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DISASTERS AND THE DEPARTMENT OF HOMELAND SECURITY: WHERE DO WE GO FROM HERE?

(109–47)

HEARING

BEFORE THE

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

FEBRUARY 16, 2006

Printed for the use of the
Committee on Transportation and Infrastructure

U.S. GOVERNMENT PRINTING OFFICE

28–262 PDF WASHINGTON : 2006

For sale by the Superintendent of Documents, U.S. Government Printing Office
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DISASTERS AND THE DEPARTMENT OF HOMELAND SECURITY: WHERE DO WE GO FROM HERE?

Thursday, February 16, 2006,

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, WASHINGTON, D.C.

The committee met, pursuant to call, at 1:30 p.m., in Room 2167, Rayburn House Office Building, Hon. Don Young presiding.

Mr. YOUNG. The Committee will come to order.

Before I start my opening statement, I would encourage the Ranking Member, myself, and Mr. Shuster and Ms. Norton to make opening statements, and I would prefer the rest of everybody to actually ask questions. It is late in the day and I think many people would like to have this hearing completed as soon as possible and get the information needed. So I respectfully request that.

Mr. Secretary, thank you for being here today.

Mr. OBERSTAR. Mr. Chairman, I think we have agreed to that on our side.

Mr. YOUNG. Thank you. And I hope my side has agreed too.

I will start all over again, Mr. Secretary. Thank you for being here today. You have the distinct honor of being the first Secretary of Homeland Security to testify before this Committee. Even though this Committee created all the major transportation security laws, we have jurisdiction over FEMA, emergency management, the Coast Guard, we have been sensitive to the demands on your time and have not required you to personally appear before this Committee. However, the Department of Homeland Security and FEMA are so broken with respect to disaster management that we have no choice but to bring you before Committee so we can try and hopefully fix this mess.

The House Katrina Task Force report makes clear that the Federal Emergency Management System is in fact broken. Under the current system, most of the key disaster authorities belong to the Secretary of Homeland Security. Those authorities and decisions should be with the emergency management personnel. Ultimately, it takes the President not get all Federal departments to respond, and the President needs solid, professional advice to keep the right choices.

Whether FEMA stays in DHS or not, we have to put FEMA back together again. FEMA has been weakened and responsibility has been spread out all over DHS, being prepared responsibly in one place and response in another. We need to rebuild FEMA'S professional workforce and emergency response teams. We need to improve logistic capacity and the ability to communicate in a disaster.

We also have to do a better job building State and local emergency management capacity. Since 9/11, we have spent almost $15 billion in equipment, but when we have a big disaster we can't get it where it is needed.

We also have to resolve the tension between our all-hazards emergency system and our terrorism-only preparedness grants. These programs, as implemented, have driven a wedge between many State homeland security advisors and State emergency management directors. The Secretary's recommendation to strengthen FEMA'S professional workforce, response teams and communications ability is a step in the right direction, but these recommendations only address a fraction of the problems revealed by Katrina's report.

I want to thank Chairman Shuster and Congressman Taylor for their hard work on the House Katrina Task Force. The report you help write is a hard-hitting, comprehensive review of what worked and what failed. As the Committee with primary jurisdiction over emergency management, the Katrina report will be invaluable for guiding our efforts to draft legislation to fix our disaster system.

Next week, Chairman Shuster will hold hearings in California and Missouri to solicit advice and recommendations from State and local officials and disaster professionals. My goal, our goal is to get the best advice we can and build an emergency management system that works for all disasters.

Again, thank you, Mr. Secretary, for being here today, and I welcome your testimony.

Before I conclude, I made a statement on the House floor, when the homeland was secure. I made the statement that the worst terrorist that ever existed is Mother Nature. More human life, more property, more disruption has been created by Mother Nature than even all the wars that mankind has created. And people don't recognize that.

And I said at that time we must not diminish the ability to respond to disasters created by the worst terrorist in the world, and that is Mother Nature, and make sure that we do concentrate and be prepared for that. Not many people listened to me; most people voted for the homeland security bill, and I have been proven correctly.

This is not your fault, Mr. Secretary. This is the fault of the organization you were given. Now, it is your responsibility to recognize the statement I made and recognize that the worst terrorist in the world is Mother Nature, and recognize we must be prepared for the good of this Nation and the people.

At this time I will recognize the gentleman from Minnesota, Mr. Oberstar.

Mr. OBERSTAR. Thank you, Mr. Chairman. You stated the case very well and very thoughtfully, and recited the history, which I will go into in a moment. But I would characterize this hearing as a tale of two departments and a tale of two secretaries.

On Tuesday, September 11th, Secretary of Transportation Norm Mineta was meeting in his office with the Belgian Minister of Transport to discuss the upcoming US-EU negotiations. In the course of that meeting, his chief of staff, John Flaherty, stepped into the office and whispered into his ear. Secretary Mineta jumped

up, stepped outside, and learned that some type of aircraft had crashed into one of the Trade Towers in New York City. It was only preliminary information, but FAA Administrator Jane Garvey was in the meeting with Secretary Mineta. He dispatched her to get the details and to stay in the office and just fill him in on everything.

He went back into the meeting and informed the Belgian Minister that there had been a terrible accident. Moments later, he got another interruption from his chief of staff; he stepped out again and learned that an aircraft was approaching the second tower, and he watched as it impacted. Immediately he called American Airlines. He called the Chief of Operations of FAA, asked if American Airlines could account for all of its aircraft, asked if other airlines could account for all of their aircraft. He didn't wait for a committee or a commission or a directive from the White House, he just went right directly to carry out what he knew was his responsibility.

He had set up a structure within the Department of Transportation that, when an incident of any transportation magnitude occurs, the Secretary is immediately informed, the Department goes into an information-gathering mode, monitors press reports, sets up the personnel who are already designated to accommodate the surge of inquiries and of information, and centralize that information and direct it to the Secretary and his Chief of Staff.

Then he decided that he needed to talk to the White House about this matter, decided that not only he needed to contact, but to get to the White House and go into the secure room and to take control of the situation. He directed Monty Belger and Administrator Garvey to find out where all aircraft were. It was alarming, they couldn't account for all aircraft. All airlines could not tell the Department and the FAA where all their aircraft were. Some could not be contacted. There might be more attacks coming.

By then he was convinced this was not just a coincidence, but an attack, and decided that the air space had to be cleared to stop further attacks. That took one hour. He didn't look around for blame, didn't look around for underlings to finger. He acted, decisively. Within that hour, he gave the most monumental order in the history of aviation in the United States: to clear the domestic air space of all civil aviation aircraft. That had never been done before. And all air traffic controllers got to work and took 4,500 commercial aircraft out of the air space of the United States, so that all screens were dark within two hours.

Also, as Secretary of the Department in which the Coast Guard was located, he oversaw the mass evacuation of 350,000 people from Manhattan. In addition, he oversaw the largest maritime evacuation conducted in the history of the United States. And then over the next few days worked with all the modes of transportation and reopened the roads, the tunnels, the bridges, the harbors, and the railroads to get essential supplies into the area.

That was without notice, without anybody telling, without the National Weather Service, without the TV news channels reporting that this massive force of destruction was on its way, as the Chairman said, Mother Nature was headed our way. You knew about it. The whole world knew about it.

I have to offer a disclaimer here. My wife was born and raised in New Orleans. We watched with very intensive interest. Her two brothers were still living there.

You get the information, and what happens? You go off to a conference. A very important conference, I am sure, on avian flu. But you should have been at your point of operation, directing activities, making sure that everything was in place. You had time to do this. The Secretary of Transportation had no time. He had to make a split-second, in effect, decision. And he did the right thing. He made the right choice at the right time. He mobilized people.

I will further add that he has the experience; he served for 20 years on this Committee, one of the most knowledgeable people in transportation. But he knew what had to be done and he moved on it.

Now, when this Department of Homeland Security was created, I opposed moving FEMA to the Department, as the Chairman did, opposed moving the Coast Guard into it. Moving FEMA into this new Department of Homeland Security without a clearly defined Homeland Security role is, in my judgment, a mistake. There is no delineation of what is homeland security compared to floods, hurricanes, blizzards, earthquakes, tornados. When your home is under water up to the eaves, are you going to wonder where is FEMA? Are they on a mission looking for terrorists or are they going to be on a mission looking for your lost children and rescuing you from the rooftop of your house? That is what I said in Committee, on the House floor.

We didn't prevail, Mr. Chairman, unfortunately. And now we have a mess.

I am not among those saying the Secretary ought to resign. We ought to hold him here. We have got to keep him accountable and make sure that mistakes, grave mistakes that lead to loss of life, avoidable loss of life, are corrected.

Thank you, Mr. Chairman.

Mr. YOUNG. Thank you. I will say one thing about your statement, one thing I didn't agree with about the Secretary of Transportation, and I hope you understand this, Mr. Secretary. My people in Alaska were out in the woods, and there were no planes flying and weren't real happy with the Secretary, believe me. And that actually happened for two days, until I got him to lift the restriction so they could get out of there. There were no planes flying. You can't realize it in Alaska, when we don't have many roads, with no air traffic, what it sounds like.

Mr. Shuster?

Mr. SHUSTER. Thank you, Mr. Chairman.

And thank you, Mr. Secretary, for making yourself available to us here in the Committee.

This hearing is the first of many in the coming weeks in our effort to improve the Nation's ability to manage disasters of all kinds. Hurricane Katrina revealed problems in our system at all levels of government that have to be addressed, and this Committee has a large role in guiding those efforts to fix those problems. Hurricane Katrina showed us the disaster system is broken. It must be a top priority of this Committee to fix the Federal Emergency Management System, and the problem is the Federal system

is much larger than FEMA, and just retooling FEMA alone won't correct that problem; there needs to be more from the top down.

As we listen to the Secretary's testimony today, and as we begin to draft our own legislation, I believe we should keep in mind five critical reform principles. First, catastrophic disasters require presidential involvement to mobilize the assets of the entire Federal Government, and the President needs solid professional disaster advice to make the right decisions. The Homeland Security Act and the National Response Plan put that responsibility into the hands of the Secretary.

Yet, I am afraid we created a structure where the Federal Government's top disaster official will likely never be a disaster professional, because the Department's number one priority is preventing terrorism, as it should be, it is not responding to disasters. Given the experience of the last three years, it is clear that disaster management needs to be somebody's top priority.

Second, active duty DOD forces need to be involved quickly and in support of civil authorities. In the case of Katrina, it took several days for DHS to negotiate DOD's mission assignment. As a result, significant active duty forces did not arrive until after the evacuation of both the Superdome and the Convention Center. Time is of the essence in a disaster.

Third, the four components of comprehensive emergency management—preparedness, response, recovery, and mitigation—need to be closely integrated and jointly managed. It is important to note that FEMA'S core mission was never limited to natural disasters or to response and recovery only. Being a native Pennsylvanian, I am quite familiar with the incident that launched the creation of FEMA.

The failed response to the nuclear accident at Three Mile Island prompted President Carter to unite the preparedness, response, recovery, and mitigation functions into a single independent agency. The comprehensive management of nuclear accidents, terrorism, natural disasters, and emergencies of all types was FEMA'S core function from day one, for the simple reason that it doesn't work any other way. During Katrina, we saw what happens when preparedness is too far removed from response.

Fourth, we need a strong professional disaster workforce and robust disaster response. Katrina has taught us that the key to a successful response operation is to invest in our disaster professionals. We have to train them, exercise them, equip them, and help them build effective working relations with their State and local partners. The Secretary's retooling FEMA initiative helps address these issues. We also have to rebuild and, in some instances, develop capabilities that we have never had before.

For example, FEMA needs to develop or have access to a logistics system that can move extremely large amounts of resources and pinpoint their location at any time. FEMA also needs a communications capability that is portable, survivable, and allows for the integration of diverse systems. Following Katrina, we learned that FEMA'S national response teams had lost their dedicated communications packages to budget cuts, and that many team members were not even issued Blackberrys. I am astonished that our readiness deteriorated to such a state.

Finally, we must resolve the tension between our all-hazards emergency management system and terrorism preparedness and response.

I look forward to hearing from you today, Mr. Secretary, and to working with you as we move to address this important issue.

Thank you. I yield back.

Mr. YOUNG. Thank you, Mr. Shuster.

Ms. Norton?

Ms. NORTON. Thank you, Mr. Chairman. I very much appreciate your calling this hearing.

And I want to thank the Secretary, who has had a very long day, just come from our other committee, Homeland Security, and I want to say that as Ranking Member of the FEMA Subcommittee, I conceive my role as problem solver, and not here to offer yet another thrashing to the Secretary.

And part of this is because I have some sympathy for you, Mr. Secretary. Thirty years ago another president asked me to come in and manage an agency. That agency had been so troubled it had been all in the newspapers. When it comes to what you are faced with, I don't expect you to be in anything but a trial and error situation for years to come, even years after you leave. My criticisms are guided by the where do we go from here part of the title of this hearing and my deep concern for the plan you have, at least as I understand it, which, as I see it, heads FEMA for very deep trouble.

First of all, how do we understand what Katrina tells us? Katrina was so serious that it goes well beyond the human cost and the economic cost of the most catastrophic natural disaster in American history, because Katrina compels the equally serious conclusion that the Country lacks the capacity to either prepare for or respond to a terrorist attack, which stimulated the establishment of DHS in the first place.

I say this because, tragically, we must, I now think, face the fact that Katrina was a dress rehearsal for a terrorist attack, with one compelling difference. Al Qaeda will not perform, like our outstanding national weather service, with a three day warning. The all-hazards approach, Mr. Secretary, I think drowned in Katrina's waves and demonstrated that the United States could not respond to disasters that, unlike terrorist attacks, are entirely predictable, come every year. That is why the bipartisan leadership of this Committee has called for making FEMA the nimble, independent agency, accountable directly to the President of the United States that it was when it was most effective.

Why would we or why do I focus on structure at all? Because the problems start with the structure of FEMA. For example, there were so many bad actors and bad structural barriers that the threshold, the threshold most obvious actions were not taken. The National Response Plan, in anticipation of the hurricane, was not activated until three days late, despite the weather report, so that resources and plans were not in place before the storm hit landfall. No one even designated the storm as a catastrophic event in time, which would have triggered a proactive response instead of waiting for overwhelmed State and locals to request resources through the proper channels.

Most of all, we need to focus on structure, Mr. Secretary, I think, because the proposed structural response from DHS would make things worse. I say that because the response appears to be to dismantle FEMA. Already this dismantling was well along the way before Katrina, eroding some of FEMA'S preparedness mission by shifting programs like fire grants and emergency management performance grants, and transferring personnel and budget.

Now comes the coup de grace, with Secretary Chertoff's second stage review, which transfers from FEMA altogether any remaining preparedness programs and creates a new preparedness directorate under yet another bureaucracy. The entire emergency management community of experts agrees that transferring preparedness out of FEMA would undermine FEMA'S ability to respond. DHS's inspector general warns that disaster preparedness, response and recovery are intricately related and rely on one another for success.

The Secretary can't have it both ways. Either he wants all of the agencies remotely connected to disasters in one agency because their tasks are interdependent, or they can be disaggregated and work even better. Members from very different parts of the political spectrum, from Senator Trent Lott to Congressman John Dingle, have said the same thing: FEMA cannot be fixed inside the DHS belly, but should return to its independent status, reinforcing this Committee's view.

Mr. Secretary, I want you to know I am on the Homeland Security Committee. I supported consolidation based on my own Federal experience. But I am not a fool who refuses to learn from actual experience. That experience tells me that the only way to save the all-hazards approach is to let FEMA be FEMA, not DHS's stepchild. The Nation's increased focus on terrorism preparedness is absolutely indispensable, but it must be in addition to, and not at the expense of, FEMA'S far more likely and far more frequent natural disaster responsibilities.

Thank you very much, Mr. Chairman.

Mr. YOUNG. I thank the good lady for her statement.

Mr. Oberstar.

Mr. OBERSTAR. Mr. Chairman, I ask unanimous consent that all statements, except those four agreed upon in the bipartisan agreement, be included in the record and any supplemental material accompanying member statements.

Mr. YOUNG. Without objection, so ordered.

Just a short break. I am now going to turn the chair over to Mr. Shuster, and he will conduct the rest of the hearing.

Mr. Secretary, again, thank you for being here. I believe this will be constructive, and I hope after this last hearing is over you can go back and do the charge you have been charged with.

Mr. Shuster.

Mr. SHUSTER. [Presiding] Thank you, Mr. Chairman.

Again, welcome, Mr. Secretary. You can proceed with your opening statement.

TESTIMONY OF THE HONORABLE MICHAEL CHERTOFF, SECRETARY, DEPARTMENT OF HOMELAND SECURITY

Secretary CHERTOFF. Thank you, Congressman Shuster. I want to thank Chairman Young and Ranking Member Oberstar for inviting me before the Committee. I am pleased to be the first Secretary of Homeland Security to be here, not that there were that many before me. And I am delighted with the fact that we are approaching this hearing with an idea of what can we do to make things work better in the future and take a constructive approach to this.

I want to begin by saying that obviously Katrina was an unprecedented disaster, and we have all been through a process of learning lessons. We have had people express their views about what went right and what went wrong. I know we are going to have further expressions of views both from the President's own view that he has commissioned and from the Senate review which has not yet been completed.

Some of what I am outlining about the way forward with FEMA reflects lessons already learned and incorporated, but, frankly, I am withholding some of the recommendations until we get the final reports that come in from the President's review and from the Senate review hopefully within the next few weeks.

I, of course, have very much on my mind the images that I saw in Katrina, and vividly remember, will never forget, the frustration and difficulty during those days of not seeing the kind of response I think this Department owed the people in the Gulf Coast. I also have another vision ahead of me, and it is June 1, hurricane season, and a very clear recognition of the fact that we have to be prepared to do a better job this hurricane season than we did last hurricane season.

Year in, year out there are challenges. Last year was an exceptional year of challenges. It may not be met again this year by quite the same degree of catastrophe, but it may be; and, therefore, we have to get about the business of doing what we can to repair matters as quickly as possible.

Congressman Oberstar talked a little bit about September 11th and the Department of Transportation, and it put me in mind of a couple of observations. When I was in my confirmation hearing in the Senate a little over a year ago, Senator Bennett, who had been in the Administration when the Department of Transportation was formed, said it took five years for the Department of Transportation to become fully matured as an organization. And I think what he meant by that is that perhaps if 9/11 had happened in year two, it would have been very much more difficult for the Department to respond.

I can tell you I was in Government on 9/11; I was at the Department of Justice. I was over at the FBI, in the Operations Center for the 20 hours immediately following September 11th. By coincidence, my deputy in Homeland Security was the deputy at Transportation. So we have very vivid recollections of the challenge that we faced in reacting to that particular emergency.

Every catastrophe and every emergency is different. We want to learn the lessons from the past, but we also want to make sure that, as we move forward, we consider the full range of things, challenges that we might face. So let me take on I think what is

a central question that has been raised in the opening statements: What is the role of FEMA and what should the role of FEMA be within the Department of Homeland Security?

I will tell you that about five months after I arrived on the job, I completed a second stage review in which we looked at all the elements of the Department, and we spent a lot of attention and a lot of time talking to people inside and outside the Department about FEMA. And I don't think it is a secret that there was not only opposition to the merger of FEMA into DHS by people on the Hill, there were people inside FEMA who did not want to have that merger happen. And some of them, I think, perhaps harbored the hope that the merger could be undone, and that may have colored the degree to which they willingly integrated themselves with the Department.

I would draw, by the way, a contrast with the Coast Guard. The Coast Guard embraced the Department of Homeland Security. It retained its independent functioning as a component, but it willingly lent its experience and its devotion to the Department as a whole, and I think it is reflected in the number of people that are in the Coast Guard who now occupy positions of responsibility throughout the Department.

One thing, though, I was clear on: we did have to be an all-hazards department. And anybody who suggested that the leadership of Homeland Security on my sixth month on the job wanted it to be a terrorism-focused department simply was not listening to what I was saying. I gave a speech in July and I said, in front of everybody, one of the critical lessons of the review is we are not where we need to be with preparedness. I told everybody in July of last year that I saw that problem, and I said we had to be an all-hazards department.

And for that reason, within a matter of a few weeks, at the very beginning of August, for the first time, I invited emergency managers and Homeland Security advisors to come together in Washington and talk about what we needed to do to bind ourselves together and to make ourselves an all-hazards agency and an all-hazards system, Federal, State, and local, top to bottom.

Why do I think it is important to be integrated and do it this way? First of all, the hazards we face have to be dealt with along a spectrum. It is true that in many occasions, in many instances we have to deal with hazards that come upon us that we can't prevent. We don't know how to stop hurricanes, so the entirety of our activity has to be focused on response.

But there are other hazards we can prevent. There are hazards we can protect against and harden ourselves against. And I think it is only when we look at the full universe of hazards and deal with them comprehensively that we have the kind of intelligent program that give Americans the security they deserve.

Second, I have to tell you it is often not going to be clear, when we have a disaster, whether it is natural or manmade. A hurricane is obviously a natural disaster. Bombs in a subway are obviously manmade.

But a major power blackout, a major explosion at an oil or chemical factory with a large plume can be a terrorist act, it might be an act of nature. And we are not going to be in a position to nec-

essarily know the answer to that in 24 or 48 hours, so we cannot divide our response or divide our reaction to that kind of a catastrophe in advance. We have to be able to move across the full spectrum and we need to be able to coordinate our response in terms of law enforcement, in terms of protection, and in terms of response.

On the other hand, it is clear to me that FEMA, as an operational agency, was weak when I came into the Department, and again I use Coast Guard as an example. Coast Guard was a strong functioning component, but one that was able to add value as part of a larger department. FEMA was not focused on its core operational mission. We did not have a twenty-first century logistical system. We did not have the kind of communications or the ability to scale up a call center of the kind you needed to deal with the scope of Katrina.

And I will tell you this is not rocket science. These things exist and have existed for years, and it is simply a question of making a decision to bring those things and deploy them into the Department, and that is very much what we are about doing.

So let me tell you what stage one of the way going forward is as far as I am concerned with FEMA. And I say stage two and talking about some of the more fundamental questions like what should FEMA'S role be with respect to long-term housing? What should FEMA'S role be with respect to recovery? What should be FEMA'S role be with respect to how health care is provided? Those, I think, are going to have to await some further reporting, some further recommendations. But the things that we need to do before this hurricane season, June 1, are the following:

First of all, we have to actually integrate FEMA into the Department. That means two things: it means elevating it and completing the process of having its status equal with other components and focused upon its operational missions, but also part of a seamless provision of an operational picture so that we don't have a seam between what FEMA sees and does and what the Department sees and does. And part of that is building an integrated operational capability that will allow Coast Guard, Secret Service, all the other organs, and FEMA to see and have visibility into what everybody else is doing.

Second, we have to have a twenty-first century logistics management system. And what we are going to do for this hurricane season, when we get the contracts done for shipping of commodities, is make sure that there is a requirement of visibility and location for all commodities in real-time as part of that contract.

Why was that never done before? Well, it turns out that FEMA doesn't actually do its own contracts in this area; it goes and has the contracts done by other agencies. Eventually, FEMA has got to do its own contracts. Simply farming out the work to others who don't have responsibility doesn't make a lot of sense. So we are going to start by changing those contracting systems now.

Claims management. We have got to enhance the ability of FEMA to scale up its telephone response resources far beyond what they were in Katrina. And we are currently putting in place contracts that would allow us, both on the Web and through the telephone, to get to a capacity of registering 200,000 people a day.

We also are developing a pilot program to move away from the traditional model of disaster recovery centers, where people come to us, and actually to give our workforce and our disaster assistance employees the tools to go out into the community and actually go to where the victims are, as opposed to making the victims come to us. Part of that is a recognition that FEMA has, for a considerable period of time, relied principally on volunteers as a disaster workforce. That is not going to work in a situation where we have a catastrophe, so we have got to actually create a core disaster workforce around which we can surge volunteers, but which has the capability full-time and professionally to do the job.

Debris removal. We have a system now which favors the Army Corps of Engineers. We are beginning the process of correcting that, at a minimum equalizing the incentives so that we encourage municipalities to go to local contractors where they can get cheaper and more responsive service, while preserving the Army Corps for those things that either require immediate emergency access or immediate emergency response or some specialized engineering skill.

Communications. We are acquiring additional satellite phones and satellite trucks to be able to get out into the field. We have created for the first time in FEMA and at DHS teams that can go out with fully contained communications packages and with the proper training to give us the kind of visibility that will not require us to rely upon second-or third-hand information.

So these are some of the steps we are taking moving forward.

One thing I do want to say, just to make sure the record is clear. I believe the changes that we initiated in the second stage review make sense. I believe that creating a preparedness directorate under an experienced manager with a focus across the entire spectrum makes a lot of sense.

But I have to make clear for the record this was not done before Katrina. When Katrina came, we operated under the old system, and the old system failed. So I think we need to bear that in mind as we go forward.

With that, I look forward to taking questions from the Committee and to engaging in discussion about these important matters.

Mr. SHUSTER. Thank you very much, Mr. Secretary.

I appreciate greatly that the Chairman is letting me chair this hearing, but two things I am going to adhere to is, one, the seniority rule when it comes to questioning, and the second is the five minute rule. If we get through questions and the Secretary still has time and there are further questions, those of you that want to stick around, we will do a second round of questioning. So I am going to adhere to the five minute rule strictly, and I am going to go to Mr. Coble for the first questions.

Mr. COBLE. Thank you, Mr. Chairman.

Mr. Secretary, good to have you with us. At the outset, Mr. Secretary, it is my belief that many mistakes were made. New Orleans officials made mistakes. Louisiana officials made mistakes. U.S. Government officials made mistakes.

Having said that, despite the well known consequences of a major hurricane hitting New Orleans and the weather forecast that I am told was available, why did the Federal Government wait, if in fact it did wait, until it confirmed that the city was flooded and

start pulling boats, buses, and planes and military assistance together later rather than sooner?

Secretary CHERTOFF. On Saturday, before the hurricane hit, the President declared an emergency, which of course opened up the legal ability to move all of that equipment forward and deploy it. That also, by the way, declared an incident of national significance. At that point the Department of Defense began to deploy its resources, at least what it thought was necessary, into the forward area. I think they went to Camp Beauregard.

On Sunday there was a meeting of about 50 people, who were the leaders involved in Louisiana and Mississippi and the other States, at the regional headquarters in Washington. I participated in the meeting by video conference. At that time, there was a review of all the kinds of resources that were needed and Defense Department was plugged into the general preparation.

Looking back, I think there was underestimation of one particular need, and that was the need for buses for a secondary evacuation. And I think it was that underestimation that led to a delay in the process. I also think, frankly, there was a lack of specific planning about how to conduct an evaluation, which hampered things.

Mr. COBLE. You mentioned the Coast Guard earlier, Mr. Secretary, and I think most everybody uniformly agrees that the Coast Guard probably was the only agency present who received consistent high marks from everybody during the grading. Do you believe that the Coast Guard would have done anything differently had it not been a part of DHS?

Secretary CHERTOFF. I think what the Coast Guard did as part of DHS was enable us to, frankly, compensate for some of the deficiencies in other parts of the Department. I remember personally getting involved with the Coast Guard on Thursday to have them change some mission assignments because there were problems in terms of FEMA getting food and water to certain people.

So I think that Coast Guard actually added value. And, of course, the culmination was I appointed a Coast Guard admiral to become principal Federal officer and take over the response operation.

Mr. COBLE. Mr. Chairman, I appreciate your five minute rule, and I hope you will give me credit for yielding well before the red light illuminated.

Mr. SHUSTER. I am taking notice and we are making it down. Thank you, Mr. Coble.

Mr. Oberstar.

Mr. OBERSTAR. Mr. Secretary, I think it is a rather feeble explanation to say that it took the Department of Transportation five years to be fully operational. I served on the staff here on the Hill, for my predecessor, who was charged with the responsibility of creating the Department of Transportation at the request and initiation of President Lyndon Johnson.

We spent months crafting that legislation. We spent months putting it into legislative language and working with the White House and the Senate and getting a bill signed. But it was fully, carefully, structurally thought through with these very issues of integration in mind. And what I was contrasting was a seasoned transpor-

tation professional in Secretary Mineta and a Department that was helter-skelter.

When FEMA was transferred into Homeland Security, the Office of National Preparedness was transferred out of FEMA into the Office of Domestic Preparedness. And, by the way, this Committee had responsibility for creation of FEMA, from civil defense to the Office of Emergency Preparedness to Federal Emergency Management Administration. I was Chairman of the Subcommittee that created that language, so I know what we intended.

Now, since that time, the remaining preparedness functions of FEMA have been systematically stripped out, and now in your second stage review there is a new preparedness directorate that transfers all of FEMA'S preparedness activities into the new directorate, looking at your documentation. Virtually every professional in the field outside of the Department says this is a mistake; you can't fragment this agency.

That is what you have done, you have fragmented FEMA. And you are setting yourself up, setting the Department and the Agency up for a fall in the future. The National Emergency Management Organization president said it is absurd to think that an agency can respond effectively and recover from disasters without a preparedness effort to accomplish this task.

Why continue with this separation? Why continue with the further fragmentation?

Secretary CHERTOFF. I agree with you. First of all, preparedness has to be integrated with response. But I also have to say preparedness is not only related to response. Preparedness is related to prevention and protection as well. And I—

Mr. OBERSTAR. And in connection with prevention, do you support the Predisaster Assistance Mitigation program?

Secretary CHERTOFF. I do support the mitigation program, but—

Mr. OBERSTAR. Then help us get it reinstated.

Secretary CHERTOFF. But let me say that in looking at the issue of preparedness, when I came into the Department, there were elements of preparedness scattered in different parts of the Department. Now, if you go to the police chiefs and you go to the State homeland security advisors, they will tell you that they are very concerned about preparedness in terms of intelligence gathering and prevention. If you go to the people who have private infrastructure, who are worried about oil and gas and fuel and water, they worry about preparedness as it relates to what they have to do. And then, quite rightly, the responders worry about preparedness.

Seems to me we have got to have all of the preparedness aligned: grants, training, and planning. And that doesn't mean parceling it out among different operational components, it means pulling preparedness as a discipline together in one place with one accountable person in charge, and then having the operational expertise in the Coast Guard, in FEMA, in other parts of our Department, in Department of Defense, pull the inter-preparedness to work with preparedness to develop a holistic plan.

Mr. OBERSTAR. That essentially was the lesson to have been learned from September 11, interoperability of communications coordination of logistics. But it failed.

Secretary CHERTOFF. Well, and I will be the first—

Mr. OBERSTAR. And you had time—not you personally, although yes—your Department had time knowing this hurricane was on the way.

Secretary CHERTOFF. I agree with you that when I came in in February of last year and looked at the issue of preparedness, precisely what you are talking about, and examined it, my conclusion in July, which I told the Congress, was we are not where we need to be.

And I was convinced that what happened is no one institution or part of the Department had real responsibility for preparedness across the board, for comprehensive planning, for comprehensive equipping, and for comprehensive training. And my judgment was we needed to make it not a stepchild to operational agencies, but to integrate everything together.

Now, believe me, if I could have gotten it done between July and August, I would have done it in one month. But I think I was honest enough to say this is a challenge that is going to take a number of months. I am really committed to getting this done, and I think a lot of it requires sitting down and actually starting to do some real comprehensive planning.

Mr. OBERSTAR. Mr. Chairman, thank you for the time.

Mr. SHUSTER. Thank you. And you will have an opportunity, I am sure, to ask another question.

We will now go to Mr. Mica.

Mr. MICA. Thank you, Mr. Chairman.

Mr. Chertoff, I have to apologize, because I keep looking at what the problem is, and the problem is not your fault. You just said you came in last February. Your predecessor, Mr. Ridge, tried to put together Homeland Security, putting 177,000 people into one agency, more than a dozen Federal agencies.

I remember some of that debate, and the President initially opposed the huge bureaucracy that was planned, and I think we all got sucked into going along with it. I was concerned at the time about putting FEMA under Homeland Security, and, actually, if you look at part of the problem, in the past, FEMA, in an emergency situation, dealt directly with the President, and we have got one more layer in, you. I would like to take FEMA out and have it operate at least independently in these cases of a national emergency. What is your response?

Secretary CHERTOFF. My response is that I think from an operational standpoint we haven't added a layer between FEMA and the President, we have added a substantial amount of additional resource and support to allow FEMA to operate. I don't think—

Mr. MICA. Well, obviously there was a breakdown. Again, if you look at who was in charge, even your previous testimony, you have got arguments about who is the principal Federal officer, and that didn't work.

Secretary CHERTOFF. Well, I think it is pretty easy to prove if you look at the actual facts. Mr. Brown I guess made it very clear last Friday in the Senate that he actually tried to operate during his time as principal Federal officer under the old model. He tried to take his concerns directly to the White House, which, of course, is not an operational agency. The White House is not going to get on the phone and order buses.

And he tried to duck the Department of Homeland Security, and I think it demonstrably failed to work. When I put Admiral Allen in charge, Admiral Allen played the way he was supposed to play it.

Mr. MICA. But it didn't work. And, again, I am concerned about the monster that Congress created in trying to run it. Now, Ridge put a lot of it together. You have been trying to run it. You came in in a few months.

Mr. Oberstar just raised one of the things that is still a concern, one of the issues that we saw after September 11th was the failure of communications. We saw the failure of communications. A lot of this could have been resolved if people could communicate. I saw one example of—and this isn't your fault, necessarily—of Homeland Security money going to buy lawnmowers for a Maryland fire station. Isn't it time that we set as a first priority communications and interoperability of those communications for disaster and for those that deal in disasters at all levels?

Secretary CHERTOFF. Well, I agree, but I will tell you that, first of all, the lawnmower story—and some of those are several years old. Our current grant funding is much more disciplined and much more specific, has very particular capabilities like communications, and I am told a billion dollars of grant money has been spent now on communications equipment through grants. So we have made a lot of progress.

Now, we didn't make enough to meet the challenge of Katrina, but, on the other hand, I think, in fairness, we have moved a considerable distance from where we were on 9/11.

Mr. MICA. The final issue—I deal with aviation, as you know. We have a warning right now—it is a Level 5 warning, if you want to compare it to levees breaking—with the failure of our passenger security screening system. The Congress has not changed out that $5.6 billion system. I know you have made some attempts to change it to a risk-based system. Where do you think we need to go from here? You have got the balance of my time.

Secretary CHERTOFF. I think, as you know from talking to me and the Deputy and Assistant Secretary Hawley, we are committed to moving, first of all, away from screening for some of the things we don't need to screen for anymore. We need to move to the next level of explosive detection equipment.

We are doing some of that now. We have got money in the budget for that now. We are trying to push some of the security now out into the airport itself, using canine teams, so we get around out in the area where people are waiting, which is another vulnerability.

You know, we clearly don't have to keep locking the barn door against hazards that we have already addressed by hardening cockpits. We need to start thinking about the next generation, and that is what we are working on.

Mr. MICA. Thank you.

Mr. SHUSTER. Thank you.

Mr. DeFazio.

Mr. DEFAZIO. Thank you, Mr. Chairman.

I always hate to contradict my Chairman, but the President proposed this giant new bureaucracy. A number of us, after 9/11, said

we failed to coordinate. We need a cabinet level secretary to make the FBI, the CIA, and all these agencies coordinate these efforts better. We did not ask for a giant new bureaucracy; that sprung full-blown out of the White House on a Tuesday evening, when they wanted to knock Colleen Rawley off the front page of the paper because she was spilling her guts about how the FBI failed to open Moussaoui's computer and we could have stopped 9/11.

I hate this reconstructionist history. That is Bush's bureaucracy. Bush named Albaugh. Bush named Michael Brown. Bush subsumed FEMA into the Department of Homeland Security over the objections of this Committee and over the objections of many others who said it would fail, and it failed us horribly. And it needs to be fixed.

Mr. Chertoff, that is not to you, because this is pre-you. But we just have to keep the history straight.

I am going to go back to something that was raised by another colleague this morning, which is the 11,000 modular homes sitting in Hope, Arkansas. In response to my colleague, you said, well, we don't want to put those in a floodplain. Instead, we are putting in mobile homes. And at the moment, that was somewhat reasonable, but here is what I thought about.

Along the Siuslaw River in Oregon, FEMA paid, or not FEMA, but we paid through the flood program to raise modular homes and put them on pilings so the river can flood. We just had another big flood; the river went under them; they were all fine. Okay.

And I started thinking about, now, wait a minute, we are going to put all of these mobile homes, tens of thousands of mobile homes down into Mr. Taylor's area, way down into Mr. Melancon's area?

So what do they become in a hurricane event? How are we going to get 30, 40, 50,000 mobile homes out of a high wind and flood-prone area? They are going to become flying objects. Or do we have a coordinated plan to evacuate those 30 or 40,000 mobile homes? Maybe we would be better off using the stockpiled 11,000 modular homes, which are sitting in a field while people in Mr. Taylor's district are camped in tents, and putting them up on pilings.

Secretary CHERTOFF. I think we are confusing two different things.

Mr. DEFAZIO. No.

Secretary CHERTOFF. Well, I have to answer to explain. What we are putting down in Mississippi and Louisiana, for the most part, is trailers, travel trailers.

Mr. DEFAZIO. That is what I mean. That is a mobile home versus a modular home.

Secretary CHERTOFF. Well, but a mobile home—well, we may be talking about different things.

Mr. DEFAZIO. We call them mobile homes in the west. Trailers, whatever. Same thing.

Secretary CHERTOFF. It is kind of like grinders and subs.

Mr. DEFAZIO. Right. It can be a fifth wheel, whatever you want to call it.

Secretary CHERTOFF. So let me define what I mean. Travel trailers are things you can hook on the back of a car and move.

Mr. DEFAZIO. Right. We have a plan to get 30,000 or 40,000 of them out of there in a 24 hour period?

Secretary CHERTOFF. Yes. Those we do put down in Louisiana. We do put them down in Mississippi. Those are permissible under the regulations exactly because you can hitch them up to the car and move them out.

Mr. DEFAZIO. But I remember the pictures in Texas. We had a lot of trouble evacuating people in Texas. Aren't we going to now be all piled up with all these people trying to hook up their little travel trailers, fifth wheels, to the back of their pickups and evacuate?

Secretary CHERTOFF. Well, you are putting your finger on a really important issue which I am going to be speaking about in the next couple of months, which is hurricane season is coming up. We are in the middle of reconstructing.

I don't know—you know, there are a significant number of people in Mississippi who do have trailers on their home sites, looking to rebuild. I don't know if they are going to be rebuilt by June 1 or not. And we are going to have to start making plans. That means I am going to have to sit down with the Governors of both States and say, what are your evacuation plans in the event another hurricane comes on June 1st? And that is going to require us to ask exactly that question.

Mr. DEFAZIO. Okay, great. I am glad you are on that.

Let us go back just to the interoperable communications, which I raised earlier today. And I am still concerned that the Bush Administration has zeroed out all grants to local governments for interoperable communications, the number one priority I hear from everybody. But I hear you said on Monday that creating a hardened set of communications capabilities allows DHS, FEMA, Federal, State, and local partners to better communicate. If they don't have interoperable communications at the State, county, city level, what is this new construct of a hardened set of communications that will allow you to communicate with the State and local partners?

Secretary CHERTOFF. Well, the first thing you have to have before your communications are interoperable, they have to be operable. The problem in Katrina was it didn't matter whether they were interoperable because everything went down. And I remember there was a shortage of satellite phones. And even with respect to the satellite phones, there were power packs that weren't available.

So we are acquiring equipment that will, first of all, give us much more satellite phone capability. That, at a minimum, would give the people in command an ability to communicate with their operations center to give real-time visibility to what is happening on the ground. So we don't have to send people in helicopters to try to figure out what is happening, because we can get real communications.

That is not a solution for interoperability, but this is kind of basic stuff that when everything goes down, we have got to have an alternative path.

Mr. DEFAZIO. Thank you, Mr. Chairman.

Mr. SHUSTER. Thank you.

Mrs. Kelly.

Mrs. KELLY. Thank you.

Mr. Chertoff, we all know you have a very tough job, and we all know that we have got to learn quickly from our lessons and be prepared for any potential disaster, including things like evacuations. In New York we are, understandably, very sensitive to your concerns, but we have been watching this issue unfold with considerable alarm.

In my district, this concern is particularly acute because of our proximity to New York City and because it is the home of the Indian Point nuclear power facility. On that point there are a lot of serious questions right now about the emergency preparedness plans for Indian Point, and a lot of those questions fall squarely in your lap.

Three counties in the Indian Point emergency response zone do not think that the emergency plan that FEMA has endorsed for the region is realistic or plausible. These counties have not certified the plan. They have felt this way since 2003, after Governor Pataki commissioned former FEMA Director James Lee Witt to conduct a study to conduct a study of Indian Point preparedness. Witt's report concluded, and I quote, "The current radiologic response system and capabilities are not adequate to protect the people from an unacceptable dose of radiation in the event of a release from Indian Point."

Now, I don't want not suggest that the feds have not done anything since this time to try to address the concerns there, and it is clear, especially after Hurricane Katrina, that, with these evacuations, they have not done enough. My constituents are understandably apprehensive about FEMA'S ability to lead them on this issue.

Despite what the Witt report tells them, despite what our local officials tell them, despite what the State tells them, FEMA continues to say this plan works. FEMA, then, I think, has a responsibility to explain why. People in the Hudson Valley want answers, and your agency is responsible for providing them. In other words, Mr. Secretary, if the counties don't think the emergency plan works, and New York State doesn't think it works, what makes you think it works?

Secretary CHERTOFF. You know, I haven't looked at this particular plan myself, and, as you know, we are undergoing a comprehensive review of emergency plans for all of the 50 States and we just got our initial report. I am not sure from what you are telling me whether there are specific things the State and the county want to see put in place in order to increase evacuation and make evacuation right, because, if so, those are precisely the things we ought to work with them on doing; or whether what you are telling me is that the local officials simply don't think that that particular Indian Point plant ought to be operable and they want to shut it down.

I think what we need to do is look at the plan, see what steps—and I agree, we have to be realistic about whether the plans work or not—we shouldn't kid ourselves about it—and then see what needs to be done in order to make the plan workable with a realistic assessment of what the risk is. I can't tell you, as I sit here, that I have looked at it myself. I do think that has got to be part of the review that we are currently undertaking.

Mrs. KELLY. I appreciate that. There needs to be a shared understanding of the Indian Point emergency plan so that we can truly make progress toward the improvements that are clearly necessary. With that in mind, I would request that the Department of Homeland Security and FEMA come up to Indian Point for a summit with all of the stakeholders—local, State, and Federal—to talk about the plan. I would like to see the DHS and FEMA work with the Nuclear Regulatory Commission to organize this summit for the State and local officials to reassess the emergency preparedness plans for the residents of the communities surrounding Indian Point.

I know that the safety of local residents is always the DHS's number one concern. So I think that we have got to make progress toward establishing a feasible emergency plan that residents of the Hudson Valley are comfortable with. We have got to ensure that our local first responders, who are so critical in this effort, are involved and that their input is included and implemented. Right now they don't have any confidence in the plans that they are responsible for.

I would like you to commit, sir, if you would, to a summit so we can work together at every level of government to resolve these concerns about Indian Point.

Secretary CHERTOFF. Well, as I say, we have our preparedness directorate, which now has really the responsibility even to work with FEMA on these plans. I will pass on to our undersecretary my suggestion that he send a group up to address this issue specifically with FEMA and with State and local officials so we can validate what are legitimate concerns and what still needs to be done.

Mrs. KELLY. If you would do that, sir, please include all stakeholders at every level of the government. That would be very helpful to us toward working with you to try to come up with an evacuation plan that people can have some faith in. Thank you very much.

Mr. SHUSTER. Thank you, Mrs. Kelly.

Mr. Filner.

Mr. FILNER. Thank you, Mr. Chairman.

Thank you, Mr. Secretary, for being with us this afternoon. I am going to ask you about the Urban Area Security Initiative that you direct. I represent San Diego, California and the whole California-Mexico border, and, as you know, we lost most of the funding from previous years under that initiative, and when the mayor and others asked you why, this is a quote that was in the newspaper: "This is merit-based. It is driven by analysis that is disciplined by career officials using some of the best computer modeling we have in the Country, and we are going to stick to it."

The members of the San Diego delegation asked for a briefing from your Department, and you did what you just said to Mrs. Kelly, which I thought was an insult, by the way. You said you were going to ask the undersecretary to send a group. So some low-level group, that is who came to brief us. And let me tell you what they told us, Mr. Secretary.

By the way, I cannot help but reach the conclusion—and I don't know the nickname that the President has bestowed upon you, but

after this briefing from your minions, I can only conclude you're doing a heck of a job, Chertie.

When I asked your folks do you know what the immigration figures are for our region, they said, well, we don't have those figures. And I said, well, through my district every day, legally, 300,000 people go back and forth across that international border. Every day 300,000. Not to mention any illegal situations. And they said, oh, yeah, we factor in immigration. This was after we just found a 2,400 foot tunnel that had all kinds of sophisticated improvements that could bring a dirty bomb across, as far as we could tell.

So I moved from immigration, figuring they didn't know anything about that, and I said, can you name me an area which has three nuclear reactors sitting in its harbor—I mean, it is three nuclear carriers, six nuclear reactors—up to 12 or two dozen nuclear subs in the harbor, hundreds of ships—because we are the biggest Navy base in the world—a nuclear generating plant?

I said, does anybody else have a threat that is posed by such a collection? And they said, well, you know, there are 200,000 military assets, I don't know what your figures are there. And then he said, and this is a quote, this is from your briefer, "The military assets are invisible to our calculations. Besides, we don't know what a threat is if it is posed by a nuclear carrier."

I have started to fear for this Nation, Mr. Secretary. We are a sleeping little fishing village, by your way of looking at it. We have a few fishing boats. Because everything else, and I quote, "is invisible." I don't understand that. In other quotes I have seen that the Defense Department—the Defense Department is responsible, according to your officials, for the defense of those assets. We don't have anything to do with it as the Department of Homeland Security.

I am baffled by that kind of reasoning. I walked out of the meeting. I said to your guys, you don't know what you are talking about; you don't know anything about immigration; you don't know anything about nuclear assets that the Defense Department has. And you are responsible for calculating the threat, a merit-based threat on our community?

So how do you justify those conclusions and the responses I got? And those are quotes, Mr. Secretary. And when we asked for more detailed information about the decisions of the UASI program, we have gotten no detailed information. Your Department refuses to give to Congress that information; you just keeping it is merit-based. When are we going to get that kind of information so we understand what you are doing?

Secretary CHERTOFF. Well, I think, first of all, we have offered—and if it hasn't been done in the case of San Diego, we can offer a classified briefing, which would give some more specificity—

Mr. FILNER. We asked for that, sir, and when they showed up, they said, well, we don't have any information.

Secretary CHERTOFF. Well, I don't know who they are. And if the wrong people showed up, then I will get the right—

Mr. FILNER. Well, that is your responsibility, you sent them.

Secretary CHERTOFF. Well, this is the first I've—

Mr. FILNER. We asked you for the briefing, so you must have sent them.

Secretary CHERTOFF. Well, I didn't personally send them.

Mr. FILNER. That is like Mrs. Kelly. You are going to send some little group off to their major summit meeting too.

Secretary CHERTOFF. Well, I have spoken to Mr. Foresman, who is the Undersecretary, who has got the ultimate responsibility now.

Mr. FILNER. Everybody else has responsibility but you, I see. We have not gotten a briefing. We asked for a classified briefing; you didn't give it to us.

Mr. SHUSTER. Mr. Filner, would you yield for one minute? Let the Secretary answer. Let us give him the courtesy of letting him answer the question.

Mr. FILNER. I think we are passed the courtesy. We have had 9/11, we have had Katrina, and we are heading for the same disasters with this kind of reasoning in that Department.

Mr. SHUSTER. I understand. But, still, let us let the Secretary give an answer. He is listening; he wants to answer. Let us give him a chance.

Secretary CHERTOFF. I don't know who particularly was sent to give you the brief. I do know that we have agreed to make—

Mr. FILNER. Ask the people behind you who you sent. They know. They know.

Secretary CHERTOFF. I know that we have agreed to give classified briefings to a certain level of detail with respect to these decisions. With respect to the issue of immigration, we obviously addressed the issue of immigration directly by putting more border patrol into California, among other things, by my finally flipping the switch allowing the completion of the border fence, which languished for many years until I turned the light on on that.

Mr. FILNER. Except you didn't ask the Congressman from the area, who opposed it because it doesn't do anything for homeland security. Your people just don't understand what is going on there, and you won't even listen to us when we try to tell you.

Secretary CHERTOFF. No, I will listen, but I will tell you right now I completely understand I am going to disappoint some people. My Department is not going to give money to everybody who wants it. There is going to be disagreement. There are people who are going to disagree with my—

Mr. FILNER. But explain to us why the threat that is imposed by the biggest Navy base in the world doesn't reach your calculations.

Secretary CHERTOFF. What I am going to say to you is that we will give you a more specific briefing.

But among other things, when we weigh risk, we think not only of threat, but we think about vulnerability, we think of consequence. When, for example, the First Marine Division is stationed on a naval base, that is a factor which has an impact on whether we have got vulnerability or not. So I can't sit here in this hearing, for any number of reasons, and explain with you or debate with you about this decision.

We are willing to provide you with a briefing. I accept the fact that, being risk-based, some people are going to be unhappy. I could make everybody happy if I gave everybody money—

Mr. FILNER. All we want is a decent explanation.

Mr. SHUSTER. The gentleman's time has expired.

Mr. FILNER. All we want is an explanation, and you are refusing to give it to us.

Mr. SHUSTER. The gentleman's time has expired. The gentleman's time has expired.

I recognize now Mr. LaTourette.

Mr. LATOURETTE. Thank you, Mr. Chairman.

Mr. Secretary, welcome. And I will be pleasant for a minute and courteous, and just tell you that my father-in-law, Ken Laptuck, was in town today. He wanted to come pay his respects, but he is over at the investiture of another one of your former colleagues from the U.S. Attorney's Office in New Jersey; Justice Alito is getting his robe today at 2:00. So he wanted to be here and make sure that I extended their hellos.

Second of all, I want to commend you and the Department for stealing away Dan Shulman from the Transportation Committee. He knows a whole lot about all-hazards planning and ably served me when I had the pleasure of chairing the subcommittee that Chairman Shuster now has.

And then just an editorial comment, because I heard you say, in response to Mrs. Kelly's observations about Indian Point—and I think she has some valid concerns. But I chaired the hearing in 2003, and just from my observation I think what you are going to find is an inadequate evacuation plan, but what you are also going to find is that there was a nuclear power plant, and the city fathers and mothers decided to let people build right up to the power plant, with hundreds of thousands of homes, and now we have got a lot of people who can't get out, and these same people now are wondering why they live next to a nuclear power plant. It is a complicated problem, but I know you will get to the bottom of it.

I want to make a couple of observations and things that I have heard. Our colleague, Congressman Riechert is a former sheriff, and I have good relationships with the sheriffs back in my district. Just a couple of observations, then I will leave you plenty of time to respond.

I was glad to hear you talk about the speech that you gave about all-hazards, that that needs to be the approach, because it has been our philosophy, I think, on the Committee that if my house is on fire, it really doesn't matter how the house got on fire; you want to put it out and then, after the fact, figure out whether it was terrorism, an electrical fire, an arsonist, or a lightening strike.

There is a feeling, I have to tell you, where I come from in Ohio that there has been a shift, that when FEMA was subsumed by the Department of Homeland Security that all of the dollars went into antiterrorism, all of the efforts went into antiterrorism, and the core mission of FEMA to respond to all hazards—terrorism is just a subset; really, again, it doesn't matter when New Orleans is under water, whether or not the hurricane did it or a terrorist broke the levee.

And there is a feeling—and maybe if you could spend a couple of minutes addressing, that after I make my second point, why you think that perception is out there. I have heard you say that is not true, but I have to tell you people think it is true.

The second thing is the Department of Homeland Security recently came in and briefed the Buckeye Sheriffs' Association—not

only my friend, Sheriff Dunlap, but all the other sheriffs—and they came back and they were chuckling, and they were chuckling because they said we have never seen so many anagrams and new terms, NIST and XYZ. He said, if I had one suggestion—so I am going to make it on behalf of my friends the sheriffs—tell them to speak English; don't come up with all of these new agencies with these new fancy shmancy initials that nobody can understand.

I was just at a rail conference in Florida, and the test was here are five new agencies that Homeland Security has just come up with; can anybody tell us what they are. And nobody knows.

So father than presiding over an agency that confuses people, if you have something that is in charge of floods, why don't you call it the place that is in charge of floods, rather than the FYBUT, whatever.

So those are my two observations. One is there is a perception that you are not all-hazards, that you are all-terrorism all the time; and, two, if you can speak English in your programs, I think the folks that I represent would appreciate it.

Secretary CHERTOFF. Let me try to deal with the second first. When I came into the Department, I was struck by the same thing. Part of it is there are a lot of ex-military guys, and I find people in government, in general, and people in the military do use a lot of acronyms. I also try to have a plain English rule. I get briefings sometimes. I have got to confess, it is like alphabet soup. I can't say I despair of changing that, but I certainly am going to try, as much as possible, to get people to speak English.

I know the perception of us being predominantly terrorism-focused is out there. Part of it is that a lot of the grant funding that has been enacted by Congress is focused on terrorism, so we live within those programs. But I want to talk about a couple things I have done to try to counteract that.

One is, when we came out with our national preparedness goal, which looked at a series of different capabilities, we modeled it on a series of scenarios and specifically talked about hurricanes, earthquakes, and a couple of other natural disasters. So in actually coming up with the types of capabilities we would fund in our grant programs, we looked at things that were pertinent to natural disasters.

I have also said even under our Urban Security Initiative that while we have to, by the terms of the program, we have to establish eligibility in terms of risk of an attack, that we are prepared, in terms of investment justification, to look at things that would do double duty for a hazard, whether it was natural or manmade.

So we have tried, within the framework of the requirements of the law in terms of grant, to make sure we are building capacities that can do all-hazard service. So that is one way in which we have tried to make that point.

Mr. LATOURETTE. Okay. Well, I appreciate it. As long as you recognize the perception is out there, and whatever you can do to do it because, again, if you give us a fire truck, we want the fire truck to put out every fire that happens, not just the one that the terrorist started.

So thank you, Mr. Chairman.

Mr. SHUSTER. Thank you, Mr. LaTourette.

Mr. Taylor.

Mr. TAYLOR. Secretary Chertoff, thank you for being here. Secretary Chertoff, since you brought the subject of FEMA trailers up, let me walk you through what apparently no one in FEMA has taken the time to look at.

As people in Mississippi are living in tents still, or in an old Astro van, or their mother-in-law's couch, our Nation buys a trailer for about $14,000. We pay a driver to take it to Hope, Arkansas, and it sits there, sometimes for months. We pay another driver to take it to Purvis, Mississippi, and it sits there for months.

When it gets to Purvis, nobody bothers to see if the plumbing works, if the air conditioner works, if the microwave works, if the heater works. Then it goes to a staging area owned by Bechtel or another contractor, and it sits there for months. Then we pay another drive to deliver it. Bechtel sends a team of about four to six out to install what moms and dads do by themselves every weekend, which is to hook up a water line, find the sewer tap. And the one complicated part is the electricity, but apparently no one at FEMA has bothered to get a core group of good electricians to do this.

So I think a fair question is it has now been seven months. How much has our Nation paid Bechtel to deliver those 36,000 trailers, pay all those drivers and have those trailers sit there so long?

Second thing is—and you brought this up yourself—we now have 36,000 trailers sitting in coastal Mississippi where houses used to be, and we are coming up on hurricane season. Do you, or anyone, have a plan as to what to do if we get hit again? Because the Navy Oceanographic Lab says we are in for 10 years of higher-than-average activity and worse-than-average storms. Are you going to leave them there to be blown apart in the next storm? Are you going to try to get them out of there? If you can't deliver those 36,000 in almost seven months, are you going to get them out in two days?

Secretary CHERTOFF. First of all, Congressman, I know you have a greater personal awareness than probably anybody in the room because you have been through this experience in the last hurricane. And let me deal with both of those. I have the number on Bechtel. It is not in my head; I can get it for you. And I know that the whole way in which we have delivered things is part of a bad logistics system, which I have acknowledged we have to correct.

But let me come to your second thing, because I am going to be honest, that really worries me. It is obvious to me that—and this is just a matter of the calendar and the weather—you can't necessarily rebuild your houses, certainly not to the standard you need to rebuild, by June 1st. There was a tremendous demand for trailers, and I think it was right for us to send trailers down there to let people work on their property and try to get rebuilt. But we can't stop hurricane season from coming.

So what I want to do now, in February, months before, is—and I am happy to—if you want to take this message back, and I will certainly start talking about it soon—we have got to start thinking about what we are going in hurricane season. And it may very well be the fact that, because I don't know how you would evacuate 30,000 trailers in two days, we have to start to consider what are our options for those trailers. Do people want to start to think, in

advance of hurricane season, of moving trailers elsewhere? That would take them off their property and that would really stop the rebuilding process.

By the way, I am completely open to suggestions on this. I do not, as I sit here, have an answer. I started to ask this question a couple weeks ago precisely because I realized that we might not have people rebuilt by the time that the hurricanes come. So I would be more than happy to talk to you about what we need to do to start getting ready while we have—

Mr. TAYLOR. Mr. Secretary, if I may. And I hope you can sense a bit of controlled rage here, because 99 percent of the work I have done since the storm is doing your job. Ninety-nine percent of the calls to my congressional office were complaints about FEMA, whether it is a FEMA trailer or the time it took to get that trailer, or a complaint about the trailer itself. You have gotten more compare orders than you have delivered trailers.

And, again, when it gets to Purvis, no one takes the time to run a water check on it, no one takes the time to see if the heater works, to see if the microwave works. So when you have a core of people who could fix those things as we accept them, or, even better, make the manufacturer pay for those repairs, it then becomes the citizens' expense to send a plumber out, to send an electrician out, to send someone out with a caulk gun to plugs the leaks.

That is insane. I can see that for the first couple thousand. All right? I could see that for the first month. But the second month, the third month, the fourth month, the fifth month, the sixth month? You are not getting any better.

And I don't say this happily: I have zero confidence that this Nation is any better prepared for the next storm if it hits my district, or Alabama or Florida or South Carolina, than it was the last. And you said we are open to suggestion. You are, and then they are trash-canned. I have been sending both verbal and written suggestions to your Agency since September. Nothing changes.

I am on the ground, I am talking to people, I am making I what I think are common sense suggestions all the way from simple things like you should have bought 36,000 power poles that you were ready to plug into, and get the local utility company, when it has to go out and hook up that power anyway, to sink it. That is the most difficult part of the installation. That is not changing, so you are paying to have these things wired one at a time. Absolutely no efficiency.

And it kind of hit me, if we turned it over to Homeland Security to plan D-Day, General Eisenhower would still be waiting for the landing craft.

Secretary CHERTOFF. Well, I have to tell you, Congressman, I completely share your frustration, because I have spent much more time than I should spend as Secretary of this Department trying to understand precisely the issues you have, and I keep hearing about problems with contracts. And that is why, when I got up here and I said we have got to completely reconfigure the way we contract these things out, I spoke out of the same sense of frustration you do, because I don't think you ought to be doing that and I don't think I ought to be doing that.

The question of how we get things delivered in a way that they are sound and they can be hooked up in a reasonable fashion is the kind of fundamental business process that ought to be solved inside the agency. And if you are going to contract out for trailers, you ought to contract out for an integrated solution, which is get the trailer and get it in there in proper shape, and not little pieces of contracts that don't synchronize together. And whether this is a failing of the contract or a failure of the way we contracted, it is plainly unacceptable, and this is exactly the kind of thing we have to cure for next year.

The second piece, though, which I don't want to leave without—I know I am running over time, but I don't want to leave without emphasizing is with the best intentions of the world, if all the trailers were in perfectly right now, we would still confront the second issue. If houses aren't built by June 1st—and I don't know how far a lot of them are—

Mr. TAYLOR. May I respond to that?

Secretary CHERTOFF. Yes.

Mr. TAYLOR. Mr. Secretary, every plumber, carpenter, electrician, roofer for hundreds of miles has two or three years of work right now. So please don't kid yourself into thinking that these houses, that these 40,000 to 60,000 houses—and even your agency can't give me a hard count just for South Mississippi have to be replaced, but I can tell you it is 40,000 to 60,000—you are going to be nowhere near there, and something you absolutely have to start considering is the extension of that 18-month deadline.

Because, remember, the guy who got his trailer in October gives it up in 18 months. The guy who gets his trailer this month gives it up in 12 months, because you have an artificial deadline of 18 months from the day of the storm. And I can assure you that that need will be nowhere near fulfilled by then.

Secretary CHERTOFF. Well, we can work on that, but the thing—and this is probably an off-line conversation, probably one we ought to have with Governor Barber and the other local officials is to start—

Mr. TAYLOR. He didn't set that deadline, sir.

Secretary CHERTOFF. No, no. We can talk about the deadline, but I want to come back to the thing you raised earlier, which I don't want to leave without really driving home.

And maybe we ought to have a conversation with the Governor and others about this. If things are not built by June 1, people are going to be in trailers, we are going to be in hurricane season. We have got to know what those people are going to do.

And I want to start talking about that five months in advance, not five days in advance. And I welcome the opportunity to get with you and the other officials down there and start to talk about that, as well as all these other things, because we want to get this corrected and finished. You know, I don't think it is right for you and, frankly, I don't think it is a good idea for the Secretary to be spending a lot of time thinking about utility poles and trailers. We ought to be able to do that in FEMA and we ought to be able to get FEMA to have a business process that gets that to work, and that is what I aim to do.

Mr. SHUSTER. The gentleman's time has expired. I am very sensitive to the gentleman from Mississippi's situation, so when we get through the first round, if your side doesn't object, we will go to you first. Thank you.

Mr. Ney.

Mr. NEY. Thank you.

Secretary, welcome today. I convened in October a couple meetings down in the district I represent, and one of the reasons was to get input from people, because we have flooding. Nothing to the order of what happened, obviously, in the Gulf, but we have flooding.

One of the things I want to throw out here today is I think we have got to be careful that as we approach the natural disasters elsewhere in the Country and the ones that are going to come up, when we change the rules, if we change the rules—I think in the Gulf's case we have to make some unprecedented changes, I don't disagree with them at all.

But I think we have got to be sensitive, as we change rules, to make sure how they apply to the rest of the Country in regular flooding situations. Have you looked at anything on that nature, of trying to assess what works and what doesn't work?

Secretary CHERTOFF. Yes. One thing I have tried to do as we go into the—because I think you are exactly right. The Gulf is a separate unique set of challenges, but I also want to make sure that we don't lose sight of that fact as we consider and change the kind of bar with respect to other parts of the Country, because we do have to maintain some financial discipline; otherwise, we could wind up with just an unbelievable program.

We have begun to introduce some discipline into the process that FEMA uses to determine exactly when something is a disaster and when something is an emergency, and what to be paid for and what the terms ought to be in terms of cost-share and things of that sort, because although the Gulf was unique and requires unique, maybe, changes in the rules for the Gulf, that doesn't mean we want to all of a sudden have Gulf standards apply to the routine disaster, where we will wind up for paying for every snow storm and every flood.

Mr. NEY. Or some rule changes.

Secretary CHERTOFF. Correct.

Mr. NEY. The last part I have—and I am not going to ask you a question and play gotcha on this. So, without objection, if I can submit this for the record.

Mr. SHUSTER. Without objection, so ordered.

Mr. NEY. Two letters. And this is not from you, but this shocks me. I had a hearing—in fact, we were the first House hearing to go down to Mr. Taylor's district. I was with Mr. Taylor and also down to New Orleans with Maxine Waters from the Housing Subcommittee. We focused on housing. But I still want to ask a question outside my jurisdiction, but important, I think, to the Country, and it is with regards to New Orleans.

I wrote a letter September 29th, and it is to the Army—it was responded by the Department of the Army, of course, Deputy Director of Civil Works. The letter is shocking to me, and that is what I have got here. But it will fall under—I think will fall under you

and the Department for future situations on the levee. In a nutshell, in response to my letter, it says that the goal—to paraphrase, the goal was to restore the system to provide Katrina design by 2006, the state of next year's hurricane system, which is fine in that regards. Determining the level of protection that is appropriate is an issue for the citizens of New Orleans, the State of Louisiana, and the Nation as a whole.

But what they say in here is that they are going to restore it to a level 3. Now, it says we currently do not have an approved cost estimate for providing category 5 level protection to New Orleans. Preliminary scheduled estimates for providing category 5 protection for metropolitan New Orleans could take nine to ten years from when we are given the authority and the money.

What shocks me about this is we are going to rebuild at level 3. We know that level 3 will not make it. And we are spending money, and I want to help the people down there, and that is why we are working on the housing. I guess—and that is why I am not playing gotcha on this. You probably haven't seen this letter.

But somewhere down the line the Feds, the State of Louisiana, and the City of New Orleans, somebody has got to pull the trigger to make that call. If we rebuild to level 3 and something else happens, I can tell you people are going to say do we respond with $80 billion. And the other thing is there has got to be a way to go faster than nine to ten years.

So I just raise this because, to me, this is shocking.

Secretary CHERTOFF. Well, as you know, Congressman, first of all, the Army Corps is not in my Department, and, second, I have not seen the letter before. I know from previous statements—

Mr. NEY. Not to interrupt you, but that is why I didn't want to play gotcha on this. But I will tell you it is not your Department, but because of your authority in FEMA and natural disasters, I don't think this is just a call of the Corps.

Secretary CHERTOFF. No, I agree.

Mr. NEY. It is going to come eventually to you and the White House.

Secretary CHERTOFF. I think that what has been said publicly about what will be done by June 2006 is built to category 3 or—and you don't actually build to categories. One of the problems is the category—save for Simpson's calendar, hurricanes does not mesh with the way they describe how they build.

The best way to put it, I think, in simple terms is I think the intent of the Army Corps by June 1 is to build to what the standards were intended to be prior to Katrina, but with the levees built properly. Because I gathered that what emerged in some of the studies is that the levees had deficiencies in the way they were constructed so that, among other things, one of the levees that failed didn't even have water up to the top of the levee, and it should not have failed at all.

Now, the whole second question you raise is—which goes back to Congressman Taylor's question—we are coming—you know, the clock is not going to wait, and there is going to come a time people are going to have to make some hard decisions about where it makes sense to rebuild. And no amount of wishful thinking or po-

litical discussion or whatever is going to change the physical realities of what is on the ground.

Mr. SHUSTER. Thank you. The gentleman's time has expired.

Mr. Honda.

Mr. HONDA. Thank you, Mr. Chairman.

Welcome, Secretary. I will be real quick. I take it that your answer to Mr. Mica's question about FEMA being a standalone is no.

Secretary CHERTOFF. I think if we were more standalone, it would be—

Mr. HONDA. That is sufficient. Just no, right?

Secretary CHERTOFF. Right, no.

Mr. HONDA. Now, we have deadlines coming up on the folks who have housing, and many of them will be displaced again. I visited Bayou La Batre, Biloxi, been to Houston, and there are a lot of folks in Houston who are going to be displaced because of the deadline. Do you have the authority to extend the deadline?

Secretary CHERTOFF. Are we talking about the hotel deadline?

Mr. HONDA. Pardon?

Secretary CHERTOFF. Are you talking about the hotel deadline?

Mr. HONDA. Hotel, motel. The housing.

Secretary CHERTOFF. Let me make clear exactly what the deadline is, because no one should be displaced, if they are eligible and if they are in touch with FEMA. We have contacted every single—

Mr. HONDA. My question is, do you have the authority to extend the deadline?

Secretary CHERTOFF. I have authority to extend within legal limits. But I want to make clear that nobody is going to be displaced without having received money for rental assistance or some alternative form of housing provided they are eligible under the law.

Mr. HONDA. Okay, then. There are folks in Houston, over 15,000, who are Vietnamese or other Asians who have been displaced from the Gulf Coast who have no idea how to get in contact with FEMA. FEMA had no idea how to contact them. And once they knew the community was there, they made no efforts. They say they tried, but they made no efforts to station themselves where the population is. Like you say, you want them to go out to the community—

Secretary CHERTOFF. Right.

Mr. HONDA.—where the folks are. That hasn't happened. Where will they fit and will you—

Secretary CHERTOFF. Well, I guess I have to ask you a question. Are these people in apartments? Because we are arranging with—if they are in apartments, people who were displaced who got apartments, there is no deadline for them to leave in the near future. I think that the apartments in Houston, there were leases signed for 12 months. So—

Mr. HONDA. And you are covering that, FEMA?

Secretary CHERTOFF. FEMA is working with the city. I think FEMA will wind up reimbursing the city. I think the city is directly paying for the apartments.

Mr. HONDA. But there are some problems with definitions, housing versus shelter. Whether they are in housing, apartments, whatever, it is still shelter for them because they have been displaced. Is that a big problem in your mind?

Secretary CHERTOFF. I think it has been a huge problem, and we have tried to handle it in the following way—

Mr. HONDA. Well, can we get this agreement, that the deadline will be extended until those kinds of problems are—

Secretary CHERTOFF. We can get this agreement, that nobody who is eligible, who FEMA is aware of, will be displaced. Everybody who is eligible—and we can make the FEMA number available and I can give it to you afterwards—

Mr. HONDA. No, the City of Houston has that.

Secretary CHERTOFF. Then they—

Mr. HONDA. So you are saying if the City of Houston say these folks need the extension, you will give that extension to those folks?

Secretary CHERTOFF. I want to be careful because I am not going to give a blank check to somebody. I will tell you exactly what—

Mr. HONDA. Well, let us just assume we are doing it right. Will you extend it?

Secretary CHERTOFF. The way this is designed, everybody in Houston who is in an apartment, we will reimburse the city for the 12 months. So there is no deadline for those people. People in hotels will either get direct money they can use to pay for—

Mr. HONDA. I understand that.

Secretary CHERTOFF. Right.

Mr. HONDA. I am asking you, working through Houston, whether they are in hotels, motels, or homes or apartments, if they are evacuees and they are from the Coast and they are part of the program that have not been addressed by FEMA because they were evacuees, they are mostly Vietnamese and other Asians, will you extend that deadline?

Secretary CHERTOFF. If someone is entitled to get aid and they haven't gotten it yet, we will extend it—

Mr. HONDA. Entitled is an issue.

Secretary CHERTOFF. Well—

Mr. HONDA. Because if they haven't been hooked into FEMA in the beginning—

Secretary CHERTOFF. I understand that. Congressman, what I can't do is tell you if someone is not entitled, I am going to pay them, because that would be a violation of the law. What I can tell you is if someone is entitled, and for some reason we haven't connected to them, we will not displace them, we will make sure they—

Mr. HONDA. And those reasons will be acceptable if Houston says, because you are a stickler on details and definitions.

Secretary CHERTOFF. I am a stickler on not breaking the law.

Mr. HONDA. Well, okay. I understand that. So I am assuming that you are saying it is okay if Houston communicates with you and addresses those issues, even if they don't fit the definition of FEMA because they weren't contacted.

Secretary CHERTOFF. Well—

Mr. HONDA. Because let me tell you what happened. These communities did not get communicated in a language they understood. You have a memo from the Attorney General that says you all have responsibility to communicate in the language that the population

needs, and if that hasn't been followed and we can substantiate that, I would hope that you would say let us do the right thing.

Secretary CHERTOFF. Absolutely. I will tell you we will do the right thing. And if because of whether it is our scoop or just a mistake, someone who is entitled, who is a genuine evacuee, who is entitled to money and assistance didn't get it, we will make sure they don't get displaced, as long as they fit the program—

Mr. SHUSTER. The gentleman's time has expired.

Secretary CHERTOFF.—they are evacuees.

Mr. SHUSTER. Mr. Honda, we will come around again and you can continue the line of questioning. I want to give everybody an opportunity.

I will recognize Mr. Hayes now.

Mr. HAYES. Thank you, Mr. Chairman.

Mr. Secretary, I appreciate your being here. I think you have been a punching bag plenty. The criticisms have certainly flown all directions. I want to pay particular attention to my friend, Mr. Taylor, who certainly earned his stripes more than anybody, having lived through the whole thing. Having said all of that, anything that might be construed as a criticism of the critics, that is not true, especially Gene.

A lot of good things happened. The problems we have talked about in great detail, and it is important we do that. I want to thank you and particularly your staff. Amy McGinnis, behind you, has been very, very helpful as we have tried to work through some very, very serious issues. A lot of things happened that were bad and a lot of things happened that were good.

I have just gotten my hands on a completed report today that we have done through the Armed Services Committee—this is obviously a Federal issue—of the incredible job that the military has done during and after Katrina to help people. So I want to turn that over to Amy just as soon as we get it printed, but I did want to call attention to the fact that many wonderful people did many things for their neighbors, their friends, their churches.

I worked with Gene a lot on many, many individual efforts, and I want to make sure that, as we go forward, those people, public and private, are recognized for the incredible sacrifice and contribution that they made.

So thank you for working with us. We want to help the Department in any way to make sure that we do our best in the future.

Secretary CHERTOFF. Thank you.

Mr. HAYES. Having said that, Mr. Chairman, I would like to yield time to my friend, Mr. Simmons.

Mr. SIMMONS. I thank the gentleman for the yield.

Mr. Secretary, you spent an exciting time this morning before the Homeland Security Committee, this afternoon in front of T&I, and we thank you for your endurance and your patience.

I note that on page 1 of the Executive Summary of the Report of Findings it says both imagination and initiative require good information and a coordinated process for sharing it. So information, good information and information sharing is a key component of how we deal with natural disasters, as well as how we deal with terrorist or manmade disasters.

As Chairman of the Intelligence and Information Sharing Subcommittee, I have a great interest in what I call open-source intelligence, in other words, information that is publicly acquired. Unlike a terrorist attack, where surprise is usually a component, we knew about Hurricane Katrina as early as August 23rd, when it was spotted off of Florida. It proceeded over Florida.

Once it got in the Gulf, it got to be a category 4, then a 5 storm, and then landed as a 4. And I learned after the event by Googling New Orleans and levees that the Louisiana Times Picayune had done about an eight-part series on the vulnerability of New Orleans and the levees and Lake Pontchartrain.

So I guess my point is simply this: if we can be nimble and quick in obtaining publicly available information, processing it through and sharing it around, perhaps, when it comes to these natural disasters, we can anticipate what might happen. So my question to you again, as it was this morning, is do you feel that you have a robust enough capability to acquire, process, analyze, and disseminate information for a manmade, terrorist events as well as for these natural disasters?

Secretary CHERTOFF. Well, first I want to thank Congressman Hayes for his comments. I think the answer is we are working toward that, but we are not quite there yet. Now, if we are discussing the issue of natural disasters, not intelligence, which is a separate set of issues, you know, we do acquire a lot of open-source information.

Sometimes the reliability of it has to be tested and is kind of in question, but one of the things which we need to do to build out in the next couple of months is make sure we have better monitoring and better integration and better analysis of that open-source information, because you collect so much of it that it almost becomes—you have what they call a signal-to-noise problem, and you have to be able to figure out what is really going on.

So we are certainly—you know, it is not hard to collect it; it is hard to refine it and analyze it, and that is what we are working on doing.

Mr. HAYES. I appreciate that answer. I will continue to pursue this issue, as I am sure you know and understand.

I thank the Chair and I yield back to Robin Hayes the two seconds that remain.

Mr. SHUSTER. Time is up. Thanks.

Mr. Bishop.

Mr. BISHOP. Thank you, Mr. Chairman.

Mr. Secretary, thank you for appearing before us this afternoon. I represent Eastern Long Island, the eastern half of Long Island, which is a low-lying area with about 300 miles of coastline. We have been lucky, we have dodged some bullets; we haven't had a catastrophic storm in almost 70 years.

You said before that you saw preparedness as being related to both prevention and protection, so my question to you is what specifically are you doing within your Department and with other Federal agencies to deal with the issue of prevention and protection for low-lying areas like Eastern Long Island that are ultimately going to get hit?

And also, what is your Department doing specifically? You outline four principles that you see guiding the way FEMA goes forward. What are you doing specifically with local government to deal with the issue of being ready to respond to a catastrophic storm?

Secretary CHERTOFF. One of the things which the President mandated that we do and Congress then subsequently put into legislation was to go out to all the States and look at their evacuation and emergency response plans. We got an initial assessment which was due—Congress set a due date of February 10th. We met the due date and we submitted it to Congress. We now have teams going out, working with the States to raise that level.

Through the States, through the State government, we are going to have to—and a big State like New York presents some really special challenges. They are going to have to work with their local governments to identify what their most serious risks are. I think maybe 50, 70 years ago there was a huge hurricane that hit Long Island—

Mr. BISHOP. The last terrible storm was 1938.

Secretary CHERTOFF. So it is rare, but, as we have come to learn, rare doesn't mean non-existent.

We are certainly interested and available to work with local officials on an evacuation plan, for example. What I would say, though, is—and this is why I come back to the fact that it has got to be a very—it has got to be a locally focused plan and it has got to be very specific. They are going to have to ask themselves these questions: Do they have a transportation plan to reverse directional flow?

If they are going to use it, do they know where the hospitals and nursing homes are, and is there a legal requirement that these institutions evacuate people who are infirm? Do they have buses they are going to use for people who don't have transportation? Do they have drivers and a commitment from the drivers and a contract to have their drivers evacuate? Have they mapped out where the buses ought to go and communicated to the public that if you don't have a car, go to this shelter and you will be picked up? That is, by the way, what Miami Beach does.

So those are the kinds of things which we are going to work with the States on. But I guess I want to make this point clear: any county or locality that sits and waits for FEMA to come and give it a plan is going to find itself under water. Emergency planning has to begin at the local level, and if there are areas where there are missing capabilities, that is the kind of thing that we can help with and the State has to help with.

Mr. BISHOP. One more question. The Allstate Insurance Company has recently announced that they are not going to write any new policies on Long Island because of the risk associated with the likelihood of a storm. What assurances can you give us that FEMA will be able to coordinate the National Flood Insurance Program and will be able to work with the SBA to make sure that loans are available so that there is a stopgap for families and for small businesses?

Secretary CHERTOFF. Well, as you know, one of the issues we have to address is the actuarial soundness of a flood insurance pro-

gram. Obviously, people in a floodplain have to have flood insurance. I think people outside of floodplain are encouraged to get flood insurance. What would be a dangerous thing would be for someone who does not have flood insurance to say I am not going to purchase flood insurance, I am just going to wait for the Federal Government to bail me out. I think that would be a very dangerous and risky thing to do.

Mr. BISHOP. Thank you.

Mr. SHUSTER. Mr. Boustany.

Mr. BOUSTANY. Thank you, Mr. Secretary, for being here. I am from Louisiana, and in the immediate aftermath of Katrina, as soon as the winds abated, I had the opportunity to fly over New Orleans and get a comprehensive aerial survey of what had happened. And it immediately became clear to me that our State and local resources were overwhelmed with what was going on; we were going to need Federal help.

We went back to the communications center for our largest emergency ambulance provider and we were getting real-time information back from the paramedics as to what was going on, and it was really clear that we were overwhelmed. We had major difficulties. We needed help.

I started making numerous phone calls to the Department of Homeland Security, FEMA, White House, and so forth, trying to provide information to get help.

On that same day the Incident of National Significance was invoked, but it is my understanding that the—let me get the term correctly—Catastrophic Incident Annex was not activated. And that is what kicks the Federal response into overdrive. Why did that not happen?

Secretary CHERTOFF. I am glad to have the opportunity to clear this up, because I just think there is a misconception about this, and people have read the plan in a way that I don't think is correct. But I also have to say that if we are at the stage where we have to debate the meaning of the words in a plan, we ought to rewrite the plan so it is clear.

The Incident of National Significance automatically was triggered by the Presidential Declaration of Emergency on Saturday. So the President, by declaring the emergency, did the Incident of National Significance.

The Catastrophic Annex is designed in a case where you don't preposition, you don't have the time to preposition things. That would be the example of what would happen, for example, if there was a sudden attack. Here, there was specific pre-positioning, and I remember this because I was on the telephone call where, among other things, Colonel Smith from Louisiana talked about how they had looked at all these different things and they were satisfied that everything that was necessary was en route or pre-positioned.

So in terms of the status on Sunday, we had things pre-positioned, so the Catastrophic Annex, by its terms, apply, and we had an Incident of National Significance.

Now, let me get to the substances apart from the paper. In looking back, it seems to me the problem is that there was an underestimation of what would be necessary in terms of all of the contingencies. I think there were millions of gallons of water and food,

a lot of stuff, but I think where there was a failure was to conceive of what would happen if there was a levee breach that would actually totally fill the bowl.

I am not saying people didn't anticipate the possibility, but there was no specific plan about if people don't evacuate the first round, what is our secondary plan for bringing buses in. And that seems to me to underscore where planning comes in.

We have got to sit down—and you can't write these plans 24 hours in advance. We have got to sit down and we are going to have to do it this year with Louisiana and say, okay, what is going to happen if Katrina replays? Do you have buses there? Do we now know that the drivers are going to stick around and bring everybody out? And, if not, can we get buses from other areas?

Mr. BOUSTANY. And, in fact, we did learn some of those lessons, because Rita came through my district shortly afterwards, and we were able to successfully get the evacuation done such that there were no lives lost.

Secretary CHERTOFF. So this is really a matter, ultimately, of having the planners, the ground planners and the ground operators literally think through all these things. And I think it is a discipline. We are going to get the military, as we did in Rita, involved very early on, again, not at a high level, where everybody agrees in principle, but at the level of, okay, I want to know how many trucks, how many buses. And that is one of the reasons I said to Congressman Taylor, because there are going to be unique challenges, particularly in Louisiana and Mississippi, we need to start that planning very specifically well in advance.

Mr. BOUSTANY. That is right. You know, one of the other areas that we had trouble with was the fact that we had State barriers to getting additional emergency medical personnel in, physicians and others. We couldn't get the sign-off of the governor and others during the course of that. At what point is there an override where you can get around the red tape? I spent a lot of time on the telephone trying to break through red tape over a 48 hour period to allow for these 800 emergency medical physicians to come in, these other ambulance providers, and helicopter pilots and so forth.

Secretary CHERTOFF. Well, you know, here is an area where maybe legislation needs to be looked at. I understand there was a problem with doctors coming, they are not licensed to practice. Your first impulse is, well, forget the licensing; I am a doctor, let me help out. But then, sooner or later, someone pops their hand up and says, well, if you mess up, you are going to get sued; and because you are not licensed, you will automatically lose and you will be wiped out. And that tends to make a lot of people go whoa, wait a second.

Maybe one of the things to be looked at is whether, in an emergency of a certain category, you do allow—you have to balance protection of liability and allow people to do what they have to do, and if they act in good faith, give them some protection and maybe waive the licensing.

Mr. BOUSTANY. And this is all part of that aligning preparedness that you talked about earlier, where you are actually bringing in the private sector into this planning process.

Secretary CHERTOFF. That is exactly.

Mr. BOUSTANY. And that is what we need to do. It seems to me the preparedness part of this was where the real failure occurred.

Secretary CHERTOFF. I agree with that.

Mr. BOUSTANY. Thank you. I yield back.

Mr. SHUSTER. Thank you.

Mr. Larsen.

Mr. LARSEN. Thank you, Mr. Chairman.

Secretary Chertoff, for better or for worse, today you are the most popular man in Washington, D.C. I appreciate your taking some time to come see us.

I am on the Armed Services Committee as well, and I am sure we are going to be exploring some of the implications of the report that came out from Washington State. We are tucked up there in the Pacific Northwest, about as far north and west as you can get in the lower 48 from Washington, D.C., and quite a bit away from Louisiana.

But I can tell you, speaking for folks at home, they were impacted by the images, and hearts were broken as much as any other hearts in the Country when we saw what we saw in those terrible days in Louisiana and Mississippi. I wanted to ask some questions sort from a practical sense that have come up since from our folks back home, and I apologize for being late and hope they haven't been asked yet.

But I did have a question about the emergency management performance grants and the program, because they are something that allow States and emergency management heads the flexibility to hire and train staff, and the MPG program has authorized a 50/50 match between Federal and State dollars. But the program is underfunded and actually ends up, at least for our guys, as being about a 20/80 match. And the President's budget request proposes $15 million less in fiscal year 2006 and, honestly, from Washington State's perspective, the emergency management folks, it is unacceptable. That program needs to be funded well to address not only issues in States like Louisiana and Mississippi and others, but also Washington State.

I am wondering if you can help us understand why there is less money proposed in that grant program this year than over the last.

Secretary CHERTOFF. I think there is generally a view that, with some limited exceptions, programs that fund personnel costs, salary and things of that sort, are funding the kinds of requirements that are really traditional State and local requirements. There are some exceptions where we think that there are personnel costs that have been imposed on a State or locality where there is some particular national externality or national element that we should, in fairness, pick up, like when we raise the alert level to orange, we do allow for overtime.

But, in general, there are many worthwhile first responders. First responders are critical. But, in theory, that would put the Federal Government in the position of paying for all the police and all the fire and all the emergency personnel all over the Country. So I guess as a matter of policy we try to really move away from paying for personnel and getting into paying for equipment, capital expenditures, research into kinds of technology that we couldn't fairly expect the city or State to be able to conduct itself.

Mr. LARSEN. I appreciate that answer. I think something that came out of Hurricane Katrina and Rita is that there is, for a lot of people, a realization that although we have a debate about what the appropriate role of the Federal Government is in the Country, I think what Hurricane Katrina and Rita demonstrated to a lot of people is that when it comes to natural disasters, sometimes the only tool in the toolbox that is big enough to deal with these things is the Federal Government. And not that we are ever going to have a Hurricane Katrina or Rita size event in Washington State, it might just be another volcano exploding or an earthquake, but still that role of the Federal Government has to be there, and it has to be there to help because it is the only tool big enough.

This gets to another question from some of our emergency management folks. They are concerned about the inability, what they see as an inability of FEMA to respond to natural or even manmade disasters, and I think there is a concern about your comment about hiring 1500 new full-time employees as year-round coordinators. Not that there is any opposition to that, but that the response is those positions were there earlier, but they were moved to focus on terrorism, and now you are just sort of trying to move those folks back. Are these new folks or is this a shuffling, one side to the next?

Secretary CHERTOFF. First of all, we haven't arrived at a number. I think a reporter tried to guess the number, and I don't think her guess is necessarily correct. This is not moving people back, this is—right now, most of our disaster assistance employees are volunteers, they go out into the field. And in the "normal routine" disaster, that probably works pretty well, and I certainly appreciate the work the volunteers do. But I think we recognized in Katrina, when you have a real catastrophe, it requires a level of professional training that is more sophisticated and also requires more sophisticated equipment and training in use of the equipment.

We haven't settled on a number yet. What we are looking to do is have a core of people who are very specialized in this. And then if we need to surge up—essentially, they would be like the noncoms around whom we would build the volunteers so that the volunteers could then have available to them, as they go out into the field, a better set of resources. We have not, however, settled on a number. And although we do have increased money in the budget for additional personnel, we haven't figured out exactly how we are going to—exactly what the number is going to be or how we are going to allocate it.

Mr. LARSEN. If I may just follow up. So you are telling me that whatever number it is, it is not a matter of moving people back from where they were?

Secretary CHERTOFF. Correct. That is not what we are doing.

Mr. LARSEN. It is new people doing new things.

Secretary CHERTOFF. It is not going to be people who went over to terrorism who are coming back. There may be some people who work in FEMA at other jobs who we will train in times of emergency to do this function; and then there will be some new people as well. The exact number, or even close to the exact number, hasn't been determined yet.

Mr. SHUSTER. The gentleman's time has expired.

Mr. LARSEN. Thank you, Mr. Chairman.

Mr. SHUSTER. Mr. Reichert.

Mr. REICHERT. Thank you, Mr. Chair.

I have got to catch an airplane and I know you want to leave. It has been a long day for you yesterday and today, and I am going to talk fast.

I was a sheriff in my previous life, 33 years of law enforcement experience as a sheriff in King County in Seattle, and my issue is first responders. I also am fortunate enough to chair the Emergency Preparedness Subcommittee under Homeland Security. I was afforded a classified briefing by people from your Department. It was held last week, I believe. We made a phone call, I hosted the event and a number of members of Congress were there, and we appreciate your having your people attend and inform us of the formula that was used in risk and threat-based analysis.

My issue, as I have stated this morning in your presentation at Homeland Security, is COPS, and it is personnel costs versus the costs going to all the Federal agencies. There are those costs. I think when local agencies provide their personnel to intelligence gathering efforts for national security purposes, the joint analytical centers, for example, and the joint terrorism task force, I would just ask you to please consider assisting local police departments and sheriffs offices across the Country in providing funding for those people who are engaged in those non-traditional roles of law enforcement, now that we have expanded into this new arena of homeland security.

My second issue—and we talked a lot about that this morning too—was interoperability. I don't believe that the answer to interoperability is more and more funding, more and more money. You and I agreed this morning it was leadership, it was management, it was performance measures.

And I was excited to hear your firm commitment and your passion that you expressed this morning for raising the priority to the highest level within the Department of Homeland Security as far as interoperability is concerned, and to fully staff the Office of Interoperability and Compatibility. You have four staff people now. I think in your FTE count it should be 16. So we have to work together to try and make that happen.

I want to just touch on—how long have you served as the Secretary?

Secretary CHERTOFF. One year and one day.

Mr. REICHERT. One year. And how many departments have been consolidated?

Secretary CHERTOFF. Twenty-two.

Mr. REICHERT. Twenty-two departments. And how many employees?

Secretary CHERTOFF. A hundred and eighty-three thousand, approximately.

Mr. REICHERT. And you haven't solved all these problems yet?

Secretary CHERTOFF. That is going to take a few more weeks, probably.

Mr. REICHERT. You know, I had experience in the sheriffs office. I had 1,100 employees; I had a $110 million budget. I consolidated

40 people into an agency with 1100—it took me two years to finally get people to work together. And part of it was the union agreements and the labor agreements and the disparity in pay and benefits, and I know that is something that you have to work on and we have got to get that fixed. That will bring people together.

Secretary CHERTOFF. Correct. It will.

Mr. REICHERT. How many committees do you report to?

Secretary CHERTOFF. I have got, I would say on the House side there are three authorizing committees and obviously the Appropriations Committee. On the Senate side I think there are three authorizing committees and one Appropriations Committee. I hope I didn't miss a committee. Actually, probably four, because the Intelligence Committee is also—

Mr. REICHERT. Does that include the subcommittees? I heard there were 66 committees that really—

Secretary CHERTOFF. No, I am just going full committees, I am not talking about—

Mr. REICHERT. Well, there are 66 committees, at least that I know of, that your agency reports to, which is absolutely unheard of. So maybe what we ought to do is—you ought to do, sir, is to follow the example of Congress and create a Secretary of Homeland Security of FEMA, of Preparedness, of TSA, of FBI, DEA, and we just divide these all up and make 66 secretaries. Maybe that would work.

Secretary CHERTOFF. Well, we would certainly have a lot of people to testify, but we would have a very stovepiped and fragmented response to everything.

Mr. REICHERT. I have nothing further, Mr. Chairman].

Mr. SHUSTER. Thank you.

Mr. Gilchrest.

Mr. GILCHREST. Thank you very much, Mr. Chairman. Appreciate it.

Mr. Secretary, if you haven't been to Secretary Rumsfeld's place on the eastern shore of Maryland or the Vice President's place on the eastern shore of Maryland, I would like to invite you to my place on the eastern shore of Maryland to go to canoeing. I am about an hour or so north of them. I think my area is a little prettier, a little contour to the land, and we will paddle up a beautiful little tidal basin being followed by the eagles, the osprey, turkey buzzards, and a number of other wildlife things. So just a moment of respite. If you need one, we are always over there.

Secretary CHERTOFF. Say when.

Mr. GILCHREST. Sunday morning. I will have the coffee and the eggs ready. I will give your staff the directions.

Secretary CHERTOFF. That sounds great.

Mr. GILCHREST. Okay.

I would like to ask some questions about Mr. Boustany used the phrase the line of preparedness. And I would like to go—you have been through the gamut here, whether they are trailers or buses or how to deal with the preparedness issue during the storm and after the storm. And I think we have all learned a great deal about how to resolve some of these very difficult issues under this type of catastrophic event with the local government, State government, and the Federal Government.

I would like to take a look at coastal Louisiana. If we are to be prepared—I know there have been a lot of problems in Mississippi. My good friend from lower Mississippi is here today, and he has experienced a lot of those tragic events, and helped and lived through them. But I want to focus just on coastal Louisiana.

There was a report put out some time ago that it is still being worked on, there is still some draft scientific evidence coming to a conclusion that by the year 2050, if nothing was done in Louisiana and we had reasonably expected storm cycles and calm cycles, we would lose about 500 square miles of coastal Louisiana. If they did everything that they could and had $14 billion, they would only lose 250 square miles of coastal Louisiana.

So if we are going to save much of New Orleans and lower Louisiana, I think my message to you is three things, all big-picture observations: to understand clearly the hydraulogic cycle of a third of the United States, a third of the U.S. drains right through Louisiana. And then look at the hydraulic system that we have put in place to move that water with pumps and levees and channels and canals, etc., to protect New Orleans, the infrastructure of oil and gas, communities and towns and so on.

Then, if we take that and understand that lower Louisiana is subsiding, it is sinking, for a variety of reasons, but in fact it is being compressed, so it is getting lower, sea level is rising. The area of protection is being eroded away. The area of protection is the sediment coming down the Mississippi River that used to provide for fast land.

That sediment provided for more land. That sediment has been channeled either by dams upstream or by pumps before it gets there, or it shoots right out into the outer continental shelf of the Gulf of Mexico and is of no value. The other thing is the marshes and the wetlands that, on average—and Dr. Boustany knows this—about 25 or 30 square miles are lost every year. In this hurricane, Katrina, 100 square miles was lost.

So line of preparedness. Look at the big picture of the hydraulogic cycle going through Louisiana. How do we protect that barrier which protects the economy, which is oil and gas, tourism, fisheries, but the cities? What do we do to understand the hydraulogic cycle and what do we do to protect that marsh area in coastal Louisiana that fundamentally protects what we all know about Louisiana?

I am sorry for that diatribe, but that is sort of the big picture.

Secretary CHERTOFF. I agree, I think it is the big picture. Preparedness is what we do for right now, in terms of things that are going to happen that we can't stop. But you are really asking fundamental questions which have to be answered to really understand the configuration of the Gulf Coast and rebuilding over the next 20, 50, 100 years.

Mr. GILCHREST. Thank you, Mr. Chairman.

Thank you, Mr. Secretary.

Mr. SHUSTER. Thank you.

Ms. Norton.

Ms. NORTON. Thank you very much, Mr. Chairman.

I apologize to the Secretary that I was called off campus and had to leave. I would like to give you an opportunity to respond to my

criticism about bifurcation of FEMA itself within DHS. We can't find any experts in emergency response that agree that you improve matters—they all argue you make matters worse—if you separate preparation, response, and recovery. Your second stage notion, as I understand it, was separate out preparation. I think you were responding to FEMA'S failure.

But how would you respond to them that these three notions are not just interrelated, they are part of continuum, they are seamless if you separate and create another bureaucracy, not under FEMA, that is in charge of preparation, and then everything else somehow is left with FEMA?

Secretary CHERTOFF. This is how I would respond. First of all, I want to say that we came to this conclusion actually talking to emergency managers, inside and outside, military people who talked to us about how they reorganized the Defense Department to make it operate in an integrated fashion. I agree with you about the continuum.

I think the problem—I have to begin with this proposition: When preparedness in FEMA was separated from other elements of preparedness, because preparedness covers a lot of things, it covers protecting infrastructure, it covers law enforcement, it covers intelligence. When preparedness was linked up with FEMA in a separate directorate, which was what the situation was when Katrina hit, preparedness had not been done.

When I came into the Department, there were large elements of preparedness that had not really been attended to, and I think, frankly, part of that is because, at bottom, FEMA is an operational agency and has to be able to really respond to an emergency and a crisis doing the kinds of things like moving supplies, going into afflicted areas, providing relief. And since we know that the Country, at a minimum five to six months of the year, were going to have a series of those, if not 12 months a year, the head of that combined directorate is inevitably drawn to dealing with a crisis and not paying attention to the long-term planning.

What I wanted to do was I wanted to integrate, exactly as you say, the whole spectrum of preparedness, recognizing that some of it is intelligence, some of it is prevention, some of its protection, and some of it is response. And the idea isn't to disconnect FEMA from preparedness, but it is, rather, to have preparedness draw upon all of the disciplines that we have—FEMA, Coast Guard, the law enforcement agencies that we have, TSA, which gets us transportation—so that when you draw plans and when you do grants and training, you are looking across the entire spectrum of what the needs are and recognizing, by the way, that in some places they need to differ.

I will give you an example like Washington. Take Washington, D.C. Sure, an element of preparedness in Washington is response: evacuation; recovery; what do you do if there is, bringing health care in if there is some kind of a disaster.

But another critical element is prevention. What do we put up in order to make sure that we have fused intelligence, that we have trained our law enforcement to prevent a terrorist incident from occurring or dealing with it if it does occur? How do we build protections around our critical areas of the city?

And if, in dealing with preparedness, the District of Columbia had to go to FEMA for dealing with one kind of preparedness, and to a law enforcement agency to deal with another kind of preparedness, and to an infrastructure protection component for dealing with another kind of preparedness, we would simply be continuing the stovepiping that we have been trying to fight in other parts of the government, where the firefighters don't talk to the police, who don't talk to the emergency managers. I mean, you can go to some cities and some of them get along great. In some cities—I am not saying Washington—the fire chief and the police chief barely speak to one another.

So our vision was look at the whole thing as a system, preparedness. And it is not that you don't want to have the operators, the experts like FEMA, involved. You want to have them involved like we have Coast Guard involved with preparedness. But you want to have someone who owns the process and the responsibility for the outcome across the entire spectrum.

The one other thing I ought to put into the mix to give you a full picture of what we want to do is we do need to have regional preparedness, and there we do want to fuse preparedness and the FEMA regions. And I think the vision we have is to put in each of the FEMA regions a cell of people from preparedness and a cell of military people from NORTHCOM and the people who are the FEMA response people in the region, and have that combined, unified group work with the governors and the mayors in that region to actually do this integration of preparedness and response.

So I do think we have taken account of the issues you have raised, but at the end of the day I have to look at somebody and say, you know, you have got to own preparedness, and you can't be off running around dealing with all the emergencies that are going to overwhelm you. You have got to be able to get your team together and do planning and discipline day in and day out, whether there is a hurricane, whether there is a fire, or we are never going to get this thing done.

Ms. NORTON. I can see you are responding to the police side of emergency management, but I am not convinced—and perhaps we can discuss it at some later point—how creating yet another bureaucracy within the Department makes us ahead. At least I understand something of what you are doing.

Could you just take me through, finally, the whole notion, the perpetual criticism about roles and responsibility? One of the reasons that taking FEMA out of DHS and making it nimble seemed to make sense is because it has to move quickly. I still don't know who is designated to do what.

I know who is in charge. The President of the United States is in charge; you are in charge. But I want to know if a disaster, all-hazards, any disaster occurs tomorrow, what happens? Who responds? Who is designated to respond to what? If you could just go down the list.

Secretary CHERTOFF. Sure.

Ms. NORTON. And what happens if the State and locals somehow don't respond next time?

Secretary CHERTOFF. Let me divide disasters into two categories: routine disasters and catastrophes. Routine disasters, which we

have year-in, year-out, even big ones, State government is usually the principal—

Ms. NORTON. I am only interested in ones that involve principally your action because they are so massive.

Secretary CHERTOFF. Okay. Okay. So now if we deal with a catastrophe, I have the responsibility in DHS to be the incident manager. That does not mean, by the way, I have command and control over the entire United States Government, but it means I have to manage the process under the same system that governors use to manage their States.

Ms. NORTON. So FEMA has to go to you first.

Secretary CHERTOFF. No, they don't have to go to me, because—and the model I would use is the Coast Guard. I don't actually require FEMA to come and ask me permission to do things. What I do is I appoint somebody to manage the incident in the field. And that person has the power to coordinate all of the tools of the Department and all of the tools of the Federal Government and assign everybody—

Ms. NORTON. Is that person appointed right now?

Secretary CHERTOFF. The person is appointed for the particular catastrophe depending on where it is and what it is.

Ms. NORTON. So that has to happen. Is there somebody you could tap tomorrow?

Secretary CHERTOFF. Yes. I have got a list of people. Last time, after Mr. Brown was removed, I went to Admiral Allen, and he went down. And we have a list of people who are trained to do this. Some of them are senior members of Coast Guard or Secret Service or other components who have been specifically trained in managing incidents, have a lot of operational experience.

Depending on where the incident is and what the nature of the incident is, it might be a different kind of a person. Obviously, in a maritime environment you might go to Coast Guard; in a city you might go to someone with urban experience. It doesn't even have to be a person from DHS; I can reach out to somebody outside.

Then, at that point, there is no bureaucracy involved. The incident is managed at the lowest level, with people who are in the field, like the combat general, and they have available to them all of the organs of government. All they need to do is say to the Department of Transportation you have to produce a transportation capability to do x, y, z; or, to the military, you have to produce a medical surge capability. If we have planned it properly, that capability is available and begins to move immediately.

What we need to do, though, is to complete this process of process and integrating. And that is what happened us in Katrina.

Ms. NORTON. Mr. Secretary, suppose—

Mr. SHUSTER. The gentle lady's time has expired.

Ms. NORTON. Can I just—

Mr. SHUSTER. As long as this is it.

Ms. NORTON. This is it. Thank you.

Let us assume that the State and locals aren't on point once again. What do we do about the fact that the procedure requires us to go through—and, understandably, this is a Federal republic—go through them, wait for them?

Secretary CHERTOFF. It doesn't require that.

Ms. NORTON. That is what we were told. We were told that because they didn't respond, that is what the problem was.

Secretary CHERTOFF. No. Generally, the expertise—look, the people who know the community best are the local people. And one of the reasons we do want to be a little more regional is to get a little more visibility into what is going on locally. But I can tell you from New Jersey, where I am from, the people who know best what is the best way to evacuate New Jersey are people from New Jersey.

Ms. NORTON. Well, they didn't know best in New Orleans.

Mr. SHUSTER. The gentlelady's time has expired. You have gone over five minutes.

If you want to sum up, sir, then we will go to the next question.

Secretary CHERTOFF. Obviously, if the people in—let me pick my own State, just so we don't get into a thing about Louisiana—and I am sure in New Jersey they do it great. But in the first instance we would go to the people in New Jersey and say what is the best way to evacuate, what is the plan. If they didn't know or they were incapacitated, then we would have to then build a plan. That would take more time.

And one of the reasons we are doing, right now, this exercise of checking everybody's plans is because if the State were incapacitated, at least we would have the benefit of a plan that we have prepared in advanced and we can say, okay, here is the plan for New Jersey, here are the highways you have got to reverse contraflow on, here are where you have to put the fuel bladders so people can get out of town.

I mean, this is a very complicated system that requires—we don't need the States to do it, but we have got to have plans in place or we are not going to know the terrain in the way we need to know to do it effectively.

Ms. NORTON. Thank you, Mr. Chairman, for your indulgence.

Mr. SHUSTER. Thank you.

Mr. Poe.

Mr. POE. Thank you, Mr. Chairman.

Good to see you again. My district down in Southeast Texas is somewhat unique, it is like Mr. Boustany's in that we border each other. The Sabine River separate us, Louisiana and Texas. Katrina hit and about 250,000 from Louisiana came right through Jefferson County, headed to Houston and other parts.

About 25,000 of them stayed in Jefferson County. Took care of them, put them up, fed them, clothed them, sent them to church. Then Rita hit. So we were hit twice. And we have a double problem, as in western Louisiana, because they have two hurricanes in a very short period of time.

I will be very candid with you: the people in Texas feel like they are treated like second class Americans because of Hurricane Rita. It is the forgotten hurricane. All we hear up here in Washington is Katrina, Katrina, Katrina. There were two hurricanes. Rita came through an area the State of Texas that produces 25 percent of the petrochemical products for this Country. Local responders took care of business, and to this day they feel like they are being treated differently by, specifically, FEMA and other government agencies.

I have a few questions. And I appreciate, being a former prosecutor, you know, the brevity of a witness, just answering the question.

The City of Beaumont has incurred about $8.5 million. They have asked to be reimbursed for that out-of-pocket expenses. They are working on the forms. They heard first they could get an advance on that; now they hear they can't. Their problem is they are spending $32,000 a month in interest to the local banks. Is there any possibility they can get an advance, or do they have to finish all the paperwork first?

Secretary CHERTOFF. I don't know the answer, but I will find out.

Mr. POE. Okay. Thank you.

Next concern that I have is, being a former judge, I have read, as everyone else has, the absolute criminal conduct of some people that are preying on these two hurricanes, the people that are stealing social security numbers from dead people and then making a profit out of it, and then spending the money on all kinds of things that we probably shouldn't even talk about here in this Committee hearing.

I think those people need to be in jail. And anybody in the Federal Government that helped and abetted in that, they need to be in jail as well.

Now, we hear about the abuses. My question is is there any plan to get those people locked up and prosecuted?

Secretary CHERTOFF. Yes. The Department of Justice set up a task force working with our inspector general and other law enforcement officials, and they have in fact, I think, prosecuted and will continue to prosecute people who have ripped off the system

Mr. POE. And my last comment has to do with waste. It seems to me that having 10,000 mobile homes or trailers or manufactured houses, whatever you want to call them, worth $50 million sitting up in Hope, Arkansas—some reports that they are sinking in the mud—is FEMA planning to use those trailers?

Secretary CHERTOFF. Yes. The answer is yes. We envision or we predict that of the 18,000 to 20,000, maybe about 8,000 or 9,000 will ultimately be used in places that are not in a floodplain for Katrina and Rita people. Others will be used in other parts of the Country where we don't have a floodplain issue. Some have been used, for example, where there are wildfires. And they actually envision that the remaining 9 or 10,000 will be, in the normal course, used for people who are displaced for all other kinds of disasters during the coming year. So it is anticipated that they will in fact all be put to use.

Mr. POE. I have a suggestion where to store those, rather than in Hope, Arkansas. Nothing against Arkansas, but down on the south Texas border, as you know, we are looking for places to house people that illegally come into the United States, and we could use those 10,000 trailers down there to house illegals. And if they are needed in a disaster, than use them in a disaster. But maybe you might consider doubling up on those trailers and using them as temporary residents for illegals until they are deported back to their home country. Just a suggstion to you.

Secretary CHERTOFF. That was actually suggested at a hearing I was at yesterday, and then someone raised the objection that if

the mobile homes were too comfortable, it might actually encourage people to migrate across the border because they thought they would get better housing.

Mr. POE. We can hook them all up and just take them further south of the Rio Grande River, back to the countries those folks come from, if that is a problem.

Thank you for being here and spending the day with us, and the Texas delegation especially yesterday.

Secretary CHERTOFF. Thank you, Congressman.

Mr. SHUSTER. Mr. Secretary, I want to take the opportunity now to ask a few questions that I have. I became chairman of this subcommittee about a year ago, about a month more than you came on as Secretary, so in some regards I feel like I have been going through this with you, although not to the intensity that you have had to go through it.

All throughout this last year I have been talking to people around the Country that understand emergency management, their thoughts on when you brought your second stage review, we were talking to local and State folks about their thoughts, and my concern is, as we are moving forward again, there is a sense, I bleieve, in Congress that wants to take FEMA out of DHS. You have made your position known; you don't think that would be a wise thing to do.

But I think it is important for us, instead of just getting into an Administration and Congress fight over this, what do the stakeholders say, and that is the States, I think, are major stakeholders. So can you tell me how have you included them in this process as we move forward? Because when they took preparedness out two years ago, when it came together, the State emergency managers were opposed to it, so we didn't listen to them. So can you talk to me a little bit about that?

Secretary CHERTOFF. You know, when I went through the second staeg review, we, in fact, went out and talked to a lot of emergency managers. I talked to some of them myself; others in the process talked to them, State, we talked to experts inside the Federal Government, and we continue to do so.

And when I had the emergency managers and the homeland security advisors in at the beginning of August last year, we talked pretty candidly about this, and I understood that—and I have to step back and say I have been in law enforcement and I have been in this job, and if I sit down with a bunch of police chiefs, all I am going to hear from them is you are giving all the grant money to the first responders.

And if I sit down with the emergency managers, I am going to hear you are giving all the money to the police chiefs. And I feel very strongly we need to have an honest broker in the middle, someone who can look at the entire range of needs and make sure we are funding and training the entire range of needs.

And one of the things I committed to was that the decisions would be made by having people from FEMA participate in the preparedness directorate, by having people from Coast Guard and law enforcement. So I did involve them in the process, and as we go forward with the lessons learned I want to continue to talk to them.

Mr. SHUSTER. And I think I understand what you are saying, because I talk to folks and hear about the money issue, but I am talking more about the structure of it, because at the end of the day they are the end-users, the local firemen, the local folks, the State emergency managers. They are the customer. And it is important for us not to be an honest broker, but listen to them on how they function.

And it is my concern, as I go around the Country now talking to people—and we are going to be holding hearings next week out west—their concern is that preparedness and response is not linked.

I am also a student of history, and you look back to when we set up FEMA in 1979, 1980, after Three Mile Island. Preparedness and response were not together, so we created FEMA. In the 1990s they experimented within FEMA to separate response and preparedness, and it didn't work. And you made the point that you were operating under the old system, and that was preparedness and FEMA are separate, and it didn't work.

Secretary CHERTOFF. Well, they were together. Under the old system we had, the first two years of this Department, we had a directorate of preparedness and response, which in theory did exactly what you say, it unified the two. The problem is that the battle rhythm of the agency as an operational agency understandably focused on the crisis and, as a consequence, the preparedness was not really being integrated. And what I want to do is make sure that we have people like the military, they have planning people who are different than the operational people and different than the combat people.

Mr. SHUSTER. But they are out there practicing every day. That is almost akin to having a practice team and a game team, and if they are not working in practice on those things when it comes game time, they are not going to perform well. And I think with emergency management that is the sense I am getting, not from me, but from what I hear from the folks out in the field. And I know there are differences of opinion out there, but I think that is something we have to weigh heavily on.

Secretary CHERTOFF. Can I just—

Mr. SHUSTER. Sure.

Secretary CHERTOFF. I think we agree more than may appear, for this reason. The structural issue is a question of accountability and making sure that there is somebody who owns the responsibility to fix the problem.

But I completely agree with you that they have to be integrated across the board. And one of the reasons I mentioned this regional issue is because I think as we get into the operational area, which is the regional interaction with the actual responders, there I do see a unified effort, where we do, in a unified command or a unified place, put our FEMA people, our preparedness people, and our military people to do exactly what you say.

Mr. SHUSTER. Another thing that troubled me, and what I hear from the States and some of the local responders, but I know now that you are in the process of hiring a FEMA director, and I understand that a couple people, significant emergency management folks have turned it down. And the word that I hear is that they

are turning it down because they are not confident that we can go forward the way that is proposed. Can you touch on that a little bit?

Secretary CHERTOFF. Yes. I don't think that is an accurate story. I think that there are some very experienced, well-known names that we have spoken to, and we have not made a decision yet. Sometimes people take it, matter of fact, because of family issues, but the people that I have spoken to I think are very excited about what we are trying to do.

And one thing I will tell you is we are looking to get a real superstar, and the example I give you is George Foresman, who we put in charge of preparedness, who I think you can go around anywhere and people are going to say this is the kind of guy we ought to have doing this.

Mr. SHUSTER. I met with George just yesterday. Excellent guy.

But I am still hearing there have been people saying no thanks. So that is a concern.

And my final question is from the Katrina Committee, which I served on, one of the findings we had was that the President was not receiving advice and counsel from an emergency expert, a senior, experienced person on the ground. So how, moving forward, are we going to rectify that situation? Because you are a capable, bright individual, but some would say now you are an emergency expert after your battle-testing Katrina.

But what are we going to have set up that the President can confer, just like he does with the Joint Chiefs or the military experts, are we going to have something like that?

Secretary CHERTOFF. Well, first of all, I probably am more of an expert now than I was, but one thing I think I have been pretty forthright about is I am not going to substitute my—try to pretend I have the experience of a 30-year-old manager. I have got to get the right person in charge of FEMA.

At that point I think I will be able to give the President and make them available to give the President the kind of advice the President needs to hear directly from someone who has a substantial amount of operational experience. That requires putting the right person in charge of FEMA, the right person in charge of preparedness.

Mr. SHUSTER. I don't have any more questions, but I have told a couple of members I would give them a second round. I know you have time constraints. So what I am going to do is do a three minute questioning, and I think, Mr. Boustany, do you—I am really only going to do three members, the Ranking Member, Mr Taylor, and Mr. Boustany. So I will start with Mr. Taylor.

Mr. HONDA. Mr. Chairman, with your indulgence, I have one more question to ask.

Mr. SHUSTER. We will see how we go here, because we have time constraints on the Secretary also, and we want to be respectful of his time. Let us see how these go here. If Mr. Taylor can be brief, we might be able to do that.

Mr. TAYLOR. Mr. Secretary, I am told that you are also in charge of the Federal Flood Insurance Program.

Secretary CHERTOFF. Well, it is part of FEMA, correct.

Mr. TAYLOR. As you know, in the authorization bill that passed just before Christmas, it was $4 billion for the people of Mississippi who lived outside the floodplain, who had homeowner's insurance, were denied their claims. So our Nation stepped forward to do what the insurance industry should have done and didn't do.

I say this because I think if the private sector is going to fail us that miserably, then our Government has the obligation to try to do what is right. Which leads me to the question would you be willing to work with Congress on the creation of a natural disaster insurance program—not a floor insurance program, natural disaster and terrorism—where the premiums are based on the risk, where it doesn't matter if a person's home is destroyed by wind or water or tornado, it is gone, and if he has been paying his premiums and doing what our Nation asks him to do to try to protect that property—because what I fear is going to happen in Mississippi, the next storm, people are going to stay in their house with a video camera and video record their houses being blown away in order to get a claim paid, because that is the only way that shameful industry is going to pay a claim. And it shouldn't come to that.

Second thing is it is now a good six months since the storm. With satellites we can tell the elevation of every square inch of America from space instantaneously; yet, FEMA has not come forward with hard and fast flood maps. You have issued recommendations. On the Mississippi Gulf Coast you have full-time mayors, but every governing authority or part-time city councilman and businesspeople full-time.

So what your professionals are afraid to do, you have punted to a bunch of part-time elected officials. That is not fair, quite frankly. If your organization won't take a stand on the elevations and what they should be in order to ensure people, you cannot force that decision on part-timers. That is just not right. And it is not fair to the taxpayer at the end of the day, because right now all you have is recommendations, and most of the cities are responding by going up four feet. In the case of my home, that would still put me about 11 feet under where the storm went.

And I would like to hear your suggestion on that, because I have got to tell you, as an individual, I now face this dilemma, of building a one bedroom, myself, a shack that is a throw-away house where I just say I am not going to get Federal flood insurance, the heck with it, or spending a substantial amount of money to go 26 feet up in the air, which is where the storm went. And we can measure how high the storm got by the debris line on the trees.

So I really think your organization, if you were doing this on a business-like basis, instead of having hard and fast rules, would incentivize people to make the extra investment and say this is your rate if you go up above Katrina, this is what you are going to pay if you choose to do it at ground level, and incrementally have a price somewhere in between for the people who are willing to—if they are willing to accept some risk, then you should be willing to accept some risk, or vice versa. But what you have done now, quite frankly, is absolutely nothing since the most catastrophic storm that has ever hit the Continental United States.

Secretary CHERTOFF. Let me address both of those. First of all, I certainly would be willing to discuss the possibility of a national

disaster insurance fund, particularly one that requires premiums and that is actuarially sound. I think that is very important.

Mr. TAYLOR. Absolutely.

Secretary CHERTOFF. I think that is very well worth talking about, because I recognize the fact that that lets people make judgments about appropriate risk, because they have to decide what premium they want to pay.

With respect to the flood maps, I know that the advisory flood base elevations have gone out. I know the general recommendation of FEMA is to have those adopted as local ordinances and use those as the standards, recognizing that the flood map calculations and the flood map issuance, which is probably not due until the fall, is likely to be very close to that, it may be slightly different.

And as far as the question of whether we ought to give people a series of options, a certain level gives you a certain measure of protection, I am all—

Mr. TAYLOR. And a certain premium.

Secretary CHERTOFF. Yes. I am all in favor of that. I think that what you were suggesting makes a lot of sense. We ought to have a program that really empowers people to make decisions. They decide how much risk they want to take, they decide how much premium they want to pay, and then we get—you know, people are going to make rational judgments. We clearly know—and one of the things I know is being looked at in these lessons learned is maybe we need to look at the whole flood insurance program and the way we do it now. And I think this is exactly the kind of thing we ought to be talking about.

Now, I don't think that is going to get all retooled by this June. I do know we want to get the flood maps out. I know that it is not just elevation; there are engineering issues, there are questions of historical loss. I am not an engineer, I am not a flood map expert, but I do know the AFBEs, if adopted by local ordinance, will give, I think, an approximation of what would be a good flood elevation level based on projecting what we are likely to get in the flood maps.

Mr. SHUSTER. The gentleman's time has expired. We really have got to move on.

Mr. Boustany.

Mr. BOUSTANY. Thank you, Mr. Chairman.

Mr. Secretary, as a heart surgeon, I would never go into an emergency operation or even a complicated operation without a well organized team. And you mentioned the spectrum of preparedness and these cells of unified command, but we have got to somehow get that down to the local level so that it really is a seamless system.

And one of the things we experienced both in Rita and in Katrina was that in the surge capacity that was implemented, a lot of inexperienced volunteers were down there under the auspices of FEMA, and somehow we have to have a more organized approach to that, with people on the ground in that surge capacity that know what they are doing. So I hope you have some thoughts on that.

Secretary CHERTOFF. Well, we do want to have a cadre of experienced people in disaster management, so that when we surge we can put them in and then build volunteers around them.

But I have got to say there is also a fundamental issue. At the end of the day, unless FEMA becomes 25 or 30 times the size it is now, you are not going to have a permanent group of people who are going to be ready to come in and really professionally do things. So we have got to strike a balance between doing a better job of getting a core of professionals, but also recognizing we have to have a standby surge or reserve capacity for extreme circumstances.

Mr. BOUSTANY. And that surge capacity ought to come from local and the immediate periphery, rather than having people flying in from multiple States over, if possible. That way you have a little bit more of a team approach.

Secretary CHERTOFF. That is true except for one issue. If local people are actually caught up in the event, or their families are, it is awfully hard to ask them to leave their families and get to work. And one of the reasons we do bring people from outside is precisely so they are not torn between family obligations and professional obligations.

Mr. BOUSTANY. Thank you.

Mr. SHUSTER. Mr. Oberstar.

Mr. OBERSTAR. Thank you, Mr. Chairman.

Secretary Chertoff, I listened with interest when you said if you talk to the police, they would say you are giving all the money to firefighters, and vice versa. On Saturday I was meeting with firefighters in my district, volunteer fire departments from a 10,000 square mile area, and they are all complaining that for their applications for FEMA grants, they are told by FEMA that Homeland Security now wants them to justify their breathing apparatus, their fire truck equipment, response equipment by showing a homeland security connection.

That is baloney. And I have seen their applications. You have got to stop that. That is a colossal waste of energy, time, and an affront to our firefighters.

Secretary CHERTOFF. Are we talking about Fire Act grants?

Mr. OBERSTAR. Fire apparatus.

Secretary CHERTOFF. Well, here is the question I have—

Mr. OBERSTAR. No, just listen to me, because the Chairman says we are on a limited time here.

I want you to take that and think about it. That is a colossal waste.

Now, on Saturday, August 27th, the National Weather Service was reporting a category 4 or 5 hurricane was going to hit New Orleans. That day you were at home. You could have, and should have, appointed a principal Federal officer or convened, or both, the Interagency Management Group. Why did you not?

Secretary CHERTOFF. Because we had a team of probably the most experienced people in Government in dealing with hurricanes sitting around the table at FEMA headquarters at the National Response Coordination Center in Washington; because those people were following the hurricane for the prior week; and because my judgment was that in terms of expertise in dealing with the hurricane, recognizing that the issue of a hurricane hitting New Orleans has been out there for 20 years, that there wasn't another group of people I could convene in Washington—

Mr. OBERSTAR. And you are saying that they didn't think that it was serious enough?

Secretary CHERTOFF. No, I am emphatically not saying that. I want to be completely clear about this. Everybody—

Mr. OBERSTAR. Well, you are just talking, not answering my question.

Secretary CHERTOFF. I am answering. Here is my answer. The President declared an emergency. As a matter of the literal, specific language, that created an incident of national significance. As to whether I needed to empanel a separate group of people to come in for the Incident Management Group, I had a group sitting in FEMA managing the incident of the senior-most officials, with dozens of years of hurricane experience, sitting around the table who, as far as I was concerned, were the best people in the Country to anticipate everything that was needed in the case of a hurricane.

Mr. OBERSTAR. So you are saying that everything was in place that needed to be in place at that point?

Secretary CHERTOFF. I am telling you that based on what I knew at the time, I did not know—and, frankly, I still do not know of a better group of people that could have sat around—

Mr. OBERSTAR. Oh, well, look, it was a lapse of judgment. That is the answer.

Mr. SHUSTER. The gentleman's time has expired.

Mr. OBERSTAR. Wait a minute, Mr. Chairman. Just a minute, now.

Mr. SHUSTER. We have gone—

Mr. OBERSTAR. The Secretary has plenty of time to sit here and listen to us. We have people who are out of their homes,—

Mr. SHUSTER. I understand that.

Mr. OBERSTAR. People who are dispossessed, and there are some questions that they want answers to and I want answers to.

Mr. SHUSTER. And he has been answering questions for almost three hours, and we have gone through and let people have a second round, and I have let people go on beyond that. I have great respect for the gentleman from Minnesota, but Mr. Honda is going to have the last question. And I am certain that the Secretary would answer any questions in writing that need to be answered.

Mr. OBERSTAR. Well, in writing is not sufficient, and this is—

Mr. SHUSTER. Well, as I said—

Mr. OBERSTAR. This is a serious lapse in this Committee.

Mr. SHUSTER. Well, I am sorry you feel that way.

Mr. Honda, go ahead.

Mr. OBERSTAR. No, I am angry about it.

Mr. SHUSTER. Mr. Honda?

Mr. HONDA. Thank you, Mr. Chairman, and I will be very quick.

The memo I shared just a while ago from Assistant Attorney John Kim says that agencies should be taking care of civil rights issues in terms of language and making sure that national origin and language, limited English proficient communities are taken care of. That didn't appear to be the case during Katrina. Will you direct your deputies and your directors to make sure this is complied with?

Secretary CHERTOFF. Well, I have done that. I have made sure that we have a person—I am told we had translators and speakers

who cover 187 languages, but after Katrina I met with the head of our civil rights office and, as we go forward in talking about what we do in the next disaster, we have built into our process his input to make sure we are doing what we need to do to reach out to all communities, including appropriate language translation, dealing with people with disabilities, and things of that sort.

Mr. HONDA. So you are saying, yes, you will be doing this.

Secretary CHERTOFF. Yes. We will be doing what we need to do in order to make sure that we have outreach to all communities.

Mr. HONDA. Because the reason why there was over 16,000 folks in Houston was because of the breakdown in language. I want to make sure it doesn't happen again. And the indicators will be flyers, posters, and those kinds of means of communication. You are telling me that those things will be done, including personnel?

Secretary CHERTOFF. Well, we are committed to making sure we comply with these requirements.

Mr. HONDA. I will hold you to that, sir.

Thank you.

Mr. SHUSTER. Thank you, Mr. Honda.

Mr. Secretary, we really appreciate your coming here before us today. This Committee is a serious committee that works to make sure we have an issue in front of us, we want to be able to communicate with you. Spending your time here today is important to us. As we move forward, we are going to continue to have a dialogue with you. I am sure Mr. Oberstar has many more questions to ask, and, as I said, I am confident you will respond to those questions that he has.

The Chairman has not called you before the Committee before because he knows what a big job you have out there, and we want to make sure that you are getting things done and not spending hours and hours before this Committee. And I appreciate your folks have been coming up to the Hill on a regular basis. I met with the Under Secretary yesterday, I met with Michael Jackson a week ago, so I appreciate your making sure that they are available to us for those questions.

So, again, thank you very much for being here today.

Secretary CHERTOFF. I am happy to appear.

[Whereupon, at 4:20 p.m., the committee was adjourned.]

STATEMENT OF CONGRESSMAN JOHN BOOZMAN
FEBRUARY 16, 2006
TRANSPORTATION AND INFRASTRUCTURE COMMITTEE
OVERSIGHT HEARING
"DISASTERS AND THE DEPARTMENT OF HOMELAND SECURITY: WHERE DO WE GO FROM HERE?"

Chairman Shuster and Ranking Member Norton:

I want to thank you for holding this important hearing and providing the Committee with the opportunity to hear Secretary Chertoff address the key findings of the federal government's inadequate response to Hurricane Katrina and to present the department's perspective on improving emergency management capabilities and readiness at the federal, state, and local levels.

I would like to take a moment to describe my personal experience with Hurricane Katrina and my thoughts on the situation. I hope that you, Secretary Chertoff, will be able to address some of these points in your presentation and dialogue with the Committee today.

As you know, after Hurricane Katrina hit the Gulf Coast, many states opened their arms to the evacuees. States across the country welcomed the evacuees and worked very hard to provide them with immediate shelter and further assistance. Arkansas was second, only to Texas, in the number of evacuees brought into the state.

The most severe problems we faced in Arkansas included the lack of accurate information, poor communication and crippling red-tape brought on by the Department of Homeland Security and FEMA.

We first received word that Ft. Chaffee, an installation of the Arkansas Army National Guard, would be used as an in-take and processing center for evacuees on August 31st from a report on the local news. The local officials worked very hard to prepare for the evacuees. It was a "hurry up and wait" situation as the information, on when the evacuees would arrive, was not accurate. We had hundreds of volunteers waiting to assist the National Guard and local response teams as they processed the evacuees. Finally, planes began to land at the local airport – two planes every 45 minutes, with 140 people on each plane. We did not know the condition of the evacuees and many were too weak and ill to even walk.

Late that night, Saturday, September 3rd, I received a call telling me that in addition to the planes, buses of evacuees were on their way to Ft. Chaffee. The lack of accurate information from FEMA crippled our efforts. The reports of additional evacuees coming to Ft. Chaffee fluctuated from the initial 400 then up to 4,000 and then to 9,000. By the time it was all over, we processed over 10,000 evacuees.

FEMA did such a poor job communicating with us that we were relying on state troopers positioned on the border to look for buses crossing into the state. The first charter buses began to

arrive at midnight on the 3rd. We worked all night and the entire next day to try to process the massive influx of evacuees.

The buses that arrived at Ft. Chaffee originally had been directed by FEMA to go to the Astrodome in Texas. But, the Astrodome was full so they turned the buses around and sent them back to New Orleans. The buses were then redirected to Arkansas. The evacuees had been on the buses for days. At Ft. Chaffee, we were not prepared for the volume of people that arrived and we were unaware of their desperate mental and physical condition.

Beyond the communication failure, the red-tape also crippled our efforts. I can't stress strongly enough that you must allow the local officials to do their jobs. The local officials, faith-based organizations and volunteers were ready and able to assist the evacuees. But, red-tape forced by the in-take processing plan made it such that the evacuees weren't allowed off the buses. For hours the evacuees were forced to stay on the buses they'd already been on for days. The bathrooms were overflowing and they had no food or water. We all worked tirelessly trying to get the food and water these people so desperately needed.

The local businesses were heroes as they stepped up, at a moment's notice, to help. Within a 24 hour period, local businesses were out at least 40 to 50 thousand dollars in merchandise and goods. I personally was frustrated with the lack of essentials for the evacuees and volunteers such as food and water. At one point, I went to the local Sam's Club and literally emptied the shelves. Wal-Mart, Sam's Club, Harp's Grocery, CiCi's Pizza, Lowe's and many others businesses were to critical our efforts. Tyson Food and OK Foods arrived at Ft. Chaffee with truckloads of food. Within hours, dozens of companies had stepped up to the plate including J.B. Hunt and ABF Trucking.

Because we did not receive any warning of the massive influx of evacuees, we were not prepared to handle the volume of people that needed a wide array of critical services. As the sun set on that hectic day, we were struggling to gather enough security, healthcare and military support.

I can go into further detail about the events of those first two days at Ft. Chaffee and the weeks that followed but I want to stress the most important lessons we learned. First and foremost, accurate information and effective communication is critical. Surrounding states can provide needed assistance to disaster stricken regions, but only if we know what is needed and when. Second, the local entities must be empowered and allowed to do their jobs. The local officials, volunteers, and faith-based groups know the area and they know how to get things done. They just need the ability to do so.

In Arkansas, the heroes were the local officials, the National Guard, faith-based groups, volunteers and the local businesses who provided so much support. Although crippled by the lack of information, communication and red-tape from the federal level, I am extremely proud that Arkansas rose to the occasion and provided the people displaced by Hurricane Katrina with the assistance and support they so desperately needed.

Mr. Chairman, I hope that we can all learn from the lessons of Hurricane Katrina and improve our disaster response efforts so that the citizens of the United States are well served by their local, state and federal levels of government in times of need.

Corrine Brown

FULL COMMITTEE
Disasters and the Department of Homeland Security
2-16-06

I would like to thank Chairman Young and Ranking Member Oberstar for scheduling today's hearing on the Department of Homeland Security's plan for dealing with future Disasters. I'm glad that were finally getting a chance to exercise our oversight role with this Administration, and I would personally like to see more of President Bush's agency heads testifying in front of our committee.

I believe there is no question that the Bush Administration failed in it's response to Hurricane Katrina, and sadly still continues to fail them today. We've given out billions of dollars and I don't see this money working. I see families getting kicked out of hotels, trailers stuck in the mud, and people desperately waiting for relief.

It's important for the Administration to accept their responsibility for what went wrong before

and after Katrina, learn from their mistakes, and start paying attention to the needs of people of THIS country. I represent the state of Florida where we deal with hurricane disaster almost every year, and I can assure you there is a lot of anxiety over the way the Administration handled Hurricane Katrina.

But we have to move beyond these mistakes and make sure we do it right this time. I believe the number one priority in developing a better plan

for any disaster is to improve communications. Whether it is improving communications between federal, state and local agencies, or funding the purchase of upgraded communications equipment and command centers. This is the number one complaint I hear from every First Responder I meet with. This needs to be a priority.

I am hopeful that today's hearing will help us understand what progress is being made by the

Department of Homeland Security to better prepare for the next disaster this nation faces, and to also find out what they are doing now for the victims of Katrina.

OPENING STATEMENT OF
THE HONORABLE RUSS CARNAHAN (MO-03)
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
U.S. HOUSE OF REPRESENTATIVES

Hearing on
Disasters and the Department of Homeland Security: Where Do We Go From Here?

Thursday, February 16, 2006
2167 Rayburn House Office Building

Mr. Chairman, thank you for holding this hearing on the Department of Homeland Security. As we have all seen, and has been further discovered through a series of investigations, the level of preparedness and the subsequent response to Hurricane Katrina was inadequate. The Department of Homeland Security failed to protect the lives of the very citizens it is charged with protecting.

There are many questions that have arisen out of this disaster. As we learn from the mistakes made by DHS leading up to, during, and following the hurricane, it is imperative that we answer the question: how can these mistakes be prevented in the future?

Being prepared for natural disasters is one of the major functions of the Department of Homeland Security. Hurricane Katrina will not be the last natural disaster that we will need to be prepared for. My district runs the entire length of the Mississippi River. Moreover, the New Madrid fault line runs through my district. It is vitally important to me that the Department is properly prepared for a flood and earthquake of the catastrophic magnitude of Hurricane Katrina. A poor response to such a disaster would decimate the lives of so many in my district.

I am especially interested in Secretary Chertoff's testimony regarding the changes he has made and any future changes he plans to make to ensure that the Department of Homeland Security is adequately prepared for any future natural disasters. I also urge everyone to pay particular attention to meeting these goals in a fiscally responsible manner.

I look forward to hearing the testimony of the Secretary. Thank you for being here today.

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STATEMENT FOR SECRETARY MICHAEL CHERTOFF
U.S. DEPARTMENT OF HOMELAND SECURITY
BEFORE THE HOUSE COMMITTEE ON
TRANSPORTATION AND INFRASTRUCTURE
WASHINGTON, D.C.
FEBRUARY 16, 2006

Introduction

Chairman Young, Ranking Member Oberstar, 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.

Earlier this week, I announced a plan for enhancing the capabilities of the Federal Emergency Management Agency to better support State and local emergency response during a catastrophic event or major disaster or emergency.

These changes are designed to not only provide better tools and stronger capabilities to the men and women of FEMA, but to further accelerate the integration of the Department's preparedness capabilities so that in the future we can effectively respond to emergencies and disasters of any kind and provide assistance in a coordinated and timely fashion.

The fact of the matter is that whether we are responding to an act of nature or an act of man, the Department's preparedness functions must be integrated and not stove-piped, they must be all-hazards, and they must extend across the full spectrum of prevention, protection, response and recovery.

We must have a unified strategy and approach for incident management at DHS and a common operating picture of events among our agencies and our partners. As we continue to integrate the lessons of Katrina, we now have an opportunity to refine and re-tool DHS – including FEMA – so that we can effectively meet the needs of states and the American people in the future.

Response Highlights

Now, we have already seen how teamwork and partnerships can produce striking results. While many things did not work well in the response to Katrina, many of our agencies performed at an exceptional level working together.

For example, the Coast Guard rescued more than 33,000 people in its response to Katrina – six times the number of people it rescued in all of 2004. At its peak, Coast Guard assets supporting the Katrina response totaled 65 aircraft, approximately 30 cutters, approximately 100 boats, and nearly 5,000 personnel.

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 by

FEMA, the Coast Guard, and many other federal, state and local first responders and volunteers – totals almost 40,000 people, or seven times the number of people rescued during the Florida hurricanes in 2004.

Within the first six days of the response, FEMA also assisted in the delivery of 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 Transportation Security Administration helped organize "Operation Air Care," the largest domestic civilian airlift ever in our nation's history. More than 22,000 stranded evacuees were lifted to safety from the New Orleans Airport. These efforts were also supported by the Federal Air Marshal Service, the Department of Transportation, the Air Transport Association, and some of our nation's largest air carriers.

Customs and Border Protection and Immigration and Customs Enforcement also provided a combined 1,300 law enforcement officers to New Orleans to help maintain order, conduct search and rescue operations, and protect critical assets until additional National Guard troops could be mobilized. And the United States Secret Service provided strategic aid and support at critical locations, including the Superdome in New Orleans and the Astrodome in Houston.

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 Congress and the American people 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. 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.

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. 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. Obviously, decisions about these policy issues will await completion of Congressional and Administration after-action reviews. 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, Congress 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 the Department of Defense.

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, so that information is better integrated 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.

The Select Committee identified failures at all levels of government that significantly undermined and detracted from the heroic efforts of first responders, private individuals and organizations, faith-based groups, and others.

The institutional and individual failures we have identified became all the more clear when compared to the heroic efforts of those who acted decisively. Those who didn't flinch, who took matters into their own hands when bureaucratic inertia was causing death, injury, and suffering. Those whose exceptional initiative saved time and money and lives.

We salute the exceptions to the rule, or, more accurately, the exceptions that proved the rule. People like Mike Ford, the owner of three nursing homes who wisely chose to evacuate his patients in Plaquemines Parish before Katrina hit, due in large part to his close and long-standing working relationship with Jesse St. Amant, Director of the Plaquemines Office of Emergency Preparedness.

People like Dr. Gregory Henderson, a pathologist who showed that not all looting represented lawlessness when, with the aid of New Orleans police officers, he raided pharmacies for needed medication and supplies and set up ad hoc clinics in downtown hotels before moving on to the Convention Center.

But these acts of leadership were too few and far between. And no one heard about or learned from them until it was too late.

The preparation for and response to Hurricane Katrina show we are still an analog government in a digital age. We must recognize that we are woefully incapable of storing, moving, and accessing information – especially in times of crisis.

Many of the problems we have identified can be categorized as "information gaps" – or at least problems with information-related implications, or failures to act decisively because information was sketchy at best. Better information would have been an optimal weapon against Katrina. Information sent to the right people at the right place at the right time. Information moved within agencies, across departments, and between jurisdictions of government as well. Seamlessly. Securely. Efficiently.

Unfortunately, no government does these things well, especially big governments.

The federal government is the largest purchaser of information technology in the world, by far. One would think we could share information by now. But Katrina again proved we cannot.

We reflect on the 9/11 Commission's finding that "the most important failure was one of imagination." The Select Committee believes Katrina was primarily a failure of initiative. But there is, of course, a nexus between the two. Both imagination and initiative – in other words, *leadership* – require good information. And a coordinated process for sharing it. And a willingness to use information – however imperfect or incomplete – to fuel action.

With Katrina, the reasons reliable information did not reach more people more quickly are many, and these reasons provide the foundation for our findings.

In essence, we found that while a national emergency management system that relies on state and local governments to identify needs and request resources is adequate for most disasters, a catastrophic disaster like Katrina can and did overwhelm most aspects of the system for an initial period of time. No one anticipated the degree and scope of the destruction the storm would cause, even though many could and should have.

The failure of local, state, and federal governments to respond more effectively to Katrina — which had been predicted in theory for many years, and forecast with startling accuracy for five days — demonstrates that whatever improvements have been made to our capacity to respond to natural or man-made disasters, four and half years after 9/11, we are still not fully prepared. Local first responders were largely overwhelmed and unable to perform their duties, and the National Response Plan did not adequately provide a way for federal assets to quickly supplement or, if necessary, supplant first responders.

The failure of initiative was also a failure of agility. Response plans at all levels of government lacked flexibility and adaptability. Inflexible procedures often

delayed the response. Officials at all levels seemed to be waiting for the disaster that fit their plans, rather than planning and building scalable capacities to meet whatever Mother Nature threw at them. We again encountered the risk-averse culture that pervades big government, and again recognized the need for organizations as agile and responsive as the 21st century world in which we live.

One-size-fits-all plans proved impervious to clear warnings of extraordinary peril. Category 5 needs elicited a Category 1 response. Ours was a response that could not adequately accept civilian and international generosity, and one for which the Congress, through inadequate oversight and accounting of state and local use of federal funds, must accept some blame.

In crafting our findings, we did not guide the facts. We let the facts guide us. The Select Committee's report elaborates on the following findings, which are summarized in part here, in the order in which they appear:

The accuracy and timeliness of National Weather Service and National Hurricane Center forecasts prevented further loss of life

The Hurricane Pam exercise reflected regognition by all levels of government of the dangers of a category 4 or 5 hurricane striking New Orleans

Implementation of lessons learned from Hurricane Pam was incomplete.

Levees protecting New Orleans were not built for the most severe hurricanes

Responsibilities for levee operations and maintenance were diffuse.

The lack of a warning system for breaches and other factors delayed repairs to the levees.

The ultimate cause of the levee failures is under investigation, and results to be determined.

The failure of complete evacuations led to preventable deaths, great suffering, and further delays in relief

Evacuations of general populations went relatively well in all three states.

Despite adequate warning 56 hours before landfall, Governor Blanco and Mayor Nagin delayed ordering a mandatory evacuation in New Orleans until 19 hours before landfall.

The failure to order timely mandatory evacuations, Mayor Nagin's decision to shelter but not evacuate the remaining population, and decisions of individuals led to an incomplete evacuation.

The incomplete pre-landfall evacuation led to deaths, thousands of dangerous rescues, and horrible conditions for those who remained.

Federal, state, and local officials' failure to anticipate the post-landfall conditions delayed post-landfall evacuation and support.

Critical elements of the National Response Plan were executed late, ineffectively, or not at all

It does not appear the President received adequate advice and counsel from a senior disaster professional.

Given the well-known consequences of a major hurricane striking New Orleans, the Secretary should have designated an Incident of National Significance no later than Saturday, two days prior to landfall, when the National Weather Service predicted New Orleans would be struck by a Category 4 or 5 hurricane and President Bush declared a federal emergency.

The Secretary should have convened the Interagency Incident Management Group on Saturday, two days prior to landfall, or earlier to analyze Katrina's potential consequences and anticipate what the federal response would need to accomplish.

The Secretary should have designated the Principal Federal Official on Saturday, two days prior to landfall, from the roster of PFOs who had successfully

completed the required training, unlike then-FEMA Director Michael Brown. Considerable confusion was caused by the Secretary's PFO decisions.

A proactive federal response, or push system, is not a new concept, but it is rarely utilized.

The Secretary should have invoked the Catastrophic Incident Annex to direct the federal response posture to fully switch from a reactive to proactive mode of operations.

Absent the Secretary's invocation of the Catastrophic Incident Annex, the federal response evolved into a push system over several days.

The Homeland Security Operations Center failed to provide valuable situational information to the White House and key operational officials during the disaster.

The White House failed to de-conflict varying damage assessments and discounted information that ultimately proved accurate.

Federal agencies, including DHS, had varying degrees of unfamiliarity with their roles and responsibilities under the National Response Plan and National Incident Management System.

Once activated, the Emergency Management Assistance Compact enabled an unprecedented level of mutual aid assistance to reach the disaster area in a timely and effective manner.

Earlier presidential involvement might have resulted in a more effective response.

DHS and the states were not prepared for this catastrophic event

While a majority of state and local preparedness grants are required to have a terrorism purpose, this does not preclude a dual use application.

Despite extensive preparedness initiatives, DHS was not prepared to respond to the catastrophic effects of Hurricane Katrina.

DHS and FEMA lacked adequate trained and experienced staff for the Katrina response.

The readiness of FEMA's national emergency response teams was inadequate and reduced the effectiveness of the federal response.

Massive communications damage and a failure to adequately plan for alternatives impaired response efforts, command and control, and situational awareness

Massive inoperability had the biggest effect on communications, limiting command and control, situational awareness, and federal, state, and local officials' ability to address unsubstantiated media reports.

Some local and state responders prepared for communications losses but still experienced problems, while others were caught unprepared.

The National Communication System met many of the challenges posed by Hurricane Katrina, enabling critical communication during the response, but gaps in the system did result in delayed response and inadequate delivery of relief supplies.

Command and control was impaired at all levels, delaying relief

Lack of communications and situational awareness paralyzed command and control.

A lack of personnel, training, and funding also weakened command and control.

Ineffective command and control delayed many relief efforts.

The military played an invaluable role, but coordination was lacking

The National Response Plan's Catastrophic Incident Annex as written would have delayed the active duty military response, even if it had been implemented.

DOD/DHS coordination was not effective during Hurricane Katrina.

DOD, FEMA, and the state of Louisiana had difficulty coordinating with each other, which slowed the response.

National Guard and DOD response operations were comprehensive, but perceived as slow.

The Coast Guard's response saved many lives, but coordination with other responders could improve.

The Army Corps of Engineers provided critical resources to Katrina victims, but pre-landfall contracts were not adequate.

DOD has not yet incorporated or implemented lessons learned from joint exercises in military assistance to civil authorities that would have allowed for a more effective response to Katrina.

The lack of integration of National Guard and active duty forces hampered the military response.

Northern Command does not have adequate insight into state response capabilities or adequate interface with governors, which contributed to a lack of mutual understanding and trust during the Katrina response.

Even DOD lacked situational awareness of post-landfall conditions, which contributed to a slower response.

DOD lacked an information sharing protocol that would have enhanced joint situational awareness and communications between all military components.

Joint Task Force Katrina command staff lacked joint training, which contributed to the lack of coordination between active duty components.

Joint Task Force Katrina, the National Guard, Louisiana, and Mississippi lacked needed communications equipment and the interoperability required for seamless on-the-ground coordination.

EMAC processing, pre-arranged state compacts, and Guard equipment packages need improvement.

Equipment, personnel, and training shortfalls affected the National Guard response.

Search and rescue operations were a tremendous success, but coordination and integration between the military services, the National Guard, the Coast Guard, and other rescue organizations was lacking.

The collapse of local law enforcement and lack of effective public communications led to civil unrest and further delayed relief

A variety of conditions led to lawlessness and violence in hurricane stricken areas.

The New Orleans Police Department was ill-prepared for continuity of operations and lost almost all effectiveness.

The lack of a government public communications strategy and media hype of violence exacerbated public concerns and further delayed relief.

EMAC and military assistance were critical for restoring law and order.

Federal law enforcement agencies were also critical to restoring law and order and coordinating activities.

Medical care and evacuations suffered from a lack of advance preparations, inadequate communications, and difficulties coordinating efforts

Deployment of medical personnel was reactive, not proactive.

Poor planning and pre-positioning of medical supplies and equipment led to delays and shortages.

New Orleans was unprepared to provide evacuations and medical care for its special needs population and dialysis patients, and Louisiana officials lacked a common definition of "special needs."

Most hospital and Veterans Affairs Medical Center emergency plans did not offer concrete guidance about if or when evacuations should take place.

New Orleans hospitals, Veterans Affairs Medical Center, and medical first responders were not adequately prepared for a full evacuation of medical facilities.

The government did not effectively coordinate private air transport capabilities for the evacuation of medical patients.

Hospital and Veterans Affairs Medical Center emergency plans did not adequately prepare for communication needs.

Following Hurricane Katrina, New Orleans Veterans Affairs Medical Center and hospitals' inability to communicate impeded their ability to ask for help.

Medical responders did not have adequate communications equipment or operability.

Evacuation decisions for New Orleans nursing homes were subjective and, in one case, led to preventable deaths.

Lack of electronic patient medical records contributed to difficulties and delays in medical treatment of evacuees.

Top officials at the Department at Health and Human Services and the National Disaster Medical System do not share a common understanding of who controls the National Disaster Medical System under Emergency Support Function-8.

Lack of coordination led to delays in recovering dead bodies.

Deployment confusion, uncertainty about mission assignments, and government red tape delayed medical care.

Long-standing weaknesses and the magnitude of the disaster overwhelmed FEMA's ability to provide emergency shelter and temporary housing

Relocation plans did not adequately provide for shelter. Housing plans were haphazard and inadequate.

State and local governments made inappropriate selections of shelters of last resort. The lack of a regional database of shelters contributed to an inefficient and ineffective evacuation and sheltering process.

There was inappropriate delay in getting people out of shelters and into temporary housing – delays that officials should have foreseen due to manufacturing limitations.

FEMA failed to take advantage of the Department of Housing and Urban Development's expertise in large-scale housing challenges.

FEMA logistics and contracting systems did not support a targeted, massive, and sustained provision of commodities

FEMA management lacked situational awareness of existing requirements and of resources in the supply chain. An overwhelmed logistics system made it challenging to get supplies, equipment, and personnel where and when needed.

Procedures for requesting federal assistance raised numerous concerns.

The failure at all levels to enter into advance contracts led to chaos and the potential for waste and fraud as acquisitions were made in haste.

Before Katrina, FEMA suffered from a lack of sufficiently trained procurement professionals. DHS procurement continues to be decentralized and lacking a uniform approach, and its procurement office was understaffed given the volume and dollar value of work.

Ambiguous statutory guidance regarding local contractor participation led to ongoing disputes over procuring debris removal and other services.

Attracting emergency contractors and corporate support could prove challenging given the scrutiny that companies have endured.

Contributions by charitable organizations assisted many in need, but the American Red Cross and others faced challenges due to the size of the mission, inadequate logistics capacity, and a disorganized shelter process

Statement by Congressman Jerry F. Costello
Committee on Transportation and Infrastructure
Hearing on Disasters and the Department of Homeland Security:
Where Do We Go From Here?
Thursday, February 16, 2006

Thank you, Mr. Chairman. I am pleased to be here today as we have the Secretary of Homeland Security to address the key findings of the federal government's inadequate response to Hurricane Katrina and to present the department's perspectives on improving emergency management capabilities and readiness at the federal, state, and local levels. I would like to welcome today's witness.

Michael Brown, former director of FEMA, gave a good picture of a dysfunctional federal bureaucracy in testimony on Friday before Congress. Brown was a central player in the Bush Administration's inadequate and ineffective response to the devastation and destruction brought by Hurricanes Katrina and Rita.

Brown laid out an unresponsive White House that did not comprehend the seriousness and severity of the situation in New Orleans. To add to this, the Department of Homeland Security, which absorbed FEMA in agency restructuring, was not prepared or equipped to help and assistance on natural disasters because it is so focused on terrorism and terrorism related issues.

This is a perfect example of why I was such a strong advocate for having FEMA remain outside the Department of Homeland Security. Allowing FEMA to retain its independence, would have prevented it from being absorbed into a large bureaucracy with no experience in effectively respond to and recover from disasters. By transferring FEMA, we could no longer guarantee that it would be able to continue to do what it does best: assisting the nation in preparing and recovering from natural disasters. Maintaining FEMA's independence would have ensured that our Nation's increased focus on terrorism preparedness would be in addition to,

and not at the expense of, FEMA's natural disaster response programs.

Secretary Chertoff, you did not help matters by waiting until August 30, a full 36 hours into the hurricane to declare it an "incident of national significance," which allows for a more coordinated federal response. Even after this, you still do not label it a "catastrophic" incident, which would have triggered the most aggressive federal action, according to the recent GAO report which was just released.

Further, disaster plans are worthless if they are not implemented and regular training and periodic exercises provide a way to test emergency management plans. A planning exercise involving a fictitious category 3 storm was developed called Hurricane Pam; yet, not all capabilities-related issues identified in the Hurricane Pam exercise were addressed before Hurricane Katrina hit. Everyone, including key officials, must participate in training and

exercises to ensure full preparedness in dealing with real life situations.

Hurricane Katrina killed 1321 people, including 1072 in Louisiana. It displaced roughly 2 million people and caused more than $150 billion in damage. And the Bush Administration, Secretary Chertoff and former Director Brown stood and watched federal response fail. Everyone at the top was disengaged and detached and as a result, the American people suffered. Furthermore, the Administration's reluctance to share information about the response has hampered our ability to answer these questions. It is my hope that we can move forward and use the suggestions of GAO and others to get coordination at all levels moving in the right direction.

I look forward to today's hearing as we discuss current and future emergency management capabilities and readiness.

Elijah E. Cummings

COMMITTEE ON TRANSPORTATION & INFRASTRUCTURE

**"Disasters and the Department of Homeland Security:
Where Do We Go From Here?"**

**February 16, 2006
1:30 p.m.
2167 Rayburn House Office Building**

Opening Statement of Congressman Elijah E. Cummings

Mr. Chairman:

I thank you and Ranking Member Oberstar for calling today's hearing to examine the urgent steps we must take to strengthen our nation's disaster response capacity. I also thank the Chairman and the Ranking Member for the leadership they have consistently shown on this issue by continuing to convene hearings that will keep this issue before the Committee's – and the public's – attention.

In so many ways, Hurricane Katrina has been another terrible wake-up call for our nation, dramatically revealing how unprepared we are to respond to the threats we face both from natural disasters as well as from terrorists.

It is, however, stunning to me that after all we experienced on 9/11, and after the expenditure of literally billions of dollars, we should need another such wake-up call to make us aware of what we need to do to prepare our governments at all levels to respond to the threats we all know we face.

The string of reports and findings released in the last few days by the GAO, the House Select Committee on

Katrina, and the Senate Committee on Homeland Security not only echo one another – they echo many findings made after previous disasters. For example, the GAO's "Preliminary Observations" document emphasizes that a single person must be appointed to lead national responses to major disasters and that we must develop interoperable communications systems. Does this sound familiar to anyone? *(Do these recommendations remind anyone of the recommendations made by, for example, the 9-11 Commission or by the GAO itself after Hurricane Andrew?)*

On-going investigations have also revealed that multiple studies and warnings were issued in the months before

Hurricane Katrina struck detailing how unprepared DHS, FEMA, and our nation might be to respond to a massive hurricane in the Gulf Coast region. Studies also warned that FEMA lacked professional leadership and suffered from exceedingly low morale. Mr. Secretary, you should have responded to such findings long before Hurricane Katrina came ashore.

Our nation's attention span is simply too short and, unfortunately, it appears that so too is our government's. A failure of vision and of dedicated leadership – combined with a willingness on the part of some in our government to settle for expediency or to simply hope that things would be alright – exacerbated the tragedy of Katrina.

Mr. Chairman, I join my colleagues in demanding – in fact begging – that we finally learn from our past mistakes and that Hurricane Katrina mark the time when we began to focus on ensuring that government can truly come to the aid of people in need.

This means that we must prioritize the long-term investments that must be made to create truly effective and efficient homeland security systems. We must also agree to appoint senior managers who are qualified for the positions to which they are appointed. And we must be willing to identify and respond honestly to problems as they arise. I hope therefore that in responding to the current reports, the Administration will first look to

identify what can be improved rather than what can be disputed.

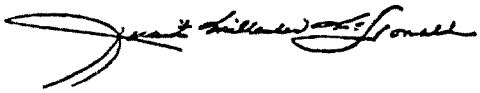
I look forward to hearing the Secretary explain today the steps he and the Administration will take to ensure that we are adequately prepared to deal with all the threats we face.

Finally, as I close, I remind the Secretary and the Administration that the President made made many commitments to the people of the Gulf Coast region in the aftermath of the storm that it would help them rebuild their lives and their communities. The President also called on our nation to begin to address the effects of past choices that left the most

vulnerable among us – the sick, the elderly, and the poor – so exposed to Katrina's ravages.

The President's budget demonstrates to me that at least as far as the Administration is concerned, complacency, indifference, and partisan politics have again won out over our sense of duty to our fellow citizens. This is another terrible illustration of both an unacceptably short attention span and a flawed vision for our society and for ensuring our national security.

Thank you and I yield back.



Statement by Congresswoman Juanita Millender-McDonald
Transportation and Infrastructure Full Committee Hearing
Disasters and the Department of Homeland Security:
Where Do We Go From Here?
February 16, 2006
2167 Rayburn HOB
1:30 PM

Thank you Mr. Chairman and Ranking Member Oberstar for calling for this very important hearing. I will brief.

We all witnessed the devastation of Katrina. We all witnessed the devastation of 9/11. The Department of Homeland Security has not fulfilled its mission of protecting our country. We must do better.

In my home region of Southern California, we have many terrorist targets. We have a high density population; we have ports and a transportation infrastructure that is the backbone of our national economy.

But even before there were terrorists threats, California had to contend with natural disasters the likes of; earthquakes, floods, fires and hurricanes. We have had national emergencies before in California, but I have never witnessed what took place last August in the Gulf region. I hope that we are reassessing what went wrong and how we correct and improve upon our mistakes. Specifically, how we can provide transitional housing for those in the many states so they can return home to Louisiana, Alabama and Mississippi.

I have several questions----

- When will FEMA be removed from the Department of Homeland Security?

- Will you elaborate on the role that the C-17 cargo plane played in evacuating people and providing supplies to those stranded?

- Will the Department of Homeland Security be coordinating closely with the Defense Department in using the C-17 cargo plane more in coordinating natural disaster relief efforts?

- I received a letter from the Secretaries of State from Louisiana, Mississippi and Alabama stating that their requests to obtain aid to administer elections have been denied. They state that in 1992, in the wake of Hurricane Andrew, FEMA provided aid to Miami-Dade County to overcome the obstacles of losing more than 100 polling places. FEMA also provided reimbursement for all of that county's election expenses incurred as a result of Andrew. The devastation lost from hurricanes Katrina and Rita was much more substantial. Why has FEMA denied their request?

- I have introduced legislation that would authorize the Election Assistance Commission (EAC) to provide up to $50 million in grants to the affected states to restore and replace supplies, materials, and equipment used in the administration of elections which were damaged as a result of these devastating storms. Similar legislation was passed last week in the Senate. Would you support this legislation.

Thank You Mr. Chairman.

"Disasters and the Department of Homeland Security: Where Do We Go From Here?"
Thursday, February 16, 2006
Congressman Bob Ney Opening Statement

- Mr. Chairman, in addition to being a Member of the Transportation Committee, I also chair the Subcommittee on Housing and Community Opportunity of the Financial Services Committee. Both Committees have different oversight responsibilities for various aspects of FEMA.

- I believe it is our responsibility to help all of those affected by natural disasters, to ask the questions that need to be asked and to work together on reforms and solutions.

- As Chairman of the Committee on Financial Services's Subcommittee on Housing and Community Opportunity, I held the first two official Congressional field hearings in New Orleans, LA and Gulfport, MS in mid-January.

- The congressional delegation was also given a tour of the hurricane affected areas in both states and was able to view the devastation first-hand

- I have personally written a letter urging the Speaker to lead a bipartisan delegation fact-finding trip to the Gulf States. Reviewing the hurricane-affected areas on the ground-level would be invaluable to the Members and staff.

- I also wrote a letter to the Army Corps of Engineers on September 29, 2005 asking them about plans to strengthen the levees in New Orleans, how soon work could begin, and what cost and projected completion date

- I was disappointed in the response I received: no cost estimate for Category 5 protection and preliminary schedule estimates could take 9 or 10 years from when the Corps is given authority to proceed

- As we examine some of the past problems and problems currently facing FEMA, we need to ensure that we treat all victims of natural disasters fairly.

- My district has suffered severe damages as a result of flooding in the past

- While we work hard to provide the appropriate aid for the victims of Hurricanes Katrina and Rita, we must ensure those future victims of flash flooding, tornadoes, earthquakes and other natural disasters are aided in a similar fashion.

- We must ensure that all Federal dollars are spent in a responsible and accountable fashion. We owe this to both disaster victims who depend on this relief and to the American taxpayers footing the bill.

- I believe we must work together with local and state authorities to ensure that any future changes made to FEMA and other related federal programs do not adversely affect the plans that they have in place already on the state and local levels.

- In October, I convened two regional emergency management summits that brought together officials from counties in and around the District, EMAs, and first responders. I wanted to be sure that the Congress heard from officials at the local level to ensure that whatever is done is done the right way.

- We heard a lot of great suggestions at these summits and I want to share a few:

- We do not need to recreate the wheel and completely overhaul FEMA; however, FEMA representatives must have better training and the agency must give local authorities more flexibility

- FEMA should return to an all-hazards approach, as opposed to its current terrorism and Homeland Security-specific approach

- We need less bureaucracy and red tape so local officials do not spend so much time filing paperwork and can concentrate on the emergencies in their areas

- More funding for local first responders, especially for equipment, training, and increased staff

- Electronic submission of claims and automation

- There is no doubt that the hurricanes of this season have exposed flaws in our ability to respond to natural disasters. However, I believe that before we start reforming the system, we must take the time to make sure what we do is right and hear the needs and suggestions of first responders and emergency management officials on all levels of government

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Congress of the United States
House of Representatives
Washington, DC 20515–3518

COMMITTEES:
HOUSE ADMINISTRATION, CHAIRMAN
FINANCIAL SERVICES
CHAIRMAN, SUBCOMMITTEE ON HOUSING AND COMMUNITY OPPORTUNITY
TRANSPORTATION AND INFRASTRUCTURE
DEPUTY WHIP

September 29, 2005

Lieutenant General Carl A. Strock
Commander and Chief of Engineers
U.S. Army Corps of Engineers Headquarters
441 G. Street, NW
Washington, DC 20314-1000

Dear Lieutenant General Strock:

I would like to commend the Corps for its work in the Gulf Coast Region following Hurricanes Katrina and Rita. In the aftermath of these storms, the Corps has heroically met several daunting challenges.

As a member of the Subcommittee on Water Resources and Environment of the Transportation and Infrastructure Committee, I am interested in knowing what plans the Corps has to rebuild and strengthen the levee system in New Orleans.

I believe that the rebuilding of the levees is a national issue, as it relates to the mitigation of future losses in the event of another levee breach. It is never too early to begin preparing for the challenges of the next natural disaster.

As we begin to move forward and start the rebuilding process, I am interested to see the proposals the Corps is currently working on to strengthen the levees in New Orleans and to what level. I am also interested to know how soon the work could begin, at what expected cost, and a projected completion date.

I look forward to working with you to develop solutions to address these important issues.

Sincerely,

Bob Ney
Member of Congress

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DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

DEC 5 2005

Engineering and Construction

Honorable Bob W. Ney
House of Representatives
2438 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Ney:

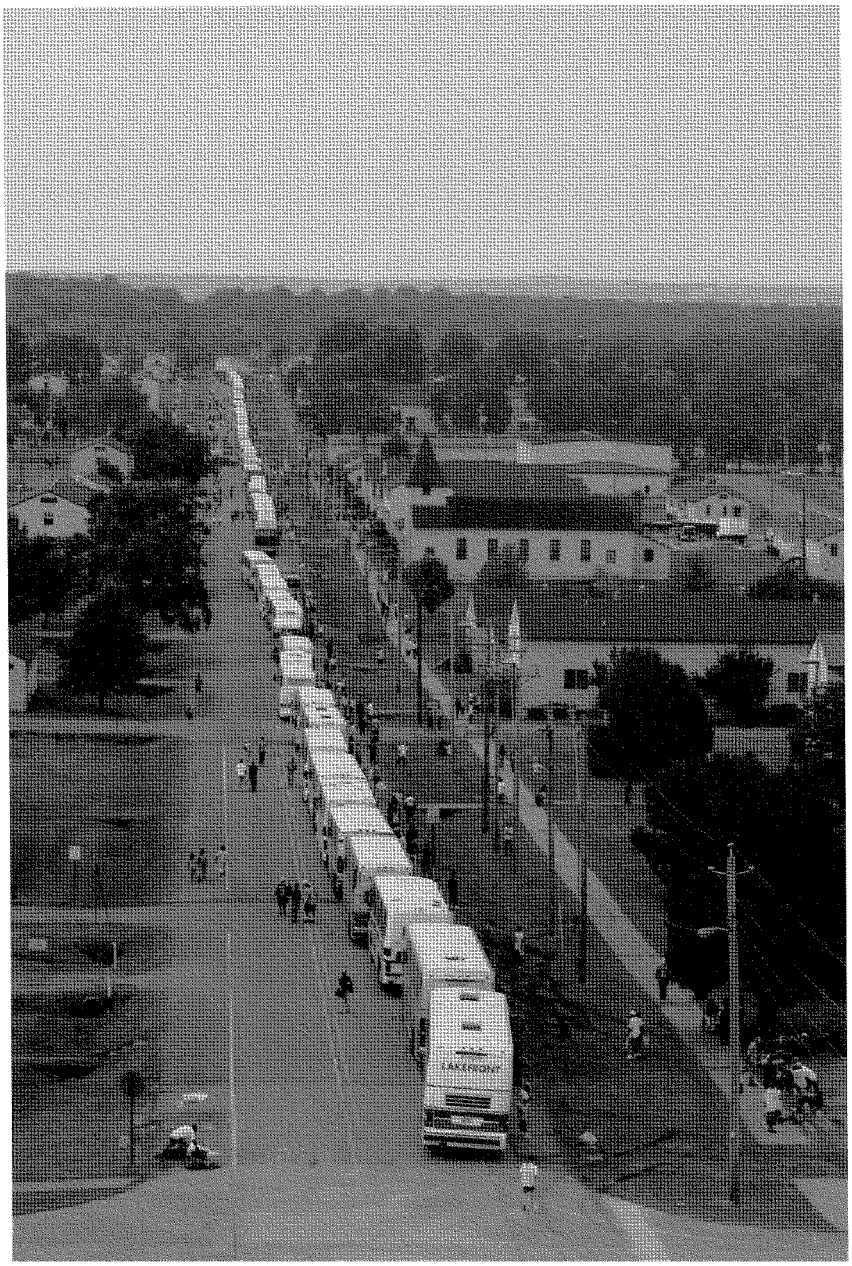
This is in response to your letter dated September 29, 2005 regarding rebuilding and strengthening the levee system in New Orleans.

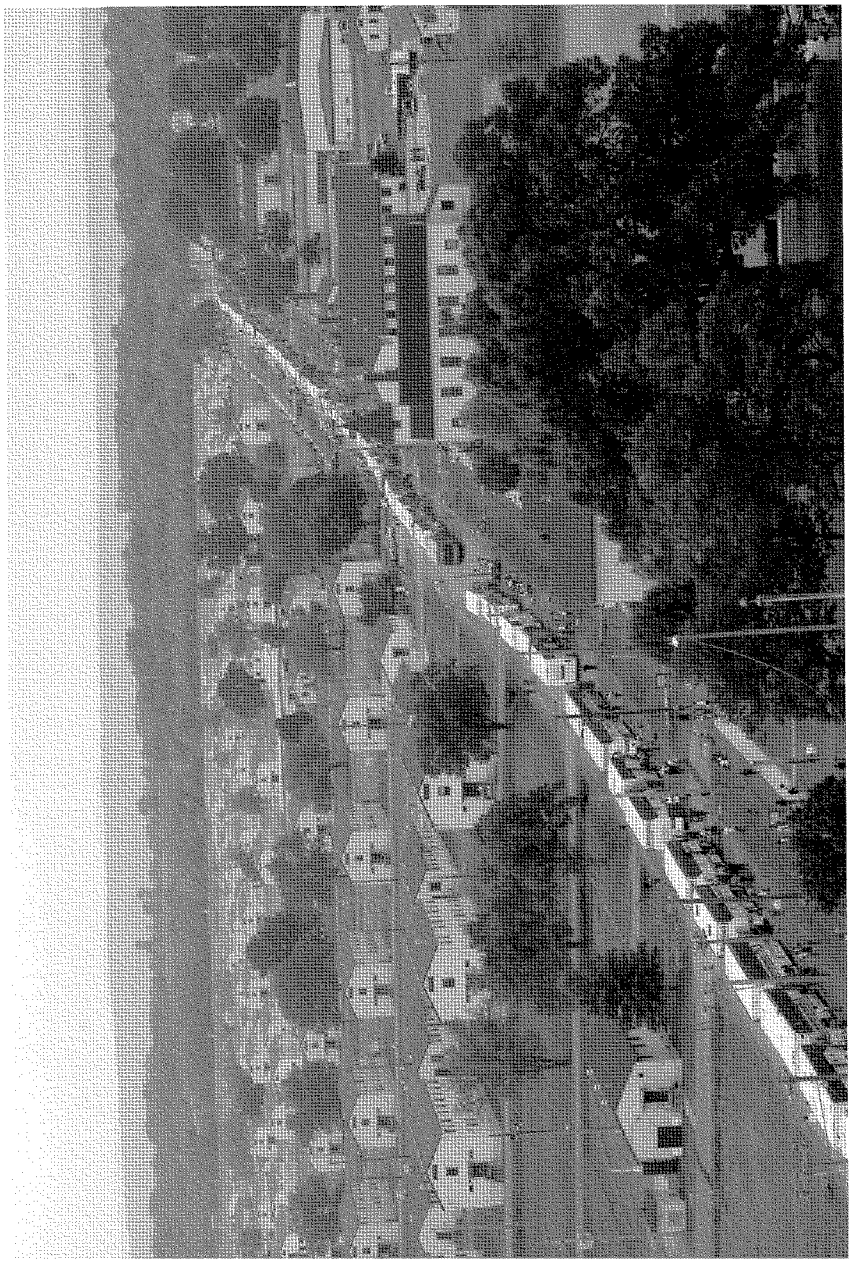
The New Orleans hurricane and flood protection system has been greatly damaged by Hurricane Katrina, therefore providing the New Orleans area adequate protection as quickly as possible is our top priority. The U.S. Army Corps of Engineers has established an Interagency Performance Evaluation Team (IPET) charged with studying the response of the hurricane and flood protection system during Katrina for engineering lessons learned. The IPET has already shared preliminary results with the U.S. Army Corps of Engineers Task Force Guardian for their immediate consideration in hurricane recovery repairs. Our goal is to restore the system to pre-Katrina design by June 2006, the start of next year's hurricane season. Determining the level of protection that is appropriate is an issue for the citizens of New Orleans, the State of Louisiana and the Nation as a whole. The Corps can only proceed with such a project after it has been authorized and funded by Congress and then signed into law by the President. We currently do not have an approved cost estimate for providing Category 5 level protection to New Orleans. Preliminary schedule estimates for providing Category 5 protection for Metropolitan New Orleans could take 9-10 years from when we are given the authority and funding to proceed.

If you have further questions or need additional information, please contact Mr. John N. Berezniak, P.E. Engineering & Construction (202) 761-8826.

Sincerely,

Steven L. Stockton, P.E.
Deputy Director of Civil Works





STATEMENT FOR THE RECORD
Honorable Nick J. Rahall, II
Of West Virginia
In the House of Representatives
T&I Committee Hearing: Disasters and the Department of Homeland Security
February 16, 2006

Today is an important day for this Committee, Congress and the American people. Today, the T&I Committee will perform its oversight function on the Executive Branch and its preparation and response to Hurricane Katrina and its heartbreaking aftermath.

We will hear from Secretary Chertoff on his role, his Agency's role and the federal government's role in what is one of our Nation's great national tragedies. We will listen with interest to his plans to restructure his Department, and the Federal Emergency Management Agency in particular, to more effectively meet the challenges that future disasters – both natural and terrorism-related – will bring to our shores.

Hurricane Katrina and it aftermath exposed glaring weaknesses in our Nation's disaster response capabilities. It is the responsibility of this Committee and this Congress to exercise the constitutional responsibility of oversight to hold accountable those responsible for this tragedy, and to help put in place more effective, more efficient and, in the end, more successful means to deal with disasters.

I visited the Gulf Coast region several months after Hurricane Katrina landed on our shores. Visiting the area in person, more than 100 days after landfall, gave me an entirely different perspective than viewing the news coverage on television or through still pictures.

Displaced families. Businesses boarded up. A sense of despair and unease in the community. Citizens looking for someone, anyone, to provide some guidance to a sound and quick recovery.

The effects of the hurricane and its aftermath are eerily similar to natural disasters that in recent years have befallen my home state of West Virginia – floods of the 100-year variety.

The constituents of my southern West Virginia district are familiar with the FEMA, in its role as the Nation's foremost agency on natural disaster response and

recovery. The many communities devastated by floods in my district have been visited by FEMA representatives and FEMA maintains a presence there.

But it seems to me, with all their presence in my district, FEMA is incapable of communicating with those West Virginians it is tasked to serve. People call and wait days and days, if not weeks or not at all, to get responses. In many cases, calls from my office have received the same treatment.

FEMA is a black hole of information and I believe this is emblematic of larger problems of communication at the Agency and DHS.

We saw this in living color during the Katrina disaster. Information either didn't flow from those on the ground to the higher-up in FEMA and DHS; FEMA officials didn't communicate well with DHS officials; and neither FEMA nor DHS officials communicated well with the White House. Miscommunication – or a total lack of communication – endangered hundreds of thousands of lives and has cost this country billions of dollars.

During debate on the bill to create the Department of Homeland Security, I was opposed to placing FEMA under the jurisdiction of this new department for specifically this reason. I have cosponsored legislation drafted by our ranking member, Mr. Oberstar, taking FEMA out from under the bureaucratic morass of DHS and making it an independent, Cabinet-level agency. I believe this will go a very long way in correcting some of the problems, communications and otherwise, we have witnessed.

It is absolutely imperative that the communications infrastructure currently relied upon by FEMA and DHS be improved so that future disasters are handled more effectively. I hope this hearing, and other such hearings held in Congressional committees, underscores this point.

FEMA's vision is "A Nation Prepared." Obviously, on those harrowing days in late August and early September, neither FEMA nor DHS was prepared. They weren't prepared to deal with the storm as it increased in strength across the Gulf of Mexico; they weren't prepared when the storm reached landfall; and they weren't prepared to deal with the immediate or long term aftermath left in the storm's wake.

I look forward to hearing Secretary Chertoff's testimony and working with him in the attempt to improve our Nation's response capabilities.

Opening Statement
Congressman John T. Salazar
Oversight Hearing on "Disasters and the Department of Homeland Security: Where Do We Go From Here"
February 16, 2005

- Thank you Mr. Chairman.
- I would like to thank the Secretary for being here today.
- I know each of us was deeply impacted by the images of the Gulf Shore region this past August …
- … and are concerned about the evacuees who took refuge in communities across the nation.
- Who ever would have imagined that the region could suffer such devastation? That so many would lose their lives and homes and jobs?
- But the fact of the matter is people did understand the magnitude of the situation…
- … and it was our own government's failure to respond swiftly and efficiently that turned a horrible event into a stomach-wrenching nightmare.
- So it is appropriate that this Committee exercise its oversight authority to better understand what went wrong.
- We have all seen the reports out there pointing to huge voids in communication, leadership, and planning.
- With the hundreds of millions that Congress has pumped into homeland security, it is alarming to me that bureaucracy got in the way.

- This does not make me feel any safer as an American.
- Each of us was impacted in one way or another by Hurricanes Katrina and Rita.
- Back in Pueblo, CO, my office has been working with the regional FEMA office to ensure that evacuees who were relocated are getting the help they need.
- We have over forty families that have settled in the area and we have worked hard to make them feel welcome.
- Understandably though, they are concerned about the future.
- We have a long way to go for the Gulf Coast region to recover.
- And just last week, a Senate building was evacuated because of a possible nerve gas contamination.
- Thankfully, it turned out to be nothing but incidents like these should remind us that there is no room for failure.
- We must always be prepared.
- Mr. Secretary, again, I thank you for coming today. I look forward to your testimony.
- I know you share our concerns and I hope that by working together we can make a safer America.
- Thank you.

Statement by Rep. Ellen Tauscher
House Transportation and Infrastructure Committee
Hearing: Disasters and the Department of Homeland Security
Thursday, February 16, 2006

By now, we all know of the devastation wrought on the Gulf Coast by Hurricane Katrina. In the coming days, as reports are released on the federal response, we will know in great detail how the federal government failed the people of the Gulf Coast in unimaginable ways.

I'm sure today's hearing will allow this Committee to further probe why the Department of Homeland Security (DHS) and FEMA were unable to first comprehend and then respond to a disaster that was not unforeseen and that they knew about for days ahead of time. This simple fact gives me, a Member of Congress from California, great alarm. In a state where earthquakes are frequent and unexpected, how can DHS assure me and my constituents that a needed federal response to a catastrophic earthquake would be any different than the response provided to the Gulf Coast – where the agency knew of the potential for disaster long before it occurred?

I'm sure, too, that we will delve into the specifics of why the individuals responsible for the federal response weren't communicating, weren't taking the necessary steps to fully unleash the full capabilities of the federal government's response and, once they were aware that the response was progressing disastrously, couldn't change course and make the necessary decisions required to get the job done.

Additionally, we should also ask, if Frances Townsend is correct and the President of the United States was "fully involved" in the government's response to Katrina, why was he not able to grab the reins of the federal effort and ensure that it was implemented in a way that would have prevented thousands of Gulf Coast residents from enduring unimaginable suffering?

I also hope, Mr. Chairman, that we require the Secretary and FEMA to provide us with an explanation as to why, almost six months after the disaster, there are reports of massive fraud associated with FEMA contracts, there are FEMA trailers sitting on the ground going unused while residents of New Orleans are being pushed out of hotels, and why massive amounts of debris still fills the streets of the Gulf Coast.

It's time to move forward and ensure that DHS and FEMA are equipped and prepared to respond to and manage future disasters. We must all be forward looking and forward leaning. While it is important to investigate what went wrong, it is even more important to ensure we're prepared for the next disaster – whatever face it may take.

It is obvious that changes to the Stafford Act will be required to ensure both the success of the current response in the Gulf Coast and for future disaster responses. I hope that the Administration will come to this Committee with the changes they believe require

immediate attention by Congress as I know both the Chairman and Ranking Member have made it a priority to respond to them.

It is also important to examine the seemingly constant departmental reorganizations that have gone on at DHS and how decisions made at each step have affected FEMA's ability to not only respond to, but also to prepare for, a major disaster. It has been suggested by a number of knowledgeable former FEMA employees and Members of Congress that the decoupling of preparedness and response is a mistake that has hampered the agency's abilities to respond capably when needed. I think we need to look into it.

We must also continue our oversight of the Army Corps of Engineers. The way they operate and make choices is significant to the entire nation and, in many cases, their construction projects are the first line of defense in avoiding catastrophic disasters.

Mr. Chairman, there are so many FEMA employees who work hard everyday to get it right. Even now in my district, FEMA is responding to flooding that occurred in Northern California at the beginning of the year. I know that they're working hard to meet the needs of my constituents and I think they shouldn't go unrecognized.

I look forward to hearing from Secretary Chertoff and with my Colleagues on the Committee so that in the future, we get it right.

THE HONORABLE DON YOUNG
FULL COMMITTEE HEARING STATEMENT
"DISASTERS AND THE DEPARTMENT OF HOMELAND SECURITY: WHERE DO WE GO FROM HERE?"
FEBRUARY 16, 2006

SECRETARY CHERTOFF, THANK YOU FOR BEING HERE TODAY. YOU HAVE THE DISTINCT HONOR OF BEING THE FIRST SECRETARY OF HOMELAND SECURITY TO TESTIFY BEFORE THIS COMMITTEE.

EVEN THOUGH THIS COMMITTEE CREATED ALL THE MAJOR TRANSPORTATION SECURITY LAWS AND WE HAVE JURISDICTION OVER FEMA, EMERGENCY MANAGEMENT, AND THE COAST GUARD, WE'VE BEEN SENSITIVE TO THE DEMANDS ON YOUR TIME AND HAVE NOT REQUIRED YOU TO PERSONALLY APPEAR BEFORE THIS COMMITTEE.

HOWEVER, THE DEPARTMENT OF HOMELAND SECURITY AND FEMA ARE SO BROKEN WITH RESPECT TO DISASTER MANAGEMENT THAT WE HAVE NO CHOICE BUT TO BRING YOU BEFORE OUR COMMITTEE SO THAT WE CAN FIX THIS MESS.

THE HOUSE KATRINA TASK FORCE REPORT MAKES CLEAR THAT THE FEDERAL EMERGENCY MANAGEMENT SYSTEM IS BROKEN.

UNDER THE CURRENT SYSTEM MOST OF THE KEY DISASTER AUTHORITIES BELONG TO THE SECRETARY OF HOMELAND SECURITY. THOSE AUTHORITIES AND DECISIONS SHOULD BE WITH AN EMERGENCY MANAGEMENT PROFESSIONAL.

ULTIMATELY, IT TAKES THE PRESIDENT TO GET ALL FEDERAL DEPARTMENTS TO RESPOND, AND THE PRESIDENT NEEDS SOLID PROFESSIONAL ADVICE TO MAKE THE RIGHT CHOICES.

WHETHER FEMA STAYS IN DHS OR NOT, WE HAVE TO PUT FEMA BACK TOGETHER AGAIN. FEMA HAS BEEN WEAKENED AND RESPONSIBILITY HAS BEEN SPREAD OUT ALL OVER DHS. PREPAREDNESS RESPONSIBILITY IS ONE PLACE AND RESPONSE IS IN ANOTHER.

WE NEED TO REBUILD FEMA'S PROFESSIONAL WORKFORCE AND EMERGENCY RESPONSE TEAMS. WE NEED TO IMPROVE LOGISTICS CAPACITY AND THE ABILITY TO COMMUNICATE IN A DISASTER.

WE ALSO HAVE TO DO A BETTER JOB BUILDING STATE AND LOCAL EMERGENCY MANAGEMENT CAPACITY. SINCE 9/11 WE HAVE SPENT

ALMOST $15 BILLION DOLLARS ON EQUIPMENT, BUT WHEN WE HAVE A BIG DISASTER WE CAN'T GET IT WHERE IT IS NEED IT.

WE ALSO HAVE TO RESOLVE THE TENSION BETWEEN OUR ALL-HAZARDS EMERGENCY SYSTEM AND OUR TERRORISM ONLY PREPAREDNESS GRANTS.

THESE PROGRAMS AS IMPLEMENTED HAVE DRIVEN A WEDGE BETWEEN MANY STATE HOMELAND SECURITY ADVISORS AND STATE EMERGENCY MANAGEMENT DIRECTORS.

THE SECRETARY'S RECOMMENDATION TO STRENGTHEN FEMA'S PROFESSIONAL WORKFORCE, RESPONSE TEAMS, AND COMMUNICATIONS ABILITY IS A STEP IN THE RIGHT DIRECTION. BUT THESE RECOMMENDATIONS ONLY ADDRESS A FRACTION OF THE PROBLEMS REVEALED BY THE KATRINA REPORT.

I WANT TO THANK CHAIRMAN SHUSTER AND CONGRESSMAN TAYLOR FOR THEIR HARD WORK ON THE HOUSE KATRINA TASK FORCE.

THE REPORT YOU HELPED WRITE IS A HARD-HITTING, COMPREHENSIVE REVIEW OF WHAT WORKED AND WHAT FAILED.

AS THE COMMITTEE WITH PRIMARY JURISDICTION OVER EMERGENCY MANAGEMENT, THE KATRINA REPORT WILL BE INVALUABLE FOR GUIDING OUR EFFORTS TO DRAFT LEGISLATION TO FIX OUR DISASTER SYSTEM.

NEXT WEEK CHAIRMAN SHUSTER WILL HOLD HEARINGS IN CALIFORNIA AND MISSOURI TO SOLICIT ADVICE AND RECOMMENDATIONS FROM STATE AND LOCAL OFFICIALS AND DISASTER PROFESSIONALS.

OUR GOAL IS TO GET THE BEST ADVICE WE CAN AND BUILD AN EMERGENCY MANAGEMENT SYSTEM THAT WORKS FOR ALL DISASTERS. THANK YOU AGAIN FOR BEING HERE TODAY MR. SECRETARY AND I LOOK FORWARD TO YOUR TESTIMONY.

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