the very first rescue occurred when the eye of the storm passed over the region, and it happens that that first rescue was from a helicopter based at Air Station Cape Cod in my district, and I am proud.

The Coast Guard was ready. But also what most Americans do not realize is that the Coast Guard operates the second oldest naval fleet in the world. Their ships and planes are so old they are euphemistically described as ''legacy assets.'' Many of these legacy assets are riddled with structural defects, putting Coast Guard personnel and the people who call on them for help at risk, like the nine crew members aboard the cutter *Storis* that was built in 1942 who were nearly killed when the davit lowering their lifeboat ripped away from the steel superstructure, crashing them into the frigid Bering Sea. The rescuers, in fact, had to be rescued.

Remember last year the Coast Guard's main search and rescue helicopter, the *Jayhawk*, experienced inflight engine failures at a rate of 329 mishaps per 100,000 flight hours. The FAA-acceptable standards is one per 100,000 flight hours. These failures limit the JAYHAWK's ability to hover and place the lives of its crew, passengers, and those below in grave danger. The same helicopters are flying over the skies of the gulf coast right now.

The indisputable fact is that the demands on the Coast Guard have vastly outpaced its resources, and that is why it is incredibly important that we accelerate the Deepwater program and encourage the purchase of additional cutters and aircraft, as my friend from Florida has indicated.

As negotiations on the conference report for the homeland security appropriations bill continue, I implore our colleagues to bear this in mind and do all that they can do to give the Coast Guard the financial resources it needs to speed up, accelerate the Deepwater program.

It is essential if the Coast Guard is to continue to honor their motto of ''Semper Paratus.''

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Massachusetts (Mr. DELAHUNT) put it so well when he indicated that the Coast Guard is overburdened and underprepared. It is our responsibility to ensure that we do better.

On the scale of our armed services, the Coast Guard is always an afterthought, it seems, when it comes to resources. But in terms of what they do immediately with reference to the 12,000 miles of shores that they patrol, it is critical that we have clear understanding of their needs.

I have been on Coast Guard cutters, as have many of my colleagues. I have seen them in their rescue operations for persons who are not even American citizens, risking their lives and sometimes suffering loss themselves trying to ensure that others are protected in a proper manner. They do an outstanding job and their Deepwater program will help them to do an even better job than they are doing. It is not fair to send people up in aircraft that are legend related in terms of their age and usage.

It is critical that we pass this measure, and I believe that it will pass overwhelmingly; and I hope that the future of the Deepwater program will be appropriately funded by this Congress so that the Coast Guard will have in its possession the necessary personnel and material in order to do the job to keep this Nation safe.

Mr. Speaker, I yield back the balance of my time.

Mrs. CAPITO. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge all of my colleagues to support this fair rule and the bipartisan legislation which provides critical funding to improve our Nation's coasts and ports.

I think it is very timely that we are addressing this legislation today because the Coast Guard has done an exemplary job in rescuing the many victims of Hurricane Katrina; and we need to ensure, as my colleague has said, that they have the necessary resources to continue their mission.

I believe all Members should be able to support this rule and the underlying legislation.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H. RES. 437, ESTABLISHING THE SELECT BIPARTISAN COMMITTEE TO INVESTIGATE THE PREPARATION FOR AND RESPONSE TO HURRICANE KATRINA

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 439 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 439

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 437) to establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Rules; and (2) one motion to recommit which may not contain instructions.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from California (Mr. DREIER) is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from Rochester, New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, House Resolution 439 is a closed rule providing for 1 hour of debate for consideration of H. Res. 437, a resolution establishing a select bipartisan committee to investigate the preparation for and response to Hurricane Katrina.

The rule waives all points of order against consideration of the bill and provides one motion to recommit which may not contain instructions.

Mr. Speaker, the human suffering and physical damage wrought by Hurricane Katrina is heart-wrenching and overwhelming. We all know that very well. Lives have been lost and uprooted. Families are separated without homes and without jobs.

Our initial focus has been on restoring hope and rebuilding community on the gulf coast. With great urgency Congress came together and with virtual unanimity passed legislation to fund the very important relief efforts. Over $60 billion has been appropriated so far. Also critical has been the outpouring of support and generosity from fellow Americans and very importantly from 94 countries around the world. From small businesses to large corporations, people are pitching in.

That said, as President Bush has stated, there were aspects of the immediate response to Hurricane Katrina that were not acceptable. He said that this week, and I am sure that it will be made clear in the remarks that he gives to the Nation this evening.

Already we have seen the head of the Federal Emergency Management Agency resign. Clearly, many lessons are to be learned from what has happened. As debris is removed, water recedes and homes are rebuilt, we in Congress must now assume our very serious and consequential constitutional oversight role of the executive branch and Federal agencies so that we can find out exactly what went wrong and what went right in the early response to Hurricane Katrina.

□ 1045

We need to get to the bottom of what happened, when it happened and why it happened.

Mr. Speaker, to fulfill our oversight responsibility, we are following precedent and honoring tradition by creating a bipartisan select committee to look at the response of the government to Hurricane Katrina. This select committee will allow us to take a sober, serious, nonpartisan look at the development, coordination and execution of relief by State, local and Federal authorities.

At the same time, we must take great care not to interfere with the ongoing Hurricane Katrina recovery efforts. Critical personnel are still on the ground and actively involved in a time-sensitive, decision-making process. Congress can help uncover a better way forward, but it should not disrupt the progress that is being made at this moment.

Mr. Speaker, this rule serves as the most practical vehicle by which to consider this critically important legislation. I urge my colleagues to support the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on Tuesday, President Bush said that he took responsibility for the recent failure of the Federal Government to fulfill its ultimate duty of saving the lives of its own people within its own borders.

But what does responsibility mean? If it means anything, it means the sincere concern for what has happened under his watch. It means stopping at nothing to find out why a Nation led by officials who claim to care about keeping Americans safe presided over a recovery effort which left behind so many innocent men, women and children as they were crying out for help. It means caring about the truth, and it means putting people before politics.

Today, this Congress has to offer the American people its own definition of responsibility. The appalling aftermath of Hurricane Katrina, which swept over citizens from Louisiana to Alabama to Mississippi, was the product of a combination of failures: failures of planning, failures of execution, failures of accountability. It is the responsibility of this body to examine why our Federal Government was behind so many of those failures.

There is only one way to do this and only one path the public will respect, only one route to producing real answers to real questions which the American people will trust. We need a 9/11-type commission for Hurricane Katrina. The 9/11 Commission was our government's response to the tragedy of September 11, 2001; and after an exhaustive study, it produced a report that was trusted by the American people and by the members of our government.

This trust was earned. The 9/11 Commission was not beholden to any interests besides those of its own integrity and the good of the country.

This honorable response to the tragedy of September 11 puts to shame what has been proposed today in the wake of Hurricane Katrina. What was perhaps our Federal Government's greatest failure to date to defend life at home is being met with a failure of leadership and openness and honesty in this Chamber today.

The Republican leadership of the House and Senate has called for the creation of an overtly partisan congressional committee to investigate the government's pre- and post-Katrina actions. They have specified that it would be a committee appointed by Republicans, with a Republican majority. They would give Republicans control of every aspect of the proceedings, and they alone would control who would be subpoenaed. They alone would control which documents could be examined, and they alone would control the scope of the investigation. They would have the power to take the investigation in any direction they chose, with no checks, no balances and no incentives to get real answers. They have nominated the fox to guard the hen house.

Mr. Speaker, I do not object to such a plan because Republicans would be in control as opposed to Democrats. I object to it because it is the Republican Party which controls the levers of government and, as such, manages FEMA and the Department of Homeland Security and every other Federal institution which must be examined.

The conflicts of interest that are present are so obvious that it is incredible anyone would deny them, but the members of the majority do not only do this, but they put forth one justification after another for their plan, each one less convincing than the one before it. They tell us that the structure of the committee is based on precedent and cite the bipartisan commission which investigated the Iran-Contra affair as evidence of this. Never mind that in that situation a Republican President was being investigated by a Democratically controlled committee, eliminating the political pressure to sweep truths under the rug.

Last night, in the Committee on Rules, they told us, rather incredibly, that nobody is better to evaluate in this body than its own Members. But the American people do not believe that. After all, accountability has not exactly been the hallmark of this Republican leadership.

This majority did not investigate those who concealed the Department of Health and Human Services' real estimate of how much the 2003 Medicare legislation that we passed would cost. It did not investigate the role of top Bush campaign contributors in writing Vice President CHENEY's energy plan. It did not investigate the Valerie Plame scandal. It did not investigate what led to our dehumanizing and shameful treatment of detainees at Guantanamo Bay in Cuba and Abu Ghraib in Iraq.

Why did these investigations not take place? The majority has no answer, except promising to us that this time things will be different.

Last night, the chairman did offer his personal assurances again and again that the commission would allow the Democrats to ask questions. It probably never occurred to us that we would not have been able to do that, but this is ultimately a promise that he cannot keep.

Only allowing a hand-picked group of witnesses to be questioned prejudices the investigation before it has even begun. If a true interest in a fair, open, thorough and independent investigation runs that deep with my Republican colleagues, why not just create the independent panel?

That is the central question I have for my colleagues today. Why will you not support the creation of an independent commission? What are you afraid of? The American people clearly had faith in the 9/11 Commission model. Why do you not?

A commission controlled by the politicians of one party charged with investigating itself will face tremendous internal political pressure to eliminate embarrassing truths from the public eye, to defer blame and to hide facts. That is the fundamental truth, because we all know how politics works.

Politics, by the way, is exactly why those recent scandals I just mentioned were never investigated.

Is the creation of an independent commission an abdication of our responsibility? Absolutely not. In fact, exactly the opposite is the case. If we intentionally create a partisan, political investigation, that, Mr. Speaker, would be an abdication of our responsibilities.

The American people need answers, they need true accountability, and the only way that we can live up to our responsibility and give them answers they can trust is through an independent commission.

The public already overwhelmingly supports the creation of such an independent commission by 76 percent, and over 160 Members of this body, representing more than 100 million of our Nation's people, have already supported the creation of such a commission through a substitute resolution by the gentleman from Florida (Mr. HASTINGS), my colleague. Its findings would not just help us to prevent another terrible disaster from taking place, they would also help our government to regain its credibility in the eyes of the public.

A Newsweek poll from earlier this week found that fully 57 percent of the general population has doubts that government officials will respond well the next time a disaster strikes. Those doubts would not be reduced until people believe that a real, independent investigation of Katrina has taken place. But the findings of the congressional commission being proposed by the Republican leadership will be forever tainted by the pervasive public belief that details were overlooked or truths hidden for political reasons. We have plenty of evidence to believe that.

Mr. Speaker, 2 weeks ago, our government missed an opportunity to rise to the occasion when it was sorely needed. The consequences were worse than we could have imagined. We cannot afford to miss another opportunity here today, and we object to the fact

that this resolution is titled ''bipartisan commission'' because, truly, there will not be one.

Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

As I prepare to yield to my friend from Charleston, let me just say that the short answer to the question posed by my friend from Rochester about why it is we would not establish a commission, it is very clear. Article 1, section 8 of the Constitution states it, that we have to do our job. We have the responsibility to deal with this issue.

There are very important questions that have been raised by Democrats and Republicans and people from the outside community; and we, as the representatives of the people, have the responsibility to get to the bottom of this. That is what the establishment of this bipartisan committee is, in fact, going to do.

Mr. Speaker, I am happy to yield 2 minutes to the gentlewoman from Charleston, West Virginia (Mrs. CAPITO), my very good friend and hard-working member of the Committee on Rules.

Mrs. CAPITO. Mr. Speaker, I rise today in support of the creation of a select bipartisan committee to investigate the preparation for and response to Hurricane Katrina.

As representatives, we are elected by the American people, and it is our duty to ensure that the numerous Federal agencies of which we have oversight and that we fund on an annual basis serve the taxpayers efficiently and effectively, and I think from the images that we have seen and from the reports from that area of the country, we have had serious problems.

This is a job best performed by the elected leaders of the United States. We are charged with the responsibility of oversight. We can be trusted by our constituents to find the truth.

To those who are critical of the makeup of this committee, I say to them, the United States Congress has responded in similar fashion 41 times, most recently with the formation of the Select Committee on Homeland Security in 2002 and 2003.

Mr. Speaker, we must form this bipartisan committee quickly so that the Members from both sides of the aisle can begin the vital task of finding the problems that plagued the response to Hurricane Katrina on the local, State and Federal levels. If we fail to act expeditiously and devolve into finger pointing and bickering, we are putting other areas of our Nation at greater risk. Mother Nature will not wait for the United States Congress to act.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Committee on Rules.

Mr. MCGOVERN. Mr. Speaker, I rise in opposition to the rule and to the underlying resolution.

The Federal response to Hurricane Katrina was absolutely unacceptable. The American people deserve to know what went so terribly wrong and what we must do to make sure it never, ever happens again.

Unfortunately, the partisan committee being proposed by the Republican majority will not give the American people any confidence that Congress is asking tough questions and demanding straight answers.

Apparently, Mr. Speaker, after the flood comes the whitewash.

For over 4 years, the Republican majority has refused at every turn to hold the Bush administration accountable for its mistakes. There has been no meaningful oversight, no tough investigations on anything.

Instead, Congress has turned a blind eye, and the bill we have before us represents more of the same.

The gentleman from Florida (Mr. HASTINGS), our colleague, has a different approach, a better approach. The commission established by his legislation would be truly independent, and its recommendations would carry far more weight. This independent commission would be similar to the 9/11 panel that was such an effective, meaningful force for change.

Because what the American people deserve at the end of this process is a document that does not necessarily agree with everything I say or does not cover the President's back, which is what the Republicans are trying to do today, but that actually helps fix the problems that Hurricane Katrina exposed.

Let me be clear, Mr. Speaker. The purpose of the commission established by the gentleman from Florida's (Mr. HASTINGS) bill is not simply to assign blame. Rather, an independent commission would take a tough, honest approach to an incredibly complicated problem.

Pre-identifying vulnerable areas, strategically deploying resources, anticipating potential stumbling blocks as we prepare for disasters, these need to be the guiding principles of our national response plan. An independent commission would produce recommendations that enhance our national response plan and enable FEMA to be structured appropriately.

Furthermore, this commission will show whether or not, as I believe, FEMA lacked appropriate leadership, leadership with experience in disaster management, and then recommend ways in which the agency can be better prepared, both in terms of personnel and resources. Unlike the President, I do not think Brownie did a heck of a job. An effective response to a disaster or crisis cannot happen unless the best qualified people are coordinating the efforts, equipped with the best resources.

□ 1100

The partisan committee put forward by the Republican majority just does not cut it. Instead, it would be made up of Members of Congress, and there are three problems with that approach:

First, there are some Members whose time would be better spent dealing with the immediate recovery and reconstruction needs created by the hurricane. Second, Republican politicians would be ''investigating'' other Republican politicians. And, third, some of the problems we saw in the gulf coast include bad funding choices made by Congress itself.

Mr. Speaker, the Federal Government's response to Hurricane Katrina was a national disgrace. The job of this Congress is not to run interference for the Bush administration; it is to do what is best for the American people. Seventy-six percent of the public want an independent commission because, quite frankly, they do not trust the Republican majority to do it right. They have a pattern of sweeping problems under the rug, of turning everything into a political fight. That pattern has to stop, and we can stop it today.

Mr. Speaker, I urge my colleagues to reject this rule.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume, and as I prepare to yield to my friend from Moore, Oklahoma (Mr. COLE), I want to say to my good friend from Massachusetts that it is very clear that Members of the United States House of Representatives do have the ability to deal with a disaster and at the same time engage in a very, very important investigatory process.

It is also very important to note that this is not going to simply be Republicans asking questions of other Republicans. As I said earlier, and I know my friend from Rochester raised this when she said it was nice of me to say that Democrats would have the opportunity to ask questions, but we know that Democrats, by virtue of this being a bipartisan committee, will be able to be deeply involved and engaged in this process as well.

Once again, I think it is important to note, as my colleague and friend from West Virginia said, that we are the elected representatives of the American people and this is our constitutionally mandated responsibility which we should not pass on to someone else.

Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE), a hard-working member of the Committee on Rules.

Mr. COLE of Oklahoma. Mr. Speaker, I rise in support of House Resolution 439 and in support of the underlying resolution.

Mr. Speaker, the minority objects to House Resolution 437 on the basis that the bipartisan committee it creates will be inherently unbalanced and unfair. One suspects they believe it will be unfair largely because while they will have full rights of representation on the committee in question, they will inevitably be the minority on any panel that fairly represents the composition of both the House of Representatives and the other body.

It would be easy and entertaining to lampoon the consistency of the so-

called Party of the People rejecting a committee composed of the elected representatives of the American people in favor of one made up of individuals who are both unelected and unaccountable to the voters of this country, but I will avoid that temptation.

Frankly, there are deeper issues here. The first is our faith as individuals in the efficacy of democracy itself. As the minority in this House for 11 years, I fear my friends on the other side of the aisle have lost their faith in the American people, because of the choices they have made at the ballot box in recent years. Having served as a member of a seemingly permanent minority in the Oklahoma State Senate earlier in my career, I understand the frustration on which that sentiment is based.

However, as adherents to the ideals of democracy, we should trust that over time the people will get it right and that if our views are sound, they will prevail. In the meantime, our job is to argue our point of view in the court of public opinion and accept the outcome at the polls when the verdict is rendered.

The second issue at stake here is the wisdom of empowering people who are neither elected nor accountable to perform the task our Constitution assigns to the elected representatives of the American people. Frankly, I share the sentiments Winston Churchill famously voiced when he said ''democracy is the worst form of government, except for all those others that have been tried.''

Mr. Speaker, it is fundamentally unsound and undemocratic to turn over the function of congressional oversight to a group of individuals who have neither been elected by the people nor accountable to the people for their actions or recommendations. Appointing a commission is the easy way out. It is a way for us, the representatives of the people, to avoid our responsibilities. Its members, however expert and well-intentioned, did not design or create the agencies and processes we wish to examine in connection with Hurricane Katrina. We did. Similarly, they will not be responsible for reforming these agencies or finding the solutions to our current problems. Those duties belong to the elected representatives of the American people.

My colleagues on the other side of the aisle often complain there is insufficient congressional oversight. This is our chance to exercise that oversight, and the voters will surely hold all of us accountable for how well we do the job.

My fellow Members, let us have faith in the American people, our democratic institutions, and ourselves. Let us do the job we were elected to do, rather than hand it off to those who were neither asked nor chosen by the American people to govern their affairs. I urge support of House Resolution 439 and the underlying House Resolution 437.

Ms. SLAUGHTER. Mr. Speaker, if an independent commission is an abdication of our authority, why did we all vote unanimously to establish the 9/11 Commission?

Mr. Speaker, I am pleased to yield 5½ minutes to the gentleman from Florida (Mr. HASTINGS).

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER), the distinguished ranking Democratic member on the House Committee on Rules, for yielding me this time.

A footnote right there, Mr. Speaker. I hope the irony is not lost on the House that the gentlewoman, a New York Member, is being lectured to about homeland security issues and why there is no need for an independent Katrina commission. New Yorkers were told 3 and 4 years ago that there was no need for an independent commission on 9/11.

I note peripherally that the distinguished chairman of the Committee on Rules has other business and has left the floor; but I was prepared to ask him, and perhaps his replacement in the chair for the majority can answer for me, what did the House of Representatives do in the last 3 years with reference to the tragedy of 9/11? What we wound up doing, because the victims and New York pressed forward, was establishing an independent commission.

The chairman pontificates that we should exercise our constitutional mandate; and so does his replacement, my friend and colleague on the Committee on Rules, say what our constitutional duty is. Every one of us is mindful of our constitutional duty. But are you then prepared to admit that we did not exercise it correctly in the 9/11 Commission period and that is why the 9/11 Commission came into existence in the first place?

Last year, as we all know, four hurricanes ravaged my home State of Florida and some of the gulf coast. Three of them literally destroyed parts of the district that I am privileged to represent. In the immediate and long-term aftermath, our communities saw FEMA's shortcomings. We saw that a once-reliable agency had been placed on the back burner as an afterthought in the Department of Homeland Security. Natural disaster preparedness and response programs have become trapped in a homeland security bureaucracy.

FEMA has lost its focus, and Floridians and others know that. Our delegation literally begged the committees of jurisdiction to hold hearings on what we saw in Florida. I even introduced bipartisan legislation in March with our colleague on the majority side, the gentleman from Florida (Mr. SHAW), to address what we perceived to be FEMA's largest problems. Yet every time we took our concerns to the committees, we were told it is not a big enough problem to consider on its own. Our staff was told we do not think that an oversight hearing is needed.

Well, Mr. Speaker, what America saw in the gulf coast resembles the Federal Government's absolute incompetence that Florida saw last year. Despite a whole lot of lip service, nothing has changed.

The 9/11 Commission was created to provide a full and complete accounting of the 2001 terrorist attacks. Implicit in this mandate is the simple fact that Congress alone would not or could not provide such a full and complete accounting. There is no reason to expect that the Republican Katrina commission will do any better.

That is why I and the gentleman from New Jersey (Mr. MENENDEZ) and 156 of our colleagues yesterday introduced H.R. 3764, legislation establishing a real independent commission, immune from political influence and absolute partisanship. And while they cannot officially cosponsor our bill, a significant part, 76 percent, of the American people agree with us. They question this Congress' ability to exercise real oversight and are calling for an independent and bipartisan Katrina commission.

Supporting the American people's concerns, you, Mr. Speaker, said at one point, and I quote, ''Our party controls the levers of government. We're not about to go and look beneath a bunch of rocks to try to cause heartburn.'' Put another way, Mr. Speaker: we helped create this mess, and we are not going to be able to investigate it ourselves. So forgive me, Mr. Speaker, if I question the majority's ability to conduct effective oversight with this type of political candor.

Substantively, the Republican plan is partisan. And because my colleagues say it is bipartisan does not make it so. It is inadequate. In stark contrast to the 9/11 Commission, Republicans outnumber Democrats on the majority's partisan Katrina commission. In contrast to the 9/11 Commission, which was given 18 months to do its job, the majority's partisan Katrina commission is only given 5 months. As the chairman put it last night, do it quick, do it fast. Quickly, he said.

Despite the 9/11 Commission's $15 million budget to do its job, the majority's commission they propose is only given $500,000.

Footnote right there. What about the committees of jurisdiction already in existence in Congress? And what about creating a circus atmosphere that drains resources from this Congress do you not understand?

Shamefully, the House will not have an opportunity to vote on the Hastings-Menendez independent Katrina commission legislation, because Republicans have blocked us from offering it. Just as they always do, Republicans block what they cannot defeat.

Despite what Republicans will suggest, today's debate is not about politics. It is about the need for truth to

assure the American people that we all know their needs. For my constituents, it is about the failures of this Congress, and for others it is about the failures in New Orleans and in the States and at the Federal Government. It is about saving lives and rebuilding communities.

Mr. COLE of Oklahoma. Mr. Speaker, I ask unanimous consent to temporarily control the time of the gentleman from California (Mr. DREIER).

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE of Oklahoma. Mr. Speaker, I just want to make a couple of quick points, and then I will reserve the balance of my time.

I would disagree very strongly with my good friend from Florida about the 9/11 Commission. There were, in fact, many investigations in this Congress about the tragedy that took place on 9/11, the Permanent Select Committee on Intelligence amongst them. We did actually do oversight.

Mr. HASTINGS of Florida. Mr. Speaker, will the gentleman yield?

Mr. COLE of Oklahoma. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Speaker, I beg to differ with the gentleman about what the Permanent Select Committee on Intelligence did. I serve on the Permanent Select Committee on Intelligence. The Senate Permanent Select Committee on Intelligence conducted an investigation; the House did nothing.

Mr. COLE of Oklahoma. Reclaiming my time, Mr. Speaker, and I respect the opinion of my good friend from Florida, but I think there was oversight.

But I would actually agree with his fundamental point in the sense that I think oversight is more effectively done by the elected representatives of the people, by the appropriate people who are responsible for implementing the solution. I do not think we should take that model and follow it again here.

I also would suspect that the situation between a deliberate attack on the United States and a natural disaster are very different.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 4 minutes to the gentlewoman from California (Ms. MATSUI), a member of the Committee on Rules.

Ms. MATSUI. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time.

Mr. Speaker, when Hurricane Katrina came ashore and ravaged the gulf States and the levees in New Orleans, Americans united in their support of those in need and the communities devastated by this terrible disaster. As Katrina passed over the gulf States and in the days that followed, Americans saw firsthand the devastation and human suffering that resulted. We were also eyewitnesses to the tragedy of hundreds of thousands of people who had escaped the wrath of the terrible storm only to then be stranded in the Superdome, the convention center, or trapped on the roofs, surrounded by rising flood waters with little in the way of food, water, or medical care. Mr. Speaker, we saw and felt the ensuing heartbreak. Mothers became separated from their children, elderly parents were unaccounted for, and siblings were trying to look after each other.

With the passage of time, our outrage and frustration set in. Reporters and the media managed to get to the heart of the disaster; yet there was little sign of our Federal relief efforts. Just as the American people united to aid the victims of Katrina, so too must Congress. Our constituents demand no less. They are more interested in getting answers than pointing fingers. They want to know that we are finding solutions and making recommendations to ensure our responses are never again at a snail's pace.

It is time for Congress, as part of the Federal Government, and therefore an element of the relief response, to shoot straight with the American people. An independent commission, removed from the partisan fray, is better positioned to find answers. Why were we not preparing our responses to Katrina near land? Where was the coordination between Federal, State, and local efforts? There are many questions that must be answered and an independent commission is a means that can provide the answers.

□ 1115

We saw the successful implementation following the tragedy of September 11, and following this model Congress will reassure the American people the answers that the independent commission finds and the recommendations they make are ones in which the Nation can trust.

I know my constituents are closely following this. My hometown of Sacramento lies in a floodplain at the confluence of two great rivers and faces the constant threat of floods. If we find ourselves in dire circumstances, can my constituents be assured that they can count on prompt Federal Government response?

This is not a blame game. I am not interested in pointing fingers, nor are the American people. They are more interested in identifying areas of weakness and making the necessary improvements. This is about preventing another tragedy similar to what we witnessed in New Orleans and the gulf States. We must ensure that the Federal Government does its job of protecting the American people, and with an independent commission we will do so.

Mr. DREIER. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. THOMPSON), the ranking member on the Committee on Homeland Security.

(Mr. THOMPSON of Mississippi asked and was given permission to revise and extend his remarks.)

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today in opposition to House Resolution 437. This resolution puts a partisan congressional committee in charge of the investigation.

The rule that has been offered does not allow for meaningful debate. It also does not allow for an amendment offered by the gentleman from Florida (Mr. HASTINGS) that would create an independent commission to investigate this catastrophe. I am also an original cosponsor of that amendment. Letting Congress investigate the government failures of Hurricane Katrina is like letting the fox guard the hen house. We are not protecting what we need to protect, and there will be a lot more questions than answers in the end.

More than ever, the last 2 weeks have shown that we need an independent assessment of what happened. Where did the Federal Government go wrong? What could the State and locals have done better? What happened to citizens' preparedness?

In my role as ranking member of the Committee on Homeland Security, I have looked for answers and have tried to put together a timeline of events. I am submitting with my statement today for the RECORD a timeline that the staff of the committee has put together for me showing what happened compiled from public sources. This document shows the complexity of the issues and the need for an independent assessment of what happened.

I do not understand the opposition from the other side of the aisle against creating an independent commission that the American people have asked for. It was done, with opposition from Republicans, after 9/11; it was done after Pearl Harbor; and after the Khobar Towers terrorist attacks. We have always had it. Indeed, the type of commission proposed by the gentleman from Florida (Mr. HASTINGS) and others has historically been used after large events that affect the country. Why not here? What does Congress want to protect? What is Congress trying to hide?

After 9/11, Congress did the right thing. On September 20, they sent the largest contingent ever to travel to New York City to view the devastation of the World Trade Center and console the families of the victims. It has been nearly 3 weeks since Hurricane Katrina hit the gulf Coast, and there have been no official congressional delegations to the region.

Mr. Speaker, what do we have to hide? Indeed, I have twice requested the Committee on Homeland Security to travel to the area and was refused. I was told that it did not make good sense for Congress to go down and conduct oversight and fact-finding missions at the time. Yet we went to New

York, but now we cannot go to my area of the country.

Now we want Congress to take charge of this investigation. For the good of the Nation, let us put aside partisan politics and not create a strawman committee. I encourage a vote against the rule so we can consider the independent commission option, give it a vote and let the American people know we are listening to their requests.

Katrina Timeline: A History of Federal Government Failures

Prepared by the Democratic Staff of the House Committee on Homeland Security for Ranking Member Bennie G. Thompson
(updated w/ materials known as of 9-12-05)

DATE	FACTS	AVAILABLE WARNINGS OR INFORMATION	FEDERAL GOVERNMENT FAILURES (italics highlight violations of guidelines and/or a failure to adhere to planning scenarios)
Tues, Aug. 23	The National Hurricane Center (NHC) classifies an area over the Bahamas Tropical Depression 12, and anticipates "steady intensification."[1] The National Hurricane Center (NHC) classifies an area over the Bahamas Tropical Depression 12, and anticipates "steady intensification."		Three weeks before Katrina struck, state emergency managers warned Department of Homeland Security Secretary Michael Chertoff and his deputy, Michael Jackson, that the Federal Emergency Management Agency (FEMA) had focused too much on terrorism, warning that the shift away from disaster management had left the agency less able to respond to natural disasters.[2]
Wed, Aug. 24	Tropical Depression 12 strengthens into Tropical Storm Katrina over the Central Bahamas, and a hurricane warning is issued for the southeastern Florida coast. [3]	The National Hurricane Center warns that Tropical Storm Katrina could cross Florida and "re-intensify over the eastern Gulf of Mexico" in the days ahead.[4]	As Katrina approached, the person most responsible for directly dealing with its consequences, Michael Brown, the director of FEMA, had no disaster-related experience prior to joining the agency as a Deputy Director in 2001. His previous position was as the head of the commissioner of judges and stewards for the International Arabian Horse Association, a breeders' and horse-show organization based in Colorado. According to the President of the Association, Brown was asked to resign from his position after 11 years working there due to disputes over supervision failures. Brown was a college friend of the previous head of FEMA, Joseph Allbaugh, who had served as President Bush's campaign manager in the 2000 election.[5]

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			In comparison, the Clinton-era FEMA Director, James Lee Witt, headed the Arkansas office of emergency services before he was tapped by Clinton in 1993 to run FEMA.[6]
Thurs, Aug. 25	4 p.m.: Katrina officially becomes a Category 1 hurricane, according to the National Hurricane Center.[7] 7 p.m.: Lumbering ashore in south Florida, Katrina causes nine deaths and kills power to more than 1.2 million people.[8] 11 p.m.: Hurricane Katrina came ashore with 80 mph winds between Hallandale Beach and North Miami Beach. Despite being over land for more than four hours, Katrina's maximum sustained winds are still being clocked at 75 mph.[9] Gov. Jeb Bush declares a state of emergency in	Katrina is forecast to be "a dangerous hurricane in the northeastern Gulf of Mexico in about three days."[11]	The top two aides at FEMA most responsible for assisting Mr. Brown, acting deputy director Patrick Rhode and acting deputy chief of staff Brooks Altshuler, both lacked emergency management experience before being appointed to their positions. In fact, both individuals had worked in the White House's Office of National Advance Operations, which arranges the president's travel and scripts his appearances.[12] In comparison, Clinton-era FEMA Director Witt's top to aides both ran regional FEMA offices for at least three years before assuming senior positions with the agency in Washington.[13]

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	Florida.[10]		
Friday, Aug. 26	5 a.m.: After weakening briefly to a tropical storm, Katrina regains hurricane status and moves on to the Gulf of Mexico.[14] 11:30 a.m.: The hurricane is upgraded to Category 2, with the storm's feeder bands continuing to pound the lower Florida Keys.[15] 4 p.m.: The National Hurricane Center warns that Katrina is expected to reach dangerous Category 4 intensity before making landfall in Mississippi or Louisiana. [16] Hours later, in anticipation of a possible landfall, Louisiana Gov. Kathleen Blanco declares a state of	Katrina is forecast to move directly over the warm loop current of the Gulf of Mexico, "which is like adding high-octane fuel to the fire."[20] Forecasters say that the storm could make landfall anywhere from the Florida Panhandle to New Orleans as early as Monday, possibly as a Category 4 storm.[21]	Even as it make efforts to prepare to respond to the storm, FEMA works with much reduced resources. Since joining the Department of Homeland Security in 2003, FEMA's core budget, which includes disaster preapredeness and mitigation, has been cut each year. Depending on the final budget for Fiscal Year 2006, the cuts will have been between 2% and 18%. As a result of the cuts, FEMA staff have been reduced by 500 positions to 4,735. Additionally, FEMA eliminated 1 of its 3 emergency management teams, which are charged with overseeing relief efforts in a disaster.[22] Additionally, the Government Accountability Office found that the Bush Administration has sought to spend far more on terrorist preparedness than natural disaster preparedness: "Almost 3 of every 4 grant dollars appropriated to DHS for first responders in fiscal year 2005 were for 3 primary programs that had an explicit focus on terrorism...For fiscal year 2006, the Administration has proposed spending almost $3.4 billion for homeland security preparedness grants, continuing DHS's emphasis on terrorism and spending about 3 of every 4 dollars or about $2.6 billion for terrorism-focused grant programs."[23]

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	emergency. [17] In declaring a state of emergency, Gov. Blanco requests additional forces from the federal government.[18] Gov. Barbour of Mississippi declares a state of emergency.[19]		
Sat, Aug. 27	Katrina is upgraded to a Category 3, or major hurricane,[24] and a hurricane warning is issued for Louisiana's southeastern coast, including New Orleans and Lake Pontchartrain, and for the northern Gulf coast.[25] During the day, residents of Louisiana's low-lying areas are told they must evacuate; residents in other low-lying areas are urgently advised to do so. [26] President Bush declares a state of emergency in	Max Mayfield, director of the National Hurricane Centre says: "I've been here 33 years, and we've always been concerned about New Orleans. I had to let the mayor know that this storm has the potential not only to cause large property damage, but large loss of life if people don't make the right decision."[36] Chris Sisko, a meteorologist at the Centre, says of New Orleans: "With them sitting well below sea level, this is a potential set up for a catastrophic event that has never been seen before."[37] Katrina is now a Category 3 hurricane on the Saffir-Simpson scale and Katrina is expected to make "landfall in southeastern Louisiana in 48-60 hours."[38] Forecasters warn of "storm surge flooding of 15 feet above normal tide levels… Locally as high as 25 feet along with large and dangerous battering waves."[39]	On August 27 – two days before Katrina hit – President Bush issued an order that "**authorizes the Department of Homeland Security, Federal Emergency Management Agency (FEMA), to coordinate all disaster relief efforts.**" The order specifies that "FEMA is authorized to identify, mobilize, and provide at its discretion, equipment and resources necessary to alleviate the impacts of the emergency."[40] ➢ Jane Bullock, former FEMA chief of staff, said, "**The moment the president declared a federal disaster, it became a federal responsibility**.… The federal government took ownership over the response."[41] ➢ Bullock's view is consistent with the DHS website, which states plainly, *"In the event of a terrorist attack, natural disaster or other large-scale emergency, the Department of Homeland Security will assume primary responsibility … for ensuring that emergency response professionals are prepared for any situation. This will entail* ***providing a coordinated, comprehensive federal response to any large-scale crisis and mounting a swift and effective recovery***

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	Louisiana.[27] Gov. Haley Barbour declares a state of emergency in Mississippi.[28] Highways leading out of New Orleans are filled with bumper-to-bumper traffic. Several major interstates are converted to one-way routes away from the city.[29] A total of eleven people die in Florida due to Katrina.[30] New Orleans Mayor Ray Nagin declares a state of emergency and urges residents in low-lying areas to evacuate.[31] A mandatory evacuation is ordered for Hancock County, east of New Orleans on the Mississippi Gulf Coast.[32]		*effort.*"[42] Under Section 5170b(c)(1) of the Stafford Act, 42 USC § 5121, once an area reaches a state where it may ultimately quality for certain disaster assistance, at the Governor's request, the president can send Department of Defense military units to the area "for the purpose of performing on public and private lands any emergency work which is made necessary by such incident and which is essential for the preservation of life and property." However, major numbers of DOD ground troops did not arrive in New Orleans until a much later date. **President Bush's weekly radio address concentrates on Gaza withdrawal and the Iraqi Constitution. He neglects to mention Hurricane Katrina.**[43]

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	11:00 p.m.: The National Hurricane Center issues a hurricane warning from Morgan City, Louisiana, to the Alabama-Florida border, an area that includes New Orleans. A warning means that hurricane conditions are expected within the warning area within the next 24 hours. [33] Mayor Ray Nagin of New Orleans advises people to leave the city: "Ladies and gentlemen, this is not a test. This is the real deal. Do all things you normally do for a hurricane but treat this one differently because it is pointed towards New Orleans."[34] Gov. Blanco asks the federal government to declare an emergency and help save lives and property.[35]		

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Sun, Aug. 28	2:00 a.m.: The storm strengthens to Category 4 with 145-mph winds.[44] 7:00 a.m.: Hurricane Katrina intensifies to Category 5, the worst and highest category on the Saffir-Simpson scale with winds near 160 mph and growing.[45] 10:00 a.m.: As Katrina hits 175 mph winds; New Orleans Mayor Ray Nagin orders mandatory evacuations as the storm seems to beat a direct path to the city.[46] Alabama Governor Bob Riley declares a state of emergency.[47] Lines form at gas stations and outside the Superdome, which takes in thousands of refugees.[48] From his Texas ranch,	A 4pm hurricane warning says: "Maximum sustained winds are near 165mph with higher gusts. Katrina is a potentially catastrophic category five hurricane…"[52] Based on the size and track of the storm, computer models predict flooding across parts of the New Orleans.[53] Ivor van Heerden, director of the Louisiana State University Public Health Research Centre, says: "This is what we've been saying has been going to happen for years... Unfortunately, it's coming true." New Orleans "is definitely going to flood."[54] Jeff Hingle, Placquemines Parish Sheriff, refers to Hurricane Betsy, a category two hurricane that struck Louisiana in 1965: "After Betsy these levees were designed for a category three... These levees will not hold the water back."[55] Some of those unable or unwilling to leave New Orleans spend the night in shelters—including the Superdome.[56] Approximately 30,000 evacuees gather at the Superdome with roughly 36 hours worth of food.[57] Now a Category 5 hurricane, Katrina "is a large hurricane that will affect a large area…. Preparations should be rushed to completion."[58]	According to the general in charge of Joint Task Force Katrina, Louisiana and other states began asking for additional National Guard troops on Sunday, August 28.[59] Yet, these troops do not arrive in large numbers until substantially later in the week. (note: The National Guard's Timeline for response to Katrina claims that LA and MS requested additional forces on August 31, not August 28).[60] Although thousands of New Orleans residents had no cars with which to leave New Orleans before or after Katrina struck, when asked about the estimated thousands of deaths in the city, in an interview on 9/1, FEMA Director Brown, said, "Unfortunately, that's going to be attributable to a lot of people who did not heed advance warnings."[61]

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	the president declares a state of emergency for Mississippi, Florida and Alabama.[49] FEMA sends water, food and other supplies to staging centers in Georgia and Texas. [50] President Bush urges people to heed evacuation orders and holds a teleconference with disaster management officials.[51]		
Mon. Aug. 29	4 a.m.: Hurricane Katrina is downgraded to a strong Category 4 storm.[62] 6 a.m.: Weather report warns of storm surges of 28ft and says: "Extremely dangerous category four Hurricane Katrina preparing to move onshore near southern Plaquemines Parish, Louisiana... **Some levees in the Greater New Orleans area**		**On the same day Katrina strikes, President Bush calls Secretary Chertoff from Air Force One to talk with him about immigration issues.[81] He also shares a birthday cake photo-op with Senator John McCain.[82] In the morning he visits an Arizona resort to promote Medicare drug benefits,[83] and in the afternoon he goes to a California senior center for a similar discussion.[84]** About 5 hours after Katrina makes landfall, FEMA Director Brown sent a memo to Mr. Chertoff asking for permission to send at least 1,000 additional DHS employees to the hurricane impact area. According to the Associated Press, "Before then, FEMA had positioned smaller rescue and communications teams across the Gulf Coast. But officials acknowledged the first department-wide appeal for help came only as the storm raged." Mr. Brown's Memo acknowledges that it may take 48 hours to get the 1,000 employees to the area, and another 7

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	could be overtopped."[63] 7 a.m.: Katrina makes landfall on the Louisiana coast between Grand Isle and the mouth of the Mississippi River. [64] 11a.m. Katrina makes another landfall near the Louisiana-Mississippi state line with 125 mph winds. [65] Late in morning the 17th Street Canal levee is breached, leading to the flooding of a "vast swath of central New Orleans."[66] **The Times-Picayune headline on the breach (published the next day) read: "Catastrophic Storm Surge Swamps 9th Ward, St. Bernard Lakeview Levee Breach Threatens to Inundate City."**[67] By the end of the day,		days to get 2,000 more employees to the area. According to a DHS spokesman, "[i]nstead of rescuing people or recovering bodies, these employees would focus on helping victims find the help they needed." Mr. Brown's memo also told employees that they would be expected to "convey a positive image of disaster operations to government officials, community organizations and the general public."[85] The DHS spokesman explained that the 48 hour waiting period was needed because the employees had to obtain training before they were sent to the area.[86] Mr. Brown's memo also stated: "We will want to identify staff with specialized skills such as bilingual capabilities, Commercial Driver's License (CDL), and logistics capabilities."[87] On 9/29, Mr. Brown also reminds fire and rescue services outside Louisiana, Mississippi and Alabama not to send in emergency workers unless they are specifically requested.[88] Yet over the next few days FEMA reportedly turned down vital assistance, including the following examples: ➢ Days before Katrina stuck, Chicago drew up a list of resources it could provide in the event of a disaster, including 100 police officers, 36 fire department personnel, 8 emergency medical health experts, more than 130 public health staffers, 140 sanitation staffers, dozens of trucks, and two boats. As of late last week, FEMA had requested only one thing from Chicago—a single tanker truck.[89] ➢ 500 Floridian airboaters were ready to help rescue people stranded in flooded homes, but FEMA turned them down.

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	two major flood-control levees are breached, and the National Weather Service reports "total structural failure" in parts of New Orleans. A section of the roof of the Louisiana Superdome, where 10,000 people are taking refuge, opens. Many are feared dead in flooded neighborhoods still under as much as 20 feet of water. [68] In Mississippi, dozens are dead and Gov. Haley Barbour describes "catastrophic damage" along the coast. More than 1.3 million homes and businesses in Louisiana, Mississippi and Alabama were without electricity, according to utility companies. [69] President Bush makes emergency disaster declarations for	Max Mayfield, director of the National Hurricane Center, said FEMA Director Brown and other top federal officials were briefed as much as 32 hours in advance of landfall that Hurricane Katrina's storm surge was likely to overtop levees and cause catastrophic flooding. "They knew that this one was different," Mayfield said.[77] According to CNN, "Reuters reported that in 2004, more than 40 state, local and volunteer organizations practiced a scenario in which a massive hurricane struck and levees were breached, allowing water to flood New Orleans. Under the simulation, called 'Hurricane Pam,' the officials 'had to deal with an imaginary storm that destroyed more than half a million buildings in New Orleans and forced the evacuation of a million residents.'"[78] In 2002, the New Orleans Times-Picayune ran a 5-part series exploring the vulnerability of the city to a hurricane, including specifically the possibility of levees breaching and causing massive floods.[79] A catastrophic flood triggered by a hurricane hitting New Orleans was one of 3 disaster scenarios considered most likely to hit the U.S. by a 2001 FEMA report.[80]	➢ 20 sheriff's deputies from Loudon County, VA were turned down by FEMA. ➢ FEMA would not permit the Jefferson Parish president to accept 3 tanker trucks of water donated by Wal-Mart, as well as 1,000 gallons of diesel fuel stored in a nearby Coast Guard vessel. In a press conference later in the week, DHS Secretary Chertoff said that **the levee breach that flooded New Orleans was a "perfect storm" that "exceeded the foresight of planners,"** who did not expect both a powerful hurricane and a breach of levees that would flood New Orleans. He added that authorities assumed that "there would be overflow from the levee, maybe a small break in the levee. The collapse of a significant portion of the levee leading to the very fast flooding of the city was not envisioned."[90] ➢ *However, "The National Planning Scenario 10: Natural Disaster—Major Hurricane," which was used by DHS to determine what level of preparedness state, local and federal entities needed for certain disasters, included the planning assumption that the* ***"20-foot storm surge has breached and overtopped flood control and hurricane protection works."***[91] ➢ *Additionally, National Planning Scenario 10 included the planning assumption that* ***"Major portions of the MMA [major metropolitan area] become flooded."***[92] Furthermore, according to the Los Angeles Times, Lt. Gen. Carl Strock, the Corps commander, conceded on 9/3 that the government had known the New Orleans levees could never withstand a hurricane higher than a Category 3. Corps officials shuddered, he said, when they realized that Katrina was barreling down on the Gulf Coast with the vastly greater

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	Louisiana and Mississippi, freeing up federal funds. [70] Officials estimate 80 percent of New Orleans residents obeyed the order to evacuate. The Coast Guard rescues 1,200 people from the flood waters.[71] At least eight Gulf Coast refineries shut down or reduce operations.[72] Airports close in New Orleans, Baton Rouge, La., Biloxi, Miss., Mobile, Ala., and Pensacola, Fla.		destructive force of a Category 5 — the strongest type of hurricane. Washington, he said, had rolled the dice.[93] Rather than come up with the extra millions of dollars needed to make the city safer, officials believed that such a devastating storm was a small probability and that, with the level of protection that had been funded, "99.5% of the time this would work." Unfortunately, Strock said, "we did not address the 0.5%."[94] Additionally, since President Bush took office in 2001, his yearly flood control budgets have asked for $166 million for Louisiana flood control projects, even though local flood control officials and Senator Landrieu (D-LA) have asked for just short of $500 million. While Congress did not fully meet needs, it disagreed with President Bush and provided about $250 million.[95] *The overwhelming problems that occurred at a major shelter such as the Superdome should have also been prepared for, as National Planning Scenario 10 included the planning assumption that* ***"[s]helters throughout the region are also filled to capacity."***[96] *National Planning Scenario 10 also included the planning assumption that evacuation routes would close:* ***"All transportation routes are damaged to some degree, and the port facility has also been adversely affected."***[97]

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	Hundreds of flights are canceled or diverted.[73] Carlos Gutierrez, the Commerce Secretary, calls to congratulate the National Hurricane Centre on its accurate forecasting. "If that is not a superb forecast, I don't know what is," says Mayfield, the centre's director.[74] Gov. Blanco repeats a warning not to re-enter New Orleans and tells President Bush, "I need everything you got."[75] Mayor Nagin orders the police to begin search and rescue operations in heavily flooded areas.[76]		
Tues, Aug. 30	10:00 a.m.: Katrina becomes a tropical depression about 25 miles south of Clarksville, Tenn.[98] 6:00 p.m.: Death toll in Biloxi-Gulfport area of Mississippi exceeds		Despite the fact that the 17th Street Canal levee broke on Monday morning in a way that was so obvious that Times-Picayune reporters were able to research and write an extensive story on the large-scale flooding (see facts above),[114] Secretary **Chertoff was unaware of that breach until Monday night or Tuesday morning.** In a "Meet the Press" interview on 9/4, he said: "It was on Tuesday that the levee--may have been overnight Monday to Tuesday--that the levee started to break. And it was midday Tuesday that I became

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	100. Alabama reports two fatalities.[99] More than 12,000 people are in the Superdome.[100] Louisiana Governor Kathleen Blanco says everyone still in New Orleans - an estimated 50,000 to 100,000 people who remained during the hurricane- must be gotten out.[101] Rescuers in helicopters and boats pick up hundreds of stranded people in New Orleans, and reports of looting emerge.[102] The New Orleans international airport is reopened for relief flights.[103] Mayor Nagin estimates that 80 percent of the city is underwater.[104] New Orleans is left with no power, no	Severe looting reported throughout the day. A New Orleans Councilwoman said: "The looting is out of control. The French Quarter has been attacked. We're using exhausted, scarce police to control looting when they should be used for search and rescue while we still have people on rooftops." Senator Landrieu witnesses looting while flying in a helicopter over the city. A tourist says "It's downtown Baghdad."[112]	aware of the fact that there was no possibility of plugging the gap and that essentially the lake was going to start to drain into the city. I think that second catastrophe really caught everybody by surprise."[115] **Rather than taking over hurricane recovery efforts, President Bush speaks in the morning at the Naval Air Base in San Diego to commemorate the anniversary of V-J Day, though he does briefly discuss Katrina's impact.[116] Afterwards, Bush plays guitar with country singer Mark Willis.[117] At the end of the day, Bush returns to Crawford, Texas for one more night of vacation.[118]** A Pentagon spokesman says that although 6,000 National Guard personnel from Louisiana and Mississippi who would otherwise be available to help deal with the aftermath of Hurricane Katrina are in Iraq, the states have adequate National Guard units to handle the hurricane needs. He claims there are 6,500 available in LA, 7,000 in MS, 10,000 in AL, and 8,200 in FL, along with 1,600 Guard troops near Atlanta who could be sent if necessary.[119] Yet security remains unstable in New Orleans until much later in the week. The U.S. military starts to move ships and helicopters to the region at the request of the Federal Emergency Management Agency.[120] The Pentagon announces it will send five ships, though four are several days away.[121] ➢ FEMA and the Navy's failures to better pre-positioning ships – or at least dispatch them earlier – violate two key principals in the National Response Plan, which state: o *"Recognizing that Federal and/ or national resources are required to augment overwhelmed State, local, and tribal response efforts, the NRPCIA establishes*

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	drinking water, dwindling food supplies, and fires - and steadily rising waters from major levee breaches.[105] In Mobile, Alabama, the storm pushed water from Mobile Bay into downtown, submerging large sections of the city. [106] The New Orleans city government regroups in Baton Rouge. [107] About 40,000 people are in American Red Cross shelters, not including those in New Orleans Red Cross Shelters. [108] White House announces President Bush will cut short his 5 week vacation and return to White House on Wednesday, August 31. [109]	New Orleans city hospitals flood.[113]	*protocols to pre-identify and rapidly deploy key essential resources (e.g., medical teams, urban search and rescue teams, transportable shelters, medical and equipment caches, etc.) that are expected to be urgently needed/ required to save lives and contain incidents."*[122] o *"Federal support must be provided in a timely manner to save lives, prevent human suffering, and mitigate severe damage. This may require mobilizing and deploying assets before they are requested via normal NRP protocols."*[123] *National Planning Scenario 10 included the planning assumption that* ***"Many hospitals have sustained severe damage and those that are open are overwhelmed."***[124]

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	Governors from Louisiana, Alabama and Mississippi have called up 7,500 troops.[110] Mayor Nagin evacuates the city government to Baton Rouge.[111]		
Wed, Aug. 31	6:00 a.m.: The Bush administration says it will release oil from petroleum reserves to help cut gas prices.[125] 1:15 p.m.: Mayor Ray Nagin of New Orleans estimates hundreds, maybe thousands, dead in his city.[126] 7:30 p.m.: Mayor Nagin orders 1,500 police to focus on stopping looting instead of searching for survivors.[127] Mayor Nagin calls for a total evacuation and says that some sick or ill people may be moved to the convention center.[128]	Senator Landrieu, who was on the scene in Louisiana, found that just like on 9/11/01, first responders in New Orleans and other affected areas were unable to communicate with each other or city leaders. By Wednesday, she described the situation as follows: "A police chief in a city talking to a mayor in a city wasn't happening while this was going on because their cellphones were down and their radios didn't communicate."[141]	*The National Response Plan (NRP) recognizes that the Department of Homeland Security has special responsibilities when there are catastrophic circumstances, such as the problems Senator Landrieu witnesses. These catastrophic circumstances include those with "significant disruption of the area's critical infrastructure, such as energy, transportation, telecommunications, and public health and medical systems"*[144] *National Planning Scenario 10 included planning assumptions about the difficulty of conducting effective rescues:* ***"Hundreds of people are trapped and require search and rescue. Until debris is cleared, rescue operations are difficult because much of the area is reachable only by helicopters and boats."***[145] *Under National Planning Scenario 10, damage to critical infrastructure sectors was expected and therefore efforts should have been underway immediately to assess damage to communications and other vital systems:* ***"Wind and downed trees have damaged nearly all of the electric transmission lines within the MMA. Most communications systems within the impacted area are not functioning due to damage and lack of power."***[146]

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	Looting grows dramatically, with people using a forklift to smash into one pharmacy.[129] Military transport planes carry seriously ill and injured patients to Houston.[130] New Orleans pump stations are all offline.[131] FEMA has deployed 39 medical teams to set up field hospitals under tents, and mobilized 1,700 trailer trucks.[132] U.S. Health and Human Services Secretary Mike Leavitt declares a federal health emergency throughout the Gulf Coast, sending in medical supplies and workers. [133] The entire region is declared a public health emergency amid fears of diseases that could	At 11:09 pm the Times-Picayune posts a story stating that there are "3,000 or more evacuees stranded at the convention center—and with no apparent contingency plan or authority to deal with them[.]" The report describes a "steady stream of often angry or desponded people" who "trickled" towards the convention center. Some had been there since Tuesday morning "but had received no food, water or instructions."[142] Conditions continue to deteriorate at the Superdome: "A 2-year-old girl slept in a pool of urine. Crack vials littered a restroom. Blood stained the walls next to vending machines smashed by teenagers.... 'We pee on the floor. We are like animals,' said Taffany Smith, 25, as she cradled her 3-week-old son, Terry.... By Wednesday, it had degenerated into horror.... At least two people, including a child, have been raped. At least three people have died, including one man who jumped 50 feet to his death, saying he had nothing left to live for. There is no sanitation. The stench is overwhelming."[143]	FEMA does not learn about the convention center evacuees until Thursday. [147] Although there are 500 National Guard troops patrolling the Superdome, they have "limited resources and no infrastructure," who are "living like [the evacuees] are living."[148] ➢ *Secretary Chertoff's inability to supply basic medical, nutritional and other emergency needs for the evacuees in the Superdome and elsewhere demonstrates a failure to follow the National Response plan, which states: Recognizing that Federal and/or national resources are required to augment overwhelmed State, local, and tribal response efforts, the NRPCIA establishes protocols to pre-identify and rapidly deploy key essential resources (e.g., medical teams, urban search and rescue teams, transportable shelters, medical and equipment caches, etc.) that are expected to be urgently needed/required to save lives and contain incidents.*[149] FEMA Director Brown says the storm caused the kind of damage the agency was expecting and that plans were in place: "That category four hurricane caused the same kind of damage that we anticipated. So we planned for it two years ago. Last year, we exercised it. And unfortunately this year, we're implementing it."[150] Secretary of State Condoleeza Rice attends a Broadway show in New York (and is booed there for failing to attend to Katrina matters).[151] Secretary Chertoff holds news conference, where he says that

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	spread because of the contaminated, stagnant water.[134] Evacuations from the Louisiana Superdome to the Houston Astrodome begin. About 20,000 people are expected to be transferred from New Orleans to the Astrodome in Houston, TX. The first busloads of victims leave the Superdome for the Astrodome in Houston, more than 350 miles away.[135] Governor Blanco asks the White House to send more help.[136] The U.S. Army Corps of Engineers estimates it will be at least 30 days or more before New Orleans will be pumped out. [137] Five offshore Louisiana oil rigs are reported		he is "extremely pleased by the response."[152]

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	missing and two more are adrift. [138] President Bush flies over the region on his way back to Washington and convenes a federal task force.[139] Gov. Blanco says that everyone must be evacuated from the Superdome within two days and calls for a day of prayer.[140]		
Thurs, Sept. 1	Over 200 buses arrive to transport Superdome residents to the Astrodome in Houston, but thousands of newly emerged hurricane victims take their places, with crowds swelling to 25,000.[153] New Orleans Mayor Nagin issues a "desperate SOS" asking for help dealing with the lawlessness and devastation in his		**In a morning television interview, President Bush says: "I don't think anybody anticipated the breach of the levees. They did anticipate a serious storm. But these levees got breached. And as a result, much of New Orleans is flooded. And now we are having to deal with it and will."[174]** ➢ *However, National Planning Scenario 10 included the planning assumption that the "20-foot storm surge has breached and overtopped flood control and hurricane protection works."*[175] ➢ *Additionally, National Planning Scenario 10 included the planning assumption that* ***"Major portions of the MMA [major metropolitan area] become flooded."***[176]

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	city.[154] President Bush asks Congress for $10.5 billion in funds.[155] Senate and House officials prepare a $10 billion emergency aid package.[156] The death toll in Mississippi hits 126.[157] Looting, carjacking and other violence spreads, and the military decides to increase National Guard deployment to 30,000.[158] Crowds at the Superdome swell to 30,000, with another 25,000 at the convention centre where conditions continue to deteriorate. Outside the New Orleans Convention Center, the sidewalks are packed with people without food, water or medical care, waiting	According to the New York Times, "chaos and gunfire had hampered efforts to evacuate the Superdome."[169] Evacuees report numerous uncollected corpses in the Superdome.[170] A tourist stranded at the Ritz Carlton in downtown New Orleans says "[National Guard" are invisible. We have no idea where they are. We hear bits and pieces that the National Guard is around, but where? We have not seen them. We have not seen FEMA officials. We have seen no one."[171] Mayor Nagin said: "I continue to hear that troops are on the way, but we are still protecting the city with only 1,500 New Orleans police officers, an additional 300 law enforcement personnel, 250 National Guard troops, and other military personnel who are primarily focused on evacuation."[172] Superintendent P. Edward Compass III of the New Orleans Police Department said armed thugs had taken control of the secondary makeshift shelter at the convention center. He added that the criminals repelled 8 squads of 11 officers each that he had sent to secure the place and that rapes and assaults were unimpeded in the neighboring streets as criminals	DHS Secretary Chertoff said in a 9/1 interview that there were **"crowd control issues"** at the Superdome, but it was "secure."[177] FEMA Director Brown says uncollected corpses have "not been reported to me, so I'm not going to comment. Until I actually get a report from my teams that say, 'We have bodies located here or there,' I'm just not going to speculate."[178] Secretary Chertoff claims "we have 2,800 National Guard in New Orleans as we speak today."[179] Mr. Brown said: "I actually think the security is pretty darn good. There's some really bad people out there that are causing some problems, and it seems to me that every time a bad person wants to scream of cause a problem, there's somebody there with a camera to stick it in their face."[180] Secretary Chertoff said there were **"isolated incidents of criminality"** in New Orleans, even though by that time there were numerous reports of widespread looting, robbery, gunfire, and even rape.[181] As late as Thursday, 9/1, DHS Secretary Chertoff said he was unaware that there were thousands of New Orleans residents

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	for buses that do not come.[159] Homeland Security Secretary Michael Chertoff announces that another 4,200 National Guard troops trained as military police will be deployed to New Orleans over the next three days. [160] Louisiana Gov. Kathleen Blanco requests the mobilization of 40,000 National Guard troops. [161] The evacuation of patients from Charity Hospital was halted Thursday after the facility came under sniper fire twice. physician at the hospital said that despite the incidents staff members and patients were eager to get out after three days with no water and electricity and sparse	"preyed upon" passers-by, including stranded tourists.[173]	stranded at the convention center who didn't have food or security, even though national news outlets were reporting on the distress of thousands of refugees there.[182] FEMA Director Brown admits that **the federal government did not know until Thursday that thousands of survivors without food or water had taken shelter at the city's convention center, despite a day of news reports.**[183] "We learned about that (Thursday), so I have directed that we have all available resources to get to that convention center to make sure thye have the food and water and medical care that they need," he says.[184] Mr. Brown also said: "Considering the dire circumstances that we have in New Orleans – virtually a city that has been destroyed – that **things are going relatively well**."[185] Mr. Brown also says: "I've had no reports of unrest, if the connotation of the word unrest means that people are beginning to riot, or you know, they're banging on walls and screaming and hollering or burning tires or whatever. I've had no reports of that."[186] *Continuing problems in New Orleans, especially leading up to and after Nagin's "SOS," demonstrate a failure to follow the National Response Plan (NRP). Under the NRP, as the "primary Federal official" for domestic incident management, "the Secretary is also responsible for coordinating Federal resources utilized in response to or recovery from terrorist attacks, major disasters, or other emergencies if and when any of the following four conditions applies: . . . (2) the resources of State and local authorities are overwhelmed[.]*[187] *Furthermore, the NRP recognizes that "Standard procedures outlined in the NRP regarding requests for assistance may be expedited or, under*

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	food rations.[162] Doctors at two New Orleans hospitals plead for help, saying their food, water and power are almost gone. Helicopters evacuate up to 600 patients but an estimated 1,500 others are left behind.[163] Officials close the Reliant Astrodome in Houston to further New Orleans evacuees shortly before five more busloads arrived. Although the passengers initially were told they would have to re-board the buses and go to Huntsville, officials relented and allowed at least one busload of 67 passengers to stay.[164] Elsewhere, 76,000 people are in Red Cross shelters. [165] Bush asks his father,		*extreme circumstances, temporarily suspended in the immediate aftermath of an incident of catastrophic magnitude, pursuant to existing law.'*[188] Secretary of State Condoleeza Rice buys several thousand dollars of shoes while shopping in New York City.[189] Late in the afternoon on Thursday, 9/1, the Homeland Security Department finally contacts the airline industry to ask for help with evacuating storm victims.[190]

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	and former President Clinton, to lead a fund-raising campaign for victims. [166] Texas agrees to take in 75,000 people.[167] 600 massive sand bags arrive to help shore up the broken levees of New Orleans. [168]		
Fri, Sept. 2	10:15 a.m.: Bush lands in Mobile, Ala., to tour affected areas on foot and by air. [191] President Bush meets with Mayor Nagin and Gov. Blanco and visits the 17th Street Canal breach.[192] 11:30 p.m.: Houston's Astrodome, which had been accepting busloads of evacuees from New Orleans, has no more room. Buses are diverted to other areas of Texas.[193] 11:45 p.m.: First		National Guard trucks carrying supplies to the Superdome did not arrive until almost noon on Friday, 9/2---3 and ½ days after Katrina struck.[203] **During his tour of hurricane stricken areas, President Bush tells FEMA Director Brown, "Brownie, you're doing a heck of a job."[204]** Bush's tour of Louisiana delays 3 tons of food ready for delivery by air to refugees.[205]

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	National Guard trucks arrive with supplies at the Superdome.[194] President Bush acknowledges the failure so far of government relief efforts, saying "the results are not acceptable."[195] House passes $10.5 billion for emergency relief, Bush signs it.[196] A large convoy of relief supplies arrives at the New Orleans Convention Center.[197] Commercial airlines begin flying people out of the city, and the Superdome begins to empty.[198] An explosion at a chemical storage facility sends a column of acrid smoke into the sky-other scattered fires break out.[199]		

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	Secretary Chertoff announces a total of 6,500 National Guard troops will arrive in New Orleans within 3 days; by day's end, nearly 20,000 National Guard troops are stationed in Louisiana and Mississippi.[200] The Houston Astrodome is declared full, and Texas opens up two more centers for people displaced by Katrina. [201] Gov. Blanco meets with President Bush, who proposes to assume control of the state's National Guard Forces.[202]		
Sat, Sept. 3	President Bush orders 7,200 more soldiers and marines to the Gulf Coast, and the National Guard sends an additional 10,000 as well.[206]		**President Bush personally blames state officials for the Katrina response problems:** "[T]he magnitude of responding to a crisis over a disaster area that is larger than the size of Great Britain has created tremendous problems that have strained state and local capabilities. The result is that many of our citizens simply are not getting the help they need."

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	The last evacuees at the New Orleans' Superdome are evacuated.[207] Firefighters battle two fires along the Mississippi River waterfront, where 50-foot flames engulfed an industrial district. [208] The Army Corps of Engineers brings in pumps and generators from around the nation to help get New Orleans pumps back on line and bail out the city. [209] FEMA says more than 25,000 residents have been evacuated out of the city of New Orleans.[210] The U.S. Coast Guard says that since Katrina hit, it has rescued a total of 9,500 people. [211] The New Orleans		➢ *Yet the National Response Plan (NRP) makes it clear that DHS has substantial Federal responsibilities in a disaster: "The Secretary of Homeland Security is responsible for coordinating Federal operations within the United States to prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies. HSPD-5 further designates the Secretary of Homeland Security as the "principal Federal official" for domestic incident management."[215] Furthermore, the NRP adds that "Notification and full coordination with States occur, but the coordination process should not delay or impede the rapid mobilization and deployment of critical Federal resources."[216]* ➢ *Additionally, the NRP recognizes that DHS still has substantial responsibilities when there are catastrophic incidents where "The response capabilities and resources of the local jurisdiction (to include mutual aid from surrounding jurisdictions and response support from the State) may be insufficient and quickly overwhelmed. Local emergency personnel who normally respond to incidents may be among those affected and unable to perform their duties."[217]* Mr. Chertoff says, "There has been, over the last few years, some specific planning for the possibility of a significant hurricane in New Orleans with a lot of rainfall, with water rising in the levees and water overflowing the levees."[218]

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	police report that 200 of their 1,500 officers have walked off the job in frustration, and two others have committed suicide. [212] The U.S. Labor Department announces an emergency grant of up to $62 million US, to provide work for dislocated workers in the devastated parts of Louisiana - it's expected the grants will provide as many as 10,000 temporary jobs.[213] Gov. Blanco rejects the White House proposal and asks the National Guard to focus on security.[214]		
Sun, Sept. 4	Health and Human Services Secretary Michael Leavitt says the death toll from the hurricane will be in the thousands.[219] Water and air rescue efforts continue in		

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	New Orleans; the U.S. Coast Guard said it has rescued more than 17,000 people, almost twice as many as it had saved in the previous 50 years combined, but that thousands of people remain stranded.[220] A Eurocopter AS 332 Super Puma helicopter flown by a civilian company crashes during rescue operations in New Orleans. No evacuees are aboard, and the pilot and crew are rescued. [221] New Orleans Mayor Ray Nagin announces plans to move traumatized police and firefighters out of the city so they can receive medical and psychological treatment. [222] Carnival Cruise Lines announces it will cancel		

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	cruises on three of its ships so they can be used to house about 7,000 Katrina victims.[223] Governor Kathleen Blanco declares a state of public health emergency, and says the Louisiana death toll will likely be in the thousands.[224] Gov. Blanco's staff rebukes the White House, remarking that: "they wanted to negotiate an organizational chart."[225] A shelter in Biloxi, Miss., is closed after more than 20 residents fall ill, possibly with dysentery. [226] Mayor Nagin begins offering five-day vacations to city emergency workers.[227] President Bush visits a Red Cross center and		

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	orders American flags around the world flown at half-staff until Sept. 20.[228]		
Mon, Sept. 5	Suburban Jefferson Parish, across the 17th Street Canal from the levee breach that flooded much of New Orleans, begins allowing residents to return temporarily to retrieve their belongings. [229] The New Orleans police now say 500 of their officers are unaccounted for, and reinforcements arrive from around the United States. [230] The U.S. Army Corps of Engineers finishes patching a levee breach on the 17th Street Canal in New Orleans and announce that they have begun pumping water out of the city's streets.[231]		Mr Chertoff tells journalists that Hurricane Katrina was a "breathtaking surprise" and says it was "that perfect storm of a combination of catastrophes [that] exceeded the foresight of the planners, and maybe anybody's foresight."[238] Mr Chertoff said that planners were prepared for an "overflow from the levee, maybe a small break in the levee" but "the collapse of a significant portion of the levee leading to the very fast flooding of the city was not envisioned."[239] Mr Mayfield disputes the comments of Mr Chertoff and Mr Brown: "They knew that this one was different. I don't think Mike Brown or anyone else in Fema could have any reason to have any problem with our calls... They were told... We said the levees could be topped."[240]

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	President Bush makes his second visit to the stricken region since Katrina struck, meeting with Louisiana Gov. Kathleen Blanco and other officials at the state's relief headquarters in Baton Rouge. [232] Former presidents Bush and Clinton announce a fund for victims, similar to the one they spearheaded following the Asian tsunami. [233] The U.S. military dispatches 4,700 more active-duty troops to join relief efforts by Tuesday, up from the 2,500 announced Saturday.[234] British Petroleum says it has restarted oil production at some of its Gulf of Mexico facilities which had been shut due to the		

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	hurricane.[235] South Korea and Australia voice frustration that U.S. relief efforts have prevented them from rescuing their citizens.[236] Gov. Blanco is surprised to learn of Mr. Bush's visit while preparing to leave for Houston.[237]		
Tues, Sept. 6	Mayor Nagin reissues the mandatory evacuation order.[241] With Congress, President Bush announces an inquiry into the federal response and asks for $51.8 billion in relief aid.[242]		
Wed, Sept. 7	Mayor Nagin orders the New Orleans Police to begin removing residents by force.[243] President Bush sends Vice President Cheney		

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	to join "the blitz of administration officials visiting the region."[244]		
Thurs, Sept. 8	Gov. Blanco says equipment she requested from the federal government a week before had yet to arrive.[245] In a short televised speech, the President remarks to hurricane survivors, "The government is going to be with you for the long haul."[246]		
Fri, Sept. 9	White House announces President Bush's intention to visit the region for a third time.		

[1] Jonathan Corum and Ben Werschkul, The New York Times, September 4, 2005. May be viewed at: http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_02.html.
[2] Spencer S. Hsu and Susan B. Glasser, "FEMA Director Singled Out by Response Critics," Washington Post, 6 September 2005.
[3] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[4] Jonathan Corum and Ben Werschkul, The New York Times, September 4, 2005. May be viewed at: http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_02.html.
[5] Brett Arends, "Brown pushed from last job: Horse group: Fema chief had to be 'asked to resign,'" Boston Herald, 3 September 2005.
[6] Andrew Zajac and Andrew Martin, "Top FEMA officials have scant experience in disaster management," Chicago Tribune, 6 September 2005.
[7] CNN Hurricane timeline, may be viewed at http://www.cnn.com/SPECIALS/2005/katrina/interactive/timeline.katrina/frameset.exclude.html.
[8] *Id.*
[9] *Id.*
[10] Florida Prepares for Katrina as Storm Strengthens (Update2), Bloomberg.com, August 26, 2005, may be viewed at : http://www.bloomberg.com/apps/news?pid=10000087&sid=aWcrw4zNhcGI&refer=top_world_news

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[11] National Weather Service, National Hurricane Center, Tropical Prediction Center, - Hurricane KATRINA Advisory Archive- Discussion August 25, 2005, May be viewed at: http://www.nhc.noaa.gov/archive/2005/dis/al122005.discus.010.shtml.
[12] Andrew Zajac and Andrew Martin, "Top FEMA officials have scant experience in disaster management," Chicago Tribune, 6 September 2005.
[13] *Id.*
[14] CNN Hurricane timeline, may be viewed at : http://www.cnn.com/SPECIALS/2005/katrina/interactive/timeline.katrina/frameset.exclude.html.
[15] *Id.*
[16] *Id.*
[17] Office of the Governor, Louisiana, August 26, 2005, may be viewed at: http://gov.louisiana.gov/Press_Release_detail.asp?id=973.
[18] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[19] Timothy R. Brown. "Miss. Governor declares state of emergency as Katrina nears," Associated Press, 27 August 2005, < http://www.ledger-enquirer.com/mld/ledgerenquirer/news/local/12494352.htm> (13 September 2005).
[20] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[21] Sam Knight. "Katrina timeline: who knew what and when?," *The Times of London*, 7 September 2005, <http://www.timesonline.co.uk/article/0,,23889-1769493,00.html> (7 September 2005).
[22] Peter G. Gosselin and Alan C. Miller, "Why FEMA Was Missing in Action," Los Angeles Times, 5 September 2005.
[23] "DHS' Efforts to Enhance First Responders' All Hazards Capabilities Continue to Evolve," GAO 05-652, July 2005, p. 36-38.
[24] CNN Hurricane timeline, may be viewed at: http://www.cnn.com/SPECIALS/2005/katrina/interactive/timeline.katrina/frameset.exclude.html.
[25] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[26] *Id.*
[27] *Id.*
[28] Chris Joyner and Jack Mazurak, "Barbour declares state of emergency," The Clarion Ledger, 27 August 2005, http://www.clarionledger.com/apps/pbcs.dll/article?AID=/20050827/NEWS0110/50827005/1002.
[29] CNN Hurricane timeline, may be viewed at: http://www.cnn.com/SPECIALS/2005/katrina/interactive/timeline.katrina/frameset.exclude.html.
[30] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[31] *Id.*
[32] *Id.*
[33] "Katrina now Category 4 storm, Hurricane warning for Morgan City, Louisiana to Alabama-Florida border," CNN Online, 28 August 2005, http://www.cnn.com/2005/WEATHER/08/27/tropical.weather/
[34] 9/7/05 Times Online Timeline.
[35] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[36] *Id.*
[37] 9/7/05 Times Online Timeline.
[38] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[39] Sam Knight. "Katrina timeline: who knew what and when?," *The Times of London*, 7 September 2005, <http://www.timesonline.co.uk/article/0,,23889-1769493,00.html> (7 September 2005).
[40] http://www.whitehouse.gov/news/releases/2005/08/20050827-1.html
[41] Los Angeles Times, "Why FEMA Was Missing in Action," 5 September 2005.
[42] http://www.dhs.gov/dhspublic/theme_home2.jsp
[43] George Bush. "President's Radio Address," White House Radio, 27 August 2005, <http://www.whitehouse.gov/news/releases/2005/08/20050827.html> (13 September 2005).
[44] CNN Hurricane timeline, may be viewed at: http://www.cnn.com/SPECIALS/2005/katrina/interactive/timeline.katrina/frameset.exclude.html
[45] *Id.*
[46] *Id.*
[47] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html

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[48] Jonathan Corum and Ben Werschkul, The New York Times, September 4, 2005. May be viewed at: http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_02.html
[49] *Id.*
[50] *Id.*
[51] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[52] 9/7/05 Times Online Timeline.
[53] Jonathan Corum and Ben Werschkul, The New York Times, September 4, 2005. May be viewed at: http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_02.html
[54] 9/7/05 Times Online Timeline.
[55] *Id.*
[56] "Timeline: How the hurricane crisis unfolded," BBC News, 7 September 2005. [hereafter 9/7/05 BBC Timeline].
[57] Breaking News Archives, Times-Picayune, 28 August 2005, http://www.nola.com/newslogs/breakingtp/index.ssf?/mtlogs/nola_Times-Picayune/archives/2005_08.html#074657.
[58] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[59] Special Defense Department Briefing with Commander of Joint Task Force Katrina, DOD News, 1 September 2005, http://www.dod.gov/transcripts/2005/tr20050901-3843.html.
[60] National Guard briefing materials are available by contacting the Democratic Staff of the House Committee on Homeland Security.
[60] 9/7/05 Times Online Timeline.
[61] CNN.com, September 1, 2005—"FEMA chief: Victims bear some responsibility."
[62] CNN Hurricane timeline, may be viewed at: http://www.cnn.com/SPECIALS/2005/katrina/interactive/timeline.katrina/frameset.exclude.html
[63] 9/7/05 Times Online Timeline.
[64] *Id.*
[65] *Id.*
[66] Doug MacCash and James O. Byrne, "Catastrophic Storm Surge Swamps 9th Ward, St. Bernard Lakeview Levee Breach Threatens to Inundate City," Times-Picayune, 30 August 2005, http://www.nola.com/hurricane/t-p/katrina.ssf?/hurricane/katrina/stories/083005catastrophic.html.
[67] *Id.*
[68] CNN Hurricane timeline, may be viewed at: http://www.cnn.com/SPECIALS/2005/katrina/interactive/timeline.katrina/frameset.exclude.html
[69] *Id.*
[70] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[71] Jonathan Corum and Ben Werschkul, The New York Times, September 4, 2005. May be viewed at: http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_02.html
[72] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[73] *Id.*
[74] 9/7/05 Times Online Timeline.
[75] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[76] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[77] Spencer S. Hsu and Susan B. Glasser, "FEMA Director Singled Out by Response Critics," Washington Post, 6 September 2005.
[78] "Chertoff: Katrina scenario did not exist," CNN.com, 9 September 2005, http://www.cnn.com/2005/US/09/03/katrina.chertoff/
[79] Times-Picayune, "Washing Away," 23-27 June 2002, http://www.nola.com/hurricane/?/washingaway/
[80] "Shockingly Unprepared," Editorial, Los Angeles Times, 2 September 2005.
[81] "President Participates in Conversation on Medicare," White House Press Release, August 29, 2005, 10:06 am MST, http://www.whitehouse.gov/news/releases/2005/08/20050829-5.html (accessed 9/7/05).

DATE	FACTS	AVAILABLE WARNINGS OR INFORMATION	FEDERAL GOVERNMENT FAILURES (italics highlight violations of guidelines and/or a failure to adhere to planning scenarios)

[82] White House Photo Essays, http://www.whitehouse.gov/news/releases/2005/08/images/20050829-5_p082905pm-0125-515h.html (accessed 9/7/05)
[83] "President Participates in Conversation on Medicare," White House Press Release, August 29, 2005, 10:06 am MST, http://www.whitehouse.gov/news/releases/2005/08/20050829-5.html (accessed 9/7/05).
[84] "President Discusses Medicare," New Prescription Drug Benefits, White House Press Release, August 29, 2005, 2:40 pm PDT, http://www.whitehouse.gov/news/releases/2005/08/20050829-11.html (accessed 9/7/05).
[85] Ted Bridis. "FEMA Chief Sent Help Only After Storm Hit," 7 September 2005.
[86] *Id.*
[87] Copy of Memo from Michael Brown to Michael Chertoff, 29 August 2005. Available by contacting the Democratic Staff of the House Committee on Homeland Security.
[88] 9/7/05 Times Online Timeline.
[89] Farhad Manjoo, "Why FEMA Failed," Salon.com, 7 September 2005, http://www.salon.com/news/feature/2005/09/07/fema/print.html.
[90] "Chertoff: Katrina scenario did not exist," CNN.com, 9 September 2005, http://www.cnn.com/2005/US/09/03/katrina.chertoff/
[91] "Scenario 10: National Disaster- Major Hurricane," *Globalsecurity.org*, 10 July 04, <http://www.globalsecurity.org/security/library/report/2004/hsc-planning-scenarios-jul04_10.htm> (13 September 2005).
[92] "Scenario 10: National Disaster- Major Hurricane," *Globalsecurity.org*, 10 July 04, <http://www.globalsecurity.org/security/library/report/2004/hsc-planning-scenarios-jul04_10.htm> (13 September 2005).
[93] Richard A. Serrano and Nicole Gaouette, "Despite Warnings, Washington Failed to Fund Levee Projects," Lost Angeles Times, 4 September 2005.
[94] *Id.*
[95] *Id.*
[96] "Scenario 10: National Disaster- Major Hurricane," *Globalsecurity.org*, 10 July 04, <http://www.globalsecurity.org/security/library/report/2004/hsc-planning-scenarios-jul04_10.htm> (13 September 2005).
[97] "Scenario 10: National Disaster- Major Hurricane," *Globalsecurity.org*, 10 July 04, <http://www.globalsecurity.org/security/library/report/2004/hsc-planning-scenarios-jul04_10.htm> (13 September 2005).
[98] Katrina timeline, The Clroion Ledger, September 6, 2005. May be viewed at: **http://clarionledger.com/apps/pbcs.dll/article?AID=/20050906/NEWS0110/509060373**
[99] *Id.*
[100] Jonathan Corum and Ben Werschkul, The New York Times, September 4, 2005. May be viewed at: http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_02.html
[101] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[102] Fast Facts: Hurricane Katrina Timeline, Associated Press, Fox News, September 3, 2005. May be viewed at: http://www.foxnews.com/story/0,2933,168413,00.html
[103] Jonathan Corum and Ben Werschkul, The New York Times, September 4, 2005. May be viewed at: http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_02.html
[104] *Id.*
[105] CNN Hurricane timeline, may be viewed at: http://www.cnn.com/SPECIALS/2005/katrina/interactive/timeline.katrina/frameset.exclude.html
[106] *Id.*
[107] Jonathan Corum and Ben Werschkul, The New York Times, September 4, 2005. May be viewed at: http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_02.html
[108] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[109] *Id.*
[110] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[111] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[112] Adam Nossiter, "Crisis Grows As Flooded New Orleans Looted," Associated Press, 31 August 2005, http://news.yahoo.com/news?tmpl=story&u=/ap/20050831/ap_on_re_us/katrina_new_orleans.
[113] Jonathan Corum and Ben Werschkul, The New York Times, September 4, 2005. May be viewed at: http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_02.html
[114] Doug MacCash and James O. Byrne, "Catastrophic Storm Surge Swamps 9th Ward, St. Bernard Lakeview Levee Breach Threatens to Inundate City," Times-Picayune, 30 August 2005, http://www.nola.com/hurricane/t-p/katrina.ssf?/hurricane/katrina/stories/083005catastrophic.html.
[115] Meet the Press, Chertoff Interview with Tim Russert, 4 September 2005, http://www.msnbc.msn.com/id/9179790/.

DATE	FACTS	AVAILABLE WARNINGS OR INFORMATION	FEDERAL GOVERNMENT FAILURES (italics highlight violations of guidelines and/or a failure to adhere to planning scenarios)

[116] President Commemorates 60th Anniversary of V-J Day, White House Press Release, 30 September 2005, 9:04 am PDT, http://www.whitehouse.gov/news/releases/2005/08/20050830-1.html (accessed 9/7/05).
[117] http://news.yahoo.com/news?tmpl=story&u=/050830/480/capm10208301856.
[118] Tony Pugh and Ron Hutcheson, "Bush returns to DC to oversee relief for Katrina," Knight Ridder Newspapers, August 30, 2005.
[119] "Washington moves to help Katrina's victims," Associated Press, 30 August 2005, http://www.cnn.com/2005/WEATHER/08/30/katrina.washington.ap/.
[120] CNN Hurricane timeline, may be viewed at: http://www.cnn.com/SPECIALS/2005/katrina/interactive/timeline.katrina/frameset.exclude.html
[121] Jonathan Corum and Ben Werschkul, The New York Times, September 4, 2005. May be viewed at: http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_02.html
[122] National Response Plan, Catastrophic Incident Annex, CAT-1
[123] National Response Plan, Catastrophic Incident Annex, CAT-3
[124] "Scenario 10: National Disaster- Major Hurricane," *Globalsecurity.org*, 10 July 04, <http://www.globalsecurity.org/security/library/report/2004/hsc-planning-scenarios-jul04_10.htm> (13 September 2005).
[125] Katrina timeline, The Clroion Ledger, September 6, 2005. May be viewed at: **http://clarionledger.com/apps/pbcs.dll/article?AID=/20050906/NEWS0110/509060373**
[126] *Id.*
[127] *Id.*
[128] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[129] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[130] Jonathan Corum and Ben Werschkul, The New York Times, September 4, 2005. May be viewed at: http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_02.html
[131] *Id.*
[132] *Id.*
[133] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[134] CNN Hurricane timeline, may be viewed at: http://www.cnn.com/SPECIALS/2005/katrina/interactive/timeline.katrina/frameset.exclude.html
[135] *Id.*
[136] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[137] *Id.*
[138] *Id.*
[139] Jonathan Corum and Ben Werschkul, The New York Times, September 4, 2005. May be viewed at: http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_02.html
[140] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[141] Peter Applebome, "A Delicate Balance is Undone in a Flash, and a Battered City Waits," New York Times, September 4, 2005.
[142] Breaking News Archives, Times-Picayune, 31 August 2005, http://www.nola.com/newslogs/breakingtp/index.ssf?/mtlogs/nola_Times-Picayune/archives/2005_08.html
[143] Scott Gold, "Trapped in Arena of Suffering," Los Angeles Times, 1 September 2005.
[144] National Response Plan, Catastrophic Incident Annex, CAT-3
[145] "Scenario 10: National Disaster- Major Hurricane," *Globalsecurity.org*, 10 July 04, <http://www.globalsecurity.org/security/library/report/2004/hsc-planning-scenarios-jul04_10.htm> (13 September 2005).
[146] "Scenario 10: National Disaster- Major Hurricane," *Globalsecurity.org*, 10 July 04, <http://www.globalsecurity.org/security/library/report/2004/hsc-planning-scenarios-jul04_10.htm> (13 September 2005).
[147] Spencer S. Hsu and Susan B. Glasser, "FEMA Director Singled Out by Response Critics," Washington Post, 6 September 2005.
[148] Scott Gold, "Trapped in Arena of Suffering," Los Angeles Times, 1 September 2005.
[149] National Response Plan, Catastrophic Incident Annex, CAT-1
[150] 9/7/05 Times Online Timeline.

DATE	FACTS	AVAILABLE WARNINGS OR INFORMATION	FEDERAL GOVERNMENT FAILURES (italics highlight violations of guidelines and/or a failure to adhere to planning scenarios)

[151] "As South drowns, Rice soaks in N.Y.," New York Daily News, 2 September 2005.
[152] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[153] Joseph B. Treaster, "Local Officials Criticize Federal Government Over Response," New York Times, 2 September 2005.
[154] *Id.*
[155] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[156] Jonathan Corum and Ben Werschkul, The New York Times, September 4, 2005. May be viewed at: http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_02.html
[157] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[158] *Id.*
[159] *Id.*
[160] CNN Hurricane timeline, may be viewed at: http://www.cnn.com/SPECIALS/2005/katrina/interactive/timeline.katrina/frameset.exclude.html
[161] *Id.*
[162] Sniper fire halts hospital evacuation, Gunmen fire at medical workers and patients at Charity Hospital, CNN News, Thursday, September 1, 2005. May be viewed at: http://www.cnn.com/2005/WEATHER/09/01/katrina.hospital.sniper/
[163] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[164] Bill Murphy and Leigh Hopper, "Stadium calls halt to taking refugees," The Houston Chronicle, 1 September 2005, **http://www.chron.com/cs/CDA/ssistory.mpl/topstory2/3334057**
[165] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[166] *Id.*
[167] *Id.*
[168] *Id.*
[169] Joseph B. Treaster, "Local Officials Criticize Federal Government Over Response," New York Times, 2 September 2005.
[170] "The big disconnect in New Orleans," CNN.com, 2 September 2005 (describing statements made on 1 September 2005), http://www.cnn.com/2005/US/09/02/katrina.response/.
[171] *Id.*
[172] *Id.*
[173] Joseph B. Treaster, "Local Officials Criticize Federal Government Over Response," New York Times, 2 September 2005.
[174] Dan Froomkin, "A Dearth of Answers," Washington Post, 1 September 2005.
[175] "Scenario 10: National Disaster- Major Hurricane," *Globalsecurity.org*, 10 July 04, <http://www.globalsecurity.org/security/library/report/2004/hsc-planning-scenarios-jul04_10.htm> (13 September 2005).
[176] "Scenario 10: National Disaster- Major Hurricane," *Globalsecurity.org*, 10 July 04, <http://www.globalsecurity.org/security/library/report/2004/hsc-planning-scenarios-jul04_10.htm> (13 September 2005).
[177] Press Conference With Officials from the Department of Homeland Security, Justice Department, Defense Department, the National Guard Bureau, U.S. Coast Guard and FEMA, September 1, 2005, http://www.dhs.gov/dhspublic/display?content=4779.
[178] "The big disconnect in New Orleans," CNN.com, 2 September 2005.
[179] *Id.*
[180] *Id.*
[181] Joseph B. Treaster, "Local Officials Criticize Federal Government Over Response," New York Times, 2 September 2005.
[182] Fox News Sunday, Chertoff Interview with Chris Wallace, 5 September 2005, http://www.foxnews.com/story/0,2933,168472,00.html
[183] Spencer S. Hsu and Susan B. Glasser, "FEMA Director Singled Out by Response Critics," Washington Post, 6 September 2005.
[184] The big disconnect in New Orleans," CNN.com, 2 September 2005.
[185] CNN.com, September 1, 2005—"FEMA chief: Victims bear some responsibility."
[186] "The big disconnect in New Orleans," CNN.com, 2 September 2005.
[187] National Response Plan, p. 9.

DATE	FACTS	AVAILABLE WARNINGS OR INFORMATION	FEDERAL GOVERNMENT FAILURES (italics highlight violations of guidelines and/or a failure to adhere to planning scenarios)

[188] National Response Plan, Catastrophic Incident Annex, CAT-1.
[189] "As South drowns, Rice soaks in N.Y.," New York Daily News, 2 September 2005.
[190] Ted Bridis. "FEMA Chief Sent Help Only After Storm Hit," 7 September 2005.
[191] Katrina timeline, The Clarion Ledger, September 6, 2005. May be viewed at: **http://clarionledger.com/apps/pbcs.dll/article?AID=/20050906/NEWS0110/509060373**
[192] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[193] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[194] Katrina timeline, The Clarion Ledger, September 6, 2005. May be viewed at: **http://clarionledger.com/apps/pbcs.dll/article?AID=/20050906/NEWS0110/509060373**
[195] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[196] *Id.*
[197] Katrina timeline, The Clarion Ledger, September 6, 2005. May be viewed at: **http://clarionledger.com/apps/pbcs.dll/article?AID=/20050906/NEWS0110/509060373**
[198] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[199] *Id.*
[200] Jonathan Corum and Ben Werschkul, The New York Times, September 4, 2005. May be viewed at: http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_02.html
[201] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[202] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[203] Clarion Ledger, "Katrina Timeline," 6 September 2005, http://clarionledger.com/apps/pbcs.dll/article?AID=/20050906/NEWS0110/509060373.
[204] Spencer S. Hsu and Susan B. Glasser, "FEMA Director Singled Out by Response Critics," Washington Post, 6 September 2005.
[205] Michelle Krupa, "Bush visit halts food delivery," Times-Picayune, 3 September 2005, http://www.nola.com/weblogs/print.ssf?/mtlogs/nola_Times-Picayune/archives/print076556.html.
[206] *Id.*
[207] Katrina timeline, The Clarion Ledger, September 6, 2005. May be viewed at: **http://clarionledger.com/apps/pbcs.dll/article?AID=/20050906/NEWS0110/509060373**
[208] CNN Hurricane timeline, may be viewed at: http://www.cnn.com/SPECIALS/2005/katrina/interactive/timeline.katrina/frameset.exclude.html
[209] *Id.*
[210] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[211] *Id.*
[212] *Id.*
[213] *Id.*
[214] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[215] National Response Plan (NRP) page 9
[216] National Response Plan, Catastrophic Incident Annex CAT-4.
[217] *Id.*
[218] Sam Knight. "Katrina timeline: who knew what and when?," *The Times of London*, 7 September 2005, <http://www.timesonline.co.uk/article/0,,23889-1769493,00.html> (7 September 2005).
[219] Katrina timeline, The Clroion Ledger, September 6, 2005. May be viewed at: **http://clarionledger.com/apps/pbcs.dll/article?AID=/20050906/NEWS0110/509060373**
[220] CNN Hurricane timeline, may be viewed at: http://www.cnn.com/SPECIALS/2005/katrina/interactive/timeline.katrina/frameset.exclude.html
[221] *Id.*
[222] *Id.*
[223] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[224] *Id.*
[225] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[226] *Id.*

DATE	FACTS	AVAILABLE WARNINGS OR INFORMATION	FEDERAL GOVERNMENT FAILURES (italics highlight violations of guidelines and/or a failure to adhere to planning scenarios)

[227] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[228] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[229] CNN Hurricane timeline, may be viewed at: http://www.cnn.com/SPECIALS/2005/katrina/interactive/timeline.katrina/frameset.exclude.html
[230] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[231] 9/7/05 BBC Timeline.
[232] Hurricane Katrina timeline, CBC News Online, Updated September 4, 2005, may be viewed at: http://www.cbc.ca/news/background/katrina/katrina_timeline.html
[233] *Id.*
[234] *Id.*
[235] *Id.*
[236] *Id.*
[237] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[238] 9/7/05 Times Online Timeline.
[239] *Id.*
[240] *Id.*
[241] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[242] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[243] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[244] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[245] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).
[246] Jonathan Corum and Ben Werschkul. "Draining New Orleans," *New York Times on the Web*, 11 September 2005, <http://www.nytimes.com/packages/html/national/2005_HURRICANEKATRINA_GRAPHIC/index_03.html> (12 September 2005).

Mr. DREIER. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, time and time again here on the floor of the House I hear speeches: ''We will never forget 9/11; we will better prepare and defend America.''

But the most basic lesson of September 11, where we tragically lost so many first responders in the collapse of the towers, was that they lacked secure interoperable communications. They could not talk and communicate with those first responders, and many died needlessly. We have not learned that most basic of lessons.

In fact, President Bush this year zeroed out Federal assistance to local communities for secure interoperable communications. How quickly some have forgotten, yet they say it will never happen again.

Well, Hurricane Katrina was not a terrorist attack, but the Federal response was worse and degraded from the capabilities that we had on 9/11. On that day, FEMA was a high-functioning, independent, professionally run agency. Today, it is subsumed into this gigantic morass of the homeland security bureaucracy, downgraded to subagency level with a political hack as its director, and most of the professional staff has resigned and gone on to run State management agencies around the country. There are still some good professionals there, but the leadership, appointed by the White House, and the fact it was subsumed in the bureaucracy at the insistence of the Republican majority and the White House, they took away its independent agency status.

We had a vote on the floor to restore its independent agency status. We predicted these problems, but they opposed that amendment. Now they want to investigate themselves. Will the other side of the aisle fess up, like the White House never does, that they were wrong to follow the lead of the White House to downgrade this agency, to politicize it, subsume it in a huge bureaucracy, and that we are less capable than we were on 9/11 to respond to these types of disasters? I think not.

Mr. Speaker, we need an independent agency outside of this highly partisan body. They will not admit to those mistakes. There were certainly mistakes made at the local level, and they will probably highlight those, and those should be rectified, too. But all mistakes should come out, the failings of the Federal Government, the State government, and the local governments, with an independent, nonpartisan commission. That would be greatly preferable to this coverup that is going to go on here.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Marietta, Georgia (Mr. GINGREY), a hardworking member of the Committee on Rules.

Mr. GINGREY. Mr. Speaker, I thank the chairman for yielding me this time.

Mr. Speaker, I rise in strong support of House Resolution 437. I think we are completely doing the right thing for the right reasons.

I have heard the other side of the aisle argue that what is the hurry, you are rushing to create an oversight committee and let us wait a couple of months. I want to point out to my friends on the other side of the aisle that we are still in the hurricane season. In fact, we are just getting into the hurricane season, and we need to get this investigation going as soon as possible. It is very important that we not wait. We have a 5-month opportunity to study this problem and find out exactly where the responsibilities lie.

The other side of the aisle also is suggesting that this is a Republican majority investigating a Republican administration. I point out we were not focusing just on the Federal aspects of this, as they would like us to do, but we are also focusing on the local and State aspects of this. There are Democrats and Republicans all up and down the line. This is not a partisan thing. This is a way to do it. This is what Congress has a responsibility to do and has done 41 times over the last 30 or 40 years. I could name any number of instances. My colleagues on the other side of the aisle know that is true.

The creation of an outside independent commission, as they call it, they are calling for doing that and spending an additional $5 million to $10 million. We do not need to do that. We have the staff within this Congress on both sides of the aisle, both in the majority and on the minority, and hopefully we would not spend more than $500,000 to get this work done and get it done in a bipartisan fashion. That is why we call it the Select Bipartisan Committee to Investigate the Preparation for and the Response to Hurricane Katrina. I am fully in support of that.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. GEORGE MILLER).

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, for so many reasons my colleagues on this side of the aisle have articulated, this resolution should be rejected. Because it is neither bipartisan in terms of its authority, nor bipartisan in terms of its power, nor bipartisan in terms of its subpoena power. That will all rest with the majority.

The question that must be answered is how is it that FEMA, which 5 years ago was a world-class agency that was being praised by Republicans and Democrats alike, by local officials, by governors, by mayors, by the international community, who were coming and visiting and taking lessons from FEMA, how in 5 years was that agency so incredibly hollowed out that it could not respond to Hurricane Katrina?

This President and this administration made some horrible decisions about putting political hacks and their cronies in charge of the agency that is in charge of the safety of the people of the United States, whether it is western fires, earthquakes, floods, tornadoes or hurricanes. He appointed political hacks. Is he going to investigate that himself, as he says?

This Congress, powerful Members of the Senate and the House, made decisions about using FEMA as a honey pot to take resources out of and divert them elsewhere. The Committee on Appropriations chairmen of both houses, the leadership, the Republican leadership of both houses, are they going to investigate that themselves?

That is like asking Enron to investigate corporate ethics, baseball to investigate steroids, DICK CHENEY to investigate energy policy. It just cannot happen, and the American people know that. That is why, when they are asked on this question, 75 percent of the American people want a 9/11 Commission. They want a 9/11 Commission because they saw that the 9/11 Commission was the only way that the citizens of this country were going to get the answers, not the answers the politicians wanted them to get, and that is what this bipartisan, phony committee is about. They want to give you the answers they want you to get. The citizens want the answers to the questions that they want to ask.

The power in our democracy is with the citizens, and the citizens want a citizens' committee. They want a citizens' committee to answer these questions because the questions are going to have to be asked of a Republican President, a Republican Congress, a Democratic mayor, a Democratic governor, a Republican governor and that simply will not be able to be done.

The President has said he takes responsibility. The question that must be asked is: Did he act responsibly as the President of the United States to protect the people of this country? So far, the question is a resounding, no.

Mr. DREIER. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the minority leader.

Ms. PELOSI. Mr. Speaker, I thank the ranking member, the gentlewoman from New York (Ms. SLAUGHTER), for yielding me this time and commend the members of the Committee on Rules for their important work on this subject, particularly the gentleman from Florida (Mr. HASTINGS) who is the author of the legislation, along with the gentleman from New Jersey (Mr. MENENDEZ), the chairman of our caucus, on legislation which will bring truth to this situation, an independent commission, modeled after 9/11, respected by the American people.

Following the tragedy of 9/11, the American people expected and deserved

the truth. People of New York and New Jersey were strong advocates for such a commission. The people in Louisiana and Mississippi and the gulf region are displaced. They are trying to put their lives back together. They have lost their homes, their jobs, their livelihoods, their communities. They really do not have time to lobby Congress for an independent commission.

But our country is grateful to the 9/11 families because they not only gave us that commission to review that terrible tragedy that befell our country, they gave us a tradition of transparency and finding the truth and holding people accountable and hoping to do so in a way that prevents future loss of life.

□ 1130

We endanger the American people when we ignore the truth. So on behalf of the people in the region, I plead with my colleagues in this body to reject any sham committee. Supposedly bipartisan; not so. Supposedly bicameral; not so. One thing we know, it is a vehicle to whitewash, to whitewash, and not have a true look into what went wrong.

There was a natural disaster, a terrible natural disaster in the gulf coast States. It was compounded by a manmade disaster because the Federal response of FEMA fell so very, very short. And FEMA, now its Director has resigned, but FEMA is fraught with problems systemically throughout it.

That does not mean that many, many people who work for FEMA and many people, our first responders, police and fire, health care providers in the area and volunteers from every walk of life did not rise to the occasion. They certainly did, and we commend them for the sacrifice they were willing to make to rescue others in the time of the immediate recovery. But there are so many unanswered questions; and instead of having a sham, why can we not have a real commission to look into this?

So the choice on the floor today, we have heard all of this discussion over and over. The fact is that we should be spending our time figuring out how we are going to help the people of the region rebuild their communities, to create jobs, to educate their children, to rid themselves of the toxic, literally toxic, environment, and that is the situation that they are in there. Instead, we are wasting the public's time on a subject that is unworthy of this tragedy, and it did not have to be.

I certainly respect the congressional role of oversight. We have called for it over and over again, whether it was the war in Iraq or the price gouging at the pump of gasoline for America's consumers, whether it is Abu Ghraib or Guantanamo. Name it. There are so many subjects that this Congress has been delinquent in its duty in doing oversight. So I fully support congressional oversight by the committees of jurisdiction.

In order to expedite help to the region, I suggested to the Speaker that we have a truly bipartisan committee that could streamline how we would go forward. At the time, I intended it just to be on the positive side, and that was early, when Katrina was just hitting, and then when we saw things go wrong, we added the charge that we would see what went wrong. So the idea of this Congress having a role in terms of oversight in a bipartisan special committee is one that I supported. I suggested it.

But what the Republicans came back with was really a slap in the face to the people who were affected in the region. We owe them the truth. Why is this Congress afraid of the truth? Over and over again, Iraq, name it, price at the pump, why is this Congress afraid of the truth? Sometimes it is really important, as we try to find our common ground, we stand our ground where we cannot find that common ground, but we always have to come down in favor of the people, to yield on points. Because we are here to get a job done. Maybe not exactly the way we would want to get it done, but get a job done. So now, today, the Republicans are putting up an obstacle to doing just that.

So I urge my colleagues to honor the sacrifice, the situation, that has affected the people in the region by at least telling them the truth and vote against this committee today, to vote against this committee, to say come back to the drawing board when they want to have honesty in what we are doing. But, first and foremost, we must have a truly independent commission, again, in the manner of the 9/11 Commission that took testimony, that issued a report, that gave transparency and openness to the process and gave some level of truth to the American people.

Because the people in the gulf States, many of them affected are poor and economically disadvantaged and not as sophisticated, perhaps, as some of the people stricken with grief in the New York/New Jersey area at the time of 9/11, and in Pennsylvania and in the Pentagon. Because these people are of a different economic status and because they are living in shelters and the rest and not really able to speak for themselves to the Congress of the United States, we, the House Democrats, will speak for them in asking for the truth and appealing to our Republican colleagues for us to work together in a completely nonpartisan way to help meet their needs.

I know that some Members have visited the region, certainly those affected. The gentleman from Mississippi (Mr. TAYLOR) spoke with such eloquence on the floor yesterday. Senator LANDRIEU, in the Senate last week, brought the Nation to tears with her presentation on what she saw in her beloved State of Louisiana. And the gentleman from Louisiana (Mr. JEFFERSON) has told us firsthand of what he has seen there. The gentleman from Mississippi (Mr. THOMPSON), our ranking member on the Committee on Homeland Security, spoke from authority in standing on the committee but experience as a Mississippian. They know because they see firsthand.

I could only see secondhand, joining the gentlewoman from Texas (Ms. JACKSON-LEE), the gentleman from Texas (Mr. AL GREEN), the gentleman from Texas (Mr. GENE GREEN), going to Houston to meet with the victims of Katrina in the Astrodome and also in the George R. Brown Convention Center. We saw children, little children, adorable little babies that we could hold in our arms, and 90-year-old great grannies, all of them, not the little babies, they did not speak for themselves, but their older siblings said, ''We want to go home.''

They praised the hospitality, the warmth, the generosity of the people of Houston. And they are to be commended. As I said when I was in Houston, I do not know of any city in America that could have risen to the occasion so quickly and so compassionately as Houston. Mayor White, Judge Eckels, the Commissioner of Harris County; Representative Noriega, so many people in the community came together to help the victims of Katrina. But still, with all of the respect that they extended to their guests, with all the health care, with all the care and feeding, still, of course, there is no place like home.

So let us find out how we can bring these people home. And a good way to have them come home and have confidence in the future that, should another hurricane strike, and we know that it will, that the precautions will have been taken, the accountability will be assigned, and that the people will be protected. We can do that by finding the truth. We can find the truth with the gentleman from Florida (Mr. HASTINGS), the gentleman from New Jersey's (Mr. MENENDEZ) commission, Senator CLINTON leading the way in the Senate on this important issue, and we can do it by rejecting this committee.

I stand open and welcome to any cooperation with the Republicans when the Speaker is ready to cooperate on true bipartisanship, true openness, and true accountability to the American people.

With that, I just close again to say that our hopes and prayers are always with the people of the region. It is our resolve that they will be made whole as soon as possible, and that has to be a bipartisan commitment.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time.

I ask for a ''no'' vote on the previous question so I can amend the rule and allow the House, instead of H. Res. 437, to consider H.R. 3764, which creates an independent 9/11-like commission to investigate the events involving Hurricane Katrina. I offered this amendment in the Committee on Rules last night, but, sadly, it was rejected.

I want to reiterate that 76 percent of Americans in a recent ABC/Washington Post poll preferred that a commission of outside experts, similar in nature to the 9/11 Commission, and, in fact, I wish for the same people, to investigate the devastating events surrounding Hurricane Katrina, and that is not just Democrats that were asked. Sixty-four percent of Republicans in that same poll said they, too, supported an independent commission to investigate the government's preparedness and response effort.

Please vote ''no'' on the previous question so we can authorize an independent commission that will not be influenced by partisan politics instead of a Republican-controlled committee investigating the failings of a Republican-controlled administration. Too many people's lives were turned upside down because of the failure of governmental officials to adequately prepare for and respond to the impact of Hurricane Katrina. Let us not fail them a second time.

I urge a ''no'' vote.

Mr. Speaker, I ask unanimous consent that the text of the amendment be printed in the RECORD immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield back the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we deal with this great challenge, one cannot help but think back to the days following one of the most tragic events in our Nation's history, that being, of course, the attacks on the World Trade Center, flight 93 going down in Pennsylvania and, of course, the plane hitting the Pentagon. We all know that, following that tragedy, Democrats and Republicans came together. They came together committed to ensuring that we would never see the kind of terrorist threat that happened on September 11 hit the United States or our allies or anyone in the world again. And that really embarked us upon this massive global War on Terror, and that has been the focus of the Federal Government. We know that the top priority on September 11, 2001, became this bipartisan goal of trying to deal with the global War on Terror.

Mr. Speaker, I am very proud of the Democrats in this House who have come together in a bipartisan way to work with Republicans in our shared goal of winning the global War on Terror. It is an important struggle, and it is one which many say will last beyond our lifetimes, but I am convinced that Democrats and Republicans will continue to work together to ensure that we win that global War on Terror.

We know that 2½ weeks ago we faced another kind of disaster. It was a natural disaster that hit our fellow Americans, our fellow citizens, on the gulf coast. And we know that, as we sit here today, another hurricane, Hurricane Ophelia, continues to pose a threat in the Carolinas. And I will tell the Members, as I stand here at this moment, Mr. Speaker, I live constantly with the prospect of a massive earthquake hitting the largest, most important State in the Union, which I am proud to represent here.

We in California deal with the threat of fires on a regular basis. I represent the Angeles National Forest, and that threat is a very serious one. And in the wake of those fires following that, we, of course, have terrible mudslides which impact tremendous numbers of people.

We have gone through disasters in the past. Obviously, as President Bush has said, this is the worst natural disaster in our Nation's history, Hurricane Katrina. But we have faced many, many struggles. In California, one of the most prominent was the Northridge earthquake on January 16 of 1994. I know my friend from San Francisco, the distinguished minority leader, suffered the Loma Prieta quake.

And I will say that, having gone through all of this, Mr. Speaker, it is absolutely absurd, it is absurd, to believe that any Member of this House, that any Member of this House would not want to get to the truth of exactly what happened in the case of Hurricane Katrina.

□ 1145

Now, earlier this week, President Bush came forward and said that he takes full responsibility for the Federal Government's problems when it came to the preparation for and the response to Hurricane Katrina. Just yesterday, Governor Blanco, the Democratic Governor of Louisiana, said that she takes responsibility for what took place in her State.

Now, Mr. Speaker, we have a Republican President and a Democratic Governor coming forward and saying they take responsibility for their roles in the governments that they serve, the Federal Government and the State government.

The gentleman from Illinois (Speaker HASTERT) has come forward saying that it is very important for us to work in a bipartisan way. He has tried to work with the minority leader to make sure that, in appointing this select committee, we will have a chance to work in a bipartisan way. Speaker HASTERT has just called for members of the Committee on Appropriations to go to the gulf coast to look at this situation and to report back to us, because the very important responsibility of oversight right now that the Committee on Appropriations has over the $60 billion-plus that we, in a bipartisan way, have appropriated to deal with this, needs to be addressed. So this notion that there is not a bipartisan commitment to get to the bottom of this is absolutely ludicrous.

I want to make sure that if my State faces an earthquake, a fire, a mudslide that we are able to have the best response possible. I will tell my colleagues that this bipartisan committee is something that I think can play a very important role in ensuring that for all of us who face the prospect of a disaster in our States that we will be able to address it in a better way.

Mr. Speaker, I am a proud institutionalist. I know that is not a popular thing to say; but I serve on the Committee on Rules, and by virtue of that, I think it makes me an institutionalist. This is my 25th year serving here, and I am proud of the role that I have been able to play in trying to address very important institutional concerns, and we have been able to address many issues in a bipartisan way.

Now, I will acknowledge that, on occasion, the Committee on Rules can be a very partisan place; but on occasion we also can be very bipartisan. We just reported out a rule that enjoyed strong bipartisan support dealing with Coast Guard reauthorization, and passage of rules like that are noncontroversial, they do not get attention, and those are things that we have worked on. In fact, I would argue that we do more things coming out of even the Committee on Rules in a bipartisan way than we do the things that we do that are very, very strident and partisan. But if you look at other committees around this place, Mr. Speaker, such as the Committee on Transportation, the Committee on Energy and Commerce, the Committee on Financial Services, you can go right down the line, Democrats and Republicans come together to address major public policy concerns that are out there.

Now, Mr. Speaker, everyone wants to make sure that no one suffers again as the people have along the gulf coast. I do feel for our colleague MARY LANDRIEU in the other body, and the gentleman from Mississippi (Mr. TAYLOR); but I also think it is important for us to note that in the other body, our colleague TRENT LOTT lost his home. We have seen tremendous loss from people like the gentleman from Louisiana (Mr. JINDAL) on our side. So the point is that this is a disaster which has impacted Democrats and Republicans, and that is why I believe that it is incumbent upon us.

Because article I, section 8 of the U.S. Constitution makes it very clear that we have the responsibility for congressional oversight, oversight of the executive branch; and this bipartisan select committee, Mr. Speaker, will focus not just on the Federal Government. It will focus on State government, on local governments, on even private entities that have been involved in this process.

Accountability is something that an independent commission will not have anything to do with. The 9/11 Commission was not accountable at all. We are

accountable as the elected representatives of the American people to the American people. And I think that it is very clear that moving quickly is the right thing to do. The reason that I believe that it is important for us to move quickly is that, as I said, Hurricane Ophelia is at this moment posing a threat to the Carolinas, and there are other disasters on the horizon.

I believe that Democrats and Republicans should come together. The Speaker, again, has reached out to the Democratic leader and very much wants to have appointments made, and Democrats will be able to ask any question that they want; they will be able to participate in the process of bringing witnesses before the committee. Again, everyone wants to make sure that we take the steps to ensure that this never happens again.

Mr. Speaker, I urge my colleagues to support this rule. I urge my colleagues to support the underlying legislation which will establish this very important committee so that we can address this question and ensure that the American people will not go through what we have seen happen in the last several weeks.

The amendment previously referred to by Ms. SLAUGHTER is as follows:

PREVIOUS QUESTION FOR H. RES. 439, THE RULE FOR H. RES. 437 THE SELECT COMMITTEE TO INVESTIGATE THE PREPARATION FOR AND RESPONSE TO HURRICANE KATRINA

AMENDMENT TO H. RES. 439 OFFERED BY REP. SLAUGHTER (NY)

Amendment in nature of substitute:

Strike all after the resolved clause and insert:

''*Resolved,* That immediately upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3764) to establish a congressional commission to examine the Federal, State, and local response to the devastation wrought by Hurricane Katrina in the Gulf Region of the United States especially in the States of Louisiana, Mississippi, Alabama, and other areas impacted in the aftermath and make immediate corrective measures to improve such responses in the future. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Rules; and (2) one motion to recommit.''

Mr. DREIER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 222, nays 193, not voting 18, as follows:

[Roll No. 471]

YEAS—222

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Bass
Biggert
Bilirakis
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—193

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Wexler
Wu
Wynn

NOT VOTING—18

Barton (TX)
Beauprez
Bishop (UT)
Doggett
Doolittle
Hinchey
Istook
Jindal
Jones (OH)
Melancon
Nadler
Rogers (MI)
Rothman
Schwarz (MI)
Solis
Tanner
Weiner
Woolsey

□ 1213

Mr. SCOTT of Virginia and Mr. BACA changed their vote from ''yea'' to ''nay.''

Mr. BARTLETT of Maryland changed his vote from ''nay'' to ''yea.''

Stated for:

Mr. SCHWARZ of Michigan. Mr. Speaker, on rollcall No. 471 I was inadvertently detained. Had I been present, I would have voted "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. SLAUGHTER. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 221, noes 193, not voting 19, as follows:

[Roll No. 472]

AYES—221

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Bass
Biggert
Bilirakis
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—193

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Wexler
Wu
Wynn

NOT VOTING—19

Barton (TX)
Beauprez
Bishop (UT)
Hinchey
Istook
Jindal
Jones (OH)
Lewis (GA)
Melancon
Miller (FL)
Murtha
Nadler
Rogers (MI)
Rothman
Shays
Tancredo
Tanner
Weiner
Woolsey

□ 1225

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SHAYS. Mr. Speaker, on rollcall No. 472 I was inadvertently detained. Had I been present, I would have voted "aye."

Mr. MILLER of Florida. Mr. Speaker, I missed rollcall vote No. 472 on September 15, 2005. This was a suspension vote on agreeing to the resolution H.J. Res. 439—a resolution to establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina.

If present, I would have voted rollcall vote No. 472, Establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina—"aye".

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3684

Mr. FLAKE. Madam Speaker, I ask unanimous consent that the name of the gentleman from Tennessee (Mr. WAMP) be removed as a cosponsor of my bill, H.R. 3684.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from Arizona?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken later today.

KATRINA EMERGENCY TAX RELIEF ACT OF 2005

Mr. MCCRERY. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3768) to provide emergency tax relief for persons affected by Hurricane Katrina, as amended.

The Clerk read as follows:

H.R. 3768

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Katrina Emergency Tax Relief Act of 2005".

SEC. 2. DESIGNATION AS EMERGENCY REQUIREMENT.

Any provision of this Act causing an effect on receipts, budget authority, or outlays is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

TITLE I—GENERAL TAX RELIEF PROVISIONS

SEC. 101. EXTENSION OF REPLACEMENT PERIOD FOR NONRECOGNITION OF GAIN.

Clause (i) of section 1033(a)(2)(B) of the Internal Revenue Code of 1986 shall be applied by substituting "5 years" for "2 years" with respect to property which—

(1) is located in an area determined by the President to warrant individual or individual and public assistance from the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Hurricane Katrina, and

(2) is compulsorily or involuntarily converted as a result of such hurricane,

but only if substantially all of the use of the replacement property is located in any such area.

SEC. 102. SUSPENSION OF LIMITATIONS ON CHARITABLE CONTRIBUTIONS FOR RELIEF EFFORTS RELATED TO HURRICANE KATRINA.

(a) IN GENERAL.—Except as otherwise provided in subsection (b), qualified disaster contributions shall not be taken into account for purposes of subsections (b) and (d) of section 170 of the Internal Revenue Code of 1986.

(b) TREATMENT OF EXCESS CONTRIBUTIONS.—For purposes of section 170 of such Code—

(1) INDIVIDUALS.—In the case of an individual—

(A) LIMITATION.—Any qualified disaster contribution shall be allowed only to the extent that the aggregate of such contributions does not exceed the excess of the taxpayer's contribution base (as defined in paragraph (1) of section 170(b) of such Code) over