once before in his career. He stated that "I just wanted to be able to go to sleep that night knowing I had done everything I could do." John Pain, "Federal Forecasters Got Hurricane Right," Associated Press Online, Sept. 16, 2005.
- 145 Latham interview, Jan. 27, 2006, pp. 36-54.
- 146 Latham interview, Jan. 27, 2006, pp. 36-37. Committee staff interview of Maj. Wayne Payne, Deputy Sheriff, Harrison County, MS, conducted on Dec. 6, 2005, transcript p. 25.

- 147 The three Mississippi coastal counties are Hancock, Harrison, and Jackson, commonly referred to as the “Mississippi Gulf Coast.” Pearl River, Stone, and George lie directly to the north.
- 148 Since many residents weren’t sure in what zone they lived, Jackson County decided to call for evacuation by topographical area. Committee staff interview of Butch Loper, Emergency Management Director, Jackson County, MS, conducted on Dec. 6, 2005, transcript pp. 39-40.
- 149 MEMA, Director’s Brief, Aug. 29, 2005, 5:02 p.m. Provided to Committee; filed as Bates no. 0010700.
- 150 See Chapter 24, Medical Assistance, for a discussion of nursing home evacuations.
- 151 Maj. Payne interview, Dec. 6, 2005, pp. 5, 25.
- 152 Maj. Payne interview, Dec. 6, 2005, p. 25.
- 153 Committee staff interview of Paul Bennett, Deputy Chief of Police, City of Gulfport, MS, conducted on Dec. 8, 2005, transcript p. 8.
- 154 Ryan LaFontaine, “Police Issued Life-or-Death Directive,” *Sun Herald*, Feb. 18, 2006; Joshua Norman, “Why Did They Stay,” *Sun Herald*, Feb. 18, 2006.
- 155 Ryan LaFontaine, “Police Issued Life-or-Death Directive,” *Sun Herald*, Feb. 18, 2006; Joshua Norman, “Why Did They Stay,” *Sun Herald*, Feb. 18, 2006.
- 156 Neely interview, Jan. 21, 2006, pp. 13-14.
- 157 Maj. Payne interview, Dec. 6, 2005, p. 23-27.
- 158 Ryan LaFontaine, “Police Issued Life-or-Death Directive,” *Sun Herald*, Feb. 18, 2006; Joshua Norman, “Why Did They Stay,” *Sun Herald*, Feb. 18, 2006.
- 159 Latham interview, Jan. 27, 2006, p. 39.
- 160 Committee staff interview of Col. Joseph Spraggins, Director, Harrison County Emergency Management Agency, MS, conducted on Nov. 17, 2005, transcript, pp. 65-66.
- 161 Chapman interview, Dec. 13, 2005, pp. 39-40.
- 162 Latham, House Select Committee hearing, Dec. 7, 2005.
- 163 In addition, MDOT now publicizes alternative routes, coordinates the traffic signals on Highway 49, and has published a brochure on evacuation guidelines. Chapman interview, Dec. 13, 2005, pp. 38-40.
- 164 Chapman interview, Dec. 14, 2005, p. 34. Chapman interview, Dec. 13, 2005, p. 33. Latham, House Select Committee hearing, Dec. 7, 2005.
- 165 MEMA, Director’s Brief, Aug. 28, 2005, 7 p.m.
- 166 MEMA, Director’s Brief, Aug. 29, 2005, 4:30 p.m..
- 167 Committee staff interview of Willie Huff, Law Enforcement Coordinator, Mississippi Department of Transportation, conducted on Dec. 14, 2005, transcript pp. 34-35.
- 168 Testimony of Sec. Michael Chertoff, U.S. Department of Homeland Security, before U.S. House, Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, hearing on *Hurricane Katrina: The Role of the Department of Homeland Security*, Oct. 19, 2005.
- 169 During an interview with HSGAC staff, the Federal Commanding Officer for Baton Rouge affirmatively responded that the federal government did not begin evacuations until the state made the request. Committee staff interview of William Lokey, Federal Coordinating Officer for Hurricane Katrina in Louisiana, FEMA, conducted on Jan. 20, 2006, transcript p. 124. At the Orleans Parish level, Col. Terry Ebbert noted, “Pre-landfall evacuation was a city, state, region function.” Col. Ebbert interview, Jan. 10, 2006, p. 109.
- 170 U.S. Department of Homeland Security, *National Response Plan*. Washington: Government Printing Office, Dec. 2004, p. 15 [hereinafter *NRP*].
- 171 IEM Inc., 2004 Louisiana Catastrophic Hurricane Planning Exercise, Executive Summary. Provided to Committee.
- 172 Lokey interview, Jan. 20, 2006, p. 62.
- 173 U.S. Department of Transportation, Regional Transportation Representative, Region 6, Don Day, transcript of Unified Command Final Briefing, July 29, 2005, p. 4 (“600 buses needed just to move people from collection points. ... We need to pre-identify the sources for these buses and have them lined up and ready. There are plans to evacuate buses and operators out before the storm. Requires forethought, prior action. We have never looked into what it takes to make a bus staging/dispatch area. ... We’re at less than 10% done with this trans planning.”). It also became known to DOT officials that the city lacked drivers for the buses. *Source*: Prevo interview, Jan. 17, 2006, pp. 12-14. (Stating that based on the Pam discussions, there was “no certainty that the drivers — if the buses would be made available, that the drivers would be available ... a whole lot of research had to be done with regard to how many drivers would be available, or the liability issues that might be faced for the buses and for the drivers.”); Hurst interview, Jan. 27, 2006, p. 37 (Recalling that local officials in the Pam follow up workshops reported “they didn’t know if they could get the drivers to report.”). From discussions at the transportation working group, state and local officials expected that the federal government would help the state and locals with the evacuation. *Source*: Committee staff interview of Dolph Diemont, Region X, Regional Emergency Transportation Representative, U.S. Department of Transportation, conducted on Jan. 6, 2006, transcript pp. 30-31 (“The

people that were involved in that work group must have sensed the same thing that I did, that there was a large reliance on the federal team coming in and fixing everything. ... The state and locals had some plan in place for evacuation with buses, school buses and other buses, and they knew that FEMA would have to augment that in some way.”).

174 Diemont interview, Jan. 6, 2006, pp. 30-31.

175 In September 2005, after Katrina had made landfall, IEM (FEMA’s contractor for the Hurricane Pam exercise) published and distributed a transportation annex to the Southeast Louisiana Catastrophic Hurricane Plan, and this transportation annex reflected the upshot of conversations had during the Hurricane Pam July 2005 transportation working group meetings. *Southeast Louisiana Catastrophic Hurricane Plan*, prepared by IEM, Inc. for LOHSEP and FEMA, Sept. 2005, Appendix 1, p. 1 (Noting that “local/state/federal” officials “pre-landfall” should “identify/validate ... 600 buses [and] 1,200 drivers”).

176 U.S. Department of Transportation, Hurricane Katrina-Situation Report, Sept. 3, 2005, 5 p.m., p. 2. Provided to Committee; U.S. Department of Transportation, Actions for Hurricane Katrina, Annotated Chronology of Significant Events, Oct. 6, 2005, p. 8.

177 Committee staff interview of Vincent Pearce, Manager, National Response Program, Department of Transportation, conducted on Jan. 6, 2006, transcript p. 46 (“We looked at Atlanta. We actually – they actually called and talked to transit fleets, the phrase I remember was “all the way East to Jacksonville,” and I know all the way West to El Paso, to determine what those fleets had, what their plans were, how they might be able to participate in an evacuation if it were to be needed.”).

178 FEMA, MA Task Order Form, Sept. 20, 2005, p. 1. Provided to Committee.

179 Air Mobility Command, Aeromedical Evacuation Inputs NDMS Patient Movement AAR, briefing slides, Dec. 12-13, 2005. <http://www1.va.gov/emshg/page.cfm?pg=111>. Accessed on Mar. 15, 2006.

180 Deville interview, Nov. 22, 2005, pp. 136, 143 (“They’re responsible for oversight on all of our grants and our projects. They meet with us quarterly to review all of our projects and the way we – plus they’re also responsible, doing procurement reviews and financial reviews, triennial reviews. I mean, they’re really reviewing the books. We see ‘em quite often. So I got to know Bob [USDOT] pretty well in that regard.”).

181 U.S. Department of Transportation, Hurricane Katrina-Situation Report, Aug. 29, 2005, 5 p.m., pp. 5-6. Provided to Committee.

182 Patrick Rhode, e-mail to Edward Buikema, Michael Lowder and Ken Burris, Aug. 28, 10:16 a.m. Provided to Committee (“Have we asked all eoc’s via emac or esf (transportation) to make transportation assets available to assist New Orleans today with evacuations? I know we need 72 hours to do this – we don’t have it – not sure what state is applying if someone can get some granularity on this issue.”).

183 Oxley and Booth interview, Dec. 9, 2005, p. 203.

184 Committee staff interview of Michael Brown, former Director, FEMA, conducted on Feb. 23, 2006, transcript pp. 62-67.

185 Sec. Chertoff, House Select Committee hearing, Oct. 19, 2005. Others agreed: FEMA’s logistic branch transportation supervisor Jules Hurst, who recalled having a discussion about pre-landfall evacuation during the Pam planning sessions, testified: “Pre-landfall is definitely desirable to post-landfall, because the population being evacuated obviously doesn’t suffer the effects of the storm, at least hopefully.” *Source*: Hurst interview, Jan. 27, 2006, p. 54. The city’s Director of Homeland Security and Public Safety similarly testified that in a catastrophe, “evacuation is the number one priority.” *Source*: Col. Ebbert interview, Jan. 10, 2006, p. 41.

186 42 U.S.C. § 5195 (“The Congress recognizes that the organizational structure established jointly by the Federal government and the States and their political subdivisions for emergency preparedness purposes can be effectively utilized to provide relief and assistance to people in areas of the United States struck by a hazard. The Federal government shall provide necessary direction, and guidance, and shall provide necessary assistance, as authorized in this title so that a comprehensive emergency preparedness system exists for all hazards.”).

187 42 U.S.C. § 5195a(3)(A).

188 On February 28, 2003, President Bush modified Executive Order 12148, delegating most presidential responsibilities under the Stafford Act to DHS (rather than to FEMA, as had previously been the case). 68 Fed. Reg. 10619 (Feb. 28, 2003), Sec. 52. (“Executive Order 12148 of July 20, 1979 (‘Federal Emergency Management’), as amended, is further amended by: (a) striking ‘the Federal Emergency Management Agency’ whenever it appears and inserting ‘the Department of Homeland Security’ in lieu thereof; and (b) striking ‘the Director of the Federal Emergency Management Agency’ wherever it appears and inserting ‘the Secretary of Homeland Security’ in lieu thereof.”). *See also*: Executive Order 12673, 54 Fed. Reg. 12573 (Mar. 28, 1989), Sec. 1 (amending Executive Order 12148).

189 42 U.S.C. § 5170b(a)(3).

190 6 U.S.C. § 317(a).

191 6 U.S.C. § 317(a).

192 *Louisiana Emergency Operations Plan*, Apr. 2005, Appendix 3, Animal Management in Disasters.

193 *NRP*, pp. 14, 41, ESF-11. Neither the Hurricane Pam exercise nor the resultant Southeast Louisiana Catastrophic Hurricane Plan contemplated the shelter and transportation of pets.

- 194 Sebastian E. Heath, Phillip H. Kass, Alan M. Beck, and Larry T. Glickman, "Human and Pet-related Risk Factors for Household Evacuation Failure During a Natural Disaster," *American Journal of Epidemiology*, 153:7, p. 659.
- 195 See e.g.: Stephen Nohlgren, "Without Fido, some won't flee," *St. Petersburg Times*, Aug. 26, 2005. [http://www.sptimes.com/2005/08/26/news\\_pf/Weather/Without\\_Fido\\_some\\_wo.shtml](http://www.sptimes.com/2005/08/26/news_pf/Weather/Without_Fido_some_wo.shtml); See also: "Katrina survivors face dilemma over pets," Reuters, Sept. 8, 2005. <http://www.msnbc.msn.com/id/9260578/did/9260578/print/1/displaymode/1098/>; Maryann Mott, "Katrina Pet Rescue Efforts Offer Lessons for the Future," National Geographic News, Sept. 21, 2005. ([http://news.nationalgeographic.com/news/2005/09/0921\\_050921\\_disaster\\_pet\\_tips.html](http://news.nationalgeographic.com/news/2005/09/0921_050921_disaster_pet_tips.html). Accessed on Apr. 24, 2006.
- 196 Sebastian E. Heath, Phillip H. Kass, Alan M. Beck, and Larry T. Glickman, "Human and Pet-related Risk Factors for Household Evacuation Failure During a Natural Disaster," *American Journal of Epidemiology*, 153:7, pp. 662-663.
- 197 New Orleans Police Department, Initial (30-day) After Action Report-Summary. Provided to Committee. See also: Matthews interview, Oct. 14, 2005, pp. 37-38 ("A lot of people would not evacuate because a pet is part of their family. If their pet can't go with them, then they chose not to leave.").
- 198 American Humane Association, *Summary Report of the National Emergency Animal Management Summit*, Jan. 8-9, 2006, p. 11.
- 199 Maryann Mott, "Katrina Pet Rescue Efforts Offer Lessons for the Future," National Geographic News, Sept. 21, 2005. [http://news.nationalgeographic.com/news/2005/09/0921\\_050921\\_disaster\\_pet\\_tips\\_2.html](http://news.nationalgeographic.com/news/2005/09/0921_050921_disaster_pet_tips_2.html). Accessed on Apr. 24, 2006. Quoting Red Cross spokesman Nick Shapiro, "The Red Cross shelters must be designed to accommodate everybody. ... We can't add the risk of animal bites, fleas, other insects, and hygiene issues to an already stressful environment like a mass care shelter." See also: American Humane Association, *Summary Report of the National Emergency Animal Management Summit*, Jan. 8-9, 2006, p. 6 (Discussing the risk of disease and contamination for volunteers at animal shelters and the need to periodically assess the likelihood that particular animal will bite.).
- 200 "Katrina Survivors Face Dilemma over Pets," Reuters, Sept. 8, 2005. <http://www.msnbc.msn.com/id/9260578/did/9260578/print/1/displaymode/1098/>. Accessed on Apr. 24, 2006; Maryann Mott, "Katrina Pet Rescue Efforts Offer Lessons For the Future" National Geographic News, Sept. 21, 2005. [http://news.nationalgeographic.com/news/2005/09/0921\\_050921\\_disaster\\_pet\\_tips\\_2.html](http://news.nationalgeographic.com/news/2005/09/0921_050921_disaster_pet_tips_2.html). Accessed on Apr. 24, 2006.
- 201 American Humane Association, *Summary Report of the National Emergency Animal Management Summit*, Jan. 8-9, 2006, p. 11.
- 202 American Humane Association, *Summary Report of the National Emergency Animal Management Summit*, Jan. 8-9, 2006, p. 11.
- 203 "Katrina Survivors Face Dilemma over Pets," Reuters, Sept. 8, 2005. <http://www.msnbc.msn.com/id/9260578/did/9260578/print/1/displaymode/1098/>. Accessed on Apr. 24, 2006.
- 204 Matthews interview, Oct. 14, 2005, pp. 37-38.
- 205 Stu Hudson, "Katrina's Stranded Pets Spur Massive Aid Effort," *National Geographic News*, Sept. 9, 2005. [http://news.nationalgeographic.com/news/2005/09/0909\\_050909\\_katrina\\_petrescue.html](http://news.nationalgeographic.com/news/2005/09/0909_050909_katrina_petrescue.html). Accessed on Apr. 24, 2006.
- 206 William Wan, "A Lesson from Katrina: Pets Matter; Disaster Plans Include First Aid, Evacuation Options for Four-Legged Victims," *The Washington Post*, Jan. 2, 2006, p. B01.
- 207 VMAT is part of the National Disaster Medical System (NDMS) and "will supplement the relief efforts already underway by local veterinarians and emergency responders." American Veterinary Medical Association, "Animal Health." <http://www.avma.org/disaster/vmat/default.asp>. Accessed on May 8, 2006.
- 208 William Wan, "A Lesson from Katrina: Pets Matter; Disaster Plans Include First Aid, Evacuation Options for Four-Legged Victims," *The Washington Post*, Jan. 2, 2006, p. B01.
- 209 Carl Sullivan, "Pets in Peril," *Newsweek*, Sept. 15, 2005. [www.msnbc.msn.com/id/9326408/site/newsweek/print/1/displaymode/1098/](http://www.msnbc.msn.com/id/9326408/site/newsweek/print/1/displaymode/1098/). Accessed on May 8, 2006.
- 210 American Humane Association, *Summary Report of the National Emergency Animal Management Summit*, Jan. 8-9, 2006, p. 5.

