



Flooding, Louisiana

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The Federal Emergency Management Agency (FEMA)

Assessing FEMA's status as Hurricane Katrina struck the Gulf Coast is fundamental to determining whether the federal government was prepared to respond to a catastrophic event.

The Committee's investigation found systemic and leadership failures, displayed in both the preparation for and response to Hurricane Katrina, at both the Department of Homeland Security (DHS) and FEMA. These failures contributed to human suffering and the loss of life. The causes of many of these failures were known long prior to Katrina and had been brought repeatedly to the attention of both DHS and FEMA leadership. Despite warnings, leadership failed to make vital changes.

In August 1992, Hurricane Andrew struck Florida as a Category 5 hurricane.¹ Its \$43.7 billion bill of damages (in 2005 purchasing power) was the worst ever recorded in the U.S. until Hurricane Katrina.² A post-storm study by the National Academy of Public Administration (NAPA) revealed failures in the response to Andrew that would repeat themselves in the response to Katrina, such as the erroneous initial assumption that heavily populated areas were spared the brunt of the storm, which delayed response when those assumptions turned out to be wrong.³ In evaluating the response, NAPA concluded that FEMA was "a patient in triage," adding that the "President and Congress must decide whether to treat it or let it die ... FEMA has been ill-served by congressional and White House neglect, a fragmented statutory charter, irregular funding, and uneven quality of its political executives ... the agency remains an institution not yet built."⁴ The report found that FEMA had inadequate leadership.⁵ It recommended a limit on the number of presidential appointees and filling leadership positions with the most qualified FEMA employees.⁶ The report also found that FEMA needed to do far more to develop state and local emergency-management capacity.⁷ If the key changes it recommended were beyond reach, the report added, more dramatic action – such as "abolishing FEMA" – should be taken.⁸

After President Clinton took office, he appointed James Lee Witt as FEMA Director. Witt had been the Director of Arkansas' Office of Emergency Services. In March 1994, NAPA reviewed FEMA's reforms in response to its post-Andrew recommendations. The new report opened, "The greatest plus for the emergency management function and for FEMA has been the appointment of James Lee Witt, an experienced emergency manager, as director of FEMA."⁹

Following Andrew, FEMA appeared to improve. A study by George Mason University's Mercatus Center found that, since its reorganization in 1993, "FEMA has significantly improved its ability to deal with disasters," highlighting several improvements to recovery and mitigation programs, as well as employee training.¹⁰ The report concluded that FEMA had shown "major improvement in both performance and cost-effectiveness" achieved through "a collection of management actions that transformed a bureaucratic, process-driven organization into a responsive, results-driven organization."¹¹ Another study pointed to agency leadership: "An example of a best practice in agency transformation is the revitalization of ... FEMA under the leadership of Director James Lee Witt. FEMA serves as an instructive case study of how to transform a troubled organization."¹² The report commended the selection of senior officials with emergency-management experience and found that the experi-

ence resulted in improvements.¹³ That being said, the report noted that “the agency is still not free of problems.”¹⁴

In 2001, Joe Allbaugh succeeded Witt as Director and took a different approach to restructuring FEMA. Shortly after he became Director, Allbaugh testified to House and Senate committees:

Many are concerned that federal disaster assistance may have evolved into an oversized entitlement program. ... Expectations of when the federal government should be involved and the degree of involvement may have ballooned beyond what is an appropriate level. We must restore the predominant role of state and local response to most disasters. Federal assistance needs to supplement, not supplant, state and local efforts.¹⁵

Allbaugh acknowledged FEMA’s successful transformation, but offered a new vision when he explained FEMA’s budget in Senate testimony: “Today, FEMA is being called a model of government success due to the hard work and dedication of the career employees, ... however, FEMA is not free from problems.”¹⁶

In March 2001, the United States Commission on National Security/21st Century, a congressionally mandated independent commission set up to study our nation’s security challenges issued a report (the Hart-Rudman report) that recommended sweeping changes in our nation’s approach to securing the homeland. It found that “the United States is today very poorly organized to design and implement any comprehensive strategy to protect the homeland.”¹⁷ Among other things, the Hart-Rudman report recommended that Congress create a new homeland-security agency with responsibility for planning, coordinating, and integrating various U.S. government activities involved in homeland security.¹⁸

The report saw a prominent role for FEMA within the new homeland-security agency, and in fact proposed building the new agency “upon the capabilities of. ... FEMA.”¹⁹ The homeland-security agency “would be legislatively chartered to provide a focal point for all natural and manmade crisis and emergency planning scenarios. It would retain and strengthen FEMA’s 10 existing regional offices as a core element of its organizational structure.”²⁰ The report considered FEMA to be a “necessary core” of the proposed homeland security-agency.²¹

The Hart-Rudman report envisioned a homeland-security agency that would “employ FEMA’s principle of working effectively with state and local governments, as well as with other federal organizations, stressing interagency coordination.”²² It said that “much of [the agency’s] daily work will take place directly supporting state officials in its regional offices around the country.”²³

The largest terrorist attack on U.S. soil prompted Congress to take the Hart-Rudman report to heart: In the wake of the terrorist attacks on September 11, 2001, Congress passed the Homeland Security Act, which created the DHS in an effort to better organize and coordinate our nation to prevent and respond to terrorist attacks, while maintaining the varied responsibilities of the 22 agencies merged into the new Department. This was the largest reorganization of government since the creation of the Department of Defense in 1947. The main objective behind the creation of DHS was to consolidate our assets relevant to homeland security so that our homeland-security efforts could be more coordinated and efficient.

Consistent with the Hart-Rudman recommendations, the Homeland Security Act transferred FEMA, its responsibilities, assets, and liabilities to the Emergency Preparedness and Response Directorate of the new Department. FEMA retained its name and its director was named Under Secretary of Emergency Preparedness and Response. Though formed

in the wake of 9/11, DHS's primary mission included carrying out all functions of entities transferred to the Department, "including by acting as a focal point regarding natural and manmade crisis and emergency planning."²⁴

Among other things, the Act makes the Secretary of Homeland Security, acting through the Under Secretary for Emergency Preparedness and Response, responsible for

helping to ensure the effectiveness of emergency response providers to terrorist attacks, major disasters, and other emergencies, providing the federal government's response to terrorist attacks and major disasters, ... aiding in the recovery from terrorist attacks and major disasters, ... building a comprehensive national incident management system with federal, state, and local government personnel, agencies, and authorities to respond to such attacks and disaster, ... [and] developing comprehensive programs for developing interoperable communications technology, and helping to ensure that emergency response providers acquire such technology.²⁵

FEMA, within DHS, was an important part of Congress's vision to making our nation safe. Consistent with the Hart-Rudman report, DHS was to build upon FEMA's strengths, and FEMA, the center of the Emergency Preparedness and Response Directorate, could better coordinate our nation's vast assets to be prepared to respond to any disaster, whether natural or manmade. One of the fundamental reasons for bringing together multiple agencies was to create synergy, molding individual capabilities into a stronger, more effective and more coordinated approach to preventing and responding to catastrophes, whether caused by terrorism or nature.

Not long after DHS was formed, DHS leadership started taking critical functions from FEMA and moving them to other places within DHS. In January 2004, then-Secretary Tom Ridge removed numerous preparedness-grant programs from FEMA and placed them in another office within DHS.²⁶ Secretary Chertoff later removed from FEMA all of its preparedness activities – essentially formalizing Ridge's January 2004 actions²⁷ – and consolidated preparedness activities into a single directorate led by an Undersecretary for Preparedness.²⁸ Prior to the January 2004 changes, preparedness was one of FEMA's essential roles.

FEMA Was Not Prepared to Respond to the Catastrophic Effects of Hurricane Katrina

Former FEMA Director Michael Brown has said that he knew the weekend before Katrina's landfall that neither the federal government nor New Orleans was prepared for the "big one."²⁹ DHS Secretary Chertoff conceded,

Although FEMA pre-positioned significant numbers of personnel, assets and resources before the hurricane made landfall, ... we now know that [FEMA's] capabilities were overwhelmed by the magnitude of the storm. ... The people did what they could. It was a question of whether they had the tools and capabilities that they needed in order to do the job properly.³⁰

Brown testified that he repeatedly told White House officials that FEMA was not prepared to handle a catastrophe. He gave the same warnings to DHS officials.³¹

The investigation explored several reasons for FEMA's lack of preparedness, including unqualified political leadership, budget shortages, inadequate workforce, FEMA's inclusion within DHS, and underdeveloped and inadequate response capabilities.

FEMA's Senior Leadership

Brown and most of his front-office staff had little or no emergency-management experience prior to joining FEMA.³² While it is unclear that emergency-management experience alone is the single qualifier for senior leadership at FEMA, the leadership at the time of Katrina also lacked basic management experience and the leadership ability required to coordinate the entire federal government's response to a catastrophic event. Brown advocated to DHS and the White House to address FEMA's needs, but he was generally unsuccessful. He presided over the agency as morale plummeted. He refused to operate within the chain of command in which FEMA resided. He failed to work collaboratively with state officials in Louisiana during Hurricane Katrina, the most significant disaster during his tenure.

Brown became DHS Under Secretary for Emergency Preparedness and Response, and therefore FEMA Director, in early 2003.³³ Brown first joined FEMA as General Counsel³⁴ in February 2001, and from there progressed quickly to front-office duties. By the fall of 2001, then-Director Joseph Allbaugh named him Acting Deputy Director for FEMA.³⁵ Prior to joining FEMA, Brown had little to no prior relevant emergency-management experience.³⁶ Early in his career, he had some experience with municipal government, including municipal management,³⁷ and had been a Commissioner for the International Arabian Horse Association for about 10 years.

Patrick Rhode joined FEMA in 2003 as Chief of Staff for Brown.³⁸ Prior to coming to FEMA, Rhode had no experience in emergency management. After communications work in business and government, Rhode did advance work for George Bush's 2000 presidential campaign.³⁹ After the election, Rhode did advance work for the White House and then briefly worked as a White House liaison for the Department of Commerce.⁴⁰ Rhode then accepted a position as the Associate Administrator of the Small Business Administration, and remained there until his move to FEMA.⁴¹ Brown named Rhode Acting Deputy Director of FEMA in the summer of 2005,⁴² and Rhode was therefore in charge at headquarters as Brown traveled to the Gulf Coast just before Katrina struck.

Rhode and Brown were not the only FEMA officials lacking emergency-management experience. With the exception of a FEMA employee who joined Brown's front office staff as Acting Director of Operations about a year after Brown became Under Secretary, none of the other individuals in the front office during the entire time he served as Under Secretary had any prior emergency-management experience.⁴³ Indeed, several FEMA leaders came from campaign rather than emergency-management backgrounds.⁴⁴ Additionally, a review of the biographies by by Committee staff of FEMA regional directors since 2001 show that many of them had little or no emergency-management experience as well.

Eric Tolbert, Director of Response at FEMA until February 2005, said:

The impact of having politicals [appointees] in the high ranks of FEMA ... that's what killed us, was that in the senior ranks of FEMA there was nobody that even knew FEMA's history, much less understood the profession and the dynamics and the roles and responsibilities of the states and local governments.⁴⁵

FEMA's senior managers did include some experienced emergency-management personnel. For example, Ed Buikema, Acting Director of the Response Division at the time Katrina struck, had 26 years of experience with the state police in Michigan, 15 of them in their emergency-management division.⁴⁶ Michael Lowder, Deputy Director for Response, spent over 31 years as a first responder or emergency manager.⁴⁷ Ken Burris, the Acting Director of Operations, was a firefighter for 23 years before joining FEMA in 1999.⁴⁸ Gary Moore, FEMA's Director of Logistics, was a police officer for 26 years, finishing as second-rank-



ing member of the Maryland State Police before assuming federal emergency-management positions in the Department of Health and Human Services and DHS in 1992.⁴⁹

Porter Avenue, Biloxi, MS
Sun Herald news photo, Biloxi/Gulfport, MS

In January 2005, MITRE, a non-profit consulting firm, completed an assessment to identify problems preventing FEMA from dealing quickly with disasters. The assessment was based on confidential interviews of FEMA’s 11 senior executives.⁵⁰ Key themes that emerged from the interviews included the number of, and lack of qualifications of, political appointees, the number of temporary and acting staff, and frequent lack of operational experience as reasons why FEMA was underperforming.⁵¹ A few of the unattributed statements made during interviews included:

- “The void is in leadership. There’s none. ... It’s reactions to politics and hot potatoes.”⁵²
- “None of the senior leadership understand the dynamics of how response and recovery actually works. ... This administration doesn’t understand the value and importance of emergency management.”⁵³
- “Patrick [Rhode] is purely political; he thinks White House.”⁵⁴

In evaluating the failures in Hurricane Andrew, NAPA had concluded that “FEMA has had insufficient leadership ... necessary to create a high-performance, high-reliability institution.”⁵⁵ History seemed to be repeating itself.

Budget Issues

Several witnesses testified that FEMA’s capabilities were harmed by limited funding and resources. For instance, some expressed concern that FEMA’s ability to respond to Hurricane Katrina was harmed by fees levied by DHS to cover costs associated with “membership”

within the Department. These witnesses complained that DHS “taxed” FEMA – essentially redirecting funds Congress appropriated to FEMA to DHS. Director Brown testified that \$77.9 million had been lost in this way between fiscal year 2003 and fiscal year 2005, a 14.8 percent decrease in FEMA’s discretionary spending account since joining DHS.⁵⁶

In interviews with Committee staff, DHS Deputy Secretary Michael Jackson and Chief Financial Officer Andrew Maner disputed the idea that a DHS tax harmed FEMA, though Maner conceded DHS had taken a total of \$25 million from FEMA’s base.⁵⁷ Jackson explained that the “taxes” are actually consolidated costs designed to procure services for all component agencies at a lower unit cost (e.g., maintenance contracts for copiers or overnight package delivery contracts).⁵⁸ However, Ken Burris, FEMA’s Acting Chief Operating Officer, said that in order to pay DHS’s contributions or “taxes,” FEMA could no longer afford to refill personnel positions when they became vacant.⁵⁹

Regardless of the reason for it, numerous FEMA witnesses testified that because of a lack of resources, FEMA simply could not completely perform its mission. Brown and other FEMA employees testified that FEMA sought additional funding on several occasions, but that generally, DHS or the Office of Management and Budget (OMB) denied his requests.

One area for which FEMA sought additional funding was catastrophic planning. In fiscal year 2004 FEMA sought \$100 million for catastrophic planning, and in fiscal year 2005, sought \$20 million to develop a catastrophic housing plan and \$80 million to improve FEMA’s national response teams. DHS, however, denied these requests.⁶⁰ Then-FEMA Director of Response Eric Tolbert believed that planning for New Orleans was important enough to set aside funding from other parts of the response budget, though the planning was delayed in part by funding shortages.⁶¹ FEMA has not done enough planning to be prepared for a catastrophic disaster.

FEMA’s budget shortages manifested themselves in several ways, thus hindering FEMA’s ability to be adequately prepared for and respond to a catastrophe. Some of those ways will be further discussed below.

Personnel Shortages

FEMA is a small agency with approximately 2,500 permanent full-time employees. Over the last few years, FEMA has suffered numerous personnel problems, hindering its ability to prepare for and respond to a catastrophic event. While it had previously enjoyed a dedicated, Senior Executive Service level of experienced emergency managers, a “brain drain” sapped this core expertise.⁶²

Over the last few years, FEMA has operated with a 15 to 20 percent vacancy rate; many positions cannot be filled because of budget shortages.⁶³ FEMA tried to get additional funding from DHS, but the requests were generally denied. The personnel shortages negatively impacted FEMA’s ability to achieve its mission.⁶⁴ For example, due to staffing shortages, William Lokey, the Chief of Operations in the Response Division, said that FEMA had not completed a final Concept of Operations for its National Emergency Response Teams (ERT-N); the Incident Management Handbook, which would explain procedures for managing disasters to those working in disasters; or a final Concept of Operations for the 2005 hurricane season.⁶⁵

Because of personnel needs, FEMA relies heavily on two types of temporary employees hired under the Stafford Act: Disaster Temporary Employees (DTEs), whose one-year appointments may be extended an unlimited number of times; and a Cadre of On-Call Response and Recovery Employees (CORE employees), whose four-year appointments may be

extended an unlimited number of times, in two-year increments. DTEs are not eligible for certain employer-paid benefits.⁶⁶

Initially, FEMA intended that these temporary appointments would provide it with the flexibility needed for readiness during disaster operations.⁶⁷ However, a July 2004 report by the U.S. Office of Personnel Management (OPM) found that under FEMA's staffing practices at the time of the report – which still reflected the agency's needs in 1996 – some DTE and CORE employees appeared to have worked for FEMA continuously for 10 years or longer with few, if any, breaks in service.⁶⁸ The report found that FEMA's extensive use of these two categories of temporary employees indicates that such employees are not being used for temporary purposes, but rather to fill critical needs and provide a stable, baseline workforce.⁶⁹ The report criticized FEMA for this practice because, although DTE and CORE employees are working side by side with permanent employees, doing the same work, the appointments are starkly different, including the provision of benefits.⁷⁰ OPM found that these practices had indirectly created a tier-based workforce and had hurt morale.⁷¹ OPM made several recommendations to remedy these problems.⁷² To date, FEMA has not implemented OPM's recommendations.⁷³

Staffing shortages impeded FEMA's ability to prepare for a catastrophe. Additionally, as will be described in several other chapters, FEMA's inadequate numbers of trained staff also had a negative impact on the response to Katrina.

FEMA's Response Capabilities

FEMA has responsibilities in both disaster response and recovery. Response includes actions taken during or after an emergency. Recovery involves short-term activities to return life-support systems after an emergency – such as rebuilding and assisting victims in dealing with damage caused by a disaster.

Several FEMA Federal Coordinating Officers (FCOs) said that FEMA is capable of handling small and medium-size disasters, but is not organized for large response operations. As FCO Scott Wells said, "FEMA is not trained, FEMA is not equipped, FEMA is not organized to do very large response operations. ... If you want big capability, you got to make a big investment. And there is no investment in response operations for a catastrophic disaster."⁷⁴ FCO Phil Parr said that FEMA focuses on recovery rather than response.⁷⁵

FEMA officials identified problems with FEMA's performance during the 2004 hurricane season and went to DHS seeking funding to correct the problems. Because of these recognized problems, in January 2005 FEMA began initiatives in seven areas: (1) logistics; (2) enhancement of the disaster-workforce surge system; (3) enhancement of National Disaster Medical System; (4) enhanced catastrophic-disaster planning and exercises; (5) National Emergency Operations Center and Regional Operations Center upgrades; (6) enhanced individual-assistance and public-assistance programs to expedite services delivery; and (7) disaster-communication upgrades.⁷⁶ The approval process required FEMA to submit "business cases" to OMB to obtain funding to undertake the initiative. According to emails, revised business cases for four of the initiatives were due on August 26, 2005, but were extended a few days because of Hurricane Katrina's landfall.⁷⁷

Inadequate Surge Workforce

FEMA must have the ability to quickly expand its staff in order to perform the many tasks required for an effective disaster response. To fill these vital jobs, the agency relies on a cadre of reservists called Disaster Assistance Employees (DAEs). The reliance on this temporary workforce also severely undermines response capabilities, as these frequently inexperienced and untrained individuals usually make up the bulk of FEMA's workforce in a disaster.

Since 1992, 12 studies have found problems with the DAE system.⁷⁸ An assessment in early 2004 found many problems, including a “lack of experienced and well-trained Reservists to answer the immediate call” during disasters.⁷⁹ It concluded that a need exists to redesign the disaster workforce and hire and recruit more people as the “increasing threat of terrorism and other man-made crises along with potential requirements of multiple deployments to major disasters necessitates a renewed focus on readiness capabilities.”⁸⁰ DAEs undergo the majority of their training in the field during disaster response.⁸¹ Because of funding shortages, none of the recommendations in the 2004 study has been implemented.⁸² A May 15, 2005, FEMA report also confirmed the problems with the DAE workforce.⁸³

Additionally, according to Wells, FEMA designates only 8 percent of the reservist cadre for response; the rest is devoted to recovery.⁸⁴ Wells added that most of the reservists were simply not cut out for response operations.⁸⁵ Because many are retirees, Wells said, most “don’t belong in response operations where they have to work 18 to 24 hours a day and sleep ... on concrete.”⁸⁶ FEMA’s reliance on this cadre once again during Katrina undermined its response.

When the storm struck, there were about 4,000 DAEs in FEMA’s cadre.⁸⁷ As usual, only 40 to 50 percent were available.⁸⁸ Prior to Katrina, FEMA had put a hiring freeze on reservists and because of budget limits had capped the number of DAEs that could be on the rolls.⁸⁹ Days after Katrina, the hiring freeze was lifted, and FEMA has since added over 4,000 DAEs.⁹⁰ This isn’t the first time FEMA has been caught in a big disaster without an adequate workforce. Because of the number of individuals needed to respond to 2004 hurricane season, when four hurricanes hit Florida, FEMA had to greatly ramp up its workforce and hired a lot of new people.⁹¹ At the end of the season, FEMA released them.⁹²

The DAEs let go after the 2004 hurricane season could have been valuable in the Katrina response. Wells testified there were not enough people in the reservist cadre to assist FEMA in responding to Hurricane Katrina, and those that were present did not have the specific training necessary for the type of response required on the Gulf Coast.⁹³ Michael Hall, Acting Director of Human Resources, agreed with Wells’ assessment. Hall calls the DAE system “broken.”⁹⁴

Having enough qualified people to work in a disaster is a necessity for an effective response. FEMA’s current surge-workforce system is plagued with problems that impeded the response.

Emergency Response Teams

FEMA uses emergency-response teams to respond to events. National Emergency Response Teams (ERT-Ns) are designed for high-impact events. The readiness and strength of these teams have declined dramatically since 9/11; at the time of Katrina they were inadequately trained, exercised, and equipped. Before 9/11, ERT-Ns had training and leadership meetings at least once a year;⁹⁵ after the attacks, they had three or four major training exercises.⁹⁶ But starting in 2004, there was no more money forthcoming for the teams and, according to a FEMA official in charge of one of the ERT-Ns, the teams could not meet for exercises.⁹⁷ Moreover, although the NRP calls for having three ERT-Ns and a fourth National Capitol Region Team to be able to respond to incidents, DHS currently has only two ERT-Ns.⁹⁸ The National Capitol Region Team does not exist.

Post-9/11, the ERT-N teams had about 125 to 175 members; now each has about 25.⁹⁹ The team deployed to New Orleans was newly formed, had not trained or exercised together as a team, and lacked equipment.¹⁰⁰ Because of these inadequacies, William Carwile, a FEMA FCO and former ERT-N leader, referred to the teams as “theoretical.”¹⁰¹ FEMA’s draft concept of operations states that all ERT-N team members will be fully trained by June 1, 2006. Lokey described this goal as nothing more than “wishful thinking.”¹⁰²

A June 30, 2004, memo from FEMA's cadre of FCOs to Brown listed a series of the agency's problems, including inadequate funding for the ERT-Ns. The memo stated that FEMA's ERT-Ns were "unprepared" because they had "zero funding for training, exercises, or team equipment."¹⁰³ It also stated that there was a lack of training and policy guidance and standards for the operations section of the emergency response team.¹⁰⁴ It said that resources were needed "in order to rebuild the teams to levels appropriate for them to manage the next big one."¹⁰⁵ Brown did not respond, and no changes were made.¹⁰⁶ Brown said he could not obtain funding for the needed changes.¹⁰⁷ It was in this sub-par state that an ERT-N responded to Katrina.

According to the NRP, FEMA is also supposed to be able to deploy rapid-response Federal Incident Response Support Teams (FIRST) to establish an immediate federal presence at the scene of an Incident of National Significance.¹⁰⁸ But no FIRST teams existed at land-fall.¹⁰⁹ Indeed, FEMA did not advertise to hire team members until the summer of 2005.¹¹⁰ Witnesses testified that FIRST teams could have provided helpful assistance had they been deployable for Katrina.¹¹¹

FEMA's other emergency-response teams are also unprepared. According to Wells, emergency-response teams generally have not planned and worked together.¹¹²

National Disaster Medical System

The National Disaster Medical System (NDMS) contains a number of specialized emergency medical and response teams, called Disaster Medical Assistance Teams (DMATs), who are the federal government's first responders in a medical emergency. Prior to Katrina, NDMS had significant problems. For example, when Katrina made landfall, the DMATs were not fully prepared. Of the 52 teams, FEMA considered only 27 fully operational at the time of Katrina and lacked criteria to determine levels of readiness for veterinary and mortuary teams.¹¹³

FEMA had no centrally managed and integrated NDMS training/exercise program for the teams.¹¹⁴ NDMS lacked adequate management support at both the headquarters and field levels.¹¹⁵ Funding issues limited FEMA's ability to bring the teams to full strength and to expand the number of teams despite geographic disparities in their availability; in fact, NDMS had no long-range strategic plan to develop new teams.¹¹⁶ None of the teams had a fully supplied equipment cache when they deployed to Katrina.¹¹⁷ One longstanding team member said that he believed that morale among NDMS teams had never been lower than it was at the time they mobilized for Katrina.¹¹⁸ Recognizing many of these problems with NDMS, FEMA sought to make improvements in January 2005 by naming NDMS as one of its Disaster Support Initiatives.

Urban Search and Rescue Team

Urban Search and Rescue (USAR) teams are another type of team FEMA has available for response. USAR teams provide life-saving assistance. Before Katrina, FEMA's USAR teams lacked the plans, funds, personnel, and equipment to respond to a catastrophe. According to Eric Tolbert, former FEMA Director of Response, USAR funding was "grossly inadequate and the teams are held together on a shoestring budget."¹¹⁹ Until 9/11, the USAR program operated disaster-to-disaster, using hand-me-down equipment and often purchasing equipment and supplies at the time of the disaster.¹²⁰ Until Congress appropriated funds in 2004, USAR had no vehicles and had to rent trucks in order to mobilize for emergencies.¹²¹ The USAR teams also have no water-rescue capabilities, even though urban areas can flood. This translated to a serious lack of USAR capabilities in Hurricane Katrina.



Ruins of the 9th Ward,
New Orleans
GAO photo

Lack of Operational Doctrine

FEMA has not developed operational doctrine for responding to disasters in over four years. According to Carwile:

There is no clear understanding of the responsibilities of each level (Washington, the Regions, deployed Emergency Response Teams) and how they are to interact. This lack of operational doctrine results in unacceptable levels of overlap, double, and triple ordering of resources, and interminably long video teleconferences and conference calls. While some of these are necessary, they can disrupt field operations.¹²²

The MITRE study discussed above also found that standard operating procedures were non-existent, outdated, or inconsistent, and recommended that FEMA develop a clear concept of operations and train employees on the procedures.¹²³ Despite the fact that one interviewee said, “Our biggest impediment is lack of command and control, not fully defining our standard operating procedures so everyone understands and adheres to them,” FEMA had not completed a concept of operations by the time Hurricane Katrina struck the Gulf Coast.¹²⁴ MITRE also recommended that FEMA establish a full-time planning function.¹²⁵

Poor Contracting and Procurement Practices

Long before Katrina even began to develop into a storm, FEMA’s procurement capability was stressed beyond its limits. Though FEMA’s procurement office was “authorized” to have 55 full-time employees, it had not been provided funding for that number for several years.¹²⁶ When Katrina hit, the staff was only 36.¹²⁷ For the six years before Katrina, FEMA’s Chief

Procurement Officer, Patricia English, had split her time between two FEMA assignments, working as either Acting Chief Financial Officer or Deputy Chief Financial Officer, in addition to her procurement duties.¹²⁸ This level of staffing was inadequate – and known to be so. In early 2005, DHS conducted a study of the agency’s procurement capabilities, and concluded that the condition of FEMA’s procurement office was “red” – understaffed – and that a staff of somewhere between 95 and 125 was necessary for the workload in a normal year.¹²⁹

The results of this understaffing were predictable. English testified that “There’s not enough staffing to do the day-to-day activities required by the agency just through our normal appropriation. When disasters hit, it just expands the problem.”¹³⁰ Major contracts – such as for delivering assistance directly to disaster victims – were slow to be finalized and were not complete as Katrina approached the Gulf Coast.¹³¹ In the face of Katrina, FEMA cut short the planned procurement process and issued non-competitive contracts to the four primary companies it had been interviewing.¹³² Tolbert testified, “That’s the reason all these contracts are done as emergency contracts that are never complete because there’s no capability in FEMA to do procurement. It is overwhelmed day to day, much less going into a disaster, and that’s just the facts. . . . We could never get procurement done.”¹³³ His assessment of FEMA’s procurement capacity was stark: “The procurement capability in FEMA also is dead.”¹³⁴

English is emphatic that staffing has to be improved: “I cannot go through another hurricane season with the limited staff that I have.”¹³⁵ FEMA’s procurement office is now beginning to look for more staff, but is finding it difficult to find qualified individuals.¹³⁶

FEMA in the Department of Homeland Security

Removing Functions from FEMA

After Congress merged FEMA into DHS, DHS leadership took actions that fundamentally changed FEMA’s functions.

Kathleen Tierney, Director of the Natural Hazards Center at the University of Colorado, testified that post 9/11, DHS made some crucial, if understandable, mistakes in its efforts to meet the new threat of terrorism. These include rejecting the principle of “integrated emergency management,” while simultaneously failing to implement an approach commonly referred to as “all-hazards” preparedness.¹³⁷

The cycle of emergency management – called “integrated emergency management” – involves four basic phases:

1. Mitigation: activities taken to eliminate or reduce risks to life and property from natural and man-made hazards;
2. Preparation or preparedness: activities taken in advance of an emergency that develop capabilities for an effective response in the event of an emergency;
3. Response: actions taken during or after an emergency; and
4. Recovery: a short-term activity to return vital life-support systems after an emergency.

This cycle of integrated emergency management holds that preparedness, response, recovery, and mitigation require synergy and must be managed within the same basic structure.

Traditionally, FEMA has had the responsibility for performing each of these functions – responsibilities that were recognized in the Homeland Security Act.¹³⁸ However, in January

2004, then-Secretary Ridge removed numerous preparedness-grant programs from FEMA and placed them in another office within DHS, over Brown's objections.¹³⁹ In July 2005, Secretary Chertoff announced that he was stripping from FEMA all preparedness activities – essentially formalizing former Secretary Ridge's January 2004 action, which removed grant programs from FEMA as well as removing any of the other remaining preparedness responsibilities from FEMA.¹⁴⁰ These changes, part of Secretary Chertoff's "Second Stage Review," took effect in October 2005.

By removing preparedness functions from FEMA, DHS leadership departed from the concept of integrated emergency management described above. In support of its action, DHS argued that the establishment of a Preparedness Directorate was meant to "synthesize the functions of state and local liaisons, relationships, grants, training and the like. We expect to gain greater synergies through this integration."¹⁴¹

Several witnesses before the Committee opined that splitting preparedness from response was a serious mistake. Bruce Baughman, President of the National Emergency Management Association and Director of the Alabama State Emergency Management Agency, testified that the ability to make grants provided the mechanism for FEMA to be involved in the development of plans and the exercising of those plans. Otherwise, he added, "The only time we see the FEMA staff is when we have a disaster. They are not involved."¹⁴² Tolbert agreed that preparedness should not be split from response.¹⁴³

DHS gave the responsibility for FEMA's preparedness-grant programs to the Office of Domestic Preparedness (ODP) within the Office of State and Local Government Coordination and Preparedness, a law-enforcement, terrorism prevention-focused organization formerly part of DOJ.¹⁴⁴ Ed Buikema, the Acting Director of Response, said FEMA had little visibility into the state preparedness activities coordinated by ODP, and that there should have been much better communication and coordination between ODP and FEMA.¹⁴⁵ The Office of State and Local Government Coordination also assumed the primary liaison role with the states, diminishing the preparedness role of FEMA regions even further.¹⁴⁶ Professors Herman Leonard and Arnold Howitt of Harvard's John F. Kennedy School of Government, believe that this separation

may hamper necessary alignment between the way in which preparedness has been designed and the way in which response needs to operate. At a minimum, it makes maintaining alignment difficult; at worst, it will result in serious mismatch between what has been prepared and the actions the responders want to take.¹⁴⁷

Leonard testified that the most critical alignment for high performance is that between "the way you prepared to respond and your ability to execute that," and said it is "very hard to understand" why you would separate them.¹⁴⁸

A consequence of this separation was that FEMA's role in preparing for disasters was eliminated. The separation also meant that FEMA ceased providing financial assistance to states for preparedness activities. Thus, FEMA was no longer able to influence activities tied to funding the states, including training, planning and exercising, or providing evaluation of such activities. This limitation of FEMA's role has hindered FEMA's relationship with the states. DHS's decision to separate preparedness from response was a mistake that hampered the alignment between the way preparedness is designed and the way response should operate.

FEMA's Placement in DHS

The Committee found no evidence that the placement of FEMA into DHS itself was a problem. Indeed, the Committee found that the placement of FEMA's functions within DHS can enhance our nation's emergency-management system.

As explained more thoroughly above, DHS was created to bring together federal assets relevant to defending our homeland. Preparing for and responding to disasters – either manmade or natural – is an important part of this function. Some of the assets brought into DHS included elements of Customs and Border Protection, Immigration and Customs Enforcement, Coast Guard, and substantial communications assets.¹⁴⁹ There is a synergy created by bringing together these assets within the Department that can be brought to bear under DHS leadership in the event of a disaster. The Committee agrees that if FEMA were moved out of the Department, we would lose that synergy.¹⁵⁰ Taking FEMA back out of DHS would move it further away from the substantial assets within DHS that can be brought to bear in responding to catastrophes.

The additional resources within DHS that can be applied to emergency management are a major advantage. What was formerly the responsibility of a small, 2,500-person independent agency is now the responsibility of a large department. DHS has more internal resources than FEMA had when it was an independent agency. With these additional resources, more responsibilities in a response to an emergency are housed under one department. For example, when FEMA was an individual agency, under the Federal Response Plan, the plan that existed before the NRP became effective in 2005, FEMA was the lead for only two of the 12 Emergency Support Functions (ESFs), the incident-specific response processes.¹⁵¹ Under the NRP, DHS is either the coordinator or has lead responsibility for nine of the 15 ESFs.¹⁵² DHS also houses the Homeland Security Operations Center (HSOC), which is designed to continually monitor potential emergencies and incidents.¹⁵³ Additionally, DHS's employees offer a pool of potential employees for deployment to disasters. Indeed, DHS employees were called to support some of FEMA's functions during Katrina.

Taking FEMA out of DHS would also “stovepipe” preparedness activities. It makes no sense to have one agency doing preparedness for terrorist attacks and another agency doing preparedness for natural disasters, as many of the required steps are the same.¹⁵⁴ This bifurcation would lead to inefficiencies and duplication of effort. Bifurcated, competing preparedness systems could also confuse state and local officials, who would have to hook into one system to prepare natural disasters and another system to prepare for terrorists. Frank Cilluffo, Associate Vice President for Homeland Security and Director of the Homeland Security Policy Institute at George Washington University, agreed and testified that moving FEMA out of DHS would simply obscure the real issues:

In my opinion, to re-create FEMA as an independent agency further obfuscates and bifurcates an already too complex systems-to-systems approach. ... To have state and local government and first responders plug into one system to respond to bad weather and another system to respond to bad people is unrealistic. There is no reason to have competing systems in an environment of limited resources. The problem is not really one of organizational design. The requisite policy in law exists. The challenge is one of management and leadership.¹⁵⁵

While pulling FEMA out of DHS might be a politically expedient quick fix – a reshuffling of the boxes to suggest the problem is being fixed – this would simply not get to the core of problems of the federal government response in Katrina. Although FEMA certainly is an agency that has problems, DHS Inspector General Richard Skinner correctly observed that “transferring FEMA out of the department, in my opinion, would be a major mistake. We [would be] simply transferring the problem.”¹⁵⁶

Others agreed that FEMA's problem was not a result of its placement in DHS. For example, David Walker, Comptroller General of the United States, testified:

I would respectfully suggest that the quality of FEMA’s leadership – and that is more than one person, I might add – as well as the adequacy of FEMA’s resources will probably have more to do with their ultimate success than whether or not they are in the Department of Homeland Security. Let us keep in mind that the Coast Guard is part of the Department of Homeland Security. And so merely because one is or is not in the Department of Homeland Security is not, in and of itself, I would respectfully suggest, dispositive.¹⁵⁷

Professors Leonard and Howitt also testified that preparedness and response need not be separated from DHS. In written testimony to the Committee, they state:

The task of preparation against disasters seems a natural fit with the overall mission of DHS. If the Department is to be held accountable for enhancing security for Americans and the American way of life, and takes seriously the broad array of possible threats, then preparing against natural disasters (and operating the response mechanisms in the event of a crisis) should fit as well as preparation against and response to other threats.¹⁵⁸

Professors Leonard and Howitt contend that preparing for and responding to natural disasters like Katrina can be handled either well or poorly either inside or outside of DHS. They write: “Provide leadership that understands and assesses the full range of threats to security and that knows how to help its constituent organizations develop excellence, and there is no reason why preparation for and response to disasters needs to be in its own enclave (or in a different agency).”¹⁵⁹

In short, the problems in DHS’s response to Katrina must be fixed, not transferred. The benefits of the placement of FEMA’s functions in DHS must be realized, not undermined. Our nation’s emergency-management system will benefit the most if FEMA’s functions remain within DHS.

Discussions Regarding FEMA’s Capabilities

Brown testified that within the Administration, he repeatedly made his views known that FEMA had problems. Brown stated that he had alerted DHS officials that FEMA did not have the capability to respond to a catastrophe,¹⁶⁰ telling DHS officials that “FEMA’s on the verge of failures; we’re stretching personnel.”¹⁶¹ Brown said he discussed his concerns about FEMA’s capabilities with various DHS officials: Deputy Secretary Michael Jackson, then-Secretary of Homeland Security Tom Ridge, then Deputy Secretary Admiral James Loy, Under Secretary for Management Janet Hale, and Chief Financial Officer Andy Maner.¹⁶²

Brown testified that at the end of a meeting on another subject, he informed President Bush that FEMA did not have the ability to respond to a catastrophe like the Indian Ocean tsunami of December 2004 that hit Asia.¹⁶³ The conversation occurred at a “100,000-foot level,” telling the President that we are not prepared, that we are not doing the kind of planning and exercises that we need to do for housing, response, and medical care in this country if we have that kind of natural disaster. In a subsequent media interview, Brown said the President responded “Well, go get ready.”¹⁶⁴

Brown also testified he repeatedly told Andy Card, White House Chief of Staff, Joe Hagin, Deputy Chief of Staff, and Josh Bolten, then Deputy Chief of Staff, that FEMA did not have the capabilities to respond adequately to a catastrophe, and sought additional resources.¹⁶⁵ Brown said that he told these officials several times that “DHS was not really following the Homeland Security Act and giving [FEMA] the muscle that it was supposed to have.”¹⁶⁶ It is

difficult to fully assess Brown’s testimony: despite requests from the Committee, the White House has not provided information regarding Brown’s allegations.

Conclusion

Prior to Katrina’s landfall, FEMA suffered from a number of problems: unqualified senior political leadership, budget shortages, personnel shortages, and inadequate response capabilities. FEMA simply was not prepared. Although some have argued that FEMA’s merger into the DHS weakened FEMA, there is no evidence that the merger itself was indeed the problem. Instead, decisions made by DHS leadership weakened FEMA and impeded its ability to respond to disasters.

These weaknesses notwithstanding, Brown testified on September 24, 2003, before a Senate Environmental and Public Works subcommittee, that FEMA was taking steps to reduce disaster- response times so that “disaster teams will be able to respond anywhere in the country within 12 hours and disaster logistics packages, commodities, and equipment can be delivered anywhere within 24 hours.”¹⁶⁷ By any measure, FEMA’s response capabilities fell short of this goal when Hurricane Katrina made landfall.

1 National Oceanic and Atmospheric Administration, National Climactic Data Center, “Hurricane Katrina, A Climatological Perspective,” Oct. 2005, p. 21. <http://www.ncdc.noaa.gov/oa/reports/tech-report-200501z.pdf>. Accessed Mar. 20, 2006.

2 National Oceanic and Atmospheric Administration, National Climactic Data Center, “Hurricane Katrina, A Climatological Perspective,” Oct. 2005, p. 21. <http://www.ncdc.noaa.gov/oa/reports/tech-report-200501z.pdf>. Accessed Mar. 20, 2006.

3 *Coping with Catastrophe: Building an Emergency Management System to Meet People’s Needs in Natural and Manmade Disasters*, prepared by National Academy of Public Administration for U.S. Congress and the Federal Emergency Management Agency (FEMA), Feb. 1993, pp. vii, 1 [hereinafter *Coping with Catastrophe*].

4 *Coping with Catastrophe*, p. ix.

5 *Coping with Catastrophe*, pp. 50-51.

6 *Coping with Catastrophe*, pp. 64-66.

7 *Coping with Catastrophe*, p. 88.

8 *Coping with Catastrophe*, p. x.

9 *Review of Actions Taken To Strengthen the Nation’s Emergency Management System*, prepared by National Academy of Public Administration for U.S. Congress and FEMA, Mar. 1994, p. 3.

10 Jerry Ellig, “Learning From the Leaders: Results-Based Management at the Federal Management Agency,” Mar. 29, 2000, pp. 2, 5.

11 Jerry Ellig, “Learning From the Leaders: Results-Based Management at the Federal Management Agency,” Mar. 29, 2000, p. 33.

12 R. Steven Daniels and Carolyn L. Clark-Daniels, “Transforming Government: The Renewal and Revitalization of the Federal Emergency Management Agency,” Apr. 2000, p. 6 [hereinafter Daniels and Clark-Daniels, “Transforming Government”].

13 Daniels and Clark-Daniels, “Transforming Government,” p. 7.

14 Daniels and Clark-Daniels, “Transforming Government,” p. 18.

15 Written Statement of Joe M. Allbaugh, then Director, FEMA, for the U.S. House, Committee on Appropriations, Subcommittee on Veterans Affairs, Housing and Urban Development and Independent Agencies, hearing on *VA and HUD Appropriations*, May 17, 2001.

16 Written Statement of Allbaugh, House Committee on Appropriations, Subcommittee on Veterans Affairs, Housing and Urban Development and Independent Agencies hearing, May 17, 2001.

17 United States Commission on National Security/21st Century, “Road Map for National Security, Imperative for Change,” Mar. 15, 2001, p. 10 [hereinafter “Road Map for National Security”].

- 18 “Road Map for National Security,” pp. 14-15.
- 19 “Road Map for National Security,” p. 14.
- 20 “Road Map for National Security,” p. 14.
- 21 “Road Map for National Security,” p. 14.
- 22 “Road Map for National Security,” p. 17.
- 23 “Road Map for National Security,” p. 17.
- 24 “The Homeland Security Act of 2002.” (P.L. 107-296) 6 U.S.C. § 101.
- 25 “The Homeland Security Act of 2002.” (P.L. 107-296) 6 U.S.C. § 502.
- 26 Ridge transferred the following programs in this action: Assistance to Firefighters program, Emergency Management Performance Grant program, first responder counter-terrorism training assistance, state and local all-hazards emergency operations planning, Citizens Corps, interoperable communications equipment, Community Emergency Response Teams, and Metropolitan Medical Response System (MMRS).
- 27 Besides formalizing what had already been transferred, Chertoff transferred the U.S. Fire Administration, hazardous material training, the chemical stockpile, the radiological emergency preparedness programs, and Bioshield.
- 28 U.S. Department of Homeland Security, “Secretary Michael Chertoff, U.S. Department of Homeland Security Second Stage Review Remarks,” July 13, 2005, p. 7.
- 29 Committee staff interview of Michael Brown, former Director, FEMA, conducted on Feb. 23, 2006, transcript p. 99.
- 30 Written Statement of Sec. Michael Chertoff, U.S. Department of Homeland Security, for the 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, p. 3. See also: Testimony of Sec. Michael Chertoff, U.S. Department of Homeland Security, before the 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.
- 31 Brown interview, Feb. 23, 2006, pp. 137-138, 141, 143, 145.
- 32 Remarkably, two FEMA witnesses, Patrick Rhode and Brooks Altshuler, pointed to experience on a presidential advance team as relevant training to manage a disaster. Committee staff interview of Patrick Rhode, former Acting Deputy Director, FEMA, conducted on Dec. 22, 2005, transcript p. 74; Committee staff interview of Brooks Altshuler, former Acting Deputy Chief of Staff and Policy Director, FEMA, conducted on Dec. 15, 2005, transcript pp. 27-30.
- 33 Committee staff interview of Michael Brown, former Director, FEMA, conducted on Jan. 23, 2006, transcript p. 7. Since the fall of 2001, Brown had been serving as the Acting Deputy Director of FEMA. In Aug. 2002, President Bush appointed him to the Transition Planning Office for the newly established DHS, to serve as the transition leader for the Emergency Preparedness and Response (EP&R) Division. Brown resigned from FEMA on Sept. 12, 2005.
- 34 Brown interview, Jan. 23, 2006, p. 7. Brown received his JD from Oklahoma City University School of Law. See also: The White House, “President Bush Announced his Intention to Nominate,” press release, Jan. 10, 2003. <http://www.whitehouse.gov/news/releases/2003/01/20030110-6.html>. Accessed on Oct. 15, 2005.
- 35 Brown interview, Jan. 23, 2006, p. 7.
- 36 On the biography provided to the Committee during his confirmation to be Deputy Director of FEMA, Brown listed that from 1975 to 1978 he was “Assistant City Manager, Police, Fire & Emergency Services for the City of Edmond, Oklahoma.” See: U.S. Senate, Committee on Governmental Affairs, *Hearing to Consider the Nomination of Michael D. Brown to be Deputy Director of the Federal Emergency Management Agency*, June 19, 2002. Brown’s attorney described this as a “distinction without a difference” and points to an affidavit from the former City attorney for the City of Edmond stating that Brown’s job as Assistant to the City Manager included responsibility for several emergency management related activities. The White House never sent Brown’s nomination to be Under Secretary for Emergency Preparedness and Response to the Senate. Instead, the White House simply elevated Brown from the Deputy Director to the Under Secretary position. The White House asserted it had the authority to do so under Section 1511 of the Homeland Security Act of 2002. The Committee disputes the appropriateness of this action.
- 37 Brown has a degree in public administration and political science from Central State University, now called University of Central Oklahoma. While still in college, in 1977 Brown began an internship with the planning department of the City of Edmond, a suburb of Oklahoma City. Upon completion of his internship, Brown became a full-time employee of the City of Edmond, serving as an assistant to the city manager. Late in his tenure with the City of Edmond, Brown assisted in the development of an emergency operations center for the city. Brown left the City of Edmond to join the Senate Finance Committee for the Oklahoma Legislature. Brown entered the private practice of law in which he represented municipalities in various matters. Brown interview, Jan. 23, 2006, pp. 5-6.
- 38 Rhode interview, Dec. 22, 2005, p. 7. Rhode left FEMA in Jan. 2006.
- 39 Rhode interview, Dec. 22, 2005, pp. 6-7.
- 40 Rhode interview, Dec. 22, 2005, pp. 6-7.
- 41 Rhode interview, Dec. 22, 2005, pp. 6-7.
- 42 Rhode interview, Dec. 22, 2005, pp. 10-11.

43 Brown interview, Jan. 23, 2006, pp. 119-220.

44 For example, Brooks Altshuler, former FEMA Policy Director and former Acting Deputy Chief of Staff, did not have any emergency-management experience prior to working at FEMA but had worked on the Bush-Cheney 2000 presidential campaign. *Source:* Altshuler interview, Dec. 15, 2005, pp. 6-7. Scott Morris, Director, Florida Long Term Recovery Office and Former Chief of Staff, had no known emergency-management experience prior to working at FEMA, but had worked for Maverick Media as a media strategist for the Bush-Cheney 2000 presidential campaign. *Source:* FEMA, "About FEMA, Scott R. Morris, Deputy Chief of Staff." http://www.fema.gov/txt/pao/impact/2004_july_Aug.txt (website no longer available).

45 Committee staff interview of Eric Tolbert, former Director of Response, FEMA, conducted on Dec. 1, 2005, transcript p. 33.

46 Committee staff interview of Edward Buikema, Acting Director of Response Division and Regional Director, Region V, FEMA, conducted on Nov. 21, 2005, transcript pp. 4-7.

47 Committee staff interview of Michael Lowder, Deputy Director of Response, FEMA, conducted on Nov. 10, 2005, transcript pp. 4-5.

48 Committee staff interview of Ken Burris, former Acting Director of Operations, FEMA, conducted on Dec. 29, 2005, transcript pp. 5-7.

49 Committee staff interview of Gary Moore, Director, Logistics Branch, FEMA, conducted on Dec. 9, 2005, transcript pp. 3-5.

50 The 11 executives interviewed were: Brooks Altshuler, Director of Policy; Michael Brown, Under Secretary; Ed Buikema, Regional Director/Acting Director of Response; Ken Burris, Director of Operations; William Carwile III, Federal Coordinating Officer; Dan Craig, Director of Recovery; Mike Lowder, Supervisory Program Specialist; Gary Moore, Logistics Branch Chief; Patrick Rhode, Chief of Staff; Eric Tolbert, Director of Response and Scott Morris, Deputy Chief of Staff. *Source:* MITRE Corp., Center for Enterprise Modernization, Initial Assessment of EP&R. Provided to Committee; filed as Bates no. 000194.

51 MITRE Corp., Center for Enterprise Modernization, Initial Assessment of EP&R. Provided to Committee; filed as Bates no. 000172.

52 MITRE Corp., Interviews conducted at EP&R/FEMA, Jan. 2005. Provided to Committee; filed as Bates no. 000246.

53 MITRE Corp., Interviews conducted at EP&R/FEMA, Jan. 2005. Provided to Committee; filed as Bates no. 000242.

54 MITRE Corp., Interviews conducted at EP&R/FEMA, Jan. 2005. Provided to Committee; filed as Bates no. 000220. Other statements made during interviews conducted for the MITRE study include: "OK to have political appointees but there should be criteria. They are well meaning but they are clueless." *Source:* MITRE Corp. Interviews conducted at EP&R/FEMA, Jan. 2005. Provided to Committee; filed as Bates no. 000193; "You've got a bunch of amateurs that don't understand the seriousness of their decisions. They're more into the politics and culture of FEMA than the outcome of the response capability. ... The entire senior management is political. Subject to the whims every four years. If FEMA is to survive, must do a better job of recruiting, supporting, developing and moving them, an investment in people." *Source:* MITRE Corp., Interviews conducted at EP&R/FEMA, Jan. 2005. Provided to Committee; filed as Bates no. 000243; "[Political appointees] don't have the skills, and haven't been trained [...] true also for career employees, they aren't trained." *Source:* MITRE Corp., Interviews conducted at EP&R/FEMA, Jan. 2005. Provided to Committee; filed as Bates no. 000216.

55 *Coping with Catastrophe*, p. 48.

56 Testimony of Michael Brown, former Director, FEMA, before the U.S. House, Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, hearing on *Hurricane Katrina: The Role of the Federal Emergency Management Agency*, Sept. 27, 2005.

57 Brown produced some documents related to FEMA budget issues that DHS did not produce. To the extent DHS did not provide all documents requested by the Committee, the Committee does not have a complete picture on budget issues. Committee staff interview of Michael Jackson, Deputy Secretary, U.S. Department of Homeland Security, conducted on Jan. 27, 2006, transcript pp. 109-110. Committee staff interview of Andrew Maner, Acting Chief Financial Officer, U.S. Department of Homeland Security, conducted on Feb. 2, 2006, transcript p. 46.

58 Jackson interview, Jan. 27, 2006, pp. 109-110.

59 Burris interview, Dec. 29, 2005, pp. 195-196.

60 Ron Castleman, e-mail to Patrick Rhode, Michael Brown and others, Dec. 30, 2003, 11:07 a.m. Provided to Committee.

61 Ron Castleman, e-mail to Patrick Rhode, Michael Brown and others, Dec. 30, 2003, 11:07 a.m. Provided to Committee.

62 MITRE Corp., Center for Enterprise Modernization, Initial Assessment of EP&R. Provided to Committee; filed as Bates no. 000146. *See also:* Brown interview, Feb. 23, 2006, p. 96 (mentioning the brain drain).

63 Brown interview, Jan. 23, 2006, pp. 125-127 (stating that at one time, FEMA had 500 positions that could not be filled because of funding shortages); Committee staff interview of Michael Hall, Acting Director of Human Resources, FEMA, conducted on Nov. 28, 2005, transcript pp. 71-78. This vacancy rate is compounded by the fact that 50 percent

of FEMA's current workforce is eligible for retirement within the next five years. *See also:* FEMA, Administration and Regional Operations, Fiscal Year 2007, Congressional Justification, p. 9.

64 Hall interview, Nov. 28, 2005, pp. 71-78. Hall testified that for the last 1½ years, FEMA had run a 17 percent vacancy rate: "You know, now when you run a 15% vacancy rate and every person you detail means one more against that talent pool that you've got there, so a 2,300 person staff, when you slice that, that's already sliced pretty thin. It obviously has an impact . . . instead of doing the top seven things, you're only going to get to do the top four things or five things right now." Region VI was also greatly in need of staff. The investigation revealed memos written by Region VI Acting Director Gary Jones seeking to fill vacancy positions. In each of those memos, Jones wrote: "Region VI is one of the busiest Regions in the country with regard to disaster activity and has the potential for a number of catastrophic events including catastrophic hurricane along the Louisiana and Texas Coast, with southeast Louisiana being our biggest concern." Several of these positions were for the response division. Gary Jones, memorandum to Ron Castleman, May 7, 2003. Provided to Committee; filed as Bates nos. DHS-FEMA-0074-0000007 through 0000008; Gary Jones, memorandum to Ron Castleman, May 8, 2003. Provided to Committee; filed as Bates nos. DHS-FEMA-0074-0000009 through 0000010.

65 Committee staff interview of William Lokey, Federal Coordinating Officer for Hurricane Katrina in Louisiana, FEMA, conducted on Jan. 20, 2006, transcript pp. 58-59, 188-190.

66 U.S. Office of Personnel Management (OPM), Report of the 2004 Disaster Temporary Employees Review, July 2004, p. 1.

67 OPM, Report of the 2004 Disaster Temporary Employees Review, July 2004, p. 2.

68 OPM, Report of the 2004 Disaster Temporary Employees Review, July 2004, p. 2.

69 OPM, Report of the 2004 Disaster Temporary Employees Review, July 2004, p. 2.

70 OPM, Report of the 2004 Disaster Temporary Employees Review, July 2004, p. 2.

71 OPM, Report of the 2004 Disaster Temporary Employees Review, July 2004, p. 2.

72 OPM, Report of the 2004 Disaster Temporary Employees Review, July 2004, p. 3.

73 Hall interview, Nov. 28, 2005, pp. 70-71. Indeed, it is unclear if FEMA is working to implement such recommendations as Michael Hall, Acting Director of Human Resources suggested that implementation was not being handled by his office, but instead through some disaster support initiatives, which are being led by Marie Sloan. Marie Sloan, however, said that the Human Resources Division was handling the recommendations. *See also:* Committee staff interview of Marie Sloan, Section Chief, Disaster Workforce, Response Division, FEMA, conducted on Mar. 1, 2006, transcript, p. 65.

74 Committee staff interview of Scott Wells, Deputy Federal Coordinating Officer for Hurricane Katrina in Louisiana, conducted on Nov. 15, 2005, transcript p. 58.

75 Committee staff interview of Phil Parr, Federal Coordinating Officer, Region I, FEMA, conducted on Nov. 16, 2005, transcript pp. 145-146.

76 Michael Brown, memorandum to various FEMA officials, Jan. 3, 2005. Provided to Committee; filed as Bates nos. DHS-FEMA-0079-0000093 through 0000094.

77 Patricia Stahlschmidt, e-mail to Edward Buikema and others, Aug. 29, 2005, 4:49 p.m. Provided to Committee; filed as Bates nos. DHS-FEMA-0068-0000009 through 0000010.

78 Sloan interview, Mar. 1, 2006, p. 56. Some of the problems found in a 2002 assessment included: (1) the means to keep DAE's informed on general information, training opportunities, policy and procedure updates is "spotty at best and nonexistent at worst"; (2) problems with the capabilities of the technology for the deployment system; and (3) issues with the training of the DAE's. *See also:* Maj. Gen. John R. D'Araujo, Jr., "Disaster Workforce Assessment, 7 Jan 02 through 8 Feb 02." Provided to Committee; filed as Bates nos. DHS-FEMA-0095-0000287 through 0000291.

79 FEMA, Response Division/Recovery Division, "Disaster Workforce Redesign," Apr. 10, 2004, p. 31. Provided to Committee; filed as Bates no. DHS-FEMA-0095-0000063.

80 FEMA, Response Division/Recovery Division, "Disaster Workforce Redesign," Apr. 10, 2004, pp. 3, 31. Provided to Committee; filed as Bates nos. DHS-FEMA-0095-0000035, 0000063.

81 Hall interview, Nov. 28, 2005, pp. 44-45.

82 Sloan interview, Mar. 1, 2006, pp. 65-66.

83 FEMA, "Monthly RAMP Report: Remedial Action Management Program," May 15, 2005. Provided to Committee; filed as Bates no. DHS-FEMA-0095-0000590.

84 Wells interview, Nov. 15, 2005, p. 59.

85 Wells interview, Nov. 15, 2005, p. 59.

86 Wells interview, Nov. 15, 2005, p. 59.

87 Sloan interview, Mar. 1, 2006, p. 51.

88 FEMA, DAE Availability Report. Provided to Committee; filed as Bates no. DHS-FEMA-0055-0000210. *See also:* Sloan interview, Mar. 1, 2006, p. 9; Hall interview, Nov. 28, 2005, p. 22; Hall interview, Dec. 1, 2005, p. 173.

89 Sloan interview, Mar. 1, 2006, pp. 57-58; Hall interview, Nov. 28, 2005, pp. 24-25.

- 90 Sloan interview, Mar. 1, 2006, pp. 8, 25, 61.
- 91 Sloan interview, Mar. 1, 2006, pp. 60-61.
- 92 Sloan interview, Mar. 1, 2006, pp. 60-61.
- 93 Wells interview, Nov. 15, 2005, pp. 60-63 (explaining that response operations were a “different animal . . . [T]hat takes special training. That takes teamwork . . . [DAEs] only come on for actual disasters. I can’t bring them on just to do training and stuff; or if they can, it’s hard to get them.”).
- 94 In an e-mail message to Michael Hall, Acting Director of Human Resources, on Aug. 31, 2005, Justin DeMello, FEMA FCO, writes, “The whole DAE system is broken . . . we need to abandon it and move to something better . . . Hall responds “You are preaching to the choir my friend!!” Michael Hall, e-mail to Justin DeMello, Aug. 31, 2005, 10:50 a.m. Provided to Committee; filed as Bates no. DHS-FEMA-0069-0001283.
- 95 Committee staff interview of William Carwile III, Federal Coordinating Officer for Hurricane Katrina in Mississippi, FEMA, conducted on Dec. 6, 2005, transcript p. 59.
- 96 Carwile interview, Dec. 6, 2005, p. 46.
- 97 Carwile interview, Dec. 6, 2005, p. 59.
- 98 U.S. Department of Homeland Security, *National Response Plan*. Washington: Government Printing Office, Dec. 2004, p. 40 [hereinafter *NRP*]. See also: Lokey interview, Nov. 4, 2005, p. 11.
- 99 Carwile interview, Dec. 6, 2005, p. 77; Lokey interview, Nov. 4, 2005, p. 11.
- 100 Carwile interview, Dec. 6, 2005, pp. 47-48, 111-112; Lokey interview, Jan. 20, 2006, pp. 197-198.
- 101 Carwile interview, Dec. 6, 2005, pp. 22-23.
- 102 Lokey interview, Jan. 20, 2006, pp. 191-192.
- 103 Federal Coordinating Officers, memorandum to Michael Brown, Jun. 30, 2004, p. 3. Provided to Committee.
- 104 Federal Coordinating Officers, memorandum to Michael Brown, Jun. 30, 2004, p. 3. Provided to Committee.
- 105 Federal Coordinating Officers, memorandum to Michael Brown, Jun. 30, 2004, p. 3. Provided to Committee.
- 106 Brown interview, Jan. 23, 2006, pp. 151-152. Testimony of William Carwile III, Federal Coordinating Officer for Hurricane Katrina in Mississippi, FEMA, before the U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on *Hurricane Katrina: Perspectives of FEMA’s Operations Professionals*, Dec. 8, 2005.
- 107 Brown interview, Jan. 23, 2006, p. 150.
- 108 *NRP*, p. 41.
- 109 Hall interview, Nov. 28, 2005, p. 76.
- 110 Hall interview, Nov. 28, 2005, p. 76.
- 111 Buikema interview, p. 113. Committee staff interview of Eric Tolbert, former Director, Response Division, FEMA, conducted on Dec. 1, 2006, pp. 53-54, 115.
- 112 Wells interview, Nov. 15, 2005, pp. 55-56.
- 113 FEMA, “Business Case, NDMS Section/Operations Branch/Response Division.” Provided to Committee; filed as Bates no. DHS-FEMA-0098-0004751.
- 114 FEMA, “Business Case, NDMS Section/Operations Branch Response Division.” Provided to Committee; filed as Bates no. DHS-FEMA-0098-0004751.
- 115 FEMA, “Business Case, NDMS Section/Operations Branch/Response Division.” Provided to Committee, filed as Bates no. DHS-FEMA-0098-0004768. Committee staff interview of Jack Beall, Chief, National Disaster Medical System, FEMA, conducted on Jan. 10, 2006, transcript p. 7.
- 116 FEMA, “Business Case, NDMS Section/Operations Branch/Response Division.” Provided to Committee, filed as Bates no. DHS-FEMA-0098-0004759.
- 117 Beall interview, Jan. 10, 2006, p. 11.
- 118 Committee staff interview of Capt. Art French, Deputy Chief Medical Officer, Disaster Medical Assistance Team PHS-1, National Disaster Medical System, FEMA, conducted on Mar. 2, 2006, p. 104.
- 119 Tolbert interview, Dec. 1, 2005, pp. 40-41.
- 120 Tolbert interview, Dec. 1, 2005, p. 40.
- 121 Tolbert interview, Dec. 1, 2005, pp. 40-41.
- 122 Written Statement of William Carwile III, Federal Coordinating Officer for Hurricane Katrina in Mississippi, FEMA, for the U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on *Hurricane Katrina: Perspectives of FEMA’s Operations Professionals*, Dec. 8, 2005, p. 9.
- 123 MITRE Corp., Center for Enterprise Modernization, Initial Assessment of EP&R, Mar. 7, 2005, p. 3. Provided to Committee. The assessment stated “When the next terrorist events happen, ER&R will be called on operationally. The

[concept of operations] would be designed for this realize and put the elements in place for EP&R to be better positioned to carry the day.”

124 MITRE Corp., Center for Enterprise Modernization, Initial Assessment of EP&R, Mar. 7, 2005, p. 9. Provided to Committee; Lokey interview, Jan. 20, 2006, pp. 189-90.

125 MITRE Corp., Center for Enterprise Modernization, Initial Assessment of EP&R, Mar. 7, 2005, p. 12. Provided to Committee.

126 Committee staff interview of Pat English, Chief of Procurement and former Acting CFO, FEMA, conducted on Jan. 5, 2006, transcript pp. 17-18.

127 English interview, Jan. 5, 2006, pp. 17-18.

128 English interview, Jan. 5, 2006, p. 75.

129 English interview, Jan. 5, 2006, pp. 64, 81-84. Senior DHS leaders were briefed about this. “I know he [DHS Chief Procurement Officer Greg Rothwell] briefed senior management in DHS, the Under Secretary, the DepSec, and on that scorecard.”

130 English interview, Jan. 5, 2006, p. 18.

131 English interview, Jan. 5, 2006, pp. 31-33, 44-46.

132 English interview, Jan. 5, 2006, pp. 34-39, 43-44.

133 Tolbert interview, Dec. 1, 2005, p. 130.

134 Tolbert interview, Dec. 1, 2005, p. 130.

135 English interview, Jan. 5, 2006, p. 29.

136 English interview, Jan. 5, 2006, pp. 86-87.

137 Written Statement of Kathleen J. Tierney, Director, Natural Hazards Center, for the U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on *Hurricane Katrina: Recommendations for Reform*, Mar. 8, 2006, p. 5.

138 6 U.S.C. § 317.

139 Brown argued that the removal of preparedness functions from FEMA was a mistake and wrote then-DHS Secretary Tom Ridge in September 2003 that the shift left the agency without first-responder or emergency-management funding to distribute – a factor Brown believes hurt FEMA’s ability to fulfill its responsibilities to help state and locals prepare for disasters. Brown interview, Feb. 23, 2006, pp. 80-81.

140 Sec. Chertoff, letter to Congress, July 8, 2005 (as required by Section 872 of the Homeland Security Act).

141 Questions for the Record of Sec. Michael Chertoff, U.S. Department of Homeland Security, for the U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on *Hurricane Katrina: The Homeland Security Department’s Response*, Feb. 15, 2006, p. 14.

142 Testimony of Bruce P. Baughman, President, National Emergency Management Association and Director, Alabama State Emergency Management Agency, before the U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on *Hurricane Katrina: Recommendations for Reform*, Mar. 8, 2006.

143 Baughman, Senate Committee hearing Mar. 8, 2006. Eric Tolbert, Former Director of Response, agreed that splitting preparedness from response was a mistake. Tolbert interview, Dec. 1, 2005, pp. 49-50 (People observed that FEMA should have been better prepared, should have had a higher level of readiness, but then you strip them out who were responsible for conducting and planning exercises and establishing national standards. You strip them out and put them in another directorate that doesn’t even have accountability to the FEMA director or the undersecretary. In my opinion, it’s a huge mistake. You have to define preparedness. That’s the problem. In my mind, preparedness is readiness, could be better defined as readiness. That’s investment in capability that’s going to respond to an event. The department’s definition of preparedness includes that but it’s also prevention. So a lot of the money in the homeland security funding programs, the grant funding, has shifted from the initial two years of being almost exclusively the consequence capability over to preventing. So now there are huge investments in the prevention and the readiness posture funding has gone significantly down.)

144 Dr. John Harrald, e-mail to Michael Alexander, Senate Committee staff member, Mar. 28, 2006.

145 Buikema interview, pp. 61, 68.

146 Dr. John Harrald, e-mail to Michael Alexander, Senate Committee staff member, Mar. 28, 2006.

147 Questions for the Record of Herman B. Leonard, Ph.D., Professor of Public Management, John F. Kennedy School of Government and Professor of Business Administration, Harvard Business School, Harvard University and Arnold M. Howitt, Ph.D., Executive Director, Taubman Center for State and Local Government, John F. Kennedy School of Government, Harvard University, for the U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on *Hurricane Katrina: Recommendations for Reform*, Mar. 8, 2006, p. 2.

148 Testimony of Herman B. Leonard, Ph.D., Professor of Public Management, John F. Kennedy School of Government and Professor of Business Administration, Harvard Business School, Harvard University, before the U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on *Hurricane Katrina: Recommendations for Reform*,

Mar. 8, 2006.

149 “The Homeland Security Act of 2002.” (P.L. 107-296).

150 Testimony of Richard Skinner, Inspector General, U.S. Department of Homeland Security, before the U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on *Hurricane Katrina: Recommendations for Reform*, Mar. 8, 2006.

151 FEMA, *Federal Response Plan*, Apr. 1999, p. 14.

152 *NRP*, ESF Annexes, ESF-v through ESF-vi.

153 *NRP*, p. 24.

154 Skinner, Senate Committee hearing, Mar. 8, 2006.

155 Testimony of Frank J. Cilluffo, Associate Vice President for Homeland Security and Director of the Homeland Security Policy Institute, George Washington University, before the U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on *Hurricane Katrina: Recommendations for Reform*, Mar. 8, 2006.

156 Skinner, Senate Committee hearing, Mar. 8, 2006.

157 Testimony of David Walker, Comptroller General of the United States, before the U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on *Hurricane Katrina: Recommendations for Reform*, Mar. 8, 2006.

158 Written Statement of Herman B. Leonard, Ph.D., Professor of Public Management, John F. Kennedy School of Government and Professor of Business Administration, Harvard Business School, Harvard University, before the U.S. Senate, Committee on Homeland Security and Governmental Affairs, hearing on *Hurricane Katrina: Recommendations for Reform*, Mar. 8, 2006.

159 Written Statement of Leonard, Senate Committee hearing, Mar. 8, 2006.

160 Brown interview, Feb. 23, 2006, p. 137.

161 Brown interview, Feb. 23, 2006, p. 145.

162 Brown interview, Feb. 23, 2006, pp. 144-146. For example, Former Under Secretary Brown produced a Mar. 16, 2004 letter to DHS Deputy Secretary Admiral Loy where he stated that FEMA was struggling because of serious budget shortages. Brown wrote that “preparations for the future are being mortgaged or deferred indefinitely.” The letter explained that OMB had designated two-thirds of FEMA’s budget as “non-homeland security” funds and that “non-homeland security funds” would be held to zero budget growth beginning in FY 2006. This paints a grim picture for FEMA’s future. Although solid targets have not yet been released by CFO’s shop, we have been told to expect to reprogram our FY 2006 budget plans to absorb a cut of \$100 million. ... It is quite clear that many if not most of our current un-funded requirements and shortfalls will have to be deferred in favor of more Homeland Security (terrorism) priorities.

163 Brown interview, Feb. 23, 2006, p. 141.

164 Paul Singer, “Brown’s Flood of Criticism,” *National Journal*, Mar. 10, 2006.

165 Brown interview, Feb. 23, 2006, p. 143.

166 Brown interview, Feb. 23, 2006, p. 138. Brown testified that he had so many conversations with White House officials telling them that FEMA was not prepared for a catastrophe that it reached a point that his staff had to tell him to back off.

167 Written Statement of Michael Brown, former Director, FEMA, for the U.S. Senate, Committee on Environment and Public Works, Subcommittee on Clean Air, Climate Change and Nuclear Safety, hearing on *FEMA Oversight*, Sept. 24, 2003, p. 4.