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HURRICANE KATRINA: THE HOMELAND SECURITY DEPARTMENT'S PREPARATION AND RESPONSE

HEARING

BEFORE THE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS UNITED STATES SENATE

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HURRICANE KATRINA: THE HOMELAND SECURITY DEPARTMENT'S PREPARATION AND RESPONSE

WEDNESDAY, FEBRUARY 15, 2006

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 11:25 a.m., in room SD–342, Dirksen Senate Office Building, Hon. Susan M. Collins, Chairman of the Committee, presiding.

Present: Senators Collins, Coleman, Chafee, Bennett, Warner, Lieberman, Levin, Akaka, Carper, Dayton, Lautenberg, and Pryor.

OPENING STATEMENT OF CHAIRMAN COLLINS

Chairman COLLINS. The Committee will come to order.

Today marks our 20th hearing on Hurricane Katrina. As this inquiry nears its end, we turn our focus today to that component of the Federal Government that bears ultimate responsibility for a quick and effective response to the disaster, the Department of Homeland Security. Our witness is Secretary Michael Chertoff, who today marks his first anniversary as head of DHS.

According to its mission statement, one of the fundamental responsibilities of the Department of Homeland Security is "preparing for natural disasters and terrorist attacks through planning, technology, and coordinated efforts. In the event of a natural or man-made disaster, DHS will be the first Federal Department to utilize a full range of State, local, and private partnerships to alleviate the effects of a potential disaster."

Clearly, that mission was not accomplished. The Federal Department that was supposed to lead, direct, and coordinate the Federal response to Katrina was, time and again, late, uncertain, and ineffective. A central purpose of this hearing is to learn why, in a crisis that called for decisive and speedy action, DHS was plagued by indecision and delay. If our government failed so utterly in preparing for and responding to a disaster that had been long predicted and was imminent for days, we must wonder how much more profound the failure would be if a disaster were to take us completely by surprise, such as a terrorist attack.

The delays in DHS's response are both alarming and unacceptable. The chasm that Hurricane Katrina exposed between DHS and FEMA, one of its most important components, presented a significant impediment to a coordinated, swift Federal response. Concerns

about this disconnect were expressed long before Hurricane Katrina, and our investigation has revealed disturbing conflicts about roles, resources, and responsibilities.

But the problem within DHS goes beyond its relationship with FEMA. The Department's overall lack of preparedness for this catastrophe prevented both decisive action before the storm hit and an effective response in its immediate aftermath. After landfall, the Department far too often appeared to be frozen with indecision and nearly paralyzed by ineffective communications. Key decisions were either delayed or based on faulty information. As a result, the suffering of Katrina's victims was worsened and prolonged.

This lack of preparedness is evident throughout the response to Hurricane Katrina. On August 30, the day after Katrina made landfall, Secretary Chertoff named then-FEMA Director Michael Brown as the Principal Federal Official for the response effort. He did so despite Mr. Brown's hostility to the very concept of a Principal Federal Official and his disdain for the National Response Plan.

In addition to questioning the appointment of Mr. Brown, I wonder why a PFO was not designated before Katrina made landfall, when it was already evident that we were facing a looming disaster that would require a direct link between Federal operations on the ground and DHS headquarters. The effect of this delay was much like having the general show up after the battle had already begun.

From that evident lack of readiness come a great many issues that we will explore today. Among them are, why was situational awareness at DHS so severely lacking throughout the Katrina response? While people throughout the Nation merely had to turn on their television sets to learn of the levee failures and the dire need for food and water at the Superdome and the convention center, DHS was consistently behind the curve. The delays in response to these crises were the direct result of poor communications.

Why weren't the tremendous resources of the Department of Defense deployed sooner? The delay in bringing these assets to bear not only prolonged the suffering of the victims, but also made the work of first responders even more difficult and more dangerous.

The failure to resolve obvious issues beforehand led to numerous other problems, from the poor information flow between DHS and the White House, to the difficulties DHS encountered in assigning missions to other Federal agencies, to the unnecessary disputes with overwhelmed State and local officials.

The examples are legion: The failure to promptly order the buses Michael Brown promised; the failure to deliver essential commodities for victims at the convention center until 2 days after Mr. Brown apparently became aware of their plight; the failure to quickly process requests for vital commodities throughout Louisiana and Mississippi and to track their delivery; the failure to field more search and rescue and emergency medical teams at the onset of the flooding; the failure to respond rapidly to a devastated telecommunications system; the failure to appoint a single senior law enforcement officer as soon as the need became apparent; the failure to invoke the Catastrophic Incident Annex to the National Response Plan, which would have permitted the Department to be more proactive.

The list of critical tasks done either late or not at all is staggering. And perhaps most crucial to understanding the failures of Katrina is the fundamental question of whether FEMA had adequate leadership and resources to respond to a disaster of this magnitude.

As I said at our hearing last Friday, FEMA's response to Katrina has to be judged a failure, and as a consequence, the response of DHS must be judged a failure, as well, despite the outstanding performance of the Coast Guard and of the individual DHS employees.

As the third anniversary of the Department of Homeland Security approaches, it is past time for the Department to carry out its vital mission and meet its responsibilities to the American people.

Senator Lieberman.

OPENING STATEMENT OF SENATOR LIEBERMAN

Senator LIEBERMAN. Thank you, Madam Chairman. Good morning, Mr. Secretary.

The many hearings that we have held, the witnesses that we have interviewed, and the documents that we have reviewed have brought us to today's important hearing with our sole witness, the Secretary of the Department of Homeland Security, Michael Chertoff. This Committee's Katrina investigation is moving now toward conclusion, reckoning, and I hope, reform.

According to the law, it is the responsibility of the Secretary of Homeland Security to lead the government's preparations for and response to disaster, natural or terrorist. The Secretary is the national official most directly responsible for protecting the safety of the American people here at home in times of danger. That is what the law creating the Department of Homeland Security says, what Homeland Security Presidential Directive No. 5 mandates, and what the National Response Plan requires, and that is why today it is our responsibility to ask Secretary Chertoff some tough, direct, and critical questions based on the jarring lack of preparation for Katrina that our investigation has found.

Among the most important of these questions are, Mr. Secretary, why did you do so little in the months after you became Secretary to make sure that the agencies of our government, particularly your own, were ready to carry out their responsibilities to protect the American people under the National Response Plan and President Bush's Homeland Security Presidential Directive No. 5?

How could you have left us with so many of those agencies so unprepared that when Katrina struck, too many of them ran around like Keystone Kops, uncertain about what they were supposed to do or unable to do it?

Why, in the days immediately before Katrina made landfall, as the National Hurricane Service and agencies within your own Department warned over and over that this was the long-feared hurricane that would break the levees and drown the City of New Orleans, did you not mobilize more of the resources of the Federal Government to protect this great American city and its people?

With all the information coming into your Department's operations center on the day that Katrina struck New Orleans, that the city was flooding and people were trapped or drowning, how could you, as Secretary of Homeland Security, go to bed that night not

knowing what was happening in New Orleans and get up the next morning and proceed not to New Orleans to oversee the response but to Atlanta for a conference?

Respectfully, those are some of the hard and perplexing questions that have emerged from this Committee's investigation that you, Mr. Secretary, and we have a responsibility to answer so that the next time disaster strikes, as it surely will, the Federal Government is totally ready to protect our country and our people. Thank you.

Chairman COLLINS. Thank you, Senator Lieberman.

Our sole witness today is the Secretary of Homeland Security, Michael Chertoff. He was confirmed unanimously by the U.S. Senate exactly 1 year ago. I thank him for appearing here today.

Secretary Chertoff, we are swearing in all witnesses for this investigation so I would ask that you stand. Do you swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you, God?

Secretary CHERTOFF. I do.

Chairman COLLINS. Thank you. Please proceed with your statement.

TESTIMONY OF HON. MICHAEL CHERTOFF,[1] SECRETARY, U.S. DEPARTMENT OF HOMELAND SECURITY

Secretary CHERTOFF. Thank you, Chairman Collins, and thank you, Senator Lieberman. I ask before I give a shortened version of what I submitted for the record that the full statement I prepared be accepted for the record.

Chairman COLLINS. Without objection.

Secretary CHERTOFF. I appreciate the opportunity to be here. I have followed the hearings to a reasonable degree of detail and am very interested in the perspective of this Committee on one of the most difficult and traumatic experiences of my life, which was the process of anticipating and managing and dealing with the consequences of Katrina, consequences which still continue to this day.

You can't escape the fact when you talk about Katrina that this was a storm of unprecedented magnitude, not because it was a surprise, because I don't think it was a surprise that a storm like this could happen, but because in terms of prior experience, at least as far as I know, nobody in living memory recalls a set of challenges as difficult as those presented by this hurricane.

And without dwelling on it, just a few things that bear keeping in mind. Ninety-thousand square miles were impacted, that is an area larger than Great Britain and three-and-a-half times the area inundated by the great Mississippi flood of 1927. FEMA estimates that 300,000 homes were destroyed, six times as many as the Midwest flood of 1993 and 11 times as many as Hurricane Andrew. A hundred-and-eighteen million cubic yards of debris was produced, more than double the amount produced by four Florida hurricanes of last year, or 2 years ago, and six times what was produced by Andrew. So this was an unprecedented disaster.

And while I am here, I suspect, mainly to talk about things that failed, I do think we have to acknowledge things that succeeded.

[1] The prepared statement of Secretary Chertoff appears in the Appendix on page 50.

The U.S. Coast Guard rescued 33,000 people, six times the number rescued nationwide in all of 2004. FEMA rescued more than 6,500 and deployed all 28 urban search and rescue teams for the first time. Forty-thousand rescued by two agencies, which is seven times the number of people rescued in the four hurricanes in Florida in 2004. And in the first 6 days, the Federal Government distributed 28 million pounds of ice, 8.5 million meals, 4 million gallons of water, which exceeded the combined total for the entire rescue operation in Hurricane Andrew.

Now, as you pointed out, Chairman Collins, I am responsible for the Department of Homeland Security. I am accountable and accept responsibility for the performance of the entire Department, the bad and the good. I also have the responsibility to fix what is wrong.

If I can digress and step out of my official role for a minute, I can tell you on a personal basis, probably the worst element of this catastrophe personally is not criticism I have received or criticism the Department has received by committees and commentators, but the vision of people who did have their suffering unnecessarily prolonged because this Department did not perform as well as the vision of its performance suggested it should have been able to do. And I say that without suggesting I was naive about the challenges I assumed when I was confirmed a year ago. In the 6 months that I was in office before Katrina hit, I knew, and I said to this Committee, there were many things to be done.

But I do want to talk about a couple of general observations before I answer the specific questions about what happened in Hurricane Katrina and about what we want to do going forward.

First of all, I have to say that the idea that this Department and this Administration and the President were somehow detached from Katrina is simply not correct, in my view and in my recollection of what happened. We were acutely aware of Katrina and the risk it posed. We followed this hurricane from the time it started to meander up towards the coast of Florida, as it crossed over the Southern tip of Florida and got into the Gulf. We knew, and certainly FEMA most of all because if there is anything that FEMA is expert in it is hurricanes, that there was at least a potential as the week before hurricane landfall came that this would hit New Orleans with potentially catastrophic consequences.

On the weekend before Katrina made landfall, that is August 27 and 28, the President took an unprecedented step, something that has only been done to my knowledge once before, which is to declare an emergency for Louisiana and Mississippi in advance of a hurricane landfall, and I want to emphasize that was an extraordinary event because the Stafford Act, which is the Federal law that authorizes the Federal Government to come in to act in time of disaster, is what I would say is the kind of ultimate tool, the ultimate source of authority for the Federal Government. And for the second time in memory, the President took the step of invoking it before a hurricane.

This also, by the way, according to the literal text of the National Response Plan, automatically designated this and created this as an incident of national significance. So on the weekend before hurricane landfall, as I recollect it, and I am going to try very hard

to separate what I know now from what I knew then because I certainly know a lot more now than I knew back then, but on that weekend, I had the assurance that we had opened the legal and strategic floodgates to allow as much resource and as many assets to be pushed into the theater of engagement as possible.

There was a second major question I confronted in that weekend. Were our incident commanders exercising their authority properly? Were they using the tools? Were they adequately considering the things they had to consider as the operational commanders? And I want to make it clear that although Michael Brown has got a lot of attention, Michael Brown did not function alone at FEMA. In that weekend, Federal Coordinating Officers (FCOs), who are statutorily designated officers as part of the Stafford Act, were sent down to Mississippi and Louisiana and other places, as well, to be on-the-ground incident managers for FEMA and for the Department of Homeland Security.

You saw Bill Lokey here. I think he was a witness. I don't know if Bill Carwile testified. These are two very experienced men. They were supported by the very experienced men and women who are in the regional headquarters that support these States, and they were supported by the very experienced men and women who sat around the table at the National Response Coordinating Center at FEMA in Washington who are the principal backstop, the principal pool of talent that supports operational activity in the field in the time of a hurricane, and I would venture to say there were dozens, maybe over 100 years of experience fully engaged that weekend.

I came in on Sunday and I sat in a video teleconference, and that conference had at least 50 people who were either sitting in that room at FEMA or were sitting at DHS or were sitting in regional centers or were sitting on the ground in the Emergency Operations Centers in the States. And the purpose of that videoconference is to go around and make sure everybody has considered and talked about all of the measures that must be in place to anticipate what is going to happen when this hurricane hits.

If there is nothing else that FEMA is an expert in, it is hurricanes. This is the challenge—not on this scale, but this is the challenge they have worked at, they have planned for, and they have considered the core of their mission since they were created.

And as I sat there, I heard a round robin go around, hearing from, first of all, each of the emergency managers from the States, the National Guard representative from the States talking very specifically about their assessment of what needed to be prepositioned, what was on the way, and expressing very clearly their satisfaction with the state of affairs and their belief they had prepositioned or en route what they needed to respond. I then heard the regional officers go through the same litany and again say they felt that everything was en route and positioned the way it needed to be. I then heard the people sitting around the table in headquarters talk about things like transportation, urban search and rescue, logistics, and medical teams.

At the end of that VTC—and I also heard Michael Brown say, and I think he was quite accurate about this, we need to push everything we can, jam the system, push the envelope, get everything down there you need to get.

And then at the end of that, and I was conscious of the fact that, although I am the Secretary, I am not a hurricane operator, I do not have 30 years of experience managing hurricanes, and I do not see myself in a position to contradict or second-guess operational decisions by hundreds of years of expertise, but I did want to get to the core issue, so I asked two questions, and these are in the transcript that is contained of that Sunday VTC, which I know you have.

First, I said, is there anything in this Department that is not fully available to you that you need that you don't have that I need to get to you—I am paraphrasing—because it is all available, and Michael Brown said, I am in touch with the components, the Coast Guard—I specifically mentioned the Coast Guard. Everybody has been through this drill before. We are all engaged and working.

And then because I knew that the Department of Defense had unique resources and talents, I asked a second question, have you reached out to DOD, the Department of Defense? Are their assets ready? Do you have what you need from them? Are you ready to go with them? And in the presence of the Defense Department representatives sitting around the table, who I could see on the screen, Michael Brown said, yes, we are here with the Defense Department. We are engaged and we are working, getting all the things that we need. That was what I needed to know to believe that we were—that the experts saw us as ready to move and be prepositioned.

Now, there are many lapses that occurred, and I have certainly spent a lot of time personally, probably since last fall, thinking about things that might have been done differently. But I do want to talk about things that can be done differently in the future very briefly.

First, I want to make it clear to the public, at least, that in the first few months after I arrived, after February, I knew that there were a lot of challenges in this Department. In fact, I am sure in my confirmation hearing, I heard predictions that I was getting into a department that was brand new. Senator Bennett, I think, pointed out that the Department of Transportation, it took them 5 years to get ready, and by the way, this is no criticism of Governor Ridge, who with some very able assistance had to stand up a department from scratch. But I think it was a candid recognition that a new department, barely 2 years old, had a lot of work to do in terms of integration, in terms of building capabilities, and in terms of building a common culture.

And after I did a review, I came back and I believe I testified in this Committee, I certainly testified elsewhere, and I said publicly in July, scarcely a month before Katrina, I said that we were not where we needed to be in terms of preparedness, and I said that because having gone through the exercise of TOP–OFF and having looked and sat with the people in the Department, I knew we had a lot of work to do, and I started to propose some specific things to get ourselves turned around, including getting FEMA to focus on its core mission and making sure we unified all of our preparedness and our planning and our grants and our training in a single focal point.

In accordance with the law and, of course, the appropriations process, we targeted October 1 to reorganize, get ourselves better situated, and then, of course, move forward to start what is not a brief and, in fact, is a very substantial process of getting ourselves prepared to the level we need to be. Unfortunately, Katrina didn't wait until October 1.

So we come here now with a major set of challenges, and I know this Committee is looking very carefully at the issue of reform. I know that the Committee quite rightly wants us to withhold making significant decisions about major reforms until the Committee has had an opportunity to put its findings out, and I agree that is appropriate. As a consequence, when I spoke on Monday about some of the things we are doing, I deliberately said I am not going to talk about more systemic reforms, which the President also is going to hear some recommendations about.

But I do know there are some things we have to get done by June 1 because hurricane season is not going to wait again. First of all, we have to have a unified incident command. Putting aside issues of personality, which at least emerged for me last Friday when another witness testified, it is clear that the whole idea that we need to pass information from a FEMA operations center to a DHS operations center as if across a gulf or a chasm makes no sense at all. We have to complete the process of building out our operations capability. We have got to have real-time, simultaneous visibility into operations in both places.

Second, it is completely correct to say that our logistics capability in Katrina was woefully inadequate. I was astonished to see that we didn't have the capability that most 21st Century corporations have to track the flow of goods and services. I was more surprised to learn that the reason for that is because we don't contract for that directly, we do it through another agency, and that other agency apparently didn't insert a requirement for such visibility in the contract. We are going to correct that.

Our claims management was also something that fell short, and again, to put it in context, we had never had the volume of people whose claims needed to be dealt with. I think 770,000 people were displaced, approximately, many more than FEMA had ever dealt with before, and I think, frankly, FEMA was strained in past emergencies. So we are talking now about expanding capability to deal with telephone registration, expanded technological capacities, and a dedicated core of people who are specialists to go out into the field to reach people when they are widely dispersed as opposed to making them touch us.

Financial management—we are already implementing a plan to bring better financial management tools into the Department.

Debris removal—I am aware of the fact that we still have a lot of debris on the ground. It is not moving quickly enough. I got a lot of complaints over the last few months about the Army Corps of Engineers in terms of being expensive and in terms of being not necessarily inefficient, and, of course, all they do is turn around and subcontract out to others. That didn't make a lot of sense to me. We have already taken the position that we are going to try to equalize the incentive structure to encourage local mayors and local officials to hire their own local debris removers as opposed to

going through the Army Corps. We are going to work again this year going forward to try to identify some contractors who can be available.

And finally, communications. We had not just a problem of interoperability, we had a problem of operability. We are already building teams in FEMA and DHS to get into the field with better communications equipment and the ability to stream back directly to where we are in Washington. We are acquiring more satellite equipment and more communications equipment to be able to deploy to our state and local emergency operators so they can communicate with us.

One thing is clearly true. The foundation of any ability to make significant and intelligent decisions in a crisis is communication, and we have to get the equipment, and then the second thing is we have to have the culture, a culture where people view themselves as part of an integrated team.

So with that, I want to thank the Committee for the opportunity to testify. I anticipate and welcome tough questions. I am going to take responsibility for what the Department did, but I am also going to take responsibility for identifying solutions for the problems that we saw in Katrina.

Chairman COLLINS. Thank you for your statement.

Rev. YEARWOOD. Senator, but mothers and children are being thrown in the street. Mothers and children are being thrown in the street while trailers sit in the ground.

Chairman COLLINS. Sir, this is not a public hearing today.

Rev. YEARWOOD. This is not American. They are being evicted. They are being thrown in the street. It is hard.

Chairman COLLINS. I understand that, and the Committee is working on that issue. We have been to the area twice. I invite you to sit quietly and allow us to proceed with the hearing. Thank you. I would also invite you to talk further with our staffs if you would like to, sir, and see if we can help any specific concern.

Senator LIEBERMAN. I want to repeat that the Chairman has invited you to sit at the hearing if you would like, sir, so long as you remain quiet.

Chairman COLLINS. Secretary Chertoff, I remain perplexed by your decision to appoint Michael Brown as the principal contact for the Department when he had such poor relationships with you and with other senior officials. Assistant Secretary Stephan has told us that Michael Brown did not fully understand a lot of the responsibilities assigned under the National Response Plan, that he opposed the entire concept of having a Principal Federal Official, a PFO.

I am trying to understand why, in view of Mr. Brown's open disdain for the Department, his disagreement with the concept of the PFO, and his criticisms of the National Response Plan, you would want to have that person as the Principal Federal Official and how you would think that it would improve the ability of the Department to respond to Katrina to have an individual who was disdainful of the whole process.

Secretary CHERTOFF. Chairman Collins, when I answer that question, I have to put out of my mind the events of last Friday because I have to tell you it was astonishing to me to hear the tes-

timony of Mr. Brown concerning his decision, apparently, by his own admission, as the PFO on the ground to deliberately bypass the Department and not to deal with us. I had attributed the problems I had sometimes engaging with Mr. Brown to just the overwhelming pressures of the situation itself.

I have to put myself back in the frame of mind of what I knew at the time in August. It didn't surprise me to learn that Michael Brown opposed the NRP. I think that there were many people who were not necessarily satisfied or happy with Congress' decision to create this Department, and my experience in government, I have spent well over a decade in government, and I saw when we tried to fuse intelligence and tried to get the CIA and the FBI to talk together, there was a lot of grumbling and there were a lot of people who bitterly opposed those things. But one thing I saw, at least until this hurricane, was the fact that these people put their policy differences aside and acted professionally when matters of life and death were at stake.

I met with Michael Brown. I heard his vision of what he wanted to do with FEMA. I heard him address the issue of preparedness and the lack of preparedness. I actually agreed with some of his suggestions. I agreed we ought to align training and grants and preparedness in one place.

I did disagree with him in one respect. I did not believe that the solution was to put all of the grants and all of the grant making and training under his authority as the head of FEMA and as the Under Secretary in charge. I wasn't going to give him more authority.

And after I decided that I was going to propose the structure that I ultimately recommended to Congress in July, the Deputy Secretary and I talked to Mr. Brown, and we said to him, look, we know you are disappointed with the result of this. If you are going to have a problem functioning as the head of FEMA with this, let us know. It is perfectly creditable to say, I can't go along with this. I want to leave. If you are going to stay, though, we need to have your full commitment. He told us he felt he had gotten a fair hearing and would give us his full commitment.

I remember in August, before Katrina, for the first time ever, we brought emergency managers and homeland security advisors into the same room in a summit here in Washington precisely to talk about their needs to be sure we were an all-hazards agency, and we talked about the need to be integrated and partnered on natural hazards as well as other hazards, and Michael Brown was there and he endorsed it.

So, yes, if I had known then what I know now about Mr. Brown's agenda, I would have done something differently.

Chairman COLLINS. I guess, as I look back at all the decisions that you had to make, I can't help but conclude that was one of your biggest mistakes. I have an e-mail in which your staff is complaining to Michael Brown's staff that you have lost all contact with Michael Brown for 2 days, and this is a critical 2 days. It is the 2 days after landfall. Michael Brown testified before this Committee that he found your phone calls to be annoying, disruptive. It is just astonishing to me that a person who seemed to not believe in the cause and a person on whom you were relying for active,

complete, and prompt communication, which you didn't get, was placed in charge.

But I want to go on to another issue. I know from talking with you during the week of August 28 that later in the week, you were in Louisiana. You were working night and day, around the clock, to try to remedy the problems and improve the response. But earlier in the week, your actions are puzzling to me because, despite what you said in your opening statement, earlier in the week, in contrast to later when you were clearly fully engaged, you did seem curiously disengaged to me, and the best example of that is on Tuesday morning, the day after landfall, when you are aware of the significant failures in the levees and you are aware that the City of New Orleans is flooding rapidly, and yet you make the decision to continue with your schedule and to fly to Atlanta with Secretary Levitt to attend a conference on avian flu.

Now, avian flu is an important potential threat, but Katrina was an immediate crisis. I just don't understand why you didn't cancel those plans, return immediately to the Emergency Operations Center, and take control.

Secretary CHERTOFF. I think I can address both of the questions or the comments by talking a little bit about Monday and Tuesday.

Let me begin by saying, and I encourage you to look again at the Sunday video teleconference, going into the hurricane, both in the words and in the demeanor, Michael Brown gave me no reason to doubt his commitment to work and use all of the assets available to make this response as capable as possible. So I had no sense going in that whatever his personal feelings were, there was going to be a problem.

On Monday, and I am sure we will get into this later, I was concerned about the levees. The original projection, I think, in Hurricane Pam, which actually projected, I think, 60,000 deaths, was for an over-topping, a single surge that would overtake and flood the city, whereas levee breaching, which in some ways presents a much more difficult set of challenges, was not actually what was anticipated.

My focus in that on Monday, once the storm had passed sufficiently to start getting reports from the ground, was to tap into the Homeland Security Operations Center, either by going back and forth or having people come up or by getting on the phone to see what was the ground truth, what was the real situation on the ground, and I remember specifically asking about what are the conditions of the levees and hearing at some point early in the afternoon an initial report that said there may be some over-topping, there may be some loss of the, I guess they call it rip-rap or something on top of the levees, but no substantial levee breach.

I knew I was going to get a situational report at 6 p.m., which would give me a complete laydown of all the assets and all the conditions on the ground. I think the situation report is part of what has been submitted. I probably actually got it a little bit closer to 7 p.m. And I remember quite specifically that report said there was no—there are some reports of breaching, but nothing has been confirmed. We are looking into it.

So I was mindful of the issue of breaching because I knew that if we had a substantial breach, I don't mean a small breach, that would pose a second set of problems.

I am sure we will get into the question of why I didn't hear about e-mails that came later that night, but I will tell you at least when I went to bed, it was my belief, and it was somewhat fortified by things I saw on TV, that actually, the storm had not done the worst that had been imagined. I think it actually moved a little bit to the east at the last minute.

On Monday, I thought about whether I should go down to the hurricane area, and we actually had a discussion about that in my office, about whether I ought to go down to Baton Rouge where the Emergency Operations Center and Mike Brown was. I determined not to do it because I was concerned about coming in and actually interfering with the operators in the first 24 hours of the post-hurricane operation.

Now, I will tell you that I have a respect for the difference between the operator and the person who is leading the organization. The operator is very much involved in the immediate decisions of what goes on. I have been an operator. I was an operator on September 11, and I know the way I dealt with the Attorney General on September 11. So I would try to be sensitive to not getting in his hair, but also be supportive.

The decision I made was not to go to an avian flu conference but to do two things on Tuesday, go down to a meeting at the CDC about avian flu with Secretary Levitt, and I want to make it clear, this is not a conference like you go to in a hotel. This was a meeting among the top leaders of the Department to kick-start our preparedness for avian flu.

But second, to go to the Emergency Operations Center in Atlanta, which is where Region IV is located. Region IV had half the responsibility for coordinating the response for Katrina. My thought was that would be a way of my getting another perspective and visibility on what was going on on the ground, talking to operational people without getting into a situation where Mike Brown felt someone was coming and now actually creating a question about who's running the immediate incident management in the field.

On Tuesday morning at around 7 a.m., I got the spot report that indicated there had been a substantial levee breach. I then tried—I made a determination, since I was going to go to the operations center, I ought to continue with the trip. And I need to make clear that the Federal Government spends a considerable amount of effort providing me with 24-hour communications. There is never a moment that I am not within a hand's reach of a secure telephone, a secure fax, and literally what I have in my office. So it is the hardware and the ability to communicate, that full capability was with me every moment that I went down, and I, frankly, spent a lot of time on the phone and in communication back with headquarters during Tuesday.

So with that capability in mind, I did take the trip. I did ask the question immediately, is this an irreparable breach? What is the area that is going to be flooded? And as reports came in, as information came in, I became aware of the fact that this was almost

the worst possible levee breach because it would submerge a large center part of the city. I don't want to give a long answer, but I want to give you a complete answer.

I knew at that point that there were three immediate things that had to be done. Search and rescue had to be accelerated because you were dealing with potentially hours where people's lives were in the balance. Second, we had to make sure there was food and water for people who were stranded. And third, we had to think about a second evacuation. Those needed to be done in that order because saving lives in search and rescue is a matter of hours. Food and water is a matter of hours. Evacuation is a matter of a day or two. And really, from that point on, I continued either by telephone or in person to repeatedly pulse back at headquarters and in the field, frankly, to see how we were doing on those things.

The last thing I want to add is the e-mail you read about my conversation with Michael Brown occurred on Tuesday night, and as part of my effort to get truth on Tuesday about now what was the plan for this second evacuation—because by the way, the Coast Guard, I got very good reporting from throughout the thing. I heard that there were approximately 450 buses lined up to come. I did not have a confidence that there was a plan that was visible to me. I wanted to get the incident manager on the phone. I had difficulty getting it. I heard that he was flying around with governors and other people, that he was thinking about a TV appearance, and I gave him a very clear message. Job one is to get this thing done. Sit in the operations center. Get with the relevant managers. Make sure you are taking care of all these issues, and that is the Tuesday call.

Chairman COLLINS. Senator Lieberman.

Senator LIEBERMAN. Thanks, Madam Chairman.

Mr. Secretary, in my opening statement I said that according to the law, you were the lead Federal official in charge of preparation for and response to disasters, and obviously you were both a distinguished lawyer and a distinguished judge before you assumed this position, so I appreciate the fact that you said in your opening statement that you understand that you are the prime Federal official that has that responsibility and that you accept the accountability for it.

Very briefly, pursuant to the Homeland Security Act, President Bush issued Homeland Security Presidential Directive 5 in February 2003, which said that the Secretary of Homeland Security is the Principal Federal Official for domestic incident management responsible for coordinating Federal operations within the United States to prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies.

And then the National Response Plan issued in January 2005, an update of the previous Federal Response Plan, among its changes made one very significant change, and that was to take FEMA out of the lead position in disaster management and give it to the Secretary of the Department of Homeland Security.

That is a very strong legal premise for your accountability, and I want to just make sure I understood that though you accepted responsibility, at one point you said, honestly, I am not a hurricane operator, and that is why in some sense I gather you are saying

you deferred to others. Nonetheless, I assume, pursuant to the laws that I have described, you accept ultimate responsibility.

Secretary CHERTOFF. I want to be completely clear. Not only do I accept responsibility in a legal sense, I took seriously my responsibility to make sure things were operating properly. When I talk about being the operator, the example I use is the person who actually makes the operational decisions about which particular assets are deployed where, how you are to conduct search and rescue, and the way the NRP works is——

Senator LIEBERMAN. Wait a minute. Excuse me because I accept that, and I have a limited time. I want to get to the weekend before the landfall. We spent a lot of time in these investigations on Hurricane Pam, which was a mock hurricane exercise, fortunately much more powerful and damaging than Katrina turned out to be. I assume that you were familiar with the Hurricane Pam exercise, is that right?

Secretary CHERTOFF. Yes.

Senator LIEBERMAN. And Hurricane Pam showed that Federal, State, and local agencies were not ready to deal with the Pam or Katrina-type hurricane, is that correct?

Secretary CHERTOFF. I think actually Pam itself was not fully complete. I think the evacuation piece was done in the summer of 2005——

Senator LIEBERMAN. But generally speaking, it was clear that there was a lot to do to get ready for a Katrina-type hurricane. I want to go to the weekend before the hurricane struck. I know that some people said after the hurricane that there was a misimpression first that New Orleans had dodged the bullet, but by the evidence the Committee has gathered, and to some extent by what you have said in your opening statement, by Sunday night before the Monday morning of landfall, it was very clear that there was a loaded gun poised and aimed at the City of New Orleans. There were reports all throughout the weekend.

On Saturday at 9 a.m., FEMA produces slides at headquarters that state current predicted path takes storm directly over New Orleans. The slides state the Hurricane Pam exercise predicted 60,000 fatalities and 1 million-plus persons displaced, and then goes on to say Pam's estimates are exceeded by Hurricane Katrina real-life impacts, projecting at that point that there could be more than 60,000 fatalities, a million-plus persons displaced.

Dr. Mayfield is warning constantly about the seriousness. Sunday afternoon, National Infrastructure Simulation and Analysis Center within DHS puts out a report saying Katrina was a Category 4 storm or higher that would "likely lead to severe flooding and/or levee breaching that could leave the New Orleans metro area submerged for weeks or months." That is Sunday afternoon from within DHS.

So it is quite correct, and I wrote down what you said, beginning the week before, we were, you said, acutely aware of Katrina and the risk it posed, and finally, we knew that it potentially would hit New Orleans, and I quote what you said, "with potentially catastrophic consequences."

So the question that I have builds on this, and it is that our investigation has nonetheless revealed, though you understood by

your statement today that this was a catastrophic hurricane, that prior to landfall, there were many things that were not done, that were done later in the week. For instance, you did not designate a Principal Federal Officer that weekend as required by the National Response Plan. You did not stand up the Interagency Incident Management Group that weekend as required by the National Response Plan. You didn't designate a law enforcement component within DHS to serve as the co-lead for law enforcement under the NRP. And based on the projections in the FEMA report I have cited and the NISAC report of an enormous number of fatalities and displaced persons, you did not direct FEMA to task the Department of Transportation, or you didn't talk to DOT itself to obtain and immediately move buses to New Orleans so that the people who were not able to get out of New Orleans before landfall would not be left in the horrific conditions that we all observed at the Superdome and the convention center.

I want to contrast that with what happened 3 days later after DHS, to use your Deputy Michael Jackson's term, kicked it up a notch and the Federal Government took very powerful actions. Countries saw just how impressive that response was.

So the question really is, how do you explain the Department's failure, your failure to take much more aggressive action over the weekend before landfall since you knew that this storm was going to hit New Orleans with potentially catastrophic consequences?

Secretary CHERTOFF. Let me try to unpack all the steps of the question and begin by saying I think that the recognition of the catastrophic possibility here—of course, and it was a potential, you have to prepare for the worst, you hope for the best, is reflected by the President's declaration of emergency, which as I said was virtually unprecedented.

Senator LIEBERMAN. Could I ask you a question on that?

Secretary CHERTOFF. Yes.

Senator LIEBERMAN. As you know, I believe, or let me ask you, did you know at that point that when the President declares an emergency, it automatically becomes an incident of national significance?

Secretary CHERTOFF. Yes.

Senator LIEBERMAN. And charges you with the responsibility?

Secretary CHERTOFF. Correct.

Senator LIEBERMAN. The question, and I don't want you to spend a lot of time on this, but I was puzzled by Tuesday evening, I think announced Wednesday morning, you formally announced that this was an incident of national significance. It raised a question about whether you knew it over the weekend.

Secretary CHERTOFF. The answer is that on Tuesday, we had a cabinet meeting the next day, and I wanted to formalize the appointment of Michael Brown as PFO, and it was, I guess, kind of a judicial hangover. You tend to write in a formalistic style. But my understanding of the plan and my reading of the plan then and now is that by dint of declaring the emergency, it automatically made it an incident of national significance.

Senator LIEBERMAN. That is my reading, as well.

Secretary CHERTOFF. And that is why I became personally involved in it.

As far as the IIMG is concerned, the IIMG was kept briefed——

Senator LIEBERMAN. So why did you declare it again on Tuesday if you knew that it——

Secretary CHERTOFF. I think because I had never done any paperwork in my own hand. I said to somebody afterwards, this is probably a judicial hangover. It is the way I was used to writing. In truth, I didn't need to do it. I was told I didn't need to do it. But I just did it to formalize it.

Senator LIEBERMAN. OK. So again, you are testifying this morning that as of the President's declaration of emergency, which by your testimony was unusual, maybe unprecedented, you knew that it was notched up.

Secretary CHERTOFF. Correct.

Senator LIEBERMAN. It was an incident of national significance, which gave you more authority and responsibility to mobilize the resources of the Federal Government. So I ask again why more was not done over the weekend.

Secretary CHERTOFF. And let me make clear, it gives me more authority to coordinate it. It doesn't actually change my legal authorities. So let me talk about the individual things we are discussing, and I think you raised three. You raised the PFO, the IIMG, and the issue of transportation.

Senator LIEBERMAN. Right, and the law enforcement.

Secretary CHERTOFF. First, as it relates to the IIMG, which is a group of representatives of the agencies who come together to provide strategic guidance, that group was kept in the loop. It was briefed. It was brought in on Monday. It didn't actually stand up until Tuesday. If this had been a different kind of a catastrophe, one that FEMA was not accustomed to dealing with, like a biological incident, I would certainly have triggered that group right away. I think on July 7, when the London bombings came up, we triggered that group right away.

But I have to tell you, at least at the time, it was my judgment that if there is any area where the expertise resided around that table at the National Response Coordination Center, it is hurricanes. I mean, there is no group of people who have spent more time on that than the people at the NRCC. So I frankly viewed that group as the source of operational advice and even strategic advice going forward.

Likewise, in terms of declaring Michael Brown a PFO——

Senator LIEBERMAN. Why not do that right away on Saturday after——

Secretary CHERTOFF. With the PFO?

Senator LIEBERMAN. Yes.

Secretary CHERTOFF. Because, again, and this may reflect kind of a practical reality as opposed to formality, the function of the PFO is to represent the Secretary and basically exercise his authority in terms of coordination. It doesn't exercise command authority, it is a coordinating authority.

If I had brought somebody outside the chain of command, I probably would have done it right away. But given the fact that Michael Brown was an Under Secretary of the Department, so he was the third ranking member of the Department, at least in terms of level, and given the fact that he and the team working on this had

been working together for a week, I frankly didn't think it was necessary at that point to add an additional title or additional measure of authority.

When the cabinet meeting came up, I guess in recognition of the fact that, first of all, this was going to be actually a much longer process of rescue than we originally hoped it would be, I wanted to make sure that, out of courtesy to my colleagues, I was very clear to them that I was conveying to Michael Brown every ounce of authority to speak on my behalf in the field as the operator as I could do.

With respect to the issue of transportation, let me say that in that first couple of days after I learned about the levee breach, it was clear to me that the biggest failure was not getting buses in. We did a very good job with rescue, and I kept very close tabs through the Coast Guard on the number of missions flown——

Senator LIEBERMAN. How about on the weekend before the storm hit New Orleans, knowing that the predictions were for a very large number of displaced people? Why not mobilize Federal DOT resources? We had a witness here from DOT who said they began to get ready to deliver buses under a contract, a stand-by contract they had on the previous Friday but were not asked.

Secretary CHERTOFF. Well, I can't tell you specifically about buses, but I know, because I remember this particularly, if you go back to that Sunday conference, there was a specific question about activating ESF–1, which is the Department of Transportation and the Movement Coordination Center. So my understanding on Sunday was that the people whose job it is at the Department of Transportation to move all this, get buses, planes, or trains, had been stood up and were now working on the contingency plans to do that. I will acknowledge to you I did not call the Department of Transportation and say, I want to see the plan.

On Thursday—actually, on Tuesday and Wednesday, after landfall, I expected to then see the plan. And my heated conversation with Mr. Brown, if I can describe it that way on Tuesday, and my consistent, if I can use the word nudging, nudging the Department, nudging, prodding, poking, and ultimately raising my voice about buses on Wednesday led to a decision by the deputy and me on Thursday that we needed to simply take this away and get it done ourselves. That was, by the way, a failure of—that is not what I should have been doing and not what the deputy should have been doing and reflected my frustration.

Senator LIEBERMAN. I thank you for answering. My time is up. I assume if you give me just a one-word answer, that as you look back, you agree that the Department's preparations over the weekend preceding Hurricane Katrina hitting the Gulf Coast were inadequate?

Secretary CHERTOFF. Yes, particularly in the area of bus transportation.

Senator LIEBERMAN. Thank you.

Chairman COLLINS. Senator Warner.

OPENING STATEMENT OF SENATOR WARNER

Senator WARNER. Thank you, Madam Chairman.

Mr. Secretary, first, there is a report out today issued by the House of Representatives. Our Committee will eventually issue its report, but I would say that—looking around the table, I think I am the longest-serving Member except for Senator Levin—I have the highest degree of confidence in this Chairman and this Ranking Member of any two Senators here in this building, and I am confident that our report will be fair and objective, and it will reflect on your statements this morning, where you step up and accept accountability. That is exceedingly important in all realms of our government and I commend you for that.

I wonder if you would just indulge me in a personal story. It coincidentally was in February 1969, when President Nixon took office and I was privileged to join the Department of Defense in the Navy as Under Secretary and then the Secretary, and a remarkable man became Secretary of Defense, Melvin Laird, who left the Congress and took on that job, and it was in the middle of a war.

Now, I mention this because a number of us had known President Nixon for many years. I had been with him in his first campaign as an advance man, traveled with him to 12 States, kept abreast of him and worked with him during the interregnum, and I mention that only that when Laird formed his Department, put it together, he brought us all into a room one day and closed the door, and he looked at us straight in the eye and he said, "Now, I want to make it clear. Many of you have known the President. You have varying degrees of personal relationships." I am saying with a sense of humility I did know him quite well. And, he said, "but I want you to understand I am the Secretary, and from this moment forward, I and I, alone, will communicate with the President. If there is anyone that feels that you have a need to do some direct communication, give me the courtesy of letting me know and then we will talk it through together."

As I say, this country was in a tough situation in that war, taking over the responsibilities, and that worked. I will never forget that. You might tuck that away for future reference.

Secretary CHERTOFF. A good piece of advice.

Senator WARNER. And he also said, "If anyone decides to violate that rule, please pack up and say goodbye," and that was understood.

Now, we go to the question of people in charge and chain of command. In your written testimony, you said "We must have a clear chain of command for managing incidents, and we must have a unity of purpose across our Department." You are addressing that and putting together a very important part of this Committee's record. So many people felt that they had a measure of take charge, and you have the sovereignty of the States to deal with and the governors, and I suppose mayors consider themselves a subset of the sovereignty. This one, I think, exercised some of that thought. You have the FEMA director, the National Guard, the Coast Guard, the active duty military, all these components.

Lessons learned from this, how do you propose in a future situation, and we must focus on that, how do you propose to sort through all of those situations?

Secretary CHERTOFF. I think, Senator, you put your finger on the most challenging element of this, precisely because you have, first

of all, State and local governments with elected officials. You have a lot of different departments, and they all have their own authorities. And I can't say I have got a complete answer, and I think I am looking in part to this Committee's report and also what Assistant to the President Townsend is going to suggest, but I can give you some ideas.

First of all, I think just as a mechanical matter, this idea that we have separate operations centers where one delivers something to something else in DHS makes no sense. We don't yet have the campus that would allow us to literally have one operations center, but we are in the process of building the hardware and also the culture that gives everybody simultaneous visibility.

Second element, and I saw this work much better in Hurricane Rita, is relations with DOD. We all knew in theory in August that Northern Command and Department of Homeland Security would have to work together as partners, but knowing that and not actually having practiced it and having gotten out there and done the work doesn't allow you to actually execute as well as you should. That is why we did better in Hurricane Rita than Katrina.

The Department of Defense NORTHCOM is going to be putting some of its planners into our regional offices. We have got some people over at NORTHCOM. We are looking in some way to set up a regional preparedness function under our new Under Secretary so that we can get closer to the States in various regions a cell of DOD and DHS planners who can work with the State and locals to build that relationship.

Senator WARNER. That is an interesting response, and I would hope that prior to finalizing that you might come up and acquaint the Committee with your proposals such that if we have some thoughts, that we might be able to contribute them because that unity of command is absolutely essential. You do have the subset of problems between the active duty forces, whether or not to nationalize the National Guard. Now, that is a matter that the President really has to work out with the respective governors if that is necessary, and then your integration with, again, the National Guard of that State.

In this situation, I felt—and by the way, I think General Honoré did a superb job as did all the men and women in uniform, be they active or Guard or Reserve. Do you feel that?

Secretary CHERTOFF. I do. I think they did an outstanding job.

Senator WARNER. But all of the individuals, right down to the privates and the sergeants that were there——

Secretary CHERTOFF. Absolutely.

Senator WARNER [continuing]. Integrating that, and it is a great credit to the military that they will step in. But I think through personality and the ability to know how to exercise command, Honoré and the Adjutant General certainly of Louisiana worked out their situations quite well. Do you agree with that?

Secretary CHERTOFF. I do.

Senator WARNER. The distinguished Ranking Member talked about the National Response Plan, and I wasn't certain I was listening carefully to your response. Do you feel it was or was not followed?

Secretary CHERTOFF. I think it was—well, let me put it this way. Until last Friday, I believed that problems in actually following it were just inherent in the fact that the situation was overwhelming and it was a new plan. I mean, I think it was—it had never been used before. Friday, I think I heard from a witness additional facts which now cause me to believe there may have been a choice not to follow it, but I will tell you, that was news to me.

Senator WARNER. So do you feel that the NRP as written is adequate, or do you wish to make some changes as we go to the future?

Secretary CHERTOFF. I think we need to look at some changes because I think it winds up sometimes being cumbersome. It is evident to me, for example, that there is genuine confusion about some of the elements of the plan and when you have to do certain things. Rather than try to argue as if we are talking about a legal document, I think we ought to clarify it and simplify it. But I think the basic concept of an integrated management system is a correct concept.

Senator WARNER. Well, again, I would hope that this Committee would be involved before that was finalized because we all bear a measure of responsibility in a natural disaster of these proportions. It just isn't the Executive Branch, it is the Congress, and we want to be supportive because we have learned from bitter experience in this the element of human suffering.

You heard the gentleman behind you get up and speak out about the plight of so many individuals today. I know they are foremost in your mind. What active steps are you taking today to try and alleviate the suffering that is taking place every hour we sit here?

Secretary CHERTOFF. Here is the program we have in place. In order to transition people from having the government directly pay for hotels, which are very expensive, to having people receiving assistance that they can use to find places to live or receiving trailers, we put in a process, a program, to first of all validate the appropriateness of everybody in the hotel to see who is, in fact, entitled to be there and who isn't, get them their money, and then give them a couple of weeks from the time they get their money to find someplace to live. We have sent—we have done a lot of intensive work sending teams in to meet with people in hotels to give them housing solutions. If they have to wait for trailers or if they have to wait for apartments, they will have individual assistance that they can use to pay for places to live until that happens.

I know the hotels are a little impatient and with tourism coming up, some of them want to push people out. We have tried very hard to be very sensitive to helping people find housing, but ultimately move us away from what is a very expensive program of having large numbers of people in hotels.

Senator WARNER. Could you fill in, in the few seconds I have left, the story of the trailers and the accuracy of it and the situation because it really, the compassion of the American people is enormous for those suffering, and when they hear stories like this, they feel it quite disturbing, and expenditures being used for purposes totally unrelated, in other words, compensation somehow they have received in other areas, totally unrelated to alleviating that suffering.

Secretary CHERTOFF. Well, we knew in the first week that the scale of people who would require assistance being so large and being so widely dispersed, we would have to reconcile two imperatives. One is people who had literally swum out of their houses with nothing but the clothes on their back who needed to have money for food and clothing, and then people who are going to try to cheat you.

So we got the Inspector General in right away, and we said, look, we are trying to devise a program to get money to people as quickly as we can and yet try to build in some way to avoid fraud. I don't think we were entirely successful because (a) of the scale and (b) we didn't have the systems in place.

One thing I am happy to say is this. The criticism that our telephone system did not allow us to validate who people were and the addresses has now been corrected. We have taken the program that was used to validate people who registered online and in the last couple of weeks we have made it operational for telephones, as well. So there are a series of steps we are taking through implementing the financial controls that will eliminate at least a large part of this threat in the future.

But I think part of it is also prosecuting people who try to rip us off.

Senator WARNER. Madam Chairman, my time is up. I wish you and your Department good luck in the future.

Secretary CHERTOFF. Thank you.

Senator WARNER. Thank you very much. You didn't cover the trailers, but maybe later you can speak about the trailers.

Chairman COLLINS. Senator Dayton.

OPENING STATEMENT OF SENATOR DAYTON

Senator DAYTON. Thank you, Madam Chairman.

The House Committee's report that has just been released says it remains difficult to understand how government could respond so ineffectively to a disaster that was anticipated for years and for which specific dire warnings had been issued for days. The crisis was not only predictable, it was predicted. If this is what happens when we have advance warning, we shudder to imagine the consequences when we do not.

As those of us who accompanied the Chairman and the Ranking Member recently to Mississippi and New Orleans can attest, this failure of response was not just in the immediate aftermath of the hurricane. It remains and continues to this day. According to one article in the *Washington Post,* vast sections of the City of New Orleans are still without utilities. Without electricity, businesses can't open their doors. New Orleans is a Gordian knot of complications that has tied up about everyone. Everyone is waiting for the FEMA maps like they were oracles of Delphi because the maps will tell residents and businesses where and how they can rebuild. Those maps are not likely to be finally released until August, a year after the hurricane has occurred. As Senator Warner pointed out, we heard testimony from the Inspector General that mobile homes and the like that have been bought are just an incredible waste of money that are sitting and rotting in, ironically, Hope, Arkansas.

So this incompetence and this lack of a capable response by FEMA and by DHS continues to this day. That, to me, is if anything more disturbing than the failure of the immediate response. I think they are both critically important, but this is ongoing. As I will get into later in my second round, Roseau, Minnesota, a small town in Northern Minnesota, has struggled for 3 years after a flood to get approval for a $619,000 project that has just been in the regional office going around and around. FEMA should be out of Roseau by now. This occurred in June 2003. They should be on to whatever, but it goes on and on. People get dragged on. These are responsible local officials just trying to rebuild their community, which was flooded, and they can't get a $619,000 project.

The problems in FEMA are so systemic and so ingrained, I just frankly don't know, other than turning the responsibility over to the National Guard and making some chain of command temporarily responsible for immediate emergencies until you can go back and start this agency all over again because this is just so dysfunctional or nonfunctional, it is frightening, and it sets up expectations that people in an emergency are going to get helped, and they don't. SBA and the housing, all this just goes on and on, and New Orleans is a macro example, but there are these smaller examples all over.

The Committee report goes on to say that Katrina was a failure of initiative. It was a failure of leadership, it says. Mr. Brown, who I realize you inherited, was the roommate of the previous Director of FEMA, resigned in part because of issues that were raised about falsification of his qualifications in his resume. The predecessor, Mr. Albaugh, was the national campaign manager for the President's 2000 election campaign. According to this bio in Wikipedia, Mr. Albaugh brought about several internal reorganizations of FEMA designed to shrink the agency in size and scope, and particularly, the Albaugh FEMA diminished the Clinton Administration's organizational emphasis on disaster mitigation in favor of terrorism response. That is an accusation that Mr. Brown made himself last week.

But where this gets current and relevant is he says in March 2005, Mr. Albaugh registered as a lobbyist on behalf of Kellogg, Brown and Root, which is the firm, a subsidiary of Halliburton Corporation, that we have received testimony has failed on numerous occasions in Iraq and has, according to that Inspector General, over $1 billion of questionable charges.

Two of his clients, Mr. Albaugh's clients, Kellogg, Brown and Root, and the Shaw Group, reading the list of contracts received in the aftermath of Hurricane Katrina, appear again and again—roof repaired in Louisiana, Shaw Constructors, Inc. Water removal, City of New Orleans, and these are projects, as I say, that in cases have been delayed or not even begun to occur. Unwatering, Kellogg, Brown and Root, contingency support for INS, temporary expansion of facilities, Kellogg, Brown and Root. FEMA's prime contractors, of which there are four, one being the Shaw Group. It has on its website the saying, "Hurricane Recovery Projects, Apply Here." It received a $100 million emergency FEMA contract for housing management and construction. The Shaw Group received a $100 million order from the Army Corps of Engineers for work.

Another article says the Army Corps of Engineers awarded a contract worth up to $385 million for the building of temporary immigration detention centers to Kellogg, Brown and Root. Another one says KBR won a $33 million contract from the Naval Facilities Engineering Command for Hurricane Katrina stabilization and recovery.

So here you have a situation where somebody who downsized the agency and people who are basically then turning around and getting contracts, some of them big sole-source contracts, that they haven't performed on and they are continuing because these two $100 million awards that I cited for KBR, or for the Shaw Group, I am sorry, were awarded just in the last couple of weeks.

You have, I think, a political scandal of enormous proportions not only in what happened immediately because of the failures of communication, but the opportunistic greed that has dominated this recovery project is one that needs to be rooted out and eliminated, and you need to find, if it is possible to find it given FEMA's reputation, people who are professionals, who are trained and experienced with professional management of disaster recovery, which is what FEMA is charged to do, who aren't put in these key positions because of their prior political campaign experience, who aren't allowed to then leave office and turn around and become consultants for companies that are making hundreds of millions of dollars off the misery of the people that are still suffering down there and not even performing on the contracts.

I think you have a monumental disaster, and I think FEMA is the disaster today. It is an even greater disaster than the disasters it is supposed to be addressing.

Secretary CHERTOFF. This is a lot to respond to. Maybe I can just do it briefly this way. As we get into recovery, of course, that engages a lot of different elements, a lot of different departments. You are quite right that we continue to have open on the books disasters from over 10 years ago. The Northridge earthquake, which I think was in 1993 or 1994, we still have a FEMA office open there, and I think that raises some interesting questions about the way in which we handle long-term recovery, which I think has grown like topsy over the last few years.

In terms of things like some of the frustrations in New Orleans, of course, the President has a Gulf Coast coordinator who is working closely with the States and locals. Sometimes these are matters of problems at FEMA. Sometimes there were trailers that were sitting staged that for a long time no one wanted to give occupancy permits because nobody wanted to have it, as they say, in my backyard. So we had to get local permission. We don't have the ability to say to mayors, take it. You have to. You have no choice. We have had problems with utility companies in terms of hooking things up.

So there is a lot to work on in FEMA. One thing I will tell you, though, is that the President has appointed some really outstanding people to help me in this Department since I have come on board. George Foresman, for example, who is our Under Secretary for Preparedness, has spent 30 years, most recently as Governor Warner of Virginia's Homeland Security Advisor, working in the area of homeland security and emergency management. We are

looking at people, ultimately—we have Dave Paulison, who has 30 years in emergency management in Florida as the Acting Director.

So we are committed to getting people in here who have the appropriate skills to run their particular components, and we know we have a lot of work to do with FEMA. We have started to talk about some of the things we need to do, and one of the things I look forward to is having the Committee talk about some of these long-term recovery issues and how to deal with them.

Senator DAYTON. Mr. Secretary, when I go back to the sequence of events regarding information, and you have acknowledged that was a problem, but Mr. Bahamonde testified before this Committee that at approximately 11 a.m. on Monday morning, the worst possible news came into the Emergency Operations Center. I stood there and listened to the first report of the levee break at the 17th Street Canal. They added that it was "very bad." We have here pictures that he took from a U.S. Coast Guard helicopter at about 5:30 p.m. on Monday afternoon. I mean, this is New Orleans underwater. This is not, as you said earlier, the possibility of 80 percent flooding, this is 80 percent flooding that has already occurred, that has been documented by the one FEMA individual on site at 5:30 in the afternoon.

He said that he then contacted the FEMA headquarters three different times—including Mr. Brown, yet we had testimony last week from General Broderick, head of the HSOC, that he left the office that Monday evening unaware. He said there were conflicting reports, but this is about as hard to refute as anything I could imagine. He came in the next morning at 6 a.m. and became convinced that there had been, in fact, major breaches and flooding. He, then, according to his testimony, didn't tell Assistant Secretary Stephan until 11:30 in the morning that this catastrophe had already occurred, which it was first identified 24 hours previously by somebody, an eyewitness.

Talk about situational awareness, you have people that are taking pictures from helicopters that are communicating. How much more situational awareness could anybody at your level have?

Secretary CHERTOFF. Well, I think this comes directly back to the point of integration. As I later learned, and I actually spoke to Marty Bahamonde the weekend after landfall and for the first time actually heard from him what had happened, which no one had told me before then, he took these pictures, I guess, in the late afternoon or early evening around 6 p.m. There is no question this is exactly the kind of image that should have come into the HSOC and would have immediately, it seems to me, alerted everybody that we had a major breach.

I have a lot of respect for General Broderick, and I think you read his resume. He spent more time running operations centers and handling crises for the Marine Corps than anybody I have ever met. I trust him implicitly to sift information. I am confident that had he had this, he would have gotten it to me immediately. I can tell you that the 6 a.m. report did get to me, so when he got it, he did pass it on to me.

The fact that there could be people talking about this in FEMA and we not know about it is precisely the problem of lack of integration. Part of it is hardware and stuff, but I have to be honest,

part of it is culture, people—this is the stovepiping we have dealt with in the intelligence community. People sometimes hoard information. I have been in the Department of Justice, I have dealt with issues there that are similar, and I am dealing with it here. We have got to convince people that stovepiping information and hoarding information is irresponsible when matters of life and death are involved.

Senator DAYTON. Thank you, Madam Chairman.

Chairman COLLINS. Senator Coleman.

OPENING STATEMENT OF SENATOR COLEMAN

Senator COLEMAN. Thank you, Madam Chairman.

Mr. Secretary, I do appreciate your candor and admission of responsibility, which is important. I felt, in listening to Michael Brown, that he feigned admission of any sort of responsibility, and in fact, I think what he really was doing—what he testified to when he said very directly, even though he asked me—I have apologized; what else should I do? His testimony essentially was that DHS and FEMA, their response was doomed from the beginning because of the structural incorporation of FEMA into DHS. I have been pointing out this disfunction. He stated these clashes in the Department, if they are not fixed, this Department is doomed to fail. It will fail the country.

Is it your belief that FEMA and DHS were doomed to fail because of structural infirmities?

Secretary CHERTOFF. No, quite the opposite, and I will tell you that the proof of the pudding to me is in a couple of stories I will tell you about what happened on Thursday, which were examples of situations where finally violating my general rule that the operator ought to be in control of the operation, the Deputy Secretary and I started to intervene personally into operational things because I think—my perception was at the time Mr. Brown may not have been aware of the capabilities. Maybe now, after the testimony on Friday, he didn't want to use them.

One was the buses, the air bridge out of the Superdome. When we learned that the plan was to simply bus everybody to Houston, we realized that is going to take forever, so the Deputy, working with TSA, which is one of the components of the Department, and the private sector was able to get commercial aircraft, arrange to come into New Orleans Airport to create an air bridge so we could bus people just to the airport and then go back and pick up more people. That was one example of enhanced capability.

The second was the Coast Guard. I got a report from the Coast Guard on Thursday that there were pockets of people who had self-evacuated to a high ground that didn't have water, and I guess FEMA wasn't able to respond. So I simply directed the Coast Guard to take a helicopter, and I was a little hesitant because I didn't want to take them out of another mission, and map where those people were so they could go back and deliver water.

Those are examples of capabilities that DHS brought to the table. The shame is that we were not made aware of the need to do those things a little earlier.

Senator COLEMAN. I want to talk about that. The Chairman raised the issue of how could you have the guy in charge who clear-

ly didn't have respect for chain of command, who basically said it was a waste of time to talk to you and was talking to the White House. You answered in response to what you know now versus what you knew then. I want to go back to kind of what you knew then.

One of the issues is when did you know that New Orleans was underwater? You have indicated that you didn't know Monday. You went to sleep Monday night thinking, in effect, that you dodged a bullet, and so when we woke up reading papers, that was the impression you had, and apparently you didn't get information from Bahamonde or anybody else talking about the breach, is that correct?

Secretary CHERTOFF. That is correct.

Senator COLEMAN. But then on Tuesday morning, actually, in regard to a Tim Russert interview which was September 4, Sunday, you talked about what actually happened. You talked about New Orleans. You woke up Tuesday. New Orleans dodged a bullet. And it was on Tuesday the levee—it may have been overnight Monday or Tuesday the levee started to break, and it was mid-day Tuesday they became aware of the fact that there was no possibility of plugging the gap and essentially the lake was going to start to drain into the city. Were you saying here that it was Tuesday afternoon, mid-day before you knew——

Secretary CHERTOFF. No. What I said——

Senator COLEMAN [continuing]. That the break was irreparable?

Secretary CHERTOFF. No, what I said was this, and I apologize a little bit because I think I was on 4 hours of sleep over 48 hours when I did that interview from the field outside of New Orleans. What I said, my understanding at the time, as late as Sunday, was that the breach had occurred overnight Monday because I found out about it first thing, 6 a.m., Tuesday. Then the question I had is, well, what can be done? Is this something the Army Corps can repair? My impression is it took a little bit of time to get a definitive answer to that. Mid-day is probably not the right word. I knew by mid-morning that it was irreparable, and I also knew by mid-morning that it was situated in a way that would really flood the entire city like a bathtub until equilibrium.

Senator COLEMAN. On Monday morning, I think it was in Exhibit 14,[1] there is an e-mail from Michael Brown to Patrick Rhode, I think, and others saying that he touched Chertoff—this e-mail is 8:53, so it is 9 in the morning. Brown is saying that he touched Chertoff today. "FYI, he and Leavitt are headed to CDC." You have testified to that. "Casually mentioned he was going to R4 to give morale boost to R4." You indicated you went to that Atlanta base. Did you know that? Did they know that? When Brown said he touched you, what did you and Brown talk about on Monday morning? Did he not explain that he understood that the levee was broken, that we were facing a great catastrophe?

Secretary CHERTOFF. I don't think he knew—I can't speak for him. What I have seen of the record does not suggest to me he knew on Monday morning that the levee had been breached. I have seen an e-mail, after the fact again, around 12:30 or something like

[1] Exhibit 14 appears in the Appendix on page 172.

that on Monday, where Brown says to somebody, I think there is some over-topping. So on Monday morning, I asked him for general—I don't remember the exact conversation—what is the situation. The storm was still going on. I expected that we wouldn't know the full picture. At that point, he did not tell me about a levee breach.

Senator COLEMAN. How do you respond to the reports or the e-mails that the White House knew Monday night about the breach. Obviously, you didn't. What happened there?

Secretary CHERTOFF. I think the whole idea of dealing with conveying information by e-mailing people you know around the government is a huge mistake. We have an operations center to fuse information. This is, again—I feel like I am back with the issues with intelligence. It has got to come to one place. If it had come to the HSOC, the HSOC has the responsibility to notify the White House Situation Room as well as me.

Senator COLEMAN. It was clear, though, that by Wednesday or Thursday, clear to Americans, my wife watching TV and then talking to her husband, the Senator, and just being aghast at what was going on and why can't we get food to the Convention Center? What is happening at the Superdome? It was clear that Brown was in way over his head, way over his head. Yet on Friday, I believe it was Friday, September 2, the President is standing there and saying, "Brownie, you are doing a heck of a job," which tells me somebody didn't tell the President that he has got a FEMA Director who is way over his head, who has failed to respond to the needs of the people in the city. All of America knows that. It seemed the only people who didn't know were the White House and Homeland Security. How did that lack of communication take place?

Secretary CHERTOFF. Let me give you, again, a kind of a play-by-play of my assessment of Mr. Brown as things went on. On Wednesday, I was in a cabinet meeting. There were associated meetings about this. He actually did communicate with me on Wednesday. I was regularly in touch either through the HSOC or directly, even talking to people in the field.

On Thursday, we had the incidents I have described with the Coast Guard and the bus, and also it was Thursday when I discovered about the Convention Center. I initially asked Mr. Brown. He said there are 1,500 people there. Finally, I had to send somebody in and have them report back directly.

Thursday night, I began to—I asked myself, are we dealing with a situation where it is not just the inherent overwhelming challenge, but that maybe despite good intentions, Mr. Brown is really not up to this, and I thought I would go down on Friday and see for myself.

When I came back on Saturday, I concluded I had to replace Mr. Brown, at least in Louisiana, and at that point, I solicited some suggestions and began the process of bringing Admiral Allen in to be the Deputy PFO on Monday.

Senator COLEMAN. The President, to his credit, has accepted responsibility. I mean, the buck stops at his desk. I would suggest, though, Mr. Secretary, that as head of DHS that you failed the President by allowing him on Friday to be with somebody that at

that point in time, I think you had to have some real doubts that Michael Brown was capable of providing the leadership that needed to be provided in those circumstances.

Secretary CHERTOFF. I certainly had reservations. First of all, I am acutely—look, I mean, my job was to manage this incident. I take responsibility for the management, and I want to make it completely clear that when Michael Brown said, well, he went to the White House for this, it was not the White House's responsibility to direct the operation or to direct the operator, and it was our Department's responsibility. To the extent that failed the President, I feel that very acutely.

I can't speak for the President. I understand that on Friday, notwithstanding my doubts, I believe Mr. Brown was doing the best he could. And so I can't say I was offended by the fact that—he was very tired. He was up a lot. I don't think we should let hindsight color the fact that he worked hard. But I certainly on my own began to reevaluate him over that period of time.

Senator COLEMAN. My concern about that is, again, it is not what we know now, but really then. I mean, if all you had to do was watch TV then, I think most of America knew by Wednesday night and Thursday that FEMA had not responded the way it should, and a lack of leadership across the board. I have said this was the perfect storm of poor leadership, a governor who didn't make decisions, a mayor who was holed up in a hotel without communications and wasn't showing leadership, and a FEMA Director who clearly did not provide leadership. I think we knew it. What concerns me is with all the communications you have, everything you tuned into, you are still evaluating something that I think is pretty apparent to the rest of us.

A last comment very quickly because we have to talk about today, I was with the Chairman and the Ranking Member. We visited Mississippi and New Orleans. To many people, FEMA is a four-letter word, a negative four-letter word. There is a lot of work that needs to be done, and I do think we have to look ahead and deal with the great tragedy that is going on, deal with the situation that I think Chairman Warner was getting to. You have these trailers, and they are sitting somewhere and not functional where people need them.

So I would hope as we not just look at what happened then, but as we are looking at what is happening now, that we don't need to do another investigation a year from now as to the slowness of the response.

Secretary CHERTOFF. Well, do you want me to talk about, not trailers, but the mobile homes now? The original conception, I think, was just to have mobile home communities in places that were outside the flood plain. It turned out, I think, not to be the right solution, partly because I don't think communities wanted them. What we will do with these mobile homes is we need to make sure they are stored properly. They will be used in the area and for other purposes.

More generally, let me leave you with this thought. The challenge we have now is we have to continue the recovery process, but we have to get ready for June 1, which is my—we could have something before June 1, but the hurricane date. So we have both of

those things to juggle, and that is why I am spending a considerable amount of my time now talking about how do we rebuild FEMA.

Senator COLEMAN. Thank you. Thank you, Madam Chairman.

Chairman COLLINS. Thank you. Senator Pryor.

OPENING STATEMENT OF SENATOR PRYOR

Senator PRYOR. Thank you, Madam Chairman.

Let me just make sure I understand this. You used to be on the Circuit Court of Appeals.

Secretary CHERTOFF. Correct.

Senator PRYOR. So you gave up a lifetime appointment for this, is that right? [Laughter.]

Secretary CHERTOFF. My wife reminds me of that periodically.

Senator PRYOR. I thought you might hear about that from some folks. Let me ask you about something that one of our Congressmen in Arkansas, Mike Ross, who represents the Fourth Congressional District, has talked about a lot in the last few days and that is the FEMA trailers that are in Hope, Arkansas. They are in an airport there. There has been a lot of news coverage on this. As I understand it, there are two types of, what do you call them, trailers, manufactured homes——

Secretary CHERTOFF. Right.

Senator PRYOR [continuing]. Or whatever terminology you would like to use. One type is the type that you have that are stored in Hope, and as I understand it, those are maybe a more permanent type of home that needs permanent utility hook-ups. There is another type that I think you may call in the lingo in FEMA, you may call them travel trailers. Is that right? There are two types of trailers?

Secretary CHERTOFF. There are mobile homes and trailers, correct.

Senator PRYOR. OK. And on the travel trailers, they can be put in someone's yard. They can be hooked up to the existing utilities there. And they can be placed in a floodplain, is that correct?

Secretary CHERTOFF. That is correct.

Senator PRYOR. And so the first question I have is, who made the decision or why was the decision made to go with the more permanent-type mobile home rather than the so-called travel trailer?

Secretary CHERTOFF. Actually, the decision was made to use both, and we have acquired many more travel trailers than mobile homes. At the time that the dimensions of this became clear, there was literally a shortage. I mean, there was not enough capacity, and they wanted to contract to get as many trailers and as many of any kind of living facility in the pipeline as quickly as possible. So we really turned the spigot on for the trailers.

I think the original thought was the mobile homes would be an alternative to trailers in places without a floodplain, for example, if there were communities around Baton Rouge, we might use those for that. I think it has turned out that they are not particularly popular in terms of having communities like that, and while I still envision we are going to use several thousand of those mobile homes where we can instead of trailers, we will have to use the excess for non-floodplain places.

Senator PRYOR. So is it your testimony today, just so I am clear on this, that it is up to the local communities? If they want the trailers, they can have them?

Secretary CHERTOFF. Well, no, but they have to agree to have them or we can't put them there. If a local community says, give me trailers, we still have to allocate among people who want them because there is a shortage. But if they say, we don't want mobile homes and they don't grant a certificate of occupancy, then I don't think we can do anything.

Senator PRYOR. And has that been your experience here, that they don't grant a certificate of occupancy?

Secretary CHERTOFF. What has been reported to me is that there are instances where, with respect to mobile homes or trailers sometimes, there are communities that do not want to grant a certificate of occupancy if you are going to put a group of homes in one place.

Senator PRYOR. Right. And I guess, not to parse words with you, but you said it has been reported to you that there are incidents of that——

Secretary CHERTOFF. Yes.

Senator PRYOR. What I want to get a sense of is how widespread that is, because I went down with the Committee to that region and my impression from local people is they were begging FEMA for trailers and mobile homes, just begging them.

Secretary CHERTOFF. Yes, and the reason I say reported to me is because not having spoken to the mayors myself, necessarily, all of them myself, I don't want to say something that turns out to be inaccurate. I think Mississippi is different than Louisiana. I think in Mississippi, you have a lot of home sites that are habitable right now, and many of those people—and this is the traditional hurricane model—many of those people want to put a trailer on their home site, they hook it up, they are ready to go.

I think we have satisfied a lot of those needs. I don't think we have satisfied all of them. Louisiana is different because we have a lot of area that is not habitable, and some of what is habitable is still in a floodplain, and there have been discussions about, for example, in some communities, having groups of mobile homes or groups of trailers in a park, and that is where we have sometimes gotten some resistance.

Senator PRYOR. OK. Well, I would like to explore that with you further, but our time is short.

As I understand the policy under the previous administration, when James Lee Witt was running FEMA, apparently what they would do with trailers or mobile homes is they would negotiate with the manufacturers before any storm, and they had a series of contracts in the file, so to speak, and then once they knew the needs after the flood or after the storm, whatever it may be, once they knew the need, they would execute the contracts. As I understand it, there has been a change in FEMA's policy, and you tell me if I am wrong, but my impression is that after this hurricane, you all really started almost at ground zero and had to do the negotiations and all that after the storm occurred. Is that true?

Secretary CHERTOFF. I am not sure that is correct, and so I want to make sure that we get back to you on that to find out. My impression is there were some contracts, but that the scope well ex-

ceeded that. And also, there were also some purchases that we allowed to be made locally just to meet the need and also to help the local communities.

Senator PRYOR. Were these contracts on a competitive bid basis?

Secretary CHERTOFF. I don't know what the specific procurement was with respect to the trailer contracts. So again, I don't want to say something here that I am going to be wrong about. I think that generally, I agree with you. The right answer here is to prearrange contracts up front, and one of the reasons I was emphatic about some of the changes I announced earlier in my testimony is there is a time line for procuring, and we have got to get that started. I think that is the right place to go.

Senator PRYOR. OK. Again, I would love for you to get the answers to those questions back to the Committee, if possible.

Another question that you probably won't know right now is as I understand, under the current FEMA setup, there was a middleman that was hired to somehow go out on the market and find these trailers, and I would like to know more about who that was and how that contract worked. Were they on a percentage or flat fee? I would like to know more.

Secretary CHERTOFF. We will have to get that back to you.

Senator PRYOR. And also this issue of the floodplain. You can't put these in the floodplain. As I understand it, that is a FEMA regulation, is that right?

Secretary CHERTOFF. That is my understanding.

Senator PRYOR. And that regulation could be changed?

Secretary CHERTOFF. It could be. Now, let me make it clear that trailers can be in the floodplain. Mobile homes cannot be.

Senator PRYOR. I am sorry, yes, mobile homes.

Secretary CHERTOFF. We could change it. I have actually asked about that. I think there would be a serious concern about putting a mobile home in a floodplain in an area which is likely to be exposed to a hurricane in less than 6 months, and one of the things I am trying to caution people about is we need to start thinking now about what preparations are being made in Louisiana and Mississippi for the upcoming hurricane season while we are in the process of rebuilding.

Senator PRYOR. Right. Well, let me talk about, if I can follow up on that planning theme that you just mentioned. As I understand it, with Hurricane Pam, that simulation was supposed to be a two-part simulation. It began in 2002. The first part was to simulate a hurricane in the New Orleans area. The second part of that was to simulate a massive earthquake in New Madrid, Missouri, which, by the way, is immediately north of Arkansas and the New Madrid fault actually runs through the very northeastern corner of our State, so that is near and dear to our hearts, as well. The New Madrid exercise has never been done, is that right?

Secretary CHERTOFF. I don't know if it has ever been done.

Senator PRYOR. I am pretty sure, you can take my word for it, that it has not been done, and it seems to me that here again we see a total lack of planning for what scientists and seismologists, etc., tell us could be an enormous national disaster. And again, it appears that FEMA and the Department of Homeland Security are just not prepared for that. So I would encourage you to do that ex-

ercise, to spend the money, the resources, whatever it may be, to do that exercise so that you are prepared for that massive earthquake.

Secretary CHERTOFF. Well, let me say that you have touched on an issue that is very much at the forefront of my mind. The President directed and Congress then subsequently legislated a requirement that we go to all the States, and this would include Missouri, and look at their emergency plans. Our deadline for reporting on the first cut was Friday, September 10. I am pleased to say we made the deadline, which I thought was important.

We are going to have to do this for all the States now. Like the rest of my job, we are always in a race against time, and I have a great Under Secretary of Preparedness who has a lot of experience, and I have tasked him to make sure that this gets done as quickly as possible.

Senator PRYOR. OK. Well, the New Madrid fault is a very serious fault line in North America, potentially the most deadly one that there is.

The last question I have for you is that Congressman Baker of Louisiana has introduced legislation that would create the Louisiana Recovery Corporation, and I assume you are familiar with that proposal. I would like to get your thoughts on the bill, and my understanding is the Administration does not support that legislation, but I would like to get your thoughts and know if the Administration has taken a position on it.

Secretary CHERTOFF. I think the Administration, principally through Chairman Powell, who the President is looking to to coordinate the recovery phase of this, is working with Congressman Baker. I know there are ongoing discussions. We all want to achieve the same result. We need to get this process kick-started to make sure that we can start the process of rebuilding New Orleans, taking account of the fact that we have to live with the topography of the city and make some accommodations to the challenge that poses.

Senator PRYOR. So in other words, you don't have a position on the Baker bill?

Secretary CHERTOFF. I don't think at this time the Administration's position has been announced. We are continuing to work on the issue with Congressman Baker and others. I don't have a definitive position to give you.

Senator PRYOR. Madam Chairman, thank you, and I guess just on a personal note I would say that I feel like we have given the Department of Homeland Security and even Secretary Chertoff plenty of time to fix the problems with FEMA and preparedness and emergency response, and quite frankly, with all due respect, I don't think that they have done it, and I think it is probably time for the Congress to come in and offer the fix there. Every time we sit down and talk about it, we talk about all these problems. I guess the fear I have is we may have a big government solution to this, and that is let us throw more money, let us redo the organization chart, let us do this, but in the end, it is not very effective. So I would be glad to work with the Chairman and the Ranking Member on that.

Chairman COLLINS. Thank you. Senator Bennett.

OPENING STATEMENT OF SENATOR BENNETT

Senator BENNETT. Thank you very much.

Secretary Chertoff, is the Coast Guard part of the Department of Homeland Security?

Secretary CHERTOFF. Yes.

Senator BENNETT. So why do we hear that the Department has failed?

Secretary CHERTOFF. I have tried to be careful to say that there were some real successes and also some of the other components, like TSA, real successes. There were some real successes in FEMA, and there were some failures, as well.

Senator BENNETT. I think that is an important point to make because what we need to do in this hearing, or what I think we are trying to do in this hearing, is look at three separate areas: The past, we want to know what happened; and the present, what is going on with the trailers, etc.; and then, ultimately, the future. Where are we going to try to solve the problems of the Department?

You remembered correctly my warning that the Department was not going to function properly for at least 5 years. This has nothing whatever to do with who is appointed to try to get it to work. This has everything to do with the challenge of creating it. This is the largest reorganization of the Executive Branch since the creation of the Department of Defense, and unfortunately, the first Secretary of Defense committed suicide. Secretary Ridge got through that without that particular result. But the Department of Defense never really functioned for about 20 years after it was formed, and to Senator Pryor's point, it took the Goldwater-Nichols Act to ultimately fix that, but that came after decades of experience with the cultural clashes that occurred.

The Coast Guard handled its transfer into the Department of Homeland Security virtually without a ripple, and that is a tribute to the Department and it is a tribute to the Coast Guard.

FEMA obviously did not, and I was interested in your reaction to the testimony we had on Friday. To repeat, I found it staggering that an Under Secretary—you have described him as the third most important figure in the Department in terms of the pecking order—would testify that he deliberately would not call you and discuss things with you because he considered it "a waste of my time." I heard your answer to the Chairman, but it is staggering to me that a subordinate could be that insubordinate and hide it from you to the degree that he apparently did.

I have looked over the excerpts from the VTC transcripts, not only your questions, and you gave us these excerpts to demonstrate your questions, but his answers, and there isn't a hint in his answers of the attitude that we saw on Friday. You read those answers and you think, this is the most open, cooperative, supportive subordinate you could possibly have, and yet he sat at that table and told us that it would be a waste of his time to have a conversation with you.

That is an incredible demonstration of dysfunction, and the difference between FEMA's performance and the Coast Guard's performance is a demonstration of that kind of refusal to integrate which the Coast Guard commandant, maybe because he is used to

chain of command and following orders, obviously didn't have any problems with. But that is the past, and we go forward.

I must say, I find your description of what you did on the day when you were supposedly off in Atlanta enjoying yourself to be properly—I find it to be an accurate description of a very engaged official, and you do have all of the modern communications and just because you are physically in Atlanta doesn't mean, as it would have meant 10 years ago, that you had no connection with what was going on. So I find that reassuring and appreciate and thank you for that.

As to the present, you are dealing with these issues and you are aware of them. Let us spend a little time talking about the future.

I still have confidence in your abilities to manage this Department, and given the baptism by fire, if you will, through which you have gone in the time since Katrina, there is probably not another official on the planet better prepared to understand the challenges and the enormity of the challenges than you are. Look into the future, although 5 years is running, if indeed that is the figure we are going to take, and tell us what kind not only of FEMA you would like to create, but what kind of Department of Homeland Security you would like to leave behind as your legacy, the contribution you want to make in this part of your stewardship that you could say, I left the Department no longer dysfunctional and properly put together.

Secretary CHERTOFF. Now, Senator, I have thought about that since before I took this job. The short answer is I would like to leave it one Department. I think your description of what happened to the Department of Defense is something I am very aware of, and we actually looked to what happened there to try to accelerate that sense of jointness, that sense of unity that you need to make one Department.

Part of it is we have got to finish the process of building integrated operations centers, getting a single IT structure, and we are doing all that now. But a second piece of it is we need to build a common culture, promoting joint assignments, promoting people moving from one component to another, and promoting a culture of preparedness.

I was concerned when I came into the Department that the hardest part of what we do is planning and thinking through what do you do when you face contingencies, and that is still a challenge we have ahead of us, ranging from everything from terrorism to natural hazards.

Senator BENNETT. By the way, I assume you reject Mr. Brown's statement that you are so focused on terrorism, you think natural disasters don't matter.

Secretary CHERTOFF. Not only do I reject it, but I rejected it explicitly in a speech, at which Mr. Brown was present, when I rolled out my second stage review, and I rejected it again when we had the first time ever joint summit with emergency managers and homeland security advisors, at which Mr. Brown was present, and I reject it because, first of all, there is going to be a lot of common requirements that are going to apply whether you are dealing with evacuation because of a flood or a hurricane or evacuation because of some chemical explosion caused by terrorists.

Second, things are not going to come labeled. We are not going to necessarily know, is this a terrorist attack? A levee could be breached because of a natural problem or it could be breached because of a terrorist problem.

The last thing we need to do is to create a new stovepipe where people are competing about this.

Senator BENNETT. I apologize for interrupting you, but I wanted to get that point and go back to your overall——

Secretary CHERTOFF. I think that a big part of this is going to be building a culture of preparedness and planning where we really integrate our planning and our preparedness with our state and local partners, and that means really getting into specifics in a way that I don't know we always have in the past and asking the hard questions like we are in the process of doing now. What is your evacuation plan? What are you going to do if the bus drivers don't show up to drive the buses out? These are the kinds of hard questions we can only answer if we really put the resources and the effort into preparedness that we are doing thanks to this Congress' appropriation for preparedness this year and what we are going to do going forward.

At the end of the day, I would like to feel that in terms of the spectrum of prevention, protection, and response, this Department is all hands on every single one of those things, and while we are always going to have challenges, I mean, you are never going to have a natural catastrophe that is anything but difficult and ugly, I would like to do the best humanly possible to have us in a position to spare people's suffering and pain during those kinds of catastrophes.

Senator BENNETT. Thank you. I wish you well.

Secretary CHERTOFF. Thank you.

Chairman COLLINS. Thank you. Senator Levin.

OPENING STATEMENT OF SENATOR LEVIN

Senator LEVIN. Thank you, Madam Chairman, and welcome to you, Secretary Chertoff.

You have already mentioned to us in your statement that the breaches in the levees caught you by surprise. You only referred to the breach in the levees and not to the size of the storm. It was the fact that the levees broke that you were referring to the week in question when you said you were caught by surprise, is that a fair statement?

Secretary CHERTOFF. It is fair with just this one additional fact. I would not have been surprised on Monday morning to hear about levee breaches. What surprised me is my going home Friday night, 12 hours after the storm had passed, or 10 hours after the storm had passed, having seen a report that said there were no significant breaches, and then to find out the next morning that there had been a breach. That is what surprised me.

Senator LEVIN. You mean Monday night instead of Friday night?

Secretary CHERTOFF. I am sorry, yes, Monday night instead of Friday.

Senator LEVIN. Now, the President said on Thursday, September 1, on Good Morning America, "I don't think anyone anticipated the breach of the levees." That is not accurate, is it?

Secretary CHERTOFF. My understanding is he meant what I meant, which is the perception was that although it would not have been a surprise on Monday morning to learn about breaches of levees, based on what, speaking for myself, I knew Monday evening, thinking it was over, I was surprised on Tuesday morning.

Senator LEVIN. There had been a long list of studies that anticipated breach of the levees, is that true?

Secretary CHERTOFF. Breach and over-topping, yes.

Senator LEVIN. Let us just talk breach. The Corps of Engineers as early as 1994 talked about a possibility of breach. In 2000, the Corps of Engineers talked about the possibility of breach. Your own Assessment Center talked about the possibility of breach of the levees, is that not accurate?

Secretary CHERTOFF. I don't know all of the reports, but I know there has certainly been a lot of discussion over the years of that as a possibility.

Senator LEVIN. Well, let me read to you, then, your own Assessment Center report on Sunday prior to landfall. It said the following, that New Orleans is surrounded by a 130-mile system of levees to protect the urban area. It lies six feet below sea level from surrounding waters. The potential for severe storm surge to overwhelm Lake Pontchartrain levees is the greatest concern for New Orleans. Any storm rated Category 4 or greater will likely lead to severe flooding and/or levee breaching. This was immediately prior to landfall.

Now, did you receive that report? You were supposed to receive it in your Monday morning briefing.

Secretary CHERTOFF. I don't remember the specific report, but again, I want to make it clear, I have no doubt that I knew that as the storm approached, one possible outcome was levee breaching, and I have never heard anybody suggest that they didn't realize that was a possibility.

Senator LEVIN. Well, no, you suggested it on television——

Secretary CHERTOFF. No, what I said was given my—what I had been told had happened on Monday, which is that the worst had not occurred, I did not anticipate that I would get a report on Tuesday morning that said, oh, you know what? The worst did occur.

Senator LEVIN. The way you talked later on that week, you said, "I will tell you that really that perfect storm of combination of catastrophes exceeded the foresight of the planners and maybe anybody's foresight." But it didn't escape the foresight of planners.

Secretary CHERTOFF. Well——

Senator LEVIN. The planners said, and you now acknowledge, that you were aware of the fact that the levees could be breached.

Secretary CHERTOFF. I certainly was aware of it. I think what I was referring to was the particular combination of events.

Senator LEVIN. It didn't come across that way to me, but——

Secretary CHERTOFF. I am quite sure I have said things in the press that don't come across the way I intended them to, but I am telling you what I thought at the time.

Senator LEVIN. When you went to bed on Monday night, not knowing that the levees had been breached, this is in the face of all kinds of communications to your agency saying that the levees had been breached on Monday. There was an 11:13 a.m. e-mail to

your Director of Response, is it Michael Lowder, saying flooding is significant throughout the region and the levee in New Orleans has reportedly been breached, sending six to eight feet of water throughout the Ninth Ward area of the city. That is 11:13 a.m. on Monday.

At 11:51 a.m. on Monday, New Orleans Fire Department is reporting a 20-foot-wide breach on the Lake Pontchartrain-side levee. That was an e-mail from FEMA's Michael Heath to FEMA's Deputy Director of Response, Michael Lowder. You have got later reports on Monday saying the same thing.

We just have received, belatedly, may I say, a Coast Guard report. The Committee has been frustrated in getting a number of documents. That was reported a couple of days ago by the Government Accountability Office, I believe, reported difficulty in getting documents. The Committee just received this document from—this is a Coast Guard e-mail going directly into your ops center, your HSOC at the Department of Homeland Security, and this is dated Monday, 1:51 p.m. A levee in New Orleans has been breached, sending three to eight feet of water into the Ninth Ward area of the city.

Now, that is not stovepiping. That goes directly into your operation, and yet 10 hours later, you go to bed believing that there had been no breach because you received a report at 6 p.m., apparently, saying that there had been no breach of the levees yet at 6 p.m. Is that so far accurate?

Secretary CHERTOFF. Well, that is not the only reason because I had been asking repeatedly and getting repeatedly oral reports about what was going on, not from my ops center people, and had not gotten a report that there was a significant breach of the levees.

Senator LEVIN. Well, your ops center was notified a number of times during the day that there was a significant breach of the levees, including from the Coast Guard. I don't know if this document is part of the record yet, but if it isn't, I would ask that it be made part of the record, Madam Chairman.[1]

Chairman COLLINS. Without objection.

Senator LEVIN. A levee in New Orleans—this is 1:51 in the afternoon—a levee in New Orleans has been breached, sending three to eight feet of water into the Ninth Ward area of the city. Now, something is not working well in your shop if you are not notified of that. You have all these communications systems right at your hand. You indicated you can be contacted within seconds. They are with you all the time. And yet you go to bed 10 hours later without apparently being aware of the most significant event that had happened in New Orleans following landfall, which is the breach of those levees. Who was responsible for not getting you that information from your ops center to you? Have you found out?

Secretary CHERTOFF. Let me, first of all, be fair in saying that—and here again, and I have spoken to General Broderick about this, he has testified before you because I know he was dismayed at the fact that he didn't know and I didn't know. First of all, some of what you have read, I think, are internal e-mail communications

[1] The information submitted by Senator Levin appears in the Appendix on page 162.

among FEMA people, which as I have said previously is not the way you organize and communicate information.

You have a Coast Guard document. I haven't seen it, or I don't know if I have seen it. There was information flowing in, as I think Mr. Broderick testified and certainly as he told me, that was imperfect, conflicting, indefinite, and he made judgments about when things were—he was comfortable enough with the facts to pass them up to the leadership of the Department.

By way of example, I think at 12:09 p.m., I see an e-mail, which I didn't see at the time, where Michael Brown says to Michael Lowder that he is being told that what was described as a breach is water over, not a breach. So there is that issue——

Senator LEVIN. My question is, have you made an effort to discover how it was that these messages——

Secretary CHERTOFF. I know how it is.

Senator LEVIN. This was known early Monday morning, right? We have testimony saying that the helicopter, the Coast Guard man flew over, saw the breach in the morning, confirmed it in the evening, took the pictures which I believe Senator Dayton showed you. Those pictures all were there before you went to bed.

Secretary CHERTOFF. I agree that by late Monday, or by the time those pictures were taken——

Senator LEVIN. How do these screw-ups happen? I mean, have you looked into them?

Secretary CHERTOFF. Yes. The answer is, I have looked into them——

Senator LEVIN. How did they happen?

Secretary CHERTOFF. I think it is a combination. Some of these messages never got to the operations center. Some of them did, but there were conflicting stories, so there was an effort made to ascertain what the truth was. Was there really a breach? How significant was it?

Senator LEVIN. Should there have been that effort made?

Secretary CHERTOFF. Well, there was an effort and it should have been made. The problem is it wasn't made—the effort did not proceed the way it should have proceeded. Let me try to put it this way. I give a lot of credit to Marty Bahamonde for getting on a Coast Guard helicopter to take those pictures, but he never should have had to do it. We should have had the capability on Monday to put on the ground not a public affairs officer, but trained officers who would go out and actually do a survey and would have communicated that back to us.

Senator LEVIN. I agree with that, but there were messages that came into your particular agency——

Secretary CHERTOFF. Right.

Senator LEVIN [continuing]. Saying that there was a breach all day Monday that never got to you, apparently, by the time you went to bed. It is a critical issue, the breach of those levees. That is where the flooding——

Secretary CHERTOFF. Not only that, but——

Senator LEVIN. Because I am out of time, has anybody been held responsible, accountable for failing to do what they should have done in terms of either getting the data together, getting it to you, notifying you with that telephone that is right at your elbow? Is

there any accountability except your coming before us and saying, I accept responsibility?

Secretary CHERTOFF. Yes, and let me make two points. It was not an issue of messages not being conveyed. The report at 6 p.m. affirmatively told me that reports were that levees hadn't been breached, so there was—at that point, the judgment had been made there was not enough information. I have gone over this in quite painful detail with General Broderick. I have a lot of respect for him, and I trust him implicitly. I know he was unhappy about that. I know he has made adjustments in the operations center to deal with that. I have made it clear to him that while I respect and understand his desire to make sure the information is sufficiently grounded before he gets me, I would rather him reach me earlier with less perfect information.

I have been through this fog of war stuff in September 11, and I vividly remember it there, so the answer is I have held people accountable, and I believe we have a process now that will be better, but I don't underestimate the challenge of information flow.

Senator LEVIN. Thank you, Madam Chairman.

Chairman COLLINS. Senator Chafee.

OPENING STATEMENT OF SENATOR CHAFEE

Senator CHAFEE. Thank you, Madam Chairman, and welcome, Secretary.

There has been a lot of criticism of what occurred in New Orleans and the Gulf Coast, and one of those is your attendance of the avian flu conference on Tuesday. However, I do think avian flu is a serious issue, and as we do look ahead, how are we prepared for that possibility?

Secretary CHERTOFF. I think that actually is a challenge which is more difficult because unlike hurricanes, which we have done before, I don't think anybody in living memory has dealt with something as potentially as serious as that, although it may never come to pass. The answer is that the President has put an enormous amount of his personal attention on this. We have a national strategy. We are working on a national implementation plan and Department plans.

One of the things we have tried very hard to do, which is a lesson of Katrina, is engage early with State and local public health and homeland security officials because the Federal Government is not going to be able to do this by itself. The ground responsibility for managing a public health emergency and dealing with the collateral consequences will lie with State and local government, and they have got to start thinking about that.

You know, we can deliver, for example, things out of the National Stockpile to an airport, but they have got to get them distributed to people. So I don't want to make a bad pun, but I would say we are working feverishly to get this thing done because we don't know if and when we are going to need it.

Senator CHAFEE. Are there any specifics you can share with the American public that they should be undertaking?

Secretary CHERTOFF. First of all, I want to make it very clear that it is important people not be alarmed. We talk generally about preparedness. We have a website, ready.gov, which deals with pre-

paredness, types of measures you can make for preparedness. I think HHS has a website up. A lot of what the public will be able to do will involve sanitary precautions, making sure you avoid things which allow transmission of infectious material.

I have personally spoken to the CEOs of a number of very large corporations, and I have said to them, based on my experience in Katrina, which is now certainly had a lot of educative effect on me, that they need to start thinking about who their essential employees are, how they will keep their operations running if we have something. So I think what people can do is they can look to information that we are going to be putting out, look to their local officials. If they have business responsibilities, work with their companies to have contingency plans about continuity of operations and who is essential.

Senator CHAFEE. Thank you. That is all I have.

Chairman COLLINS. Thank you. Senator Akaka.

OPENING STATEMENT OF SENATOR AKAKA

Senator AKAKA. Thank you very much, Madam Collins. I want to commend you and the Ranking Member, Senator Lieberman, once again for your bipartisan diligence and the way in which you have conducted this investigation. In my humble opinion, you have served the Senate and our country well.

Chairman COLLINS. Thank you.

Senator AKAKA. I also want to acknowledge, Madam Chairman and Ranking Member Lieberman, the hard work of your staffs who have reviewed—maybe this is an understatement—hundreds of thousands of documents and conducted hundreds of interviews. I hope the country will be better prepared because of the efforts of the Committee and the Committee staff.

I, along with my colleagues, will be considering what steps need to be taken to ensure that a future disaster does not result in the tragedies that befell the Gulf Coast. Mr. Secretary, many, including yourself, have accepted personal responsibility for what went wrong, but with due respect, I believe those who have lost loved ones, homes, and jobs may need more accountability than has been shown up to this point. You have a responsibility to convince the American people that you understand what went wrong with DHS's response and to convince us that you have a clear strategy to ensure these mistakes will not be made again.

Your statement outlines how large and catastrophic Hurricane Katrina was, but you were not as clear in explaining what went wrong. The issue is not the size of the disaster, but the quality of the response. Without knowing what really happened, the American people may not be convinced that the solutions you are proposing are the correct ones.

Mr. Secretary, I want to follow up on a response you gave to Senator Lieberman. You said that if it had been a biological terrorist attack, you would have stood up the IIMG, the Interagency Incident Management Group, right away instead of waiting. Shouldn't the Department be taking an all-hazards approach?

Secretary CHERTOFF. Absolutely, and I have said that repeatedly, but my point was this. The experts in the government in hurricanes were at FEMA. I mean, if there is anything that FEMA does

and has done over the last 20 years, it has been hurricanes. Even Michael Brown had been through four prior hurricanes the previous year. So in terms of where I would look to for advice and expertise on what needs to be done to get ready to prepare for a hurricane, I couldn't have collected a better group of people than the people who were already sitting around the table at FEMA headquarters.

My point was that if we were dealing with a catastrophe that they hadn't been accustomed to dealing with because they hadn't faced it before, then I would have looked to bring experts in with the relevant disciplines, like, for example, medical people because there the way you deal with a response can be very influenced by the medical issues.

Senator AKAKA. Mr. Secretary, I have asked questions in past hearings about the PFO and how it came about. The National Response Plan states that once an individual is named Principal Federal Officer, he or she "must relinquish the conduct of all normal duties and functions." Last week, I asked former Deputy Director of FEMA Patrick Rhode what impact this provision had on his position. He responded that he was unaware of the provision and therefore was unaware that under the NRP, he became Acting FEMA Director while Michael Brown was PFO. Were you aware of this provision in the NRP when you named Mr. Brown to be PFO, and if so, did you communicate that information to Mr. Rhode?

Secretary CHERTOFF. As I read this, it doesn't actually require the PFO to resign or suspend. It requires him to spend full time being the PFO. I will tell you that, in fact, not only Michael Brown, but everybody at FEMA during this hurricane was doing nothing but working on Hurricane Katrina. So in practice, everybody was focused 100 percent on Hurricane Katrina, and FEMA was dealing with nothing but Hurricane Katrina.

I want to make one point clear, though, that in terms of who is running things back in headquarters, and I respect Mr. Rhode, he is very intelligent, and he worked hard, but the person who was the Chief Operating Officer was a very experienced veteran of FEMA of, I don't know how many years, but many years with a lot of emergency background experience, and he and the team of people around him were the people that we really looked to in terms of the actual management of the agency while Mr. Brown was down in the Gulf.

Senator AKAKA. Would you be able to give the name of that person?

Secretary CHERTOFF. It is Ken Burris; he was the Chief Operating Officer.

Senator AKAKA. Thank you very much, and I thank you for that specific response.

Making sure disaster victims have food, water, and ice is one of FEMA's core responsibilities and probably one that average Americans most closely associate with FEMA. Given the importance of this mission, why was the FEMA logistics system "not up to the task of handling a truly catastrophic event," as you have stated in your testimony?

Secretary CHERTOFF. Because although they ordered a lot of food, water, and ice, and for initial staging, the way they obtain it, and

this is my understanding, is they don't contract directly but they contract through, I think, the Army Corps of Engineers. I don't think those contracts, at least as far as I know, require that the actual shipper provide real-time information about the location of shipments. I know from personal experience, just as does everybody in this room, that if you—I am not going to single out a particular company, but there are a lot of companies you can send a package in and they are going to tell you by the minute where that package is.

So I guess my—it seems to me at a minimum what we need to do by June 1 is in the contract require that you put on the trucks the kind of communications that allows you to track where a truck is at any particular point in time, and that is something which just requires better contracting, better procurement.

Senator AKAKA. Can you again be specific? Name who was responsible for ensuring that this was done right.

Secretary CHERTOFF. I was only 6 months in the Department, I don't know who originally set up the arrangement to do contracting through other agencies. The business model of FEMA, which has existed for a while, which involves contracting with other people, because you have a very small agency, is not, I think, a necessarily good business model, and a lot of what we have suggested in the last week—and I want to be honest, we have been working on this for a few months. I announced it on Monday, but we have been looking at this since November and December of last year, is designed to alter that business model so that we do the kinds of things that I think people logically expect us to be able to do.

Senator AKAKA. One of the problems that seems to appear is that DHS does not really have a point of contact in these disaster areas. Having a permanent consolidated DHS regional office in the Gulf Coast may have prevented some of the catastrophic response previous to Hurricane Katrina by establishing a strong preexisting relationship between DHS and State and local officials. Such an office would also have provided one DHS point of contact. A consolidated DHS presence is critical in Hawaii because we do not have neighboring states that can provide assistance during a catastrophic incident. Our only outside help would have to come from the Federal Government. The people of Hawaii want to know whether you will implement a regional office structure in DHS as required by the Homeland Security Act of 2002.

Secretary CHERTOFF. We do, as I have indicated, although the exact details aren't—I don't think they are fully formed, we do look to have a regional DHS structure focused on the issue of preparedness, linked up with the military and linked up with the FEMA regions to have exactly what you are describing, a continuity of relationship and preparedness with the States within a region.

Senator AKAKA. The reason I asked that specifically about Hawaii is that NORTHCOM is working with you, but NORTHCOM does not include Hawaii. A regional office there would certainly serve Hawaii as well as the Pacific and should be considered for a regional office, and that is my question to you.

Secretary CHERTOFF. I didn't realize that was true. As we roll out the details of what we are doing in the next couple of months, I

will certainly talk to Admiral Keating because it is critical that we be aligned in how we do these things.

Senator AKAKA. I thank you so much for your responses. As you know, this Committee wants to learn all we can about the mistakes and try to work on solutions with you on helping our country.

Secretary CHERTOFF. I look forward to that. We have a lot of work to do.

Senator AKAKA. Thank you, Madam Chairman.

Chairman COLLINS. Thank you. Senator Lautenberg.

OPENING STATEMENT OF SENATOR LAUTENBERG

Senator LAUTENBERG. Thank you. Mr. Secretary, we have known each other some time, and I had been a big booster for—boaster, as well—for you when you took on this important assignment. While there are questions asked now about what happened, when, where, the fact of the matter is that the situation was so unique, not to make any excuses and not to relieve anybody of blame, but when Michael Brown was here, I suggested that maybe he was the designated scapegoat, and I think what happens is there are probably several designated scapegoats because the fingers are pointing all over. Some of it is productive and some of it, I think, is not really significant.

Starting from the present situation back, our visitor here who couldn't stand the frustration spoke aloud, respectfully, about wanting to see something happen. In the last 2 weeks, we had several hundred—in the last 10 days, several hundred people from New Orleans come in here and crowding the room, SD–G50, that we have in this building, it is our largest meeting room, just asking for some relief, some help. They can't understand why approaching the sixth month since this terrible disaster hit, why it is that we still can't find our way out of the morass and get things done, whether it is the trailers or it is who did what to whom. I think the gentleman was correct in raising it, maybe out of sorts with our meetings here, but that is all right. We forgive him for that. We understand what he wanted to say and what he wanted to do, and I would like to see us get it done.

But starting from a point in time when the President of the United States on Friday after the disaster struck on Monday, he said that Brown, in his familiar vernacular now, was doing a heck of a job. "Brownie, you have done a heck of a job." Now, what possessed—what can you imagine gave the President the opportunity to do that? He must have had some knowledge of something, and I am not defending Brown. I am not going to defend anybody here because when this tragedy hit, there isn't anything of this kind of magnitude that doesn't end up including mistakes, accidents, etc. It doesn't excuse it. We have got to be better at it.

What, do you think, possessed the President to give that pat on the back? I mean, he had to be familiar with what was happening. It was 5 days later. It wasn't like it happened 2 hours ago and the guy jumps in the water to rescue somebody.

Secretary CHERTOFF. I don't want to speak for the President, but I can just tell you in general in dealing with these kinds of circumstances, I think whatever, speaking for myself, I viewed or was beginning to view as Michael Brown's shortcomings, everybody was

very tired, working with very little sleep, away from their families, and it is easily understandable to me that in a larger—for people, the message you want to send is a message of encouragement and recognition of the fact that, whether people are being successful or not, they are certainly operating under difficult circumstances.

So I didn't regard the comment as a real judgment, and I didn't view it as limiting me in my ability to remove Mr. Brown, which is what I did over the weekend. I viewed it as a courteous effort to make—kind of buck the troops up.

Senator LAUTENBERG. Well, the thing was so replete with mistakes made accidentally or intentionally or otherwise. This wasn't an ordinary citizen. This was the President of the United States saying you have done a good job, a pat on the back to ameliorate a disaster, it didn't seem right and thereby forces me to ask the question, well, could Brown have been as bad as everybody says or is he, again, the designated scapegoat?

I think it is critical that the happenings of August 29, 2005, be reviewed by an independent commission. There is too much fodder here for the political functioning which takes place. People are interested in the legitimate questions that are raised. Though almost everything has been said, everybody hasn't said it, and that is standard around here.

Were you aware of the transportation decisions on, let us say, Amtrak, the decision on Amtrak? Amtrak had a train sitting there that could have taken 600 people out. Do you know why it didn't?

Secretary CHERTOFF. I don't. I guess they pulled out on Saturday. I became aware of that, and I don't know if I ever really learned the reason why they did that. I don't know whether it was because people didn't know to show up or whether Amtrak pulled back too quickly. I know I actually worked very hard with people at DHS to get Amtrak back in during the middle of the week after landfall so we could expedite the departures, but I can't tell you definitively why that train moved out on Saturday with empty spaces.

Senator LAUTENBERG. Well, I heard from Secretary Mineta that the train was there and nobody would get on. I think they wound up with less than 100 people. And once again, somebody is pointing fingers at someone else.

The statement that you made earlier may have been confusing—it was for me—about when you learned of the size of this disaster. When would you say your first reliable awareness came?

Secretary CHERTOFF. Well, I knew about the hurricane when the hurricane hit, and obviously even a Category 3, almost Category 4, hurricane hitting is in and of itself a huge disaster. I think as it relates to this substantial breach of the levees, I learned about that on Tuesday morning at—between 6 and 7 a.m., approximately 7 a.m. when I got the report.

Senator LAUTENBERG. OK because there were wires—that is old fashioned—e-mails sent out, one of them August 29 that Senator Levin talked about. This one was sent out at 9 a.m., Monday, August 29, from a man named Dabdoub, Louis Dabdoub, to Michael Waters, other people at DHS, and it says, getting bad, major flooding in some parts of the city, people calling in for rescue, trapped in attics, means the water is 10 feet high there already. Trees

blowing down. Flooding is worsening every minute. Infrastructure issues are rapidly being taxed and most of the area has lost electricity.[1] This is Monday morning, 9 in the morning, and you didn't learn about this, Mr. Secretary, until Tuesday morning?

Secretary CHERTOFF. Well, let me separate flooding, which, you know, from over-topping in a hurricane and also a tremendous amount of rain, that I don't think anybody was in doubt was happening on Monday. I think the critical issue was the breach of the levee because the breach of the levee is what amplifies the danger from the hurricane. This particular communication didn't reach me. It doesn't look like it is directed to DHS. One of the things I have said is the idea that what you do is send e-mails around FEMA without making sure that copies are getting to the operations center is, I think, part of the core of the reason I didn't know these things.

The second issue, of course, is you get a report from one person. You don't know what the basis of the report is. I vividly remember, because I was on duty on September 11, unbelievable rumors that floated around on September 11 about stuff that was going on, bombs in Washington, and all that stuff had to be run down before you communicated with higher-ups. So there is always a tension between getting preliminary reports and figuring out what the truth is, but there is no doubt that part of the problem here was a disconnection between the FEMA channel of communication and the DHS channel of communication.

Senator LAUTENBERG. Well, if I may help, it was sent to Michael Waters, Headquarters, DHS, Mark Milicich, Headquarters, DHS, John McLaren, DHS. This was a general distribution to people at the top of DHS. Now, was there some kind of a thing that says, don't disturb the Secretary or that these things didn't come to you? One of the complaints was that Brown didn't communicate with your office, he communicated directly, so he said, with the White House. Even bouncing off that wall would be to you.

I find it, to use your word, astonishing that you didn't really learn about the severity because whether it was the breach of the levees or whether it was just water coming in from wherever, people were standing with luggage on their heads, kids on their heads, and trying to save themselves from drowning. So unless there is some protocol that says, well, you don't disturb the Secretary until X-point, Y-point, or whatever it is——

Secretary CHERTOFF. I would have to say quite the contrary, and I was not at all bashful about disturbing people in the operations center about what was going on. I think the challenge they had was is the report based on a reliable observation? Is it, you know, what are the actual facts on the ground? I think General Broderick explained it. I have been through the circumstance of hearing a lot of reports that come in that turn out to be untrue on numerous occasions in every element of my job in government.

I can tell you emphatically the policy is the exact opposite of don't disturb the Secretary. The criticism is most often, in general, why didn't you call me earlier? My general rule is if I have seen it on TV and I haven't heard about it first, I am going to be an-

[1] Exhibit A appears in the Appendix on page 173.

noyed, not just with respect to this but with respect to a whole host of things. I have made that clear, and frankly, we have gotten better. I get an earlier trigger on things, which is good.

Senator LAUTENBERG. Madam Chairman, there are several more questions, and rather than hold everybody up, I would like the Secretary to confirm that any questions that we submit in writing will be responded to, and I urge you, Mr. Secretary, to see a report that in 1996 was printed in the *Atlanta Constitution* newspaper about what happened when James Lee Witt was responsible for FEMA and that had been noted as a dumping ground for political figures. By 1996, and he came in 1992, that it was one of the best performing agencies for that kind of disaster situation and that James Lee Witt went to the trouble to get it fixed and get it operating properly.

I urge, Mr. Secretary, that we get on with trying to solve the immediate problem. People are still displaced, whether it is the trailers that are now sinking in the mud or evacuation or distribution of funds that are essential, that we get on with that because the delay only compounds the mistakes that were made in the first place. Thank you very much, Madam Chairman.

Chairman COLLINS. Thank you.

Mr. Secretary, I realize that you are expected over at the House side for a hearing before the Appropriations Committee. All of us have many more questions that if you were able to stay, we would pose to you. But since you do have the obligation on the House side, we are not going to do a second round.

We will, as Senator Lautenberg asked, expect you to respond to additional questions for the record, and because our next stage is going to be to compile a report, I would ask that questions from members be submitted by close of business tomorrow night and that you respond to us by close of business on February 28 so that we can proceed. Do I have your commitment on that?

Secretary CHERTOFF. Yes, and I appreciate the work the Committee has done, and I appreciate the opportunity to appear. I think that we have a lot of work to do together. I don't want to minimize the amount that has to be done. There is a lot of preparation, but I think out of this, the redeeming value will be we will have been force-fed some very important lessons.

Chairman COLLINS. That is absolutely true, and by learning those lessons, our goal is to improve our emergency preparedness for the next disaster, whether it is a man-made disaster, such as a terrorist attack, or another hurricane or natural disaster, and that has been our goal, as well.

I am going to submit my full closing statement for the record in the interest of time, but I do want to take this opportunity to recognize the very hard work of the Committee staff under the leadership on this side of the aisle of Michael Bopp and David Flanagan. They have reviewed some 820,000 pages of documents. We have done interviews with more than 270 witnesses. We have held 20 hearings. We probably will only have one or two more hearings. This concludes the major hearings, and we will now begin a report.

I also want to thank Senator Lieberman for being such a terrific partner. Every interview, every hearing has had good participation from both sides of the aisle, such as our friend, Senator Akaka,

who has worked very hard on this, and it has been the kind of bipartisan oversight investigation that this Committee has the proud heritage of accomplishing.

We are going to proceed with our report with findings and recommendations. I want to thank you and the members of your Department for your cooperation in the investigation.

[The prepared statement of Chairman Collins follows:]

PREPARED STATEMENT OF SENATOR COLLINS

I would like to thank Secretary Chertoff for his testimony. The topics discussed in today's hearing go to the heart of the shortcomings in the response to Hurricane Katrina. But lest we forget, the next hurricane season is right around the corner and, of course, a terrorist attack could happen any place, at any time. Unfortunately, I am not confident that we as a Nation are prepared to respond to either threat.

This Committee's investigation revealed systemic problems hindered the Department's response to Hurricane Katrina. The Committee's report will detail its findings and offer recommendations to fix problems—those problems must be fixed, and fixed promptly.

Perhaps the problem that most concerns me is the report of apparent infighting and turf battles within DHS. The mottto of the Department is "One Team. One Fight." But in direct defiance of that motto, the situation this Committee has unveiled looks more like a free for all at the Department. Be assured that this Committee will aggressively oversee your efforts to better integrate the various components into one team.

I look forward to working with you to implement reforms to ensure that as a Nation we are better prepared and will respond more effectively to the next catastrophic event.

The hearing record will be held open until close of business tomorrow, February 16, for the submission of questions or other materials.

Chairman COLLINS. Senator Lieberman.

Senator LIEBERMAN. Thanks very much, Madam Chairman. Let me join you, first, in thanking our staff, which has done an extraordinary job, and let me thank you personally because you, as Chairman, have really set the tone. So much around Congress these days descends almost immediately into partisanship. This is not a partisan inquiry, and it should not be. We all have an interest in improving the Federal Government's performance the next time disaster strikes, and that is the tone that you have set. It has been a pleasure, as always, to work with you. It always seems so foolish that our staffs go separate ways when we all have the same goal, and in this case, our staffs have worked together to maximize our realization of that goal.

Secretary Chertoff, I thank you for your testimony here today. You know, I appreciate the fact that, in some sense, in response to the questions that I raised in my opening statement, you acknowledged your legal responsibility as the Nation's primary official in charge of preparation and response to disasters and you acknowledged that the preparation for Hurricane Katrina was inadequate, you said particularly with regard to transportation.

Of course, I agree with you. I think one of the most pathetic moments of our hearing was last week when Mr. Brown was in and I asked him why, in response to General Landreneau of the Louisiana National Guard who asked him for buses desperately to get those people out of the Superdome, out of the Convention Center, out of New Orleans, and he said he would deliver them, and he didn't deliver them until late Wednesday night or Thursday morning, and they went through those 3 days of hell that we all saw.

But unfortunately, there were failures in a lot of other areas. I know you cited transportation, maybe because of its consequences, and search and rescue and deployment of assets and helping special needs people, law and order, medical needs, and then finally in communications and situational awareness.

Personally, I don't like the "fog of war" term in this regard. Fog of war is a term that comes from Clausewitz. I always thought it meant the inability to have what we now call situational awareness on a battlefield because so much was going on. But this is the 21st Century. Clausewitz was a long time ago. We have the most extraordinary technological capability, and you should have known.

I guess what I want to say in response to all of this is that you had the capability. It wasn't used well, and it wasn't used early enough. I will tell you, I know maybe it is not appropriate to do it in public, but I hope you are really furious about the fact that your Department let you go to bed on Monday night not knowing that the levees were broken, notwithstanding a little bit of conflicting evidence, but most of the evidence, we have got 15 different communications that went direct to your operations center in which we invest millions of dollars every year, and somebody should have told you much earlier on.

The Coast Guard, very briefly, was cited, and they were a star here. And part of what they did is what we would have hoped the whole Department did, and they testified to us that is just what they do and they did it on their own. They had no authority, no special permission from anybody. They prepositioned assets as they listened to the Weather Service on Friday, Saturday, and Sunday. When the hurricane struck, they were right there that afternoon. And that, I hope, will be the model and the standard that you and we will take forward as we try to make this better.

I will say, to end on a note of encouragement, which in some ways also is an indictment of the performance of the Department and the Federal Government during Katrina, when Hurricane Rita was coming, you led exactly the kind of pre-landfall aggressive effort by the Department and the Federal Government that really put us in a position to protect people, which is what, looking back, surely should have happened before Katrina.

So thank you for your testimony, and as you said, we have got a lot of work to do together.

Secretary CHERTOFF. Thank you.

Chairman COLLINS. Thank you. This hearing is now adjourned.

[Whereupon, at 2:08 p.m., the Committee was adjourned.]

APPENDIX

PREPARED STATEMENT OF SENATOR VOINOVICH

Chairman Collins and Senator Lieberman, thank you for your tireless oversight work investigating the government's response to Hurricane Katrina.

Secretary Chertoff, I appreciate your being with us today.

It has become clear that there were serious and regrettable deficiencies in the response at every level of government during the days leading up to and following the unprecedented catastrophe in the Gulf Coast.

My hope is that we can move past the finger pointing to make useful adjustments at the Department of Homeland Security. Mr. Secretary, the most important thing you can tell us today is that the Department of Homeland Security has learned the difficult lessons from this tragedy. I would like to be assured that, under your leadership, the Department is doing everything it can to address its shortcomings so that in the future, DHS and FEMA will be able to effectively assist State and local governments in responding to catastrophic events. I hope we can all work together in the coming months to identify and implement the appropriate modifications to improve our Nation's disaster preparedness and response capabilities.

Thank you.

STATEMENT FOR SECRETARY MICHAEL CHERTOFF
U.S. DEPARTMENT OF HOMELAND SECURITY
BEFORE THE SENATE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, D.C.
FEBRUARY 14, 2006

Introduction

Chairman Collins, Ranking Member Lieberman, and members of the Committee: Thank you for the opportunity to be here today to discuss the response to Katrina and the steps we need to take to improve our nation's preparedness and response capabilities.

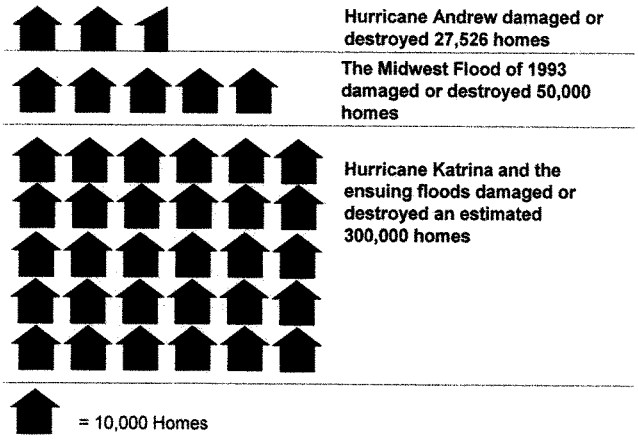
Any discussion of Katrina must first begin by addressing the sheer magnitude of the challenge. Katrina was quite clearly one of the most destructive natural disasters to strike American soil.

Scope of Disaster

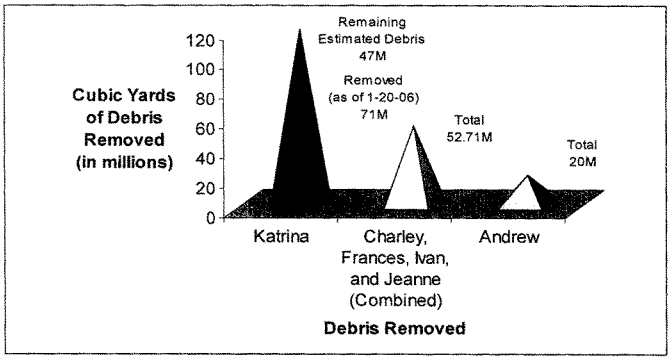
The scope of the damage is unprecedented – with some 90,000 square miles of impacted areas – an area larger than Great Britain and three-and-a-half times the area inundated by the Great Mississippi flood of 1927.

Katrina also forced an estimated 770,000 people to seek refuge in other parts of our country, representing the largest displacement of Americans since the great Dust Bowl migrations of the 1930s.

In terms of the damage to housing, Katrina completely destroyed or made uninhabitable an estimated 300,000 homes – or six times as many homes destroyed by the Midwest Flood of 1993, and almost 11 times as many homes destroyed by Hurricane Andrew.

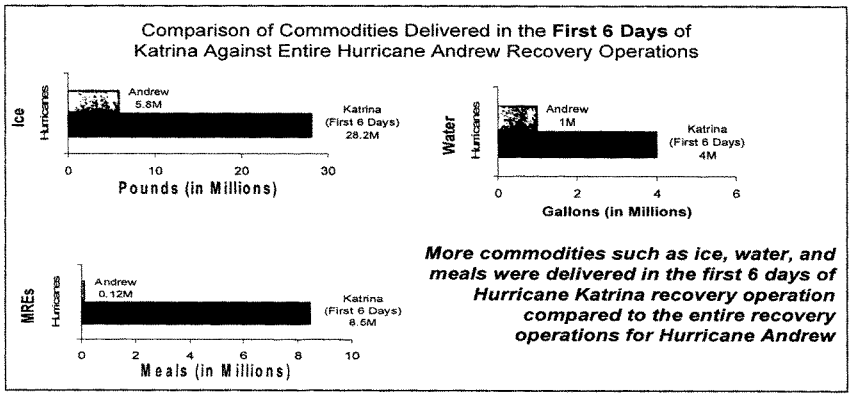


The storm also created a remarkable amount of debris. We estimate that Katrina's destruction resulted in a staggering 118 million cubic yards of debris – more than double the amount produced by the four hurricanes that struck Florida in 2004 and six times the amount of debris created by Hurricane Andrew.



Response Highlights

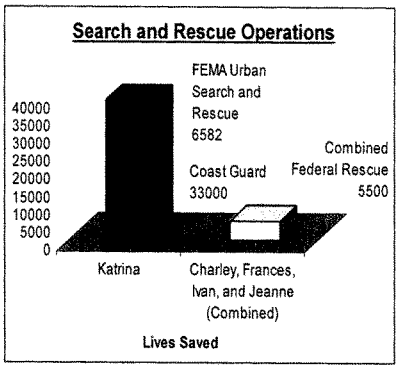
The relief effort, of course, was also unprecedented. Within the first six days of the response, the Federal government delivered more than 28 million pounds of ice, 8 1/2 million meals, and 4 million gallons of water. This exceeds the combined totals for the entire recovery operation during Hurricane Andrew.



In addition, the Coast Guard rescued 33,000 people, which is six times the number it rescued in all of 2004. FEMA coordinated the rescue of more than 6,500 people and for the first time deployed all 28 of its Urban Search and Rescue teams for a single event.

The combined rescues performed by these two agencies total almost 40,000. That is more than seven times the number of people rescued during the Florida hurricanes in 2004.

These accomplishments were the work of the thousands of dedicated Americans who represent the best of the Department of Homeland Security. They are dedicated, they are professional, and all of them have made tremendous personal sacrifices to serve a cause greater than themselves. As we consider the totality of the response, we should not overlook their efforts.



Shortcomings

Let there be no mistake – Katrina was the 100 year storm that we all feared. It revealed what I told this committee in July – that we are not where we need to be in our ability to manage catastrophic events. As a result, we need to make sure we are building critical capabilities in the short and long term that will allow us to effectively respond to ultra-catastrophic events as well as more common dangers we face.

This tragedy emphasized how critical it is that we ensure our planning and response capabilities perform with seamless integrity and efficiency in any type of disaster situation – even one of cataclysmic nature.

Furthermore, it emphasized the importance of having accurate, timely and reliable information about conditions on the ground, the lack of which frustrated our best efforts to coordinate the response with our State and local counterparts.

In addition, although the Department of Homeland Security pre-positioned significant numbers of personnel, assets and resources before the hurricane made landfall, we now know our capabilities were simply overwhelmed by the magnitude of this storm, including logistics, claims management, contracting, and communications capabilities.

Over the past months, there has been a great deal of discussion about what worked and what didn't. At the Joint Field Office emergency response centers in Mississippi and Louisiana, we continue to gather information on a changing set of requirements to better serve state and local governments in the recovery process. I can assure you that we at the Department are our own harshest critics. We're committed to using the lessons learned from Katrina to increase our ability to plan for and respond to catastrophic events.

Boosting State Capabilities

Of course, emergency preparedness and response are not solely Federal responsibilities. We rely heavily upon our partnership with State and local governments, as well as the

private sector, to ensure that disaster planning is a priority and that we build the necessary capabilities across our nation for effective, coordinated emergency response.

Last year, in the shadow of Jackson Square, the President directed that we conduct an immediate review, in cooperation with local counterparts, of emergency plans in every major city in America. Congress has followed up with a similar requirement. A preliminary self-assessment has been completed by State and local officials of catastrophic planning in all 50 states, five territories, and our 75 largest urban areas. The assessment shows a mixed review of capabilities to deal with catastrophic events.

We have already begun conducting the second phase of this review, which includes site visits by teams of former senior State and local homeland security and emergency management officials, to validate those emergency plans, identify deficiencies, and make specific recommendations to improve catastrophic emergency planning. We will provide a detailed report and recommendations to the President and Congress prior to the start of this year's hurricane season.

Federal Role

Of course, we must also make significant improvements at the Federal level to improve our ability to effectively assist our State and local counterparts in their response. As you know, the President tasked the Department of Homeland Security with coordinating Federal operations within the United States to prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies. As the President has said, the results of our response to Katrina were unacceptable. The President has ordered a thorough after action review process that has been deep, difficult, and even painful. We are cooperating with that review, and have engaged in our own soul-searching.

As the Secretary of Homeland Security, I am accountable and accept responsibility for the performance of the entire Department. I also have the responsibility for fixing what went wrong – so we can meet the President's expectations and the public's expectations for helping disaster victims as quickly and effectively as possible.

To accomplish this important goal, I believe our most urgent priority in the near term is to take a hard, honest look at what we can do to improve our response capability and make substantial progress toward this goal by next hurricane season. We must be able to provide support and assistance to disaster victims, identify the most urgent needs, and get resources into those areas quickly. We must also communicate effectively with our partners and have greater confidence in the information we rely upon to make decisions.

Many of these improvements will happen through stronger Federal, State, local and private sector partnerships and a shared plan for moving forward. But we also need to make some changes in Washington.

DHS and FEMA

We have identified a number of issues within FEMA, including a series of long-term policy issues that we must address with Congress. These include long-term housing and possible changes to how we provide individual assistance and short-term sheltering.

Obviously, decisions about these policy issues will await findings by the Presidentially-mandated "lessons learned," and by this Committee and the House. But some issues need to be addressed and their resolution underway by the beginning of hurricane season.

FEMA is not – nor has it ever been – a first responder. For 25 years, under our legal and constitutional framework, FEMA has worked to support State and local first responders during a disaster and provides assistance when a State makes a formal request for support.

But when State and local capabilities are clearly overwhelmed, as was the case in Katrina, the Federal government must be prepared to assume responsibility for some aspects of the response. And that means DHS must be able to function effectively, it must be able to provide assistance in a timely manner, and when a potential disaster looms, it must be prepared to lean forward and get help and supplies into the pipeline before a formal request is made.

Three elements are foundational. First, we must complete the integration of a unified incident command at DHS. In creating DHS and bringing incident management into one place, this Committee had it right. Just as intelligence functions were stove-piped before 9-11, incident management has been stove-piped even after the formation of DHS.

We need to better integrate our incident management functions. We must have a common operating picture and a clear chain of command for managing incidents, especially catastrophes. And we must have a unity of purpose across our Department.

Second, we must improve operational capabilities and become a 21st century Department – with the focus, discipline, and technology that are the hallmarks of all great 21st century organizations.

Third, we must not lose sight of the need to foster our employees – some of the most talented, dedicated public servants in the Federal government. They are our best asset, and many of them have decades of experience for which there is no substitute. But these men and women deserve better tools to match their skills and needs.

Therefore, in the near future, we will be making several major changes to how we do business to support a strengthened, more effective emergency response.

Logistics

One of the biggest barriers to the response to Katrina was not being able to get supplies quickly into the areas that needed them the most. Of course, during Katrina, the flooded streets and extensive damage to critical infrastructure prevented a lot of supplies from reaching the most heavily damaged areas in a timely fashion.

FEMA employees did the best they could under these conditions with the resources they had. Despite this remarkable effort, FEMA's logistics systems simply were not up to the task of handling a truly catastrophic event. FEMA lacks the technology and information management systems to effectively track shipments and manage inventories.

FEMA also relies on other government agencies like the Department of Transportation – who often serve as agents of FEMA and contract through their extensive network of private sector entities to provide support and move most of the necessary commodities. To be successful in the future, DHS must have some of the same skill sets of 21st century companies and be capable of routinely tracking, monitoring, and dispatching commodities where needed.

Therefore, our first step for strengthening FEMA will be to create a 21st century logistics management system that will require the establishment of a logistics supply chain working with other Federal agencies and the private sector. In the first instance, that means we must put agreements in place before the need arises again to ensure a network of relief products, supplies and transportation support are in place that can be rapidly tracked and managed.

This expanded logistics system will also include a better command and control structure so that FEMA can track shipments and ensure supplies get to the people who need them the most.

Claims Management

Our second major area of improvement will be to upgrade FEMA's claims management systems, including its registration and intake procedures.

It doesn't matter what business you're in – if you can't meet the needs of your customers then you are failing at your job. FEMA's customers are disaster victims. FEMA must be able to identify and communicate with them wherever they are.

What does that mean? FEMA's disaster intake systems cannot be overly burdensome or bureaucratic. They must be able to adjust and scale to the changing needs of disaster populations during surge periods. They also must protect against fraud and abuse.

Therefore, in the immediate future, we will significantly enhance and strengthen FEMA's disaster registration and processing systems, its website, and its 1-800 call-in number – including giving FEMA the capacity to handle up to 200,000 disaster registrations per day. We will also upgrade FEMA's outdated information technology and computer systems.

Of course, not every disaster is the same and different disaster victims have different needs. This often presents some difficult challenges. For example, in most cases, disaster victims who require sheltering can be accommodated within their own communities or at least within their own State. With Katrina, an entire geographic region of our country required sheltering in all 50 states. As a result, FEMA was challenged with a set of victim management challenges that severely tested the capabilities and assumptions of the agency.

In the future, we will both expand and de-centralize FEMA's mass disaster claims management architecture when there is a significant displacement of people. In anticipation of this next hurricane season, we also intend to develop a pilot program for

deploying mobile disaster registration trucks to areas where victims have taken shelter, enabling those victims to apply for assistance closer to where they live and work.

Finally, rather than relying primarily on volunteers to provide services in the immediate aftermath of a disaster, FEMA will develop a highly-trained nucleus of permanent employees to serve as its core disaster workforce. Of course, volunteers will always be an important part of the FEMA team, but in the future FEMA must have a larger dedicated disaster workforce that can respond to the unique challenges of surge populations.

Debris Removal

The damage caused by Katrina is without precedent. Although tremendous progress has been made to clear streets and public and private land, we know that debris removal remains one of the biggest ongoing challenges in the Gulf. Debris not only blocks roads, but it also prevents the rebuilding and reconstruction of homes and infrastructure.

At last count, more than 71 million cubic yards of Katrina-related debris has been removed from Louisiana, Mississippi, Alabama, and Texas. But this process, which is labor intensive and often dangerous, is hampered by a complicated contracting and reimbursement process between FEMA, the States, and debris-removal companies.

In the future, we must establish a robust, pre-established contract and response architecture with debris removal companies – cutting out middle-men and ensuring that States are quickly and cost-effectively supported by qualified local debris removal firms. While we envision the states taking a greater and faster role in coordinating debris removal operations, we will continue to count on support from the U.S. Army Corps of Engineers during those situations, normally in the initial days of a disaster response, when states may be too overwhelmed to effectively initiate and manage debris removal.

Streamlining debris removal will help people and communities recover faster, and it will help FEMA ensure a more coordinated and productive effort on the ground.

Communications

Finally, to address what is commonly known as the "fog of war," we are creating a hardened set of communications capabilities that will allow DHS, FEMA, and our Federal, State and local partners to gain better situational awareness about conditions and events on the ground as they unfold during a disaster.

What we know from experience is that initial reports are often wrong during a crisis. Furthermore, we know that a powerful storm like Katrina can render even the most sophisticated communications equipment useless if it is not sufficiently hardened. Without an effective ability to communicate or to obtain reliable information, we simply cannot make good decisions.

Therefore, we are providing DHS and FEMA with a robust communications capability for disasters and events. We have begun the process of creating specialized reconnaissance teams from existing Homeland Security assets, including the aerial assets

of the Coast Guard, Customs and Border Protection, and Immigration and Customs Enforcement. This is one of the many benefits of FEMA being part of DHS that will be maximized over time. In addition to these government assets, we intend to take better advantage of aerial and satellite imagery possible from commercial providers. Several of these companies provided imagery that improved our ability to assess damage and estimate the scope of response needed.

These teams will be self-sustaining and will enter a disaster zone, establish emergency communications, and relay vital information back to FEMA and our partners so that we have a better grasp of events and needs, and we can make sound decisions. We will also work to ensure a level of basic interoperability among Federal agencies responding to a disaster, including DOD and NORTHCOM.

We are also going to take a look at what we can do within DHS to ensure that our agencies have a common operating picture of events. For example, during Katrina, we often lacked situational awareness because our Homeland Security Operations Center and the FEMA National Response Coordinating Center were located in different places and information did not always flow smoothly between them. I have mandated that we integrate these kinds of incident management functions, including a virtually – if not physically – unified operations center, so that we have a better integration of information within DHS and across the Federal government.

Conclusion

These are just some of the initial changes we will be making in the next few months to boost the capabilities of the Department of Homeland Security and FEMA.

Our proposed changes underscore an underlying philosophy and approach to everything we do – which is to address major challenges not as independent, stove-piped agencies, but as a unified team and a national network of partners who share a common goal of protecting our homeland.

As we re-tool the Department and FEMA, we appreciate the ongoing support and participation of Congress and those across the nation who are our partners and will be a critical part of our future success.

Questions for the Record
Senate Homeland Security & Governmental Affairs Committee
"Hurricane Katrina: The Homeland Security Department's Preparation and Response"
February 15, 2006
Secretary Michael Chertoff

Questions from Chairman Susan Collins

1. **Q03135:** Michael Brown stated in his House testimony that he should have called in the Department of Defense earlier. And last Friday, he provided this Committee with an email, which can be found at tab 19 of your exhibit book, in which he was asking for more timely assistance from the Department of Defense. Several other FEMA witnesses have expressed to us their frustration with how long DoD took to recognize that this was a catastrophic disaster and they needed to field greater assistance than their usual response in a disaster. Did you find that DoD was slow to bring their capabilities to bear for a catastrophic disaster?

Response: No. My understanding is that DOD was "leaning forward" and moving assets and personnel into the region prior to landfall. I personally inquired of Mr. Brown about DOD's involvement prior to Katrina's Gulf Coast landfall and spent considerable time thereafter working with DOD and our other federal partners to employ available logistics and security assets. For example, on the video-teleconference on Sunday, August 28, 2005, I specifically asked whether DOD was fully engaged in the effort, and Mr. Brown assured me that DOD was present in the EOC and fully engaged in pre-hurricane preparedness.

While the military was providing this ongoing support, including establishing a JTF in the field under General Honoré, the two Departments worked on the precise language of the "mission assignments" that would define what additional support would be requested and provided.

Q03136: One of the mission assignments that FEMA gave to DoD is that DoD take over its logistics system. But this was not completed, with funds obligated, until Saturday, September 3. Why the delay?

Response: I am not aware of a delay in the obligation of funds for the Mission Assignment to the DOD. On or about September 1, 2005, senior FEMA officials initiated discussions with DOD to gain additional support for logistics in Louisiana and Mississippi. Over the course of several meetings, DHS and DOD agreed on the details of this comprehensive and complicated Mission Assignment, which was also the largest Mission Assignment FEMA had ever issued: $1 billion. In addition to its sheer size, in accepting the mission, DOD needed to consider and balance the missions requested with its other military responsibilities. It also needed a clearer understanding of exactly what was being requested.

In the end, this coordinated effort reached the highest levels of both Departments, and the Mission Assignment (MA 1604DR-MS-DOD-19) was issued. It requested the assistance of DOD to "provide planning and execution for the procurement, transportation and distribution of ice, water, food, fuel and medical supplies in support of the Hurricane Katrina response in Louisiana and Mississippi." The Mission Assignment was amended on two subsequent occasions for technical reasons, and the funds were obligated on September 3, 2005.

I am not aware of any delay in DOD deployment caused by a paperwork or budgeting issue.

Q03137: If you had to do it over again, would you have brought in DoD sooner to take over logistics functions as Michael Brown said he wishes he had done?

Response: As I have testified, I do not believe that DHS was adequately prepared to address all the challenges of Hurricane Katrina. I announced in July 2005 a plan to improve preparedness, but that plan could not legally take effect until October 1, 2005. In hindsight, our lack of adequate situational awareness hampered our ability to assess the effectiveness of the logistics operation. I am not satisfied with FEMA logistics capabilities and conclude that improved capabilities could have been helpful.

As noted above, I asked Michael Brown about DOD's involvement prior to Katrina's Gulf Coast landfall and spent considerable time thereafter working with DOD and our other federal partners to employ available logistics and security assets. For example, on the video-teleconference on Sunday, August 28, 2005, I specifically asked whether additional DOD assets were necessary, and Mr. Brown assured me that DOD was present in the EOC and fully engaged in pre-hurricane preparedness. In hindsight, evidently Mr. Brown overstated the degree of preparedness or underestimated the magnitude of the task.

2. **Q03138:** Secretary Chertoff, much has been made over the $1 billion logistics mission assignment that the Defense Department agreed to several days after Katrina made landfall. A Defense Department witness at a hearing last week touted the mission assignment as "unprecedented." But we have taken a closer look at this mission assignment and, based upon information that your office has provided to us, it appears that the mission assignment was cut in half—to $500 million—and terminated on October 28, 2005. Moreover, it appears that the Department of Defense has billed only approximately $90 million on that mission assignment, and slightly less than $20 million has been approved and paid by FEMA. A review of these paid bills reveal that most of the services covered by the bills have involved leasing ships and providing fuel for the ships and for other purposes. It may, of course, be the case that, five months after Katrina struck the Defense Department still has not billed FEMA for the majority of the work it did, which in itself would say something about DoD's billing system. But we would like to ask you, what did the Defense Department actually do to assist with logistics issues in Louisiana?

Response: The Department of Defense was helpful in providing logistics support and assistance to DHS/FEMA, and DOD personnel worked hard on the ground to support the response efforts. DOD provided its support in a number of ways. For example: (i) DOD supported the Logistics operations at FEMA Headquarters through the assignment of a Defense Logistics Agency (DLA) liaison to assist in procuring commodities; (ii) NORTHCOM provided planning support; (iii) DOD provided support to the State of Louisiana by helping to track shipments of commodities; and (iv) DOD provided troops to assist Louisiana's staging area. I understand that it is not

unusual for the bills for a Mission Assignment to take several months to be processed by the providing agency and only thereafter forwarded to FEMA's Disaster Finance Office.

3. In the course of our Committee's investigation, we have heard about a failure of the federal government to pre-deploy an adequate level of assets in the Gulf Coast region and to bring sufficient assets to the affected areas after landfall. Federal agencies, including the Department of Defense, could have engaged sooner and with more resources than they did. Instead, most agencies appear to have waited for mission assignments from FEMA.

But there is a tool within the National Response Plan to handle large-scale catastrophes like Katrina—it's the Catastrophic Incident Annex. The Catastrophic Incident Annex is for, "Any natural or manmade incident . . . that results in extraordinary levels of mass casualties, damage, or disruption affecting the population, infrastructure, environment, [and] economy." Such catastrophic incidents almost immediately exceed the resources available to state and local authorities. This Annex establishes a framework for an "accelerated" and "proactive" national response that requires federal agencies to deploy unless they can clearly establish why they should not be involved in the response.

Q03139: Wasn't Hurricane Katrina just the kind of catastrophic incident envisioned by the Catastrophic Incident Annex to the National Response Plan?

Response: The National Response Plan (NRP) is the core operational plan for national incident management. As expressly stated in the NRP's Catastrophic Incident Supplement (CIS), the Catastrophic Incident Annex (CIA) is designed for no-notice or short-notice incidents where anticipatory preparation and coordination with the state under the Stafford Act are not possible. Here, of course, the Administration was working closely with the relevant states prior to landfall, and the President declared an emergency in Louisiana under the Stafford Act on Saturday, August 27, 2005, which empowered the federal government to pre-position all necessary assets in support of the state and local first responders. As noted in my testimony, a proactive emergency declaration of this type was virtually unprecedented.

Even though this was not the type of event contemplated by the CIA, and even though the implementing document for the CIA—the Catastrophic Incident Supplement—had not yet been disseminated or trained on at the time of Katrina, the Department has found that the assets called for under the CIS were in fact pre-positioned by FEMA. As you know, the CIS contains a time-phased deployment plan for federal assets following a no-notice event, such as a terrorist attack or earthquake. The intent is to move these resources to forward staging and mobilization sites before a detailed assessment of damages is completed with expectation that the assets will be requested. With regard to Katrina, the Department's analysis suggests that 100% of the assets called for by the CIS in the first 48 hours *after* a catastrophic incident were, in fact, deployed *prior* to landfall. In many cases, *more* assets were pre-positioned than were called for in the CIS.

In short, the analysis shows that DHS and other agencies actually deployed *more assets more quickly* than contemplated under the CIA. *See* Attachment A (Analysis of Pre-Positioned Assets Compared With CIA Requirements).

Also, please note the following provision of the CIA: "Federal resources arriving at a Federal mobilization center or staging area remain there *until requested by State/local incident command authorities*, when they are integrated into the incident response effort." Therefore, it is *not* the case that the CIA would have resulted in a different posture—we were already pre-positioning assets in a greater quantity and earlier than called for by the CIA, for use by state and local first-responders. In light of these facts, any conclusion that use of the CIA would have improved FEMA's performance in Katrina is mistaken and contradicted by the facts.

Finally, please note the comments of Louisiana disaster officials in the VTC of Sunday, August 28 (Col. Smith: "[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. . . .") and Monday, August 29 (Col. Smith: "[t]he coordination and support we are getting from FEMA has just been outstanding.").

Q03140: The Department of Homeland Security in a written answer to the Government Accountability Office said that the Catastrophic Incident Annex did not apply to Katrina because the Annex "is designed for "no-notice" or "short-notice" events, where no personnel or supplies have been pre-positioned." We have not found a definition of a "short-notice" event in the NRP and it seems that on a common sense level, that a storm which one, provided only a few days notice that it would squarely hit New Orleans, and, two, broke through levees to a degree that may have been anticipated, but certainly was not expected, qualifies as a "short-notice" catastrophe. Secretary Chertoff, do you agree?

Response: I do not agree. Two days before Katrina's Gulf Coast landfall, on Saturday, August 27, 2005, the President declared an emergency in Louisiana under the Stafford Act. This empowered the federal government to pre-position all necessary assets in support of the state and local first responders. As stated above, the Department's analysis indicates that 100% of the assets called for by the CIS in the first 48 hours *after* a catastrophic incident were pre-positioned *prior* to landfall. Even though this was not the type of "short notice" event contemplated by the CIS, this analysis shows that DHS did what was called for under that document by pre-positioning *more assets more quickly* than contemplated under the CIA. If there is a different view of the Annex, I am always ready to consider clarifying the text.

Q03141: Secretary Chertoff, when did you first consider invoking the Catastrophic Annex, because it sounds like your advisors were more interested in coming up with rationales for not invoking the Annex than in figuring out a way to get its proactive program in place?

Response: This question unjustifiably—and offensively—impugns the motivations of individuals who collectively represent years of dedicated public service, including placing themselves in harm's way in service to our country. I am confident that my advisors were entirely committed to responding in the most effective way to the situation on the ground. My advisors are professionals and acted in good faith to do the best they could. That said, throughout our response to Hurricane Katrina, we were constantly evaluating the Department's response efforts in light of all elements of the National Response Plan. See responses above.

Q03142: As I read it, the Annex isn't about additional authority, rather it is about utilizing authority already established and making federal departments and agencies adopt a proactive posture toward a catastrophic incident. It seems to me that Hurricane Katrina clearly warranted a proactive posture. Indeed, the fictional Hurricane Pam exercise estimated that 61,000 people could die when a hurricane hit New Orleans and only two of the fifteen incident scenarios for which the National Response Plan was created estimate deaths that exceed this number.

If Hurricane Katrina did not warrant activation of the Catastrophic Incident Annex, what disaster scenarios do you think would?

Response: Again, it was not necessary to formally activate the CIA to make a proactive response with respect to the CIA, because a proactive response was underway pursuant to the President's declaration. The analysis of resources provided (*see* Attachment A) establishes that pre-positioned resources exceeded what would be called for by the CIA *after* landfall, and the August 28 and August 29 VTCs show that Louisiana expressed satisfaction at FEMA's level of pre-positioning.

The National Response Plan provides several illustrative examples of unexpected circumstances when the Catastrophic Incident Annex could be implemented for surprise events involving chemical, biological, radiological, nuclear, or high-yield explosive weapons of mass destruction, or large-magnitude earthquakes or other natural or technological disasters in or near heavily populated areas. These are circumstances where pre-positioning would precede a Presidential declaration.

Q03143: We spoke to two emergency management experts—Mr. Chuck Mills and Dr. John Harrald. They both told us that invoking the Catastrophic Incident Annex would have made a difference particularly by instilling a "sense of urgency" in the response. (Staff Interviews of Chuck Mills and John Harrald, February 14, 2006). Indeed, in response to the point that invoking the annex without the Supplement would not have helped, Mr. Mills opined that a lawyer might need the Supplement, but an emergency manager would not; the Annex itself was a good tool that an emergency manager could have used. If you had to do it over again, would you have invoked the Catastrophic Annex?

Response: DHS does not have access to the transcripts of the witnesses you cite, so I do not know exactly what their relevant experience with and knowledge of the NRP might be. Nor do I know the basis for an emergency management expert's speculation about what "a lawyer would need."

If their answers suggest that there was not a "sense of urgency" in DHS's response, I would vigorously disagree. Prior to the Gulf Coast landfall of Hurricane Katrina, there was already a great sense of urgency in the preparedness activities of the Department. We knew that this storm had the potential to wreak havoc on the Gulf Coast and could cause enormous damage to entire region. The career senior officials of FEMA collectively represented decades of emergency management experience.

Therefore, as noted above, the President declared a pre-landfall emergency under the Stafford Act, which allowed DHS/FEMA to pre-position all necessary assets in support of the state and local first responders. A pre-landfall emergency declaration is virtually unprecedented. That the President took such a step was an unequivocal indication of our sense of urgency.

Q03144: Why was the Supplement not finished and will it be complete prior to the upcoming hurricane season?

Response: I understand that the Catastrophic Incident Supplement was agreed to by the relevant agencies on September 6, 2005, after approval of a Memorandum of Agreement between the Departments of Defense, Health and Human Services and Homeland Security. This MOA allows DOD to activate the NDMS for military emergencies. Since September 6, 2005, and in light of Hurricanes Katrina and Rita, the CIS is undergoing additional review as part of the NRP revision process.

4. **Q03145:** I was troubled to read your spokesman, Russell Knocke, quoted in the February 10th New York Times as saying you were not informed of the breach in the passive voice - in view of the fact that the Department had determined that a category 3 hurricane hitting New Orleans was one of the half dozen worst disaster scenarios conceivable, wouldn't it have been reasonable to expect that the senior leader would either get himself to the Department's command center personally, or at the very least constantly-hourly-monitor intelligence coming in to General Broderick, asking probing questions about developments in so serious a situation?

Response: The question contains the utterly false premise that I was not repeatedly asking probing questions and monitoring intelligence. The truth is exactly the opposite. In fact, I understand that both General Broderick and Frank DiFalco—the senior officers in charge of the HSOC—told your Committee's staff just how intently and continually I sought information from the HSOC on Monday and throughout DHS's response. My conduct reflected management practices developed over years of personal experience in law enforcement, including life and

death situations—for example my substantial involvement in directing the domestic response to the attacks on 9/11.

As I explained to the Committee, I was monitoring information from the affected area all day Monday, and was in constant contact with the HSOC. I either went to the HSOC itself to discuss matters with then-HSOC Director Broderick, or he was in close touch with me in my office. As HSOC's senior officers have told your staff, I continuously insisted on current information from the HSOC on the situation on the ground, and asked probing follow-up questions.

5. In his testimony before this Committee last Friday, Michael Brown called the PFO concept "more bureaucracy" that was "created . . . in a vacuum," and that PFO's only function was to provide you with information. He further suggested that he could not succeed in the role of PFO because you told him that he could not leave Baton Rouge.

Q03146: Secretary Chertoff, are there problems with the PFO concept that need fixing or was the problem the person you selected to be the PFO?

Response: Mr. Brown's assessment of the PFO concept is flat wrong. It is astonishing that he would say that the PFO—which is an element of the NRP—was "created . . . in a vacuum," when the NRP was developed by an interagency team which received input from federal, state, local and tribal government and private-sector partners, and was endorsed by the heads of 32 federal departments and agencies and national-level private volunteer organizations. Disturbingly, Mr. Brown's agency, FEMA, had responsibility to maintain and implement the NRP. (I am informed that Mr. Brown recently told CNN that he effectively authored the PFO training, comparing himself to a "professor" of PFO studies).

I also vigorously dispute Mr. Brown's view that the reason he failed as PFO is because of my instructions to him on Tuesday, August 30. When I finally was able to reach him that evening—after the Deputy Secretary and I, as well as senior FEMA officials, spent hours urgently trying to reach him—I expressed my strong concern that Mr. Brown was spending his time on VIP tours of the affected region and media appearances rather than managing the federal government's response to the incident, including the evacuation of the Superdome. While scene visits may be useful, job number one was to ensure rescue and evacuation plans were being executed. As a result, I advised him that I expected him to spend the following day managing the incident hands-on from the Emergency Operations Center. I instructed him to remain in communication with headquarters. I gave that instruction to address the Mr. Brown's management and execution problems evident from the events of that day.

The proof that the PFO concept works became evident when, seven days after Katrina's landfall, I appointed Vice Admiral Thad Allen as Deputy PFO, and later as PFO. Admiral Allen properly executed his duties as PFO, and had no difficulties regularly reporting to me while he managed the incident and inspected the affected areas.

Of course, the PFO concept can be improved, and we are working on adjustments to it. For example, as we found during Vice Admiral Allen's successful tenure as PFO, a PFO's role as coordinator sometimes needs to be augmented with the authority of the Federal Coordinating Officer under the Stafford Act. Our lessons learned process will address this aspect of the NRP.

6. Secretary Chertoff, in your testimony before the House, you called Michael Brown your "battlefield commander" managing the response to Hurricane Katrina. (Chertoff House Testimony at 20). You sent him down to Louisiana with, in your words, "the authority he had as the director of FEMA, which put him in supervisory authority over the federal coordinating officers." (Chertoff House Testimony at 20). The National Response Plan is clear that the PFO does not have directive authority over federal coordinating officers and, further, that a PFO may not be "dual-hatted." (National Response Plan at 33).

Now, some time after you replaced Michael Brown with Coast Guard Admiral Thad Allen, you made Admiral Allen the federal coordinating officer for the affected states in addition to the Principal Federal Official, a hybrid that is clearly not contemplated by the National Response Plan

Q03147: Does the National Response Plan create too weak a PFO to address catastrophes of the size and magnitude of Katrina and, if so, what needs to be done to fix the plan?

Response: While the PFO has substantial authority and responsibility to oversee incident management, facilitate the establishment of a local Incident Command System, and provide situational awareness to the Department, Katrina taught us that it is sometimes advisable to have the PFO possess authority over—or possess the statutory authority of—the Federal Coordinating Officer (FCO) under the Stafford Act.

Additionally, I want to address the truncated quotation of the NRP contained in the question. The NRP actually states that "PFOs may not be 'dual-hatted' with any other roles or responsibilities *that could detract from their overall incident management responsibilities.*" In this circumstance, Michael Brown, as the Director of FEMA, was the senior federal official with responsibility for the federal response to Katrina. His hurricane-related responsibilities for FEMA were coincident with his the role as PFO, and given his management of hurricanes in previous years, it would not have been logical, with the information available to us at the time, to choose a different official. Of course, I did not know at the time that Mr. Brown did not intend to coordinate fully with the Department as required by the NRP. Because of the overlap in responsibilities between the PFO and the FEMA Director, the latter did not "detract from [his] overall incident management responsibilities," but actually dovetailed with those responsibilities, and gave Mr. Brown the full authority a PFO would require.

7. **Q03148:** Mr. Secretary, the Department of Homeland Security runs a Propositioned Equipment Program known by its acronym "PEP." As we understand it, the program consists of

$2.2 million caches of standardized first-responder equipment that are pre-positioned at 11 sites across the country. Each cache can sustain up to 150 first responders. A cache can be transported within 12 hours after a formal request is made, and it can then be transferred to the custody of state or local officials. In the hands of first responders during Katrina, these vital supplies could have saved lives, by outfitting fire, rescue, and police personnel with critical equipment, including interoperable communications devices. Yet none of these supplies were deployed until almost a week after landfall. In an interview with Committee staff, the Acting Executive Director of the Office of Domestic Preparedness, Matt Mayer, said that if he could do it over again, he would have acted proactively to start moving these assets to the Gulf Coast region sooner. Do you agree with Mr. Mayer that these assets should have been deployed to the Gulf Coast area much sooner than they were?

Response: The Pre-positioned Equipment Program Pods (PEP Pods) are a Federal asset maintained to supplement state and local resources during a natural or man-made emergency. I understand that, during the response to Hurricane Katrina, the PEP program launched seven of its eleven pods of equipment to the Gulf Coast in order to replenish supplies of state and local first-responders. Nevertheless, it is important to note that the PEP Pods must not be pre-deployed in the hurricane strike zone, so that they themselves do not become damaged or unusable because they are caught in the storm's path. While Matt Mayer says that in hindsight he would have deployed the pods sooner, for the reasons stated above, he does not believe that he would have pre-positioned these *before* the storm, *in the impact area.*

Moreover, the timing of PEP Pod deployment is critical and must be executed carefully. They require a large footprint and must be stored at proper temperatures. If the PEP Pods are deployed too soon, they can occupy valuable space that may be required for other commodities more urgently needed for immediate life-saving or -sustaining efforts (including distribution of food, ice, water, etc). Similarly, Pod personnel are self-sustainable for only 72 hours; if the teams are deployed too early and surpass their 72-hour self-sustainment window, they may be forced to leave. For Katrina, the PEP Pods were deployed based on the best information available regarding prevailing requirements and conditions.

8. A key concept within the National Response Plan is the idea of sharing important information with decision makers. Yet in this instance key information was not shared with decision-makers. The best example of this is the breaches of the New Orleans levees. You have stated you did not learn of the breaches until Tuesday.
Q03149: When did you learn that the levees in New Orleans had breached?

Response: Our situational awareness should have been better. I am informed that DHS received contradictory information regarding levee breaches on Monday. For example, during the FEMA noontime VTC on Monday, August 29, I, and the other participants heard directly from Max Mayfield and Governor Blanco of Louisiana that, as the transcript indicates, the levees had *not* been breached. I received a written report on Monday evening from the HSOC that preliminary reports had indicated the levees had *not* been breached, and that the situation was still being

assessed. Early Tuesday morning, August 30, 2005, I first learned that there had in fact been significant irreparable levee breaches.

Q03150: The National Response Plan states, "[w]hen notified of a hazard or an incident with possible national-level implications, the HSOC assesses the situation and notifies the Secretary of Homeland Security accordingly." (NRP at 48) Information regarding levee breaches clearly reached the HSOC by Monday evening. For example, Ex 5, [also blown-up as an exhibit] indicates two reports of levee breaks. Again, Ex. 6 shows that at 10:30, a report from a FEMA official gives an eyewitness report of a "quarter-mile breach in the levee near the 17th Street Canal about 200 yards from Lake Pontchartrain allowing water to flow into the City." Surely a levee breach in New Orleans is an "incident with possible national-level implications." Why didn't you learn this critical information on a real-time basis?

Response: One of the HSOC's tasks is resolving conflicting, inconsistent, or inaccurate information. A report I received on Monday night said that the levees had not breached. On Tuesday morning, after the HSOC had determined that there were confirmed significant levee breaches, that fact was communicated to me.

9. **Q03151:** Secretary Chertoff, Exhibit 7 is an email from Patrick Rhode, Acting Deputy Director of FEMA to Deputy Secretary Jackson at 11:05 pm on Monday. In this email Rhode told the Deputy Secretary about a "200 yard collapse of the levy on the south side of the lake." The email also indicates that he had a conversation with Deputy Secretary Jackson earlier that night. If Mr. Rhode was in communication with the Deputy Secretary on Monday evening, how is it that you and other DHS officials did not know about the severity of the situation in New Orleans until Tuesday morning?

Response: As the Rhode e-mail itself indicated, it was sent late in the evening on Monday, August 29. Deputy Secretary Jackson tells me he does not remember receiving it until early Tuesday morning, August 30. This demonstrates that e-mails are not the most appropriate way of conveying urgent or important information, especially late at night. Instead, the right course would have been to notify the HSOC, which reaches both the Deputy Secretary and me by telephone at any time of day or night.

10. **Q03152:** Michael Brown testified last Friday that if the 17th Street Canal levee in New Orleans had been blown up by terrorists, rather than broken through by the force of a hurricane that we would have seen a very different national response. How do you respond to Michael Brown's charge that the Department is overly focused on terrorist attacks at the expense of responding to natural disasters?

Response: I reject Mr. Brown's unsupported and unfounded aspersions. It sends the wrong message to the men and women throughout the elements of DHS who worked around the clock

to respond to this disaster. Of course, I do not apologize for being concerned about terrorism. But I have consistently maintained that DHS is an all-hazards agency, and it should remain so. The main reason for this is that response to a terrorist attack or a natural disaster requires almost identical capabilities; and in many cases first responders will not know immediately whether the cause of the disaster was natural or man-made. We will continue to prepare to respond to all hazards that the country may face.

11. **Q03153:** Secretary Chertoff, the public learned about victims of Hurricane Katrina gathering by the thousands in the Convention Center through news reports that started on Wednesday, August 31st. According to at least one media report (Newsweek- "What the Hell is going on"), you did not learn about it until Thursday. Also, Matthew Broderick, who runs the HSOC, has told the Committee that part of the problem was that he and his staff were confused and did not realize that the Convention Center was a completely separate location from the Superdome. (Broderick interview pp 107-171) Once you realized that Katrina was a catastrophe on Tuesday, why didn't you have someone assigned to the HSOC with at least a basic knowledge of the New Orleans area?

Response: The New Orleans experts were sitting in the Emergency Operations Center in Baton Rouge, and they were better positioned to provide situational awareness. We needed more eyes on the ground to provide real-time updates of what was happening in New Orleans, which is something that I insisted on later in the week when I realized that the PFO was not providing us with the information we needed.

Q03154: Michael Brown has stated that he actually knew about the Convention Center by Wednesday and you knew about it by Thursday. But records that have been produced to the Committee by DHS indicate that FEMA did not order food and water for the Convention Center until 8:00 a.m. on Friday, September 2nd. You can see the relevant Action Request Form at Exhibit 2. Once you learned that people were congregating at the Convention Center, what did you do to ensure that the hurricane victims there were provided with food and water?

Response: When I learned about the Convention Center, I immediately demanded information about how many people were there and their condition, so we could make sure to get them food and water and ultimately transportation out of there. Through HSOC, I ordered DHS law enforcement personnel to conduct personal reconnaissance. Additionally, I have learned that when the State of Louisiana asked the FCO in Louisiana for food and water for the Convention Center, he took immediate action and ordered three truckloads of water and one truckload of Meals Ready to Eat (MRE) on Thursday night, September 1, 2005, for delivery to the Convention Center by 8:00 AM on Friday, September 2, 2005. In addition to the commodities delivered by truck, air shipments of Meals Ready to Eat were made to both the Convention Center and the Superdome beginning September 2, 2005, by the U.S. Navy. In addition, we were pursuing all possible means to evacuate the city of New Orleans, including buses and

eventually the airbridge from Louis Armstrong International Airport arranged by the Deputy Secretary, TSA, and FAA.

12. Secretary Chertoff, as this Committee's hearing on February 10th demonstrated, there was significant tension between Michael Brown and top officials at the Department of Homeland Security. That tension was palpable, for example, in the Committee's interview with Matthew Broderick, the Director of the Homeland Security Operations Center or HSOC, which provides situational awareness to DHS officials. In his interview with Committee staff, Mr. Broderick said: "I know that there was always a long-standing rub between FEMA [and] DHS. And that even with Mike Brown and Secretary Ridge, I'm not sure Mike Brown felt he worked for Secretary Ridge, and I don't think he felt he worked for Secretary Chertoff." (Broderick Interview at 48)
Q03155: Do you agree with Mr. Broderick's assessment of Michael Brown?

Response: In the days immediately prior to Hurricane Katrina, Michael Brown gave me no reason to doubt his commitment to the important work at hand. To the contrary, he assured me personally that he was committed to carrying out his duties.

Nevertheless, it does not surprise me to learn that Mr. Brown had some resistance to the notion that the Homeland Security Act of 2002 made FEMA a component part of the DHS. Following the Second Stage Review of the Department (2SR) in July 2005, the Deputy Secretary and I spoke with Mr. Brown. At that time, we told him that although we had not accepted some of his recommendations, we expected him to cooperate with the other DHS components in implementing these changes. In addition, we told him that if he could not cooperate or fulfill his responsibilities in this situation, then he should no longer remain as the FEMA Director, and that we would understand if he made this choice. He agreed to stay on at FEMA and promised his *full commitment* to the changes. Indeed, he even endorsed the idea at a summit meeting among emergency managers and homeland security advisors.

It is clear in light of Mr. Brown's recent testimony that this commitment was not fulfilled during Katrina. I expected—and continue to expect—a public official to put aside whatever policy differences he may have and perform his responsibilities in a professional manner, especially when lives are on the line.

Q03156: How, if at all, did Michael Brown's failure to follow directions affect your ability to oversee and provide direction to FEMA?

Response: Bluntly, it now appears that he needed more help but refused to ask for it from DHS.

Katrina emphasized the importance of having accurate, timely and reliable information. Lack of ground truth is an enormous impediment to coordinating a response. A major part of Mr. Brown's job under the NRP was ensuring the flow of information to Department headquarters,

including the HSOC and the Interagency Incident Management Group (IIMG). This would have allowed us more promptly to support him if his resources or planning capacity was overwhelmed. We began to do so when we concluded that his capacities were, in fact, overwhelmed. Had he been forthcoming, we could have undertaken those actions sooner. By his own admission to this Committee on February 10, he deliberately bypassed the Department and resisted communication with me, the HSOC, and the IIMG, and in doing so impeded DHS's and the federal government's ability to respond.

Q03157: Michael Brown appears to have viewed the HSOC and some other DHS entities as an obstacle to his ability to carry out his job as Director of FEMA. Indeed, he testified last Friday that, in 2004, as the hurricanes began to hit Florida, he told White House officials that the best thing they could do for [him] was to keep DHS out of [his] hair" (HSGAC Feb 10 hearing p.32). Brown also testified that it was necessary to contact the White House directly rather than going through the proper chain of command when requesting assistance for FEMA or relaying critical information because he felt calling you "would [not] have been effective and would have exacerbated the problem." (HSGAC Feb 10 hearing p. 55) Secretary Chertoff, did you have a problem with Michael Brown not following your directions?

Response: At the time, I attributed difficulty in connecting with Mr. Brown to communication difficulties and the sheer overwhelming physical challenge. His recent revelations of deliberate stonewalling put a disturbing light on these early days. His statements, which are quoted in your question, evince a complete lack of understanding of the proper roles of the Department and the White House in disaster response. During Mr. Brown's testimony, he seemed almost proud that he defied the chain of command, communicated directly with the White House to the exclusion of DHS, and did not share (or did not gather in the first place) necessary information about the hurricane-affected area. But the White House is not an operational agency. DHS is.

I believe that Mr. Brown determination to follow his own preferences rather than his responsibility cost us valuable time in responding to this crisis, and did not allow me, as Secretary, to address important needs with assets from within and outside DHS as quickly as I otherwise could have.

One clear point emerges from this testimony: Mr. Brown thought I should step aside during Katrina so that he could manage the catastrophe as if FEMA were still a stand alone agency. The result of that approach shows how wrongheaded it was. By contrast, other PFOs—Admiral Allen and Admiral Hereth (for Hurricane Rita)—prove that a responsive and integrated PFO is the right approach.

Q03158: Secretary Chertoff, in retrospect, do you believe that you should have given Michael Brown more autonomy to run the response to Hurricane Katrina, as he has suggested?

Response: No; just the opposite. The autonomy that Mr. Brown apparently assumed for himself resulted in a broken communications system, a refusal to communicate with the Secretary and the HSOC, a failure to set up a functioning Joint Field Office, and lack of situational awareness in New Orleans, and a delayed evacuation, among other things. By contrast, Admiral Allen carried out his responsibilities effectively because he took advantage of his connection to DHS. After Admiral Allen took control of PFO responsibilities, operations began to improve quickly.

Ironically, during the noon video-teleconference on Sunday, August 28, 2005, I asked if there was anything additional that Mr. Brown needed to prepare for or respond to Hurricane Katrina. Mr. Brown indicated that nothing more was needed. At the same time, I offered all the weight of my authority in support. Mr. Brown evidently chose to ignore this offer.

Q03159: The motto of the Department of Homeland Security is "One Team. One Fight." Why, by all appearances, does it look more like a free for all at the Department?

Response: The Department of Homeland Security is completing its third year of operation, and while it has experienced great successes during that time, it remains a work in progress. Secretary Ridge did a remarkable job to start up the organization quickly under trying circumstances in the immediate aftermath of September 11, 2001. But when I joined in February 2005, I recognized—as did Congress—that much more integration needed to be done.

When I was confirmed as Secretary early last year, I directed the Second Stage Review of the Department (2SR). The purpose of the 2SR process was to assess the Department's organizational structure and seek ways to unify its many functions and components, resulting in greater efficiencies. During the summer of 2005, we announced the results of 2SR and worked with Congress to effect the required changes. We established a Preparedness Directorate in order to bring together the resources of various components to synthesize the functions of state and local liaison relationships, grants, training, and the like. We expect to gain greater synergies through this integration.

Unfortunately, Hurricane Katrina did not wait for the actual implementation of these changes, which, by statute, we had to wait 60 days to implement. As a result, the new structure was not in place, and we were not able to realize the anticipated efficiencies and collaboration.

I intend to develop a culture of unity in the Department—that is, to ensure that the Department components operate jointly and cooperatively as a single functioning entity.

13. **Q03160:** Even after you at long last became aware of the flooding in New Orleans and began experiencing defiant silence from Michael Brown, it is difficult to find any evidence that you took any kind of control, making any material decisions yourself concerning the management of this disaster until 12 days after landfall, when you finally recalled Mr. Brown and replaced him

with Admiral Allen. Can you tell us of any material decisions you personally made during that fateful 12 day period?

Response: I am surprised to receive a question that challenges my active management of this disaster, especially after my testimony before this Committee on February 15. Even though I described my actions during that testimony, I will do so again below. Of necessity, this recitation is illustrative and not exhaustive, and should not be understood to be a complete recitation of what I did during a succession of very long days.

First, it is wrong to say that I waited twelve days to replace Mr. Brown. With Vice Admiral Thad Allen's appointment as Deputy PFO on Monday, September 5—one week after landfall—I effectively replaced Mr. Brown in New Orleans, placing a senior leader in the epicenter of the disaster.

I also dispute the underlying premise of this and other similar questions, which is that the Secretary should supplant hurricane operators or personally take over response efforts. There is a significant difference between being a hurricane operator and the head of a Cabinet department. Operators are involved in the immediate tactical decisions of what happens on the ground. As Secretary, my role is to lead the entire Department, imparting strategic guidance and direction based upon the plan developed, priorities established, and information provided. I also work with the President and other Department heads and deal with governors, members of Congress and other officials.

In the weekend before landfall, I followed planning activities closely and I stayed in continual contact with senior DHS and FEMA officials and my experienced advisers. I participated in the noontime FEMA VTC on Sunday, August 28, at which time I explicitly asked Mr. Brown if he required any additional assistance from other DHS components, and if he was getting everything he needed from DOD. Louisiana officials also noted at that time that they were satisfied with the level of pre-positioning of assets and cooperation that they were receiving from FEMA. I was also in direct personal contact with each of the governors of the affected states that day, and repeatedly thereafter.

On Monday, August 29, 2005, my primary focus was to receive reports from the Gulf Coast region—finding out the ground truth without getting in the way of the hurricane operators. During that day, I participated in the noontime FEMA VTC, and, as the transcript indicates, learned directly from Governor Blanco that the levees in New Orleans had not been breached. Louisiana officials again noted that they were satisfied with the level of pre-positioning of assets and cooperation that they were receiving from FEMA. As I described in prior answers, I was in constant contact with the HSOC to gain awareness of the situation on the ground.

On the morning of Tuesday, August 30, 2005, I received a 6:00 a.m. HSOC situation report that indicated that the New Orleans levees had been breached. From that point on, I began demanding answers at an even more accelerated pace than before: Is this an irreparable breach? What area is going to be flooded? I knew at that point that there were three immediate things

that had to be done. First, search and rescue had to be accelerated. Second, we had to make sure there was food and water for people who were stranded. And third, we had to execute a second evacuation. I began monitoring each of these efforts.

Throughout Tuesday, I attempted urgently to reach Mr. Brown, as did the Deputy Secretary at my direction. Part of the reason for seeking him out was to get information about the second evacuation. At one point, I heard that there were approximately 450 buses lined up, but no specifics about the plan for evacuating the Superdome in New Orleans. After numerous efforts to reach Mr. Brown to make sure there was a sound plan, I learned from others that he was incommunicado, traveling around with VIPs and doing interviews. When I finally reached him on Tuesday night, I gave him a very clear message: Job one is to arrange for the evacuation. Sit in the operations center. Get with the relevant managers. Make sure you're taking care of all of these issues.[1]

It is fair to say that I concentrated on Katrina all day, late into the night, and on occasions all night, from early on Tuesday through the appointment of Thad Allen on Monday and beyond. During phone calls and meetings on Wednesday (and Thursday), I launched planning on those medium- and long-term issues that I knew needed to be addressed, and left the on-the-ground response to the operators in the field and at FEMA. For example, I tasked the development of a long-term structure to deal with the devastation in New Orleans, knowing that this was not going to be a weeks- or even months-long process. I tasked our Chief Financial Officer with developing a stop-gap appropriations bill to provide the money that would be necessary for response and recovery. I repeatedly demanded information about the situation at the Superdome and the evacuation of New Orleans, seeking to learn whether evacuation had begun. I directed subordinates to introduce additional law enforcement and security assets into the city. I tasked DHS's Inspector General to have his staff get involved with our recovery efforts to avoid issues down the road. I also attended a Cabinet meeting on Wednesday. On Wednesday night, I called Governor Blanco and urged her to do whatever was necessary to reestablish law and order in New Orleans.

On Thursday, I became very dissatisfied with the pace of evacuation of New Orleans and with the stories of rampant disorder. I stayed in continuous contact with the HSOC to keep track of what was going on the ground. I determined that we had to step in and take over certain aspects of what Mr. Brown was supposed to be doing, because they were not getting done. I asked the Deputy Secretary to arrange for an air evacuation of New Orleans, because the evacuation plan that we had been presented with—the bussing of evacuees all the way to Houston—would have taken too long to accomplish. The sensible approach, which we implemented, was to bus them to the nearby airport to be flown to safety. Also on Thursday, I arranged with the Coast Guard to

[1] Some have alleged that I was out of touch the morning of Tuesday, August 30 when I traveled to Atlanta. In fact, I was in constant contact on Katrina matters at Centers for Disease Control (CDC) on avian flu and telephone calls on Katrina issues from the CDC. I also was present at the FEMA EOC in Atlanta during that morning, to receive additional information and address Katrina issues. As you know, Region IV had half the responsibility for coordinating the response for Katrina. This got me "close to the ground" without the risk of disrupting the operators in Baton Rouge.

use helicopter assets to deliver food and water to those people who were gathering on high ground—which was a difficult decision, since I knew it would take helicopters away from search and rescue. I also spent considerable time on the security issue, including speaking often with General Blum, and others at DOD and throughout the Administration, about providing additional military assets to New Orleans.

On Friday, I visited the Gulf Coast with the President to assess the situation first-hand. At that time, I concluded that the impact of the hurricane had exceeded the capabilities of Mr. Brown and decided that I needed to supplement the battlefield management with additional skills and capabilities. I returned to Washington, D.C. on Friday night. I worked through the night. On Saturday, I had meetings regarding using additional military assets in New Orleans. I attended the noontime FEMA VTC on Saturday. I also initiated the process of replacing Mr. Brown with Admiral Allen. I returned via an overnight flight to New Orleans on Saturday night—with the exception of a couple of hours of sleep, I worked straight through that night as well.

I arrived in Louisiana early Sunday morning. That day, I met with our FEMA ESF leaders, state officials, and with General Honoré to discuss coordination between DHS and DOD assets on the ground. I also toured the devastation in the hurricane-impacted area.

Vice Admiral Allen took over as Deputy PFO on Monday, September 5. Almost immediately, things began running more smoothly, because necessary operations were being conducted at the operator level, instead of the headquarters level.

14. **Q03161:** Based on current ocean water temperatures, some scientists are suggesting that the coming hurricane season of 2006 could be another above average hurricane year. Are we ready for another active hurricane season?

Response: We have a lot of work to do before the next hurricane season. I am confident that the Department, with the help of federal partners and Congress, can rise to the challenge. We are working vigilantly to ensure that we are ready for whatever next season brings.

The Department has been engaged in a thorough after-action review process, looking at integrating lessons from Hurricanes Katrina and Rita to improve how we can become better equipped to address not only catastrophic events, but other disasters and emergencies that we are likely to face in the future. With this in mind, the Department has taken upon itself, as one of our most urgent priorities, to take a hard, honest look at what we can do to improve our response capability and make substantial progress toward that goal by the looming hurricane season.

As a first step in that process, the President directed that DHS conduct an immediate review, in cooperation with local counterparts, of emergency plans in every major city in America. Congress followed up with a similar legislative mandate, with a requirement to deliver a preliminary report on February 10, 2006. I am pleased to say that this deadline was met, and the report contains a preliminary self-assessment of catastrophic planning in all 50 states, 5

territories, and our 75 largest urban areas. We have moved onto the second phase of this review, including site visits by teams of former senior state and local homeland security and emergency management officials. I have mandated special emphasis for planning for the Gulf. We aim to validate these emergency plans, identify deficiencies, and make specific recommendations in order to elevate catastrophic emergency planning consistent with our National Preparedness Goal.

In addition we are working on ways to improve preparedness for the federal government to provide assistance in a timely manner and get help and supplies as quickly as possible. We are moving urgently to a fully integrated and unified incident command structure at the Department by June 1, 2006. We are building the hardware and the culture to integrate the operations centers into a single virtual operations center.

Further, we are working to enhance and expand communications capabilities that will allow DHS, FEMA, and our federal, state and local partners to get better situational awareness about conditions and events on the ground as they unfold during a disaster. We began the process by assembling a specialized National reconnaissance team from existing homeland security assets within Immigration and Customs Enforcement. This team also includes two embedded Public Affairs Go Team members. They are backed up by an initial, immediate response team from one of 26 ICE teams throughout the country. The 26 teams will rely on organic assets to report back to DHS. The National team, ready to arrive in an area within 8 hours following deployment orders, will be self-sufficient and will be able to establish emergency communications and relay vital information back to DHS/FEMA via field-deployable satellite equipment. This will allow us to develop a common operating picture of what is happening on the ground and help identify and anticipate what the people in the disaster area may need. We will be receiving communications and streaming video in real time from this team. The streaming video will be shared on HSIN with all of DHS, FEMA, and our federal, state and local partners. We will provide LAN, VTC and telephone connectivity to the deployed field personnel via a small satellite unit. Extending these capabilities to the field will aid the deployed team in transmitting real-time situational awareness to the HSOC. We will also continue to work to ensure a basic level of interoperability among communications equipment for federal agencies responding to a disaster. Additionally, we are developing the capability to stream video from aviation assets from the Coast Guard and from Customs and Border Protection.

Moreover, we are working to put agreements into place to ensure a network of relief products, supplies and transportation support that can be tracked and managed, before the need arises. We will insist on having the capability to track in real-time where deliveries are, when they will arrive, and, if necessary, the ability to redirect them, should circumstances require.

15. **Q03162:** In announcing the Department of Homeland Security roll out of the National Response Plan in January of 2005, then-Secretary Ridge stated "the National Response Plan embodies our nation's commitment to the concept of one team, one goal—a safer and more secure America . . . this achievement is a bold step forward in bringing unity in our response to

disasters and terrorist threats and attacks." Yet, in its first major test it is far from clear that the plan lived up to that standard. What is your opinion about whether this plan passed the first test?

Response: Over the past several months, there has been a great deal of discussion about what worked in the NRP and what did not. The results were mixed. We are committed to using the lessons learned from Hurricane Katrina to revise the NRP where needed, and to improve our ability to prepare for and respond to catastrophic events. It is important to note, however, that a key aspect of the NRP—the PFO concept—was not fully and correctly employed until Vice Admiral Allen became Deputy PFO on Monday, September 5, and did so in New Orleans.

Q03163: Did the key government officials responsible for executing the plan believe in it, understand it, and correctly use it as the basis for the federal response?

Response: I cannot speculate about what other government officials believe. I can tell you, however, that the NRP was conceived and developed by an inter-agency team, which sought input and guidance from a wide array of federal, state, local and tribal government and private-sector partners. Ultimately, it was endorsed by the heads of 32 federal departments and agencies and national-level private volunteer organizations, which I presume and expect understand it and use it as the basis for federal response. In the Letter of Agreement, signatories committed to a list of actions, some of which included:

- Supporting NRP concepts, processes, and structures and carrying out their assigned functional responsibilities to ensure effective and efficient incident management, including designating representatives to staff interagency coordinating structures, as required;
- Providing cooperation, resources, and support to the Secretary of Homeland Security in the implementation of the NRP, as appropriate and consistent with their own authorities and responsibilities; and
- Cooperating with appropriate federal incident management leadership including the Principal Federal Official, Federal Coordinating Officer, and Federal Resource Coordinator, as appropriate and consistent with their own authorities and responsibilities, in order to enable effective and efficient incident management.

Obviously, the first deployment of a plan will reveal flaws. These we must correct.

16. Establishing law and order became a serious issue in the aftermath of Katrina. Under the National Response Plan, both DHS and DOJ have the lead for public safety and security. But Hurricane Katrina revealed confusion or possibly even a turf battle about how these two agencies should work together to establish law and order. At Exhibit 18 you will see a chain of e-mails among DHS personnel concerning whether or not the FBI is going to "take over" the federal law enforcement response in New Orleans. On the second page of the exhibit is an e-mail from John P. Clark, then the acting head of Immigration and Customs Enforcement, more commonly known by its acronym "ICE", which discusses, "rumors that the FBI has now been designated to lead the law enforcement effort in New Orleans. I think DHS has one opportunity to turn this

fiasco around...Having failed in many aspects on preparation, emergency assistance and recovery, if we now turn our homeland security responsibility over to the FBI/DOJ, we might as well all await 3SR."

Q03164: Secretary Chertoff, were you aware of this discontent within DHS over the possibility that DOJ would have the lead law enforcement role in Louisiana? And, if so, what were you doing to address this issue?

Response: The National Response Plan calls for joint lead on law enforcement and security issues with the Department of Homeland Security and my former agency, the Department of Justice (DOJ). DHS and DOJ worked cooperatively to develop the NRP and its fundamental principles, and we continued to work well together in its practical implementation. Indeed, the senior DHS representative from ICE indicated that the cooperation worked "seamlessly" to carry out the law enforcement mission during Hurricane Katrina. To overemphasize the sentiment contained in a few e-mails rather than to concentrate on the law enforcement successes here would be unfair. If there was any "discontent" among DHS officials, it appears that it would have been restricted to a few individuals, it was short-lived, and it did not in any way impede the law enforcement mission and response. Nevertheless, we are evaluating whether the law enforcement lead should be clarified.

Q03165: On the first page of this exhibit is an e-mail from Matthew Broderick which reads, "The dispute is whether FBI or ICE is the lead. I believe we have designated the ICE SAC as the lead. DHS and DOJ co-share this [function] and usually (terrorist related) FBI is lead. This is a good chance for us to be." Did you agree with Mr. Broderick that it would have been good for DHS to take the lead on public safety and security for Katrina?

Response: Notwithstanding which Department is nominally designated as the "lead," it is critical for the community of federal agencies to devote sufficient resources to the effort and to work collaboratively in a coordinated fashion.

DHS deployed significant law enforcement assets to the Gulf Coast in response to Hurricane Katrina. Prior to the arrival of additional federal law enforcement officers, DHS provided substantial support to the state and local law enforcement officers responsible for public safety and security. Indeed, DHS deployed more than 2,600 officers to the Gulf Coast region.

In addition, DHS personnel played leading roles in deploying and coordinating the law enforcement assets in Louisiana. In particular, the ICE/Federal Protective Service took a prominent role at the Emergency Support Function (ESF)-13 desks at the FEMA National Response Coordinating Center in Washington, D.C. and at the Joint Field Office in Baton Rouge. As such, FPS was responsible for mission assigning all aspects of the federal law enforcement response to Hurricane Katrina. As stated above, we are examining the issue of a law enforcement lead going forward.

17. **Q03166:** We have heard testimony about the importance of establishing working relationships among emergency managers prior to a crisis, and a partnership between federal and state governments on this important issue, yet we are unaware of what priority you had assigned to working with Governors and mayors in planning, exercising, training, and working together yourself personally prior to Katrina. Can you give us any tangible evidence that you did then or do now assign any priority to building relationships between your Department and state and local governments?

Response: Coordination with state, local, tribal, and territorial partners has been and remains among the highest priorities for me and the Department. The Department uses a multitude of resources to coordinate policy, programmatic, and operational decisions with state and local officials, but the Office of State and Local Government Coordination (SLGC) has served as the primary coordination point for many of these efforts. SLGC routinely interacts directly with state and local officials involved in public safety, emergency management, intelligence, law enforcement, and other areas to ensure a constant flow of information to/from the Department's state and local stakeholders. But Deputy Jackson and I determined early on that we needed to be closely tied with state and local officials. Our 2SR review specifically included interaction with stakeholders. Notably, one week before Hurricane Katrina made its second landfall, I took the unprecedented step of inviting the nation's Homeland Security Advisors and Emergency Managers to speak with the Department's leadership about their priorities and needs. I spent the better part of two days during this conference speaking and interacting with them.

In addition to the coordination that takes place on a daily basis, the Department works with state and local governments on large-scale initiatives, such as the National Response Plan and the National Infrastructure Protection Plan. DHS also partners with state and local officials during national exercises, such as TOPOFF-3 and the upcoming TOPOFF-4. I personally participated in TOPOFF-3, and spent significant time with the governors and other state officials in the exercise.

In accordance with Homeland Security Presidential Directive 8, the Department engaged stakeholders at all levels of government to develop a national domestic preparedness goal, establish mechanisms for improved delivery of federal preparedness assistance to state and local governments, and strengthen the preparedness capabilities of federal, state, local, and tribal entities. More recently, the Department officials have participated in conferences, events, and meetings sponsored by the National Emergency Management Association, the United States Conference of Mayors, the National Governors Association, and state and local law enforcement organizations.

18. **Q03167:** Secretary Chertoff, Michael Brown and others have told us about the proposal to have the military take over the entire response to Hurricane Katrina in Louisiana. And Michael Brown told the Committee in an interview that he proposed this possibility to Governor Blanco as early as Wednesday, August 31st, two days after landfall. Did you recommend to Governor Blanco that the military should step in and take over the entire response to Hurricane Katrina?

Response: I had a number of discussions with Governor Blanco regarding the federal response—both prior to landfall of Hurricane Katrina and afterwards. We discussed a number of issues, including the involvement of military assets, and I repeatedly emphasized the need to provide adequate security and law enforcement personnel to address looting and other concerns. I may well have had some discussions with Governor Blanco about the role of the active duty military in the response.

Q03168: What was your position on "federalizing" the National Guard?

Response: The National Guard does not fall under Department of Homeland Security control, so it was not in my area of decision-making authority.

19. **Q03169:** When the Homeland Security Act was passed, Congress envisioned a Department unified under a common mission with strong ties to its partners in executing that mission—state and local government and the private sector. Certainly we expect it will take time to fully realize that vision. However, one lesson that should be learned from Katrina, is that those ties need to be stronger. The entities within the Department were not unified. The Department was not aware of the capabilities and needs of the affected state and local governments. And the Department failed to utilize the proffered assistance of the private sector.

Your predecessor, Governor Tom Ridge, has promoted DHS Regional Directors as a potential solution - having your own representatives outside of Washington to build relationships with state and local partners, learn the capabilities and vulnerabilities of their regions, and coordinate, to some extent, DHS activities in the field. When the Homeland Security Act was being considered by the Senate, I added language that would have ensured DHS liaisons in each state. Unfortunately, that language was dropped from the final version of the bill. Mr. Secretary, do you have plans to pursue a regional structure for the Department?

Response: Managing risk, threats, vulnerabilities, and consequences in an all-hazards environment requires a continuity of relationships and preparedness. We look to have a regional DHS structure focused on the issue of preparedness and response. It will necessarily be linked with the FEMA regions and the military, as well as the state government agencies, in order to serve as the framework for maintaining these important and necessary relationships.

A nimble regional structure will enhance the liaison relationships that DHS maintains with state and local governments. This will ensure that the important federal and state emergency managers and first-responders know each other before an emergency, and they can develop and maintain interpersonal relationships. Further, these individuals can plan, prepare, and train together in order to ensure a unified effort and seamless coordination, and it will minimize any misunderstandings or miscommunications.

In addition, such a regional structure will allow the DHS preparedness efforts to be focused and tailored to the particular needs of a jurisdiction—for instance, in addition to terrorism, the western regional office will be prepared to respond to earthquake disasters or wildfires, whereas the coastal regions (such as Alaska) may focus on oil spills, whereas the Midwest region can focus on tornadoes, and the northeast region may focus on snowstorm emergencies.

20. **Q03170:** The Department of Homeland Security's "Initial Response Hotwash" following Katrina captured recommendations for improving FEMA operations in future disasters. One of those recommendations is that "disaster response systems must be overhauled to allow the Federal government to step in and intervene if states cannot meet basic requirements." (Hotwash p. 10) What has the Department done since Katrina to implement systems that will allow the Federal government's response to be more proactive when state and local authorities are overwhelmed by a disaster?

Response: Through our Second Stage Review of the Department, we solicited views from emergency management professionals, and we received significant input from a variety of sources, including our federal, state, local, and tribal partners. Indeed, many suggestions highlighted the need for national level emergency management capabilities to adapt to an all-hazards threat environment. As clearly demonstrated in Hurricane Katrina, the scope and requirements of emergency management require broad coordination among the federal, state and local governments, the private sector, and citizens. Underlying emergency management capability at all levels, however, is the level of preparedness of entities to respond. It is not our job to dictate to state and local governments what to do, but it is our responsibility to ensure that we work with our partners so that everyone understands the roles, responsibilities and capabilities.

The Preparedness Directorate is the Department's means for synchronizing our preparedness efforts. To ensure that we have a focused direction, we have consolidated all of the Department's existing preparedness efforts—including planning, training, exercising and funding—into a single Directorate led by the Under Secretary for Preparedness, who is an experienced emergency manager. Through the Preparedness Directorate, we devote unprecedented resources, focus, and attention on ensuring that we have effective plans for a variety of scenarios, as well as the necessary training to execute these plans. The Preparedness Directorate will, of course, rely upon the vast expertise of FEMA and its decades of experience in dealing with disasters; it will also incorporate the institutional knowledge and experience of the Coast Guard and other DHS components.

We are working with federal, state and local officials to review the emergency operations plans of every major American urban area to ensure that they are clear, detailed and up to date. Specifically, following Hurricane Katrina, President Bush directed DHS to conduct an immediate review of emergency plans for the nation's major cities. Congress subsequently directed DHS and the Department of Transportation (DOT) to review plans for all states and

territories and 75 of the nation's largest urban areas, with particular emphasis on evacuation planning.

The primary objective of this review is to assess the adequacy and feasibility of the nation's emergency plans for catastrophic disasters. DHS launched a two-phase review process in cooperation with DOT. The first phase involved a self-assessment of plans by states, territories and urban areas/major cities using guidance and criteria provided by DHS. On February 10, 2006, DHS provided a report summarizing Phase 1 results to Congress, which suggested measures necessary to implement systems that will allow the federal government's response to be more proactive when state and local authorities are overwhelmed by a disaster.

The second phase, which is underway, involves visits by Peer Review Teams comprised of former state and local emergency management and homeland security officials to jointly validate self-assessments, determine requirements for planning assistance, collect best practices, and recommend corrective actions. A Final Report, including recommendations will be provided to the President and Congress by May 31, 2006. But we are placing special emphasis on working with the Gulf Coast in anticipation of hurricane season.

In addition, we must tie grant funding to the risks a state faces and the successful results of a state's plans. In March 2005, we released the Interim National Preparedness Goal, and it will be finalized in the next few months to form the standard by which we allocate DHS grant funding to our state and local partners. Once we have planned for the right capabilities, we will have a mechanism in place to fund them and make sure they are put in place. Finally, I have spent a large amount of time personally driving these processes forward in DHS and with senior officials in the military and other agencies.

21. **Q03171:** Mr. Secretary, as you know the Department of Transportation, the lead agency for Emergency Support Function 1 (Transportation), utilizes a national contract to procure transportation services, the vast majority of which are in support of FEMA logistics. Our investigation has noted that the process from a state request through FEMA to DOT resulting eventually in the distribution of commodities is extremely inefficient—because the request is passed along within FEMA and within DOT then back to FEMA before a local community receives the water it has requested. In addition, there is no way to accurately check the status of a request—to find out exactly where the truck is. You announced yesterday that FEMA needs a "21st century logistics system." How will this new system be implemented and when, given the approaching 2006 hurricane season?

Response: A major Department of Homeland Security initiative is putting new logistics procedures in place before this year's hurricane season to alleviate some of the logistical problems we encountered with commodity delivery during Hurricane Katrina. Our "reinventing logistics" activities consist of two related programs to dramatically improve FEMA response capabilities. The first is Strategic Pre-Positioning, which will enable our logistics program to guarantee that supplies of critical commodities—like emergency meals—will be available under

a vendor-managed inventory program. Strategic Pre-Positioning will also improve our abilities to quickly move these commodities by land, air, rail and sea. This includes pre-positioning supplies near major urban areas that are distant from FEMA's Logistics Centers.

The second related program is Total Asset Visibility (TAV), designed to keep track of these commodities during disasters while the commodities are in the hands of vendors, inside FEMA and other facilities, in transit, and at delivery points. The automation of FEMA warehouses initiated in Fiscal Year (FY) 2005 will continue, as will the highly successful GPS trailer tracking system, in order to help close what had been a 20 year technology gap between the public and private sectors.

Both Strategic Pre-Positioning and TAV use proven technologies. A centerpiece of Strategic Pre-Positioning is the traditional concept of vendor-managed inventory. Vendor-managed inventory transfers the ownership and management of commodities to the vendors of those commodities. In this way, the vendor tracks the types and amounts of products shipped to distributors and informs the vendor when the distributor requires more, so that products are replenished only when requested. Vendor-managed inventory transfers the cost of managing these processes from those distributors (who often lack the resources to do so) to vendors who typically manage very large inventory and utilize economies of scale in so doing. Vendor-managed inventory was implemented in the late 1980s by manufacturers, chain stores, and DOD.

Strategic Pre-Positioning aims to deepen FEMA's existing relationship with the Defense Logistics Agency (DLA) by further allowing the DLA to order and guarantee stock, as well as move and track at least two critical commodity groups—emergency meals and pharmaceutical drugs. Strategic Pre-Positioning also includes placing FEMA vehicles and containers at large DLA and private transportation terminals where they can be quickly moved into disaster areas. Once emptied, the vehicles would be returned directly to the vendor for restocking.

As Strategic Pre-Positioning shifts responsibility for managing most bulk commodities to entities like the DLA, the FEMA Logistics Centers become free to focus on managing those specialized assets that are unique to FEMA. TAV will implement a standard automated warehouse management system within eight FEMA Logistics Centers. TAV will allow Logistic Center managers to use proven technologies to better manage their specialized assets by using the same tools now common in the private warehousing and distribution sectors. TAV also provides for continued installation of the essential GPS tracking systems on vendor and FEMA cargo vehicles. Finally, TAV provides for the establishment of dedicated FEMA Headquarters personnel to set up and manage a uniform asset tracking system in both Logistics Centers and the field. It is important to note, however, that as these fixes entail upgrades to computer and other systems and will be done in several stages, it will take more than a few months to put them in place.

The reinvention to FEMA's supply chain management and logistics tools will include bringing into FEMA a number of core capabilities previously outsourced or delegated to the ESF-1 process.

22. **Q03172:** You also stated in your remarks before NEMA, the National Emergency Management Association, that "FEMA is not—nor has it ever been—a first responder." But FEMA and DHS both have first-responder capabilities, especially for short notice events like hurricanes. In the response to Hurricane Katrina, DMAT teams, Urban Search and Rescue teams, the Coast Guard and other DHS assets were in many instances the first assistance victims received. What steps will the department take to strengthen these types of response assets?

Response: As I stated previously, FEMA is not a first-responder agency. That is, it does not provide the first line of attack against every hazard in the first instance. Even the first responders FEMA deploys are largely state and local assets from around the country. DHS has federal responder capabilities, notably the Coast Guard. Expanded partnerships with state and local entities are vital, as it will be state and local officials with the expertise and understanding of localities. DHS will continue to work with our state and local governments to support local response capabilities through a variety of mechanisms, including grant funding, joint exercises, and development of effective emergency plans.

Nevertheless, we acknowledge the unique set of skills and assets that DHS can bring to an incident; therefore, DHS/FEMA provides support and backup to state and local first-responders, such as police officers, firefighters, and emergency technicians. We acknowledge the unique set of assets and capabilities it can bring to the scene of the response to a catastrophic event. This was shown with the response to Hurricane Katrina. Therefore, in this backup role, we try to fill in gaps when a state or local government is not capable of addressing a particular situation or is overwhelmed by the needs. As a result, DHS/FEMA maintains significant assets in order to fulfill its "backup" responsibilities.

DHS is committed to ensuring that the resources you identified remain robust for future deployment in disaster response scenarios and will remain ready to assist state emergency managers and first responders on the front-lines of any disaster response. One way in which DHS will strengthen our response assets is through increased training and scenario based exercises. In addition, DHS response assets will increase coordination with our state and local partners. Coordinated training with our state and local partners is vital because it allows federal assets to develop working relationships with our state and local partners and leverage the local situational awareness they can provide.

23. **Q03173:** In your speech before NEMA, you stated DHS's intention to develop pre-established contracts for debris removal—an activity currently largely managed by the Army Corps of Engineers. This Committee's investigation has revealed some problems with the Army Corps' pre-existing contracts for water and ice delivery. Will the Department of Homeland Security review those contracts with a view toward ensuring a more robust surge capacity for life sustaining commodities such as water?

Response: FEMA will be implementing an improved system to help alleviate some of the challenges encountered with commodity delivery during last year's hurricane season. As noted previously, FEMA's new Total Asset Visibility project will help alleviate many of the problems encountered with commodity delivery during the response to Hurricane Katrina by implementing an electronic commodity ordering and tracking system.

In addition, surge capacity will be improved through the use of advanced contracting procedures and an expansion of efforts to pre-position ice and water at numerous strategic storage and staging locations throughout the country. Also, we are coordinating with DOD on an initiative to improve the pre-scripted Mission Assignment process to identify further areas for improvement. The goal is to ensure a more robust surge capacity for life-sustaining commodities.

I want to emphasize that a thorough overhaul of our contracting will ultimately require several stages, and will not be complete within a matter of months. For the longer term, we are evaluating several concepts for more streamlined, nimble and cost-effective delivery of commodities needed for emergency relief.

24. **Q03174:** Secretary Chertoff, under the National Response Plan, you have the authority to activate the Interagency Incident Management Group or IIMG during an Incident of National Significance or for large-scale events. One of the key functions of the IIMG is to bring together senior officials from all the different federal agencies that are at work during an emergency in order to ensure that all they are coordinating effectively. Essentially, it seems the IIMG is designed as mechanism for DHS to assist FEMA should an emergency prove too large for FEMA's role as coordinator of federal resources. However, DHS did not authorize the IIMG until Tuesday morning, the day after landfall. Why didn't you authorize the IIMG pre-landfall when it became clear that Katrina was a category 3 or higher heading for New Orleans?

Response: The question's characterization of IIMG activity pre-landfall is not accurate; in fact, I understand that Robert Stephan, Director of the IIMG, gave an interview to your staff in which he detailed the IIMG's activities in the weekend pre-landfall. But before I detail the IIMG timeline, if there's one thing I believed FEMA was expert in, as I told the Committee during my testimony, it was managing hurricanes. The people that I would call upon for strategic advice about this type of event were already working on it—they were the professionals at FEMA's National Response Coordinating Center. For this reason, I did not feel it was imperative to stand up an IIMG on a formal basis until this event took on a different dimension, and this is when I learned of catastrophic levee breaches on Tuesday morning.

The IIMG's involvement in Katrina started at the latest on Friday, August 26, 2005, when Mr. Stephan sent a notice to all IIMG members to be ready to activate within 90 minutes in case I decided to activate the Group. I am told that, from at least that time, IIMG members were being briefed and receiving the HSOC Situation Reports and Spot Reports; therefore, this information was being widely disseminated throughout the Executive Branch agencies.

The IIMG Director stayed in close contact with the then-HSOC Director over the following weekend (August 27-28, 2005), asking for regular updates on the Hurricane Katrina situation. Based upon the expertise of the HSOC and the NRCC, there was no need to formally activate the IIMG—that is, these additional strategic capabilities were not needed at that time.

On Monday morning, August 29, 2005 (the day of landfall), the Deputy Secretary issued instructions to convene the IIMG members for a briefing on the latest information regarding Hurricane Katrina. Later that morning, a briefing was held for about 1-1/2 hours for the IIMG members at the DHS Headquarters. On Tuesday, August 30, 2005, the IIMG was formally activated when we learned that the levees had, in fact, been breached.

Questions from Senator Thomas R. Carper

1. **Q03175:** The evacuation of New Orleans has been one of the areas this committee has spent a significant amount of time examining. I'm interested in learning some more, then, about the level of guidance your department is providing major metropolitan areas as to how to organize, order and carry out major evacuations. What kind of guidance was given to major cities and other communities before Katrina on how they should evacuate their citizens if necessary? Was an effective evacuation plan a condition of receiving first responder aid or any other kind of assistance your department offers?

Response: Traditionally, state and local emergency response plans should provide for the evacuation of their own citizens. Protecting the citizens is a responsibility of state and local officials. Such plans should account for special-needs populations and for people without their own means of transportation. States and local jurisdictions often enter into interstate and intrastate agreements or compacts to share resources in order to accomplish these goals. Even though the primary responsibility is state and local, FEMA often assists those authorities in executing evacuation plans by providing reimbursement to local and state jurisdictions under its Public Assistance Program.

Since last fall, under DHS leadership, all 50 states, 5 territories, and our 75 largest urban areas completed a preliminary self-assessment of their catastrophic planning. A second phase of this review includes site visits by teams of former senior state and local homeland security and emergency management officials, to validate emergency plans, identify deficiencies, and make specific recommendations to improve catastrophic emergency planning, including evacuation.

Prior to Katrina, FEMA, through its National Hurricane Program (NHP), had undertaken hurricane evacuation studies in 22 states, regional areas and territories. Through these studies, NHP developed products and tools for state and locals to conduct evacuation planning and operationally to conduct the actual evacuations. NHP develops technical information used by state and local governments to develop an evacuation plan.

In addition, following the March 31, 2005, release of the Interim National Preparedness Goal (NPG), in May 2005, DHS released version 1.1 of the Target Capabilities List (TCL), which is a companion document to the NPG. Version 1.1 of the TCL contained 36 critical capabilities needed to successfully prevent, protect, respond to and recover from a major event. It included the capability titled: "Citizen Protection: Evacuation and/or In-Place Protection." That capability consisted of eighteen critical tasks, seven capability measures, eleven performance measures, and six capability elements. The capability elements covered personnel; planning; organization and leadership; equipment and systems; training; exercises, evaluations, and corrective actions.

2. **Q03176:** As we move forward now towards the next hurricane season, what lessons were learned during the Katrina evacuation? How will those lessons be applied during the upcoming hurricane season and in the future as we prepare for other disasters, such as an earthquake in San Francisco or another 9/11?

Response: Hurricane Katrina produced an unprecedented evacuation in terms of the size of the area affected, interstate nature and broad geographic dispersion of displaced persons, and the length of time that evacuees have been away from their permanent homes. This situation is also compounded by the re-entry and temporary housing needs of the large numbers of disaster victims who have chosen to return to the area. We are taking steps to incorporate successes and areas for improvement into planning, training and exercise activities, in conjunction with the ongoing review of the National Response Plan. We are committed to incorporating these lessons learned into our overall integrated planning efforts with states and communities.

3. **Q03177:** To many of us who saw Hurricane Katrina unfold on the news, it looked like New Orleans and other communities in the storm's path failed to get their citizens out of harm's way. We learned recently from Mayor Nagin, however, that the City of New Orleans was about 90 percent evacuated when Katrina made landfall on August 29th. I understand that other communities may have done even better than that. From your perspective, what went right with the Katrina evacuation? What went wrong and who dropped the ball? What should our goal be regarding the percentage of people evacuated from a major metropolitan area before a disaster like Katrina?

Response: Traditionally, state and local emergency response plans should make provisions for and identify the resources needed for evacuations and protection of the public. Protecting their citizens through evacuations and other measures is the responsibility of state and local elected and appointed officials and is codified in state and local laws and statutes. State/local emergency response plans should clearly lay out timing parameters and roles and responsibilities associated with carrying out evacuations, as well as account for special needs populations and people who do not have their own means of transportation. Development of these plans has been supported by DHS Preparedness grant programs. States and local jurisdictions often enter into interstate and intrastate agreements/compacts to share resources in evacuations. FEMA has historically assisted in evacuations by providing reimbursement to local and state jurisdictions under the

Public Assistance Program. For many states, this model will continue to work. For other states, however, this model may not be satisfactory.

The State of Louisiana and the City of New Orleans made a significant effort and evacuated a large number of its citizens, but in New Orleans it was not enough. Making New Orleans' evacuation mandatory before Sunday—the day before landfall—almost certainly would have helped. Broadly speaking, those who did not evacuate fall into three groups:

(1) Those who simply chose not to evacuate. A mandatory evacuation order would have sent a strong signal, although I am not sure that local law would have allowed authorities to compel people to leave.

(2) Those who lacked transportation. Cities must plan *and exercise* public transportation evacuation plans with publicly-announced pick-up routes.

(3) Those who are in hospitals or nursing homes or otherwise incapacitated. The responsibility here must lie with the responsible institution.

Katrina has taught us that states have different levels of capability to deal with catastrophic disasters. DHS is determined to have greater sensitivity when state and local response is failing, and to provide greater intervention and assistance before the event (if it is a "notice" event), or after.

4. **Q03178:** I understand that the City of New Orleans has to move its residents at least 35 miles outside of the region in the face of a storm like Katrina in order to bring them to safe ground. This clearly means that no single municipality can manage an effective evacuation without support and cooperation from other jurisdictions. What is your department's role in aiding a city in providing shelter for its residents, including shelters outside of its jurisdictional boundaries?

Response: Traditionally, state and local emergency response plans should make provisions for and identify the resources needed for evacuations and protection of the public, including emergency sheltering. Emergency sheltering has been first and foremost a state and local responsibility that is supported on the national level by the American Red Cross. We are working with states and the Red Cross to help them identify a network of shelters. Under the Stafford Act we have authority to fund shelters in an emergency.

DHS Preparedness programs support state and local planning for these activities. As part of FEMA's catastrophic planning initiative, such as the planning underway with Southeast Louisiana and New Madrid Seismic Zone states, transportation, staging and distribution of critical resources and temporary shelter/housing are among the planning and preparedness issues reviewed jointly with state and local officials.

Evacuations and providing shelter are the responsibilities of local and state government to plan for and execute. Upon an Emergency or Major Declaration by the President, FEMA, through

Emergency Support Function-6 (Mass Care), can provide support to the local and state government for evacuation, sheltering, mass feeding, and bulk distribution of commodities. Federal and contracted resources can be scaled up or down depending on the needs of the affected state.

Given the impact of Hurricane Katrina, FEMA reached out to states adjoining the affected area, and other states who indicated a willingness to host evacuees. We requested that the states provide the same facilities and services to Katrina victims as they would to disaster victims in their own respective states. The response was gratifying.

States across the nation volunteered to help. The President eventually issued emergency declarations for 46 states and the District of Columbia. They not only provided emergency shelter needs, but also, in many instances, set up families in longer-term housing such as apartments and provided the families with the necessities of establishing a new residence. The states engaged the non-governmental organizations (NGOs) and charities in their area and provided guidance to local governments in carrying out this mission. They enrolled the children in area schools and, most importantly, helped the families to register with FEMA for the assistance that would provide a wide range of help for a sustained period.

5. **Q03179:** It's been said over and over during these hearings that FEMA is not a first responder organization, that state and local governments must take charge and turn to FEMA when they need help. As we saw with Katrina, however, state and local governments cannot always be counted on to do what's expected of them. In addition, the best response plans out there can fail or simply be ineffective. Do you think FEMA and the Department of Homeland Security have a responsibility to be more proactive during times when state and local responders have failed or have been overwhelmed by the scope of a disaster? At any point during the Katrina disaster, do you think your department failed to be as aggressive or proactive as it should have been?

Response: The federal government needs to be more proactive when state emergency management is not sufficient to play its primary role effectively. Katrina clearly underscored this point. DHS will continue to aggressively pursue effective catastrophic disaster planning and preparedness to ensure coordinated responses to future disasters by all levels of government and the private sector. Since September 11, 2005, there has been increased emphasis and interest placed on improving the national catastrophic incident response and recovery posture, and DHS/FEMA has undertaken program activities designed to begin improving capabilities such as: finalizing the Catastrophic Incident Supplement to the National Response Plan; engaging in comprehensive jurisdictional-level catastrophic planning and exercises that will produce detailed and validated strategies, plans, and templates for addressing the consequences of high-risk catastrophic events; and developing a catastrophic housing strategy that will establish protocols and procedures for quickly and efficiently maximizing all available housing solutions, both temporary and extended.

DHS will conduct more planning, training and exercising among DHS, other federal agencies, and states and local jurisdictions. The collective efforts of all levels of government are needed to clarify responsibilities and ensure proactive responses. DHS will continue to gather information and use the lessons learned from the hurricane response so that we can better serve state and local governments in future disasters.

6. **Q03180:** In your testimony, you mentioned briefly that you plan to improve the financial systems at FEMA to ensure that less money is wasted on improper payments and fraud during future disasters. What exactly do these plans entail? Will the new financial system be in place before the upcoming hurricane season?

Response: Numerous financial management tools are being applied within FEMA to strengthen program operations, increase accountability, and improve stewardship of FEMA funds. For example, DHS/FEMA has been working towards an integrated verification process incorporating other federal databases which would provide instant corroboration of information provided by the applicant at the time of registration for federal assistance. We have taken steps to integrate a contract vendor to assist. Recently, a contract to verify identifying information from telephone registrants has become operational, complementing a similar system for web-based registrations. Not only will DHS/FEMA have instant information on the applicant, but we will also be able to improve the speed of the application process for a Small Business Administration loan and the referral process to the Other Needs Assistance Program.

Q03181: Are the problems that occurred during the aftermath of Katrina with respect to waste and poor financial controls unique to that disaster or, in your view, does FEMA have a more serious, longstanding problem with ensuring that aid dollars are being used appropriately?

Response: I acknowledge that part of the problem is that the goal of providing emergency aid quickly and easily to disaster victims is often in tension with the documentation and verification called for by stringent financial controls. Additionally, when a system places a premium on quick distribution of life-sustaining aid, there will always be crooks who play the system. And certain anomalies in the programs established under the Stafford Act exacerbate the problem. Even so, DHS/FEMA has identified financial controls weaknesses and are taking significant steps towards resolving them. For example, DHS/FEMA has been working towards an integrated verification process incorporating other federal databases which would provide instant corroboration of information provided by the applicant at the time of registration for federal assistance. We have taken steps to integrate a contract vendor to assist. Not only will DHS/FEMA have instant information on the applicant, but we will also be able to improve the speed of the application process for a Small Business Administration loan and the referral process to the Other Needs Assistance Program.

7. **Q03182:** You mention in your testimony the need to bring FEMA into the 21st Century with respect to technology, mentioning that FEMA's systems are outdated and lag behind similar systems in the private sector. What kinds of problems have FEMA's outdated systems caused during Katrina and other disasters? How much time and money will it take to make the upgrades you envision?

Response: DHS/FEMA continues to replace, upgrade and install new systems to gain additional capacity, improve speed, and provide more flexibility and processing capability to allow FEMA to provide better service to the many disaster victims. Our existing National Emergency Management Information System (NEMIS) processed approximately 100,000 disaster application requests per day. Although substantial, it was too limited to handle the hundreds of thousands of registrants.

Questions from Senator Joseph I. Lieberman

1. **Q03183:** Which component agencies within DHS were involved with the preparation for and response to Hurricane Katrina? For each such agency, please (a) describe its role in the preparation for and the response to Hurricane Katrina; (b) indicate the date when the component took its first action with respect to such preparations and response and what that first action was.

Response: DHS responded with the full weight of its resources. This included the following components: U.S. Coast Guard; Citizenship and Immigration Services, DHS Office for Civil Rights and Civil Liberties, Customs and Border Protection, Immigration and Customs Enforcement, Federal Law Enforcement Training Center, Office of Grants and Training, Under Secretary for Management Directorate, Office of Legislative Affairs, Office of Public Affairs, Science and Technology Directorate, Transportation Security Administration, and Secret Service, as well as FEMA, HSOC, and the National Communications Service, whose work is detailed elsewhere herein. In addition, I tasked DHS's Inspector General to have his staff get involved with our recovery efforts to avoid issues down the road. Below are some highlights and examples which illustrate the kinds of support and assistance provided by several of our component agencies:

U.S. Coast Guard
The Coast Guard's preparation for and response to Hurricane Katrina is well-known and thoroughly documented. A few highlights illustrate the magnitude of the Coast Guard's response efforts.

In anticipation of the hurricane's landfall, on August 28, the Coast Guard relocated its command elements outside the expected landfall area and pre-positioned personnel and response assets, including air-crews and aircraft, in surrounding states. As always is the case, saving lives in distress was the Coast Guard's first priority. Coast Guard aircrews, pre-staged in Texas, Florida and North Carolina, began rescuing victims as soon as weather conditions allowed. Hurricane Katrina's Gulf Coast landfall occurred at 6:00 a.m. on August 29. Only nine hours later, as winds still howled at 60 knots, the Coast Guard began what would become one of the largest search and rescue operations in United States

history. At the height of rescue operations, the Coast Guard had at least 62 aircraft, 30 cutters, and 131 small boats assisting in rescue and recovery operations. Approximately one-third of the Coast Guard's entire air fleet was deployed to the region to support rescue operations in the immediate aftermath of the storm. Coast Guard air and boat crews rescued more than 33,000 people in the storm-damaged regions.

In addition to the unprecedented search and rescue response, the Coast Guard responded to 1,380 Aids to Navigation discrepancies, handled 1,129 pollution cases, including seven major pollution incidents, and catalogued 1,000 salvage cases with more than 200 grounded vessels and numerous offshore structures that were adrift, damaged, or sunk. Additionally, Vice Admiral Thad Allen, the Coast Guard Chief of Staff, was key to DHS's overall response, being appointed Deputy PFO and then PFO for the federal response to Hurricane Katrina.

All told, more than 3,900 Coast Guard personnel—active duty, reserve, and civilian—deployed from around the country to conduct search and rescue, response, waterway reconstitution, environmental assessment operations, facilities damage assessments, emergency repairs, and establish temporary operational and support facilities throughout the disaster area following Hurricane Katrina.

Citizenship and Immigration Services (CIS)

Within CIS, the Office of Security and Investigations (OSI) had the lead in preparations for and response to Hurricane Katrina. CIS/OSI is the entity charged with developing and coordinating the implementation of any COOP (Continuity of Operations Planning) actions within the agency, and for liaison with other DHS COOP-related entities. The CIS/OSI also responded to the threat of Hurricane Katrina and manned a 24/7 Command Center at CIS/HQ in preparation for the storm. On August 30, 2005, CIS daily news broadcast announced 6 CIS offices that were ordered closed in preparation for Hurricane Katrina.

On August 30, 2005, CIS launched and oversaw a volunteer effort created in response to the Department's Hurricane Katrina Disaster Relief Effort. CIS Human Capital Management Office (HCMO) served as the conduit between the FEMA representatives and CIS employees, supervisors, and division heads. The selected volunteer CIS personnel traveled to Emmitsburg, Maryland and Atlanta, Georgia to join other government employees to receive FEMA community relations training or to Orlando, Florida to receive all other FEMA training and assignments. After training, volunteers were deployed to assigned FEMA Joint Field Offices.

DHS Office for Civil Rights and Civil Liberties

Prior to Katrina, the DHS Office for Civil Rights and Civil Liberties (CRCL) led implementation of Executive Order 13347, Individuals with Disabilities in Emergency Preparedness. This created the Interagency Coordinating Council (ICC) on Emergency Preparedness and Individuals with Disabilities.

When Hurricane Katrina struck, CRCL formed an Incident Management Team (IMT) with its ICC partner agencies, which became the federal focal point for addressing concerns raised by

members of the disability community as well as a lynchpin in coordinating federal relief efforts affecting people with disabilities. The IMT met on a daily basis for several weeks with representatives of the disability community, other government agencies and non-governmental organization (NGO) service providers. The IMT served as a conduit for complaints and requests for assistance from the public; a source of information for the disability community on relief efforts; helped direct private sector offers of assistance to the appropriate locations and entities; and worked closely with other government agencies to rapidly respond to new challenges arising on the ground. At my direction, CRCL placed subject matter experts on disability issues at the Joint Field Offices (JFO) in Baton Rouge, Louisiana and Austin, Texas. These experts advised JFO leadership on disability issues; conducted awareness training for staff; and regularly met with members of the public and advocacy groups, visited shelters and other key sites, in order to help the JFO to respond effectively to issues facing the disability community. Significant achievements include:

- Collaboration with DOJ and HUD to provide FEMA with revised specifications for newly manufactured relief housing units, making units far more accessible for people with mobility disabilities. Fourteen percent of new relief housing units will be designed with these accessibility features.
- Facilitating the supply of critical equipment to the affected region, including mobility aids such as wheelchairs, crutches and walkers; medical supplies; hearing aids; and, hearing assistive technologies such as Teletypewriters (TTYs) for the deaf and hard of hearing;
- Working with the Centers for Medicaid and Medicare Systems to formulate policy directing pharmacies to honor out-of-state Medicaid cards, allowing displaced persons to purchase needed medications;
- Providing technical assistance in the revision of the DHS donations website, www.swern.gov, to permit donation categories of durable medical equipment, assistive technology and sign language interpretation services;
- Collaborating with American Red Cross and providing recommendations for a new Red Cross Disaster Operation Guidance that will specifically include emergency shelter operations that meet the needs of individuals with disabilities per section 504 of the Rehabilitation Act;
- Resolving section 508 accessibility issues associated with the FEMA online registration Web site.
- Continuing active engagement with the JFOs and FEMA in addressing accessible housing issues, timely handling of special cases such as missing or displaced elderly individuals, transitioning into community living those who were placed in nursing homes during evacuation.

Customs and Border Protection (CBP)
CBP conducted unprecedented hurricane response operations including search and rescue, law enforcement, and recovery and relief operations during and after Hurricane Katrina. During this period of operations, CBP's hurricane response efforts resulted in hundreds of missions that included rescues, arrests, and humanitarian aid delivered. CBP also deployed an unprecedented

amount of equipment and essential lifesaving supplies to the hurricane relief area. CBP also provided hurricane relief support to CBP employees who were residents of the Gulf coast states. Thereby, CBP was able to facilitate their expeditious return to the CBP workforce so that they, in turn, could support the overall CBP relief and law enforcement efforts in the Louisiana area of operations.

To assist the overall federal response efforts and to provide support to CBP employees in the affected areas, CBP established a Forward Deployed Operations Command Center (FDOCC) in Hammond, Louisiana. From the FDOCC, the CBP Field Commander coordinated and dispatched multi-mission capable teams consisting of Office of CBP Air and Marine assets, Border Patrol Search Trauma and Rescue (BORSTAR) personnel, Border Patrol Tactical Unit (BORTAC) personnel, specialized rescue and law enforcement personnel, CBP law enforcement officers, and Border Patrol agents to perform hurricane response operations. These teams participated in the initial search, rescue and recovery operations that were conducted in the New Orleans area as well as critical law enforcement missions, to include reestablishing order in District Two and District Five within the city of New Orleans. Simultaneously, CBP aircraft flew continuous airborne surveillance, aerial reconnaissance, air traffic coordination, air search, and air rescue missions throughout Louisiana and Mississippi.

Federal Law Enforcement Training Center (FLETC)
The FLETC responded to the call from the Department of Homeland Security for *volunteers* in support of the national relief efforts in the wake of Hurricane Katrina's devastation in the Gulf coast area. The FLETC had 35 volunteers with a cross-section of skills that were sent to briefings and training before subsequent deployment to affected areas in Alabama, Mississippi, Louisiana, and Texas. In addition, the FLETC created and activated an assistance program, Operation Open Arms (OOA), to open FLETC housing facilities to evacuees who were employees, or family members of employees, of FLETC Partner Organizations. This enabled the FLETC to provide support to our partners, ease the burden on strained resources, while maintaining the security and safety of our students and fulfilling our training mission. OOA was created specifically in response to the devastation of Hurricane Katrina and was re-activated briefly for Hurricane Rita, to meet the request that FLETC assist agencies in providing short term housing for up to 150 families who lost their homes.

Office of Grants and Training (G&T)
The Pre-positioned Equipment Program Pods (PEP Pods) are a Federal asset maintained to supplement state and local resources during a natural or man-made emergency. I understand that, during the response to Hurricane Katrina, the PEP program launched seven of its eleven pods of equipment to the Gulf Coast in order to replenish supplies of state and local first-responders.

Office of Community Preparedness (OCP) houses the Citizen Corps program to foster, grow and sustain a nationwide movement to engage community leaders and the American public to be prepared and resilient in the face of all-hazard emergencies and disasters. This mission is accomplished through a national network of state, tribal, and local Citizen Corps Councils, which

bring together the community's emergency responders, elected officials, and community leaders from social, civic, faith-based organizations and the private sector.

More than 14,000 Citizen Corps volunteers from all 50 states and the District of Columbia supported Hurricane Katrina response and recovery efforts across America by assisting fellow citizens and first responders, traveling to the affected areas to support relief efforts, supporting the emergency shelters housing displaced victims and providing preparedness and public information to their citizens.

Through DHS appropriations, Citizen Corps funds are administered to states to support Citizen Corps Councils with all-hazards planning, public education and communication, citizen participation in training and exercises, management of Citizen Corps programs and activities, and equipping volunteers who have a role in disaster response. Citizen Corps volunteer programs include Community Emergency Response Teams (CERT), Fire Corps, Medical Reserve Corps, Neighborhood Watch/USAonWatch, and Volunteers in Police Service.

The entire OCP, consisting of headquarters and regional staff (10-total), were engaged in various degrees of the response and recovery efforts to Hurricane Katrina. Headquarters staff submitted daily situation reports detailing state and local Citizen Corps activities and affiliate programs and organizations efforts, facilitated conversations with FEMA to engage Citizen Corps volunteers in response efforts, and through contract support, analyzed media coverage of Citizen Corps response efforts.

Immigration and Customs Enforcement
Prior to Hurricane Katrina making its second landfall, thirty ICE/Federal Protective Service personnel were on the ground in the area. Their mission was to support FEMA relief operations and to protect federal facilities in the affected area.

In response to the magnitude of the storm and the subsequent flooding, ICE deployed large numbers of ICE law enforcement and support staff to the affected area. Six days after the storm made landfall, ICE also dispatched 498 additional ICE law enforcement personnel to the region. That number jumped to over 1,000 by the eighth day following landfall. By that time ICE's overriding mission was to strengthen the law enforcement presence in support of state and local rescue and recovery efforts. Over the course of ICE's commitment to the entire Katrina operation, ICE deployed over 2,000 law enforcement officers, which included eight special response teams, four mobile command centers, and six medical teams under the direction of four experienced, senior law enforcement managers.

In addition, an ICE representative was charged with serving as the lead DHS representative on the ground to help coordinate the ongoing federal, state and local law enforcement activities while ensuring connectivity between the field and ICE headquarters. Countless times, in response to the exigent circumstances in the area, ICE agents and officers participated directly in response, rescue and recovery efforts while also simultaneously establishing and visibly demonstrating a robust law enforcement presence. ICE accomplished this in the midst of

countless life-or-death situations with an almost complete absence of local law enforcement capability and infrastructure.

Due to ICE's ability to quickly locate its personnel, ICE was requested to support other DHS agencies such as CBP, CIS, TSA, and the Coast Guard in locating their missing personnel in the affected area. ICE was able to assist in locating all of the missing personnel for these sister DHS component agencies. ICE personnel in Washington also worked closely with the Headquarters elements of our federal counterparts to expedite the flow of personnel to the region. For example, ICE provided staffing for the DHS portion of the ESF-13 desk within FEMA's National Response Coordination Center.

Under Secretary for Management Directorate (USM)
The Under Secretary for Management has the responsibility and authority for oversight and management of the Chief Financial Office, Chief Procurement Office, Chief Information Office, Chief Security Office, Chief Administrative Services Office, and Chief Human Capital Office. In preparation for national disasters, the USM ensures these offices and their functions are working effectively and efficiently to ensure the Mission of the Department is being fulfilled. In response to Hurricane Katrina, the USM was involved with implementing policy and procedures, through the direct reports listed below, as well as in coordination with senior leadership, FEMA and various other organizations within DHS and government wide.

The Chief Financial Officer performed the following activities during this time: developing and disseminating financial policy for certain activities; putting in place internal controls and provided timely financial management policy and oversight to ensure appropriate use of expanded authority and to meet the urgent needs of affected Americans; working with Congress to secure required supplemental funding; working with FEMA to develop weekly update reports on the status of expenditures of supplemental funds; working with Congress to increase the borrowing authority of the national flood insurance fund; and helping design and obtain legislative changes to the Community Disaster Loan program to better support the Gulf States during their economic recovery.

The Chief Human Capital Officer (CHCO) coordinated efforts to secure additional federal volunteers to assist FEMA in the disaster recovery effort. Specifically, the CHCO organization disseminated relevant guidance from the Office of Personnel Management (OPM) to all components, spearheaded an effort to identify DHS volunteers to assist FEMA, and, through OPM, coordinated intra-agency efforts to expand the volunteer program to other federal agencies. In addition, the CHCO designated a senior policy expert as FEMA human capital liaison to assist in addressing human capital policy issues associated with the response and sent one employee to the affected region under the DHS volunteer program.

The Chief Procurement Officer performed the following functions: provided overarching guidance and oversight to all contracting functions within DHS; worked with the component to improve and strengthen its infrastructure for long term systemic improvement in meeting the component's mission; evaluated contracting activities cost-to-spend ratio to assess if all

component contracting operations, including FEMA, had sufficient expertise to responsibly negotiate contracts; advocated for and received on FEMA's behalf an additional $4 million for increased contracting staff support; and developed policy requiring contracting professionals and program managers to be certified in their discipline.

The Chief Information Officer, Wireless Management Office (WMO), established a task force to support FEMA's response and recovery phases of Hurricane Katrina. The WMO support acted as an information clearinghouse and equipment coordination group for DHS components by compiling requests for assistance from components and matching them with offers of assistance from other components and vendors. WMO staff support spectrum management conflicts within DHS during the response effort.

Office of Legislative Affairs
The Office of Legislative Affairs (OLA) role in preparing for Hurricane Katrina was to ensure that DHS has open lines of communication with Congress and to inform Congress about FEMA emergency response processes. On Friday, August 26, 2005, OLA staff provided information to Members of Congress representing the Gulf Coast area. Further, staff responded to Congressional inquires to keep Congress informed about Hurricane Katrina events. In response to Hurricane Katrina, OLA assigned individuals to the Katrina affected areas on the Gulf Coast.

Science and Technology Directorate (S&T)
The S&T Directorate provided assistance in both the preparation and response to Hurricane Katrina. The S&T Directorate provided personnel augmentation to the National Response Coordination Center (NRCC), PFO cell, and Interagency Incident Management Group (IIMG).

The S&T Directorate responded in other ways as well. For example, our Office of Research and Development assigned the director of the Interagency Modeling and Atmospheric Assessment Center to FEMA shortly after the hurricane hit Mississippi. This individual served as the coordinator for remote sensing, provided technical leadership in the acquisition and use of remote sensing imagery for response and recovery, and assisted the Geographic Information System (GIS) Unit in the acquisition of several sets of geographic data. Also, various scientific and technical experts from the S&T Directorate responded to a request for assistance for Louisiana to deal with communications problems among emergency responders and aid agencies in the aftermath of Hurricane Katrina. Further, a team from Homeland Security Advanced Research Projects Agency (HSARPA) was asked to respond to a HSOC request for technology ideas useful for aiding Katrina Search and Rescue tasks.

Transportation Security Administration
In preparation for Hurricane Katrina, the Transportation Security Administration (TSA) headquarters contacted the Federal Security Directors (FSDs) at the potentially affected airports to establish continuous communication while hurricane preparation protocols were executed. These protocols included: securing equipment and physical assets, obtaining communications equipment (e.g. satellite phones), locating recreational vehicles (RVs) for the transportation of fuel and other essentials to support operations, working with airport directors to shut down

airports, making sure that the Aviation Security Program (ASP) for each individual airport were in place to coordinate disaster recovery, and releasing all personnel except critical staff. Communications between TSA headquarters and the field were coordinated at this time via the Transportation Security Operations Center (TSOC).

Prior to the hurricane, the New Orleans Federal Security Director and many members of his screening force sheltered in place at Louis Armstrong New Orleans International Airport (MSY) with the purpose of having immediate capability to restart commercial aviation passenger screening services necessary for the evacuation of people from the devastated area. The FSD was supported in this effort by TSA screening force personnel from all over the region who volunteered to assist operations at MSY. As the hurricane hit, the TSOC remained in constant contact with the FSDs at the potentially affected airports to ensure the status of critical infrastructure and personnel.

On August 29, 2005, TSA established an informal TSA Events Coordination Center (TECC) at headquarters to provide leadership with real-time connectivity to the field 24 hours a day, 7 days a week and arrange the total deployment of approximately 293 screening officers and over 1,000 Federal Air Marshals (FAMs), sent on a rotating schedule, to the affected area (At any one time during the evacuation and response efforts, there were anywhere from 104 to 508 FAMs on the ground. In total, TSA flew in approximately 1,000 FAMs, which includes those FAMs traveling on duty and those FAMs on the ground). The TECC was formally stood-up on August 31, 2005, to assist response and recovery efforts in New Orleans, support TSA personnel in the New Orleans area, and coordinate efforts with other federal agencies.

TSA received reports that thousands of hurricane victims were converging at MSY. TSA personnel on the ground helped to maintain public order. TSA worked with the Emergency Support Function (ESF)-1 (Transportation), led by the Department of Transportation, and the airline industry to restart commercial airline service at MSY for evacuation purposes. The resumption of commercial flights at MSY brought more screening personnel and FAMs to the site and providing evacuation flights for the victims.

The evacuation of hurricane survivors was complicated by a lack of sanitary facilities, plumbing, and electricity at MSY. In order to evacuate people as quickly as possible within the airport that had sustained infrastructure damage, TSA personnel used modified screening services. In addition, TSA personnel and the Federal Air Marshal Service (FAMS) provided services beyond their normal duties to include manifesting passengers, providing crowd control, and physically carrying evacuees from the terminals to the aircraft. The FAMS provided critical law enforcement in the airport. On the ground, FAMs established a perimeter, terminal, and tower security law enforcement presence. FAMs also provided security for approximately 186 outbound evacuation flights on commercial charter and 34 U.S. Medical Evacuation aircraft while continuing regular worldwide FAMS presence on flights. In all, TSA personnel and the FAMS helped evacuate approximately 23,500 passengers.

Also, TSA provided on-site aviation and surface transportation/rail inspectors to affected areas.

The surface transportation security inspectors (STSIs) worked with local rail personnel, in cooperation with the Federal Railroad Administration (FRA), and assisted rail operators to ensure a coordinated response. TSA employees also helped staff Emergency Operation Centers at Baton Rouge and New Orleans as well as the Joint Task Force Katrina aboard the USS Iwo Jima (New Orleans); provided the Transportation Security Operations Center with daily situational awareness reports; and provided reports to the Department of Transportation.

U.S. Secret Service
The Secret Service began deploying personnel to the areas impacted by Hurricane Katrina on August 31, 2005. These persons were tasked to implement our Continuity of Operations Plan (COOP) and Restoration of Operations, Personnel and Equipment (ROPE). All Secret Service staff temporarily assigned to these tasks returned to their post-of-duty on September 15, 2005. In addition to Secret Service duties, all of these personnel participated at some time in Katrina-related efforts, including the distribution of credentials and the staffing of the Emergency Operations Center. It should be noted that the described temporary assignments do not include the 34 Secret Service employees permanently assigned to Louisiana and Mississippi. Many of these employees had evacuated with their families to other areas of the country.

It must be noted that due to the numerous visits of the President, Vice President, and other protectees to the affected areas, Secret Service law enforcement personnel who were present in the area were engaged in the planning and execution of those protective visits.

2. **Q03184:** Please describe all communications that you personally had with any officials in any DHS component about Hurricane Katrina at any time prior to Monday, August 29, 2005, including but not limited to, officials from FEMA, the U.S. Coast Guard, the National Communications System, Immigration and Customs Enforcement (including but not limited to the Federal Protective Service), Customs and Border Protection, and the U.S. Secret Service, as well as any official from any component listed in response to Question 1. Do not include any communication that occurred solely through the FEMA Video Teleconference (VTC) at noon on Sunday, August 28, 2005.

Response: During the several days prior to Gulf Coast landfall of Hurricane Katrina—including during its landfall in Florida—I was following the preparations for the impending storm, as described in detail in my response to previous questions. I cannot recall all of these contacts six months after the fact, but am certain that there were many such contacts. Directly or indirectly I stayed in regular contact with many senior DHS and FEMA officials, including the Deputy Secretary, Under Secretary Michael Brown, acting Under Secretary Robert Stephan, Director of the Homeland Security Operations Center Matthew Broderick, HSOC staff, and officials elsewhere in the Department. I also spoke to the governors of Louisiana, Mississippi and Alabama. I had many such contacts as Katrina crossed Florida and turned north toward the Gulf Coast. The level and number of these contacts, both inside and outside DHS, increased for further on August 27 and 28. It is not fair to conclude that these contacts occurred solely through FEMA's noontime VTCs.

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3. **Q03185:** Please describe all communications that you personally had with any officials in any DHS component about Hurricane Katrina at any time on Monday, August 29, 2005, including but not limited to, officials from FEMA, the U.S. Coast Guard, the National Communications System, Immigration and Customs Enforcement (including but not limited to the Federal Protective Service), Customs and Border Protection, and the U.S. Secret Service, as well as any official from any component listed in response to Question one.

Response: On Monday, August 29, 2005, my primary focus was to get reports from the Gulf Coast region—that is, to find out the ground truth. I was in the office that day and had contact with numerous senior officials and staffers regarding Katrina throughout the day. I cannot recall all of these contacts six months after the fact, but am certain that there were many such contacts. Directly or indirectly, I communicated with several senior DHS and FEMA officials, including at various times the Deputy Secretary, Under Secretary Brown, acting Under Secretary Robert Stephan, Director of the Homeland Security Operations Center Matthew Broderick, DHS state and local liaisons, and numerous officials elsewhere in the Department. They were keeping me apprised of the activities among the various DHS components.

4. **Q03186:** Which DHS officials, other than FEMA employees, yourself, and Deputy Secretary Jackson, were on the VTC that took place at noon on Sunday, August 28, 2005?

Response: I would point out that DHS has provided your staff with a copy of the transcript for that video teleconference. Based upon our records and to the best of my recollection, the noon video-teleconference on Sunday, August 28, 2005 included the following DHS participants: the Deputy Secretary, and Chief Financial Officer Andrew Maner, and numerous individuals from the HSOC. Of course, there were also participants from the ESFs, other federal departments and agencies, the states, and others.

5. **Q03187:** Under Homeland Security Presidential Directive 5 (HSPD-5), the Secretary of Homeland Security is required to "develop . . . and administer a National Response Plan." The National Response Plan is supposed to be the framework for the federal response to all major disasters. Yet it appears the National Response Plan was not always followed in Katrina and that some of the people who needed to may not have fully understood it. In fact, in November 2005, the Department's Inspector General raised a similar issue in his review of the TOPOFF 3 Exercises, in which he found that "the exercise highlighted—at all levels of government—a fundamental lack of understanding for the principles and protocols set forth in the NRP and NIMS [National Incident Management System]." In the over five months since Katrina hit, what steps have you, as the person designated by HSPD-5 to be responsible for administering the NRP, or anyone acting at your direction, taken to improve understanding of the NRP?

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Response: I disagree with the premise of the question that a "lack of understanding" impeded our response. Remember: the NRP is a plan; it is not a statute. There are some aspects of it that may be ambiguous, and we are in the process of fixing those aspects. But the tenor of this question—that a failure to implement parts of a plan, such as timing of the standup of the IIMG, or using the Catastrophic Incident Supplement, materially altered the response—gets it wrong. We were focused on providing the operators in the field with all of the support that they needed. The one significant NRP-related issue was the delay of the PFO in fleshing out a Joint Field Office and providing situational awareness to headquarters.

Since Hurricane Katrina, NIMS Integration Center representatives have met with other federal agency and Department representatives to discuss NRP roles and responsibilities and multi-agency coordination within the Emergency Support Functions of the NRP and NIMS. NIMS personnel have explained compliance requirements and offered assistance where needed. They also met with the NORTHCOM Joint Task Force Civil Support in December 2005 to review civil support plans. I personally have discussed the NRP on numerous occasions with colleagues from other departments, senior officers at NORTHCOM, and the HSC.

The Administration is actively considering revisions to the NRP. A summit meeting of senior officials of the federal agencies represented in the NRP is scheduled for May 2006 in Washington, DC. The NIMS Integration Center also plans to deliver 400 resident course offerings to 14,000 students through the National Emergency Training Center and the Noble Training Center, including 30 integrated emergency management courses that include NRP information.

6. **Q03188:** As was discussed at the February 14, 2005 hearing, you did not announce your appointment of a Principal Federal Official (PFO) to lead the response to Katrina until sometime late in the day on Tuesday, August 30, 2005. The day before, Adm. Thad Allen of the Coast Guard had sent an email to your Chief of Staff inquiring whether there was "any thought" being given to appointing a PFO for Katrina (Hearing Exhibit E and attached). In addition, Assistant Secretary of Defense for Homeland Security Paul McHale told our staff that on the morning of Tuesday, August 30, 2005, he directed his Deputy to call over to DHS to see whether a PFO was going to be appointed because he thought that naming a PFO "was an important initial step in triggering the capabilities available under the National Response Plan." (Hearing Exhibit F and attached). Were you aware (and if so, when) that Admiral Allen and Assistant Secretary McHale were suggesting appointment of a PFO? Did anyone else contact you or your staff or Deputy Secretary Jackson or his staff concerning the appointment of a PFO prior to the time the appointment was made?

Response: We had several discussions inside and outside the Department in connection with naming Mr. Brown as the PFO. It is important to understand the context of that appointment. When the President issued an emergency declaration, Federal Coordinating Officers (FCOs) were appointed to oversee each state's emergency. These appointments are published in the Federal Register, and provide the FCOs with the full range of legal authorities and

responsibilities as provided in the Stafford Act. The FCOs function as the lead operators on the ground and establish the forward operating facility in the field (usually co-located with the state's emergency operations center).

For Hurricane Katrina, William Lokey and William Carwile were identified as FCOs for Louisiana and Mississippi respectively. These two officials are well-trained in emergency management and are highly experienced, having been through numerous disasters and emergencies. In addition, these FCOs were supported by the experienced men and women of FEMA in the regional offices.

There was due consideration given as to an appointment of a Principal Federal Official (PFO), as in any emergency situation. We already had a battlefield commander in the area to manage the operations—namely, Michael Brown—and he had all the necessary authority to direct the assets of the federal government as soon as the President declared an emergency. Nevertheless, on Tuesday, I formally designated Michael Brown as PFO for the incident, and embodied it in a memorandum, so that during our upcoming Cabinet meeting, colleagues would have no doubt that Mr. Brown was my personal representative, with all authority necessary to address the incident.

Because of Katrina's overwhelming and stressful effect on FEMA, in response to Hurricane Rita (a few weeks later), I designated Coast Guard Admiral Hereth to be the PFO in advance of landfall.

7. The NRP gives to DHS the responsibility for coordinating and leading ESF-13, in conjunction with the Justice Department. However, from the evidence we have gathered thus far in our investigation, it appears that in the many months since the NRP was adopted, no one at DHS seemed to have determined which of the various law enforcement offices at DHS—ICE, Customs and Border Patrol, the Secret Service—was in charge of carrying out these security responsibilities, or how they were to be coordinated with the responsibilities of DOJ.

a. **Q03189:** What plans were in place prior to Katrina for DHS's to carry out its responsibilities under ESF-13?

Response: The National Response Plan provides for ESF-13 operations during natural disasters. The Federal Protective Service, which is a division of U.S. Immigration and Customs Enforcement, takes responsibility for ESF-13 functions in support of the Federal Emergency Management Agency during natural disasters. In this role, ICE/FPS tasks mission assignments to other law enforcement elements within the federal response, including to the ICE Office of Investigations, Customs and Border Protection, Federal Bureau of Investigation, Coast Guard, Department of Defense, and other federal agencies. ICE/FPS periodically plans for, works with, and participates in exercises with FEMA in preparation for natural disaster response, including requiring all of its senior managers to complete training in the National Incident Management System and the Incident Command System. ICE/FPS has a permanent representative at the

Homeland Security Operations Center, which provides DHS with visibility over ICE/FPS/ESF-13 operations.

b. **Q03190:** Was anyone (or any organization within DHS) assigned responsibility for carrying out DHS's duties under ESF-13 at any time prior to Katrina's landfall?

Response: The Immigration and Customs Enforcement, Federal Protective Service has general responsibility for assistance and protection of DHS/FEMA response teams and, as such, traditionally assumes ESF-13 functions during natural disasters. ICE/FPS assumed those responsibilities before and during the response to Hurricane Katrina.

In particular, ICE/FPS stationed a representative at the Homeland Security Operations Center before Hurricane Katrina made its first landfall over Florida. ICE/FPS personnel also assumed the ESF-13 desks at the National Response Coordinating Center and interim office in the field prior to landfall.

c. **Q03191:** Please state all DHS or Department of Justice personnel with whom you spoke regarding ESF-13 as to Katrina prior to landfall on August 29, 2005 and describe such conversations.

Response: I do not specifically recall speaking with anyone at the Department of Justice (DOJ) on the day of landfall regarding ESF-13. However, Department staff were regularly coordinating with DOJ personnel at both Headquarters (in the HSOC) and the Joint Field Office.

d. **Q03192:** On what day did you first speak to anyone about law enforcement or security support for Hurricane Katrina?

Response: Shortly after landfall, it became apparent that the situation in New Orleans warranted greater attention to law enforcement and security matters. As a result, I immediately began asking questions and seeking information about the security situation in New Orleans by regularly consulting with Department officials, the HSOC and the IIMG. These continued throughout succeeding days. In addition, we considered various ways to improve and bolster the federal government's support to the state and local law enforcement authorities. I discussed the issue within the Administration, including with the Department of Justice and the Department of Defense, and with state officials continually on Wednesday and thereafter.

e. **Q03193:** As of today, has any individual or any organization within DHS been designated as the lead for carrying out DHS's responsibilities under ESF-13? If so, who and when was that designation made?

Response: DHS has designated the Immigration and Customs Enforcement (and its Federal Protective Service) as its lead for DHS responsibilities under ESF-13.

8. **Q03194:** In your testimony before the Committee on February 14, 2005, you stated that "if there's anything that FEMA is expert in, it is hurricanes" and that is why you initially left it to FEMA to handle the preparations for and response to Hurricane Katrina. But the damage done in Katrina—and that was widely known could be done—is not unique to hurricanes— as you also noted yesterday a terrorist bomb on the levees could have had the same terrible effects. And in either event, resources far beyond those available to FEMA would be (and were) necessary to respond. Why leave this catastrophic event to FEMA in the first instance simply because the immediate cause was a hurricane? Would you have left the response to FEMA if it were a terrorist attack that had caused this catastrophe?

Response: I believe the context of my testimony was not that I would "leave it to FEMA," but that I looked to FEMA's hurricane experts as the principal source of advice in response.

As I noted in my testimony on Wednesday, February 15, 2006, the Department of Homeland Security is an all-hazards agency. By its design and mandate, DHS must be able to respond to an emergency, disaster, or catastrophic event, whatever the cause—whether it be a man-made, terrorist attack, or a natural disaster.

When an emergency or disaster occurs, DHS should call upon its vast array of resources throughout the Department, and the resources summoned may vary depending upon the nature, scope, magnitude, impact, and cause of such a catastrophic event. For example, it might be appropriate to call upon the Coast Guard to address a catastrophic oil spill, or to have the Customs and Border Protection address a catastrophic event at the nation's borders, or to call upon the Secret Service to address a terrorist event involving a government dignitary, or to have the Transportation Security Administration address an airplane crash. DHS must remain flexible and agile, and it should match its resources in the best way to address the needs of a particular emergency, disaster, or catastrophic event.

In the case of a hurricane, I looked to the Federal Emergency Management Agency (FEMA) as the DHS component with the greatest institutional history, experience, and knowledge on responding to such a natural disaster. Consistent with my testimony, "if there is anything that FEMA does and has done over the last 20 years, it has been hurricanes. Even Michael Brown had been through four prior hurricanes [in Florida] the previous year." And FEMA had other personnel with decades of hurricane experience. Therefore, it seems only natural for the Department to avail itself of such expertise and to look towards FEMA for principal guidance in this instance of a natural disaster.

Other disasters might pose different issues or require more complex responses. Therefore, we might look to additional, different sources of advice. For example, a biological or radiological attack (such as those posed in earlier TOPOFF exercises) would add complex medical, economic

and law enforcement complications. In such a case, an IIMG populated with medical, scientific, counter-terrorism, intelligence and other experts would be essential.

When the President issued an Emergency Declaration for Louisiana, Mississippi, and Alabama, provisions of the Stafford Act are triggered, and it calls for the designation of a Federal Coordinating Officer (FCO) for each of the states. These FCOs are empowered with specific authorities to respond to an emergency or disaster; one such authority is to direct other federal agencies to respond. Therefore, it should be noted that although FEMA was the lead coordinating agency to oversee and manage Hurricane Katrina, the FCOs were statutorily authorized to call on the full resources of the entire Executive Branch of the federal government.

As a result, FEMA was not standing alone in responding to Hurricane Katrina. To the contrary, FEMA coordinated with many other components of DHS (listed above) and issued mission assignments with numerous other federal agencies, including the Departments of Defense, Justice, Interior, Housing and Urban Development, Health and Human Services, Agriculture, the Treasury, and Veterans Affairs, as well as the Corps of Engineers, Environmental Protection Agency and the Federal Communications Commission. These mission assignments were consistent in kind, although not in degree, with assignments in other hurricanes.

9. **Q03195:** You testified that on the day of landfall you received conflicting information about whether the levees in New Orleans had been breached. Please identify all such conflicting reports, whether oral or written, describe the contents of each report, and identify (i) the source of the report; (ii) when you received it; and (iii) and what form the report came in (written, oral, email, other).

Response: As I had testified before the Committee and in many of my other responses, I have been informed that there was a lot of conflicting information that was being transmitted to the Homeland Security Operations Center on Monday, August 29, 2005. Their job is to compile and try to reconcile this flurry of information. In particular, I was very concerned about the levee system, and as a result, I was continually asking questions about the status of the levees on Monday.

Although I did not receive these reports at the time, the HSOC has since re-reviewed the information that had been forwarded during that hectic day. In that re-review, the HSOC has determined that there were many submissions reporting "overtopping" of the levees. At FEMA's noontime video teleconference on Monday, August 29 in which I participated, the transcript shows that Governor Blanco reported that flooding was being caused by overtopping, and not breaching, of New Orleans' levees. Further, based upon the reports of flooding in the area, I am informed that it was not clear whether the flooding was extraordinary or out of the norm for a significant hurricane with substantial rainfall; or whether the more than thirty pumps in the city of New Orleans would be able to channel the excess water appropriately. The evening Situation Report affirmed that there was evidently no levee breach. It is my understanding that these

documents have been produced to your staff. You should note, of course, that the documents do not likely present a complete picture of information being communicated orally at the time.

10. **Q03196:** Please identify any report, oral or written, that you received on the day of landfall affirmatively stating that the levees in New Orleans had not been breached. Please describe the contents of each report, and identify (i) the source of the report; (ii) when you received it; and (iii) and what form the report came in (written, oral, email, other).

Response: As noted previously, although I did not receive these reports at the time, the HSOC has since re-reviewed the information that had been forwarded during that hectic day. In that re-review, the HSOC has determined that there were several submissions reporting "overtopping" of the levees, thus not having been breached. From the morning, I asked about levees through the HSOC. More important, however, I was on the FEMA noontime VTC on Monday, August 29. At that time, the transcript shows that Max Mayfield and Governor Blanco affirmatively stated that they did not believe the levees in New Orleans had breached, and Governor Blanco said that flooding in New Orleans was being caused by overtopping. The Committee is aware of the array of conflicting reports. I would submit that it was perfectly reasonable for me to believe these statements, as it was to rely on the 6:00 p.m. HSOC Situation Report, which contained word that there was not a confirmed breach.

I am now informed that HSOC received other information. I am advised, for instance, that as early as 2:00 a.m. on August 29, the FEMA Daily Operations Report indicated that some levees may be "overtopped." This was repeated again at 5:00 a.m. by the National Hurricane Center. In fact, the mayor of New Orleans announced that there was water "coming over the levee system" during his morning press conference, and the head of the Louisiana National Guard could not determine whether it was a "breach or overtopping."

11. **Q03197:** The HSOC Situation Report issued at 6 pm on August 29th stated "Preliminary reports indicate the levees in New Orleans have not been breached; however, an assessment is still pending." Please identify the reports that are basis for this statement, and identify (i) the source of the report; (ii) when you received it; and (iii) what form the report came in (written, oral, email, other).

Response: As noted previously, although I did not receive these reports at the time, the HSOC has since re-reviewed the information that had been forwarded during that hectic day. In that re-review, the HSOC has determined that there were several submissions reporting "overtopping" of the levees, thus not having been breached. From the morning, I asked about levees through the HSOC. More important, however, I was on the FEMA noontime VTC on Monday, August 29. At that time, the transcript shows that Max Mayfield and Governor Blanco affirmatively stated that they did not believe the levees in New Orleans had breached, and Governor Blanco said that flooding in New Orleans was being caused by overtopping. The Committee is aware of the array of conflicting reports. I would submit that it was perfectly reasonable for me to believe

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12. When discussing Marty Bahamonde's overflight of New Orleans on the day of landfall, you said "he never should have had to do it. We should have had the capability on Monday to put on the ground not a public affairs officer but trained officers who would go out and actually do a survey and would have communicated that back to us." In fact, DHS had at least two Protective Security Advisors ("PSA") in Louisiana, one in the Baton Rouge Emergency Operations Center, and the other in New Orleans.

The PSA in New Orleans, Louis Dabdoub, sent two email reports to the HSOC on Monday morning describing the increasingly dangerous flooding. Yet neither the Director nor the Deputy Director of the HSOC were aware of his presence or his reports. We have received no indication as to whether the PSA in Baton Rouge, David Hunter, submitted any reports.

a. **Q03198:** Did you know that Mr. Dabdoub was in New Orleans and providing reports to the HSOC? What have you done to ensure that, in the future, reports such as these are appropriately acted upon?

Response: As you have noted, there were several DHS personnel in the Gulf Coast area in order to support the state and local officials. For example, there were FEMA personnel, Coast Guard personnel, Immigration and Customs Enforcement/Federal Protective Service personnel, as well as Protective Security Advisors from the Office of Infrastructure Protection in the region.

I am now advised (although I did not know at the time) that the Homeland Security Operations Center received reports from the Protective Security Advisors (Mr. Dabdoub and Mr. Hunter) through its desk at the HSOC, and then this information was incorporated into the regular HSOC Situation Reports issued. It is my understanding that essentially, the Protective Security Advisor forwarded information that he had received from the state and local sources, including anecdotal information, in a handful of e-mails. Nevertheless, he was not in a position to conduct first-hand observations or technical analysis, and the information passed was not useable at a strategic level.

Nevertheless, I have directed that the HSOC and the Risk Management Division of the Office of Infrastructure Protection ensure that there is improved coordination and sharing of information in future reporting. In an earlier response, I detailed our efforts to assemble specialized

reconnaissance teams from existing homeland security assets, including the aerial assets of the Coast Guard, Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE). These self-sufficient teams will be able to establish emergency communications and relay vital information back to DHS, so that we can develop a common operating picture of what is happening on the ground and what the needs are.

b. **Q03199:** Did Mr. Hunter provide any reports during the day of landfall? If so, please describe the full contents of the report and identify whether it was oral, written, email, or something else. If the reports are written or email, please provide copies of them.

Response: Please see prior response.

13. **Q03200:** In the hours after the 6 PM Situation Report on Monday, August 29th, both your Chief of Staff John Wood and Deputy Secretary Michael Jackson received email notifications that the situation in New Orleans was far worse than had been described in the Situation Report. Mr. Wood received an email at 9:27 PM that the situation was "far more serious than media reports are currently reflecting" and that aerial surveys had found "extensive flooding and more stranded people than they had originally thought." At 11:05 PM, Deputy Secretary Jackson received an email from Patrick Rhode of FEMA which summarized Marty Bahamonde's overflight. It stated in part a "200 yard collapse" of a levy and "60 percent of the city . . . under water to some degree." Did either Mr. Wood or Deputy Secretary Jackson alert you to these reports that night? If so, when. If not, (i) when did you learn about them, and (ii) do you believe today that you should have been made aware of these reports that night by Mr. Wood and Deputy Secretary Jackson?

Response: The question refers to e-mails that were sent late on Monday evening. I now see that the e-mail to Mr. Wood refers to "unconfirmed reports" from New Orleans regarding flooding; it does not contain any information about levee breaches, and, as you know from the August 29 VTC, the Department was already aware of flooding in portions of New Orleans. Indeed, the author of the e-mail also has indicated that he was unaware of the levee breaches or the extent of the damage until the following morning. Deputy Secretary Jackson tells me that he does not recall reading on Monday night the e-mail that was sent by Mr. Rhode at 11:05 p.m. Again, the best means of communicating important information with high-ranking officials was by telephone call to the HSOC, who could reach me any time of the day or night, not via e-mail. I first learned of substantial levee breaches Tuesday morning.

14. **Q03201:** In your testimony, when asked about why you were unaware on Monday night that the levees had broken, you spoke about "stovepiping" and "hoard[ing]" of information. You said that after Marty Bahamonde's overflight, there were "people talking about this in FEMA" but that DHS did "not know about it." Yet the HSOC did receive sufficient information to issue

three spot reports on Monday night that clearly showed that the situation in New Orleans was dire and growing worse, including a report of Bahamonde's overflight. Specifically;

- A 7:35 PM HSOC Spot Report which stated "A small breach reported at 17 street canal by local fireman. Report that Duncan Pumping Station and Bonnebelle Pumping Station suffered roof damage, inundation of pumps, and are not operating at this time. Reported overtoppings of levee near Arabi and Inner Harbor Navigation Canal. Some level of widespread flooding has occurred. Report there has been a breach of the levee in the east of Harvey Canal, west bank area."
- A 10:30 PM HSOC issue Spot Report summarizing Marty Bahamonde's overflight of the city which read in part, "[t]here is a quarter mile breach in the levee near the 17th Street Canal . . . Only one of the main pumps is reported to still be working but cannot keep up with the demand and its longevity is doubtful . . . an estimated 2/3 to 75% of the city is under water."
- An 11:47 Spot Report stating that "According to Remote Sensing Imagery and available Census data, approximately 136,000 housing units in New Orleans have been impacted by flooding."

a. Did you receive these reports Monday night?
b. If so, when?
c. If not, did you receive them later, and if so when?
d. If you did not receive them Monday night, why not?
e. If you did not receive them Monday night, do you believe today that you should have received them that night?
f. If you did not receive them Monday night, what steps have you taken to ensure that reports such as these are in the future provided to you in a timely fashion?

Response: I testified that I learned that there were significant irreparable levee breaches on Tuesday morning. I believe that General Broderick testified to the Committee and told the staff about these communications. As to why I did not receive the reports you cite: I am told that HSOC was receiving conflicting information during the day on Monday. One of the HSOC's tasks is resolving conflicting, inconsistent, or inaccurate information. There are several examples of this. As I now read the 7:35 a.m. report cited in the question, it is uncontrovertibly tentative, and gives no indication that the "small breach" could not be repaired. During the FEMA noontime VTC on Monday, August 29, as the transcript indicates, I and the other participants heard directly from Max Mayfield and Governor Blanco that they believed that the levees had not been breached, and Governor Blanco said that the flooding in New Orleans was caused by overtopping. The last report I received on Monday evening from the HSOC stated that preliminary reports had indicated the levees had not been breached, and that the situation was still being assessed.

We are moving urgently to a fully integrated and unified incident command structure at the Department by June 1, 2006. We are building the hardware and the culture to integrate the operations centers into a single virtual operations center. Further, we are working to enhance and expand communications capabilities that will allow DHS, FEMA, and our federal, state and local partners to get better situational awareness about conditions and events on the ground as

they unfold during a disaster. We began the process of assembling specialized reconnaissance teams from existing homeland security assets, including the aerial assets of the Coast Guard, Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE). These self-sufficient teams will be able to establish emergency communications and relay vital information back to DHS, so that we can develop a common operating picture of what is happening on the ground and what the needs are.

15. **Q03202:** During your testimony, Senator Coleman asked you about Exhibit 14, an email that Mike Brown sent to Patrick Rhode at 8:53 AM on the morning of Tuesday, August 30. It states in part that he "touched" you that morning, and that you "[c]asually mentioned" that you were going to FEMA's Region IV headquarters that morning.

a. Do you recall speaking to Mr. Brown during the morning of Tuesday, August 30?
b. Where were you when you spoke with him?
c. Please describe in as much as detail as possible what you said and what he said.
d. If not covered directly in (c) above, did Mr. Brown tell you that the levees in New Orleans had been breached?
e. If not covered directly in (c) above, did Mr. Brown tell you that there was catastrophic, and worsening, flooding in New Orleans?
f. Did he make any requests of you or of DHS?

Response: No, I do not recall speaking with Mr. Brown on the morning of Tuesday, August 30. Nevertheless, as I stated during my testimony before the Committee, I tried to reach Michael Brown repeatedly during Tuesday, August 30. Deputy Secretary Jackson also tried to reach Mr. Brown during that day. We were eventually able to connect with Mr. Brown on Tuesday evening, and our discussion is laid out elsewhere in these answers.

16. **Q03203:** Were there any instances in which DHS actions either in preparation for or in response to Hurricane Katrina were in any way hindered, delayed, limited, or not taken because of concern over whether DHS had authority to take the action? If so please identify each such instance, what the concern was, and how it was resolved.

Response: No, I do not believe this was the case. There were many internal policy discussions and deliberations within the Department and the Administration about whether or not to undertake a particular action, but this was not based upon whether the Department had sufficient legal authority.

17. **Q03204:** Under the NRP, the National Communications System, a DHS component, is the coordinating agency for ESF-2. Describe all actions you personally took in advance of Hurricane Katrina's landfall to see that DHS fulfilled these responsibilities to ensure that government officials, first responders, and others involved in emergency response in Louisiana,

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Mississippi and Alabama would have adequate and operable communications capability after the storm made landfall. Please be specific as to dates, times, and personnel involved.

Response: I was kept apprised of Emergency Support Function-2 (Communications) issues and progress, as well as the twice-daily Situation Reports from the Homeland Security Operations Center (which included information from the National Infrastructure Coordinating Center).

The NCS began monitoring Hurricane Katrina prior to its first landfall and conducted numerous activities in preparation for its second landfall. The NCS heightened the alert status of its National Coordinating Center (NCC) Watch, which provides monitoring and reporting capabilities. National and regional ESF-2 staffing structures were formulated to prepare for standing up field elements on short notice. To prepare for possible impacts to the telecommunications infrastructure and gain an understanding of the needs for assets and personnel, the NCC assessed the impact of the storm on the telecommunications infrastructure.

The NCS coordinated closely with industry to prepare for the landfall of Hurricane Katrina. The NCS initiated a daily conference call with industry to exchange information on hurricane preparations, sharing information and updates, and tracking movements in the field. The NCS conveyed situational updates, provided storm path and intensity updates, and shared evacuation routes and curfews to facilitate commercial carriers' movement of communications assets. The NCS also provided contact information at the federal, state, and local levels as appropriate, including distribution of phone numbers for state emergency operations centers in Florida, Louisiana, Alabama, Mississippi, and Georgia to industry partners.

Between August 24, 2005, and August 29, 2005, the NCS conducted numerous activities in support of augmenting and/or establishing communications services for use by government officials, first responders, industry, and others involved in emergency response activities.

- Activated Emergency Operations Teams (EOT) to supplement the NCC Watch (commenced August 24, 2005);
- Staffed ESF-2 positions at FEMA's National Response Coordinating Center (NRCC), Region VI, Denton, Texas, and Region IV, Atlanta, Georgia;
- Issued Telecommunications Service Priority (TSP) assignments, Government Emergency Telecommunications Service (GETS) cards, and Wireless Priority Service (WPS) enabled phones;
- Placed GETS and WPS user support on 24-hour alert;
- Activated Operational Level 2 of Shared Resources High Frequency (SHARES) radio program as an alternate means of communications;
- Established Joint Telecommunications Resources Board (JTRB) working group to monitor the response effort and assist with telecommunications issues and conducted conference calls; and
- Coordinated with the energy and transportation sectors to ensure that cross-sector issues were inclusive of the telecommunications community

In coordination with the NCS, communications service-providers also took steps to mitigate potential facility damage and reduce anticipated recovery times. As of August 28, 2005, all impacted communications companies and carriers moved emergency response teams and equipment to the region, established communication bridges among carriers, and activated damage assessment teams. Communications companies performed assessments from Hurricane Katrina's Florida landfall and continued with preparations for Hurricane Katrina's second landfall. The major regional carrier opened its operations center to all carriers for coordination purposes.

a. **Q03205:** Did you have any communications with anyone from the National Communications System? Please identify by date, time, form of communication (written, in person, telephone), and describe the substance of any such communication.

Response: My direct communications regarding National Communications System (NCS) activities came primarily through discussions with Robert Stephan, the NCS Manager, and the Situation Reports through the HSOC.

The NCC Watch conducted continuous reporting to both government and industry, and provided daily situational awareness to the DHS National Infrastructure Coordinating Center, the Homeland Security Operations Center, the Joint Telecommunications Resources Board working group, the Interagency Incident Management Group, and the Department of Defense's Joint Task Force for Global Network Operations (JTF-GNO). Additional reporting was disseminated upon request.

18. **Q03206:** Describe all actions you personally took after landfall of Hurricane Katrina's landfall to see that DHS fulfilled its responsibilities under ESF-2 to ensure that government officials, first responders, and others involved in emergency response in Louisiana, Mississippi and Alabama had adequate and operable communications capability after the storm made landfall. Please be specific as to dates, times, and personnel involved.

Response: As Hurricane Katrina made landfall, National Communications System government response centers and industry coordination mechanisms were already in place and operationally ready. During the first few days after landfall (August 29-September 1), the National Coordinating Center focused on establishing and staffing interim operating facility in the region. These field offices were responsible for making damage assessments and initiating actions to restore communications.

Even after this initial period, NCS remained actively engaged in assisting with the restoration efforts in the aftermath of Hurricane Katrina. As stated above, I ensured that DHS performed its responsibilities through directions given via the HSOC or other officials, including Robert Stephan, who was the NCS Manager.

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Secretary Michael Chertoff

The NCS issued Government Emergency Telecommunications Service (GETS) cards, processed Telecommunications Service Priority provisioning assignments, and activated Shared Resources High Frequency (on August 29, 2005). In addition, NCC coordinated with the U.S. Northern Command (NORTHCOM) to identify and deploy communications assets. Also, communications providers awaited physical access to facilities to evaluate their networks and reporting was sparse during the first 24 hours of the storm.

As of September 2, 2005, all systems were in place for the ESF-2 elements to receive communications requests from the affected region, both through the IFOs as well as independent requests. The NCC coordinated with industry to supply the necessary resources, including the following: identified and dispatched satellite vans to various locations affected by the hurricane; dispatched mobile capabilities to provide communication to the Joint Field Office and offer cellular service to the Louisiana State Emergency Operations Center and the New Orleans area; delivered mobile communications trucks to the State Emergency Operations Center (EOC) and staging areas for federal and industry responders; and delivered satellite handsets to emergency responders from Mississippi and Alabama

The use of SHARES was a great success within the first few days of the aftermath of Hurricane Katrina. While GETS cards were issued quickly and aided first-responders in maintaining communications in some situations, there were areas with total communication failure. The availability of SHARES, and its widespread use, was critical in the first three or four days after Hurricane Katrina hit New Orleans. Some of the accomplishments of SHARES included:

- Assisting local governments and federal entities with search and rescue missions for over 100 missing people in the affected area by relaying critical information regarding those persons to the appropriate agency;
- Relaying critical logistical and operational information from FEMA and Atlanta's EOC into the Mississippi and Louisiana EOCs;
- Coordinating with the National Aeronautics and Space Administration (NASA) Disaster Assistance and Rescue Teams, Communications Group;
- Providing frequency coordination with Department of Energy, Federal Communications Commission, Military Affiliate Radio System, the U.S. Navy, FEMA, Civil Air Patrol, Amateur Radio Emergency Services (ARES)/Radio Amateur Civil Emergency Service (RACES), Louisiana EOCs and Mississippi EOCs;
- Coordinating inter-communications between SHARES and ARES/RACES emergency networks;
- Establishing contact with deployed Navy ships USS Truman and USS Bataan which were detailed to New Orleans to assist with the Katrina disaster; and
- Relaying health and welfare message traffic between volunteer agencies in Georgia and the National Red Cross Headquarters in Washington, D.C.

Also, the NCS and the NCC facilitated industry/Government coordination to provide federal, state, and local government entities in the affected region with communications connectivity.

In a limited number of circumstances, the NCC aided industry in providing these communications systems by coordinating security forces and requirements between industry and Government to protect repair teams, communications sites, and staging areas. In addition, in a limited number of circumstances, the NCC arranged to provide communications carriers with generators where the power was out, fuel for generators, and power outage maps.

The NCS also recognized the interdependencies on other infrastructures and established a relationship with the Energy Information Sharing Analysis Center through the response to previous disasters. Indeed, the NCC coordinated with the Louisiana State Police (LSP) extensively to arrange access for telecommunication repair crews, and to provide LSP escort services for those repair crews into some of the most heavily damaged areas in and around New Orleans. Also, the NCC facilitated the provisioning of the U.S. Marshals Service and Federal Bureau of Investigation personnel to protect the most important communications center in New Orleans. The U.S. Marshals and FBI escorted employees and fuel trucks to and from the facility as well as providing facility security. In addition, the NCC provided a local carrier with detailed satellite images that the carrier had been unable to access until the NCC stepped in to help. This enabled the carrier to prioritize its restoration efforts by providing information on which areas were still totally flooded.

a. **Q03207:** Did you have any communications with anyone from the National Communications System? Please identify by date, time, form of communication (written, in person, telephone), and describe the substance of any such communication.

Response: Please see previous answers.

19. **Q03208:** Did you send or receive any emails between August 25th and September 6th concerning Hurricane Katrina?

Response: I do not use e-mail as a means of communication.

20. **Q03209:** How do you receive HSOC spot reports or other written communications or emails if you are not in your office?

Response: Written reports are delivered to me. Communications are often sent to me through my Military Aide or personal staff. However, during rapidly evolving events such as Katrina, I often rely more heavily on oral communications with the HSOC and others.

a. **Q03210:** Do you have an aide who is with you who receives such reports and provides them to you?

Response: I often receive HSOC information by telephone, in person, or by written report. I also have an aide who relays messages.

b. **Q03211:** If yes, please identify who this person was on each day beginning on Friday, August 26 through Sunday, September 4.

Response: Commander Gail Kulisch of the U.S. Coast Guard was my military aide during this period.

21. **Q03212:** Please describe all actions you took to pre-position or pre-deploy Department assets, other than FEMA or Coast Guard assets, including the dates the actions occurred, the Department components involved, the location of the pre-positioning or pre-deployment, and the assets involved.

Response: Again, the proper role of the Secretary is not to personally pre-position or pre-deploy commodities in specific locations. These specific operations decisions are assigned to emergency management personnel in FEMA with assistance from federal, state and local partners. I did take steps to ensure that all Department components and their assets were participating in the response. As mentioned in the response to an earlier question, all components of the Department—including FEMA; the Coast Guard; Customs and Border Protection; and Immigration and Customs Enforcement—were engaged in the Department's Katrina response. Additionally, DHS/FEMA activated several Emergency Support Functions as part of the National Response Coordinating Center, starting Wednesday, August 24, 2005 through Saturday, August 28, 2005. DHS/FEMA coordinated the activities of these ESFs along with its federal partners, and each Situation Report contained the current status of each active ESF.

During this time, FEMA and the Coast Guard pre-positioned significant assets in the Gulf Coast region. Indeed, two days before Katrina's Gulf Coast landfall, on Saturday, August 27, 2005, the President declared an emergency in Louisiana under the Stafford Act. This empowered the federal government to pre-position all necessary assets in support of the state and local first responders. As stated above, the Department has determined that 100% of the assets called for by the CIS in the first 48 hours *after* a catastrophic incident were pre-positioned *prior* to landfall. Even though this was not the type of "short notice" event contemplated by the CIS, DHS did what was called for under that document by deploying *more assets more quickly* than contemplated under the CIA.

In addition, many DHS component agencies participated in these ESF functions. Many illustrative examples have been described above. For instance, the National Communications System was activated to provide support for telecommunications and Information Technology. Also, the Immigration and Customs Enforcement/Federal Protective Service provided physical security to assure the safety of Federal personnel and equipment.

22. **Q03213:** DHS has not produced a transcript of the noon video teleconference held on the day of landfall, August 29. On Tuesday, February 14, DHS stated that it is not "routine practice" to record these VTCs. Yet the transcripts for the four days leading up to landfall and for the four days after were recorded. In his letter of January 9, the DHS General Counsel indicated that the department does not have this transcript. Please describe the steps the department took to locate the videotape or any transcript thereof.

Response: DHS determined, through speaking with FEMA personnel (who spoke with those who recorded the VTCs), that the VTC was not recorded at FEMA headquarters. I understand that the FEMA employee was made available to Committee staff to explain this; however, Committee staff declined to interview him. We have now located a recording of the August 29 VTC from one of FEMA's regional offices, and a transcript of that VTC has been provided. The Department has offered to make FEMA regional personnel available to describe the circumstances of this recording.

23. **Q03214:** When asked about steps you took in preparation the weekend before Katrina's landfall, your Chief of Staff John Wood said that he did not know of any "memos or specific . . . orders and things like that" and that he did not "recall hearing of specific directives that" you gave. (pp. 59-60). Please identify any orders, directives, or specific instructions that you gave over the weekend in connection with Hurricane Katrina.

Response: During my testimony on February 15, 2006 and in prior testimony, I spoke about certain of those activities I undertook prior to Hurricane Katrina's landfall, including discussions with state officials, directions to DHS officials, and coordination with other federal partners. In addition, I would refer you to the transcripts of the FEMA video teleconference that took place on Sunday, August 28, 2005 prior to the storm (which has been provided to your staff).

24. **Q03215:** On Sunday night, August 28, 2005, the population of the Superdome was over 10,000 and swelled to over 20,000 by Wednesday. By Tuesday, the Superdome had lost its main generator and with it all plumbing capability. Portable toilets, portable lights, food, water, and ice became critical. On Wednesday, a large volume of supplies, including—according to Mayor Nagin's testimony--portable lights, portable toilets, food, water, and ice, began to arrive at a FEMA staging area at Zephyr Field, but never reached the Superdome. On Tuesday, Wednesday, and Thursday, what role did DHS play to ensure the people at the Superdome were receiving the critical supplies they needed? Do you know supplies were slow to be distributed to those in need?

Response: When the needs of shelters not having an American Red Cross presence are identified by state and local officials, FEMA Logistics can provide requested support, to include such items as emergency food and water. For example, on August 28, 2005, before the hurricane struck,

FEMA Region VI requested that 10 truckloads of water and 5 truckloads of Meals Ready to Eat (MRE) be delivered to the Superdome. The convoy of 10 truckloads of water and 5 truckloads of MREs stopped halfway between the Florida state line and Mobile Bay because of safety concerns associated with the approaching storm. Immediately upon learning of the delay in these trucks, FEMA's Logistics staff made a verbal request to DOT at the Camp Beauregard commodity staging area in Louisiana. As a result of that request, five truckloads of water (90,000 liters) and two truckloads of MREs (43,776 MREs) were delivered to the Superdome before the hurricane made landfall. Food and water supplies were also provided to the Convention Center in New Orleans.

When high water cut off truck access to the Superdome, food and water were stockpiled at Zephyr Field. An ad hoc "air bridge" was set up by FEMA, the state and others in the field that kept a constant stream of food and water going to the Superdome by helicopter. FEMA also sent 350 port-a-johns to the Superdome when requested by Louisiana, but the truck was denied entry by guards. The driver waited several hours before leaving. Because commercial trucks could not get through the high water to the Superdome, port-a-johns were trucked to Zephyr Field, staged there, and subsequently taken to the Superdome by National Guard on high water profile military vehicles and unloaded at the back dock area. There were numerous port-a-johns there. Between August 28, 2005, and September 5, 2005, 66 trailers of commodities were delivered to the Superdome. Commodities staged at Zephyr Field were also distributed by the state to several locations.

Throughout this period I was concerned that supplies continue to flow to the Superdome, and repeatedly pressed through HSOC and FEMA that this be done.

25. **Q03216:** The city opened up the Convention Center as an alternative shelter on Tuesday, on Wednesday the press began to report the situation, and by Thursday morning televised images of the thousands of people there at the Convention Center were widespread. Yet DHS and FEMA had little to no presence there. Food, water, and medical relief did not arrive until Friday, and then only care of the Louisiana National Guard. On Tuesday, Wednesday, and Thursday, what did you do to follow-up with the PFO or any other federal official to learn about what was going on at the Convention Center, and how the federal government was responding to it?

Response: I was not informed that there was a substantial population at the Convention Center until Thursday, September 1. I attribute this delay to a lack of proper situational awareness in New Orleans. I directed that a representative from ICE/Federal Protective Service assess the situation at the Convention Center and report back to the HSOC. At the same time, because this lapse in reporting alarmed me, I directed the Coast Guard to map other areas where people had congregated so that supplies could be moved to them.

26. **Q03217:** Did you ever consider raise the issue prior to the time Katrina made landfall [sic]?

Response: The question is unintelligible. Generally, pre-landfall efforts were addressed in my response to question Q03215.

27. **Q03218:** Exhibit T from Wednesday's Hearing Book shows that an initial draft of a document labeled the "Catastrophic Incident Annex" was forwarded from FEMA to DHS and to the Homeland Security Council at the White House on March 1, 2004. The forwarded document includes an Execution Schedule that is at the heart of the Catastrophic Incident *Supplement*. Yet, nearly two years later, the Catastrophic Incident *Supplement* has still not been issued. Please explain the delay in completing this catastrophic planning document?

Response: I was not Secretary or at DHS until February 2005. I understand that the Catastrophic Incident Supplement was agreed to by the relevant agencies on September 6, 2005, after approval of a Memorandum of Agreement between the Departments of Defense, Health and Human Services and Homeland Security. This MOA allows DOD to activate the NDMS for military emergencies. Since September 6, 2005, and in light of Hurricanes Katrina and Rita, the CIS is undergoing additional review as part of the NRP review process.

28. **Q03219:** On October 19, 2005, you testified before the House Select Committee on Katrina that FEMA FTEs increased from 2,057 to 2,445 or 19% from 2001 to 2005. However, when Committee Staff interviewed Andrew Maner, DHS's Chief Financial Officer, he testified and provided a document that showed that FEMA's FTEs increased only from 2,057 to 2,131 during this time period. Please explain the discrepancy.

Response: The FTE figure for FEMA of 2,445 for FY 2005 referenced at the October 19, 2005 hearing was the official budget estimate from the FY 2006 President's Budget. FEMA did not yet have an actual FTE figure for FY 2005 prior to the October hearing. The document referenced in the document recently provided to Committee staff reflected updated figures provided by FEMA with actual FTE usage based on payroll records for FY 2005 of 2,131.

29. **Q03220:** You answered questions from the Senate's Subcommittee on Homeland Security appropriations dated April 20, 2005. In these answers, you stated that at the end of FY 2004 there were 357 vacancies in FEMA and that on April 20, 2005 there were 342 vacancies. When asked if the vacancy of so many positions affected the ability to prepare and respond to disasters you stated, "FEMA still is able to maintain its mission capability." The investigation, however, has shown that staffing shortages are a major problem for FEMA and significant obstacle to FEMA's being able to be prepared. On what did you base your response to the Subcommittee on Homeland Security saying that FEMA was still able to maintain its mission capability?

Response: I based my response on information furnished by FEMA. FEMA, like the rest of the federal government, has faced ongoing staffing challenges. FEMA's mission capability has revolved around its people since the very beginning. The agency has continually worked to

assess and build its capability as well as the capability of its people through resources of all types (staff, equipment, financial). FEMA staffing shortages, while appearing significant, are spread throughout its Headquarters, programmatic, regional, and support offices. Therefore, it has not had the effect that the raw numbers might imply from a surface review.

In addition, we work hard to maximize the efficiency and productivity of FEMA personnel, in order to best utilize this valuable resource. FEMA has also placed a greater emphasis on its human capital investment. Recruitment and retention initiatives have been implemented to help FEMA become more of an employer of choice. Such initiatives include a variety of work-life balance programs and a workforce planning effort to match tasks with the appropriate capabilities and talent.

30. **Q03221:** Under the NRP, the Secretary of Homeland Security is charged with determining the need for the National Emergency Response Team deployment. Did you personally have any role in the deployment of the National Emergency Response Team for Katrina? If not, why not?

Response: Senior FEMA management decided to activate the National Emergency Response Team (ERT-N) and members of the ERT-N were notified to deploy on Saturday, August 27, 2005.

31. **Q03222:** What was your understanding of the need for ground troops during the first week?

Response: My understanding is that DOD was "leaning forward" and moving assets and personnel into the region prior to landfall. I personally inquired of Mr. Brown about DOD's involvement prior to Katrina's Gulf Coast landfall and spent considerable time thereafter working with DOD and our other federal partners to employ available logistics and security assets. For example, on the video-teleconference on Sunday, August 28, 2005, I specifically asked whether DOD was fully engaged in the effort, and Mr. Brown assured me that DOD was present in the EOC and fully engaged in pre-hurricane preparedness.

I also understood that National Guard troops had been positioned in the area before landfall. After landfall, the military continued to provide ongoing support, including establishing a JTF in the field under General Honoré. The two Departments worked on the precise language of the "mission assignments" that would define what additional support would be requested and provided.

As mentioned in answers to other questions, I became very concerned about security and law enforcement problems in New Orleans, and was in regular contact with General Blum and/or other DOD officials regarding the need for additional National Guard troops in New Orleans starting on Wednesday, August 31.

32. **Q03223:** Did you communicate with General Blum, Chief of the National Guard Bureau, on his plan to bring National Guard troops from around the country to the gulf region? If yes, please describe all such communications, including when they occurred, what was said, who initiated them, and what form they took.

Response: I spoke with General Blum repeatedly in person and/or by telephone on Thursday, September 1, Friday, September 2, and Saturday, September 3 about the need to bring more National Guard troops from around the country to the Gulf Region.

33. **Q03224:** We understand that you were present in the White House around midnight on Friday, September 3 and were involved in discussions of a proposed change in the command and control of troops in the Gulf Coast. Please provide your recollection of these discussions.

Response: It would not be appropriate to disclose confidential discussions with the President or his senior staff.

34. **Q03225:** Please submit any documents that have been identified in your answers.

Response: I believe all documents identified in my answers have already been produced in the 350,000 pages of documents that DHS has submitted to Committee staff.

35. **Q03226:** Please identify all individuals working in the Office of the Secretary and the Office of the Deputy Secretary on August 29, 2005 who had disaster response experience prior to working at DHS, and describe that experience.

Response: As noted in my testimony, Colonel Stephan, General Broderick, Admiral Sullivan and others who dealt directly with me had directly applicable operational experience. When DHS was created one of the goals was to keep Headquarters staff to a minimum and rely directly on operational components. To that end, the staff remains small. I rely on the extensive collective experience of our operating components to provide advice and counsel on managing disasters. This was a strategy that had been successful in dealing with previous disasters during my tenure. It should also be noted that the Headquarters staff has experience with disaster management exercises like TOPOFF 3 and 4, and dealing with previous disasters and other FEMA relief efforts.

As for myself, prior to leading DHS, I served as the Assistant Attorney General for the Criminal Division at the Department of Justice. As Assistant Attorney General, I was the senior DOJ official (besides FBI Director Mueller) present in SIOC during the first hour of the 9/11 attack and was deeply engaged in managing the law enforcement response over the next hours, days and weeks. Prior to that, I spent more than a decade as a federal prosecutor, including service as the U.S. Attorney for the District of New Jersey, First Assistant U.S. Attorney for the District of

New Jersey, and Assistant U.S. Attorney for the Southern District of New York. In these capacities, although I did not deal with natural disasters, I regularly managed law enforcement emergencies.

Prior to joining DHS, Deputy Secretary Jackson served as the Deputy Secretary of the U.S. Department of Transportation. In this role, his tenure was particularly focused on DOT's response to the 9/11 terrorist attacks, including standing up the new Transportation Security Administration and management of recovery efforts for the nation's aviation industry. Mr. Jackson also held positions in prior administrations. He served at the White House as Special Assistant to the President for Cabinet Liaison and later as Chief of Staff to the Secretary of Transportation during George H. W. Bush's Administration.

Rear Admiral Timothy Sullivan, the Military Advisor to the Secretary, has 31 years experience in Coast Guard ship and shore operations and extensive Federal/local disaster response experience. He was the Federal Public Affairs coordinator for Secretary Card during Hurricane Andrew in 1992. He was the On-Scene Commander for United Flight 911 that lost its cargo door and nine passengers over the Pacific in 1989, as well as the On-Scene Commander for the 1996 TWA Flt 800 in Long Island Sound for the first ten days. He also served as Commanding Officer of U.S. Coast Guard Group (San Francisco) in charge of all Coast Guard operational forces in Northern California for two years and was the operational commander there on 9/11/01. He has had multiple sea and shore commands/tours that dealt extensively with interagency coordination both at sea and in port. He is a Harvard University, Kennedy School of Government Senior Executive National and International Security Program graduate and has extensive training in the Incident Command System.

Colonel Bob Stephan served as Special Assistant to the Secretary and Director of the Secretary's Headquarters Operational Integration Staff. In this capacity, he was responsible for a wide range of activities that included headquarters-level planning in the areas of strategic and operational planning, core mission integration, domestic incident management, training and exercises. Colonel Stephan held a variety of key operational and command positions in the joint special operations community during a 24-year Air Force career. During Operation Desert Storm, he deployed to Saudi Arabia as a joint battle staff planner and mission commander supporting Joint Special Operations Task Force strategic interdiction operations in Iraq. As a commander of two Air Force Special Tactics Squadrons, Colonel Stephan organized, trained, and equipped forces for contingency operations in Somalia, Haiti, Bosnia, Croatia, Liberia, Colombia, and Kosovo.

Commander Gail Kulisch, the Secretary's Military Aide, is a U.S. Coast Guard member with 22 years experience in Coast Guard operations and environmental response. At the Coast Guard, she filled several roles in the Incident Command System response structure at both the Branch Chief Level and Command level for numerous disaster response, and oil spill and hazardous materials release response operations in support of the Federal on Scene Coordinator. She is a Qualified Hazardous Materials Response Incident Commander (California Specialized Training Institute), Certified Hazardous Materials Manager (CHMM), and has a Master of Science in Chemical Engineering. She served three years as the Commanding Officer of the Coast Guard's

Atlantic Strike Team, National Strike Force, a specialized hazardous materials and oil spill response team (2000-2003), three years as the Marine Environmental Response Officer for Marine Safety Office LA/LB, two years as the Assistant Chief of Port Operations at CG Marine Safety Office Philadelphia, and six years assigned to Coast Guard cutters supporting multi-missions including Search and Rescue.

Lieutenant Commander Troy Hosmer, the Deputy Secretary's Military Aide, is a Coast Guard officer with 16 years experience. He served three years as Command Duty Officer at the Coast Guard Pacific Area Command Center. His duties included orchestrating response to all operations with the 75 Million square mile Coast Guard Pacific Theater of operations (i.e. search and rescue, maritime environmental pollution law enforcement, counter drug, alien migration interdiction, fisheries, etc.). He has over seven years of service at sea, on board Coast Guard Cutters where primary missions were to respond to all maritime hazards. He has conducted close to 100 maritime search and rescue cases, and saved/assisted numerous lives at sea. As the Commanding Officer of a Coast Guard ship before, during and after the 9/11 attack, he was tasked with performing multiple Homeland Security missions including port security and critical infrastructure protection.

Finally, General Matthew Broderick's operations qualifications are extraordinary. General Broderick joined the Department of Homeland Security in May of 2003 and currently serves as the Director for the Operations Directorate. In 1998, General Broderick retired after serving 30 years as an Infantry Officer in the United States Marine Corps. During his 30-year career, when not in command, he was in charge of operations centers at all levels of the Marine Corps, including battalion, regiment, brigade, division, and later, as the Deputy Director of Operations at the Marine Corps Headquarters, he was in charge of the Marine Corps National Command Center in Washington DC. Prior to coming to the Department, he was an adjunct consultant at the Institute for Defense Analysis (Systems Analysis) where he worked on major DOD projects to include the Marine Corps Over-the-Horizon, Ship-to-Objective Maneuver; C4ISR issues; and OSD Joint Deployable Headquarters C4I and facilities standardization efforts.

36. **Q03227:** On January 3, 2005, former FEMA Under Secretary Michael Brown announced the Disaster Support Initiatives, which he said were intended to "enhance capability to prepare for, respond to and recover from disasters regardless of size or cause." The seven initiatives included: (1) modified logistical capabilities for containerization, tracking and material handling; (2) enhancement of temporary disaster work force system; (3) enhancement of the National Disaster Medical System (NDMS); (4) enhanced catastrophic disaster planning and exercises; (5) National Emergency Operations Center (NEOC) and Regional Operations Centers (ROC) upgrades; (6) enhanced Individual Assistance and Public Assistance program capability; and (7) disaster communication upgrades. For each of these, please identify:
a. the specific recommendations made regarding this initiative;
b. the status of the implementation;
c. the projected dates for implementation; and

d. the costs associated with this initiative and what funding has been provided for such costs.

Response:

1. ***Modified Logistical Capabilities***: This initiative consists of two related programs: Strategic Pre-Positioning to ensure that critical commodities will be available, and Total Asset Visibility (TAV) designed to keep track of commodities while in the hands of vendors. FEMA is now working on pre-positioning for the upcoming hurricane season and has a TAV program under development. To date, $12.309 million has been obligated.

2. ***Enhancement of the Disaster Workforce***: The primary goals of this initiative are to conduct an in-depth analysis and propose solutions to the systemic problems of the disaster workforce and incorporate enhancements to the existing Automated Deployment Database (ADD). Procurement for the analysis is underway with results expected in approximately one year, and the ADD enhancements are planned for completion this year. The estimated cost is $3.5 million. No funds have been obligated to date.

3. ***Enhancement of the National Disaster Medical System***: This initiative is to develop and execute an integrated exercise program for all NDMS teams, consolidate team equipment and supply caches into regional stockpiles, and assess and improve operational readiness of the teams. Implementation is expected to span FY 2006 through FY 2008

4. ***Catastrophic Planning and Exercises***: This initiative supports five areas of catastrophic planning: mass care, temporary housing, decontamination, logistical support, and high-risk locality planning. Implementation is planned for FY 2006 and FY 2007. The estimated cost is expected be approximately $20 million. To date $65,000 has been obligated.

5. ***National Response Coordination Center and Regional Resource Coordination Center (RRCC) Upgrades***: The purpose of this initiative is to upgrade the physical and communication operational capability of FEMA's national and regional operations centers. Emphasis is placed on essential upgrades to the NRCC and Regions IV and VI RRCC's in FY 2006. To date $2.672 million has been obligated.

6. ***Enhanced Individual Assistance and Public Assistance Capability***: This initiative is to improve the quality and quantity of FEMA's disaster recovery services, including improvements in program and policy development, technology, operations and web-based services. Implementation has already begun and will span FY 2006 and FY 2007. To date, $1.234 million has been obligated.

7. ***Disaster Communications Upgrade***: The purpose of this initiative is to upgrade the communications and communications support systems that will allow more rapid and effective support to disaster field offices and disaster support teams. Implementation is planned for FY 2006. To date, no funds have been obligated.

In light of Hurricane Katrina, the scope of these initiatives continues to be reviewed.

37. **Q03228:** The investigation has revealed many problems with FEMA's disaster workforce. Indeed, in working on the Katrina response, on August 31, 2005 Justin DeMello, a FEMA employee, sent an email to Mike Hall, Acting Director of Personnel at FEMA. In the email, DeMello stated "The whole DAE [Disaster Assistance Employee] system is broken. We need to abandon it and move to something better. .". Hall responded, "You are preaching to the choir my friend!!!" What problems do you see with the disaster assistance workforce? What improvements do you intend to make in the disaster assistance workforce?

Response: As you may know, I recently announced plans to create a permanent disaster workforce that would form the core of FEMA's disaster workforce in the future. These disaster workers would be highly trained and capable of responding rapidly to incidents, including large and complex disasters, either natural or man-made. This nucleus of permanent professional disaster workers would be augmented by the Disaster Assistance Employee (DAE) reservist cadre and could be further supplemented by a surge cadre of disaster generalists who would be trained to perform a series of less highly skilled functions in times when a large pool of workers is required.

FEMA's Disaster Assistance Employees, also known as reservists, are a highly dedicated group of men and women who have made up the bulk of FEMA's disaster workforce since the Agency was founded in 1979. FEMA's disaster workforce has been and remains a critical link between FEMA's mission and mission capability. Providing help and hope, FEMA's disaster workforce has long been a respected and admired group of civil servants. While the DAE reservists have always responded to disasters with skill and devotion, the hurricanes of the past two seasons have highlighted certain shortcomings and an over-reliance on the reservist workforce.

Throughout the years, FEMA's mission has grown and the complex nature of disaster response and recovery operations has been elevated to a new level. This transformation has brought new challenges to disaster workforce staffing. Some of those challenges have included: meeting capability and capacity needs when multiple disasters are declared simultaneously; surge staffing capability; expedited local hiring; disaster workforce staffing issues related to payroll and personnel; the availability status of current DAE's; and DAE understanding and acceptance of working and living conditions during disaster response (and often recovery) operations.

FEMA is aggressively evaluating its DAE cadres and identifying those disaster workforce employees who have been inactive (for years) or labeling themselves as "unavailable for deployment." The intent is to ensure that FEMA's disaster workforce is truly a "reserve" workforce willing to be a part of FEMA's mission, regardless of the challenge presented, the nature of working and living conditions, or the duration of the disaster assignment. DAEs will soon be deployed based upon the requirements throughout the nation (not at the regional level). Field commanders will request resources based on response requirements, and DAEs will be deployed based on matching the task to the talent.

Because DAEs are essentially a reserve force, any number of them may be not available for deployment at a given time. Although members of the DAE workforce bring a wide variety of skills and experience to the disaster workforce, it is sometimes difficult to find sufficient numbers of reservists with specialized skills, especially when these skills are needed on short notice.

38. **Q03229:** Some have expressed concern that FEMA has reduced the role of its reservists in disaster relief efforts. Please describe any changes in FEMA's reliance on or use of the reserve force since January 20, 2001. In the last five years, have any names been cut from the list? If so, please explain the reason disaster assistance employees were cut from the list, when the cuts were made and what criteria was used for making any such cuts. Following the completion of the 2004 hurricane season were any reductions made in the number of disaster assistance employees in the cadre? In the last five years, have any caps, limits, or freezes been placed on hiring of disaster assistance employees? If so, please describe why and identify who was responsible for such decisions. When were any such caps, limits, or freezes lifted?

Response: FEMA's reliance on the Disaster Assistance Employee reservist workforce has not changed since January 2001, nor has its deployment and use of these important individuals to support disaster relief efforts. The DAE reservist workforce is revised on a continuous basis as reservists resign or leave.

Before the onset of last year's hurricane season, a temporary cap had been placed on hiring additional DAE reservists pending completion of a baseline assessment and establishment of a more equitable allocation of DAE positions across the regions. This decision was made by the Acting Director of Operations in conjunction with other FEMA senior managers, based on recommendations received from staff. However, with the onset of the Hurricane Katrina disaster, DAE reservist hiring restrictions were lifted and since that time FEMA was not restricted in hiring the DAE reservists that are needed.

39. **Q03230:** On August 23, 2005, how many individuals were in FEMA's reserve force? Please provide a list identifying individuals in the reserve force that were deployed for activities related to Hurricane Katrina, including the date when each individual was deployed and a general description of duties each individual was deployed to do. How many disaster assistance employees were hired after Katrina made landfall and for what positions?

Response: On August 23, 2005, there were 3,988 DAE reservists on the FEMA lists. Since that date, FEMA has added 4,037 new DAE reservists.

Hurricane Katrina presented FEMA, the federal government, the States of Louisiana, Mississippi and Alabama, the city of New Orleans and other communities with unprecedented challenges. Federal agencies and employees answered the call to protect and serve our citizens in need, and more than 4,300 federal employees were deployed (including over 1,000 from DHS) to address

resources needs. DHS/FEMA also hired several thousand career firefighters with a variety of experience and expertise to address response and recovery needs.

40. **Q03231:** When were the disaster reserve force employees called up for responding to Katrina's anticipated landfall in Louisiana, Mississippi, and Alabama? Please give the dates when and how many individuals were called up. Please provide the dates when such individuals arrived for duty.

Response: DHS/FEMA established two mobilization centers for incoming staff resources. Launched in Atlanta and Orlando, the centers processed new disaster workers, prepared them for deployment. Once requested, new disaster workers were immediately deployed for duty at a Joint Field Office under the direction of a Federal Coordinating Officer.

Resources continued to arrive for orientation and duty on a regular/daily basis. Daily telephone calls with Joint Field Offices and other sites in need of resources. This communication was also useful in identifying needs and deploying disaster workers to meet these needs, as well as anticipating future needs and mobilization of additional resources. This process allowed FEMA to meet the growing and changing people and skill requirements in the field on a regular/daily basis.

Beginning on August 23, 2005, Disaster Assistance Employee Reservists were called to respond to the threat of Hurricane Katrina.

Questions from Senator Daniel K. Akaka

1. **Q03232:** In the hearing you indicated that you did not realize that U.S. Northern Command (NORTHCOM) has responsibility for all states except my home state of Hawaii, which is covered by U.S. Pacific Command (PACOM). Would you please describe the relationship between the Department of Homeland Security and PACOM and explain how it compares to the close level of cooperation between DHS and NORTHCOM?

Response: We maintain extensive contact with the Department of Defense, and there are elements of DOD embedded in our operations, just as there are DHS employees embedded in theirs. We have worked tirelessly to ensure seamless coordination between the two agencies. We will continue to work collaboratively to ensure that there is similar coordination with the Pacific Command (PACOM) as with NORTHCOM. Next month I am traveling to Asia, and I have planned to visit Hawaii on the way to visit with PACOM commanders to discuss Hawaii's homeland security issues. I am confident that the planning and preparation for an incident in Hawaii is comprehensive and thorough.

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2. **Q03233:** On Friday, September 2nd, FEMA made an unprecedented request that DoD take over the entire logistics operation for Hurricane Katrina because FEMA was unable to track and deliver all the supplies that had been deployed to the Gulf region. Your proposed overhaul of FEMA includes improving FEMA's logistical systems to ensure effective and efficient distribution of needed supplies. However, these improvements cannot happen overnight. How long will DHS continue to rely on DoD for logistical support, and has DoD agreed to provide that support if needed?

Response: During the response efforts to Hurricane Katrina, DHS coordinated closely with the Department of Defense. Indeed, DOD provided extensive support and assistance regarding logistical support and planning. On or about September 1, 2005, senior FEMA officials initiated discussions with DOD to gain additional support for logistics (not to "take over the entire logistics operation") in Louisiana and Mississippi.

Nevertheless, a major DHS initiative is putting new logistics procedures in place before this year's hurricane season to alleviate some of the logistical problems we encountered with commodity delivery during Hurricane Katrina. Our "reinventing logistics" activities consist of two related programs to dramatically improve FEMA response capabilities. The first is Strategic Pre-Positioning, which will enable our logistics program to guarantee that supplies of critical commodities—like emergency meals—will be available under a vendor-managed inventory program. Strategic Pre-Positioning will also improve our abilities to quickly move these commodities by land, air, rail and sea. This includes pre-positioning supplies near major urban areas that are distant from FEMA's Logistics Centers.

The second related program is Total Asset Visibility (TAV), designed to keep track of these commodities during disasters while in the hands of vendors, inside FEMA and other facilities, in transit, and at delivery points. The automation of FEMA warehouses initiated in Fiscal Year (FY) 2005 will continue, as will the highly successful GPS trailer tracking system, in order to help close what had been a 20-year technology gap between the public and private sectors.

Strategic Pre-Positioning aims to deepen FEMA's existing relationship with the Defense Logistics Agency (DLA) by further allowing the DLA to order and guarantee stock, as well as move and track at least two critical commodity groups—emergency meals and pharmaceutical drugs. Strategic Pre-Positioning also includes placing FEMA vehicles and containers at large DLA and private transportation terminals where they can be quickly moved into disaster areas. Once emptied, the vehicles would be returned directly to the vendor for restocking.

TAV will implement a standard automated warehouse management system within eight FEMA Logistics Centers. TAV will allow Logistic Center managers to use proven technologies to better manage their specialized assets by using the same tools now common in the private warehousing and distribution sectors. TAV also provides for continued installation of the highly successful GPS tracking system used in FY 2005 on vendor and FEMA cargo vehicles. Finally, TAV provides for the establishment of dedicated FEMA Headquarters personnel to set up and manage a uniform asset tracking system in both Logistics Centers and the field.

I have had frequent, very useful discussions with DOD officials about DOD providing logistics support to FEMA during the upcoming hurricane season.

3. **Q03234:** In response to my question concerning the National Response Plan (NRP) stating that once an individual is named Principal Federal Official (PFO), he or she must "relinquish the conduct of all normal duties and function," you stated that you did not think that was the case and that Mr. Brown was authorized to act as both PFO and as head of FEMA. That is not my understanding and I would appreciate it if you could provide the Committee with the Department's interpretation of the PFO's authority.

Response: I think the question is premised on a misunderstanding of the NRP. The NRP states that "PFOs may not be 'dual-hatted' with any other roles or responsibilities *that could detract from their overall incident management responsibilities*." In this circumstance, Michael Brown, as the Director of FEMA, was the senior federal official with jurisdictional responsibility for the federal response to Katrina. His normal responsibilities for this DHS component were similar to the role of the PFO, and given his management of hurricanes in previous years, it seemed logical to appoint him in this role. Because of the overlap in responsibilities between the PFO and the FEMA Director, the latter did not "detract from [his] overall incident management responsibilities," and he was able to remain FEMA Director.

4. I also asked you about the failure to designate officially then Deputy Director of FEMA, Patrick Rhode, as FEMA Acting Director once Mr. Brown was named Principal Federal Officer. You stated that you did not name Mr. Rhode acting Director because you relied instead on the Chief Operating Officer to perform the functions of Director.
A. **Q03235:** First, why did you rely on a less senior official rather than turning to the Deputy Director of FEMA as acting head of the organization? Is this consistent with the command structure envisioned in the National Response Plan?

Response: There was no Acting Director while Mr. Brown was PFO, because Mr. Brown remained as FEMA Director. During the time of Hurricane Katrina, I consulted with many senior officials at the Department and its component, the Federal Emergency Management Agency (FEMA). I particularly sought the advice of experienced emergency management officials at FEMA—at FEMA Headquarters (including the National Response Coordinating Center), in the FEMA regional offices, and at the local FEMA operations facilities. This principal pool of talent with years of disaster management experience was fully engaged prior to and after Katrina made landfall.

It is important to note that I looked to many individuals for guidance and counsel, and did not rely upon any one FEMA official to the exclusion of another. Indeed, I consulted regularly with several officials, including Ken Burris (FEMA Director of Operations). As you know, Mr. Burris had nearly 30 years of emergency management experience, and it was on the advice from

him and other career officials that I relied. Given their different roles, capabilities, and backgrounds, I consulted with both to gain the best possible counsel.

This approach is consistent with the National Response Plan. The NRP excerpt that Senator Akaka referenced during the February 15, 2006, hearing provided that the PFO may relinquish the conduct of his/her normal duties and functions, and that the PFO must not be "dual-hatted" if his other roles or responsibilities "could detract from the overall incident management responsibilities."

In the case of Hurricane Katrina, I did not feel that Mr. Brown's role as Director of FEMA "detracted" from his responsibilities as PFO. Indeed, I believed, at the time, that Mr. Brown's role as FEMA Director gave him unique opportunities to coordinate the PFO responsibilities with his oversight and supervision of FEMA assets and resources at its Headquarters, in its regional offices, and locally in the Gulf Coast. Such authority actually enhanced his ability to fulfill his responsibilities as the PFO. Unfortunately, as Mr. Brown testified on Friday, February 10, 2006, he deliberately chose not to execute his responsibilities as PFO, as envisioned in the NRP.

B. **Q03236:** Maintaining the integrity of the chain of command is one of the basic tenets of administrative doctrine. Did you inform Mr. Rhode that it was the Chief Operating Officer not the Deputy Director to whom you were looking for leadership in the agency?

Response: I consulted with both Mr. Rhode and Mr. Burris and other senior FEMA career officials during the timeframe of Hurricane Katrina. They all provided input based upon their backgrounds, experience, capabilities, and knowledge. I welcomed their guidance from differing perspectives.

C. **Q03237:** Did you officially designate anyone as Acting Director or did you rely on verbal commands without written delegation of authority?

Response: As explained above, there was no need to designate anyone as an Acting Director of FEMA while Mr. Brown remained as Director. In practical terms, everyone at FEMA, not only Michael Brown, was working full-time on the response activities for Hurricane Katrina.

5. Former FEMA Director Brown testified before this Committee that one of his concerns in responding to Hurricane Katrina was that DHS "stay out of his hair" so he could get things done. Mr. Brown also said there were times he chose to report directly to the White House rather than to you, as head of DHS. Clearly, Mr. Brown acted outside of the chain of command.
A. **Q03238:** Did you have a responsibility to ensure that he reported to you and that you received the necessary information?

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Response: As I noted during my testimony of February 15, 2006, I am responsible for the Department of Homeland Security, and I am accountable for the performance of the entire department. In addition, I also have the responsibility to fix what went wrong.

I became aware during Hurricane Katrina that we were experiencing difficulties obtaining situational awareness. However, I was not aware, until I saw Mr. Brown's testimony, that he had been intentionally withholding information from me. Had he been forthright with me, I would have relieved him immediately.

Since Katrina, we have taken significant steps to improve the situational awareness of the Department during incidents of national significance. As soon as permitted by law, on October 1, 2005, the first step was to integrate the various operations centers within the Department into one office, as part of the Second Stage Review (2SR) of the Department.

In particular, we have established a 6-person national reconnaissance team that can be deployed in the immediate aftermath of an incident. In this way, the Department can receive real-time reporting of the facts on the ground, and the team can help us understand the priority concerns and allocate resources accordingly. A prototype of this concept was tested during the past Super Bowl with excellent results. In addition, Immigration and Customs Enforcement (ICE) has provided 26 two-person teams from offices throughout the country which can be deployed immediately to an incident anywhere within their region and use assets to report situational awareness directly back to the HSOC. They will begin their initial training next month.

Moreover, we have designated "Principal Federal Officials in waiting." These Principal Federal Officials will have an opportunity to work cooperatively with state and local officials on an ongoing basis to plan and train together. In this way, we can develop and build the kinds of relationships that one needs to rely upon when an emergency strikes.

These are just some initial changes to begin to address some of the lessons we learned from Hurricane Katrina.

B. **Q03239:** Did anyone in the White House communicate to you about their conversations with Mr. Brown?

Response: I do not recall the specifics of such conversations from the time period in question.

6. **Q03240:** I've been surprised and dismayed by testimony from a number of DHS officials over the failure to share information within the Department, which severely hindered DHS's ability to respond to Katrina. One of the most glaring weaknesses was the Homeland Security Operations Center's (HSOC) lack of situational awareness and its dependence on the news media as a source

of information. How do you explain the dismal failure of the HSOC to get timely, accurate information and how will this problem be corrected?

Response: The HSOC operated under very difficult and trying circumstances on the first few hours after landfall of Hurricane Katrina. Their job was to compile and reconcile a massive amount of information during this hectic time. I believe that HSOC professionals exercised their best judgment under the circumstances and provided the best information that the HSOC could confirm, as explained during my testimony. FEMA's operations center was not as well integrated with HSOC as it should have been.

We are intent on improving our ability to gain situational awareness. Our Second Stage Review (2SR) of the Department resulted in the establishment of the DHS Operations Directorate, effective pursuant to law on October 1, 2005. This new office consolidated the operations functions of Border and Transportation Security, the Homeland Security Operations Center, and the Integration Staff (I-Staff) into a single Operations Directorate. This new Directorate and the ongoing initiatives to improve situational awareness will enhance the operational organization, structure, functioning, and execution throughout DHS. The new DHS Operations Directorate enhances command and control and provides unity of effort for operational matters throughout DHS through information sharing, integration of internal and external operations, incident management, and facilitation of rapid staff planning and execution. In addition, I have mandated that we consolidate incident management functions in the same location to form a unified operations center, so that we have a better integration of information among the HSOC and the NRCC, as well as throughout DHS and across the Federal government. But I acknowledge our integration was incomplete, partly because of technological issues, but also some institutional resistance to full integration of FEMA into DHS.

Further, I have already mentioned the work we are doing to enhance and expand communications capabilities that will allow DHS, FEMA, and our federal, state and local partners to get better situational awareness about conditions and events on the ground as they unfold during a disaster. We have begun the process of assembling specialized reconnaissance teams from existing homeland security assets, including the aerial assets of the Coast Guard, Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE). These self-sufficient teams will be able to establish emergency communications and relay vital information back to DHS, so that we can develop a common operating picture of what is happening on the ground and what the needs are.

7. **Q03241:** The HSOC failed to get information to you. FEMA failed to get information to you. Your chief of staff failed to get information to you. From which office or individual did you expect to get situational information?

Response: To answer the underlying question, I receive information from the Homeland Security Operations Center. The HSOC has about 45 Federal, state and local agencies represented. The HSOC's information is based upon receiving reports from the tactical-level and

operational-level information centers. It is critical that one element collect, fuse, and analyze information. (As explained above, my chief of staff did not fail to provide information. The e-mail at issue was sent to my chief of staff and others. It contains "unconfirmed reports" and does not mention that levees had breached.)

HSOC must receive information from a variety of sources—notably, the individuals closest to the center of activity: the incident commander, Principal Federal Official, Federal Coordinating Officer, state and local officials, Regional Response Coordinating Center, and the National Response Coordinating Center—in order to be effective. The lack of information from the field, or the surfeit of conflicting information from the field, coupled with the typical difficulty in getting information on the first day of a hurricane, impeded HSOC's ability to get full situational awareness.

8. **Q03242:** At 7:35 pm on Monday, August 29th, the HSOC issued a situation report stating that the levees had been breached. Two hours later, your chief of staff, John Wood received an email telling him there was extensive flooding in New Orleans. Yet, you told the media that you did not become aware of the flooding until mid-day on Tuesday. When Mr. Wood was asked about this communication failure in a committee interview, he said that he could not explain why you had not received this information. He also said that there has been no internal inquiry to determine why this information was not being given to you. Have you determined why you didn't receive these critical reports?

Response: I disagree with the premise of this question. As you know from the transcript of the August 29 VTC, the Department was aware of some level of flooding earlier that day. The e-mail to my chief of staff does not mention levee breaches. There is a critical distinction between flooding and breach of a levee. Flooding is an incident of almost all hurricanes. Levee breach is extraordinary. I told the media I became aware of a substantial breach early Tuesday and then sometime later that it was irreparable.

I have been informed that, throughout the day on Monday, there were conflicting and inconsistent reports about the levees, as it was difficult to ascertain the truth. The Committee is aware of the array of conflicting reports. Based upon the reports of flooding in the area, I am informed that it was not clear whether the flooding was extraordinary or out of the norm for a significant hurricane with substantial rainfall, or whether the more than 30 pumps in the city of New Orleans would be able to channel the excess water appropriately.

In addition, I believe that the HSOC was concerned with confirming the information before passing it along, and I know they worked very hard to distill and verify the reports. I have informed the HSOC that, in the future, they should share information with me, even if it cannot be fully confirmed, and that they should also inform me of any contradictory information.

Because the operators and first-responders were already working to save lives and minimize the consequences of the flooding, it is not clear that there was any further action to undertake, even if this report had been received on Monday.

9. **Q03243:** Former Undersecretary Michael Brown provided this committee with an email from his deputy chief of staff, Brooks Altshuler, dated September 1, 2005, that states: "Please talk up the Secretary during your press availability, i.e. 'Solid team with solid support from the secretary' etc." The email went on to say that the reason for the message was that people at the White House were seeing some friction between you and Mr. Brown. Was this a message that you wanted conveyed to Mr. Brown or did it come from the White House?

Response: I do not know why Mr. Altshuler sent this message to Mr. Brown. It was not done at my request.

10. **Q03244:** You have announced a number of new measures to strengthen FEMA in the aftermath of Hurricane Katrina. Could you clarify for the Committee who in DHS, and specifically in FEMA, participated in the after-action assessment of FEMA that resulted in the reforms, and how the after action assessments were conducted?

Response: The evaluation of reforms in the aftermath of Hurricane Katrina is still ongoing. The evaluation is being done under the leadership of myself and Deputy Secretary Jackson, as well as Acting Director R. David Paulison and Acting Director of Operations Kenneth Burris within FEMA.

11. **Q03245:** In your prepared statement you said that DHS has begun a second phase of the review of city emergency plans which includes site visits. Did you undertake this second phase as a response to Hurricane Katrina or were the site visits part of the original review plan?

Response: We are working with Federal, State and local officials to review the emergency operations plans of every major American urban area to ensure that they are clear, detailed and up to date. Specifically, following Hurricane Katrina, President Bush directed DHS to conduct an immediate review of emergency plans for the nation's major cities. Congress subsequently directed DHS and the Department of Transportation (DOT) to review plans for all states and territories and 75 of the nation's largest urban areas, with particular emphasis on evacuation planning.

The primary objective of this review is to assess the adequacy and feasibility of the nation's emergency plans for catastrophic disasters. DHS launched a two-phase review process in cooperation with DOT. The first phase involved self-assessment of plans by States, territories and urban areas/major cities using guidance and criteria provided by DHS. On February 10, 2006, DHS provided a report summarizing Phase 1 results to Congress, which suggested

measures necessary to implement systems that will allow the Federal government's response to be more proactive when state and local authorities are overwhelmed by a disaster.

The second phase, which is underway, involves visits by Peer Review Teams comprised of former state and local emergency management and homeland security officials to 131 States, Territories and urban areas. These Peer Review Teams are invaluable to validate self-assessments, determine requirements for planning assistance, collect best practices, and recommend corrective actions. A Final Report, including recommendations will be provided to the President and Congress by May 31, 2006. Also, DHS and DOT have been tasked to review the evacuation plans of the Gulf Coast and adjoining states. A final report on that review is also due on May 31, 2006.

12. **Q03246:** You testified that you "intend to take better advantage of aerial and satellite imagery from commercial providers." I believe geospatial information is a great tool. That's why I championed the establishment of a DHS Office of Geospatial Management. One of the problems apparent in the response to post Katrina problems was that various components within DHS approached the National Geospatial Agency (NGA) separately to request overhead imagery. I originally intended the Geospatial Management Office to play a central role in deconflicting imagery requests. Indeed, some your agency managers did not seem to be aware that the Office existed. Why was this office not used in this way; how do you intend to better utilize geospatial information, and what role will the Geospatial Management Office play?

Response: In the future, we intend to improve coordination between FEMA and the Geospatial Management Office (GMO).

As you may know, the Geospatial Management Office was established within the Office of the Chief Information Officer in 2004. The GMO is primarily focused on the coordination and consolidation of Department-wide geospatial software and data acquisitions. In addition, the GMO provides leadership in coordinating and promoting geospatial standards, geospatial grant guidance, and coordination with Federal Geographic Data Committee.

The GMO provides imagery support and other geospatial data to DHS component during a crisis situation, and FEMA works with several sources, including the National Geospatial Intelligence Agency (NGA) to reconcile various images.

13. **Q03247:** In his committee staff interview your chief of staff, Mr. John Wood, indicated little awareness of the Department of Homeland Security's responsibilities under the National Response Plan (NRP) and the National Incident Management System (NIMS). He did not seem to grasp what an Incident of National Significance is under the NRP nor did he seem to have a firm understanding of the roles of the Department of Defense or the Department of Transportation in relationship to FEMA mission assignments. What steps are you taking to

ensure that your immediate staff are aware of their roles and responsibilities under the National Response Plan?

Response: I disagree with the underlying premise of this question. Indeed, Mr. Wood testified that he believed the President's Emergency Declaration made Hurricane Katrina an Incident of National Significance. While some have disagreed with this interpretation, it is supported by the plain text of the NRP, and it does not indicate a lack of understanding of the NRP. In fact, I believe that Mr. Wood cited the exact page of the NRP that supports his interpretation. The White House Lessons Learned report observes that there are some ambiguities in the NRP; but the fact that a document is ambiguous should not lead to the conclusion that DHS personnel did not understand it. Additionally, it should be noted that Mr. Wood is my Chief of Staff and therefore does not have day-to-day responsibility for the National Response Plan. Instead, I rely on the experienced subject-matter experts for guidance and counsel regarding the NRP.

In any event, if there is confusion about the meaning of the NRP we must clarify the document. We are addressing that now.

We are enhancing our training efforts to ensure that all DHS personnel who might be called upon in the event of an incident of national significance are very familiar with the concepts of the NRP. These individuals must also participate in ongoing training exercises for different types of emergency, disaster, or catastrophic incidents, whatever the cause—whether it be a man-made, terrorist attack or a natural disaster. It is vital that DHS officials and employees must remain sharp as to the tenets of incident management.

14. **Q03248:** In response to a question by Senator Collins you explained that you flew to Atlanta on Tuesday, August 30th, because of your scheduled meetings on the avian flu and did not fly to Baton Rouge out of concern that you would interfere with operational matters.
It is not clear to me why you did not stay in Washington in the operational center where you would have been in a position to monitor developments and responses, ensuring steps were taken to coordinate relief efforts?

Response: On Tuesday morning, August 30, 2005, I traveled to Atlanta. I did this for two reasons—first, to attend a long-planned meeting on preparedness for avian flu at the Center for Disease Control with Secretary Leavitt; and second, to be present at the FEMA emergency operations center in Region IV. As you know, Region IV had half the responsibility for coordinating the response for Katrina. This got me "close to the ground" without the risk of disrupting the operators in Baton Rouge. Even during my brief time at CDC that day, I stayed in telephone contact regarding Katrina issues.

During these hours away from Washington, DC, I kept close tabs on what was happening with the levee system in New Orleans and other important issues, trying to get visibility on the situation from closer to the center of activity. My thought was that this trip would be a way to

get additional perspective on what was happening on the ground by talking to operational people, without interfering with the operations in the affected region and without creating any confusion as who was running the immediate incident management in the field. In addition, the Department has provided me with 24-hour communications capability, with immediate access to a secure telephone and a secure fax; essentially, all of the connectivity that my office in Washington provides. The whole point of this is to allow me to operate on the move as I would in D.C. I spent a great deal of time discussing Katrina on the phone and in communication with Headquarters on Tuesday, including phone calls while at CDC. So, with those things in mind, I did take the trip.

15. **Q03249:** Prior to Katrina, the General Services Administration warned federal agencies a week before landfall in New Orleans that action must be taken to protect federal assets. The U.S. Postal Service moved mail out of its New Orleans processing center. The Thrift Savings Plan, whose records for the federal government's pension plan, are housed in New Orleans, removed its computer tapes. Have you asked for an inter-agency assessment to determine how these agencies were better able to prepare for the impact of Hurricane Katrina while the Department of Homeland Security was not?

Response: I disagree with the premise of the question. Of course the Department was prepared for Katrina in the same way the General Services Administration, U.S. Postal Service and others were: Components of the Coast Guard, Secret Service, Customs and Border Protection, Immigration and Customs Enforcement, Citizenship and Immigration Services, and the Transportation Security Administration all exercised component COOP plans and were able to perform their essential functions, or devolve their essential functions seamlessly to another unit within hours of the Hurricane clearing the area.

DHS has a large part in the other agencies' success in this area. In addition to publishing COOP guidance, DHS/FEMA, working with the interagency community, has provided COOP program management training in many of the areas impacted by the hurricanes of 2005, including a course delivered in New Orleans in July, 2005. Also, DHS/FEMA works closely with the Federal Executive Boards (FEBs) across the country to develop COOP Working Groups for the Federal Interagency Community. As a result of this effort, DHS/FEMA and the FEB COOP Working Groups have conducted COOP tabletop exercises. These valuable training and exercise opportunities were augmented by extensive COOP technical assistance provided by FEMA Headquarters and Regional subject matter experts through COOP working group meetings, COOP exercises, planning assistance and one on one communication.

Following Hurricanes Katrina, Wilma, and Rita, DHS/FEMA and the FEBs conducted COOP after-action reviews for the federal Departments and Agencies in the impacted areas. During these reviews, several individuals identified additional COOP planning requirements, including: conducting annual reviews of COOP plans and procedures; identifying alternate operating facilities and reconstitution sites prior to events; activating COOP capabilities to anticipate evacuation delays; protecting vital files, records and databases from hazards; improving

personnel accountability procedures and family support planning; and enhancing communication and coordination with internal and external customers. These lessons learned from these events will be included in future guidance and training activities for the COOP community.

16. **Q03250:** On September 23rd, on the eve of Hurricane Rita's landfall after Katrina, President Bush visited the NORTHCOM Joint Operations Center to monitor the storm and national response efforts. Why did the President rely upon NORTHCOM and not HSOC for this critical situational awareness? In this sense, did you rely on NORTHCOM as well?

Response: It is important to note that during the landfall of Hurricane Rita, I visited the NORTHCOM Joint Operations Center with the President. I thought it would be important to see how another operations center works and functions during an emergency situation.

I did not rely on NORTHCOM to the exclusion of the Homeland Security Operations Center. Indeed, DOD is well represented in the HSOC itself, and this DOD desk receives information from NORTHCOM as well as the Homeland Defense Coordination Office. We rely on the capabilities of the military and other organizations to contribute to the HSOC information-gathering and dissemination efforts.

I visited NORTHCOM to try and gain another perspective on the incident, as I believe it is important to gain information from all relevant agencies—both the HSOC and NORTHCOM as well as other sources. The Federal Government is redoubling its efforts to coordinate in times of crisis, and I am working and will continue to work towards improved information-sharing between the HSOC and NORTHCOM.

Questions from Senator Carl Levin

1. **Q03251:** On Saturday August 27, 2005, two days before Hurricane Katrina made landfall, at 9:00 a.m., FEMA staff gave a briefing to senior FEMA officials using a 5-page PowerPoint presentation which stated, in part, the following:

--"Storm surge could greatly overtop levees and protective systems."
--"Potential fatalities = 60,000"
--"Incredible search and rescue needs (60,000+)"
--"Displacement of 1-million+ population"

Did you attend this briefing? If so, please identify the FEMA personnel who provided the briefing. If not, were you given a copy of the PowerPoint presentation on August 27 or prior to landfall?

Response: I did not attend this briefing, and do not recall if I received a copy of the presentation.

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2. **Q03252:** On Sunday, August 28, the DHS National Infrastructure Simulation and Analysis Center (NISAC) modeled the potential consequences of Hurricane Katrina. A report describing the results of the modeling was emailed very early on Monday morning, August 29 at 1:47 a.m., to a number of persons, including John Wood, your Chief of Staff; Michael Jackson, your Deputy Secretary; the Homeland Security Operations Center (HSOC); and the White House Situation Room. The report stated in part: "The potential for severe storm surge to overwhelm Lake Pontchartrain levees is the greatest concern for New Orleans. Any storm rated Category 4 or greater … will likely lead to severe flooding and/or levee breaching. This could leave the New Orleans metro area submerged for weeks or months." Did you see a copy or were you informed of the NISAC report on the morning of August 29?

Response: I do not recall specifically seeing the NISAC report on Monday morning, August 29, 2005. However, I was well aware that a significant hurricane hitting New Orleans could cause damage to the levee system in that area. That is why on Sunday I specifically asked Michael Brown if he had arranged for DOD to be engaged and whether he needed help with DOD. He assured me that DOD was engaged and identified the DOD officer in the room working on the tasks.

3. **Q03253:** Throughout the day on Monday, August 29, 2005, the day Hurricane Katrina made landfall, DHS and other government personnel repeatedly reported severe flooding in New Orleans and a breach of one or more levees. For example, an email from the U.S. Coast Guard dated August 29, at 1:51p.m., which was sent directly to the HSOC stated: "A levee in New Orleans has been breached sending 3 to 8 feet of water into the 9th Ward area of the city." Despite these repeated reports, at 6:00 p.m. that day, a HSOC "SITREP" stated: "Initial reporting indicates that the levees in New Orleans were not breached."

a. Please identify by name and job title the person or persons who included this erroneous information in the 6:00pm HSOC SITREP and basis for why they included it.
b. Did you see a copy of this document on August 29? If so, please identify the person or persons who provided it to you. If you did not see a copy of the document, but were told about its contents, please identify the person or persons who gave you that information on August 29.
c. Is this is the only DHS document on August 29 which reported that the New Orleans levees had not been breached? If not, please provide copies of all other DHS documents on August 29 providing that information.
d. Were you told by DHS personnel on the evening of August 29 that there were conflicting reports on the extent of flooding in New Orleans?
e. At 10:00 p.m. and again at 11:00 p.m. on August 29, FEMA Director Michael Brown made televised statements that there was severe flooding in New Orleans. In one instance, he said that "There are tens of square miles of homes inundated with water up to the roofs." In the other he said, "we now have literally neighborhood after neighborhood that is totally engulfed in water." Did you see his televised statements on August 29? Were you informed of them that night? If not, please identify who should have informed you during the evening of August 29 that there was severe flooding in New Orleans.

f. Please describe the action you have taken or will take to hold accountable the person or persons who provided you with erroneous information about the flooding of New Orleans.

Response: As I had testified before the Committee and in many of my other responses, I have been informed that there was a lot of conflicting information that was being transmitted to the Homeland Security Operations Center on Monday, August 29, 2005. Their job is to compile and try to reconcile this flurry of information. In particular, I was very concerned about the levee system, and as a result, I was continually asking questions about the status of the levees on Monday.

Although I did not receive these reports at the time, the HSOC has since re-reviewed the information that had been forwarded during that hectic day. In that re-review, the HSOC has determined that there were many submissions reporting "overtopping" of the levees. At FEMA's noontime video teleconference on Monday, August 29 in which I participated, the transcript shows that both Max Mayfield and Governor Blanco reported that they believed the levees had not breached. Further, based upon the reports of flooding in the area, I am informed that it was not clear whether the flooding was extraordinary or out of the norm for a significant hurricane with substantial rainfall; or whether the more than thirty pumps in the city of New Orleans would be able to channel the excess water appropriately. I understand that, in Michael Brown's media appearance that you base your question on, he similarly did not mention levee breaches. The evening Situation Report affirmed that there was evidently no levee breach. It is my understanding that these documents have been produced to your staff.

4. **Q03254:** On Sunday, September 4, you made the following televised statement on MSNBC: "It was on Tuesday that the levee—may have been overnight Monday to Tuesday—that the levee started to break. And it was midday Tuesday that I became aware of the fact that there was no possibility of plugging the gap and that essentially the lake was going to start to drain into the city. I think that second catastrophe really caught everybody by surprise." You made this statement a week after the hurricane. Had you been informed by September 4 that the levees had broken during the morning of Monday, August 29?

Response: Even now, it cannot be stated with certainty the precise time when various levees were breached. Also, I think it is confusing to discuss the levees breaching as a single event—I understand that studies show that various levees may have been overtopped before they breached, that different levees ultimately breached over a period as long as 12 to 18 hours, and that different levee breaches caused different results. But at any rate my answer reflected my understanding at the time. During the week before, I was focused on the crisis, and not on past events.

5. **Q03255:** FEMA recorded and produced transcripts of the video teleconferences pertaining to Hurricane Katrina for the four days leading up to landfall and the four days after landfall. These eight transcripts have been provided to the Committee. A video teleconference also took place

on August 29, the day of landfall, but this transcript has not been provided. Various explanations have been offered for the missing transcript, including that it could not be found and that someone probably forgot to press the "record" button. On February 14, 2006, DHS wrote to the Committee: "It has not been, and is not now, routine practice of the Federal Emergency Management Agency to record each video teleconference, or VTC that takes place during a disaster. With all of the events taking place during landfall of Hurricane Katrina, the Office of Public Affairs staff (which taped the VTCs) did not always manage to record VTCs which were organized and staffed by the National Resources Coordination Center at FEMA, a separate and distinct operational division."

a. Is it standard DHS or FEMA policy to record video teleconferences which take place during a disaster?
b. Was the August 29 video teleconference recorded?
c. If the August 29 video teleconference was not recorded, what is the reason?
d. Who participated in the August 29 video teleconference?

Response: DHS determined, through speaking with FEMA personnel (who spoke with those who recorded the VTCs), that the VTC was not recorded at FEMA headquarters. I understand that the FEMA employee was made available to Committee staff to explain this; however, Committee staff declined to interview him. We have now located a recording of the August 29 VTC from one of FEMA's regional offices, and a transcript of that VTC has been provided. The Department has offered to make FEMA regional personnel available to describe the circumstances of this recording.

6. **Q03256:** On February 13, 2006, the U.S. Government Accountability Office (GAO) testified before this committee about its study of FEMA's Individuals and Household Program (IHP). GAO's prepared testimony states: "In the course of our work, we made numerous written requests for key documents and sets of data related to the IHP, most dating back to October 2005. While FEMA officials promptly satisfied one key part of our request—databases of IHP registrants and payments—the majority of what we requested has not been provided. On January 18, 2006, the Department of Homeland Security (DHS) Office of General Counsel did provide us with well less than half of the documents that were requested. While the database and other data provided by FEMA enabled us to design procedures to test the effectiveness of FEMA's system of internal controls, it did not enable us to fully determine the root causes of weak or non-existent controls and formulate detailed recommendations."

a. Were you aware that DHS was withholding information from GAO on this matter? Were you consulted about that decision to withhold information from GAO?
b. Why is DHS continuing to withhold information requested by GAO?
c. Will you make a commitment to provide the remaining information to GAO within the next 30 days? If not, why not?

Response: I have not participated in document production. However, I do not believe that these statements are correct; I understand that there is no information being improperly withheld from the Government Accountability Office. Given the nature and scope of the GAO's numerous

inquiries and the volume of documents requested, it is important to ensure that the interactions with the Department are conducted in a structure and organized fashion, which may result in delays. Nevertheless, we will make every effort to ensure that GAO is provided relevant information to their inquiries in a timely manner.

7. **Q03257:** The DHS IG reports that FEMA purchased 24,967 manufactured homes at a cost of $858 million, and 1,295 modular homes at a cost of $40 million. Because of FEMA regulations, apparently neither of these types of homes can be used in flood plains, the very places where they are needed.

a. Was this a $900 million mistake?
b. If so, please identify who you are holding responsible for this mistake, and the action that has been or will be taken with regard to each such person.

Response: This was not a mistake. In the aftermath of Hurricane Katrina, we faced a number of challenges regarding temporary housing for affected individuals and families. Some early decisions regarding temporary housing to purchase manufactured homes were influenced by the projected number of displaced individuals, the projected damages, long-term recovery efforts, and the perceived impact of the storm on the housing resources in the area and surrounding states. Based on past disaster experiences, when indications appear to point toward a significant need for temporary housing resources, especially manufactured homes, the general practice is to acquire one percent of the projected need and use those units as a portion of the overall housing resources. Typically, the temporary housing units are not the preferable option and offered only when all other types of housing resources have been fully utilized.

After Hurricane Katrina made its Gulf Coast landfall, FEMA placed orders for several types of manufactured housing, anticipating that the needs would be unprecedented. There were orders placed to purchase more than 100,000 travel trailers and approximately 25,000 mobile homes. Part of the early housing strategy outlined plans to construct large group sites to meet the longer-term housing needs of communities that had been wiped out, an approach that would require mobile homes, not travel trailers, to implement. These assessments were being made during the first few days after the disaster with the information available at that time and a desire to restore communities.

Many local jurisdictions, however, decided not to allow manufactured housing units to be placed in their communities. In addition, there were shortages of construction workers appropriately licensed to work in the impacted area. Also, some communities did not adjust their permit requirements to respond to the emergency. When much of the impacted area is located in special flood hazard areas, it is generally FEMA practice to avoid placing people back in these areas whenever possible, in accordance with Executive Order 11988 which provides guidance for building in special flood hazard areas. Given an unprecedented number of households requiring long-term housing assistance, the number of special units for disabled applicants also increased, which necessitated special procurements and required compliance with the Americans with Disabilities Act.

When the affected population is mostly renters, the availability of individual lots is extremely limited in comparison to the projected number of people displaced. Consequently, more commercial and group sites must be identified. Debris removal, availability of utilities, and lot size also had a significant effect on the placement of mobile homes and travel trailers. For example, many of the individual lots were either too small, and/or the utility infrastructure was not available to safely inhabit the unit on the site. In addition, space is needed to make actual repairs and requires adhering to local zoning and permitting requirements, many times not accessible to disaster victims.

All of these factors have limited the use of mobile homes relative to the housing strategy originally envisioned for the Katrina impact area. However, we anticipate that those homes will be used by evacuees in future disasters.

8. **Q03258:** On the night of Wednesday, August 31, 2005, televised reports showed thousands of people gathering at the Convention Center in New Orleans despite inadequate supplies of food and water. For example, the CNN Anderson Cooper program at 7:00 p.m. reported: "3,000 people ... had gathered at this Convention Center. These people are hungry. They're tired. They've got nowhere to go. They've got no answers, and they've got no communication whatsoever." CNN with Paula Zahn reported: "[T]here are literally thousands of people lined up at this convention center wandering aimlessly, I mean, mothers with their babies, little kids, walking through this putrid water. And there's this dead body that is just sitting there." The next day, Thursday September 1, during an interview with NPR, you stated: "Actually I have not heard a report of thousands of people in the convention center who don't have food and water." Please identify the person or persons who should have informed you about the severe problems at the Convention Center.

Response: As you know, the National Response Plan relies upon the battlefield commander and other information-gatherers to provide accurate, timely, reliable information to Department headquarters, namely the HSOC and the IIMG. Mr. Brown was expected to follow the plan and provide situational awareness to the HSOC and IIMG. Unfortunately, by his own admission, he deliberately bypassed the Department and did not satisfactorily perform this responsibility. After Admiral Allen took control of PFO responsibilities, operations began to improve quickly.

When I learned about the Convention Center, I immediately demanded information about how many people were there and their condition, so we could make sure to get them food and water and ultimately transportation out of there. Since Mr. Brown seemed unsure of the number of people in the Center, through HSOC, I ordered DHS law enforcement personnel to conduct personal reconnaissance.

9. **Q03259:** On February 15, 2006, you said, "I have held people accountable and I believe we have a process now that will be better, but I don't underestimate the challenge of information

flow." Who has been held accountable? What actions have you taken regarding these individuals?

Response: As I noted during my testimony of February 15, 2006, I am responsible for the Department of Homeland Security, and I am accountable for the performance of the entire department. In addition, I also have the responsibility to fix what went wrong. But I have personally spoken to a number of people involved to make clear my expectations for the future. I believe they understand what is required.

10. **Q03260:** DOD e-mails clearly indicate that at least as of Wednesday, August 31, DOD understood that the Governor wanted active duty troops to supplement the National Guard forces deploying into Louisiana. Why weren't active duty troops sent in earlier?

Response: We were in close contact with the Department of Defense throughout the response efforts to Hurricane Katrina, and we had many discussions about the deployment of active-duty troops in addition to the National Guard deployed and on the way. Because these troops are under the control of the Department of Defense, it would be more appropriate for DOD to respond to this inquiry, regarding the advantages of active duty versus National Guard forces.

11. **Q03261:** On Wednesday, August 31, 2005, a number of discussions took place among White House and FEMA officials, including Ms. Townsend and Mr. Rove, as to whether the response to Katrina should be "federalized."

a. Were you aware of these discussions about federalization on August 31? Were you involved in them?
b. Did Michael Brown discuss federalization with you?
c. Did Ms. Townsend discuss federalization with you?
d. Did Mr. Rove discuss federalization with you?
e. What options were being considered? Was it for the Department of Defense to play a greater role; for the National Guard to be "federalized; for the President to make a declaration under the Insurrection Act and unilaterally deploy federal troops to conduct law enforcement?
f. Please describe any such discussions about federalization in which you participated, including the views or input that you provided on this issue.

Response: It would not be appropriate to disclose confidential discussions with the President or his senior staff. As for discussions within the Department, we discussed and considered all options to promote law and order on the ground in New Orleans.

12. **Q03262:** On Friday, September 2, the President proposed to Governor Blanco that General Honoré be placed in charge of both the National Guard troops and the active duty troops, under a so-called "dual hat" proposal. The actual proposal was faxed to the Governor's mansion at 11:32

that Friday evening. One of the persons interviewed by the Committee staff has stated that you were present at the White House that evening as the proposal was discussed with the Governor.

a. Were you present when the White House discussed the proposal with the Governor?
b. Did you support this proposal? Why?
c. What was the purpose of this proposal?
d. What was your view on how well General Landreneau and General Honoré were co-coordinating their efforts?

Response: It would not be appropriate to disclose confidential discussions with the President or his senior advisors. Nevertheless, I think Generals Honoré and Landreneau did an admirable job coordinating their efforts under very difficult conditions and circumstances.

13. **Q03263:** Assistant Secretary McHale testified last week that, although he supported it at the time, he now believes the dual hat command structure proposed to Governor Blanco would not have worked, because it would have required a subordinate officer to try to resolve conflicts between his superiors. Do you agree? Do you agree with him that it would be a mistake in the future to use this type of dual hat command structure during an emergency?

Response: Command of military assets is dictated by the Department of Defense. Nevertheless, I recognize that a "dual hat" command structure could create a situation where a subordinate officer may have to resolve conflicts between two separate command structures. Regardless of the internal command structure of the military assets, they must work in conjunction with the Principal Federal Official as part of the overall domestic incident management. This unity of effort and command is essential for a coordinated response to an incident.

14. **Q03264:** FEMA Director Brown testified that Governor Blanco was told by a White House official on Air Force One that federal aid would arrive faster if she agreed to the President's proposal.

a. Was the Administration waiting for a response from the Governor on the dual hat proposal before making a decision on whether to deploy active duty troops?
b. If not, then why weren't active duty troops deployed on Friday, September 1, following the meeting between the Governor and the President, during which the Governor clearly stated her desire for more federal troops?
c. In retrospect, do you believe that active duty ground troops should have been deployed earlier?

Response: I do not believe I was present for the conversation referenced in the question, if any such conversation took place.

Questions for the Record
Senate Homeland Security & Governmental Affairs Committee
"Hurricane Katrina: The Homeland Security Department's Preparation and Response"
February 15, 2006
Secretary Michael Chertoff

15. **Q03265:** A draft After Action Report prepared by the National Guard Bureau concludes there was poor coordination between National Guard forces and active duty troops deploying into the region. There are also indications that there was insufficient coordination of National Guard deployments from different states.

a. Were you aware of the coordination problems?
b. Is this problem one that should be resolved solely by the National Guard and the Pentagon, or does it also require involvement by FEMA and DHS in how they should manage the federal response?
c. Do you intend to focus on the issue of what should be done to improve coordination among DHS, FEMA, the National Guard, and active duty troops?

Response: I am not familiar with the draft report referenced in the question. To the extent that the question seeks information about the coordination between the National Guard and active-duty troops, it would best be answered by the Department of Defense. Nevertheless, we should work to improve coordination between DHS/FEMA and the military assets in responding to a disaster.

16. **Q03266:** Is the current system, in which DOD is a support agency to DHS workable for a large catastrophe?

a. Should DOD be given greater command authority in a large catastrophe?
b. Should DOD be tasked to provide first response capabilities in a large catastrophe?
c. Is the National Incident Management System, including the Incident Command System, which establishes a unified command with many different commands, rather than a unity of command under a single chain of command, appropriate for a large catastrophe? Or should there be fewer entities with greater command authority?
d. Do the NIMS and ICS need to be modified for large catastrophes?

Response: The resources which DOD can bring to bear are invaluable in a large-scale incident, particularly with its experience in logistics, planning, and total asset visibility. A number of authorities outline how DOD assets can be leveraged during such an incident. As part of our after-action review, we are looking at ways in which we can improve the coordination between DHS and DOD, including jointly planning for those extraordinary circumstances. Likewise, we are considering improvements to NIMS.

Department of Homeland Security

CIS Action	Action Identification	Pre-positioned assets	CIS + 24 hrs	CIS + 48 hrs	Percentage 24/48	Comments
Activate Emergency Alert System (EAS).	DHS-1	Completed			100%/100%	
Activate Incident Communications Emergency Plan (ICEP).	DHS-2	Completed			100%/100%	
Activate National Incident Communications Conference Line (NICCL).	DHS-3	Completed			100%/100%	
Coordinate first release of information to public.	DHS-4	Completed			100%/100%	
Establish and maintain lines of communication with State authorities for incident venues.	DHS-5	Completed			100%/100%	
Coordinate and identify Federal Mobilization Center site(s) and notify NRP-CIS action agencies.	DHS-6	Completed			100%/100%	2 Mobilization Centers Established: Barksdale, LA; Craig Field, AL;
Activate and initiate deployment actions for the FEMA Mobilization Center Team and equipment cache.	DHS-7	Completed			100%/100%	
Initiate deployment actions for an ERT-A (including Rapid Needs Assessment Team), the on-alert Federal Incident Response Support Team (FIRST), and the on-alert National Emergency Response Team (ERT-N). Place all remaining FIRSTs and ERT-Ns on full alert.	DHS-8	Completed			100%/100%	Primarily Regionally coordinated between RRCC and NRCC
Activate, at full staffing levels, the IIMG, NRCC (including MCB), and	DHS-9	Completed			100%/100%	Prior to landfall: NRCC up at Level 1; and RRCC at Level 1; IIMG alerted 8/25/05; IIMG convened 8/29/05; IIMG

Regional Response Coordination Centers (RRCCs) with incident oversight. Activate all other RRCCs at watch staff levels.						"officially" convened 8/30/05
Activate Mobile Emergency Response Support (MERS) and deploy Life Support Vehicles and MERS Emergency Operations Vehicle to the affected area to establish a temporary operating location for the Principal Federal Official (PFO) and support staff. MERS deployment elements to carry JFO set-up equipment (100-person JFO kit and two DISC Packs).	DHS-10	Completed- see remarks	Completed- see remarks	Completed- see remarks	100%/100%	8/25/05: MERS Thomasville (TV), GA deployed EOV to Lakeland FL in support of Log Cell and reverts to ERT-A (emergency response team-advance) on order, also deployed 3 ops specs (to RRCC and Clanton, AL). MERS Maynard deploys personnel to Washington D.C. 8/26/05: MERS Bothell, WA deploys personnel to TV as augmentation MERS Denton, TX Coordinated with Barksdale AFB and Fort Sam Houston as staging bases. 8/27/05: NCR MERS NDMS MST-1 support en-route, USAR IST-1 en route, MEOV and PKu en-route, MERS Denton TX staged at Barksdale AFB; RNA and JFO build out team in Baton Rouge, LA; MERS Denver en-route to Dallas, TX, MERS Maynard en-route to Knoxville, MERS Thomasville, EOV diverted to Tallahassee EOC, Clanton, AL ERT-A operation; RNA team on station in Fort Walton Beach, FL; ERT-A team deploy to Selma, AL (Craig Field); 8/28/05: MERS Denton, TX, Staged at Barksdale AFB; RNA and JFO build out team in LA EOC, Baton Rouge, LA; MERS Denver, CO Convoy departs Gillette, WY en route; other convoys continue; MERS Maynard, MA Convoy en route to Radford, VA; fatality, equipment staged at McGee-Tyson; MERS Thomasville, GA Deploys personnel by air to Meridian to support ERT-A; MS EOC support activated; MERS Bothell, WA Deploys additional personnel to TV as augmentation 8/29/05: All available MERS assets committed to Hurricane Katrina; MERS Denton, TX Staged at Barksdale AFB; RNA and JFO build out team in LA EOC, Baton Rouge, LA; MERS Denver, CO Convoys continue; MERS Maynard, MA Equipment staged at McGee-Tyson; MERS Thomasville, GA NDMS supported in Jackson, MS, all other sites operational; MERS Bothell, WA Deploys additional equipment en route to LA; 8/30/05: MERS Denton, TX Lead for Region VI, Supported FCO/FPO as directed with all Denton, Bothell, and Denver assets; MERS

						TV, GA Lead for Region IV, Supported FCO as directed with all TV, Maynard, and Denver assets
If the incident involves collapsed structures, activate and initiate deployment actions for all on-alert, weapons of mass destruction (WMD)-equipped National US&R Task Forces, Incident Support Teams (ISTs), and caches. Activate and fully mobilize all other WMD-equipped National US&R assets in place. Place all remaining National US&R Task Forces and ISTs on full alert. Deployment into the incident area will be as directed by the National Response Coordination Center (NRCC).	DHS-11	6 Task Forces (US&R) and 2 IST pre-positioned; 3 Teams in Shreveport, LA and 3 in Meridian NAS, MS; additionally 11 US&R teams alerted or activated	After landfall 18 task forces and 8 California SW Teams; all US&R task forces alerted or activated	All 28 of 28 US&R task forces were alerted or activated (I +25 hrs)	100%/100%	Ultimately all 28 of 28 US&R task forces responded
Activate USCG National Strike Force to deploy three 10-person HAZMAT teams.	DHS-12	N/A			N/A	
Initiate actions to immediately deploy 4800 cots.	DHS-13	Loaded and on standby at Logistics Center Ft. Worth, Atlanta, Moffett Field (82,000); 2500 cots at Craig Field, AL; 2100 cots at Superdome	4 trucks (2800 cots) in theater; 2500 cots deployed to Meridian, MS and 2500 and Selma, AL		100%/100%	
Initiate actions to immediately deploy 9600 blankets.	DHS-14	Loaded and on standby at Logistics Center Ft. Worth, Atlanta, Moffett Field (136,000); 15,000 blankets already deployed			100%/100%	
Initiate actions to	DHS-15	Pre-landfall 8/29/05	8/30/05- on	8/31/05 on	100%/100%	Quantity on hand refers to inventories after shipments to staging areas after

immediately deploy 30,000 emergency heater meals.		184 Trucks pre-positioned MREs = 4 million (approx.)	hand 52 trucks = 1.38 million MREs	hand 31 trucks = 678,528 MRES		distribution –
Initiate actions to immediately deploy 1500 personal toilets with privacy tents.	DHS-16	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to immediately deploy 6600 daily restroom kits.	DHS-17	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to immediately deploy 1500 personal wash kits.	DHS-18	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to immediately deploy 900 sleeping bags.	DHS-19	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to immediately deploy 300 tents (6-8 person).	DHS-20	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to immediately deploy 1740 rolls of plastic sheeting (20x100).	DHS-21	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to immediately deploy 30,000 gallons of bottled water.	DHS-22	Pre-landfall 8/29/05 609 trucks = 2.740 million gallons of bottled water	177 trucks = 796,500 gallons of bottled water	238 trucks = 1.071 million gallons of bottled water	100%/100%	

Initiate actions to immediately deploy 48 mid-range generators.	DHS-23	2 50-paks (100 generators) loaded and ready to ship (20 trucks)	Shipped 1- 50 pack to FOSA Beauregard, LA	50 pack loaded and ready to ship at LC Ft. Worth	100% / 100%	Standby at direction of Region for assessment of requirement to ship heavy generators --
Initiate actions to immediately deploy 1 million MREs (via 46 trailers).	DHS-24	Pre-landfall 8/29/05 184 Trucks pre-positioned MREs = 4 million (approx.)	8/30/05- on hand 52 trucks = 1.38 million MREs	8/31/05 on hand 31 trucks = 678,528 MRES	100%	Quantity on hand refers to inventories after shipments to staging areas after distribution --
Initiate actions to immediately deploy 200,000 gallons of water (via 40 trailers) and source 400,000 lbs of ice (10 trailers).	DHS-25	Pre-landfall 8/29/05 439 trucks = 17.560 million pounds of ice	200 trucks of ice = 8 million pounds	191 trucks = 7.64 million pounds	Ice: 100% / 100%	Water requirement exceeded in DHS-22; Also refers to requirements to DHS-75 (24 + hrs) and DHS-90 (48 + hrs)
Initiate actions to immediately deploy ten 250-person Pre-Positioned Disaster Supply containers.	DHS-26	Completed; Plans underway on 8/28/05 to deploy 20 - 250-person PPDS containers			100%	
Initiate actions to immediately deploy nine 500-person Pre-Positioned Disaster Supply containers.	DHS-27	8/28/05: 10 500 - PPDS containers prepped for deployment			100%	
Conduct interagency conference call and develop initial communications strategy and plan.	DHS-28	Completed.			100%	
Designate a PFO, who will assemble a support staff and deploy to the affected area as soon as possible.	DHS-29	Completed	8/30/05 PFO "officially" designated			Need Further Review by DHS HQ
Designate Federal staging areas inside incident area (forward of Federal Mobilization Center).	DHS-30	Completed			100%/100%	Federal Operating Staging Areas established: Beauregard, LA, Maxwell, MS, Meridian, MS, Camp Shelby, MS
					100%/100%	

Initiate deployment actions for one (1) NDMS Management Support Team (MST) and equipment cache.	DHS-31	8/25/05 in theater: 9 Medical Strike Teams, 2 VMATs, 1 NMRT, 3 DMORT, 18 DMAT				By 9/06/05 41 DMAT, 16 MST, 1 IMSURT, 4 VMAT, 2 MRTs, 2 Medical Help teams, 11 DMORTs, 2 deployable morgue units (DPMU)
Activate the National Disaster Medical System (NDMS).	DHS-32	Completed.			100%/100%	
Provide initial HHS-coordinated public service announcement. Coordinate and issue follow-on announcements at frequent and regular intervals.	DHS-33	Completed			100%/100%	
DHS Secretary makes first senior Federal announcement of incident and response effort.	DHS-34					Need Further Review by DHS HQ
Activate a National Joint Information Center (JIC) to coordinate all response-related press and media affairs.	DHS-35	Completed.			100%/100%	
Release updated nuclear/ radiological incident advice to general public.	DHS-36	N/A			N/A	
Activate Public Affairs surge plans.	DHS-37	Completed.			100%/100%	
Initiate establishment of a Joint Information Center (JIC) at incident site.	DHS-38	Completed.			100%/100%	
Release updated incident and information statement to general public.	DHS-39	Completed.			100%/100%	
Activate and deploy Pre-	DHS-40	Completed, but date				(ODP) 6 out of 10 PEP teams deployed. Date unknown

positioned Equipment Program Teams.		unknown				
Initiate deployment actions for ERT-N Joint Field Office (JFO) equipment and support kits.	DHS-41	Completed. Deployed as part of MERS package in DHS-10			100%/100%	
Initiate deployment actions for Emergency Housing Support Team.	DHS-42	N/A			N/A	
Initiate deployment actions for Emergency Temporary Housing units into affected area.	DHS-43	Completed.			100%/100%	
Determine if decontamination technical assistance resources have been requested and are engaged.	DHS-44	N/A			N/A	
Obtain preliminary estimate of the number of victims exposed to toxic/ hazardous substance(s), preliminary material identification, and source containment.	DHS-45	N/A			N/A	
Activate links to the private sector (e.g., secure CEO COMLINK) and request them, as appropriate, to inventory and identify available transportation assets, potential mass shelter facilities, and medical facilities, personnel, equipment, and supplies.	DHS-46	Completed			100%	FEMA was involved with the private sector as part of its normal disaster response operations
Determine zones and boundaries of contamination and advise all response entities.	DHS-47	N/A			N/A	
Initiate deployment actions for National Medical Response Team	DHS-48	N/A			N/A	

(NMRT).						
Initiate/expedite actions to establish a JFO. NRCC and RRCC coordinate JFO size and develop requirements.	DHS-49	Completed – pre-declaration. NRCC and RRCC established and 100% operational.	JFO in planning stage; ERT operating with State counterpart at EOC with AL, MS, and LA	100%/100%		
Initiate deployment actions for three (3) NDMS Disaster Medical Assistance Teams (DMATs).	DHS-50	N/A			N/A	
Initiate deployment actions for three (3) NDMS DMAT equipment caches.	DHS-51	N/A			N/A	
Ascertain extent of success of initial/gross decontamination and containment activities.	DHS-52	N/A			N/A	
Assess local emergency public information activities regarding victim decontamination and engage consultation if adjustments appear necessary.	DHS-53	N/A			N/A	
Verify need for additional monitoring equipment at medical treatment facilities and shelters and ensure necessary logistics actions are initiated.	DHS-54	Verification on an ongoing basis and continues			100%100%	
Initiate deployment actions for two (2) NDMS NMRTs.	DHS-55	N/A			N/A	
Initiate deployment actions for two (2) NDMS NMRT equipment caches.	DHS-56	N/A			N/A	

Initiate deployment actions for two (2) NDMS Veterinary Medical Assistance Teams (VMATs).	DHS-57	8/25/05 in theater: 9 Medical Strike Teams, 2 VMATs, I NMRT, 3 DMORT, 18 DMAT			100%/100%	By 9/06/05 41 DMAT, 16 MST, 1 IMSURT, 4 VMAT, 2 MRTs, 2 Medical Help teams, 11 DMORTs, 2 deployable morgue units (DPMU)
Initiate deployment actions for eleven (11) NDMS DMATs.	DHS-58	8/25/05 in theater: 9 Medical Strike Teams, 2 VMATs, I NMRT, 3 DMORT, 18 DMAT			100%/100%	By 9/06/05 41 DMAT, 16 MST, 1 IMSURT, 4 VMAT, 2 MRTs, 2 Medical Help teams, 11 DMORTs, 2 deployable morgue units (DPMU)
Activate and initiate deployment actions for eleven (11) NDMS DMAT equipment caches.	DHS-59	8/25/05 in theater: 9 Medical Strike Teams, 2 VMATs, I NMRT, 3 DMORT, 18 DMAT			100%/100%	By 9/06/05 41 DMAT, 16 MST, 1 IMSURT, 4 VMAT, 2 MRTs, 2 Medical Help teams, 11 DMORTs, 2 deployable morgue units (DPMU)
Activate and initiate deployment actions for two (2) NDMS DMORT deployable morgue units.	DHS-60	8/25/05 in theater: 9 Medical Strike Teams, 2 VMATs, I NMRT, 3 DMORT, 18 DMAT			100%/100%	By 9/06/05 41 DMAT, 16 MST, 1 IMSURT, 4 VMAT, 2 MRTs, 2 Medical Help teams, 11 DMORTs, 2 deployable morgue units (DPMU)
Activate and initiate deployment actions for one (1) full NDMS MST equipment cache.	DHS-61	8/25/05 in theater: 9 Medical Strike Teams, 2 VMATs, I NMRT, 3 DMORT, 18 DMAT				By 9/06/05 41 DMAT, 16 MST, 1 IMSURT, 4 VMAT, 2 MRTs, 2 Medical Help teams, 11 DMORTs, 2 deployable morgue units (DPMU)
Release public messages providing information on how to apply for individual assistance.	DHS-62	Completed			100%/100%	
Initiate actions to deploy	DHS-63				100%/100%	

4800 additional cots.		Loaded and on standby at Logistics Center Ft. Worth, Atlanta, Moffett Field (82,000); 2500 cots at Craig Field, AL; 2100 cots at Superdome	4 trucks (2800 cots); 2500 cots to 2500 Meridian, MS and Selma, AL			
Initiate actions to deploy 9600 additional blankets.	DHS-64	Loaded and on standby at Logistics Center Ft. Worth, Atlanta, Moffett Field (136,000); 15,000 blankets already deployed			100%/100%	
Initiate actions to deploy 30,000 additional emergency heater meals.	DHS-65	Pre-landfall 8/29/05 184 Trucks pre-positioned MREs = 4 million (approx.)	8/30/05- on hand 52 trucks = 1.38 million MREs	8/31/05 on hand 31 trucks = 678,528 MRES	100%/100%	Quantity on hand refers to inventories after shipments to staging areas after distribution –
Initiate actions to deploy 1500 additional personal toilets with privacy tents.	DHS-66	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to deploy 6600 additional daily restroom kits.	DHS-67	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to deploy 1500 additional personal wash kits.	DHS-68	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to deploy 900 additional sleeping bags.	DHS-69	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	

Initiate actions to deploy 300 additional tents (6-8 person).	DHS-70	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to deploy 1740 additional rolls of plastic sheeting (20x100).	DHS-71	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to deploy 30,000 additional gallons of bottled water.	DHS-72	Pre-landfall 8/29/05 609 trucks = 2.740 million gallons of bottled water	177 trucks = 796,500 gallons of bottled water	238 trucks = 1.071 million gallons of bottled water	100%/100%	
Initiate actions to deploy 48 additional mid-range generators.	DHS-73	2 50-paks (100 generators) loaded and ready to ship (20 trucks)	Shipped 1-50 pack to FOSA Beauregard, LA	50 pack loaded and ready to ship at LC Ft. Worth	100%/100%	Standby at direction of Region for assessment of requirement to ship heavy generators
Initiate actions to deploy additional 1 million MREs (via 46 trailers).	DHS-74	Pre-landfall 8/29/05 184 Trucks pre-positioned MREs = 4 million (approx.)	8/30/05- on hand 52 trucks = 1.38 million MREs	8/31/05 on hand 31 trucks = 678,528 MRES	100%/100%	Quantity on hand refers to inventories after shipments to staging areas after distribution --
Initiate actions to deploy 200,000 additional gallons of water (via 40 trailers) and source 400,000 lbs of ice (10 trailers).	DHS-75	Pre-landfall 8/29/05 439 trucks = 17.560 million pounds of ice	200 trucks of ice = 8 million pounds	191 trucks = 7.64 million pounds	Ice: 100%/100%	Water requirement exceeded in DHS-22; Also refers to requirements to DHS-75 (24 + hrs) and DHS-90 (48 + hrs)
Initiate actions to deploy ten additional 250-person Pre-Positioned Disaster Supply containers.	DHS-76	Completed; Plans underway on 8/28/05 to deploy 20 - 250-person PPDS containers			100%	
Initiate actions to deploy	DHS-77	8/28/05: 10 500 -			100%	

nine additional 500-person Pre-Positioned Disaster Supply containers.		PPDS containers prepped for deployment				
Initiate actions to deploy 4800 additional cots.	DHS-78	Loaded and on standby at Logistics Center Ft. Worth, Atlanta, Moffett Field (82,000); 2500 cots at Craig Field, AL; 2100 cots at Superdome	4 trucks (2800 cots); 2500 cots to 2500 Meridian, MS and Selma, AL		100%/100%	
Initiate actions to deploy 9600 additional blankets.	DHS-79	Loaded and on standby at Logistics Center Ft. Worth, Atlanta, Moffett Field (136,000); 15,000 blankets already deployed			100%/100%	
Initiate actions to deploy 30,000 additional emergency heater meals.	DHS-80	Pre-landfall 8/29/05 184 Trucks pre-positioned MREs = 4 million (approx.)	8/30/05- on hand 52 trucks = 1.38 million MREs	8/31/05 on hand 31 trucks = 678,528 MRES	100%/100%	Quantity on hand refers to inventories after shipments to staging areas after distribution --
Initiate actions to deploy 1500 additional personal toilets with privacy tents.	DHS-81	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to deploy 6600 additional daily restroom kits.	DHS-82	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to deploy 1500 additional personal wash kits.	DHS-83	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	

Initiate actions to deploy 900 additional sleeping bags.	DHS-84	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to deploy 300 additional tents (6-8 person).	DHS-85	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to deploy 1740 additional rolls of plastic sheeting (20x100).	DHS-86	In Advance Initial Reponses Resources (IRR) pack – loaded at Logistics Centers and available	Part of Advanced IRR (AID) Pack at LCs		100%/100%	
Initiate actions to deploy 30,000 additional gallons of bottled water.	DHS-87	Pre-landfall 8/29/05 609 trucks = 2.740 million gallons of bottled water	177 trucks = 796,500 gallons of bottled water	238 trucks = 1.071 million gallons of bottled water	100%/100%	
Initiate actions to deploy 48 additional mid-range generators.	DHS-88	2 50-paks (100 generators) loaded and ready to ship (20 trucks)	Shipped 1-50 pack to FOSA Beauregard, LA	50 pack loaded and ready to ship at LC Ft. Worth	100% / 100%	Standby at direction of Region for assessment of requirement to ship heavy generators
Initiate actions to deploy 1 million additional MREs (via 46 trailers).	DHS-89	Pre-landfall 8/29/05 184 Trucks pre-positioned MREs = 4 million (approx.)	8/30/05- on hand 62 trucks = 1.38 million MREs	8/31/05 on hand 31 trucks = 678,528 MRES	100%/100%	Quantity on hand refers to inventories after shipments to staging areas after distribution
Initiate actions to deploy 200,000 additional gallons of water (via 40 trailers) and source 400,000 lbs of ice (10 trailers).	DHS-90	Pre-landfall 8/29/05 439 trucks = 17.560 million pounds of ice	200 trucks of ice = 8 million pounds	191 trucks = 7.64 million pounds	100%/100%	Water requirement exceeded in DHS-22; Also refers to requirements to DHS-75 (24 + hrs) and DHS-90 (48 +hrs)
Initiate actions to deploy ten additional 250-person	DHS-91	Completed; Plans underway on 8/28/05			100%	

Pre-Positioned Disaster Supply containers.		to deploy 20 - 250-person PPDS containers				
Initiate actions to deploy nine additional 500-person Pre-Positioned Disaster Supply containers.	DHS-92	8/28/05: 10 500 - PPDS containers prepped for deployment			100%	
Begin backfill of Pre-Positioned Disaster Supplies (PPDS) containers.	DHS-93					Was completed after PPDS usage
Develop crisis-counseling plan.	DHS-94	Completed			100%	Within in the 72 hour timeframe; made contact with each declared state and DHHS
Assess and quantify projected housing needs.	DHS-95	Completed			100%	
Develop preliminary temporary housing plan.	DHS-96	Completed			100%	
Develop donations strategy and voluntary agency plan.	DHS-97	Completed			100%	

Department of Health and Human Services (DHHS)

CIS Action	Action Identification	Pre-positioned assets	CIS + 24 hrs	CIS + 48 hrs	Percentage 24/48	Comments
Activate the HHS Secretary's Emergency Response Team	HHS-1	Completed Activated on 8/25/05	N/A	N/A	100%	

(SERT).						
Initiate actions to deploy and deliver appropriate Strategic National Stockpile (SNS) initial push-packages to a Federal Mobilization Center or other designated reception location.	HHS-2	Completed Actions initiated on 8/28/05	N/A	N/A	100%	
Initiate deployment actions for appropriate ESF#8 Regional resources (such as the Regional Emergency Coordinator) to the Regional and State Operations Centers.	HHS-3	Completed Actions initiated on 8/28/05	N/A	N/A	100%	
Activate on call roster of U.S Public Health Service (PHS) Commissioned Corps.	HHS-4	Completed Actions initiated on 8/28/05; deployed 38 personnel	N/A	N/A	100%	
Activate the American Association of Blood Banks Interorganizational Task Force on Domestic Disasters and Acts of Terrorism (AABB Task Force) to assess current blood supply levels throughout the country.	HHS-5	Completed	N/A	N/A	100%	
Activate Rapid Response Victim Registry.	HHS-6	Not Activated	N/A	N/A	No- 0% system not activated	
Activate Hospital Asset Reporting and Tracking System (HARTS).	HHS-7	Completed system activated	N/A	N/A	100%	
Coordinate with the	HHS-8					

AABB Task Force to identify supply levels at the supporting medical facilities for the incident. Activate supply distribution plans for affected region(s).		Completed			100%	
Obtain Assistant Secretary for Health (ASH) approval for the AABB Task Force coordinated public information announcement regarding the adequacy and safety of the Nation's blood supply.	HHS-9	Completed			100%	
Initiate deployment actions for the HHS SERT.	HHS-10	Completed Deployment actions 8/25/05			100%	
Initiate deployment actions for EIS officers and other staff to support epidemiological investigations.	HHS-11	Completed Deployment actions 8/26/05			100%	
Initiate deployment actions for food safety inspectors.	HHS-12	Not activated within timeframe (I + 6 hrs) but was ultimately activated			No 0%	Was activated on 9/01/05
Update estimates/actual reporting of number of victims.	HHS-13	Completed. Ongoing updates as of 8/28/05			100%	
Initiate deployment actions for on-call roster of PHS Commissioned Corps.	HHS-14	Completed. Deployment actions as of 8/28/05			100%	

Activate all PHS Commissioned Corps rosters.	HHS-15	Completed. Deployment actions as of 8/26/05			100%	
Begin backfill of medical support packages from Strategic National Stockpile.	HHS-16	Completed. Deployment actions as of 8/29/05			100%	
Initiate deployment actions for all PHS Commissioned Corps rosters.	HHS-17	Completed. Deployment actions as of 8/28/05			100%	
Activate all PHS Commissioned Corps deployable assets.	HHS-18	Completed. Deployment actions as of 8/26/05			100%	

From: Walls, Robert LT
Sent: Monday, August 29, 2005 1:51 PM
To: LANTMHLS Watch; RCCAlameda; CommandCenPAC; Command Center - D1; CC1; Command Center - LANTD5; D7CommandCenter; D8 Command Center; Ninth District Command Center; CommandCenD11; D13(cc); D14ccDutyOfficer; D17-PF-Jun-Command Center; hsoc.uscg@dhs.gov'; ndr-NRC; D05-SMB-D5MHLSWatch; D05-SMB-LANTCmdCtr; D05-SMB-LANTMHLSWatch; D8IMTWatch; 'tsoc.st@dhs.gov'; 'est-mcc-dot@dhs.gov'; 'CMC-01@rspa.dot.gov'; 'cmc-02@dot.gov'; 'uscg.iimg@dhs.gov'

Cc: Collins, Thomas ADM; Cross, Terry VADM (HQ); Allen, Thad VADM; Sirois, Dennis RADM; Gilmour, Thomas RADM; Sloan, James; Bone, Craig RDML (HQ); Kunkel, David RADM; Crowley, John RDML; Rosa, Fred RDML; Atkins, Vince CAPT; Nimmich, Joe RDML; Kelley, Brian CAPT; Midgette, Fred CAPT; Collins, Wayne CAPT; Lapinski, Mike CAPT; Whitehead, Joel RDML; Salerno, Brian CAPT; Coogan, Cynthia CAPT; Quigley, Kevin CAPT; Howe, James CAPT; Skuby, Tim CAPT; Hass, James CAPT; Branham, Robert RDML; Felker, John CAPT; Command Center - Headquarters; Karr, Michael CAPT; Grzelak, Jennifer LCDR; Aboagye, Kofi LCDR; Nunan, Joanna CDR; Hunt, Michael LCDR; 'cornell.thompson@dot.gov'

Subject: HURRICANE KATRINA - STATUS UPDATE SEVEN
Importance: High

UNCLAS FOUO

ADMIRALS AND COMMAND CENTERS, THE FOLLOWING INFORMATION IS NOT DEEMED A CRITICAL INCIDENT. HOWEVER, IT IS PROVIDED FOR YOUR IMMEDIATE NOTIFICATION / AWARENESS.

All items in red are new, as per the last Update.

SUMMARY:

Hurricane Katrina made its third and final landfall around 1000R along the Louisiana/Mississippi border with top winds of 125 mph. Hurricane Katrina made its first landfall of the day near Buras, Louisiana at 0610R with top winds of 140 mph. Katrina is moving northward at 16 mph and should continue to push into central Mississippi this afternoon. Hurricane force winds could follow Katrina inland for another 70 to 100 miles. Winds to 81 mph have been felt over 100 miles to the east of the center in Mobile

A levee in New Orleans has been breached sending 3 to 8 feet of water into the 9th Ward area of the city. Wind gusts to 86 mph were reported at the Lake Front Airport before they stopped sending observations. Significant structural damage has been reported in New Orleans due to Katrina.

A storm surge of 16 to 22 feet is possible along and to the east of the center of the hurricane as it makes landfall. In addition to the water level rise, waves of 20 to 35 feet are possible from the central Louisiana coast east to the Florida Panhandle. There is reporting of a storm surge of at least 27 feet in Gulfport, Mississippi. A buoy 70 miles south of Dauphin Island, Alabama reported a 48-foot wave at 0700R this morning.

COAST GUARD STATUS:

Atlantic Area IMT activated
D8 IMT activated

RADM Duncan (D8) located at Coast Guard Air Station Houston, TX.
D8 Staff has relocated to St. Louis, Missouri.
Coast Guard Sector New Orleans Operations Center and Communications Center located in Alexandria, LA.
D8 Away IMT stood up operations at ISC St. Louis and relieved D8 IMT in NOLA.
ISC NOLA computers dropped off-line as of 282215Z; there are no computer or internet connectivity to any ISC NOLA units.

D8: HURCON I
ATC MOBILE: HURCON I
GST: HURCON II
MSST NOLA: HURCON I
COMMSTA NOLA: HURCON II
PRO LOCKPORT: HURCON II
SEC MOBILE: HURCON I
AIRSTA NOLA: HURCON I
SEC NOLA: HURCON I - Coast Guard Sector New Orleans Operations Center and Communications Center watchstanders have stood up operations in Alexandria, LA. Incident Command Post has been established. CAPT Paskewich is the Incident Commander and CAPT Gilbreath is the Deputy Incident Commander.

ALL other CG units on GULF of MX remain in Seasonal Alert (HURCON IV)

PERSONNEL AND DEPENDANT EVACUATION STATUS:

SEC NOLA evacuation ordered to NAS Meridian.
SEC MOBILE evacuation ordered to Maxwell AFB
PRO LOCKPORT, PRECOMDET PIKE and MONHEGAN evacuated to NAS Meridian
MSST NOLA evacuation ordered to NAS Meridian

CUTTER STATUS:

THETIS I/P KEY WEST
MOHAWK I/P KEY WEST
RESOLUTE I/P KEY WEST
VALIANT I/P MIAMI
CONFIDENCE U/W STORM AVOIDANCE
TORNADO I/P Mayport
DECISIVE U/W ENR Galveston AOR
DAUNTLESS U/W ENR Corpus Christi AOR. #2 SSDG INOP. Unable to conduct night helicopter evolutions; will remain in SW Quadrant within PIM.

SHAMAL **I/P Corpus Christi**
KODIAK ISLAND Dockside Bayou La Batre, AL
VASHON DRYDOCK Bayou La Batre, AL

BONITO **Tombigbee Rvr, AL**
COBIA DRYDOCK Bayou La Batre, AL
COHO I/P Panama City, FL
SEAHAWK I/P Panama City, FL
STINGRAY U/W ENR Panama City, FL
POMPANO U/W ENR Sabine, TX
PAMLICO **Baton Rouge, LA**
PELICAN I/P Abbeville, LA
RAZORBILL **I/P Sabine, TX**
STURGEON U/W ENR Abbeville, LA
BRANT I/P Lockport, LA
CYPRESS I/P Corpus Christi.
BARBARA MABRITY I/P Corpus Christi.
HARRY CLAIBORNE I/P Galveston, TX
SAGINAW Tombigbee River, AL
CLAMP **U/W ENR Baton Rouge, LA**
WEDGE I/P Demopolis, AL
AXE I/P Baltimore, MD

BOATS:

Station New Orleans: Evacuated all assets and personnel.
Station Gulfport: Evacuated all assets and personnel.
Station Venice: Evacuated all assets and personnel.
Station Grand Isle: Evacuated all assets and personnel to Houma or Morgan City.
Station Pascagoula: 41-ft UTB and 47-ft MLB will transit to Sector Mobile. 25-ft taken inland. Station evacuated; no SAR response.

Station Dauphin Island: All units trailored. Station evacuated.
Station Pensacola: Will remain B-0 for inshore and offshore response until PM 28 August. 41-ft UTB's will then transit to Escambia river storm moorings and the 25-ft's will be taken inshore. Station evacuated.

Station Destin: Moored at Station Panama City.
Station Panama City: No SAR response; anticipate launching 29Aug.
ANT Dulac: ENR with asset to Baton Rouge, LA..
ANT Venice: Evacuated to Baton Rouge, LA.
ANT Morgan City: Evacuated to Baton Rouge, LA.
ANT New Orleans: Evacuated to Baton Rouge.
ANT Gulfport: Evacuated to Baton Rouge, LA.
ANT Mobile: CG55118 and CG49426 U/W with CGC SAGINAW.
ANT Pensacola: Trailored at H/P.
ANT Panama City: Trailored in Montgomery, AL (2) and Panama City, FL (2)
ANT Eufala: Located at H/P.

AIRCRAFT STATUS: All AIRSTAs standing by to execute contingency evacuation plans for storm response overfllights.

ATC MOBILE: (16) AIRCRAFT (3) HH-60, (9) - HH-65, (4) - HU25) All in BRAVO status with the exception of (1) HH-60 and (1) HU-25 in CHARLIE status.

AIRSTA NEW ORLEANS: (5) HH-65 - all in BRAVO status
AIRSTA CORPUS CHRISTI: (3) HH-65 & **(2)** - HU-25 all in BRAVO status.
AIRSTA CLEARWATER: (3) HH-60, (4) HC-130. 1 HC-130 to arrive Scott Air Force Base, Illinois 1100L 29 August to pick up 2 DART teams from Group Upper Mississippi (10 PAX, 2 Trucks & Trailers) for future transfer to Shreveport, LA. For Sector Support; it may take more than one sortie.

LANTAREA Pre-positioned aircraft for port hurricane response:

SHREVEPORT, LA: (2) HH-60 & 2 HH-65 - All aircraft in Bravo
NAS JACKSONVILLE: (1) HH-60, (6) HH-65 & (2) HU-25 - All aircraft in Bravo
AIRSTA ELIZABETH CITY: (1) HU-25 & (2) HC-130 - One aircraft in Charlie
AIRSTA HOUSTON: (7) HH-65 - All aircraft in Bravo
LAKE CHARLES, LA: (2) HH-65 - All aircraft in Bravo
WACO, TX: (1) HU-25 - Bravo Status
AIRSTA Miami: (2) HU-25 - Status TBD
AIRSTA CAP COD, MA: (2) HH-60 located at Elizabeth City for deployment

PORT STATUS:

PORT STATUS/MARINE SAFETY:
Port Condition IV: Normal seasonal alert.
Condition Whiskey: Gale force winds expected in 72 hrs / Port remains open to all traffic
Condition X-Ray: Gale force winds expected in 48 hrs / Port remains open to all traffic
Condition Yankee: Gale force winds expected in 24 hrs / Commercial vessel control measures are in effect
Condition Zulu: Gale force winds expected in 12 hrs / Port closed to all commercial vessel traffic

MIAMI: IV
PORT EVERGLADES: IV
PALM BEACH: IV
FT PIERCE: IV
KEY WEST: IV
TAMPA: IV
ST. PETERSBURG: IV
MANATEE: IV
JACKSONVILLE: IV

FERNANDINA: IV
CANAVERAL: IV
MOBILE: ZULU - Closed. No ocean going vessels are allowed into port. Inland barge traffic within the port and along the GICW remains closed between MM60 (Long Beach) to MM 350 (Aucilla River) until further notice. Phone lines are down, comms established only by cell and EMA radios.

NOLA: ZULU - Port Closed. Mississippi River Bar and Lower Mississippi River from the Sea Buoy to MM 507 (Natchez, MS) closed. All bridges, floodgates, and locks are closed in port of NOLA. No cruise ships in port. Ferry vessels are not operational.

PORT OF S LOUISIANA: ZULU - Closed.
PORT OF ST. BERNARD: ZULU - Closed
PORT PLAQUEMINES: ZULU - Closed
PORT OF GREATER BATON ROUGE: Closed.
MORGAN CITY: ZULU - Port Closed. There are no commercial vessels currently inport.
GULFPORT: ZULU - Closed.
PASCAGOULA: YANKEE. Closed
PENSACOLA: YANKEE. Closed
DESTIN/PANAMA CITY: YANKEE. Closed
ICW (MM-60 to MM-350): Closed

OFFSHORE OIL & GS FACILITIES:

D8 is actively monitoring personnel evacuations from production platforms and mobile offshore drilling units. (2) Semi-Submersible offshore drilling rigs are reportedly adrift.

All ocean-going commercial ships and Coast Guard regulated barges over 200 gross tons were ordered to leave port if they were between mile marker 60, in Long Beach, Miss., of the Gulf Intracoastal Waterway; and mile marker 350, in Aucilla River, Florida. This includes the ports of: Gulfport, Miss.; Pascagoula, Miss.; Mobile, Ala.; Pensacola, Fla.; and Panama City, Fla.

PILOT STATUS:

The Bar Pilots have ceased operations.
NOBRA Pilots have ceased operations.
Crescent City Pilots have skeleton staff for emergencies only at CG VTC New Orleans.

DAT (Disaster Assistance Teams):

D7 CEU MIAMI: Gainesville, FL
DAT 4: Staged in NOLA
CEU Cleveland: 2 DATS ENR Houston TX by air; to arrive no later than 1500R 29Aug. Upon arrival teams will execute tasking as directed by DAT Coordinator, CEU Miami.

FDCC LANT: Normal Seasonal Alert
CEU Providence: Normal Seasonal Alert

ERT (Emergency Response Team):

ISC Miami: Mission complete at ISC Miami. Directed to standby for possible deployment to Northern Gulf Coast.
ISC New Orleans: Activated, staged home base.
ISC St. Louis: Normal seasonal alert
ISC Portsmouth: Directed to deploy to Tallahassee, FL, to arrive by 2200 29Aug05.
ISC Boston: Normal seasonal alert
SUPCEN E-City: Normal seasonal alert
NOLA: staged in NOLA.
Portsmouth ERT: staged in Tallahassee, FL, by 2200 29Aug05.

STRIKE TEAM STATUS

1. GST: Team strength is 24 personnel. Team remains in place at Mobile, AL, awaiting passage of storm. Post impact support team and associated response equipment including high volume pumping and hazardous material response placed on standby to respond to areas impacted by Hurricane Katrina. IMAT support team enroute to Alexandria, LA, including AST and GST staff to assist D8 with ICS operations.

2. PST: Team strength is 25 personnel. Teams on standby to assist with Hurricane Katrina impacts.

3. AST: Team strength is 29 personnel. Teams on standby to assist with Hurricane Katrina impacts.

4. NSFCC: Coordinating deployment of personnel from the three teams to respond to impacts from Hurricane Katrina. Two member Public Information Assist Team dispatched to assist D8 DPA, team pre-deployed to ATC Mobile.

DAMAGE REPORTS / ASSESSMENTS:

ISC MIAMI: MIAMI ERT completed emergent repairs. CEU MIAMI developing scope of work to address permanent repairs.

AIRSTA MIAMI: CEU MIAMI arranged for roofing contractor, currently onsite conducting temporary repairs. CEU MIAMI developing scope of work for permanent repairs.

STA Ft Lauderdale: CEU MIAMI developing scope of work to address repairs.

MSST MIAMI (bldg under construction in Homestead, FL): minor water damage to ceiling tiles and carpet. CEU MIAMI modifying existing contract to include repairs for Katrina damage.

SECTOR KEY WEST: minor water intrusion damage to carpets from wind-blown rain under doors. Two CPU's damaged from flooding. HVAC covers at UPH blown off causing water intrusion into HVAC system and minor flooding in rooms. Power out and suspected damage to T1 line is impacting Comms. CEU MIAMI will modify existing scope of work for SEC Key West hurricane repairs to incorporate Katrina damage.

SAR/MARINE CASUALTY INFORMATION:

1. ENSCO Offshore/67500 Semi-submersible located at Posn 27-31N, 090-43.7W was evacuated 0830R 28 Aug after moorings broke. Vessel autopilot was set on course 230 at 1Kt, moving away from other offshore vessels and structures. An EPIRB was activated and D8 Command Center is tracking. The M/V HARVEY WARHORSE is onscene until conditions deteriorate.

2. Overdue 42ft Catamaran - 282050z Aug 05 - SEC Corpus relayed info of an overdue 42ft catamaran on a trip from NOLA to Morgan City via the ICW. The last known position of the vsl was mm 85 (Morgan City is at 95) at 1300R. Vsl has 4 pob (husband, wife and two children). Vsl was u/w for hurricane avoidance and was on a cell phone commsked with a friend and is over 2 hours late on his check in. D8CC spoke to the skipper of the vsl. He stated that he's tied up. He felt that he was safe in the area that he's tied to. D8 cc watch standers explained to him that AIRSTA NOLA could get him of ATT but he emphatically rejected all pleas to get off of the vsl, regardless of the fact that a cat 5 hurricane was coming within hours. There is no comms schedule established with the vsl due to evacuation limitations, only cell phone comms. D8 cc will keep case active until the storm has passed and vessel's condition is determined.

3. Of 435 fixed (manned) platforms in the Gulf; 247 have reported evacuations (56%).

4. Bridge Allision: (5) vessels broke free of their moorings at the AB Shipyard and drifted downriver to the Bayou Bouef River Railroad Bridge in Morgan City, LA. The (5) vessels include the UTV DIANNA MARIE, a drilling rig, (2) crew boats and a dredge. All vessels are now pinned up against the bridge. There are no scheduled railroad crossings until 31 Aug.

5. MODU PAUL ROMERO is off station, awaiting updated information from MMS.

6. MODU NOBLE JIM JOHNSON currently at posn 28-13.51N, 089-55W is drifting NE. DISCOVER SPIRIT scheduled to get U/W from Houston to assist.

7. MODU NAUTILLIS reported adrift at 0850R currently at posn 27-47N, 089-55W drifting SE.

ADDITIONAL INFORMATION:

1. FEMA has declared a State of Emergency for the States of Louisiana, Mississippi and Alabama (counties of Baldwin, Choctaw, Clarke, Mobile, Sumter, and Washington).

2. FEMA Region IV Liaison in place.

3. State EOCS status:
LA - 4 SEC NOLA reps in place
MS - 1 D8 REO in place

4. CAMSLANT Transportable Multi-Mission Communications Central (TMMIC) location SEC Mobile (ETA 1600R 28Aug), waiting for further tasking.

5. FEMA activated the National Emergency Coordination Net in response to threat of damage from Hurricane Katrina to the states of the Gulf Coast region; (Alabama, Florida, Louisiana, and Mississippi) and any other states falling in the path of the projected hurricane. This Net is designed to provide backup Command and Control communications links to support the National Response Plan by providing Federal Emergency Response Personnel with a common HF frequency to converse on for the sharing of information.

6. CG personnel assigned to D8 units will likely face damaged, flooded, or destroyed residences, lack of utility services, and high demands for food, water, ice and fuel. Requests for CG Mutual Assistance are anticipated to be high.

7. DHS IIMG: Met at 0900Q 29 Aug to discuss current events in regard to hurricane Katrina. They are standing by in a 90 minute recall status.

D8 IMT SUPPORT REQUESTS:

1. Two WMEC 270's to act as Command/Control and safe flight deck in Sector NOLA AOR.

2. C-130 Aircraft equipped w/ Casper to survey the area for offshore oil rigs, pollution, and hurricane survivors.

3. Two rescue swimmers TAD to Houston for rescue ops.

4. Additional HC-130 in support of hurricane recover efforts.

5. (2) AIRSTA Corpus Christi HU-25 A/C to forward stage at AIRSTA Houston in prep for post storm recovery efforts.

6. Request blanket waiver to transport VIP's in support of post Hurricane Katrina overfllights.

7. (3) additional HH-60 to deploy to ATC Mobile in prep for post storm recovery efforts.

FUTURE PLANS:

1. Agency Coordination: Anticipate coordination with NOAA, Pilots, ACOE to complete bottom surveys of affected waterways after landfall.

2. COTP New Orleans plans to extend Safety Zone to cover the Lower Mississippi River between MM365 (Natchez) to MM507 (Issaquena County), the Ouachita/Black Rivers MM40 (Jonesville) to MM221 (Morehouse Parish), and if the storm pushes further west, the Red River MM88 (Alexandria) to MM225 (Shreveport).

3. Anticipate deployment of Sector Ohio Valley, MSU Paducah, MSU Huntington, MSO St, Louis, and MSU Pittsburgh Disaster Assistance Response Teams (DART).

4. D8 IMT will develop Air Ops plan for post hurricane ops.

5. CG Sector commands will establish Surface Action Groups to respond to post hurricane SAR, Damage Assessment, Pollution response, and act as a Comms platform.

6. MSO Houston has two Away Teams consisting of (4) man boat crews, marine Inspector, Facilities Inspector, and an RBS in preparation for post hurricane recovery efforts.

7. D8 anticipates requesting CISM assistance to be available to members and dependants in effected areas.

8. USCGC DECISIVE will station south of NOLA for Command and Control, SAR and Flight Deck Ops.

9. USCGC DAUNTLESS will station south of NOLA for Command and Control, SAR and Flight Deck Ops.

10. USCGC SHAMAL will be under Tactical Control of USCGC DECISIVE for post hurricane ops.

NEXT CGCC STATUS UPDATE will be issued 300430Z Aug 05

THIS IS AN INITIAL INFORMATION ALERT. AMPLIFYING INFORMATION WILL BE PROVIDED WHEN APPROPRIATE. THIS INFORMATION MAY BE SHARED WITH INTERAGENCY AND/OR INDUSTRY PARTNERS AS DEEMED APPROPRIATE BY THE RECIPIENT. THIS INFORMATION SHOULD NOT BE RELEASED TO THE MEDIA WITHOUT THE EXPRESS PERMISSION OF THE ORIGINATOR.

UNCLAS FOUO

USCG Command Center
Headquarters (G-OPF)
800-323-7233 (202-267-2100)
cgcc@comdt.uscg.mil

Committee on Homeland Security and Governmental Affairs
EXHIBIT #14

Ovall, Jeffery

From: Brown, Michael D
Sent: Tuesday, August 30, 2005 8:53 AM
To: Altshuler, Brooks; 'patrick.rhode@dhs.gov'
Subject: InterAgency

Hagin thinks its a great idea. Will tell POTUS and Andy we ought to proceed.

Also says that Haley is pushing POTUS visit Th or Fr and Joe wants Fr or Sa. "Seems" to agree that others are too early and certainly agreed POTUS should be first.

So, let's get the interagency going as soon as we get the green light.

Also, touched Chertoff today. FYI he and Leavitt are headed to CDC. Casually mentioned he was going to R4 to give a morale boost. Do they know that? Did we know that?

On an unrelated matter, I amready to blow up IT support at the mountain. In a MDRC and they can't seemto get me connected.....or even care about getting me connected.

Committee on Homeland Security and Governmental Affairs
EXHIBIT A

From:	Dabdoub, Louis S
Sent:	Monday, August 29, 2005 9:36 AM
To:	Waters, Michael; Milicich, Mark; MacLaren, Jon; Stanton, Lawrence; Stern, Ira; Smith, Susan; Porell, Susan; Neale, Donald
Cc:	Toth, Kirk; Wallace, Ben; Robinson, Donald; HSOC.PSA; PSADutyDesk; 'David.Hunter1 @dhs.gov'; Jackson, Liz <CTR>
Subject:	Re: Jackson, MS PSA contact info

It is now being reported that most of the storm surge should hit eastern N.O. Over to the Miss Gulf coast region, perhaps as far as Gulf Port.

The lower parishes of La, Plaq and St Bernard parish's are under water.

The eye wall is about 45 min to 1 hour away from hitting the major metropolitan area.

There are several reports of roofs being blown off of houses and businesses in the metro area already.

Where I am is in complete darkness now with even the generator power gone.

I will keep posting as long as I can.

Louie

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: Dabdoub, Louis S <Louis.S.Dabdoub@HQ.DHS.GOV>
To: Waters, Michael <Michael.Waters@HQ.DHS.GOV>; Milicich, Mark <mark.milicich@HQ.DHS.GOV>; MacLaren, Jon <Jon.M.MacLaren@HQ.DHS.GOV>; Stanton, Lawrence <Lawrence.Stanton@HQ.DHS.GOV>; Stern, Ira <Ira.Stern@HQ.DHS.GOV>; Smith, Susan <susan.smith@HQ.DHS.GOV>; Porell, Susan <susan.porell@HQ.DHS.GOV>; Neale, Donald <Donald.Neale@HQ.DHS.GOV>
CC: Toth, Kirk <kirk.toth@HQ.DHS.GOV>; Wallace, Ben <BenWallace@HQ.DHS.GOV>; Robinson, Donald <Donald.Robinson@HQ.DHS.GOV>; HSOC.PSA <HSOC.PSA@HQ.DHS.GOV>; PSADutyDesk <PSADutyDesk@HQ.DHS.GOV>; 'David.Hunter1@dhs.gov' <David.Hunter1@dhs.gov>; Jackson, Liz <CTR> <Liz.Jackson@associates.HQ.DHS.GOV>
Sent: Mon Aug 29 09:00:49 2005
Subject: Re: Jackson, MS PSA contact info

It is getting bad. Major flooding in some parts of the City. People are calling in for rescue saying they are trapped in attics, etc. That means water is 10 feet high there already. Trees are blowing down. Flooding is worsening every minute and infrastructer issues are rapidly being taxed. Most of the area has lost electricity. The bad part has not hit here yet.

Just an fyi, I am working totally off my blackberry now. The hardline I had is down. I will keep posting as long as I can on this, until it goes down.

Louie

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: Dabdoub, Louis S <Louis.S.Dabdoub@HQ.DHS.GOV>
To: Waters, Michael <Michael.Waters@HQ.DHS.GOV>; Milicich, Mark <mark.milicich@HQ.DHS.GOV>; MacLaren, Jon <Jon.M.MacLaren@HQ.DHS.GOV>; Stanton, Lawrence

<Lawrence.Stanton@HQ.DHS.GOV>; Stern, Ira <Ira.Stern@HQ.DHS.GOV>; Smith, Susan <susan.smith@HQ.DHS.GOV>; Porell, Susan <susan.porell@HQ.DHS.GOV>; Neale, Donald <Donald.Neale@HQ.DHS.GOV>
CC: Toth, Kirk <kirk.toth@HQ.DHS.GOV>; Wallace, Ben <BenWallace@HQ.DHS.GOV>; Robinson, Donald <Donald.Robinson@HQ.DHS.GOV>; HSOC.PSA <HSOC.PSA@HQ.DHS.GOV>; PSADutyDesk <PSADutyDesk@HQ.DHS.GOV>; 'David.Hunterl@dhs.gov' <David.Hunterl@dhs.gov>; Jackson, Liz <CTR> <Liz.Jackson@associates.HQ.DHS.GOV>
Sent: Mon Aug 29 07:52:03 2005
Subject: Re: Jackson, MS PSA contact info

1

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: Waters, Michael <Michael.Waters@HQ.DHS.GOV>
To: Milicich, Mark <mark.milicich@HQ.DHS.GOV>; MacLaren, Jon <Jon.M.MacLaren@HQ.DHS.GOV>; Stanton, Lawrence <Lawrence.Stanton@HQ.DHS.GOV>; Stern, Ira <Ira.Stern@HQ.DHS.GOV>; Smith, Susan <susan.smith@HQ.DHS.GOV>; Porell, Susan <susan.porell@HQ.DHS.GOV>; Neale, Donald <Donald.Neale@HQ.DHS.GOV>
CC: Toth, Kirk <kirk.toth@HQ.DHS.GOV>; Dabdoub, Louis S <Louis.S.Dabdoub@HQ.DHS.GOV>; Wallace, Ben <BenWallace@HQ.DHS.GOV>; Robinson, Donald <Donald.Robinson@HQ.DHS.GOV>; HSOC.PSA <HSOC.PSA@HQ.DHS.GOV>; PSADutyDesk <PSADutyDesk@HQ.DHS.GOV>; 'David.Hunterl @dhs.gov' <David.Hunterl@dhs.gov>; Jackson, Liz <CTR> <Liz.Jackson@associates.HQ.DHS.GOV>
Sent: Sun Aug 28 16:55:35 2005
Subject: Re: Jackson, MS PSA contact info

The contact number given for me in the original message is not correct. My Blackberry number is 334-201-1988.

Thanks,

Mike Waters

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: Milicich, Mark <mark.milicich@HQ.DHS.GOV>
To: MacLaren, Jon <Jon.M.MacLaren@HQ.DHS.GOV>; Stanton, Lawrence <Lawrence.Stanton@HQ.DHS.GOV>; Stern, Ira <Ira.Stern@HQ.DHS.GOV>; Smith, Susan <susan.smith@HQ.DHS.GOV>; Porell, Susan <susan.porell@HQ.DHS.GOV>; Neale, Donald <Donald.Neale@HQ.DHS.GOV>
CC: Toth, Kirk <kirk.toth@HQ.DHS.GOV>; Waters, Michael <Michael.Waters@HQ.DHS.GOV>; Dabdoub, Louis S <Louis.S.Dabdoub@HQ.DHS.GOV>; Wallace, Ben <BenWallace@HQ.DHS.GOV>; Robinson, Donald <Donald.Robinson@HQ.DHS.GOV>; HSOC.PSA <HSOC.PSA@HQ.DHS.GOV>; PSADutyDesk <PSADutyDesk@HQ.DHS.GOV>; David.Hunterl@dhs.gov <David.Hunterl@dhs.gov>; Jackson, Liz <CTR> <Liz.Jackson@associates.HQ.DHS.GOV>
Sent: Sun Aug 28 15:59:12 2005
Subject: Jackson, MS PSA contact info

See Ben's email below. Kirk Toth (Mobile, Al PSA) and Mike Waters (Birmingham, AL PSA) will provide their hurricane plan of action and contact information this evening. Kirk's # is 850 621-3264 and Mike's # is 202 680-3498.

Thanks,

Mark Milicich
Protective Security Advisor- Norfolk, VA U.S. Department of Homeland Security
IAIP- Protective Security Division
Work: 757 314-1819
Cell: 757 262-6600
mark.milicich@dhs.gov

From: Wallace, Ben
Sent: Sun 8/28/2005 3:20 PM
To: Milicich, Mark
Subject: Re: Contact Information

Mark
Plan on being in MEOC in Jackson. Phone cell 662 699 9407. Home 601 664 0718 Waiting to hear from Dep Dir MS Homeland Security. Haven't sent SITREP because nothing to report except MS in stste of emergency. We expect hurricane force winds in Jackson at this time. More to follow when something to say different from other PSAs.

VR
Ben

Sent from my BlackBerry Wireless Handheld