

**HURRICANE KATRINA: MANAGING THE CRISIS
AND EVACUATING NEW ORLEANS**

HEARING

BEFORE THE

COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

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HURRICANE KATRINA: MANAGING THE CRISIS AND EVACUATING NEW ORLEANS

WEDNESDAY, FEBRUARY 1, 2006

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

The Committee met, pursuant to notice, at 10:03 a.m., in room SD-342, Dirksen Senate Office Building, Hon. Susan M. Collins, Chairman of the Committee, presiding.

Present: Senators Collins, Coleman, Warner, Lieberman, Levin, Akaka, Carper, and Lautenberg.

OPENING STATEMENT OF CHAIRMAN COLLINS

Chairman COLLINS. The Committee will come to order. Good morning.

Mayor NAGIN. Good morning.

Chairman COLLINS. The humanitarian crisis that overwhelmed the City of New Orleans in the aftermath of Hurricane Katrina shocked the world and shamed the Nation. The damage came from a powerful force of nature, but much of the protracted misery that followed was the result of failures across all levels of government.

Today's hearing, the Committee's 14th on Hurricane Katrina, will examine the roles, responsibilities, and actions of public officials in preparing for and managing the crisis. We will focus on the root causes of failure, including shortfalls in the planning and execution of plans.

Citizens expected concerted, coordinated leadership. For the most part, they got confusion, conflict, and chaos. News photos showed the human misery in New Orleans and the surrounding communities. Less obvious was how it might have been mitigated, what steps might have been taken to evacuate more people before Katrina struck, and to prepare for rescuing those left behind.

Our first witness this morning is New Orleans Mayor Ray Nagin, the commander-in-chief of the city's emergency response. He will discuss the city's responsibilities in preparing for and responding to Katrina and the adequacy or inadequacy of State and Federal support. I will ask Mayor Nagin about such issues as whether the resources the city devoted to emergency preparedness prior to Katrina matched the known risk, whether the city had an effective emergency command and control structure, whether plans for pre-landfall evacuation of people without vehicles were made and how well those plans were understood and carried out, and why the

plans for post-landfall care or evacuation of people left in the city were so inadequate and incomplete.

Our second panel of witnesses consists of public officials who provided support and security to the victims stranded in New Orleans and assisted in their eventual evacuation. They represent the Capital Area Transit System of Baton Rouge, the U.S. Army, and the U.S. Department of Transportation. Their testimony should help us understand the problems of planning, coordination, and communication that compounded the crisis.

We will also recognize the tremendous efforts of some officials and volunteers that produced effective countermeasures to some of these problems.

This crisis displayed failures of leadership, planning, preparation, and execution at all levels of Government. We must take to heart the lessons that will better protect our citizens when disaster next strikes, as inevitably it will.

Senator Lieberman.

OPENING STATEMENT OF SENATOR LIEBERMAN

Senator LIEBERMAN. Thanks, Madam Chairman. Good morning, Mayor.

Mayor NAGIN. Good morning.

Senator LIEBERMAN. Thank you for being here. This is our 14th hearing, as the Chairman has said, on Hurricane Katrina. I do want to say first, Senator Collins and I and other Members of the Committee, as you know, Mayor, were in New Orleans and the Gulf Coast a couple of weeks ago. Two things really struck us. Last time we had been there was a few weeks after the hurricane hit. There were large parts of the city that were under water, so we could only see them from the air. This time we took the bus right around the city. The scope of the devastation is literally unbelievable, and I think we both came back wishing and hoping that every Member of Congress will be able to go and see that. I must say that those sites and the conversations we had with people in New Orleans are in our minds as we go forward with these hearings.

There is a lot to do to look back at the preparation for and response to Hurricane Katrina. We are focused on it with a real sense of urgency because we know the hurricane season is coming again in June. We want to do everything we can by way of legislative and administrative regulations, that is, regulations to the Executive Branch, to make sure that we are an awful lot better prepared next time.

We could not help, in speaking to people and interviewing governmental officials, both in Mississippi and in Louisiana, and I speak for myself, but I believe I can for Senator Collins in this, that we were not satisfied with the Federal Government's performance in the reconstruction phase. I want to assure you and the people of New Orleans, who I know are grateful for the help that has come, but also are restless and to some extent, understandably down, that we are working together to make some recommendations about changes that can occur. We want to give more authority to decisionmakers for the Federal Government on the ground, to give Mr. Powell some more authority, and to do what I think everybody, the President and all Members of Congress want to do with

the billions of dollars that we have appropriated, which is to make sure they very quickly go to the rebuilding and return of hope and optimism to one of America's great cities and, of course, a great section of our country, the Gulf Coast.

I want to briefly start with that, in a sense, word of commitment and, I hope, hopefulness to you as the Mayor, but through you to the citizens of New Orleans.

Today's hearing is focused on managing the crisis and particularly the evacuation. We are going to hear from witnesses from all levels of government, first, of course, from the Mayor of New Orleans himself. In some ways I think what we are going to hear from the Mayor today, what our staff has found, will cause us to ask the question of what might have been. What might have been if the Mayor's earlier plans and, if I might say so, demands or questions for getting the city ready for a disaster had been acted on?

The record shows, as our investigation has turned up, that Mayor Nagin, elected in 2002, I believe, almost immediately began urging officials, both Federal and State, to help New Orleans prepare for a catastrophic hurricane. He asked for help in improving the levee system that everyone knew would fail in a catastrophic hurricane. He asked for help creating mass evacuation plans to get those residents without transportation out of harm's way. He asked for help to improve a faulty communications system. He actually began this quest 2 years before the 2004 Hurricane Pam exercise so accurately predicted what happened a year later when Katrina hit New Orleans.

Today we are going to learn more about what the Mayor and the city government did or did not do to prepare the city for Katrina and other catastrophic storms. In some cases it seems to me the record shows that work was under way and time just ran out. In other cases, good ideas, real questions, and farsighted plans were simply never acted upon.

For instance, as we heard yesterday, there was at least one New Orleans city official, Dr. Stephens, who had begun to work on devising a mass pre-storm evacuation plan so as few people as possible would be left behind. Agreements were being negotiated, and those negotiations went on, puzzlingly, for almost a year with Amtrak, the Regional Transit Authority, the School Board, and the Delta Queen Riverboat Company for pre-storm evacuation, but they were not completed when Katrina made landfall.

Given the Mayor's longstanding on-the-record belief that an evacuation plan and resources were needed, knowledge that predated the Hurricane Pam exercise, we have to ask why did it take so long to negotiate those contracts? Why weren't they signed? Why wasn't the help there when the hurricane struck?

We have also heard that New Orleans' budget for emergency preparedness was smaller than some of its neighboring parishes, and we want to know if this is true and why. We will also want to know why the city's lead search and rescue agency, the New Orleans Fire Department, had no boats and the police department apparently had just seven. Also I want to ask is it true, as some have told us, that neighboring parishes, obviously with fewer people, had fully stocked emergency operation centers that occupied entire buildings, while the New Orleans EOC, which the Mayor was forced to try to

work from until it was no longer occupiable, had just two rooms on one floor in City Hall with little equipment prepositioned there.

Mayor Nagin himself never left the helm during Katrina, but the helm itself was inadequate to the crisis. He was left without an office, without communications, without transportation, which obviously made it extremely difficult, if not in some sense impossible, for him to exercise the authority that Senator Collins has quite correctly described, commander-in-chief of the emergency response operation for the city. We want to ask could all of that have been avoided?

Madam Chairman, these are just some of the questions that I think have to be asked of the Mayor if we are going to fully understand what went wrong during the run-up to and aftermath of Katrina and how we, together, can make sure we are totally prepared when and if disaster strikes again.

Hurricane season is just 4 months away, and we know that nature takes no sabbaticals and time is not our friend. That is why this Committee certainly will continue to investigate, educate, and then recommend reforms with a sense of urgency that the historic record sadly shows was missing in the years, months, and days prior to Hurricane Katrina.

Thank you very much.

Chairman COLLINS. Thank you.

Mr. Mayor, we welcome you here today. I am going to ask that you stand to take the oath, and I would ask all of the other witnesses who will be testifying today to please stand at this time also so that I may administer the oath.

Do you swear that the testimony you are about to give to the Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

WITNESSES: I do.

Chairman COLLINS. Thank you. Mayor, please proceed with your statement.

TESTIMONY OF HON. C. RAY NAGIN,¹ MAYOR, CITY OF NEW ORLEANS

Mayor NAGIN. Thank you, Madam Chairman. I am C. Ray Nagin, Mayor of one of America's most unique cities, New Orleans, a city that has tragically suffered vast devastation following the worst natural and manmade disaster in the history of the United States.

In August and September 2005, the City of New Orleans was a victim of Hurricanes Katrina and Rita, which not only forced hundreds of thousands of our citizens away from their homes, but took the lives of 1,300 people in the region and stole the trust in the safety of our city.

To Senator Collins as Chairman, Senator Lieberman as Ranking Member, and to all Members of the Senate Committee on Homeland Security and Governmental Affairs, thank you for the opportunity to be here today to speak directly to you on how we managed this crisis and evacuation of New Orleans.

I also want to thank those of you who took the time to come, those Committee Members or Committee leaders, to New Orleans

¹The prepared statement of Mayor Nagin appears in the Appendix on page 51.

to see firsthand the devastation we suffered and are still suffering and the determination of our citizens to rebuild their lives in our city. I encourage each one of you who have not yet been to New Orleans to come see it yourself. It would blow your mind if you took the time.

I would like to take this moment to again thank the American people and our friends from around the world for the compassion, support, and generosity shown to our city and our residents over the last several months. The outpouring from private citizens, governments, and corporations all around the world has been remarkable.

I begin my testimony, ladies and gentlemen, by painting a picture of New Orleans before Katrina. Our city government was transparent and fiscally sound. We had more than \$3 billion in construction-related activity going on simultaneously in the city. Our real estate market was on fire, and even the infamous Donald Trump had just announced the latest Trump Tower in New Orleans that would grace our skyline.

We also had a starring role as “Hollywood South” of the Nation, with hundreds of millions of dollars in films being made in our area on an annual basis. Tourism was better than ever, with a record 10.1 million visitors coming to our city and thousands of people cruising in and out of New Orleans.

Equally as important, about 38,000 people moved from the poverty rolls, many into new jobs created in 2004 and 2005. New Orleans and its port continues to supply raw goods and our Nation’s energy supply.

But one day, on August 29, everything changed for this wonderful city. Please allow me this time to walk you through the preparation and evacuation process, along with events that followed the landfall of a very dangerous storm, a storm that will go down in history for many years to come.

The Friday before landfall, August 26, 2005, Hurricane Katrina crossed Florida into the Gulf of Mexico. Although the path was still projected to hit the Florida panhandle, I notified the citizens that we needed to watch this storm very closely. I then activated essential staff and asked that each department head begin to prepare their staffs for a possible evacuation, with some to stay to provide necessary services during and after the storm if it came our way.

I also worked with regional and State officials to enact our emergency plans and contra-flow to prepare what would turn out to be the most successful pre-event evacuation in our country’s history.

On Saturday, August 27, the models, the forecast models started to converge, showing the path of the Category 3 storm had changed and placing New Orleans in the middle of the projected cone.

I called for a voluntary evacuation, urging all citizens that were able to evacuate the city to leave, following the contra-flow plan created by the State of Louisiana and implemented on a parish-by-parish basis. This was very critical because we had to make sure that the lower-lying parishes evacuated first in order that we would not have the kind of gridlock that you saw in Texas when they were trying to evacuate for Hurricane Rita. I reminded citizens of how important it was to prepare for the worst. Many New

Orleanians boarded up their homes, packed up, and got on the road to safety.

Our region had one of the most successful mass evacuations in the history of the United States. Over 90 percent of our residents evacuated. Over 1 million people left the region within 24 hours. We were successful in saving thousands of lives and avoiding the horrors of the Pam exercise.

On Saturday evening, the Governor called me to tell me that she had just spoken to Max Mayfield with the National Weather Center and that I should call him. After calling him, he told me that in his over 30 years experience in tracking hurricanes, he had never seen a storm like this. He had never seen conditions like this.

I immediately called my staff and visited every television station in the city to further alert the citizens and to reinforce the need for evacuation.

To provide a safety net to seniors and other citizens who relied upon public transportation, I took another very important step by encouraging our faith-based communities to reinforce evacuation through buddy systems within their community. I encouraged them to contact the individuals in their congregations and in their neighborhoods around their churches to make sure that they had an evacuation plan and they could implement it and, if they needed help, to provide it.

On Saturday night, the National Weather Service reported that Katrina was now a Category 5 hurricane and was approximately 250 miles away from New Orleans with 190 mile-per-hour sustained winds. Katrina had increased in size within hours and had a predicted storm surge of at least 15 or 20 feet.

After a Sunday morning statewide conference call, I elevated my prior calls for voluntary evacuation to the first ever mandatory evacuation order in the history of the City of New Orleans. We evacuated as many special needs residents as we safely could to a State shelter and then opened the Louisiana Superdome for the remaining special needs population. Later that day, we opened the Superdome as a refuge of last resort for all citizens who had not or could not evacuate the city and used buses, prestaged throughout the city, to transport those individuals to the Superdome. I set a curfew for dusk, which is when we expected gale force winds to begin.

There were thousands of residents that did not leave, including those with means, who chose instead to ride out the storm like their parents had done during Hurricane Betsy. When reality set in for many on Sunday, they made their way to the shelter of last resort.

On Monday, August 29, 2005, Katrina, the most powerful Category 4 hurricane to hit the region, made landfall. We began to receive reports of levees breaking. Water rose as high as 18 feet, with 80 percent of our city receiving some levels of flooding. This is over 61 square miles of our city was impacted. That would cover the entire DC region and would cover the entire Manhattan region.

Thousands of people were stranded on their rooftops or in attics needing to be rescued. Hundreds died in the waters that engulfed our city. The fact that thousands did not die was a blessing because

all scientific predictions estimated that at least 10,000 people would die. Primary and secondary power sources, sewer and drainage systems, and communications and power lines were incapacitated.

Later that evening, we provided FEMA with a priority list identifying commodity and equipment needs and a strategy for the initial phases for rescue, recovery, and rebuild. Marty Bahamonde, the FEMA senior representative, told me after that meeting that he had never seen a public official prepare such a concise plan, and it was one of the best plans he had seen in such a short period of time with a disaster of this sort.

In other parts of the city, our first responders were jumping into water to rescue people, as 911 operators were consumed with traumatic calls for rescues. They received thousands upon thousands of frantic and desperate calls. I ordered all resources to focus on rescue efforts.

As the days passed, the growing number of people in our streets needing shelter required us to open the Ernest N. Morial Convention Center as a second refuge. There were no other options that we could see at that point in time. The Convention Center was the only facility that was available, that had the square footage, and that was high and dry in order for us to put people that were being rescued, not only from New Orleans, but from the surrounding parishes. The 350 buses promised by FEMA on Monday still had not come.

The strain on our limited resources intensified as people desperate for necessities and others taking advantage of the unstable situation caused a serious security problem. Fires were breaking out in the city, and firefighters had very little means to contain them. The lack of utilities and communications crippled our city and our efforts.

We faced a serious set of new challenges daily, and even hourly. We faced them head on, ready to do whatever it took to save our city. I directed our team on a number of occasions to stay focused on a couple of key priorities. First, search and rescue of people who were trapped and stranded; second, figure out ways to evacuate ultimately the Superdome and the Convention Center and individuals that were being dropped off on bridges as helicopters were rescuing them; third, patching of the levee breach, which at that time was still flooding and pumping water into our city; and fourth, draining the floodwaters once we stabilized that; and then fifth, recovery of dead bodies. We were getting reports on a daily basis. I personally saw dead bodies in the waters, so we knew we had to handle those bodies in a respectful manner, and that was one of the things we wanted to focus on.

Every day requests were made to State and Federal authorities for emergency assistance needed to save lives and restore order. We requested search and rescue assistance, buses for evacuations, assistance in patching the levees, food, water, medical supplies, police and fire equipment, and pumps to drain water.

I don't know if I can convey the desperation, but I was looking at my city, with thousands of people who were on the streets or on bridges or in the water, in the Superdome, at the Convention Center, people from the lowest-lying parts of the region being dropped

off in our city from other parishes. We were in the most desperate need for assistance.

On Wednesday, the situation in the Superdome was tenuous at best, and no food or water had yet arrived at the Convention Center. Rescue efforts by air were only beginning to get under way because communications channels were down and inconsistent. We found creative ways to communicate via text messaging to a communications staff person in Houston. We were trying to get a message to anyone we thought that could get the buses we needed to evacuate people.

Little help had arrived as the day turned to night, and you could feel the heaviness in the aftermath. Imagine the nights, pitch black, no power, intense heat, and people crying out for help. It was a horrible, horrendous situation, and Wednesday night was definitely touch and go for the city.

On Thursday, conditions continued to deteriorate. I received word from the National Guard and the New Orleans Police that the suffering in the Superdome and the Convention Center was becoming inhumane. There was increasing pressure to leave the buildings, and incidents of violence were escalating. As the days passed, I sent out more urgent pleas for help.

Finally, on Friday afternoon we began to see passengers loading into buses. Late Friday night, I watched the last bus leave the Convention Center. Saturday, the final bus left the Superdome. Many people had been there in those locations for 7 full days.

I should point out that at the Superdome, the New Orleans Police Department and the National Guard, a small contingency of National Guard, held security intact. That Guard unit and those officers are heroes. People could not leave the Superdome as it was surrounded by water and there were no buses. The rations were stretched. There was no power and sanitation. Good people suffered needlessly.

In the end, it was a horrible lesson, but one that I am hopeful we will learn from. By far, most of the people showed tremendous compassion to their fellow man, and heroism existed in the waters, at the Superdome, at the Convention Center, on the bridges, and on the streets.

Since the storm, we have been a financially crippled municipality, struggling to bring our city back. Hurricane Katrina, like September 11 and other disasters before, has taught us that improvements in planning for disasters must be made at all levels of government. Our plans for the future include enhanced evacuation routes, staging necessary resources out of the city, and not being as dependent on the rescue efforts of other levels of government. This storm has challenged us, and we are responding.

Consideration must also be given to the financial resources that should be available for jurisdictions that experience this type of major disaster. I urge this Committee, as you are doing these deliberations, to take a closer look at the Stafford Act. Our first responders and essential personnel worked primarily around the clock, responding to emergencies, yet under the Stafford Act, assistance is provided for only the overtime component of this very critical work. Then I was forced to drastically, radically, cut our budget and lay off over 50 percent of our workforce when our constitu-

ents need the services that these hard-working public servants provide more than ever. This is another effect of the inadequacies of the Stafford Act, which only allow for a loan of up to 25 percent of lost revenue, regardless of the severity of the need. The Stafford Act should be amended to address these and other issues.

As I conclude, I need to recognize our emergency response team led by Colonel Terry Ebbert, my Director of Homeland Security, who appeared before you earlier this week. Their work has gone largely unnoticed. Despite tremendous personal loss, police officers, firefighters, National Guard, EMS workers, my personal staff, or my executive staff, as well as other city workers, experienced horrific tragedy and stayed true to their tasks. They are all our heroes.

I want to once again thank you for allowing me to be here with you today and for your work to ensure that we, as a Nation, are better prepared to respond to future disasters like Hurricane Katrina and beyond. My hope is that our collective work to rebuild New Orleans and its region and the Gulf Coast will provide a model of how a Nation restores one of its jewels,

Thank you very much

Chairman COLLINS. Thank you for your testimony.

Mr. Mayor, you decided on Saturday morning, August 27, to issue a mandatory evacuation order, but the order was not actually issued until almost 24 hours later on Sunday morning. These 24 hours were critical. During that time, people with the means to do so left the city, but those who were left behind faced dramatically fewer options once people with cars had left. The evidence suggests to me that the delay between when you made the decision and when the order was actually issued was caused by your staff debating such issues as whether nursing homes and hotels and hospitals should be included, how the order should be enforced, and other pretty fundamental issues.

My question is this: Shouldn't those kinds of questions have been worked out in advance? Shouldn't your emergency operations team have already prepared a mandatory evacuation order, worked through the legal issues, so that once you made the decision, it would be issued without delay and without the need for further research?

Mayor NAGIN. Thank you, Madam Chairman. Let me just point out a couple of really key points that I would like the Committee to also understand as they try to evaluate this mandatory evacuation order. First off, we had earlier issued a plea to our faith-based community to do a buddy system, and we felt as though we had gotten a significant number of people out of the city, including the individuals that may or may not have had the necessary transportation to get out. And then as further clarification, I spoke with Max Mayfield on Saturday afternoon or evening; it was probably about 7:30 or 8 o'clock in the evening, and that is when I made the final decision and called my city attorney to get her to finalize the mandatory evacuation for the next morning.

Prior to that, I had already asked her to look at all the legalese and to prepare a draft mandatory evacuation, which she had done. The only thing that we wanted to make sure of, as we issued this mandatory evacuation, was not only that we had the legal authority to do it, but that we also did not create any other problems with

a mass evacuation of the hospitals because we felt as though a lot of patients would not be able to get the proper care to be transported where they needed to go.

And then finally, Madam Chairman, in order to do an effective evacuation in the City of New Orleans, we have to take into account the region's needs, and everything we do as it relates to evacuation is coordinated with the State and with the other parishes. And that morning at the 5 a.m. conference call on Sunday morning, we told everybody what we were getting ready to do so that they could coordinate and make sure that the lower parishes knew exactly what we were getting ready to do, so that they could make sure that if they had anyone else to evacuate, they could get them out quickly.

Chairman COLLINS. But time was lost, critical time, deciding issues like whether or not nursing homes should be covered. We heard testimony about that. Would it not have been better to have resolved those kinds of issues about the coverage, who was exempt, how it would be applied, prior to the storm as part of the planning process?

Mayor NAGIN. Well, Madam Chairman, we tried to cover all of those issues, but this was a real-time, real-life situation that had never happened before in the history of the City of New Orleans. We made the decision based upon the information that I got from Max Mayfield, which was Saturday night, and just like this Nation has made adjustments after September 11, we will make the proper adjustments going forward.

Chairman COLLINS. Just before leaving that issue, I want to point out that in an interview with your staff, your staff said, "The Mayor said it in the Saturday morning meeting, make it happen Saturday morning. He said, if there is any way to make this happen, the mandatory evacuation order, make it happen. I don't care what you have to do. Make it happen."

Mayor NAGIN. Right.

Chairman COLLINS. That was Saturday morning, not Saturday afternoon.

Yesterday we heard extremely troubling testimony that the evacuation of nursing homes was simply not a priority for the city or for the State, and the reason, offered by the witness, was that nursing homes were required by law to have evacuation plans. Yet, the evidence is very clear that many nursing homes did not evacuate their frail, ill patients and that they pleaded for help over and over again from the city and from the State. Search and rescue efforts were haphazard and uncoordinated, and the result was the needless and tragic deaths of dozens of these nursing home patients.

When it became evident to you that the nursing homes had not evacuated and when you got these reports of the pleas for help, what actions did you take?

Mayor NAGIN. Well, Madam Chairman, we had requests for evacuation and support from a lot of different individuals throughout the city. I can only speak for the City of New Orleans. I cannot speak for the rest of the State. But if we had someone to request from a nursing home that they needed the support, we tried to prioritize that based upon the information that we were getting

and the available resources that we had, and we tried to get to those individuals as quickly as we could.

Chairman COLLINS. Did you ask city workers to check on all the nursing homes?

Mayor NAGIN. Well, prior to the actual storm hitting, Madam Chairman, we had all of our police officers comb the city. And they went out with their lights on, and they went throughout all of the neighborhoods in the city to make sure that people understood that we were moving toward a mandatory evacuation. They visited nursing homes and hospitals and various institutions throughout the city to try to help them to make sure that they had what they needed to evacuate.

Chairman COLLINS. But that is prior to it becoming evident that the nursing homes had not evacuated, that their patients were in grave danger. Did you call the Louisiana National Guard to come help? What did you do when you started getting those pleas for help?

Mayor NAGIN. We were calling everyone, Madam Chairman. We even had some prestaged boats at the National Guard's offices, and we had at least 30 or 40 boats prestaged, and after the event, we only had seven or eight that were available to us. So we started to make calls to the State and to the Federal Government to try to get more resources to deal with not only the nursing homes, but the individuals that were on roofs and in their attics.

Chairman COLLINS. Senator Lieberman.

Senator LIEBERMAN. Thanks, Madam Chairman.

Thanks, Mayor. In my opening statement, I referred to a letter that our staff came across dated October 1, 2002. It is in your book as Exhibit 21.¹ It is a follow up to a meeting that our colleague Senator Landrieu apparently called after Hurricane Isadora hit New Orleans and the Gulf Coast. It is just another piece of evidence that people in the region really were on notice and lived with the fear of the big one coming. What is really striking in this letter is your response to Senator Landrieu after that meeting—I assume you wrote to other members of the congressional delegation—about what was needed. It goes right to some of the things that we saw: The communications systems were not compatible, more pumping stations, electric generators, emergency communications and technology systems must be approved. You asked for money to do that. Hospital generators must be elevated above basement level. We talked about that yesterday. A light rail system is needed to evacuate New Orleans residents, and a shelter of last resort is critical for safety of the residents of the Southeast Louisiana region.

As we look back at it, as I said earlier, it is this question of what might have been. One of the “what might have beens” we heard yesterday was from Dr. Stephens of the Health Department, where he took it upon himself to start negotiating for transportation assets to move people out of harm's way before a hurricane hit. Did that, Mayor, ever reach you? Were you aware of his efforts? It is frustrating to look at it now because it looks like he was negotiating for more than a year, had agreements, and they never came into being.

¹Exhibit 21 appears in the Appendix on page 133.

Mayor NAGIN. Right. Those negotiations were started by the previous head of our EOC, which was Chief Tullier, and he resigned, and there was an interim period or a period of time when we were searching for his replacement. During that search, Dr. Stephens got involved and talked to a lot of different entities. And then right before, a couple of months before the storm, Chief Mathews was hired as being the head.

But getting directly to your point, we tried to do some memorandums of understanding with various entities, whether they be the Regional Transit Authority or the School Board or some paddle-wheel boats—

Senator LIEBERMAN. And again, these were for transportation assets, hopefully to move people out who otherwise couldn't get out before a hurricane.

Mayor NAGIN. Absolutely. We were trying to make sure that we had every tool available in our tool box that we felt we needed in the event of an emergency. Those agreements never got done for a lot of different reasons.

Senator LIEBERMAN. When you look back—I don't have a lot of time—why do you think that happened? Why didn't they get done so the resources were there?

Mayor NAGIN. Well, I think, putting together those types of agreements is a little complex in our particular area. RTA, the Regional Transit Authority, we really did not need as a formal agreement as much because I appoint all of those board members and we have direct control over those resources. The School Board is a little different matter, and it's a little more complicated from the standpoint that the system was in crisis. They had lots of administrative challenges, and it was next to impossible to confect any type of agreement with that agency.

Senator LIEBERMAN. A lot of reasons, but, obviously, you wished the agreements had been signed prior to the hurricane.

Let me ask you this factual question. On the day of landfall, when did you learn, to the best of your recollection, that the levees had broken? Because, obviously, that took this from being a hurricane to being a disaster.

Mayor NAGIN. Well, it was sometime Monday after the storm had hit. The gentleman from FEMA, Marty, came to see us. We were waiting for the winds to die down so we could go up. He had already flown up. He then gave us a very graphic report that the levees had failed in the Lower 9th Ward at the Florida Avenue Canal, and there were some other breaches. But at that time, I don't recall that the 17th Street nor the London Avenue Canal had breached at that time.

Senator LIEBERMAN. What did you do upon receiving that information? Did you attempt yourself to communicate that to Federal officials?

Mayor NAGIN. Yes. We started the process immediately as we would get information. Marty was also communicating up the Federal lines. We wanted to make sure that State officials understood, and more importantly, we were really focused on the rescue efforts, if there were people that were down in the Lower 9th Ward that had problems, how do we get to them quickly?

Senator LIEBERMAN. Right. One of the questions that we are going to be looking at is what kind of support and capabilities the Department of Defense can provide in a crisis like this and what you were looking for. I gather that after landfall both the Governor and yourself had been making requests for involvement by the National Guard and the military generally; is that correct?

Mayor NAGIN. That is correct.

Senator LIEBERMAN. And National Guard troops came into Louisiana and New Orleans from around the country, but that does not begin until Wednesday. That said, according to testimony that we have from your Communications Director, which is in Exhibit 16,¹ you continue to see a need for additional capabilities from the Federal Government as the week went on.

I presume it was one of the things that led to your meeting with the President and the Governor on Friday, September 2. I just want to ask you a series of questions about those meetings. Prior to that meeting on September 2, had you and the Governor reached some kind of agreement about what assets and capabilities you were going to seek from President Bush?

Mayor NAGIN. As far as an agreement, well, it was basically a discussion of and a focus on the amount of Federal resources we needed to continue the rescue efforts and the dewatering efforts. That was the primary focus.

Senator LIEBERMAN. At that meeting, did you ask specifically for anything from the Department of Defense, to the best of your recollection?

Mayor NAGIN. I was specifically asking for a clear chain of command as it related to who had final authority so that we could get things moving much quicker.

Senator LIEBERMAN. You mean for the Federal Government generally in New Orleans?

Mayor NAGIN. Yes.

Senator LIEBERMAN. In response—because at that point you felt that there was not a clear chain of command.

Mayor NAGIN. I felt as though—and I think I described it in this manner at that meeting—that there was an incredible dance going on between the Federal Government and the State Government on who had final authority, and it was impeding, in my humble opinion, the recovery efforts, and it was very frustrating. I suggested that they put General Honoré in control for a period of time.

Senator LIEBERMAN. Right, National Guard.

Mayor NAGIN. They would just coordinate every resource that was available to expedite the needs that we had.

Senator LIEBERMAN. Was a decision made at that meeting with the President and the Governor?

Mayor NAGIN. No.

Senator LIEBERMAN. Do you recall any conversation at the meeting with President Bush and Governor Blanco on Friday, September 2, about the need to invoke on the Insurrection Act or any attempt or discussion of a possible decision by the President to place the Louisiana National Guard under the control of the Department of Defense?

¹ Exhibit 16 appears in the Appendix on page 107.

Mayor NAGIN. I was not privy to those particular discussions. I do remember a discussion about posse comitatus, and there was some talk about that, about what could and could not be done.

Senator LIEBERMAN. Did the principals at the meeting—just to wind it up—come to a conclusion, as you recall it, about what assistance the Federal Government would provide that it was not providing up until that point on Friday, September 2?

Mayor NAGIN. To be real frank with you, that meeting left me somewhat disappointed.

Senator LIEBERMAN. In what way?

Mayor NAGIN. Because there was no real decision that was made at that meeting, and I think there was a 24-hour period where the President and the Governor were going to get back together.

Senator LIEBERMAN. And that was about the question of whether the National Guard would be federalized?

Mayor NAGIN. It was just a question of who had final authority. I am not sure the details of what they were debating.

Senator LIEBERMAN. And so at that point you felt that held up a clear decision about other questions regarding Federal authority?

Mayor NAGIN. Yes. I was hoping that—we had everyone in the room that was decisionmakers—

Senator LIEBERMAN. Sure. Well, you had the President, the Governor, and yourself.

Mayor NAGIN [continuing]. That could make a decision at that meeting and move forward. I was very—I probably was a bit pushy at that meeting because in the midst of all the rhetoric that was going on around the table, I stopped everyone and basically said, “Mr. President, Madam Governor, if the two of you don’t get together on this issue, more people are going to die in this city, and you need to resolve this immediately.” And they said, “Yes.” And I said, “Well, everybody else in this room, let’s leave and let them work this out right now.”

Senator LIEBERMAN. And the two of them then stayed alone in the room?

Mayor NAGIN. No. The President said, “Nobody has to leave. We’ll go in another room and see if we can work this out.”

Senator LIEBERMAN. So the Governor and the President did go in the other room and continued discussions.

Mayor NAGIN. They went in a private room.

Senator LIEBERMAN. My time is really up, but just a final word. So it went at least 24 hours. When do you think you got the clarity of decision that you were looking for from the Federal Government?

Mayor NAGIN. It was sometime around the 24-hour mark. I think they, obviously, must have come to grips with Admiral Allen as being the key person, and he showed up, and that was history.

Senator LIEBERMAN. Thank you.

Chairman COLLINS. Senator Coleman.

OPENING STATEMENT OF SENATOR COLEMAN

Senator COLEMAN. Thank you, Madam Chairman.

Mr. Mayor, good to have you here. Let me start off first just reflecting on the Stafford Act. Clearly, we need to take a look at that. I had a chance to be in New Orleans recently with the Chairman, the Ranking Member, and a couple of my colleagues, and there is

a lot of work to be done, and you have to have people doing it. So I hope that we take a look at that.

Let me express one of my concerns. As I watch this, one of my concerns is about where we go in the future; that as a result of what looked like inaction at the local level, there is a lot of talk now about needing the Federal authorities to come any time there is a major crisis and take care of this. The reality is that those who are closest to things on the ground, I think, have to be very much involved, if anything, directing, saying, "Hey, we need it," and then get it delivered.

But I worry, as an offshoot of a perception that folks on the ground were not in charge and were not making things happen, that there will be a move to change this, and I think we have to reflect on that.

One of the other things that has come up in these discussions and hearings has been a lot of finger pointing as to who was in charge. We had Levee Board folks here and the State folks here and the Corps of Engineers here, and I have to tell you, everyone was pointing every different way as to, well, "It was their responsibility."

Let me step back a little bit to discuss your communication abilities on Tuesday after we know the levees had broken, disaster has totally hit way beyond the hurricane. Can you talk about where you were operating out of and what kind of communication capacity did you have on that Tuesday?

Mayor NAGIN. I was operating pretty much out of our EOC office at City Hall, but more directly across the street in the Hyatt Regency Hotel. We had an office that we had occupied, along with our utility company, as well as the military was in and out of there on a regular basis. It was a convenient location from the standpoint that we had access to the Superdome and to the heliport.

Senator COLEMAN. To be very blunt, the perception was that you were up there, kind of the last man going down with the ship, but not coordinating, not in touch, not really being in charge, but kind of trying to hold things together as it was falling apart. Did you have adequate communication linkages and equipment to get done what you thought had to be done?

Mayor NAGIN. Well, I think that's what's being missed in this whole discussion. You had a city that was totally devastated. Nothing like this has ever happened. When you look at what happened in September 11, it was a couple of square blocks in New York. This was totally different. All communications networks were pretty much failing, if not intermittent, and the only way we had to communicate was the old-fashioned way, to meet with people face-to-face, to send text messages. The cell phone system was inoperable. The phone system was down for the most part. So that perception was due to—or was contributed to because of the severity of the conditions.

Senator COLEMAN. So I would take it that it would be your hope, as we come out of these hearings, that we address the issue of communication. Is there something today that you would have done—would you have placed yourself somewhere different? Would you have put yourself in a position to be more of a visible force, even

if you couldn't be doing much, just physically out there? Would you change?

Mayor NAGIN. I probably would change a few things, but I wouldn't change much from this perspective. I made the decision very early that I was going to stay with the people that were suffering, and I was going to be a part of that, and I really didn't care about the political consequences, if you will, because I felt I had to feel exactly what those individuals were feeling in order to have the sense of urgency to make sure that change was happening as quickly as it was. So I didn't spend a whole lot of time trying to keep up with everybody doing these multiple press conferences that were going on all the time. I stayed focused on the needs of the people that were hurting.

Senator COLEMAN. I would offer, respectfully, as a former mayor, that sometimes it is one thing to understand and to feel what folks are feeling, and it is another thing to be out there projecting, "I am in charge, someone is in charge. We're going to take care of this," and kind of lifting up. And in the end, lifting up the sense of those who are suffering, and at least from the outside, the perception was that you were doing that, that you were right there feeling what people were feeling, but as a result it seemed like there was a void at the local level, and it did not seem like there was then anyone at the State level filling that need, or the Federal. I mean it seemed like every level of government did not do all that folks hoped they would do in what admittedly are circumstances that, unless others could be there, you could not imagine, because I came there 4 months later, and it is still hard for me to imagine. But that's just perception.

I offer that and I would hope in the future for others in this that people reflect on that, but then have the tools that you did not have, the ability to communicate. We have not heard much about it. We have talked about it here. I just think it is absolutely critical, and that we are not leaving people isolated any more in crises like this.

Mayor NAGIN. Mr. Coleman, I appreciate those comments, but I will tell you, I have a huge box of satellite cell phones that did not work during this crisis. We tried just about everything possible. At the end of the day, I am more comfortable with the fact that by staying and doing the things that I did, we saved lives versus perceptions.

Senator COLEMAN. Just a last question then on this issue of responsibility, State, Federal, if we were to be in this position again, if there were three things that you would change in regard to knowing who is in charge, just click them off, one, two, three, something more clear from the feds, something more clear from the State, something perhaps you need that you did not have?

Mayor NAGIN. Well, I don't know if I can click off any three things, but I just think that there needs to be a clearer chain of command that does not necessarily violate local input because when you're local you understand the needs much better than anyone else. But I think with that type of disaster, being overwhelmed by a hurricane, there needed to be more resources that came much quicker and not necessarily a dance on whether State or Federal authority rules. I mean that is just ridiculous to me.

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

OPENING STATEMENT OF SENATOR AKAKA

Senator AKAKA. Thank you very much, Madam Chairman.
Mayor Nagin, welcome to the Committee.

Mayor NAGIN. Thank you.

Senator AKAKA. I know you are still in the middle of a massive recovery effort in New Orleans. I want you to know that many of my constituents in Hawaii have written to me with deep concern about New Orleans and the people there. I want you to know also that our prayers have been with you and are still with you.

Mayor NAGIN. Thank you.

Senator AKAKA. Although we are here to examine your role in the Hurricane Katrina response, I would like to discuss with you the ongoing recovery and reconstruction activities going on there. Through these hearings, I have been concerned by numerous reports that New Orleans is not receiving adequate assistance for reconstruction and preparation for future emergency response.

What are your top three needs that have not been met by the Federal Government?

Mayor NAGIN. Top three needs. The first one is temporary housing. We have a request for—depending upon who you talk to—45,000 to 65,000 temporary homes, whether they be travel trailers or what-have-you. We have only been able to deliver less than 2,000 travel trailers to date. That is probably one of the most frustrating things right now because we are having a very difficult time standing up our economy, and we are having a very difficult time getting our people back.

The amount of travel trailers that can be installed on a daily or weekly basis will probably take us 6 months to a year before we can catch up. I don't understand it. You would think that this great country could bring contractors from around the country, around the world for that matter if they don't have them around the country, to expedite and get this job done. So that's the first thing.

The second thing I will tell you is that we are in limbo and on hold as it relates to how individuals go in and repair their homes permanently. We do not have a Baker-type bill, which has been widely debated and now is not something that is going to be supported by the White House, which I understand. We do not have enough direct funding to go to an individual that did everything right, bought their home, lived above the floodplain, did not have to buy flood insurance, didn't buy flood insurance, and now the insurance company is basically saying this was a flood event and not a wind event, so therefore, you get zero. So we have lots of individuals that can't move back because they don't have the financial resources to accomplish that. So the lack of resources from that standpoint would be my second big point.

My third point would primarily deal with the business aspects of the economy. New Orleans is an incredibly important center for this Nation and the State. We produce most of the seafood for the Nation, oil and gas. You name it, we do it, raw materials coming into the city. We do not have the resources for small businesses to get started up, whether they be fishermen, or whether they be peo-

ple that support oil and gas. The GO Zone legislation was a great piece of legislation, but it targeted big businesses, and the small businesses do not have the support that they need right now.

Senator AKAKA. Thank you for that response.

Mayor NAGIN. Thank you.

Senator AKAKA. Prior to Hurricane Katrina hitting New Orleans, did you request any transportation resources from the Federal Government?

Mayor NAGIN. We have been making requests all along for support for light rail systems, enhancements to the transportation systems that we have in place. I had someone in my office contact Amtrak also prior to Katrina to see exactly if they had trains available so we could use those as another evacuation tool. What we got back was all of the trains were booked through September and we didn't have anything available. Then earlier than right before Katrina, we talked to Amtrak, and they said that basically they could only bring individuals to Hammond, which is not that far away from New Orleans, and that wouldn't be sufficient for evacuation purposes.

Senator AKAKA. Mayor Nagin, you testified that after reviewing the priority list compiled by Under Secretary Brown on August 29, Marty Bahamonde, the first FEMA representative on the ground in New Orleans, stated, "This is one of the best plans I have ever seen presented by a city after a disaster."

However, when Mr. Bahamonde testified before this Committee in October, I asked him what was on the list that you gave to Under Secretary Brown, and he testified that he never saw the list. I would like to clarify this issue for the record. How do you reconcile these seemingly contradicting accounts?

Mayor NAGIN. Well, I met with Marty, and we talked about the disaster, and after he gave me his accounts on what had happened, and the breaches, and the highway systems that had been knocked down to the east, and I had already started to formulate some ideas on how we would start this recovery. And I had them on a white sheet of paper pretty much like this, and I shared all those thoughts with him, and that was the plan that I was proposing as we moved forward. And when we finished with that conversation and he looked at that list, he basically said that he had never had the opportunity to meet with a public official like this and to have such clear thoughts on exactly how we should move forward and how the resources should be focused.

Senator AKAKA. Thank you very much for that clarification. Mayor Nagin, an after-action report prepared by the New Orleans Police Department stated that the failure of the Office of Emergency Preparedness (OEP) was a significant problem. There was an unannounced change of location during the storm and a breakdown of communication between command staff and officers on the street. The report indicates that many officers and supervisors did not even know that OEP existed, despite the fact that OEP was designed to coordinate emergency functions. How do you respond to these criticisms?

Mayor NAGIN. The Police Department is a critical agency for us, and I am not sure who the gentleman was who testified. I will tell you this, that the police chief, the assistant police chief, all were

very familiar with the operations of the OEP area and were pretty intimately involved in a lot of the planning. I would also point this out to you, that right after the storm, police headquarters was pretty much under water or took on a significant amount of water, and we had a very difficult time communicating with the various districts that were also under water. So there was a period of time where communication was definitely challenged, and it was difficult getting all the information out there we needed.

As we gained access to those individuals through the police radio system that was working very infrequently, we started to commandeer and get people organized, but we had to do it in temporary locations.

Senator AKAKA. Thank you for your responses, Mayor Nagin.

Thank you, Madam Chairman.

Chairman COLLINS. Thank you. Senator Carper.

OPENING STATEMENT OF SENATOR CARPER

Senator CARPER. Thanks, Madam Chairman. Mayor, welcome. It is good to see you.

Mayor NAGIN. Thank you, Senator.

Senator CARPER. We thank you for your presence here today and for your testimony. You mentioned the Baker proposals, Representative Baker. I have a number of questions. I am going to ask you not to dwell on this for too long, but just take a moment and just highlight the Baker proposal for us, tell us what you like about it, what you do not. In the face of the lack of support from the Administration, is it something we should try to support?

Mayor NAGIN. Well, the Baker bill, as I appreciate it, is designed to set up a corporation that would be targeted with the ability to go in and purchase homes and also to allow for mortgages to be forgiven to free up individuals to start to re-create their lives at 60 percent of their pre-Katrina equities.

Senator CARPER. What do you like about it? What are its shortcomings, and is this something we ought to get behind and support?

Mayor NAGIN. Well, what I like about it is that it will provide us with another tool and more financial resources to make some individuals whole in the City of New Orleans, but also to give them some equity so that they can reinvest in other areas of the city that are on higher ground. I think you should support it.

One of the things that I have heard from the White House that they're having a problem with is basically that it's open-ended, there's no cap on it, which I think Congressman Baker would be able to deal with it, and then there is also grave concern about it being precedent setting from the standpoint now that the Federal Government is a huge landholder and in the redevelopment business.

Senator CARPER. Thanks very much.

Mayor NAGIN. Thank you.

Senator CARPER. Can you give us your perspective on what is going on with respect to the levees, fixing the levees, getting ready for the next big storm? How are we doing?

Mayor NAGIN. I had a briefing right before I came up for this hearing from the Corps of Engineers, General Crear, who has done

a really good job. They seem to be moving along. They have lots of challenges. They have a couple of contractors that are a little behind schedule, but they have back-up plans. In addition to that, they are not going to be able to armor the levees, which I think is a huge weakness from the standpoint of if we have another Katrina-like storm. We're going to build better levees, but they won't be as strong as we originally thought.

Senator CARPER. Did you say armor the levees? What do you mean?

Mayor NAGIN. The levees, for the most part, were made with soil and grass, and the concept to armor them was going to rely more upon concrete, rocks, and wire mesh and other support systems on each side of the levees. The funding, it is my understanding, is not there for them to do that.

Senator CARPER. Any advice for us as we serve in our oversight role to try to make sure that the kind of problems we had with the collapsing of the levees and the overtopping of the levees does not happen again? What should we be doing to be more vigilant?

Mayor NAGIN. I think we ought to really pay attention to the design of the levees and utilize some independent scientists to look at that. Then I think we ought to really pay attention to the construction, the quality of the construction as it continues to go on.

And then finally, just the pace of construction to make sure that it meets the timelines of the next hurricane season.

Senator CARPER. My understanding is that not only the levees provided significant defense to New Orleans and the region, but also the wetlands, I guess, to the south.

Mayor NAGIN. That is correct.

Senator CARPER. Anything going on with respect to those wetlands, restoration of those wetlands and helping you provide what I would call almost a first line of defense against—

Mayor NAGIN. It's my understanding that there's not a lot going on as it relates to wetlands restoration, and it's something that this Nation really needs to pay attention to a lot closer, in my opinion. For every mile of wetlands it allows for us to subside a storm surge by one foot, and since the coastal erosion problem in Louisiana is so severe right now, we probably lost 100 years worth of coastline as it relates to this storm, of coastline natural erosion. We're really vulnerable, and this Nation should pay attention to it and help us out.

Senator CARPER. Thanks. Switching gears here, you mentioned light rail options. I think you mentioned Amtrak and so forth. I think you said that your staff or someone in the city had reached out to Amtrak to ask if they could provide some assistance with respect to the evacuation. I think you mentioned the town of Hammond?

Mayor NAGIN. Yes.

Senator CARPER. My staff tells me that we understand that the day after Katrina made landfall that Amtrak offered to run up to, I think, four trains a day over some dry tracks that they had identified to move people out of New Orleans. This was after the fact. I am told each train could have moved maybe as many as 500-600 people with water and food. But in the end, I am told that it took several days to get the attention of the folks that were in charge.

I realize you are up to your eyeballs in alligators and water, but it took several days to get the attention of people in charge, and that only one partially filled train was utilized on the Friday night after the storm, that was like 5 or 6 days after the storm came through, to take evacuees to Lafayette.

I do not know if you are familiar with this saga, but if you could cast some light on it—

Mayor NAGIN. I've heard this story a number of times, and it keeps getting better every day. It's like catching a fish, the fish gets better as you talk about it. I heard the rumor right after the storm, was never able to confirm that. Even talked to Chief Mathews, who supposedly got the call, and he didn't recall getting that particular offer.

But if that offer was on the table, and if they knew that we were struggling, why didn't Amtrak reach out to the State officials, to the Federal Government, to FEMA, and try every available avenue to make sure that people understand this was available.

Senator CARPER. Or vice versa. Some of those entities could have been reaching out to—somebody should have talked.

Mayor NAGIN. We called Amtrak prior to the storm, right before it hit, and they told us there was nothing available, and we took that as gospel, and maybe we shouldn't have.

Senator CARPER. One last question. Somebody mentioned—I think it was you—a light rail system. We are going to have more hurricanes in the future, as we all know. It could be as bad, maybe even worse than Katrina. But I understand that New Orleans and I think maybe it is the Baton Rouge transit systems, along with Amtrak, and I think Kansas City Southern, are in negotiations to establish commuter rail links between, I think, the two cities to help reduce some serious traffic congestion that has existed since New Orleans was reopened to its citizens and to its businesses. I just want to know what the status is of those negotiations, and how do you plan maybe to use this kind of commuter rail service in the future to assist, not just in moving people on a regular basis today, but to help us with possible evacuations in the likelihood of another hurricane, maybe as early as 5 or 6 months from now?

Mayor NAGIN. We have been talking with all the individuals that you mentioned, and it is my understanding that maybe two trains will be made available to have runs in the mornings and in the afternoons between Baton Rouge and New Orleans. Those trains are primarily designed to help the workers and evacuees that have moved to Baton Rouge to come back and forth between Baton Rouge and New Orleans. And we are going to look at that as an option for the future as an evacuation tool.

Senator CARPER. Thanks very much. Good luck.

Mayor NAGIN. Thank you.

Chairman COLLINS. Senator Lautenberg.

OPENING STATEMENT OF SENATOR LAUTENBERG

Senator LAUTENBERG. Madam Chairman, first I want to congratulate you for your continuing review of what took place in these terrible days in our country. It has real value because if we learn what really happened, perhaps we can legislate change to

make sure that if it does happen again, that we do not see the kind of consequences that came out of New Orleans.

We have excellent witnesses, and we are happy to hear the Mayor's view. There has been a real effort with this and other hearings, but I want to raise some concerns about this investigation. As you know, Madam Chairman, I advocated the creation of an independent commission, not unlike the 9/11 Commission, to see what happened with Katrina. Now, unlike congressional committees which often get stuck in politics, an independent commission would not be reluctant to issue subpoenas to get information. Unfortunately, what we see is a refusal by the White House to release documents and blocking officials there from speaking to the Committee, and that is, in my view, obstructing the Committee's investigation.

The Department of Homeland Security, which this Committee has jurisdiction over, is even refusing to give us key documents, probably on the orders, likely on the orders from higher up.

Madam Chairman, you and Senator Lieberman wrote to the White House, the Chief of Staff, Andrew Card, on January 12, in which you stated, "The Executive Office of the President is hindering the Committee's efforts to obtain information." So we need to ask ourselves, why is the White House not coming forward in this review?

I am not sure if this Committee, no matter how well intentioned, will ever be able to get to the bottom of this. We need to examine whether we should hand this investigation over to an independent commission with subpoena power.

Mr. Mayor, your review of events has an amazing clarity to it, as you remember moments—I guess this gets seared in your mind when you are under that kind of pressure. I would ask you about the behavior of the police department in those days. I know you have been complimentary about the chief and the deputy chief. Were there mass absences? We read about that in the papers. I just want to hear what finally did take place during those stressful days.

Mayor NAGIN. Senator, there was some exodus among some of the New Orleans Police Department. We are in the process of completing hearings for every officer that was missing in action for one reason or another. We have gone through most of those, and we have had separations. Out of a group of 1,650 or 1,690 officers, we probably will be separating with about 150 officers. For the most part, most of the NOPD, New Orleans Police Department, operated at the highest level of heroics, but unfortunately, we did have some that were not engaged in the battle.

Senator LAUTENBERG. That is not an unusual condition when stress really starts developing. It is too bad, but I trust, Mr. Mayor, that you are going to look at past training programs.

Mayor NAGIN. Yes.

Senator LAUTENBERG [continuing]. And how discipline was developed.

Mayor NAGIN. Yes, sir.

Senator LAUTENBERG. And I urge you to reinstate the confidence that people had. One of the things that we have heard from the President is that no one anticipated the breach of the levees, the

weaknesses there. As far as you know, did anyone in the Federal Government tell you that there were recognized weaknesses there, and otherwise, was this a total surprise that the levees were weak?

Mayor NAGIN. Well, Senator, no one prior to the storm admitted that there were any weaknesses in any levee system. And if it wasn't for the failure of the levees, I wouldn't be here today testifying. This was something that was overseen and managed by the Corps of Engineers, along with some local support. Obviously, some of the forensic scientists that are looking at this now have uncovered some design flaws and construction flaws. It is absolutely amazing to me that a levee system that is so critical to this Nation and to the city had these problems.

Senator LAUTENBERG. Mr. Bahamonde testified here in startling honesty, I thought, and said that there had been discussions in FEMA, none that he was directly associated with, but that he was aware of, that had discussed some weaknesses in the levees. The fact is that in the prior couple of years, funds were taken from the Corps of Engineers, reduced substantially from levels of about \$30 million a year down to \$3 million a year, designed for work on the levees. Now, they would not be working on the levees if there was no concern about the quality of the structure. So people knew that there was a weakness there that had to be taken care of, and yet, nothing happened to change that course.

How do you see that having fallen by the wayside?

Mayor NAGIN. Senator, since I have been in office now about 4 years, I have lobbied the Corps of Engineers, as well as Congress, consistently every year with this funding issue. It seems as though the Corps makes a request, it gets cut by OMB, I think it is. We come to the Hill, and we try to get either our Senator or Congressman to do a plus-up, and it is never enough money that we need. It just seems to be part of the process, unfortunately. The levees in New Orleans never really were understood as far as how critical they are, and there didn't seem to be the political will to spend the money to do it right.

Senator LAUTENBERG. Thanks, Madam Chairman. I hope that we are going to be able to continue our pursuit of the truth here as much as one can determine. I congratulate you on this.

Chairman COLLINS. Senator Levin.

OPENING STATEMENT OF SENATOR LEVIN

Senator LEVIN. Thank you, Madam Chairman. I also commend you and Senator Lieberman again for your determined effort here to get all the information we possibly can. It is a very thorough set of hearings. It is a very important set of hearings. I also want to join Senator Lautenberg in supporting your insistence that we get information from the White House and from the Homeland Security Department. There is no basis that I know of for denying this Committee that information. You and Senator Lieberman have made your request clear, and I think the entire Committee is supportive of those efforts to get documents and information, and I want to commend you on it.

It is a disturbing pattern in this Administration of denying Congress important information. They do not assert Executive privilege, which they have a right to assert, they just deny us informa-

tion. It is a pattern I have seen in other committees where we have tried to get information. It is totally unacceptable. It thwarts the checks and balances which the Constitution has put in place to have oversight of the Executive Department's operations, and we just have to keep putting all the pressure on them we know how to, and I hope, if necessary, subpoena documents.

Welcome, Mayor.

Mayor NAGIN. Thank you.

Senator LEVIN. Let me add my welcome to you. I understand there is still a large number of people unaccounted for. The number we have as of the middle of December is about 5,300 people. What does that represent? Is there a list of 5,300 people that are still unaccounted for? Is that on a website? Is there an effort being made to account for everybody who is unaccounted for?

Mayor NAGIN. Senator, that's a great question. I've seen several different numbers. They seem to range between 3,500 and the number that you just mentioned. Lots of the individuals are families that were separated, children that were separated from their mothers and fathers, and every day it is being worked on.

I had a FEMA individual tell me that he was still receiving, FEMA was still receiving 25 calls a day from people looking for relatives or friends that they hadn't been able to locate. Some of them are senior citizens that were under medical care that may or may not have had identification as they were moved around the country, so it is just a bringing together of a lot of the people.

Unfortunately, it may be some individuals that were potentially washed away as a result of the storm, so we just don't know right now.

Senator LEVIN. Is there one place where the number of unaccounted for people are listed?

Mayor NAGIN. It is my understanding the State has a listing, as well as FEMA.

Senator LEVIN. Right. There are three meetings which I am interested in, and a number of the Members of the Committee, I think, have already asked you and other witnesses about. One is the Monday evening meeting with FEMA, where you gave them a priority list which identified commodities and equipment. The priority list that you provided to FEMA on that Monday included buses to get people evacuated from the Superdome and other places.

Did FEMA require a specific request from the Governor before they supplied the buses which you requested at, I believe, a Monday night meeting with them?

Mayor NAGIN. Yes. I wasn't privy to those discussions, but it's my understanding that FEMA would discuss whatever needs we had with the State, and hopefully, that was coordinated to provide the resources that we need.

Senator LEVIN. Were you the Incident Commander for New Orleans under the National Response Plan?

Mayor NAGIN. It's my understanding that myself and Colonel Terry Ebbert were designated in that fashion.

Senator LEVIN. As the Incident Commander for New Orleans?

Mayor NAGIN. I'm not sure, sir.

Senator LEVIN. It is our understanding there was a National Response Plan and that the Mayor was so designated. Are you familiar with the National Response Plan?

Mayor NAGIN. Yes.

Senator LEVIN. Whose responsibility was it to get the food and the water and other supplies to the Convention Center? Was that yours? Was it the State's? Was it FEMA's? Whose responsibility? I am now talking not about evacuation, but the food and supply need at the Convention Center.

Mayor NAGIN. It's my understanding it was a joint responsibility.

Senator LEVIN. Between whom and whom?

Mayor NAGIN. Between the locals, the Federal, to get the initial supplies. And then we were always under the impression that the Federal Government would provide supplies after the initial period.

Senator LEVIN. When people started flowing into the Convention Center, I think as early as Monday, but clearly on Tuesday, and then major numbers Tuesday, Wednesday, the failure to provide food and water to those people, whose responsibility was it? Was it yours? Was it FEMA's? Where did that responsibility rest? I will ask that first.

Mayor NAGIN. We took responsibility for making sure those individuals would have food and water for at least 3 days.

Senator LEVIN. But they did not.

Mayor NAGIN. They did.

Senator LEVIN. Three days. They did not have it—

Mayor NAGIN. In the Superdome.

Senator LEVIN. I am talking Convention Center.

Mayor NAGIN. The Convention Center is a different—

Senator LEVIN. That is the one I am asking about. Whose responsibility was it to get food and water to the people at the Convention Center, which was the back-up facility?

Mayor NAGIN. The primary facility, the local government had total responsibility, as well as the State for that. The Convention Center was a shelter that evolved as it relates to the event. The Superdome filled up to capacity, and we were looking around for another facility to house people on a very temporary basis, and then we made a request to FEMA to provide food and water for those individuals.

Senator LEVIN. Your Monday night list though, the Convention Center was listed as a refuge of last resort in lieu of the Superdome; is that not correct?

Mayor NAGIN. No, it evolved, sir.

Senator LEVIN. Finally, the meeting that you had with the President on Friday, did the President at that meeting request, suggest to the Governor, that the National Guard be federalized?

Mayor NAGIN. I did not hear that conversation, sir.

Senator LEVIN. Would you have heard it if it existed? I mean, were you there?

Mayor NAGIN. Yes, I was there, but there was a private meeting that the President and the Governor had, which I was not privy to.

Senator LEVIN. Did you suggest to the President that that happen?

Mayor NAGIN. I did not. I suggested that we have one chain of command, and my suggestion was that General Honoré assume that position.

Senator LEVIN. Over the National Guard?

Mayor NAGIN. Yes, sir.

Senator LEVIN. That would then be the federalization of the National Guard because he is with the Federal Government.

Mayor NAGIN. I was thinking more from a coordination role.

Senator LEVIN. I see. Thank you. Thank you, Madam Chairman.

Chairman COLLINS. Thank you.

Mr. Mayor, I want to follow up on several issues that have been raised. You had an exchange with Senator Lieberman about a critical meeting you had with the President and the Governor to try to straighten out the confused chain of command.

Mayor NAGIN. Yes, ma'am.

Chairman COLLINS. And you described it very eloquently as an incredible dance between the Federal Government and the State Government that impeded the response. And it must have been extraordinarily frustrating to you to hear this dispute over who was going to be in charge of the National Guard assets, when all you wanted was someone to be in charge and to start delivering help to your city. Is that a fair summary?

Mayor NAGIN. That is very fair.

Chairman COLLINS. You mentioned that the meeting concluded without a decision. Was it not the Governor who asked for 24 hours to make a decision on the two options that the President presented to her?

Mayor NAGIN. That's my understanding of what happened.

Chairman COLLINS. I just wanted to clarify that point. I want to follow up on Senator Levin's point about the Convention Center. It is my understanding that you decided to open the Convention Center on August 30 because you had flooding and overcrowding at the Superdome. Is that correct?

Mayor NAGIN. Yes, that's correct, ma'am.

Chairman COLLINS. So then search and rescue teams began delivering people to the Convention Center. In addition, people just flocked there on their own.

Mayor NAGIN. Yes, ma'am.

Chairman COLLINS. The Louisiana National Guard has estimated that there were as many as 19,000 people at the Convention Center. So you have this huge exodus to the Convention Center, and yet, as Senator Levin pointed out, and as your timeline affirms, the Convention Center, unlike the Superdome, was not supplied with food and water. Is that correct?

Mayor NAGIN. The Convention Center was a refuge of last resort that came out of necessity, and as it started to develop—the 19,000 didn't happen overnight. It was something that evolved. The hotels started to evacuate because their diesel power was running out, and people were coming from the hotels, from other parishes, and individuals were walking out of the water along the river, which was the high side, to go to the Convention Center. We did not have the resources to provide food. Water ran until the pump stopped, so there was water over there, and then when the pump stopped, there was not. So we had to get FEMA to provide bottled water.

Chairman COLLINS. And indeed in the timeline from your office, there are entries for Wednesday, August 31, that say "Convention Center numbers growing, no food or water." And on Thursday, September 1, "Convention Center numbers growing, no food or water." We also know from widely publicized reports that neither Homeland Security Secretary Chertoff nor FEMA Director Michael Brown were even aware that the Convention Center was open and being used for a shelter. They did not, according to their interviews, understand that until Thursday, September 1.

I am trying to get a clearer picture of why the city sent people to the Convention Center when there were no supplies there and no security. Why wasn't there communication with FEMA to ask for supplies? We have gone through roughly 800,000 pages of documents, and we cannot find any evidence of a request from the city or from the State to FEMA to get supplies to the Convention Center.

Mayor NAGIN. With all due respect to Secretary Chertoff and Mr. Brown, I don't understand how anyone in authority, with this type of crisis, can say that they were not aware that we had a crisis in New Orleans and we had people that were stranded on roofs, on highways, and at the Convention Center and they didn't know about it. That is just next to impossible. The entire Nation was enthralled on this disaster, so I categorically reject their claims.

Chairman COLLINS. I find that extremely troubling as well, because as you point out, you could turn on the television. Those of us not in Louisiana had access to television, and we could see what was happening. But did the city inform FEMA or did the city inform the State that you had an unexpected situation where you opened up the Convention Center, which you had not supplied with food, water, medical teams, or security, and that you needed help?

Mayor NAGIN. Yes, ma'am, every day, twice a day, three times a day. FEMA was with us in our OEC. I had evacuated most of my executive staff to Baton Rouge. We were able to communicate with them, although intermittently, about the challenges. My chief administrative officer was communicating with the State officials as well as Homeland Security officials who were congregated in Baton Rouge. So I am absolutely appalled that they would be saying this.

Chairman COLLINS. That is an issue that we will take up when they come before us. I also want to follow up on Senator Levin's question about the assessment of needs that you provided to Marty Bahamonde of FEMA that you have mentioned. It is Exhibit 7¹ in your book, dated August 29.

I have read through this pretty carefully, and I do not see any request for buses. I just wanted to clarify that for the record. But also to ask, given the problem of evacuating people without the means to evacuate themselves, why didn't you, in this rather comprehensive list, request buses? A lot of your buses were flooded at that point.

Mayor NAGIN. Madam Chairman, this is one of many requests that were made by us. Some were made in writing. This request was more about physical assets than other needs. We spoke first-

¹Exhibit 7 appears in the Appendix on page 102.

hand with Marty about the need for buses. They had three FEMA representatives that came down right after I spoke with Marty, and they were in charge of the buses. We had conversations with them as well as the Governor and the Senators at the heliport about the need for buses and other needs. This was done on almost a constant basis.

Chairman COLLINS. Thank you. Senator Lieberman.

Senator LIEBERMAN. Thanks, Madam Chairman.

Mr. Mayor, let me go back to something we talked about before. We have testimony, generally referred to yesterday, but really more specifically from one of the witnesses the Committee interviewed. This was about requests that the New Orleans Fire Department had made to the city for additional purchasing of boats.

Mayor NAGIN. Right.

Senator LIEBERMAN. Obviously, this goes back to Hurricane Pam and the fear that if the hurricane hit, the levees would break, there would be flooding, and there would be a need for some capacity for water rescue. So to the best of your ability, what happened to the fire department's request for more boats?

Mayor NAGIN. Well, we heard their request. I coordinated the boat situation with Chief Compass, and we were able to secure—I think it was 40 boats prior to the event.

Senator LIEBERMAN. You said in that weekend?

Mayor NAGIN. Yes, prior to the event, and those boats were staged at the National Guard facility, which was along the river in the by-water, the upper 9th Ward area.

Senator LIEBERMAN. Where did you get them? Do you remember?

Mayor NAGIN. We rented some, we purchased others. I mean we had a contingency of boats. Then right after the storm, some of them were blown away and we couldn't get to others.

Senator LIEBERMAN. Actually, that part of the story is one of the remarkable, most admirable parts, and I kept hearing it all around; the resourcefulness of, in some cases, commandeering boats, hot-wiring them to carry out the rescue.

Mayor NAGIN. That was post the event. That was when we started to commandeer. Pre-event we had some staged.

Senator LIEBERMAN. I was looking back a little bit further. Just from the point of looking at what happened in the budget process, I gathered that the fire department meant as much as a year before, maybe even more than that, they had requested more fire boats and they were turned down.

Mayor NAGIN. They were probably requesting, in their budget, a purchase of boats—

Senator LIEBERMAN. That is right.

Mayor NAGIN [continuing]. As a normal operating expense, and being an urban center that was cash strapped, I'm pretty sure it didn't survive the budget process.

Senator LIEBERMAN. As I hear you, I had not been thinking about it as I asked the question, but unfortunately—I will just say this real briefly—it is part of a larger problem, and it is why some of the Federal funding programs for purchase of equipment by local fire and police departments are so important because the local first responders' budgets are so greatly consumed with personnel costs

that often there is not the money left over for the acquisition, as in this case.

Mayor NAGIN. That's correct.

Senator LIEBERMAN. Let me go back to that FEMA list, the list you gave to FEMA that we talked about. My recollection is that you met with Michael Brown, was it Monday night? It must have been Tuesday morning because I think—well, Monday night or Tuesday morning.

Mayor NAGIN. It probably was Tuesday because Monday I don't think he was there.

Senator LIEBERMAN. He was not around, that is correct. I guess I would ask you for your impression first. I will give you my impression—and you were there. I was startled that Marty Bahamonde was basically, for a period of time, Saturday and Sunday and into Monday, the only FEMA person on the scene. Were you surprised as the crisis came?

Mayor NAGIN. I was surprised at a lot of things, but FEMA, I think, underestimated this event. Marty understood it because he was in the midst of it. But I think everyone up the food chain really underestimated it even to the point of getting the accurate information to the President, himself.

Senator LIEBERMAN. Yes, I have that question myself as this goes on. And that underestimation that you are talking about by FEMA of Katrina, if I understand you correctly, is not just in the days leading up to it, notwithstanding the Dr. Mayfield warnings and all, but in the immediate aftermath of landfall as well.

Mayor NAGIN. Absolutely. One of the things I noticed about some of the FEMA resources that were there was they all were well meaning, but they over-promised and under-delivered on a fairly consistent basis.

Senator LIEBERMAN. You have anticipated my next question, which is: As we look at the list that you gave FEMA—and as you said in the last exchange you had, it was not the only series of requests you made—would you say in that first week to 10 days or so that FEMA came through for New Orleans?

Mayor NAGIN. No, I wouldn't say that. I think that they struggled, they continue to struggle, and I hope another city does not go through this.

Senator LIEBERMAN. Amen. I heard a story, and I want to ask you if you could recollect it in your own words, that sometime later in the week, perhaps Saturday, Secretary Chertoff came to town and you went to the FEMA staging area, which was at the New Orleans Saints practice field.

Mayor NAGIN. You heard about that, huh?

Senator LIEBERMAN. Yes. So I am right so far?

Mayor NAGIN. Yes, you are.

Senator LIEBERMAN. And am I right that you saw at the field a number of items that you had requested like lights, portable toilets, and ice that the city needed, but for some reason remained on the field?

Mayor NAGIN. I am testifying, right, so I'm going to make sure I do this without getting too excited. I was so flabbergasted—I mean we were in New Orleans, we were struggling. The city was touch and go as it relates to security. And when I flew out to Zeph-

yr Stadium, to the Saints facility, I got off the helicopter and just started walking around, and I was awestruck.

We had been requesting portable lights for the Superdome because people were standing at night and all over. To make a long story short, there were rows of portable lights.

We knew sanitary conditions were so poor we wanted Portolets. They had Portolets all around the Saints facility.

I stopped and talked to a gentleman who was a firefighter from California. I said, "Man, it's great for you to be here. You just got here, right?" He said, "No. We drove all night, 36 hours. We've been sitting around, waiting for the orders to go into the city to help."

Then we went into the facility because I hadn't eaten, and it was like the Ritz Carlton.

Senator LIEBERMAN. You mean at the field?

Mayor NAGIN. At the field. They had water. They had ice. They had everything you could—they even had doggone watermelons on the counters. And our people were down in the city eating MREs.

Senator LIEBERMAN. Was Mr. Brown there, Michael Brown?

Mayor NAGIN. Yes, Mr. Brown was with the Secretary.

Senator LIEBERMAN. Did you ask either Secretary Chertoff or Director Brown what was going on?

Mayor NAGIN. I was so upset that I didn't because they called me and said, "Drop everything, we need to see you." And when I got there, it seemed like it was more of a press event than anything else.

Senator LIEBERMAN. That is not just a sad story. It is an outrageous story, and it is one, I assure you, that we will ask Secretary Chertoff and Mr. Brown when they testify to explain to us. Thank you.

Mayor NAGIN. Thank you.

Chairman COLLINS. Senator Coleman.

Senator COLEMAN. Thank you, Madam Chairman. I will also join in efforts to make sure that we get full access to information, but I do want to say that—is this our 14th hearing?

Chairman COLLINS. Yes.

Senator COLEMAN. That any inference that the efforts of this Committee are inadequate to have oversight and figure out what is going on is simply beyond the pale, and I just want to, for the record, reject that. This is an extraordinary effort that you and the Ranking Member have been leading in a bipartisan way, and I am overwhelmed by what is being done and what will continue to be done. I just wanted to put that on the record.

Mr. Mayor, you are not known for understatement, but saying that FEMA underestimated the event, both in their response and afterwards, is an understatement, and I appreciate your—

Mayor NAGIN. Restraint.

Senator COLEMAN. Your restraint in that.

Mayor NAGIN. Not known for that. [Laughter.]

Senator COLEMAN. I share the outrage of my colleague from Connecticut, and we will pursue that.

Let me just ask you one question about the buses. We have talked a lot about that. It is clear, as you know, that not everyone was going to get out, and I have heard stories, anecdotes, parents

never left and grandparents never left, and we have been through this before. So you know that no matter what your plans are, they are not going to get out.

Mayor NAGIN. Right.

Senator COLEMAN. There was a story in the *Washington Post* that talked about buses that were left, hundreds of buses, school buses were left idle in flooded parking lots after Katrina because the bus drivers fled. Who was responsible for those folks and having them understand what their responsibility is and what you needed them to do?

Mayor NAGIN. That was the School Board. Those buses were the School Board buses, and they pretty much coordinated those efforts.

We have Regional Transit Authority, where we have city-owned buses that we staged in high ground and never flooded, and we were able to keep a small contingency of our bus drivers to get people from their homes to the shelters of last resort, and after that they evacuated also.

Senator COLEMAN. I raise it because another authority, School Board and something, and one of your concerns has clearly been about line of authority, and who is in charge above you. But I would suspect that on a city level, as you kind of look at this, and we look down the road, is the way that one can strengthen your power as Mayor over—even though you do not have control over the School Board, I presume in New Orleans, like in St. Paul, but that in times of crisis, is there something that has to be done to give you the very clear authority over all these entities so we do not have a situation where we have the Levee Board saying one thing and School Board saying another and city folks something else.

Mayor NAGIN. It is not necessarily after the event or when the event happens that there is a lack of authority, but to force the issue of MOUs and moving buses out prior to an event, that is where the authority is lacking. Once the event happens, we declare a state of emergency and we can commandeer, but by commandeering at that point in time, it is a little late.

Senator COLEMAN. When you are sitting there, it is Tuesday, all heck has broken loose, your city is being destroyed. You know you have citizens out there without the ability to get out. What are you thinking at that point in time and what are you doing then to say, hey, we are going to get these people out. What are the things that are right in the forefront of your consciousness at that time?

Mayor NAGIN. It was resource allocation. How many resources did I have to take care of this particular mission? What other resources I can gather. How can I coordinate communications when communication systems are pretty much down? Those sorts of things run through your mind.

Senator COLEMAN. You mentioned the satellite phones. Aren't they supposed to work regardless of whether you got—

Mayor NAGIN. They were supposed to work. I don't know what was going on. I have a whole box of them if you'd like one.

Senator COLEMAN. If they worked I would like one, but obviously they do not. That is all I have. Thank you, Mr. Mayor.

Mayor NAGIN. Thank you.

Senator COLEMAN. Thank you, Madam Chairman.

Chairman COLLINS. Thank you. Senator Levin.

Senator LEVIN. Thank you, Madam Chairman.

You indicated that the use of the Convention Center was unexpected and came out of necessity, and that somewhat mystifies me, given your own presentation to FEMA on Monday night and Tuesday, where you explicitly laid out the Convention Center backup as being a real possibility. And I want to read to you from Exhibit 7, which I gather you either read from or talked about Monday night, and then gave it to FEMA on Tuesday, as I understand it.

Mayor NAGIN. That is not the Convention Center.

Senator LEVIN. It is the Convention Center, and that is what I want to go through with you, on Exhibit 7.¹

Mayor NAGIN. OK.

Senator LEVIN. This is from your office on Monday, and it is an impressive document. I think the Chairman is correct, it does not make specific reference to buses, and you were asked about that.

Mayor NAGIN. Right.

Senator LEVIN. Take a look at your notice to FEMA.

Mayor NAGIN. Alternative needs.

Senator LEVIN. You put them on notice according to this, your document. You put them on notice Monday night and then handed them this document on Tuesday. "Access to the Convention Center to use it as the refuge of last resort in lieu of the Superdome," as an alternative need. You laid it out to them. "If this option is exercised, each of the above-listed needs would also be required for the Convention Center." And one of the above-listed needs was—if you look at the dot right above that request, it says from FEMA, but I assume it means to FEMA, for "assistance in providing food, water and toiletries for evacuees." So if this is accurate, you indeed did notify FEMA.

Mayor NAGIN. Yes. But if you notice the last sentence it says, "Drs. Stephens and Lupin are exploring the feasibility of this option." We were looking around saying, where could we possibly go? And we were not certain at that time that was an option. We were looking at it.

Senator LEVIN. You were looking at that option and notified FEMA that you were looking at that option.

Mayor NAGIN. Yes, sir.

Senator LEVIN. They were put on notice that you were looking at that option, and there were certain benefits to it. The advantages of using the Convention Center, you wrote here, "include no leaking roof and large open space that may help with claustrophobia of some evacuees." So you were looking at the option and they were aware of it. Is that a fair summary?

Mayor NAGIN. That's probably fair, sir.

Senator LEVIN. So when they suggest—it was suggested on Thursday that the first they even heard of people being at the Convention Center was Thursday, when in fact, it was all over television Wednesday night, it is incomprehensible, but it is also incomprehensible that they were not aware as early as Monday night

¹ Exhibit 7 appears in the Appendix on page 102.

and Tuesday that you were exploring the option of Convention Center use for evacuees. Is that fair?

Mayor NAGIN. That's correct, sir.

Senator LEVIN. Now, I would ask, Madam Chairman, that three excerpts from television programs on Wednesday night, August 31, be made part of the record at this time.¹

Chairman COLLINS. Without objection.

Senator LEVIN. The first one is CNN, where their observer on the scene said there was a National Guard presence, but in not all areas. "I was down at the Convention Center standing right across from 3,000 people who had gathered at this Convention Center. These people are hungry, they're tired, they've got nowhere to go, they've got no answers. They've got no communication whatsoever."

In addition, the MSNBC report that, "There are frightening stories tonight"—this is Wednesday night at 10—"at the Convention Center where everybody has been told, go down there, you can get some medical treatment, they'll be able to get you out of town. So we have seen people walking for miles, carrying their suitcases. Well, we've been told down there at that Convention Center it's absolute chaos." So that is the Wednesday night report.

And the third report is from Paula Zahn on CNN as well, where "there are literally thousands of people," she said, "lined up at this Convention Center, wandering aimlessly, I mean, mothers with their babies, little kids, walking through this putrid water, and there is this dead body that's just sitting there." And that Paula Zahn TV report was at 8 o'clock on Wednesday night as well.

One final question, and that is that apparently there was a National Guard unit at the Convention Center during that time. But for what reason I do not follow, it did not get involved in assisting people. I do not know if that is accurate or not, but is it accurate that there was a National Guard unit right at the Convention Center, separated apparently by a wall of some kind from where most of the people were. What do you know about that?

Mayor NAGIN. It is my understanding that—from talking to the police chief and some other law enforcement agents, that there were National Guards, not a big contingency, that were supporting police officers as well as State police. There was a decision that was made on site—I don't know exactly who it came from—that the National Guard would not actively engage and that they would primarily stay on the periphery of what was going on at the Convention Center.

Senator LEVIN. Do you know why that decision was made?

Mayor NAGIN. No, sir.

Senator LEVIN. Thank you. Thank you, Madam Chairman.

Chairman COLLINS. Thank you.

Mr. Mayor, I want to just follow up briefly on the Convention Center issue. There is no doubt in my mind that Federal officials should have known that the Convention Center was being used as a shelter by looking at television and seeing the reports that Senator Levin has just put in the record. But in fact, there is also no indication that you informed the Federal Government that you

¹The three excerpts from television programs on Wednesday night, August 31, 2005, submitted by Senator Levin appear in the Appendix on page 100.

were going to invoke the alternative that you put down in your request of August 29. There are no documents, and indeed, in our interviews with FEMA officials, there is considerable evidence that they confused the Convention Center and the Superdome and thought that they were one and the same.

We will follow up with FEMA about this issue, but just so you know, there is no evidence in the 800,000 pages of documents that there was a notification. Nor was there evidence of the request for food and water that this plan clearly contemplated would be triggered once the Convention Center was activated. And it still is troubling to me that people were sent to the Convention Center without the city or State ensuring that there were some initial supplies there, particularly since you contemplated that you might have to use the Convention Center. I know you told people to bring supplies, but I do not understand why the city did not ensure that there were some supplies there until you could get FEMA to activate the plan.

Mayor NAGIN. Madam Chairman, all I can tell you is that in the heat of the moment things were evolving, and they were evolving very quickly. And when we could provide documents, we provided them, such as the report that is in this exhibit. But once power started to fail, we had difficulties doing simple things such as we tried to do flyers for individuals in the Convention Center and the Superdome, but had no means of doing the copies. But we were talking to FEMA, the State, and the Federal Government on a day-to-day basis, hour-to-hour basis, trying to get them to understand.

Chairman COLLINS. Could you tell us who the person was that you notified at FEMA if it was not done in writing? Who was it that you talked to to say, "We are now opening the Convention Center and we are going to need help?"

Mayor NAGIN. I think you would have to ask Colonel Ebbert that, since he was in charge of coordinating those efforts.

Chairman COLLINS. Let me also go back to an exchange that you had with Senator Akaka. You referred to the testimony we heard earlier this week from one of the police captains who was very critical of the city's Office of Emergency Preparedness. I just want to make sure that you realize that this was not just one police officer. This was an official after-action report that was completed by the command staff of the New Orleans Police Department. It is not just one captain, and it is a devastating indictment of the Office of Emergency Preparedness. The summary section of this after-action report includes language that says, "total failure of OEP. Although identified as the point of command for the emergency, the OEP was out of communication with a large percentage of the department several times during the storm." One captain on the command staff wrote in his report that, "The OEP needs to be revamped." Another captain wrote, "Unified command was never established." A third captain wrote, "If their role is to have us prepared to handle a disaster such as this, they FAILED," and failed is in capital letters. "They lacked a plan, did not provide the necessary equipment, provided no direction or leadership."

This language is directly from the first responders that your city relies upon, and it is from three captains, who on their own initia-

tive launched the search and rescue operations to save the lives of New Orleans residents. I know you are grateful for their initiative.

In light of this indictment that is not just from one captain, it is the after-action report of the command staff of the department, what actions are you taking to strengthen OEP?

Mayor NAGIN. Well, we're doing our own critical analysis, Madam Chairman, as far as OEP, the communications networks. One of the things we're asking for is a 25-mile interoperability communication system, which we did not have prior to the event. So when all the communications networks went down, I can understand how some commanders would have felt as though they weren't being communicated to adequately so they had to take matters in their own hands.

We hope to resolve that issue going forward by putting the system, a redundant system that we have, in place. As a matter of fact, we have stood up the first free Wi-Fi system in an urban environment in the country's history, and that is the basis for us to have redundant communications going forward.

Chairman COLLINS. Do you think the criticisms in this report are fair?

Mayor NAGIN. I think that our police officers went through a lot during this storm, and they were looking for help in a crisis situation from a lot of different sources, and I think it's something that they believed at the time, but it was only a very limited view of what was going on. We had police officers in the OEP. They had police radios that didn't work as consistently as we would like, so therefore, communication was cut off.

Chairman COLLINS. Thank you. Senator Lieberman.

Senator LIEBERMAN. I do not have any further questions. Thanks, Mayor. Maybe I will just ask you this. I cannot resist. Having gone through everything we have gone through, all we have learned, understanding that the city is still devastated in a lot of ways, is the city ready for the hurricane season? Will it be ready in June?

Mayor NAGIN. Today we are not ready. If the Corps of Engineers does what they claim they will do, and it appears as though they will, a core of the city will be pretty well protected for the next hurricane season.

Senator LIEBERMAN. In other words, if they get the levees reconstructed back to Category 3 resistance, as we have come to understand that term, by June, that will give the protection.

Mayor NAGIN. Yes.

Senator LIEBERMAN. Has it been possible, in the midst of everything else going on in the city, to get ready in all of the ways—although, obviously, this is a much smaller city in population now, but transportation out, shelter, etc.—are you able to do that while rebuilding the city?

Mayor NAGIN. Yes. We're working on simultaneous fronts. The evacuation plan will be updated and communicated and able to be executed at a moment's notice come June, so we feel very comfortable with that.

But I don't want to leave an impression that we're totally out of the woods, Senator.

Senator LIEBERMAN. No. In terms of preparation?

Mayor NAGIN. In terms of preparation, we'll be there and we'll evacuate, and we won't have the same situation we had at the Superdome or the Convention Center.

But I must tell you, without coastal restoration, we still have major parts of the city that are still vulnerable, parts of New Orleans East, and the lower 9th Ward, which brings in St. Bernard and Plaquemines, so we still have lots of work to do.

Senator LIEBERMAN. I agree. Those of us who went again a couple of weeks ago when we saw you, I think we came away feeling that we have to do everything we can to get ready if another hurricane, God forbid, hits New Orleans, but the work of recovery, including the restoration of the marshes, is the work not of a single year, but of years.

Mayor NAGIN. Yes.

Senator LIEBERMAN. We intend to stick with you until it is done.

Mayor NAGIN. Thank you. Well, we need to get some housing. If we can get housing going, we can stand up the city. Along with the restoration of the levees, I think we can all be proud at the end of the day that we're doing something that we need to do.

Senator LIEBERMAN. Thanks, Mayor.

Chairman COLLINS. Senator Coleman.

Senator COLEMAN. Thank you, Madam Chairman.

Just on a narrow line of inquiry, we talk a lot about spreading democracy around the world. I was mayor on September 11. It was a primary day, and we had the race. When do you plan to have elections? How do you conduct elections when your people are all over the country? Is that something folks are working on?

Mayor NAGIN. It's something that's being worked on, but I will tell you this, Senator, I'm all for having elections, but I want to make sure that they're fair elections. And the fact that as Mayor of the City of New Orleans, I still do not have the FEMA list that will allow me to communicate with my citizens who are spread out over 44 different States, to at least let them know that they can come back, causes me to pause as far as whether we can have fair elections or not.

The Secretary of State and the Governor are working on this, but I have some grave questions about giving all of our citizens the opportunity and the right to exercise their vote, and it's scheduled for April 22. So it's right upon us, and we still have not communicated with those residents around the country.

Senator COLEMAN. I wish you the best in that effort, Mayor.

Mayor NAGIN. Thank you.

Senator COLEMAN. Thank you, Madam Chairman.

Chairman COLLINS. Thank you.

Mr. Mayor, I want to thank you very much for your testimony here today, and I also want to publicly thank you for your cooperation with our investigation. It is really important that we find out exactly what went wrong so that we can improve our capabilities at all levels of government to respond to future disasters, whether they are natural disasters like Katrina or man-made ones like terrorist attacks.

I want to echo the comments of my colleagues, both of whom visited your city with me recently, that I was stunned by how much work remains to be done. It is extraordinary to me that we have

appropriated \$85 billion, and yet parts of your city look precisely as they did when Senator Lieberman and I visited 2 weeks after Katrina had struck. This is going to require a long-term partnership among all levels of government and the private sector to rebuild New Orleans. I want to echo my colleagues that I, too, am committed to that. But we also need a long-term commitment by all levels of government to make sure that we have learned the lessons of Katrina and that regardless of what happened in the past, and how the response may have failed or the planning was inadequate, we have to learn those lessons and go forward to make sure that the response in the future is much better.

If we rebuild New Orleans bigger, better, or at least better than ever before, we need to make sure that it is no longer as vulnerable as it was. That is why this investigation must continue, and then all of us will work to implement the recommendations and reforms that result.

Again, I thank you for being here today.

Mayor NAGIN. I thank you, Madam Chairman. I thank all the Committee Members. I thank you for frank questions. The City of New Orleans has been an open book since this event. We have cooperated fully. When our computer system crashed, we went and recovered data that we normally couldn't get access to. We are committed to making sure that this never happens again for New Orleans, nor for any other city in America. I would encourage you to continue to probe. Make sure that all levels of government answer the tough questions. Don't let them squirm out, I don't care who it is. We need to get to the bottom of this, and this must never, ever happen again in this Nation's history.

Chairman COLLINS. Thank you.

We are now going to call forward our second panel, which consists of individuals with key roles in executing the evacuation of the Greater New Orleans area following Katrina.

The first witness is Brigadier General Mark Graham, the Deputy Commanding General of the Fifth U.S. Army. General Graham has over 30 years of active duty military service. In response to Hurricane Katrina, General Graham was the Deputy Commanding Officer of Task Force Katrina.

Vince Pearce serves as the National Response Program Manager at the U.S. Department of Transportation. He is responsible for the Department's preparedness activities under the National Response Plan and its coordination with FEMA for all related planning and training activities.

Dwight Brashear is the Chief Executive Officer and General Manager of the Baton Rouge Capital Area Transit System.

General Graham, we are going to begin with you. Thank you.

**TESTIMONY OF BRIGADIER GENERAL MARK A. GRAHAM,¹
DEPUTY COMMANDING GENERAL, FIFTH U.S. ARMY**

General GRAHAM. Madam Chairman, Members of the Committee, I am honored to appear before you today to discuss my participa-

¹The prepared statement of General Graham with attachments appears in the Appendix on page 58.

tion in the evacuation efforts in New Orleans in the aftermath of Hurricane Katrina.

I am Brigadier General Mark A. Graham, Deputy Commanding General of Fifth U.S. Army/Army North, stationed at Fort Sam Houston, Texas. I was serving in this position on Wednesday, August 31, 2005, when we deployed an Operational Command Post (OCP) consisting of 24 soldiers and Department of the Army civilians from Fort Sam Houston, Texas, to Baton Rouge, Louisiana.

On Tuesday, August 30, Lieutenant General Robert T. Clark, the Commanding General of Fifth U.S. Army, spoke with Lieutenant General Russel J. Honoré, Commander of Joint Task Force Katrina (JTF-Katrina), and proposed to send an Operational Command Post to Louisiana. Lieutenant General Honoré agreed to our deployment. The OCP was sent as part of JTF-Katrina to augment Colonel Anthony F. Daskevich, the Defense Coordinating Officer for Louisiana, and his Defense Coordinating Element in Baton Rouge to provide planning support to FEMA and to enhance the communications and coordination capability for JTF-Katrina.

I arrived at the State Emergency Operations Center in Baton Rouge at approximately 5 p.m., Wednesday, August 31. I immediately reported to Lieutenant General Honoré. With the concurrence of Louisiana Governor Kathleen B. Blanco and Major General Bennett C. Landreneau, the Adjutant General of the State of Louisiana, Lieutenant General Honoré changed our mission and directed me to evacuate the City of New Orleans and the greater New Orleans area in order to save lives and relieve human suffering.

We immediately began our planning and worked through the night with Federal, State, and local agencies to develop an evacuation plan with the Superdome being the main effort. Our plan considered the use of multiple modes of transportation, ground, air, rail, and water. However, execution of our plan was based on available resources.

We coordinated with FEMA, who had already begun efforts to obtain commercial and school buses. We used these buses as they became available. Commercial buses were used to transport displaced persons out of State to shelters identified and coordinated by FEMA. School buses were used only to transport people to the airport for evacuation by air. We synchronized our efforts and began evacuation of the Superdome upon the arrival of buses mid-morning on Thursday, September 1. This evacuation was coordinated with the National Guard personnel at the Superdome. The National Guard soldiers escorted the evacuees from the Superdome, across a pedestrian bridge, through the Hyatt Regency Hotel lobby where ARNORTH liaison personnel then efficiently had them load buses located on the connecting city street where they were then transported to shelters.

We initially used the Texas Highway Patrol and later the Louisiana State Police to escort buses for security purposes and route orientation. We established command and control liaison team nodes at the Superdome and mile marker 209, an easily identifiable road intersection which included a truck stop on Interstate Highway 10, which was approximately 20 miles from the Superdome. Mile marker 209 was the best point where we could assem-

ble such a large number of buses and quickly dispatch them to the Superdome and other areas in the city.

We also deployed liaison team command and control nodes to the New Orleans Airport and to the I-10 Causeway. All of our command and control nodes were used to coordinate and synchronize our 24-hour evacuation operations. We provided our own communications using iridium satellite phones and intermittent Blackberry coverage. During the evening of Thursday, September 1, the OCP was augmented with an additional 28 soldiers and Department of the Army civilians from Fifth U.S. Army. This allowed us to better maintain 24-hour operations. Utilizing this network, by the end of the day on September 1, we had evacuated approximately 15,000 displaced persons out of the City of New Orleans.

Air evacuation operations began at the New Orleans Airport on Friday, September 2. However, the majority of persons that the Department evacuated left by bus. Additionally, we used one Amtrak train to move under 100 persons from the Superdome to Baton Rouge and a river ferry to move people to Algiers Point where they were boarded on buses. Also on September 2, Lieutenant General Honoré coordinated with the Louisiana National Guard to secure the Convention Center and to provide basic sustainment items.

Approximately 1,000 individuals were evacuated from the Convention Center on September 2. Overall on September 2, we evacuated approximately 32,000 additional displaced persons for a total of 47,000 from the Superdome, the I-10 Causeway, Algiers Point, and the Convention Center.

By Saturday, September 3, we completed the evacuation efforts at the Superdome. We had shifted the main effort to the Convention Center. Within 7 hours, the Convention Center evacuation was complete. By the end of the day, Saturday, September 3, we had evacuated approximately 18,000 additional displaced persons for a total of over 65,000 persons.

On Sunday, September 4, we closed our command and control nodes at the Superdome and Convention Center. With fewer than 1,500 additional displaced persons evacuated on this day, we considered the main evacuation of the City of New Orleans and the greater New Orleans area complete. At this point, we had successfully coordinated the efforts and provided command and control for the evacuation of New Orleans.

Although Hurricane Katrina was a tragedy, I am extremely proud of the professionalism and selfless service of each military and civilian member of our Fifth Army/Army North Team. Their superb efforts to coordinate with local, State, and Federal agencies were instrumental in our ability to evacuate over 65,000 displaced persons in a 72-hour period. Their dedication and devotion were critical to what I consider an enormous undertaking to alleviate the difficult circumstances and suffering of fellow Americans. We were simply Americans helping Americans.

Thank you again for allowing me to testify before this Committee. I am now prepared to answer any questions.

Chairman COLLINS. Thank you, General. Mr. Pearce.

TESTIMONY OF VINCENT PEARCE,¹ NATIONAL RESPONSE PROGRAM MANAGER, U.S. DEPARTMENT OF TRANSPORTATION

Mr. PEARCE. Madam Chairman, Members of the Committee, I am Vincent Pearce, National Response Program Manager at the U.S. Department of Transportation, responsible for DOT's activities under the National Response Plan, which consists primarily of Emergency Support Function 1 (ESF-1), Transportation.

I deployed to the Federal Emergency Management Agency, FEMA, National Response Coordination Center (NRCC) on August 30, 2005, to lead the Department's efforts, having spent the prior 3 days in the DOT Crisis Management Center as part of DOT's crisis management team. I worked from the NRCC continuously through Hurricanes Katrina and Rita.

Before Katrina struck, the team of DOT and contractor personnel was leaning forward in the saddle. On August 27, the Evacuation Liaison Team began coordinating frequent calls between DOT, FEMA, the National Hurricane Center, and State officials to discuss the pre-Katrina evacuation on the highways.

On August 28, 2005, DOT staff at the NRCC called DOT's Emergency Transportation Center to advise them to plan for the possibility of needing 500 buses to assist in a post-landfall evacuation. The Center notified DOT's transportation services contractor, Landstar Express America, which began immediately exploring possible sources for vehicles and drivers.

At 12:30 a.m. on August 31, we received verbal notification from FEMA that they would be tasking us to provide 455 buses (a figure that eventually grew to a peak of 1,105 several days later) for the evacuation of the Superdome; authorization to proceed arrived at 1:45 a.m. At 5:25 p.m. that same day, FEMA tasked the Department of Defense to provide, "command and control for all evacuation in the New Orleans area and lower LA affected parishes." As each bus that Landstar secured arrived in the designated staging areas, control was transferred from DOT to DOD.

By 1 p.m. on August 31, DOT had a professional fleet management contractor onsite at the first staging area designated by the Louisiana State Patrol and the Louisiana National Guard. Roughly 20 buses were already onsite. By midnight, some 200 buses had arrived and were ready for operation, having already outgrown the first two staging areas and moved to a third. Over 200 additional buses were already contracted and en route. By September 5, 2005, DOT had contracted for over 1,100 vehicles.

DOT is participating in a review across the Federal Government to determine how to do better. While this Committee and others undertake the important work of identifying problems and fixes, I hope you also have time to recognize what went right. The drivers, dispatchers, and other employees of Landstar are among the unsung heroes of Katrina. Following Katrina, the DOT Inspector General conducted a review of internal controls over the Landstar contract and reported that, "The circumstances surrounding the disaster were both dire and extraordinary, and FAA Southern Region

¹The prepared statement of Mr. Pearce appears in the Appendix on page 89.

management and our contractor provided an unprecedented level of response to the crisis as it unfolded.”

In a chaotic environment, they brought thousands of buses and trucks when and where they were asked to. They have earned the thanks and appreciation of the Department of Transportation, and we hope yours as well.

Thank you. I stand by to answer questions.

Chairman COLLINS. Thank you. Mr. Brashear.

TESTIMONY OF DWIGHT DAVID BRASHEAR,¹ CHIEF EXECUTIVE OFFICER, CAPITAL AREA TRANSIT SYSTEM, BATON ROUGE, LOUISIANA

Mr. BRASHEAR. Thank you, Madam Chairman, Senator Lieberman, and Members of the Committee. Thank you for allowing me to testify before you here today.

The words of Ralph Waldo Emerson come to mind when he said: “The wise man in a storm prays to God, not for safety from danger, but for deliverance from fear.”

Once again, I am honored that you have requested me here today to discuss disaster preparedness and emergency response to Hurricane Katrina. I hope to show you today that mass transit played a valuable role during Hurricane Katrina, and it continues to aid in the devastation and aftermath of this cataclysm.

First, I bring greetings to you from Baton Rouge’s Mayor-President Melvin Kip Holden and Louisiana Governor Kathleen Blanco. They were both pivotal in my ability and my organization’s ability to maximize efforts in providing essential emergency services. I would also like to take this opportunity to recognize the contributions of FEMA, the Federal Transit Administration, the U.S. DOT, and the Louisiana Department of Transportation and Development, and also I would like to thank the American Public Transit Association for their presence here today and their support in my testimony.

I would also like to recognize all the agencies that worked so tirelessly for many weeks to assist in the needs of displaced citizens and the delivery of goods and services, and these include the offices of the Mayor-President, the city-parish employees, the Governor’s staff, the State Department of Transportation, the MPO, the State Police, local fire and local police, and many public and private agencies and organizations. Last, I would like to express the gratitude of all the people along the Gulf Coast for the help that this great Nation has given, from you, the elected officials, to many people and organizations from every State in this Nation.

I am a witness to the resolve and resourcefulness and commitment of people extending a hand and opening their hearts to millions of hurting displaced families, many of whom have lost everything. I say to you today that we must continue to meet the short-term emergency needs, and we must commit ourselves to the long-term rebuilding and resettlement needs of our fellow sisters and brothers.

You have asked me here today to discuss resources that were put into developing pre-Katrina evacuation plans and into post-storm

¹The prepared statement of Mr. Brashear appears in the Appendix on page 92.

evacuation of New Orleans. I will present my comments as they relate to pre- and post-Katrina defining periods for the Gulf Coast area. Transit in Baton Rouge pre-Katrina had my agency's eyes set on a major public involvement process to put a referendum before the voters in East Baton Rouge Parish to expand our service and to develop a very good mass transit system, which included bus rapid transit and light rail.

We had a fair amount of traffic congestion prior to Katrina and associated infrastructure issues. Baton Rouge was a capital city with a population of about 400,000 with an estimated urban area of about 600,000, and it was a city excited about the future and potential growth.

As you know, Hurricane Katrina hit the Gulf Coast on August 29, 2005, and I can only describe it as an event of shock and awe. A critical crisis situation happened in Baton Rouge almost overnight. Within 24 hours, approximately 400,000 of the 1.3 million population of New Orleans were moved into the Baton Rouge area. The road infrastructure was over capacitated. A 20-minute peak period commute went to almost 2 hours. And my transit system, the small transit system of Baton Rouge, was overwhelmed. Buses simply had to pass people up along transit routes due to passenger loads. Food, water, gas, utilities, and medical became critical supplies. A logistics nightmare ensued for moving anything. Support and coordination efforts of Federal, State, and local entities were pushed and stressed beyond endurance limits.

Capital Area Transit System (CATS) did not facilitate in the evacuation of New Orleans. That is to say that my agency did not participate in the evacuation of New Orleans, as we were engaged in implementing emergency transit services in the greater Baton Rouge area. The elderly and disabled and those with special needs were moved from homes to shelters. I worked with the CATS property and the parish Office of Emergency Preparedness. I actually had to drive through the hurricane from my home to the parish OEP, swerving past flying debris. I understand that when you are part of the first responder team, the simple fact is that you will have to take some risk. But you plan for these, and you minimize your exposure.

The Capital Area Transit System is prepared and part of the local government's first responder team. Transit system professionals know the transportation road network, command excellent service deployment ability, and they have good communication systems. In Baton Rouge, we participated in the OEP disaster incident table top exercises and management practices on an ongoing basis. Many transit professionals possess the tools to respond to chemical, biological, flood, fire, and terrorist disaster incidents. Tools for dealing with the disasters need to be developed, upgraded, and practiced constantly. Common operating platforms, logistics management plans, use of professionals, resource inventory and availability, clear chains of command, and practice are what I believe to be critical components of meeting the challenge of disaster management. Through practice, team members learn to trust each other, focus on an incident with changing dynamics, and optimize the use of available resources.

I was called by the Governor's Office on the evening of August 31 to assist the State in the post-Katrina evacuation of New Orleans. On September 1, 2005, I reported for duty at the State OEP facility, and quickly I realized what General George Patton must have been thinking when he said: "In 40 hours I shall be in battle, with little information, and on the spur of the moment I will have to make the most momentous decisions. But I believe that one's spirit enlarges with responsibility and that, with God's help, I shall make them and make them right."

Although I had no direct involvement in developing pre-Katrina evacuation plans, I assisted in the coordination and evacuation from the Superdome, Convention Center, I-10, and other areas. School buses, transit buses, and inter-city coaches from around the country came to assist in our needs. Some may say it should have been done better, and I believe that "woulda," "shoulda," and "coulda" become the operative words. As we have more time to reflect and assess how the emergency operation was implemented, these decisions will result in new protocols, new processes and programs, and this is good because real change requires real change, and that is exactly what we are after.

My agency and the New Orleans Regional Transit Authority, FEMA, the FTA and local MPO, State Transportation Department, and local governments worked 14-hour days from September 8 through September 19 to develop an emergency Baton Rouge-New Orleans project proposal. FEMA and FTA responded with a \$47 million contract on October 1, 2005, and we believe this is probably the largest such contract in the history of this country for a mass transit property.

Today, my agency and the New Orleans Regional Transit Authority (NORTA) work side-by-side in our city, providing emergency transit services to displaced hurricane victims and also providing a transportation option to gridlock and traffic congestion.

NORTA is operating emergency fixed-route local and ADA paratransit service in Baton Rouge, and we hope to shortly begin park and ride, and we hope this will alleviate some of the traffic congestion along the Baton Rouge highways. The FEMA/FTA project has allowed NORTA to begin calling back some of its 1,350 displaced employees. NORTA has also begun start-up service in New Orleans. This is a transit success story because of the partners in this persevered and championed the mission. It required real change in State and local policies and procedures, real change in coordination and internal operations of my agency and the New Orleans Regional Transit Authority. It has required help from sister agencies across this country for equipment. It has required the replacement of fear with endless possibilities and boundless opportunities.

When I think back to August 29, it must have been a day much like what caused Longfellow to write: "Be still sad heart and cease repining, for behind the dark clouds the sun is still shining. Thy fate is a common fate of all, into each life some rain must fall." And we have to have dark and dreary days in order for us to appreciate the brighter days.

And I'm here to say that Baton Rouge and New Orleans are standing on the sunlit path of progress and rebuilding.

Once again, Madam Chairman, I thank you for allowing me to tell you that mass transit is working. It worked in the evacuation, and I hope and pray that God will continue to bless this Nation and to bless this government. Thank you.

Chairman COLLINS. Thank you.

Senator Lieberman, I understand that you have a scheduling constraint, so why don't you proceed with your questions.

Senator LIEBERMAN. Madam Chairman, thank you very much for your courtesy. I thank the witnesses for their testimony.

Just very briefly, Mr. Pearce, I want to ask you a couple of questions. You are the National Response Manager for the Department of Transportation of the Federal Government. Under the National Response Plan, Federal DOT, logically enough, has the lead for ESF-1 transportation components of response. I was struck in your testimony that you reported that the first time FEMA asked the U.S. Department of Transportation to obtain buses was at 1:45 a.m. on Wednesday, which would have been August 31, which is 2 days after landfall. I was impressed, on the other hand, if I heard you correctly, that you were in the Department, presumably based on the weather forecasting that everybody had heard, not to mention earlier warnings—I know DOT participated in Hurricane Pam, but you had begun to mobilize. And my question is two-fold really. One, why do you think it took so long for FEMA to ask you for help, and two, did anyone at DOT do anything before receiving that official request on Wednesday to provide transportation assistance to New Orleans?

Mr. PEARCE. Senator, it would probably not be appropriate for me to speculate as to FEMA's internal discussions or operations, so I'll defer to your asking them that question.

Senator LIEBERMAN. How about DOT?

Mr. PEARCE. What we did based on the concern by the gentleman I had leading the ESF-1 at the NRCC on August 28, was we contacted our contractor—

Senator LIEBERMAN. That is Saturday, 2 days—no, that is Sunday, the day before landfall, right?

Mr. PEARCE. Yes, sir. And they began contacting a variety of sources for motor coaches. They began with their primary bus subcontractor. They identified some other major carriers, including the Nation's largest. They identified four of the major motor coach associations as possible sources, and they began touching base with these basically to make them aware that there may be a need in the Gulf area and to start considering how they would be able to provide resources.

Senator LIEBERMAN. How quickly could they have gotten buses into the Gulf, into New Orleans, for instance?

Mr. PEARCE. One of the reports was 12 hours from one of the providers. Of course, one of the things that our contractor did very intelligently was they also looked geographically, so they focused on Gulf region providers who obviously would be able to get there sooner.

Senator LIEBERMAN. Sure. If asked by FEMA, or I suppose anybody at the Department of Homeland Security, therefore, in a timely way, could the Department of Transportation have provided buses prior to the hurricane making landfall?

Mr. PEARCE. Yes, sir, we could have. We had already been mobilized and were moving large quantities of disaster relief supplies into the staging areas. We had mobilized on September 27 into the State Emergency Operations Center, into the Regional Response Coordination Center, and the NRCC. The buses would have been simply another transportation asset that we would have acquired, deployed to wherever we were asked to, and then stood by for further direction.

Senator LIEBERMAN. Let me ask you this last question. You said—and I believe it is true—under the National Response Plan, DOT can engage in prestaging transportation resources, including those to be used for evacuation prior to a disaster, but only at the request of the Department of Homeland Security, FEMA, or pursuant to a Federal support request. We have heard from other DOT personnel that they believe they have no authority to procure assets without authorization from FEMA. I wonder, after Pam, but certainly after Katrina, whether that is the kind of issue that should be worked out in advance and not when the storm is upon some area of America?

Mr. PEARCE. Senator, I would say that, among many other questions, is going to be part of the study we are doing, directed by the Senate, of assessing Gulf State evacuation plans, working jointly with the Department of Homeland Security, and conversely, working with them on the congressionally directed study of emergency management and operation plans of all of the States and the 75 metropolitan areas.

Senator LIEBERMAN. Thanks, Mr. Pearce.

Madam Chairman, thanks again for your courtesy.

Chairman COLLINS. Thank you. Senator Warner, would you like to speak now?

OPENING STATEMENT OF SENATOR WARNER

Senator WARNER. Yes. Thank you, Madam Chairman.

I have been around here for a long time. I always enjoy quotations, and I think you, Mr. Brashear, picked two very fitting quotations to highlight your important testimony.

Mr. BRASHEAR. Thank you, sir.

Senator WARNER. I happen to remember a good deal about the first one because I am a little older than the rest of you and been around a little longer, but the second one, I am going to make sure I get a copy of that. Would you be kind enough? Is it in this written comment that we have before us?

Mr. BRASHEAR. No, sir. I have it written in my journal here.

Senator WARNER. Maybe you can scribble it out for me.

Mr. BRASHEAR. Yes, sir.

Senator WARNER. Thank you. Thank you again for this hearing, as well as the other hearings. It is terribly important that we provide for the Senate a record of what has taken place and will be taking place regarding Katrina.

Now, General, first I want to say that testimony before this Committee and other committees of the Congress clearly reflect extraordinary commendation on all members of the Armed Forces of the United States, be they the regular Army or the Guard and Reserve, in their respective and somewhat diverse missions on behalf of giv-

ing support to others to help alleviate the suffering and to bring order to this area. I accompanied the distinguished Chairman down on one of the early visits, and we saw General Honoré still in action down there. I had a nice private visit with him, and I am greatly impressed with him as a professional officer and his dedication, how he put so much of his strength and wisdom into his mission.

And as I understand, you served under him briefly for a while down there; is that correct?

General GRAHAM. Yes, sir, that's correct.

Senator WARNER. My first question is with reference to the doctrine of posse comitatus. I have suggested to the Secretary of Defense that they study that doctrine, given the lessons learned in this tragic situation, to determine if some modifications to the law should be made. We can all hope a natural disaster such as this will never happen again to the United States, but I think we know better and have to prepare for it. We never envisioned this one. As you know, in that doctrine, the regular forces cannot participate in law enforcement activities, whereas the Guard and Reserve can.

Did you observe any problems as a consequence of the active forces not being able to assist the Guard and Reserve or local law enforcement in such instances where law and order had to be brought about?

General GRAHAM. No, sir, I did not.

Senator WARNER. Did you see that it was any handicap whatsoever that here are two soldiers working together, one a Guardsman, one a Regular, both in similar uniforms, and the local residents and others cannot tell the difference between the two, particularly in an extreme situation, and if law enforcement were required, the Regular would simply have to take two paces step back and let the Guardsman handle it, but you did not see any instances of that nature?

General GRAHAM. No, sir, I did not.

Senator WARNER. But you were aware of the law and therefore you counseled your forces on what they could and could not do?

General GRAHAM. Yes, sir, I did.

Senator WARNER. Well, we are still trying to study that issue. I just want to bring it up.

I did a little research on the important missions that you have down there. You have described it in your testimony, but I would like to look to the future and see if I have this correct now. With reference to homeland defense, the Department of Defense initially split responsibility between the First and Fifth Army geographically, with the Fifth Army responsible for all west of the Mississippi and the First Army responsible for all east. However, the mission changed from one of a geographic responsibility to one designed to support specific functions for each division nationwide. In other words, each division now had a nationwide responsibility with specific components. For example, the Fifth Army was to prepare for homeland defense support, that is, matters dealing with terrorism and traditional homeland security needs, while the First Army would align itself with Guard training and, as a result, the more FEMA type of disaster response. Is that basically correct?

General GRAHAM. No, sir, it is not. Fifth U.S. Army standing up to become Army North, the Army service component to Northern Command.

Senator WARNER. Yes.

General GRAHAM. In that role, sir, we will have the missions of homeland defense and defense support of civil authorities. The First Army's mission will be training readiness and mobilization for our reserve components.

Senator WARNER. I would like to, Madam Chairman, ask unanimous consent that this officer can place in the record the change to command responsibilities for the active forces in the event that, I presume, NORTHCOM would give the orders to activate it, would that be correct?

General GRAHAM. Yes, sir. And you are talking future, sir.

Senator WARNER. Yes, future, that is correct.

General GRAHAM. Yes, sir.

Senator WARNER. We are looking at the future as part of our study here in this Committee.

General GRAHAM. Yes, sir.

Senator WARNER. Were you personally participating in the construct of this new, should we say, general order for the NORTHCOM and the two armies?

General GRAHAM. No, sir, I was not. I arrived in August 2005, sir. That process began sometime earlier in 2005.

Senator WARNER. I see. Did they try and modify it or change it, given the experiences, the Katrina problems?

General GRAHAM. Yes, sir. Our initial operating capability was effective September 15 during the hurricane event, and as we reported back to our headquarters different information, the main command post staff back in headquarters was making changes to the documentation and using lessons learned, as we speak, and the current organization is now different from what the original organization had intended to be based on this experience, sir.

Senator WARNER. All right. Would you place into the record the orders as now standing for the utilization of our active forces and such other material as might be pertinent in our study of this situation?¹

General GRAHAM. Yes, sir.

Senator WARNER. I thank you very much. I thank the Chairman.

Chairman COLLINS. Thank you.

General Graham, perhaps the most troubling testimony that we have heard in 14 hearings on this issue is the testimony earlier this week that nursing home patients were not evacuated prior to the landfall, and that nursing homes ran out of fuel for generators, ran out of essential supplies, and that patients actually needlessly died because they were not evacuated. Did either the city or the State seek any assistance from the military, to your knowledge, to assist in evacuating nursing homes?

General GRAHAM. Ma'am, not that I'm aware of.

Chairman COLLINS. Would that have been a mission that you would have been able to undertake had you been asked to do so?

¹The documents submitted by General Graham appear in the Appendix on page 63.

General GRAHAM. Ma'am, certainly if the mission had come to us, we would have done an analysis to see if we could do the mission. But, yes, ma'am, if it would have come to us, we certainly would have done that work.

Chairman COLLINS. Mr. Pearce, was the Department of Transportation asked to provide any assets, to your knowledge, to assist in the evacuation of nursing homes?

Mr. PEARCE. When we received our first task to provide buses, that task also included a requirement to provide 300 ambulances, but that requirement was canceled a matter of hours later, and we were told by FEMA that it had been duplicated and, in fact, was transferred or being executed by the General Services Administration.

Chairman COLLINS. Mr. Brashear, did your agency play any role in trying to evacuate the nursing homes?

Mr. BRASHEAR. No, ma'am, we did not.

Chairman COLLINS. General Graham, the Governor of Louisiana, in her narrative response to the Committee, has implied that the evacuation of the Superdome took National Guard forces away from life-saving search and rescue operations. As the lead Federal officer in charge of evacuating New Orleans, in your judgment, did the evacuation of the Superdome shift National Guard resources away from ongoing search and rescue efforts?

General GRAHAM. No, ma'am, not that I'm aware of at all.

Chairman COLLINS. From each of your perspectives, is there any particular lesson that you learned from Hurricane Katrina that is going to change your operations in the future or are those reviews still under way? General Graham.

General GRAHAM. Ma'am, under our new organization, we will have defense coordinating officers and their staffs located within the 10 FEMA regions, and we think enhancing their ability for full-time coordination will allow them to be better prepared in the future because we will have firsthand knowledge of all the local residents at the time.

Chairman COLLINS. I think that is an excellent recommendation and improvement.

Mr. Pearce.

Mr. PEARCE. I think we share with every entity that was involved in the response the intense frustration of trying to work at a local, regional, and national level absent the communications necessary to achieve really effective coordination between our personnel at all of those levels. We are very much engaged in efforts to figure out how to solve this problem, and in fact, how it becomes a component of establishing within ESF-1 and more broadly what is referred to as the common operational picture, so that in fact we have a clear understanding and ability to interact regarding what's going on here in Washington, what's going on at the regional level, and what's going on down at the incident level itself.

Chairman COLLINS. Thank you. Mr. Brashear.

Mr. BRASHEAR. Yes, ma'am. For our efforts, we continue to rediscover and reassess our role as a mass transit provider in the Gulf Coast, State of Louisiana, what we need to do better, how we can get more involved. And I think one of the things that transit professionals—and I spoke in Long Beach just a couple days ago—is

that we need to insist that these types of things be handled by transit professionals. We each have our respective disciplines. Mine just happens to be mass transit and moving large numbers of people, hopefully, efficiently, and I think working with the American Public Transportation Association, we are looking at how we can, in a coordinated effort, use other like transit properties that may not be affected by a disaster like this, bring those resources to bear.

We have cities like Houston and Dallas and other cities that could have, their transit systems could have provided resources to us very quickly. And so we are working through the industry through this country to make sure that we are ready as an industry to respond to these types of things in the future.

Chairman COLLINS. Thank you.

I want to thank each of you for your cooperation with the Committee's investigation and your testimony here today. There may well be some additional questions for the record following up on Senator Warner's questions, for example. The hearing record will remain open for 15 days. Thank you for being here.

This hearing is now adjourned.

[Whereupon, at 12:54 p.m., the Committee was adjourned.]

A P P E N D I X

Senate Committee on
Homeland Security & Governmental Affairs
February 1, 2006

Testimony

C. Ray Nagin
Mayor
City of New Orleans

I'm Mayor C. Ray Nagin, Mayor of one of America's most unique Cities, New Orleans; a city that has tragically suffered vast devastation following the worst natural and man-made disaster to the United States of America. In August and September of 2005, the City of New Orleans was a victim to Hurricanes Katrina and Rita which not only forced hundreds of thousands of our citizens away from their homes, but that took the lives of 1300 people in the region, and stole the trust in the safety of our city.

To Senator Collins as Chair, Senator Lieberman as Ranking Member, and to all members of The Senate Committee on Homeland Security and Governmental Affairs, thank you for the opportunity to be here today to speak directly to you on how we managed the crisis and evacuation of New Orleans. I also thank those of you who took the time to come with the Committee leaders to New Orleans to see first hand the devastation we suffered and the determination of our citizens to rebuild their lives and our city. I encourage each of you who have not yet been to New Orleans to come see for yourself.

I would like to take this moment to again thank the American people and our friends from around the world for the compassion, support and generosity shown to our city and our residents over the last several months. The outpouring from private citizens, governments, and corporations all over the world has been remarkable.

I begin my testimony by painting a picture of New Orleans before Katrina. Our city government was transparent and fiscally sound. We had more than \$3 billion in construction activity, real estate was on fire and Donald Trump had just announced the latest Trump Tower would grace our skyline.

We had a starring role as "Hollywood South" with hundreds of millions of dollars in films being made in the area. Tourism was better than ever, with a record 10.1 million visitors coming to our city and thousands of people cruising out of New Orleans.

Equally as important, about 38,000 people moved from the poverty rolls, many into new jobs created in 2004 and 2005. New Orleans and its port continued to supply raw goods and our nation's energy supply.

But one day, on August 29th, everything changed for our city. Please allow me this time to walk you through the preparation and evacuation process along with events that followed the landfall of a very dangerous storm - a storm that will go down in history for many years to come.

The Friday before landfall, August 26, 2005, Hurricane Katrina crossed Florida into the Gulf of Mexico. Although the path was still projected to hit the Florida panhandle, I notified the citizens that we needed to watch this storm closely.

I then activated essential staff, and asked that each department head begin to prepare their staff for a possible evacuation, with some to stay to provide necessary services during and after the storm if it came our way. I also worked with regional and state officials to enact our emergency plans and contraflow to prepare what would turn out to be the most successful pre-event evacuation in our country's history.

On Saturday, August 27, models started to converge, showing the path of the category 3 storm had changed and placing New Orleans in the middle of the projected cone.

I called for a voluntary evacuation urging all citizens that were able to evacuate the city to leave, following the contraflow plan created by the State of Louisiana and implemented on a parish by parish basis. I reminded citizens of how important it was to prepare for the worst. Many New Orleans residents boarded up their homes, packed up, and got on the road to safety.

Our region had one of the most successful mass evacuations in the history of the United States. 90% of our residents evacuated. Over a million people left the region within 24 hours. We were successful in saving thousands of lives.

On Saturday evening, the Governor called to tell me that she had just spoken to Max Mayfield with the National Weather Center and that I should call him. He told me that in his over 30 years experience in tracking hurricanes, he had never seen a storm or conditions like this. I immediately called my staff and visited every television station in the city to alert the citizens and to reinforce the need for evacuation.

To provide a safety net to seniors and other citizens who relied on public transportation, I took another very important step by encouraging our faith based community to reinforce evacuations through buddy systems within their communities.

On Saturday night, the National Weather Service reported that Katrina was now a category 5 hurricane and was approximately 250 miles away from New Orleans with 190 mile per hour sustained winds. Katrina had increased its size within hours and had a predicted storm surge of 15 to 20 feet high.

After a Sunday morning statewide conference call, I elevated my prior calls for voluntary evacuation to the first ever citywide Mandatory Evacuation order. We evacuated as many special needs residents as we safely could to a state shelter and then opened the Louisiana Superdome for the remaining special needs population. Later that day, we opened the Superdome as the refuge of last resort for all citizens who had not or could not evacuate the city and used busses pre-staged throughout the city to transport people to the Superdome. I set a curfew for dusk which is when we expected gale force winds to begin.

There were thousands of residents that did not leave, including those with means, who chose instead to ride out the storm like their parents had done during Hurricane Betsy. When reality set in for many of them on Sunday, they made their way to the refuge of last resort.

On Monday, August 29, 2005, Katrina, the most powerful category 4 hurricane to hit the region, made landfall. We began to receive reports of levees breaking. Waters rose as high as 18 feet with 80% of the city receiving some level of flooding. Thousands of people were stranded on their rooftops, or in attics, needing to be rescued. Hundreds died in the waters that engulfed our city. The fact that thousands did not die was a blessing because all scientific predictions estimated that 10,000 would die. Primary and secondary power sources, sewerage and drainage systems and communication and power lines were incapacitated.

Later that evening, we provided FEMA with a priority list identifying commodity and equipment needs and a strategy for the initial phases for rescue, recovery, and rebuild. Marty Bahamonde, the FEMA senior representative, told me "This is one of the best plans I have ever seen presented by a city after a disaster".

In other parts of the city, our first responders were jumping into the water to rescue people as 911 operators were consumed with traumatic calls for rescue. They received thousands upon thousands of frantic and desperate calls.

As the days passed, the growing number of people on our streets needing shelter required us to open the Ernest N. Morial Convention Center as a secondary refuge. The 350 busses promised by FEMA on Monday still had not come.

The strain on our limited resources intensified as people desperate for necessities and others taking advantage of the unstable situation caused a security problem.

Fires were breaking out in the city and firefighters had very little means to contain them. The lack of utilities and communications crippled our city.

We faced a serious set of new challenges daily. We faced them head-on ready to do whatever it would take to save our city.

I directed our team to focus on the following priorities:

1. Search and rescue of people trapped and stranded
2. Evacuation of the Superdome, Convention Center and bridges
3. Patching the levee breaks
4. Draining the floodwaters
5. Recovery of the dead

Every day, requests were sent to the State and Federal authorities for emergency assistance needed to save lives and restore order. We requested search and rescue assistance, busses for evacuation, assistance in patching the levees, food, water, medical supplies, police and fire equipment and pumps to drain water.

I don't know if I can convey the desperation, but I was looking at my city with thousands of people who were on the street, on our bridges, in the water, in the Superdome and at the Convention Center...people from the lower-lying parts of the region being dropped into our city. We were in most desperate need for assistance.

On Wednesday, the situation in the Superdome was tenuous at best and no food or water had arrived at the Convention Center. Rescue efforts by air were only beginning to get underway. Because communication channels were down and inconsistent, we found creative ways to communicate via text messaging to a Communications staff person in Houston. We were trying to get a message to anyone we thought that could get the busses we needed to evacuate people.

Little help had arrived as the day turned to night and you could feel the heaviness of the aftermath. Imagine the nights -- pitch black, no power, intense heat and people crying for help. It was a horrible situation and Wednesday night was touch and go for the city.

On Thursday, conditions continued to deteriorate. I received word from the National Guard and New Orleans police that the suffering in the Superdome and Convention Center was becoming inhumane, there was increasing pressure to leave the buildings and incidents of violence were escalating. As the day passed, I sent out more urgent pleas for help.

Finally, on Friday afternoon we began to see passengers loading into busses. Late Friday night, I watched the last bus leave the Convention Center. Saturday, the final bus left the Superdome. Many people had been there for 7 full days.

I should point out that at the Superdome, the New Orleans Police Department and the National Guard held security intact. That guard unit and those officers were heroes. People could not leave the Dome as it was surrounded by water and there were no busses. The rations were stretched. There was no power and sanitation. Good people suffered needlessly.

In the end, it was a horrible lesson but one that I am hopeful we will learn from. By far, most of the people showed tremendous compassion for their fellow man and heroism existed in the waters, at the Superdome, at the Convention Center, on the bridges and on the streets.

Since the storm, we have been a financially crippled municipality struggling to bring our city back. Hurricane Katrina, like 9-11 and other disasters before, has taught us that improvements in planning for disasters must be made at all levels of government. Our plans for the future include enhanced evacuation routes, staging necessary resources outside of the city and not

being as dependent on the rescue efforts of other levels of government. This storm has challenged us and we are responding.

Consideration must also be given to the financial resources that should be available for jurisdictions that experience this type of major disaster. I urge this committee to take a close look at the Stafford Act. Our first responders and essential personnel worked around the clock responding to the emergency, yet under the Stafford Act, assistance is provided for only "the overtime" component of that work. Then I was forced to radically cut our budget and lay off 50% of our workforce when our constituents need the services these hardworking public servants provide more than ever; this is another effect of the inadequacy of the Stafford Act which only allows for a loan for up to 25% of lost revenue, regardless of the severity of the need. The Stafford Act should be amended to address these problems.

As I conclude, I need to recognize our emergency response team, led by Col. Terry Ebbert, my Director of Homeland Security, who appeared before you earlier this week. Their work has gone largely unnoticed. Despite tremendous personal loss, police officers, fire fighters, National Guard and EMS workers experienced horrific tragedy and stayed true to their tasks. They are our heroes.

I want to thank you again for allowing me to be here with you today and for your work to ensure that we as a nation are better prepared to respond to future disasters like Hurricane Katrina. My hope is that our collective work to rebuild New Orleans and its region will provide a model of how a nation restores one of its jewels.

Thank you.

RECORD VERSION

STATEMENT BY

BRIGADIER GENERAL MARK A. GRAHAM
DEPUTY COMMANDING GENERAL
FIFTH U.S. ARMY

BEFORE THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

ON HURRICANE KATRINA: MANAGING THE CRISIS AND
EVACUATING NEW ORLEANS

SECOND SESSION, 109TH CONGRESS

FEBRUARY 1, 2006

NOT FOR PUBLICATION
UNTIL RELEASED BY THE
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS

Madam Chairman and Members of the Committee: I am honored to appear before you today to discuss my participation in the evacuation efforts of the City of New Orleans in the aftermath of Hurricane Katrina.

I am Brigadier General Mark A. Graham, Deputy Commanding General of Fifth United State Army/Army North, stationed at Fort Sam Houston, Texas. I was serving in this position on Wednesday, 31 August 2005, when we deployed an Operational Command Post (OCP) consisting of 24 Soldiers and Department of the Army civilians from Fort Sam Houston, Texas, to Baton Rouge, Louisiana. On Tuesday, 30 August, Lieutenant General (LTG) Robert T. Clark, the Commanding General of Fifth United States Army, spoke with LTG Russel J. Honore, Commander of Joint Task Force (JTF)-Katrina, and proposed to send an Operational Command Post to Louisiana. LTG Honore agreed to our deployment. The OCP was sent as part of JTF-Katrina to augment Colonel Anthony F. Daskevich, the Defense Coordinating Officer (DCO) for Louisiana and his Defense Coordinating Element (DCE) in Baton Rouge, to provide planning support to FEMA and to enhance the communications and coordination capability for JTF-Katrina.

I arrived at the State Emergency Operations Center in Baton Rouge at approximately 5:00 PM, Wednesday, 31 August. I immediately reported to LTG Honore. With the concurrence of Louisiana Governor Kathleen B. Blanco and Major General Bennett C. Landreneau, The Adjutant General of the State of Louisiana, LTG Honore changed our

mission and directed me to evacuate the City of New Orleans and the greater New Orleans area in order to save lives and relieve human suffering.

We immediately began our planning and worked through the night with federal, state, and local agencies to develop an evacuation plan with the Superdome being the main effort. Our plan considered the use of multiple modes of transportation – ground, air, rail, and water. However, execution of our plan was based on available resources.

We coordinated with FEMA, who had already begun efforts to obtain commercial and school buses. We used these buses as they became available. Commercial buses were used to transport displaced persons out-of-state to shelters identified and coordinated by FEMA. School buses were used only to transport people to the airport for evacuation by air. We synchronized our efforts and began evacuation of the Superdome upon the arrival of buses mid-morning on Thursday, 1 September. This evacuation was coordinated with the National Guard personnel at the Superdome. The National Guard Soldiers escorted the evacuees from the Superdome, across a pedestrian bridge, through the Hyatt Regency hotel lobby where our liaison personnel then efficiently had them load buses located on the connecting city street where they were then transported to shelters.

We initially used the Texas Highway Patrol and later the Louisiana State Police to escort buses for security purposes and route orientation. We established command and control liaison (LNO) team (C2) nodes at the Superdome and Mile Marker 209 (MM 209) an easily identifiable road intersection which included a truck stop on Interstate Highway

10, which was approximately twenty miles from the Superdome. MM 209 was the best point where we could assemble such a large number of buses and quickly dispatch them to the Superdome and other areas of the city.

We also deployed liaison (LNO) team C2 nodes to the New Orleans Airport and the I-10 Causeway. All of our C2 nodes were used to coordinate and synchronize our 24-hour evacuation operations. We provided our own communications using iridium satellite phones and intermittent Blackberry coverage. During the evening of Thursday, 1 September, the OCP was augmented with an additional 28 Soldiers and Department of the Army civilians from Fifth US Army. This allowed us to better maintain 24-hour operations. Utilizing this network by the end of the day on 1 September, we had evacuated approximately 15,000 displaced persons out of the City of New Orleans.

Air evacuation operations began at the New Orleans Airport on Friday, 2 September. However, the majority of persons that the Department evacuated left by bus. Additionally, we used one AMTRAK train to move under 100 persons from the Superdome to Baton Rouge and a river ferry to move people to Algiers Point where they boarded buses. Also on 2 September, LTG Honore coordinated with the Louisiana National Guard to secure the Convention Center and to provide basic sustainment items. Approximately 1000 individuals were evacuated from the Convention Center on 2 September. Overall on 2 September, we evacuated approximately 32,000 additional displaced persons for a total of 47,000 from the Superdome, the I-10 Causeway, Algiers Point, and the Convention Center.

By Saturday, 3 September, we completed the evacuation efforts at the Superdome. We had shifted the main effort to the Convention Center. Within seven hours, the Convention Center evacuation was complete. By the end of the day, Saturday, 3 September, we had evacuated approximately 18,000 additional displaced persons for a total of over 65,000 persons.

On Sunday, 4 September, we closed our command and control nodes at the Superdome and Convention Center. With fewer than 1500 additional displaced persons evacuated on this day, we considered the main evacuation of the City of New Orleans and the greater New Orleans area complete. At this point, we had successfully coordinated the efforts and provided command and control for the evacuation of New Orleans.

Although Hurricane Katrina was a tragedy, I am extremely proud of the professionalism and selfless service of each military and civilian member of our Fifth Army/ARNORTH team. Their superb efforts to coordinate with local, state, and federal agencies were instrumental in our ability to evacuate over 65,000 displaced persons in a 72-hour period. Their dedication and devotion was critical to what I consider an enormous undertaking to alleviate the difficult circumstances and suffering of fellow Americans. We were simply "Americans helping Americans".

Thank you, again, for allowing me to testify before this committee. I am now prepared to answer your questions.

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EXECUTIVE SUMMARY

Hearing: The Senate Homeland Security & Governmental Affairs Committee (HS&GA) (SEN Collins (R-ME, Chair) and SEN Lieberman (D-CT, Ranking Member) held its fourteenth hearing concerning Hurricane Katrina disaster relief prevention, recovery, and relief efforts on 1 Feb 06. The hearing, entitled, "Hurricane Katrina: Managing the Crisis and Evacuating New Orleans," consisted of four witnesses, one of whom was BG Mark A. Graham, Deputy Commanding General, Fifth U.S. Army.

Purpose: To provide information to the Senate HS&GA Committee on Hurricane Katrina disaster prevention, recovery, and relief efforts, and specifically DoD's involvement in the evacuation of New Orleans and the greater New Orleans area.

DTG/Location: 1000-1300, 1 Feb 06; Senate HS&GA Committee Hearing Room 342, Dirksen Senate Office Building.

DOD Witness: BG Mark A. Graham, Deputy Commanding General, Fifth U.S. Army.

Other Participants:

Honorable C. Ray Nagin, Mayor, City of New Orleans

Mr. Vince Pearce, Manager, National Response Program, Department of Transportation

Mr. Dwight Brashear, CEO and General Manager, Capital Area Transit System, Baton Rouge, LA

OCLL Escort Officer: LTC Stuart W. Risch, Legislative Counsel.

Summary:

The first panel to testify consisted of Mayor Nagin, who testified for just over two hours. BG Graham and the remaining two witnesses comprised the second panel, testifying over the final 50 minutes. After providing his oral statement, BG Graham responded to a handful of questions from the Committee, concerning the Posse Comitatus Act, the change in the missions of both First and Fifth Army, the evacuation of special needs patients, and lessons learned. BG Graham served on LTG Honore's staff as part of JTF Katrina, overseeing DOD's recovery and relief operations in New Orleans and the greater New Orleans area. His testimony provided a good news story about the extraordinary planning and execution he and his staff conducted in support of FEMA and other federal, state, and local agencies (over 65,000 people evacuated from the city in less than 72 hours). The Committee appeared genuinely pleased with his testimony, which drew praise from SEN Collins for DoD/Army's planning concerning the change in missions for both First Army and Fifth Army, and the increased coordination with FEMA.

Due Outs:

SEN Warner (R-VA) requested that the "General Order" (or similar document) directing a change in mission between First and Fifth Army be provided to the Committee and appended to the record. OCLL has obtained a copy of the requested documents (FORSCOM EXORDs) and will coordinate with the appropriate offices and provide to OSD-LA/McHale-Mauldin Task Force on Hurricane Katrina for review and forwarding to the Committee.

LTC Stuart W. Risch/SALL-IL/703-697-8218/2 Feb 06

MMTF 00246-06

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Copy ____ of ____ copies
Headquarters, US Army Forces Command
Fort McPherson, Georgia
17 October 2005

US Army Forces Command (FORSCOM) Modularity Execution Order (EXORD)
Establishment of Fifth Army/US Army Forces North (ARNORTH) as the Army Service
Component Command (ASCC) to United States Northern Command (USNORTHCOM)

References:

- a. Headquarters, Department of the Army (HQDA), Army Regulation (AR) 600-13, Army Policy for the Assignment of Female Soldiers, dated 27 March 1992.
- b. HQDA, AR 5-10, Stationing, dated 1 March 2001.
- c. HQDA, AR 735-5, Policies and Procedures for Property Accountability, dated 10 June 2002.
- d. HQDA, General Orders Number 3, Assignment of Functions and Responsibilities within Headquarters, Department of the Army, dated 9 July 2002.
- e. HQDA, AR 220-1, Unit Status Reporting, dated 10 June 2003.
- f. HQDA, Army Campaign Plan (ACP), dated 12 April 2004.
- g. HQDA, ACP, Change 1, dated 27 October 2004.
- h. HQDA, ACP, Change 2, dated 30 September 2005 (ACP Change 2 supersedes ACP (reference f) and ACP Change 1 (reference g)).
- i. HQDA LTR 220-03-1, Army Policies and Procedures for Establishing Multiple Component Modification of Tables of Organization and Equipment (MTOE) and Augmentation Tables of Distribution (AUGTDAs) Units, dated 27 July 2003.
- j. Joint Publication (JP) 1-02, Department of Defense Dictionary of Military and Associated Terms, dated 12 April 2001 (as amended through 9 May 2005).
- k. Headquarters Department of the Army (HQDA), Field Manual (FM) 1-02, Operational Terms and Graphics, dated 21 September 2004.
- l. FORSCOM Regulation 350-4, Active Component (AC) and Reserve Component (RC) Partnerships, dated 24 March 2003.

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m. United States Northern Command (USNORTHCOM) Order 0508-16, ARNORTH Sentinel, dated 302200Z Aug 05.

n. HQDA Planning Order (PLANORD) for United States Army North (USARNORTH) Unit of Employment (UEy) Fiscal Year 2005 (FY05) Activation, dated 13 September 2005.

o. HQDA G-3/5/7(ODF, SS, FMS) message, Subject: Inclusion of an Army Service Component Command (ASCC) Force Protection (FP) Capability in US Army North (USARNORTH), not dated (released on/about 4 September 2005).

Time Zone Used Throughout the Order: ZULU.

Task Organization: Annex A.

1. SITUATION.

a. General. This Execution Order (EXORD) provides direction for detailed planning, preparation, and execution of tasks necessary for establishment of Fifth Army/US Army Forces North (ARNORTH) as the Army Service Component Command (ASCC) to United States Northern Command (USNORTHCOM). This order is effective for execution upon receipt.

b. Enemy Forces. N/A.

c. Friendly Forces: On 16 September 2005, FORSCOM activated the Fifth Army/ARNORTH at Fort Sam Houston, TX with a Table of Distribution and Allowances (TDA) structure as the initial phase in the establishment of Fifth Army/ARNORTH. The TDA structure, when fully resourced, allows Fifth Army/ARNORTH to provide essential support to USNORTHCOM to include development of plans, policies, and procedures; training and certification of Defense Control Officers/Elements (DCO/E); basic Military Support to Civilian Authorities (MSCA); and Training and Readiness Oversight (TRO) of Civil Support Teams (CST).

d. Higher Headquarters' Intent: To fulfill the Army's strategic comments while simultaneously transforming to a modular, capabilities-based configuration and, as part of the decisive operation, to plan, prepare, and execute the activation of Fifth Army/ARNORTH at Fort Sam Houston, TX.

2. MISSION. Not later than (NLT) 16 October 2006, FORSCOM transitions Fifth Army/ARNORTH to a Modified Table of Organization and Equipment (MTOE) structure so as to achieve Full Operational Capability (FOC).

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FOR OFFICIAL USE ONLY**3. EXECUTION.**

a. Commander's Intent. Plan, prepare, and provide FOC by Fifth Army/ARNORTH to USNORTHCOM NLT 16 October 2006.

b. Concept of Operations.

(1) On 16 September 2005 FORSCOM initially activated Fifth Army/ARNORTH as the ASCC to USNORTHCOM with a TDA structure IAW the approved TDA design (Annex A). With full resourcing of the TDA structure, Fifth Army/ARNORTH is able to provide essential support to USNORTHCOM and to achieve Initial Operational Capability (IOC). NLT 16 October 2006, Fifth Army/ARNORTH transitions to the approved MTOE design (Annex A) providing FOC to USNORTHCOM.

(2) Fifth Army, as FORSCOM's Executive Agent for the establishment of Fifth Army/ARNORTH as the ASCC to USNORTHCOM, develops a phased Transfer of Authority (TOA) Plan for the transfer to Fifth Army/ARNORTH of all Homeland Defense and Civil Support (HLD/CS) functions and positions in Headquarters (HQ) FORSCOM and the Continental United States Armies (CONUSA). Included are the responsibilities for a Joint Forces Land Component Command (JFLCC)/Main Command Post (CP) and two Operational Command Posts (OCP 1 and OCP 2), DCO/Es, FORSCOM and CONUSA MSCA, CSTs, and TRO of the WMD-CSTs, excluding Title XI CSTG positions. Transfer of CST functions also includes TRO of the uncertified WMD-CSTs.

(3) Transfer of responsibilities will correspond with the resourcing of Fifth Army/ARNORTH structure. During this transition, USNORTHCOM assigns HLD/CS missions directly to FORSCOM. FORSCOM then assigns missions to Fifth Army/ARNORTH in line with its capabilities. At a point to be determined, FORSCOM transfers to Fifth Army/ARNORTH responsibility for HLD/CS missions.

(4) FORSCOM provides direction and exercises oversight of the planning and execution of the TOA Plan. Fifth Army/ARNORTH and FORSCOM participate in Headquarters, Department of the Army (HQDA) work groups to identify funding, manning, and equipment requirements to accomplish the DCO/E functions.

(5) IAW DA G3 decisions from the Force Feasibility Review #4 3-Star General Officer Steering Committee (GOSC), the final structure of Fifth Army/ARNORTH MTOE and Augmentation TDA includes a base portion of 362 total personnel plus additive sections for the DCO/E (60 personnel) and the Civil Support Readiness Directorate (CSRD) (68 personnel). Structure of the base design is a new Army bill. FORSCOM will not be required to identify specific bill payers for the base HQ.

(a) In conjunction to the establishment of Fifth Army/ARNORTH, ICW FORSCOM, HQDA transfers ten USAR Regional Planners positions from the CONUSA HQs and ten civilian positions (four from First Army and six from Fifth Army) from

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selected Training Support Brigade (TSB) HQs to Fifth Army/ARNORTH to assist in the establishment of stand-alone DCO/Es. ICW FORSCOM, HQDA also transfers 46 selected positions (one military and 22 civilian from each CONUSA's Civil Support Training Group (CSTG)) to Fifth Army/ARNORTH. Title XI military positions in the CSTG will not transfer.

(b) The Director, Army National Guard (DARNG) transfers two Army Guard and Reserve (AGR) ARNG Weapons of Mass Destruction (WMD)-CST positions currently in the CONUSAs to Fifth Army/ARNORTH.

(c) Chief, United States Army Reserve (USAR) transfers ten Lieutenant Colonel (LTC) positions currently in the CONUSAs to Fifth Army/ARNORTH.

(6) Fifth Army, ICW FORSCOM, plans for and identifies organizational and manpower requirements to establish a Force Protection and Antiterrorism (FP/AT) capability within Fifth Army/ARNORTH. FORSCOM then coordinates with the Army Staff through FORSCOM for changes to the Fifth Army/ARNORTH base MTOE.

c. Tasks to supporting organizations.

(1) Army Deputy Chief of Staff, G-3/5/7. Determine number of DCO/Es to be manned by the other Services. Coordinate with the Services for manning these DCO/Es.

(2) Director, Army National Guard.

(a) Provide support as directed in the ACP, Change 2 and the HQDA PLANORD (ref n).

(b) Nominate candidates for both Fifth Army/ARNORTH Deputy Commanding General (DCG) positions.

(c) Nominate candidates for senior-level (O6) Special and Coordinating Staff positions.

(d) On order, transfer the two AGR WMD-CST positions in the CONUSAs to Fifth Army/ARNORTH. Continue to provide full time manning of these positions upon their transfer.

(e) Fill ARNG AGR positions within the Fifth Army/ARNORTH TDA and MTOE.

(f) Assist Fifth CONUSA in development of the Fifth Army/ARNORTH TOA Plan.

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(3) Chief, US Army Reserve.

- (a) Provide support as directed in the ACP, Change 2 and the HQDA PLANORD (ref n).
- (b) Nominate candidates for both Fifth Army/ARNORTH DCG positions.
- (c) On order, transfer the ten LTC AGR Regional Planner positions in the CONUSA headquarters to Fifth Army/ARNORTH to become the Deputy DCO position in each FEMA Region. Continue to provide full time manning of these positions.
- (d) Nominate candidates for senior-level (O6) Special and Coordinating Staff positions.
- (e) Fill USAR AGR positions within the Fifth Army/ARNORTH TDA and MTOE.
- (f) Assist Fifth CONUSA in development of the Fifth Army/ARNORTH TOA Plan.

(4) Human Resources Command (HRC).

- (a) Provide support as directed in the ACP, Change 2 and the HQDA PLANORD (ref n).
- (b) Fill critical TDA and MTOE military positions in Fifth Army/ARNORTH, as identified by Fifth Army ICW FORSCOM, so Fifth Army/ARNORTH can achieve IOC and FOC on its MTOE Effective Date (E-Date) of 16 October 2006.

d. Tasks to Subordinate Commands.

(1) First Army.

- (a) Assist Fifth Army in the development of the TOA Plan.
- (b) On order, transfer DCO/E missions/functions and CST training functions to Fifth Army/ARNORTH, to include TRO of the uncertified WMD-CSTs. Retain TRO of dual-missioned USAR Chemical Companies.
- (c) On order, transfer control of the one military and 22 civilian WMD-CST positions being transferred to the Fifth Army/ARNORTH TDA. Retain Title XI military positions and personnel in the CONUSA CSTG.

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(d) On order, transfer control of the four civilian positions (MSCA planners) from selected TSB HQs being transferred to the Fifth Army/ARNORTH TDA.

(e) ICW with Fifth Army/ARNORTH, continue to provide funding (pay and non-pay) for positions and functions transferred to Fifth Army/ARNORTH per (b) and (c) above.

(f) Maintain DCO/E and Task Force Consequence Management (TF-CM) capability until relieved.

(2) Fifth Army.

(a) As the FORSCOM Executive Agent for the establishment of Fifth Army/ARNORTH, ICW First CONUSA, develop a comprehensive (personnel, equipment, training, and funding) TOA Plan detailing the transfer of DCO/E and CST TRO functions and the HLD/CS mission to Fifth Army/ARNORTH.

1. Include in the plan decision points for the transfer of functions to Fifth Army/ARNORTH. Identify essential positions, military and civilian, vital for Fifth Army/ARNORTH to achieve IOC and FOC.

2. Plan for Fifth Army/ARNORTH to assume the responsibility for training the first five DCO/Es aligned to FEMA Regions NLT 31 December 2005 and the remaining five DCO/Es NLT 31 July 2006. Plan for Fifth Army/ARNORTH to certify the first five DCO/Es NLT 28 February 2006 and the remaining five DCO/Es NLT 30 September 2006.

3. Plan for Fifth Army/ARNORTH to have the capability to provide the Army portion, including the commander, of a USNORTHCOM Joint Land Force Component Command (JLFCC)/Main Command Post NLT 1 March 2006. Plan for Fifth Army/ARNORTH to have the capability of establishing Operational Command Post 1 (OCP 1) NLT 1 June 2006 and OCP 2 NLT 1 October 2006.

4. IAW Reference o and ICW FORSCOM and the Army Staff, plan for and identify organizational and manpower requirements to establish a FP/AT capability within Fifth Army/ARNORTH. Incorporate the transfer of this function from HQDA G-33 (DAMO-ODF) in the TOA Plan.

5. Submit the TOA Plan to FORSCOM (G-3/5/7 FM) NLT 18 November 2005 for review and command approval.

(b) ICW FORSCOM Staff, develop and submit Fifth Army/ARNORTH funding requirements for Fiscal Year 2006 (FY06), FY07, and Program Objective Memorandum (POM) for FY08 and beyond.

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(c) On order, transfer DCO/E missions/functions and CST training functions to Fifth Army/ARNORTH, to include TRO of the uncertified WMD-CSTs. Retain TRO of dual-missioned USAR Chemical Companies.

(d) On order, transfer control of the one military and 22 civilian CSTG positions being transferred to Fifth Army/ARNORTH.

(e) On order, transfer control of the six civilian positions (MSCA planners) from selected TSB HQs being transferred to Fifth Army/ARNORTH.

(f) ICW with Fifth Army/ARNORTH, continue to provide funding (pay and non-pay) for positions and functions transferred to Fifth Army/ARNORTH per (d) and (e) above.

(g) Maintain DCO/E and TF-CM capability until relieved.

(h) On order, participate in HQDA resourcing analysis and other associated events such as Force Feasibility Reviews (FFR) and Documentation Assistance and Review Teams (DART) to facilitate stand up of Fifth Army/ARNORTH.

e. Tasks to FORSCOM Staff.

(1) FORSCOM G-1.

(a) In coordination with (ICW) Army G-1, Fifth Army, and HRC, assist in identifying and providing military and civilian personnel to fill essential positions within Fifth Army/ARNORTH so Fifth Army/ARNORTH can be FOC by 18 October 2006.

(b) Assist Fifth CONUSA in the development of the personnel section of the Fifth Army/ARNORTH TOA Plan.

(c) Control transfer of military personnel between CONUSAs and Fifth Army/ARNORTH per guidance from FORSCOM DCG.

(d) Provide FORSCOM Provost Martial FP/AT subject matter experts to Working Groups to assist in the development of the FP/AT capability within Fifth Army/ARNORTH.

(e) Ensure all Office of Personnel Management (OPM) and Army regulatory guidance is followed regarding disposition of civilian personnel whose current jobs in the CONUSAs are affected by this EXORD.

(2) FORSCOM G-2. Be prepared to assist as tasked.

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(a) Lead to ensure successful transition of Fifth Army/ARNORTH from a TDA organization to a MTOE organization (G-3/5/7 FM ICW G-3/5/7 HS and G-8).

(b) Lead to coordinate the planning by Fifth Army for the establishment of a FP/AT capability within Fifth Army/ARNORTH (G-3/5/7 FM).

(c) Lead to coordinate, review, and oversee the TOA Plan (G-3/5/7 FM ICW G-3/5/7 HS).

(d) Register unit identification codes (UICs) in the Army Status of Resources and Training System (ASORTS) database for Fifth Army/ARNORTH and its assigned units (G-3/5/7 RD).

(e) Prepare and issue Unit Permanent Orders for all MTOE activations, inactivations, conversions, and transfers (G-3/5/7 FD).

(f) ICW Army G-3, submit AR 10-5 stationing requirements packets associated with activations/inactivations/conversions/transfers (G-3/5/7 FM).

(g) ICW Fifth Army, identify FORSCOM Staff authorizations for transfer to Fifth Army/ARNORTH (G-3/5/7 HS ICW G-3/5/7 FM).

(h) Assist FORSCOM G-8 to identify funds associated with the transfer of CSTs and MSCA positions to Fifth Army/ARNORTH (G-3/5/7 PO).

(4) FORSCOM G-4. Be prepared to assist as tasked.

(5) FORSCOM G-6. Be prepared to assist as tasked.

(6) FORSCOM G-8.

(a) ICW Fifth Army, FORSCOM G-3/5/7(HS, FM, PO), and Army G-3/5/7 (FM), prepare the necessary Schedule 8 to transfer associated funding and manpower for MSCA, DCO/E, and CST functions transferring to Fifth Army/ARNORTH.

(b) Submit validated Fifth Army/ARNORTH funding requirements to HQDA for approval and resourcing.

(7) FORSCOM Staff Judge Advocate. Review the TOA Plan for legal and propriety.

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(1) This order is effective for execution upon receipt.

(2) Approved reorganization TDA and MTOE are the authorization documents for organization of Fifth Army/ARNORTH. Both the TDA and the MTOE are available at <https://webtaads.belvoir.army.mil/usafmsa/>.

(3) Funding for civilian positions in the Fifth Army/ARNORTH base design, for FY06 and beyond, will be developed by HQ FORSCOM ICW Fifth Army/ARNORTH and submitted to HQDA for approval. Authorizations for civilian positions in the base Augmentation TDA to the base MTOE design will be documented upon HQDA approval.

(4) Army G-3/5/7 (FM) will transfer identified MSCA and CSTG positions from the CONUSA TDAs to the Fifth Army/ARNORTH TDA. Documentation does not imply transfer of function nor contain the authority to direct Permanent Change of Station (PCS) of personnel assigned to the transferring positions. Transfer of authority for mission functions will be as specified in the TOA Plan. Movement of military personnel will be by PCS orders from HRC; movement of civilian personnel will be IAW with established OPM procedures and the availability of funding.

(5) Implement facility utilization plans; minimize the need for additional facilities.

(6) Fifth Army/ARNORTH's E-Date as a TDA organization was 16 September 2005.

(7) Fifth Army/ARNORTH's E-Date as an MTOE unit (with Augmentation TDA) is 16 October 2006.

(8) Decisions to declare attainment of IOC and FOC are to be condition-based as specified in the below definitions.

(a) IOC is the attainment of an operational capability for providing essential support to USNORTHCOM. Essential personnel, military and civilian, are assigned and present and are prepared to fulfill their assigned responsibilities for Civil Support, Homeland Defense, and Theater Security Cooperation operations and has assumed TRO of CSTs. With augmentation, prepared to function as a Main CP.

(b) FOC is defined as fully manned, equipped, and trained; possesses full capability required for Civil Support, Homeland Defense, and Theater Security Cooperation; is fully deployable for those operations in the NORTHCOM Area of Responsibility (AOR); prepared to provide the Army portion of a JFLCC, two OCPs; and exercises TRO of WMD-CSTs, and DCO/Es for 10 FEMA Regions.

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(9) FORSCOM will not establish Modular Coordination Cells (MCC) to support conversion or activation of ASCC headquarters.

(10) Direct coordination with HQDA is not permitted on matters pertaining to structure and funding without approval of HQ FORSCOM (G-3/5/7 FM and G-8). Routine matters of manning and equipping may be directed to external agencies (DARNG; Chief, USAR; HRC; and First Army) that provide support.

4. SERVICE SUPPORT. Omitted.

5. COMMAND AND SIGNAL.

a. Command.

(1) FORSCOM is the Supported Command for the establishment of Fifth Army/ARNORTH. Supporting Organizations are the Army Staff; DARNG; Chief, USAR; and HRC.

(2) Fifth Army/ARNORTH is a Major Subordinate Unit (MSU) of FORSCOM and functions as such until transfer of authority is approved by HQDA. Fifth Army/ARNORTH will transfer from FORSCOM and assigned as a Direct Reporting Unit (DRU) to HQDA, separate MACOM, or other like status upon achieving FOC. The actual determination, change in status, and resourcing plan will be formalized in conjunction with Army Campaign Plan Decision Point 58 (MACOM Organization).

(3) Fifth Army/ARNORTH exercises TRO of certified and uncertified WMD-CSTs. FORSCOM retains TRO through the CONUSAs of the dual-missioned USAR Chemical Companies. To accomplish this responsibility, CONUSAs retain Title XI CSTG military structure not transferred to Fifth Army/ARNORTH.

(4) Fifth Army is FORSCOM's Executive Agent for developing the Fifth Army/ARNORTH TOA Plan.

b. Signal. Omitted.

MCNEILL, GEN
COMMANDING

OFFICIAL:

MILLER, MG
G-3/5/7

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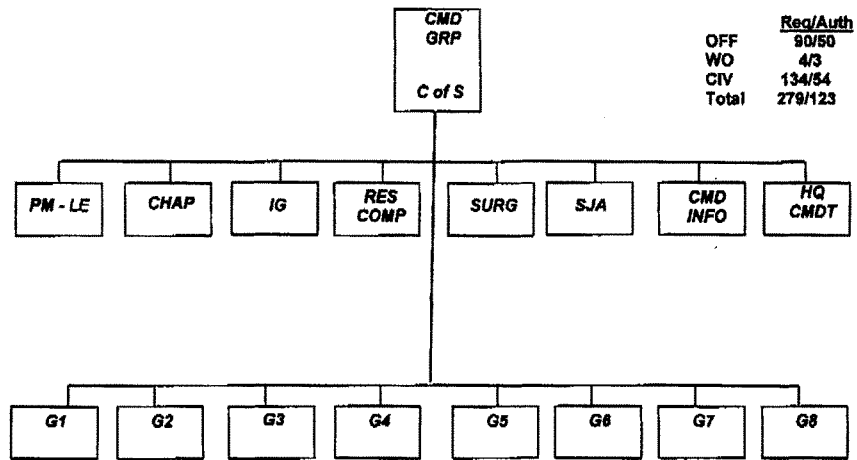
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Annex A –Task Organization

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Annex A (Task Organization) to FORSCOM EXORD Establishment of Fifth Army/ARNORTH as the ASCC to USNORTHCOM, dated 17 October 2005

Fifth Army/ARNORTH TDA Design



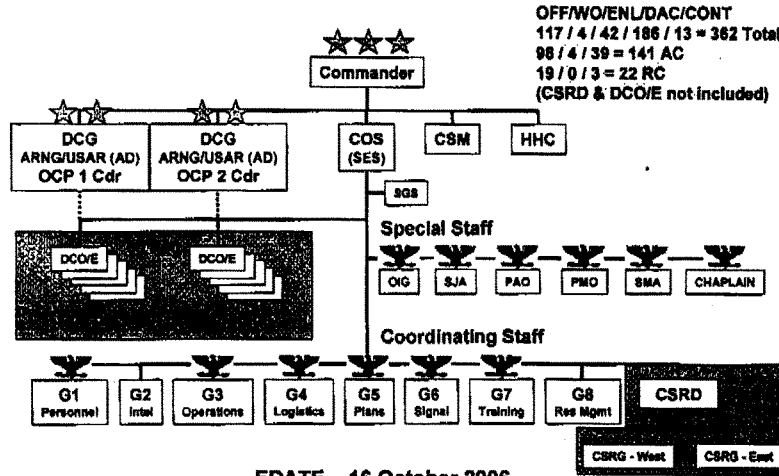
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Fifth Army/ARNORTH MTOE Design



ARNORTH MTOE



EDATE – 16 October 2006

(FOUO)

ARNORTH

Notes:

1. Fifth Army Headquarters as a CONUSA is reorganized as a modified ASCC Headquarters (SRC 51600G).
2. Final structure determination for the CSR has not been finalized as of the date of this order. Total strength will be between 46-76 personnel as determined by further analysis by HQDA G3, FIFTH ARMY/ARNORTH, and FORSCOM G3.
3. Strength of the base MTOE design does not include spaces for the FP/AT function. HQDA G3, DA OPMG, FIFTH ARMY/ARNORTH, USNORTHCOM and FORSCOM G3-FM/G1-PMO were jointly working the design of this section as of the date of this order.

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 Headquarters, US Army Forces Command
 Fort McPherson, GA
 12 January 2006

US Army Forces Command (FORSCOM) Execution Order (EXORD)

Provisional Establishment of First Army as Training and Readiness Oversight, and Mobilization (TRO&M) Command (U)

(U) References:

- a. (U) Headquarters, Department of the Army (HQDA) Army Campaign Plan (ACP), Change 2, dated 30 September 2005.
- b. (U) FORSCOM EXORD, Establishment of Fifth Army/US Army North (ARNORTH) as the Army Service Component Command (ASCC) to United States Northern Command (USNORTHCOM), dated 17 October 2005.
- c. (U) First Army Training, Readiness, and Mobilization (TRM) Concept Plan, undated (published 2 December 2005).
- d. (U) CDRUSAONE Operations Order (OPORD)/G3/05-453, First Army/Fifth Army Transfer of Authority (TOA), date/time group 060715Dec2005.

(U) Task Organization: Annex A.**1. (U) SITUATION.**

a. (U) General. This Execution Order (EXORD) provides direction for the planning, preparation, and execution of the tasks necessary to provisionally establish First Army/Training and Readiness Oversight, and Mobilization (First Army/TRO&M) Command as the single command responsible for oversight of the training and readiness and the mobilization of all Army Reserve Component (RC) conventional forces (excludes Special Operations Forces assigned to US Army Special Operations Command) stationed in the Continental United States (CONUS), Puerto Rico (PR), or the US Virgin Islands (USVI). This EXORD is effective for execution upon receipt.

b. (U) Enemy Forces. NA.

c. (U) Friendly Forces. The Army is pursuing the most comprehensive transformation of its forces since World War II. Army Transformation is an integral component of Defense transformation. Army Transformation produces evolutionary and revolutionary changes intended to improve Army and Joint Force capabilities to meet current and future full-spectrum requirements. This transformation necessitates

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restructuring roles and missions of First Army and Fifth Army to support RC modularity and the Army Force Generation (ARFORGEN) process. Fifth Army/Army Forces North (Fifth Army/ARNORTH) is now organized to be the Army Service Component Command (ASCC) to US Northern Command (USNORTHCOM). Upon attaining Full Operational Capability (FOC), Fifth Army/ARNORTH will be a Direct Reporting Unit (DRU) to HQDA responsible for Army Homeland Defense (HLD) and Defense Support to Civil Authorities (DSCA) missions. Prior to attaining FOC, it will transfer all its RC TRM mission tasks to First Army/TRO&M Command. Concurrently, Fifth Army/ARNORTH accepts all HLD and DSCA mission tasks from First Army and Headquarters (HQ), FORSCOM. Upon transfer of TRM mission tasks from Fifth Army, First Army/TRO&M Command will then have total responsibility for oversight of the training and readiness of all conventional RC forces in CONUS, PR, and USVI and their mobilization.

2. (U) MISSION. Effective 16 January 2006, FORSCOM provisionally establishes First Army/TRO&M Command as a multi-component headquarters responsible for the training and readiness oversight throughout the ARFORGEN process and mobilization of all RC conventional forces in CONUS, PR, or USVI in order to provide trained and ready forces to Regional Combatant Commanders for the full spectrum of operations. On order, relocate HQ, First Army/TRO&M Command to Rock Island Arsenal, IL.

3. (U) EXECUTION.**a. (U) Commander's Intent.**

(1) (U) Purpose: Transform First Army to provide best possible support to RC conventional force training, readiness, and mobilization across the entire ARFORGEN process (Reset/Train, Ready, and Available Force Pools).

(2) (U) Key Tasks:

(a) (U) Consolidate CONUS-wide (including PR and USVI) RC conventional force training, readiness, and mobilization responsibilities at First Army.

(b) (U) Reorganize training support into two multi-component division headquarters with the mission to support RC training, readiness, and mobilization.

(c) (U) Transfer responsibility and authority for conducting RC training and readiness oversight, and mobilization from Fifth Army/ARNORTH to First Army/TRO&M Command.

(d) (FOUO) Realign Command and Control (C2) of Training Support Brigades (TSB) to maximize capability to support ARFORGEN.

(e) (FOUO) Realign C2 of 7th Infantry Division (7ID), Fort Carson, CO to First Army/TRO&M Command to form the nucleus of TRO&M Division West.

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(f) (FOUO) Plan and prepare for 24th Infantry Division (24ID), Fort Riley, KS to form the nucleus of TRO&M Division East.

(g) (U) Plan and prepare for the on order relocation of HQ, First Army/TRO&M Command to Rock Island Arsenal, IL.

(3) (U) End State: First Army/TRO&M Command established with TRO&M Divisions West and East responsible for training and readiness oversight and the mobilization of RC conventional forces in CONUS, PR, and USVI with no degradation of the mobilization and training of Reserve Forces to support of Regional Combatant Commanders for the full spectrum of operations.

b. (U) Concept of Operations.

(1) (U) The provisional establishment of TRO&M Command provides an initial operational capability while development of the TRO&M concept continues. The formation of First Army as TRO&M Command began on 6 December 2005 with First Army assuming responsibility of Fifth Army's RC training, readiness, and mobilization (TRM) mission tasks. Effective 16 January 2006, First Army/TRO&M Command assumes operational control (OPCON) of Fifth Army's assigned Senior Army Advisors, Army National Guard (SRAAG) (pending their reassignment to First Army), Training Support Brigades (TSB), 75th Training Support Division (TSD), 91st TSD, and aligned Mobilization Stations. Upon completion of the Transfer of Authority (TOA) between First and Fifth Armies, First Army will be responsible for executing the training and readiness oversight and mobilization of all conventional RC Forces stationed in CONUS, PR, and USVI.

(2) (U) This operation consists of five phases. Phase I is the provisional establishment of TRO&M Command and the TOA of Fifth Army's RC training, readiness, and mobilization mission responsibilities to First Army/TRO&M Command. It began when First Army deployed a liaison element to Fort Sam Houston, TX and ends with the completion of the TOA of Fifth Army's RC training, readiness, and mobilization mission responsibilities to First Army/TRO&M Command effective 16 January 2006. Phase II is Fifth Army/ARNORTH's assumption of the HLD/DSCA mission from First Army. First Army maintains the capability to provide Defense Coordinating Officer/Elements (DCO/E) and to deploy a Task Force Consequence Management (TF-CM) until relieved by FORSCOM. Phase II begins with Fifth Army/ARNORTH's establishment of an operational Main Command Post (CP) and ends when all HLD/DSCA mission responsibilities have been transferred from First Army to a fully operationally capable Fifth Army/ARNORTH, planned for not later than (NLT) 1 October 2006. Phase III is the standup of TRO&M Division West and TRO&M Division East NLT the third quarter of Fiscal Year 2007 (FY07). Phase IV is the reorganization and relocation of the TSBs. This reorganization and relocation is tied to ARFORGEN and planned to be completed by the end of FY09. Phase V involves the relocation of First

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Army/TRO&M Command from Ft Gillem, GA to Rock Island Arsenal, IL planned for NLT the end of FY09.

c. (U) Tasks to Supporting Commands/Organizations.

(1) (U) Director, Army National Guard (DARNG).

(a) (U) Provide support as directed by the ACP, Change 2 (ref a) and as requested in the CDRUSAONE OPOD 05-453 (ref d).

(b) (U) Assist First Army in development of the First Army/TRO&M Command TOA Plan.

(c) (U) Assist First Army/TRO&M Command in planning for the establishment of TRO&M Divisions West and East.

(d) (FOUO) Assist First Army/TRO&M Command in planning for the reorganization and relocation of Training Support Brigades (TSB).

(e) (U) Fill ARNG Active Guard-Reserve (AGR) positions within First Army's Table of Distribution and Allowances (TDA).

(2) (U) Human Resources Command (HRC).

(a) (U) Fill critical military TDA and Modified Table of Organization and Equipment (MTOE) vacancies as identified by First Army ICW FORSCOM.

(b) (U) ICW First Army, reassign SRAAGs currently assigned to Fifth Army to First Army/TRO&M Command.

(3) (U) Installation Management Agency (IMA).

(a) (U) ICW First Army/TRO&M Command, determine facility requirements for First Army/TRO&M Command upon its move to Rock Island Arsenal, IL.

(b) (FOUO) ICW First Army/TRO&M Command, determine facility requirements for establishment of TRO&M Division East at Ft Meade, MD.

(c) (FOUO) ICW First Army/TRO&M Command, determine any change in facility requirements for establishment of TRO&M Division West and the restationing of HQ, 4ID at Ft Carson, CO.

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FOR OFFICIAL USE ONLY**d. (U) Tasks to Subordinate Commands.****(1) US Army Reserve Command (USARC).**

(a) (U) Provide support as requested in the CDRUSAONE OPORD 05-453.

(b) (U) Assist First Army in development of the First Army/TRO&M Command TOA Plan.

(c) (U) Assist First Army/TRO&M Command in planning for the establishment of TRO&M Divisions West and East.

(d) (FOUO) Assist First Army/TRO&M Command in planning for the reorganization and relocation of Training Support Brigades (TSB).

(e) (U) Fill US Army Reserve (USAR) AGR positions within First Army's TDA.

(f) (U) ICW Fifth Army, place 75th TSD and 91st TSD OPCON to First Army/TRO&M Command. Maintain 78th TSD, 85th TSD, and 87th TSD under the OPCON of First Army as First Army/TRO&M Command.

(g) (FOUO) Develop plan to transition TSDs back under USARC control upon establishment of full operational capability (FOC) of Division West and Division East.

(2) (U) First Army.

(a) (U) As the FORSCOM Executive Agent, plan for and execute the provisional establishment of First Army/TRO&M Command to include the provisional establishment of TRO&M Division West and TRO&M Division East.

(b) (U) ICW Fifth Army, prepare a comprehensive (personnel, equipment, training, and funding) TOA Plan for transfer of TRM functions from Fifth Army and the transfer of HLD/DSCA functions to Fifth Army/ARNORTH. Submit TOA Plan to FORSCOM for staff review and command approval.

(c) (FOUO) ICW FORSCOM, develop a plan to reorganize and relocate TSBs as necessary to support full implementation of ARFORGEN. Execute on order of FORSCOM.

(d) (U) Form and deploy a forward liaison element to Fifth Army/ARNORTH to assist in TRM handover from Fifth Army and the transfer of HLD/DSCA functions to Fifth Army/ARNORTH.

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(e) (U) Conduct a TOA of Fifth Army's TRM mission effective 16 January 2006. In conjunction with the TOA, accept OPCON of TSBs and SRAAGs currently assigned to Fifth Army. Upon approval of HQDA and documentation by the US Army Force Management Support Agency (USAFMSA), accept assignment of TSBs and SRAAGs currently assigned to Fifth Army.

(f) (U) Effective 16 January 2006, accept OPCON, including disciplinary authority, of 75th TSD, 91st TSD, and Mobilization Stations aligned with Fifth Army.

(g) (FOUO) Effective 16 January 2006, accept OPCON, pending assignment, of 7ID as nucleus of TRO&M Division West to provide training and mobilization support to RC forces in the western United States. Acceptance of OPCON does not affect 7ID's exercise of disciplinary authority over units located at Fort Carson, CO or within 7ID's off-post geographic area of responsibility. Further, acceptance of OPCON does not affect the status of the Commanding General (CG), III Corps and Fort Hood, as the next superior authority to 7ID for the exercise of disciplinary authority. Any change(s) affecting the exercise of disciplinary authority will be announced by separate orders.

(h) (U) IAW FORSCOM EXORD, Establishment of Fifth Army/ARNORTH as the ASCC to USNORTHCOM (ref b), transfer control of the four civilian positions (Military Support to Civilian Authorities (MSCA) planners) from selected TSB HQs to Fifth Army/ARNORTH TDA.

(i) (U) IAW FORSCOM EXORD, Establishment of Fifth Army/ARNORTH as the ASCC to USNORTHCOM, transfer DCO/E missions/functions, including equipment, and Civil Support Teams (CST) training functions to Fifth Army/ARNORTH, to include training and readiness oversight (TRO) of certified and uncertified Weapons of Mass Destruction (WMD)-CSTs. Retain TRO of dual-missioned USAR Chemical Companies.

(j) (U) IAW FORSCOM EXORD, Establishment of Fifth Army/ARNORTH as the ASCC to USNORTHCOM, transfer the one military and 22 civilian WMD-CST positions to the Fifth Army/ARNORTH. Retain Title XI military positions and personnel in the CONUSA Civil Support Training Group (CSTG).

(k) (U) IAW FORSCOM EXORD, Establishment of Fifth Army/ARNORTH as the ASCC to USNORTHCOM, transfer control of six MSCA planners in First Army-aligned TSBs to Fifth Army/ARNORTH.

(l) (U) Maintain DCO/E and TF-CM capability until released of the mission by FORSCOM.

(m) (U) Plan for and, on order, relocate HQ, First Army/TRO&M Command to Rock Island Arsenal, IL NLT 30 September 2009.

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(n) (U) Provide periodic updates on establishment of First Army/TRO&M Command to the FORSCOM Command Group.

(o) (U) Permission is granted to provisionally reorganize HQ, First Army into HQ, First Army/TRO&M Command using existing resources. The provisional reorganization must not negatively affect capability to support existing HLD/DSCA and TRM missions. Commanding General (CG), First Army will exercise disciplinary authority over all Soldiers assigned or attached to the provisional HQ, First Army/TRO&M Command.

(3) (U) Fifth Army/ARNORTH.

(a) (U) Assist First Army in preparing a comprehensive TOA Plan for transfer of TRM functions from Fifth Army and the transfer of HLD/DSCA functions to Fifth Army.

(b) (U) Provide mission orientation to First Army/TRO&M Command personnel to prepare them for the transfer of TRM functions to First Army/TRO&M Command.

(c) (U) ICW First Army/TRO&M Command, transfer Fifth Army's TRM mission to First Army/TRO&M Command IAW First Army/Fifth Army TOA Plan. Effective 16 January 2006:

1. (U) Pass OPCON, pending assignment, of 7ID to First Army/TRO&M Command.

2. (U) Pass OPCON, including disciplinary authority, of 75th TSD and 91st TSD to First Army/TRO&M Command.

3. (U) Pass OPCON of Fifth Army aligned Mobilization Stations to First Army/TRO&M Command.

(d) (U) Provide a liaison element to First Army/TRO&M Command HQ to assist in transfer of functions and to ensure continuity with no degradation in RC TRM support.

(4) (U) CG, III Corps and Fort Hood, TX. Continue to serve as the next superior authority to the CG's, 7ID, and 24ID, for the exercise of disciplinary authority over units stationed at Fort Carson and Fort Riley and their off-post geographic areas of responsibility. Any change(s) affecting the exercise of disciplinary authority will be announced by separate orders.

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(5) (U) 7th Infantry Division.

(a) (U) Assist First Army in the development and refinement of its TOA Plan for the establishment of First Army/TRO&M Command and TRO&M Division West.

(b) (FOUO) Be prepared to assume the mission of TRO&M Division West under the C2 of First Army/TRO&M Command.

(c) (FOUO) On order of First Army ICW FORSCOM, provisionally reorganize into TRO&M Division West using existing resources. Provisional reorganization or placement of OPCON to First Army/TRO&M Command must not affect CG's, 7ID exercise of disciplinary authority over units located at Fort Carson or within 7ID's current off-post geographic area of responsibility.

(d) (U) Plan for the eventual transfer to CG, 4ID of CG's 7ID disciplinary authority over units located at Fort Carson or within 7ID's current off-post geographic area of responsibility.

(6) (U) 24th Infantry Division.

(a) (FOUO) Assist First Army in the development and refinement of its TOA Plan for the establishment of First Army/TRO&M Command and TRO&M Division East.

(b) (FOUO) Be prepared to assume the mission of TRO&M Division East under the C2 of First Army/TRO&M Command.

(c) (FOUO) On order of First Army ICW FORSCOM, provisionally reorganize into TRO&M Division East using existing resources. Provisional reorganization must not affect CG's, 24ID exercise of disciplinary authority over units located at Fort Riley, KS or within 24ID's current off-post geographic area of responsibility.

(d) (U) Plan for the transfer to CG, 1ID of CG's 24ID disciplinary authority over units located at Fort Riley or within 24ID's current off-post geographic area of responsibility.

(e) (FOUO) ICW First Army/TRO&M Command and IMA, develop a plan to restation 24ID/TRO&M Division East at Ft Meade, MD.

e. (U) Tasks to FORSCOM Staff.

(1) (U) FORSCOM G-1.

(a) (U) Assist First Army in the development of the personnel section of the First Army/Fifth Army TOA Plan.

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(b) (U) ICW First Army, identify critical positions within HQ, First Army/TRO&M Command, 7ID/TRO&M Division West, and 24ID/TRO&M Division East requiring manning. Work with HRC, DARNG, and USARC to fill these positions.

(c) (U) Facilitate transfer of military personnel between First Army and Fifth Army/ARNORTH IAW TOA Plan and FORSCOM EXORD, Establishment of Fifth Army/ARNORTH as the ASCC to USNORTHCOM.

(d) (U) Ensure all Office of Personnel Management (OPM) and Army regulatory guidance is followed regarding disposition of civilian personnel whose current jobs in First Army/TRO&M Command or Fifth Army/ARNORTH are affected by this EXORD.

(2) (U) FORSCOM G-3/5/7.

(a) (U) Lead staff to ensure successful establishment of First Army/TRO&M Command including TRO&M Division West and TRO&M Division East (G-3/5/7 FM).

(b) (U) Lead to coordinate, review, and oversee the TOA Plan (G-3/5/7 FM).

(c) (U) Prepare and issue Unit Permanent Orders for realignment of 7ID, TSDs, and TSBs between First Army and Fifth Army/ARNORTH (G-3/5/7 FD).

(d) (FOUO) ICW Army G-3 and First Army/TRO&M Command, submit AR 10-5 stationing requirements packet associated with stationing of 24ID/TRO&M Division East at Fort Meade (G-3/5/7 FM).

(3) (U) FORSCOM Staff Judge Advocate. Review the TOA Plan for legality and propriety with particular emphasis on the seamless exercise of disciplinary authority and delivery of legal support to Soldiers and families.

f. (U) Coordinating Instructions.

(1) (U) This order is effective for execution upon receipt.

(2) (U) Transfer of military personnel between First Army and Fifth Army/ARNORTH will be by Permanent Change of Station (PCS) orders from HRC. Transfer of civilian personnel will be IAW with established Office of Personnel Management (OPM) procedures and the availability of funding.

(3) (U) Official (non provisional) establishment of First Army as TRO&M Command will be specified in a Unit Permanent Order. The official reassignment and reorganization of 7ID, 24ID, TSDs, and TSBs will also be specified in Unit Permanent Orders.

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(4) (U) FORSCOM will not establish a Modularity Coordination Cell (MCC) to support establishment of First Army/TRO&M Command including TRO&M Division West and TRO&M Division East.

(5) (U) Direct coordination is authorized between First Army/TRO&M Command, Fifth Army/ARNORTH, DARNG, USARC, HRC, IMA, 7ID, 24ID, and to other external supporting commands/ organizations. Keep FORSCOM informed. Coordination for resources will be through FORSCOM.

(6) (FOUO) Final decisions on location of TRO&M Division West and TRO&M Division East are still pending and locations may change. For near-term planning, assume TRO&M Division West will be located at Fort Carson, CO and TRO&M Division East will be located at Fort Meade, MD.

(7) (U) CG, First Army has disciplinary authority over all Soldiers assigned or attached to the provisional HQ, First Army/TRO&M Command.

(8) (U) CG, 7ID and CG, 24ID retain disciplinary authority over units at Fort Carson and Fort Riley, respectively, and their current off-post geographic areas of responsibility until directed otherwise by FORSCOM. Transfer of OPCON of 7ID and 24ID to First Army/TRO&M Command does not affect CG's, 7ID or CG's, 24ID exercise of disciplinary authority over units located at Fort Carson and Fort Riley, respectively, or within their off-post geographic areas of responsibility. Further, acceptance of OPCON of 7ID by First Army/TRO&M Command does not affect the status of CG, III Corps and Fort Hood, as the next superior authority to 7ID and 24ID for the exercise of disciplinary authority. Any change(s) affecting the exercise of disciplinary authority will be announced by separate orders.

(9) (U) Disciplinary authority is the exercise of general court-martial convening authority, responsibility for the general administration of military justice, attachment for original and appellate proceeding under Article 15, Uniform Code of Military Justice, and the taking of those adverse administrative actions that require action by an officer exercising general court-martial convening authority.

(10) (U) Operational terms are defined in Appendix 1 (Lexicon and Terminology) to Annex C (Operations).

(11) (U) See Appendix 2 (Army Resourcing Priorities) to Annex C (Operations) for Army personnel and equipment resourcing priorities. The resourcing of low density equipment is based on DA approved resourcing decisions designed to ensure that all converting organizations are sourced at a common level.

4. (U) SERVICE SUPPORT: Omitted.

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5. (U) COMMAND AND SIGNAL:

a. (U) Command.

(1) (U) FORSCOM is the Supported Command for the establishment of First Army/TRO&M Command. First Army is FORSCOM's Executive Agent for establishment of First Army/TRO&M Command and is authorized to coordinate directly with Supporting Commands/Organizations; however, coordination for resources will be through FORSCOM.

(2) (U) Supporting Commands/Organizations are the Army Staff; DARNG; USARC; Fifth Army/ARNORTH; HRC; IMA; 7ID; and 24ID.

(3) (U) First Army/TRO&M Command will continue to be a Major Subordinate Unit (MSU) of FORSCOM.

b. (U) Signal. Omitted.

MCNEILL, GEN
COMMANDING

OFFICIAL:

MILLER, MG
G-3/5/7

~~Annex A – Task Organization~~
~~Annex C – Operations~~
~~Appendix 1 – Lexicon and Terminology~~
~~Appendix 2 – Army Resourcing Priorities~~

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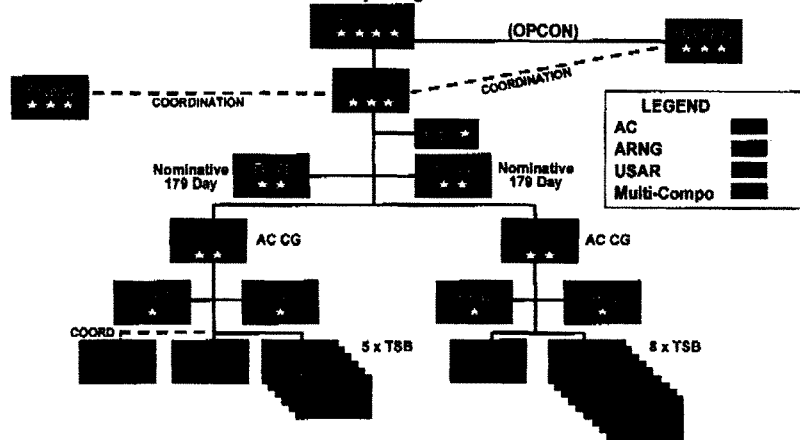
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Annex A (Task Organization) to FORSCOM EXORD Provisional Establishment of First Army as TRO&M Command (U)

First Army/TRO&M Command

A Multi-Compo Organization



- RC RETAINS RESPONSIBILITY FOR INDIVIDUAL TRAINING (INT/DMSO/RECLASS/PRO DEV)
- TSBs FOCUS ON TACTICAL LEVEL COLLECTIVE TRAINING
- TRO&M WEST ASSIGNED MILITARY INTELLIGENCE TSB RESPONSIBLE FOR MI LOW DENSITY TRAINING
- TRO&M EAST ASSIGNED AN AVIATION TSB RESPONSIBLE FOR THE RC AV COLLECTIVE TRAINING

Chart is UNCLASSIFIED

MCNEILL, GEN
COMMANDING

OFFICIAL:

MILLER, MG
G-3/5/7

UNCLASSIFIED

STATEMENT OF
VINCENT PEARCE
NATIONAL RESPONSE PROGRAM MANAGER
U.S. DEPARTMENT OF TRANSPORTATION

before the

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENT AFFAIRS
UNITED STATES SENATE
February 1, 2006

I am Vincent Pearce, National Response Program Manager at the U.S. Department of Transportation (DOT), responsible for DOT's activities under the National Response Plan, which primarily consists of Emergency Support Function 1 – Transportation (ESF-1).

I deployed to the Federal Emergency Management Agency (FEMA) National Response Coordination Center (NRCC) on August 30, 2005 to lead the Department's efforts, having spent the prior three days in the DOT Crisis Management Center as part of DOT's crisis response team. I worked from the NRCC continuously through Hurricanes Katrina and Rita.

The Department of Transportation's primary ESF-1 role is providing trucks to move relief supplies to the affected areas, and to provide buses as a transport provider of last resort, if local and State efforts are overwhelmed. Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, DOT can only act in response to a direct "tasking" from FEMA, for both trucks and busses, after that agency receives a request for assistance from the state and the state certifies that it is beyond its capability to perform or contract for the needed assistance. DOT received its first tasking for buses at 1:45 AM on August 31, 2005 the night after Katrina landfall. By day's end we had provided 200 buses to the designated staging areas to support the evacuation of the New Orleans area, much of which was inaccessible by land at that time due to flooding. Another 200+ buses were en route.

To put the enormous scale of this effort into context, starting from scratch, within a few days DOT contracted over 1100 buses and drivers – equivalent to the largest national commercial bus fleet – to assist the evacuation. These buses carried an estimated 218,000 evacuees out of the Hurricane-ravaged areas, while trucks hauled in 16,000 truck loads of relief equipment, supplies, and housing.

Under ESF-1, the Department of Transportation was also the federal agency responsible for restoring operations at Louis Armstrong Airport in New Orleans, and other local airports. On September 1, 2005 the Federal Aviation Administration had teams of specialists and equipment on site. The next day, the air evacuation began. Under incredibly taxing conditions, DOT coordinated the largest civilian air evacuation ever conducted within the United States. With strong assistance from the Air Transport Association and commercial air carriers, and support from the Department of Defense, the Transportation Security Administration, FEMA, and State

and local officials over 25,000 people were evacuated on 132 flights, to destinations as far away as Battle Creek, Michigan.

Members of the committee will be aware of many of DOT's other actions, from the approximately 43,000 pages of documents DOT has provided, at the committee's request, detailing our involvement in Katrina. The Department helped avoid a shut-down of fuel to the mid-Atlantic states by working to restore operations to key pipelines. DOT's Maritime Administration provided Ready Reserve Force ships to provide power, communications, command-and-control and floating housing at the affected ports. And since the hurricane passed, DOT has worked with local officials to rapidly repair roads and bridges, re-establish transit service in New Orleans, and set up an interim transit service to meet the increased needs of Baton Rouge.

Before Katrina struck, the team of DOT and contractor personnel was "leaning forward in the saddle." On August 27, 2005 the Evacuation Liaison Team began coordinating frequent calls between DOT, FEMA, the National Hurricane Center, and State officials to discuss the pre-Katrina evacuation on the highways.

On August 28, 2005 DOT staff at the NRCC called DOT's Emergency Transportation Center to advise them to plan for the possibility of needing 500 buses to assist in a post-landfall evacuation. The Center notified DOT's transportation services contractor Landstar Express America, which began exploring possible sources for vehicles and drivers.

At 12:30 AM on August 31, 2005 we received verbal notification from FEMA that they would be tasking us to provide 455 buses (a figure that eventually grew to a peak of 1105 several days later) for the evacuation of the Superdome; authorization to proceed arrived at 1:45 AM. At 5:25 AM, FEMA tasked the Department of Defense to provide "command and control for all evacuation in the New Orleans area and lower LA affected parishes." As each bus that Landstar secured arrived in the designated staging areas, control was transferred from DOT to DOD.

By 1:00 PM on August 31, 2005, DOT had a professional fleet management contractor onsite at the first staging area designated by the Louisiana State Patrol and the Louisiana National Guard. Roughly 20 buses were already onsite. By midnight some 200 buses had arrived and were ready for operation, having already outgrown two staging areas and moved to a third. Over 200 additional buses were already contracted and en-route. By September 5, 2005 DOT had contracted for over 1100 vehicles.

On September 1st, DOT already had 44 personnel deployed to 16 locations carrying out the ESF-1 disaster response mission. DOT eventually deployed over 200 personnel to carry out the ESF-1 mission, and hundreds more DOT employees in response to FEMA's call for volunteers.

The National Response Plan designates DOT as the ESF-1 coordinator to provide transportation support to FEMA. Task-by-task contracting efforts proved in the past to be labor intensive and inefficient. In 2002, DOT awarded a contract to Landstar Express America to cover a broad range of emergency transportation needs. In its first major test, during the series of four Hurricanes that hit Florida in 2004, the contract proved to be efficient and effective. Following

Katrina, the DOT Inspector General conducted a review of internal controls over the Landstar contract and reported that: "The circumstances surrounding that disaster were both dire and extraordinary, and FAA Southern Region management and the contractor provided an unprecedented response to the crisis as it unfolded."

Nevertheless, DOT is participating in a review across the Federal Government to determine how to do better. While this committee and others undertake the important work of identifying problems and fixes, I hope you also take the time to recognize what went right. The drivers, dispatchers and other employees of Landstar are among the unsung heroes of Katrina. In a chaotic environment, they brought thousands of buses and trucks when and where they were asked to. They have earned the thanks and appreciation of the Department of Transportation and, we hope, yours as well.

**Statement of
Dwight David Brashear, Chief Executive Officer
Capital Area Transit System, Baton Rouge, LA**

**Before the
United States Senate
Committee on Homeland Security and Governmental Affairs**

**Hearing on
“Hurricane Katrina: Managing the Crisis and Evacuating
New Orleans”
February 1, 2006**

Madam Chairman, Honorable Members of the Committee and guest, thank you for the opportunity to testify today on behalf of the Capital Area Transit System (CATS) from Baton Rouge, Louisiana. I am honored that you have requested me here today to discuss disaster preparedness and emergency response to Hurricane Katrina. I hope to show you what a valuable role mass transit performed during hurricane Katrina, and as it continues to aid in the devastation and aftermath of this cataclysm.

First, let me say I bring greetings from Baton Rouge Mayor-President Kip Holden and Louisiana Governor Kathleen Blanco. They were pivotal in my and CATS ability to maximize efforts in providing essential emergency services. I must recognize the contributions of FEMA and FTA in providing policy direction and technical assistance. I would also like to recognize all the agencies that worked so tirelessly for many weeks to assist in the needs

of displaced citizens and the delivery of goods and services, and they include the Mayor-Presidents Office, the City-Parish employees, the Governors staff, the state Department of Transportation, the metropolitan planning organization, state police, local fire and police, and the many public and private agencies and organizations. Lastly, I would like to express the gratitude of all the people along the Gulf Coast for the help that this great nation has given, from you the elected officials to the many people and organizations from every state in the nation. I am a witness to the resolve, resourcefulness, and the commitment of people extending a hand and opening their hearts to the millions of hurting displaced families, a lot that have lost everything. I say to you today, we must continue to meet the short term emergency needs and we must commit ourselves to the long term rebuilding and resettlement needs of our fellow sisters and brothers.

You have asked that I discuss resources put into developing pre-Katrina evacuation plans and into the post-storm evacuation of New Orleans. I will present my comments as they relate to pre and post Katrina defining periods for the gulf coast area. Transit in Baton Rouge pre-Katrina had CATS eyes on a major public involvement process to put a referendum to the voters of East Baton Rouge Parish to expand service and to develop a transit

infrastructure for Bus Rapid Transit and light rail. We had a fair amount of traffic congestion and associated infrastructure issues. Baton Rouge was a capital city with a population of approximately 400,000 with an estimated urbanized area of 600,000. It was a city excited about transit innovation and growth potential.

Hurricane Katrina hit the Gulf Coast on August 29, 2005. I describe it as shock and awe of biblical proportion. A critical crisis situation happened overnight. Within 24 hours approximately 400,000 of the New Orleans 1.3 population were moved to the Baton Rouge area. The road infrastructure was over capacitated. A 20 minute peak period commute went to almost 2 hours. The transit system was overwhelmed. Buses simply had to pass people up along transit routes due to passenger loads. Food, water, gas, utilities and medical became critical supplies. A logistics nightmare ensued for moving anything. Support and coordination efforts of federal, state, and local entities were pushed and stressed beyond endurance limits.

CATS did not facilitate in the evacuation of New Orleans as we were engaged in implementing emergency transit services in the greater Baton Rouge area. The elderly and ADA special need populations were moved from homes to shelters. I worked between CATS property and the parish

Office of Emergency Preparedness. I actually had to drive through the hurricane from my home to the parish OEP swerving past the flying debris. When you are part of the first responder team, the simple fact is that you do have risks. But you plan for these and minimize your exposure. The CATS system is prepared and part of the local government's first responder team. Transit system professionals know the transportation road network, command excellent service deployment ability, and they have good communication systems. In Baton Rouge we participate in OEP disaster incident table top exercises and management practices on an ongoing basis. Many transit professionals possess the tools to respond to chemical, biological, flood, fire and terrorist disaster incidents. Tools for dealing with the disasters need to be developed, upgraded, and practiced constantly. Common operating platforms, logistics management plans, use of professionals, resource inventory and availability, clear chains of command and practice are what I believe to be critical components of meeting the challenge of disaster management. Through practice, team members learn to trust each other, focus on an incident with changing dynamics and optimize the use of available resources. I was called by the governor's office on the evening of August 31, 2005 to assist the state in the post-Katrina evacuation of New Orleans. On September 1, 2005 I reported for duty at the state OEP

facility. Although I had no direct involvement in developing pre-Katrina evacuation plans, I assisted in the coordination and evacuation from the Superdome, Convention Center, I-10, and other areas. School buses, transit buses and inter-city coaches from around the country came to assist in our needs. Some may say it could and should have been done better. Woulda, coulda and shoulda become the operative words. As we have more time to reflect and assess how the emergency operation was implemented, these discussions will result in new protocols, new processes and programs; and this is good. Real change requires real change and that is exactly what we did in Baton Rouge.

CATS, the New Orleans Regional Transit System (NORTA), FEMA, FTA, the MPO, state transportation department and local governments worked 14 hour days from September 8-19 to develop an emergency Baton Rouge-New Orleans project proposal. FEMA and FTA responded with a 47 million dollar contract on October 1, 2005. This is probably the largest FEMA award to a mass transit property in history.

Today CATS and NORTA work side by side in our city providing emergency mass transit services to displaced hurricane victims and also providing a transportation option to gridlock and traffic congestion.

NORTA is operating emergency fixed route local and ADA paratransit service in Baton Rouge. We will shortly begin operation of Park-N-Ride express service with an innovative “buses only on shoulder” program. The FEMA/FTA project has also allowed NORTA to begin calling back to work their 1,350 displaced employees. NORTA has also begun start up service in New Orleans. This is a transit success story because the partners persevered and championed the mission. It required real change in state and local policies and procedures, real change in coordination and internal operations of CATS and NORTA. It has required help from sister transit agencies for equipment. It has required the replacement of fear with endless possibility and boundless opportunity.

Madam Chairman, I thank you for allowing me to tell you that mass transit is working and working well and I pray that God will continue to bless this nation and to bless this government. Thank you.

**Post-Hearing Questions for the Record
Submitted to Mayor C. Ray Nagin
From Senator Susan Collins**

“Hurricane Katrina: Managing the Crisis Evacuating New Orleans”

February 1, 2006

1. Mayor Nagin, your staff has told our investigators that before and during the crisis, it was your habit to immediately delete both your sent and received messages. Is this in fact your practice?

It has been my practice to delete e-mails upon reading them. Prior to Hurricane Katrina there were outside contractors in place that did not have an adequate process in place for backup of files. Those contractors had been replaced and new contractors were in the process of establishing backup procedures when Hurricane Katrina occurred. During the storm City Hall was victim to multiple system outages, which only served to exacerbate the situation. However, diligent efforts were made to recover as many e-mails as possible through byte level recovery with the firm of Innovative Technology Concepts that performs such services on a regular basis for all levels of government. This was done at a considerable cost, but in the interest of full disclosure and good faith dealing with committee members.

**Post-Hearing Questions for the Record
Submitted to Mayor C. Ray Nagin
From Senator Tom A. Coburn, M. D.**

“Hurricane Katrina: Managing the Crisis and Evacuating New Orleans”

February 1, 2006

1. Mayor Nagin, in your testimony you related how on Saturday prior to landfall you instituted what you describe as a “buddy system” where the faith based communities would help assist those New Orleans residents who could not evacuate on their own. What precisely was the nature of pre-planning for this effort? Was their training done prior to Hurricane Katrina to teach people how to perform under these tough circumstances? What oversight was given to whether or not people involved with the “buddy system” were actually able to get people to safety?

Prior to Hurricane Katrina the Greater New Orleans American Red Cross was working in conjunction with my administration and local faith based organizations on a program called Operation Brother’s Keeper (OBK). OBK was designed to help those without proper transportation evacuate the city in the event of a major weather event, such as Hurricane Katrina. The premise of the program was that the faith based organization (i.e. a church or community center) would encourage members who had adequate

transportation to offer to take those who did not with them when they evacuated. This was a comprehensive city-wide effort to ensure that every citizen in New Orleans had the opportunity to evacuate prior to a major weather event. Our goal was to establish interpersonal networks throughout the community and oversight was largely up to participants. Unfortunately, when Hurricane Katrina hit this program was still in its early stages of development and the legal ramifications involved with Louisiana's Good Samaritan laws were being worked through. Despite these setbacks approximately 90% of New Orleans residents were able to evacuate out of harm's way.

2. Mayor Nagin, you cited in response to Senator Akaka's question regarding your top three needs from the federal government as being temporary housing. However, numerous media reports have focused on the fact that \$1.8 billion has been already appropriated for temporary housing, much of which appears to have been wasted. These mobile homes are being used at an average cost of \$59,800 when their market value is between \$18-20,000. Mayor Nagin, how do you reconcile the contradictory information found here with your own statements?

The issue of housing remains one of the most critical needs for recovery. Having received damage to well over 50% of our housing stock and losing well over 180,000 units our need is quite dire. There are jobs in New Orleans, but very little affordable housing for our returning residents to live in. Under the Stafford Act, the Federal Emergency Management Administration (FEMA) is responsible for providing temporary housing. This includes procurement, which is done under the supervision of the federal government. Though \$1.8 billion was allocated this amount was for the entire Gulf Coast region and not New Orleans specifically. The Louisiana Recovery Authority has recently unveiled what they are calling the "Katrina Cottage" that is much more attractive and comfortable to live in than the trailers currently being used by FEMA. They are designed to withstand hurricane force winds and survive being flooded. Best of all, these "Katrina Cottages" can be installed for \$15,000 less per unit. I have enclosed a March 22, 2006 article from "The Advocate" in Baton Rouge for your perusal. Therefore, any waste that has occurred is a result of the inefficiency of the federal bureaucracy.

Fox News Network

SHOW: FOX REPORT WITH SHEPARD SMITH 7:00 PM EST

August 31, 2005 Wednesday

SMITH: Well as another enormous helicopter comes overhead, I want to go to Jeff Goldblatt live in the city. Jeff?

GOLDBLATT: Hi Shepard. The sun is about to set in New Orleans, and everywhere I look in this central business district, I can see people walking the street aimlessly. Many heading to the **convention center** because they have heard the rumor that buses will take them somewhere. Many of these people started their day at the Superdome. They don't want to be transported to the Houston Astrodome. They say that that was just a miserable experience spending the last couple of days in the Superdome.

And they don't want to envision their new life in another dome in a situation where they have no hope of potentially getting outside. As we look over here to these vans right now - actually before I do that, here's some of what's going on. Here's a man right here filling up his water jug. This is pond water here. Sir? Sir? That water isn't clean. Why don't you wait till I'm done, I'll give you some water, okay? Put that down?

CNN

SHOW: ANDERSON COOPER 360 DEGREES 7:00 PM EST

August 31, 2005 Wednesday

COOPER: And I mean, is the Army there? Is the National Guard there? Is there any attempt at, you know, enforcing order on the streets?

LAWRENCE: There is a National Guard presence here in certain areas, but not in all areas. I was down at the **Convention Center**, and these officers -- there were six or seven of them -- standing right across from 3,000 people who had gathered at this **Convention Center**.

These people are hungry. They're tired. They've got nowhere to go. They've got no answers, and they've got no communication whatsoever. And the officers said, when night comes -- I'm watching the sun dip behind the buildings right now, he was very afraid -- he said, I don't know which night it's going to break, but these people have a breaking point. And I'm scared to see what happens when they reach that point.

Because they just have no answers. They're wandering. And they're hungry. They're hungry and they're thirsty. And they've got kids with them. And like any of us, you do what you can to try to eat, and to drink water, and help your family. And he felt like these were very, very desperate times down here.

CNN

SHOW: PAULA ZAHN NOW 8:00 PM EST

August 31, 2005 Wednesday

ZAHN: Describe to us the devastation you have seen. We have heard reports all day long that city officials are finding bodies in attics; they're are finding bodies in the water, that rescue workers have been instructed to ignore the dead bodies, to aid the living. Have you seen any evidence of that?

LAWRENCE: Paula, you don't even have to go in people's homes.

There's a dead body right outside the **convention center**. I mean, this **convention center** is right in the heart of downtown. I mean, picture any downtown where -- any city you live, Main Street, wherever. The main building, there's a dead body that has been sitting out there for two days. They put a blanket over him.

But there are literally thousands of people lined up at this **convention center** wandering aimlessly, I mean, mothers with their babies, little kids, walking through this putrid water. And there's this dead body that is just sitting there. And I asked one of police officers and he said, we can't -- we can barely control the situation as it is. We can't even worry about dead right now.

<p style="text-align: center;"><u>Committee on Homeland Security</u> <u>Governmental Affairs</u> EXHIBIT #7</p>
--

August 29, 2005
City of New Orleans
Mayor C. Ray Nagin

Post-Hurricane Katrina Critical Needs Assessment

Refuge of Last Resort—Superdome:

Concerns:

- Poor physical conditions (lack of a/c, leaking roof, lack of power, lack of access to media reports, lack of information, lack of entertainment) are causing frustration and panic among evacuees.
- Poor physical conditions are creating a medical crisis in terms of caring for the special needs evacuees.
- Lack of access to information about the damage caused to the City by Hurricane Katrina and lack of any entertainment are causing increased frustration among evacuees and are prompting many to demand the opportunity to leave the Superdome.
- Mandatory evacuation and curfew order are still in effect due to dangerous conditions in the City, thereby eliminating the option of allowing evacuees to leave the Superdome.

Needs:

- Request from FEMA, sufficient generators (in terms of size and quantity) and fuel to light the dome, provide a/c, enable big screen video feeds, and generally to improve the overall physical conditions of the facility for the 20,000 evacuees.
- Request from FEMA, sufficient portable lighting, generators and fuel to accommodate the 20,000 evacuees.
- Request from FEMA, a temporary video and audio feed capacity (including, screens, speakers, projectors, etc.) to enable mass-broadcasting capability of news and entertainment for the 20,000 evacuees.
- Additional security personnel may be required as evacuees become more frustrated with the passage of time.
- Request from FEMA, assistance in providing food, water and toiletries for evacuees, employees and volunteers.
- (Alternative Need) Access to the Convention Center to use it as the refuge of last resort in lieu of the Superdome; if this option is exercised, each of the above-listed needs would also be required for the Convention Center and, additionally, vehicles and drivers to coordinate the transport from the Superdome to the Convention Center would also be required. Advantages of using the Convention Center include no leaking roof and large open space that may help with claustrophobia of some evacuees. Doctors Stephen and Lupin are exploring feasibility of this option.

Search and Rescue—Boat Operation

Formation of Committee and Responsibilities:

- To ensure the appropriate coordination of resources, a “Boat Committee” shall be established, which shall be comprised of the following members: Lt. Warren Jones, National Guard (chair); Capt. Mark Willow, NOPD; Chief Steve Glenn, NOFD and Sheriff Marlin Gusman.
- The Boat Committee shall be charged with the following responsibilities:
 - To identify individuals in need of rescue by boat;
 - To pick up and transfer such individuals to the Superdome (or other refuge of last resort, if later designated);
 - To identify the availability and location of additional watercraft (such as new retail boats) that may need to be commandeered;
 - To identify an available source of fuel for the boats;
 - Jay Palestina will attempt to locate the City employee who evacuated with the sole key to the enable the City’s Fuelman pumps to be operated manually without power; and
 - Greg Meffert will attempt to determine whether the boat fuel tanks located in the harbor behind Joe’s Crab Shack is an available source of fuel.
- To coordinate rescue missions among National Guard, NOPD, NOFD and the Sheriff’s Office to ensure efficiency and a coordinated effort;
- To create and maintain a master list of the names of all individuals rescued and the location of rescue and their destination to provide information to their families;
- To ensure that all available watercraft are manned and deployed ASAP (currently NOPD has 4 boats, NOFD has 6 boats and National Guard has 10 boats available. It is anticipated that an additional 43 boats will be made available).

Needs:

- Request FEMA search and rescue team;
- Request FEMA mortuary team and assistance with identifying and/or establishing a temporary morgue;
- Request information on length of time before floating bodies become serious health issue;
- Request FEMA vet assistance team;
- Request media assistance in publicizing rescue hotline number of 504.658.8700.

Communications

Concerns:

- City needs to improve internal emergency communications;
- City needs to employ WI-FI technology to ensure internet access during power outages;
- City needs to reactivate ability to independently broadcast video from City Hall.

Needs:

- Request FEMA communications assessment team;
- Request from FEMA, 1,000 hand-held communication units—Project 25-compliant, digital, hand-held radios with accessories;

Charity Hospital

Concerns:

- Charity is overwhelmed by failing generator, flooding and other issues and is considering shutting down;
- Must stabilize critical medical situation.
- Fatigued medical personnel (Additional medical personnel teams are expected to provide relief soon.).

Needs:

- Request FEMA assistance with necessary equipment and personnel with requisite technical expertise for repair and /or replacement of pumping system and repair or replacement of generators;
- Request FEMA clean-up/sanitization team;
- Need FEMA to set up a separate triage facility for special needs evacuees.

City Hall

- Need FEMA to provide sufficient generators (in terms of size and quantity) to fully power City Hall at 1300 Perdido St.;
- Need voice-over IP access restored;
- Need to install an adequate number of hard-wired phones;
- Need FEMA to provide sufficient gas, oil and diesel to power City Hall, the local hospitals, the operating hotels and the Aquarium until power can be restored (Jay Palestina to provide needed quantities);
- Need FEMA to provide 6 high-intensity portable lights with generators and fuel for crime scene use (Eddie Compass to provide specs);
- Need FEMA to provide 50 high-intensity portable lights with generators for NOFD use (Chief Parent, NOFD to provide specs);

- Need FEMA to provide and staff a detailed housing assessment with labor and equipment, as required, to effect demolition and removal of unsafe housing;
- Need FEMA to provide temporary housing, food, water and other basic needs for approximately 50,000 displaced residents;
- Upon the lifting of the mandatory evacuation and curfew order, need FEMA to set up a sufficient number of intake centers to assist individuals in making claims.

Streets

Concerns and action plan:

- Streets must be cleared of debris and standing water ASAP, with major streets getting priority;
- Department of Sanitation has identified three staging areas for debris disposal, based upon type of debris; also, contractor (OMNI Pinnacle) has their own landfill;
- Green waste will be disposed of at Parks and Parkways;
- Gentilly transfer station will be used for burning debris;
- Nature of debris and disposal site will be carefully documented for EPA purposes;
- Debris removal contractor needs staging area for equipment and is requesting access to Lake Forest Plaza parking lot (Veronica White will assess suitability of location and, if unsuitable, identify an alternate site.);
- Dreyfus Geint in Street Department will assess needed repairs and/or replacement to street lights;
- John Shires will determine whether Hard Rock Construction will be able to timely perform cold-patch street repairs;
- S&WB (Joe) will determine whether Boh Brothers will be able to timely perform the repair of the water transmission main in City Park;
- All storm drains need to be cleaned, particularly those on streets with standing water;
- Pot holes created by flood water need to be patched ASAP.

Needs:

- Request from FEMA, 3 "Stingers" and 3 buckets for S&WB (Marcia St. Martin to provide specs);
- Request from FEMA, 3 grade-alls (John Shires to provide specs);
- Request from FEMA, need all breached levees rebuilt with sandbags or otherwise ASAP, particularly the levee at the 17th Street Canal to allow the S&WB to pump out standing flood water;
- Request from FEMA, sandbags (quantity to be provided by Terry Ebbert);
- Request from FEMA, need standing water at Mounes Street pumped out ASAP so that pumping can be restored;
- Request from FEMA, need 4 sump pumps, rated at 25 g.p.m., two at 220 volts and two at 120 volts, single or three phase, need at least 200 ft of

power cable per pump and attached ~~strainers~~ to prevent debris from entering, and at least 100 ft of rubber ~~hose per pump~~ with adapters to attach to ¾" pipe;

- Request from FEMA, need 50" broken ~~water~~ transmission main at City Park fixed ASAP, if Boh Brothers is ~~unable to do so in a timely manner~~;
- Request from FEMA, need 15 additional ~~vacuum trucks~~ (Marcia St. Martin to provide specs) and drivers for ~~10 of the trucks~~;
- Request from FEMA, need 10 additional ~~front-end loaders~~ (spec Case 321) and 10 driver-operators;
- Request from FEMA, need 10 additional ~~dump trucks~~ (18-20 cubic yds, 52,000 lbs) and 10 driver-operators;
- Request from FEMA, need 10 additional ~~trailers~~ for ~~dump trucks~~;
- Request from FEMA, need 5 additional ~~street sweepers~~ (Elgin Pelican);
- Request from FEMA, need 5 additional ~~Pot Hole Killers~~ (John Shires to provide specs);
- Request from FEMA, need 10 tree chippers;
- Request from FEMA, need 6 bucket trucks (~~Marcia has specs.~~);
- Request from FEMA, need 10 additional ~~stump grinders~~ (Ann Macdonald to provide specs);
- Request from FEMA, need 200 mast ~~arms~~ and 2,000 signal heads for repair of traffic signals and installers to ~~perform repairs~~ (John Shires to provide specs.);
- Request from FEMA, need replacement ~~street signs~~ and installers (John Shires to provide specs.);
- Request from FEMA, need 13 25-cubic-yds, rear-load compactors and 13 driver-operators (Veronica White to provide specs.);
- Request from FEMA, need 10 tons of cold ~~patch~~ material to repair streets (John Shires to provide specs.).

SALLY FORMAN

January 10, 2006

Committee on Homeland Security and
Governmental Affairs
EXHIBIT #16

INTERVIEW
OF
SALLY FORMAN

Interview of SALLY FORMAN, taken at New Orleans City Hall, 1300 Perdido Street, New Orleans, Louisiana 70112, on Tuesday, January 10, 2006.

APPEARANCES:

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1 A. Yes.

2 (Recess)

3 BY MS. BOONE:

4 Q. Just returning to your time line, there's
5 a notation in here about meeting at City Hall with
6 senior staff. Developed list for FEMA. Could you
7 tell us a little bit about what this list for FEMA
8 involves?

9 A. This is the list that the mayor had the
10 team develop to give to FEMA as our priority needs,
11 and we developed that, then the mayor met with
12 Marty Baiamonte and asked for this priority list,
13 and that's where in the mayor's House testimony
14 Marty Baiamonte referred to the fact that this was
15 one of the best lists he had ever seen a city
16 prepare.

17 Q. I'm going to show you a document now and
18 ask you if this is familiar. We'll call it
19 Majority Exhibit 7. It's dated August 29, 2005,
20 and it's entitled Post-Hurricane Katrina Critical
21 Needs Assessment. Is that the list that was
22 prepared, the FEMA list?

23 A. (Nods head affirmatively.)

24 Q. Can you state it for the record?

25 A. I never saw the final list after it was

1 typed up, so I can't confirm that this is
2 definitely the list, but it certainly seems as if
3 it would be.

4 Q. So this addresses certain concerns and
5 needs of the city?

6 A. Correct.

7 Q. For example, the refuge of last resort,
8 search rescue, communications, Charity Hospital?

9 A. Correct, and the date is accurate, yes.

10 Q. Who typed up the final list, do you know?

11 A. Perhaps Sherry Landry, our city attorney
12 at the time.

13 Q. You say that Ms. Landry is no longer with
14 the city?

15 A. Correct.

16 Q. Is she still in the city but employed
17 elsewhere?

18 A. I'm not sure if she picked up employment
19 but, she is definitely in the city. She left of
20 her own accord.

21 BY MR. LEVY:

22 Q. Do you still talk to her?

23 A. I haven't talked to her probably in a
24 month and a half, something like that, but we're
25 friendly.

1 Q. Do you know how to get in touch with her?

2 A. Yes. Her home number -- can we take it
3 off the record?

4 Q. Yes.

5 (Off-the-record discussion)

6 BY MS. BOONE:

7 Q. On this list, this was prepared with
8 priority needs for the city to be provided by the
9 mayor to Marty Baiamonte?

10 A. Uh-huh (affirmative expression).

11 Q. Who you understood to be who?

12 A. The top FEMA Rep.

13 Q. He was located physically in the city?

14 A. At that point, yes.

15 Q. Prior to providing this list, had you
16 ever met Mr. Baiamonte?

17 A. No.

18 Q. So that was the first time you'd
19 interacted with anyone from FEMA during the storm
20 or prior to the storm?

21 A. Yes. I was not actually at the meeting.
22 I walked into the other room to start working on
23 this flier for people in the Dome.

24 Q. So again, this was a tasking by the mayor
25 to the different components within the city

1 government to prepare priority needs?

2 A. (Nods head affirmatively.)

3 Q. What was your understanding of what would
4 happen with that list after it was provided to Mr.
5 Baiamonte?

6 A. My understanding is that we would get as
7 many resources as FEMA could provide, and that we
8 would have assistance in our recovery.

9 Q. How did you arrive at that understanding
10 about what would happen with that list?

11 A. Probably just from my general knowledge
12 of FEMA.

13 Q. Where did that knowledge come from? How
14 was that formed?

15 A. In no formal manner.

16 Q. Would it be fair to say that these were
17 just expectations you had?

18 A. Yes.

19 Q. But there was no formal understanding of
20 what FEMA could provide to the city?

21 A. Correct. I had already begun to hear of
22 the regulating laws of FEMA, i.e. Stafford or the
23 Disaster Relief Act, whatever that's officially
24 called, so I was familiar enough to know that they
25 were the response agency for the federal government

1 to disasters.

2 BY MR. LEVY:

3 Q. Remind me again of when you became
4 director of communications for the mayor.

5 A. One year before roughly Katrina.

6 Q. 2004 sometime?

7 A. Uh-huh (affirmative expression).

8 Q. Had anyone in the mayor's staff briefed
9 you at any point before Katrina on the Hurricane
10 Pam exercise?

11 A. I was familiar with it. I think Chief
12 Tullier, who was chief of OEP before Chief
13 Matthews, had discussed it with me.

14 Q. Do you recall what he said about the
15 exercise?

16 A. No, just mentioned that that had been
17 done.

18 Q. On this list I don't see any mention of
19 transportation assets. Do you know if the mayor
20 and the team he gathered together contemplated a
21 request for transportation assets from FEMA at this
22 point?

23 A. At this point it is really important to
24 note that we did not have flooding around the
25 Superdome. We did not think we would have an issue

1 moving people out of the Superdome.

2 Q. So at this point does the mayor or the
3 team he gathers intend to request transportation
4 assets from FEMA?

5 A. Not at this point, no.

6 Q. And this point is August 29, Monday?

7 A. Uh-huh (affirmative expression), the day
8 the storm really hit, later that evening or
9 afternoon.

10 Q. And you're hearing reports from the
11 police, not necessarily you personally, but the
12 mayor's office is hearing reports from the police
13 about other policemen who are having trouble
14 getting out of their homes calling for search
15 rescue, you're hearing that effort is stepped up,
16 and there's not a discussion about a need for
17 transportation assets on Monday to come in and
18 assist with evacuation of the city?

19 A. No, because we knew we had search and
20 rescue teams in the water. We did not know that
21 the flooding would be the extent that it was. So
22 search and rescue was available to us, but at that
23 point we did not need buses to get people out of
24 the Superdome. We did not need transportation for
25 the large population that we had in our refuge.

1 Monday?

2 A. I don't recall if it was Monday or
3 Tuesday.

4 Q. And did the conversations begin before
5 you were aware that people were congregating at the
6 Convention Center?

7 A. The first I heard of it, it was to open
8 it for people who had begun to congregate, that we
9 needed another place.

10 Q. On this list it's talking about the
11 Convention Center and it says advantages of using
12 the Convention Center include no leaking roof and
13 large open space that may help with claustrophobia
14 of some evacuees. Do you know who provided the
15 information about the fact that the Convention
16 Center did not have a roof that leaks?

17 A. No.

18 BY MS. BOONE:

19 Q. I'm going to follow up on Josh's
20 question. Look forward to the next day on your
21 notes here which is Tuesday, August 30.

22 A. Okay.

23 Q. You have a notation on here probably
24 three-quarters of the way down that says open
25 Convention Center.

1 A. Okay.

2 Q. So, who made --

3 A. May I state for the record that all these
4 notes were done by me from memory but in no
5 chronological order.

6 Q. But these are just reflective of what
7 happened on that day?

8 A. Correct.

9 Q. Is it fair to say, based on these notes,
10 that a decision had been made by the city to open
11 the Convention Center on the 30th of August?

12 A. Uh-huh (affirmative expression).

13 Q. Do you know who made that decision and
14 who was coordinating it?

15 A. It was most likely the mayor and the
16 police chief.

17 Q. In terms of deciding to open the
18 Convention Center?

19 A. Yes.

20 Q. Do you know who it was that was
21 responsible for command and control at the
22 Convention Center in the center itself?

23 A. It was my understanding that the Police
24 Department was responsible for opening it, but that
25 there was conversation to the fact that some

1 National Guardsmen were already in there or had
2 moved in there, but as the crowd swelled, they
3 moved out.

4 Q. I note then on the next day, Wednesday,
5 August 31, the fourth item down says Convention
6 Center, numbers growing, no food or water, State
7 Police left NOPD there. What does that last
8 remark, "State Police left NOPD there" refer to?

9 A. That was something that we were told by
10 the police chief that the other law enforcement had
11 left because of concern. It was not verified, but
12 we knew that NOPD was there in small numbers with a
13 growing population that had no food or water.

14 BY MR. LEVY:

15 Q. And NOPD did not leave?

16 A. Correct.

17 BY MS. BOONE:

18 Q. So when you say the chief, Chief Compass
19 at the time --

20 A. (Nods head affirmatively.)

21 Q. -- told the mayor presumably? That's how
22 it would be on your list, is that correct?

23 A. Uh-huh (affirmative expression).

24 Q. Chief Compass told the mayor that it was
25 the Louisiana State Police who left NOPD there by

1 themselves?

2 A. For example, there were many times where
3 either State Police or other law enforcement
4 personnel were reported to be at a certain place,
5 and there were times that certain law enforcement
6 agents or different search and rescue people came
7 in and actually left. People were afraid, they
8 were seeing reports. So if I state that, it's that
9 someone was saying so-and-so was here and now
10 they're gone.

11 Q. So the reason why wasn't given, it was
12 just that there had been Louisiana State Police
13 there, but they were no longer there? Is that
14 accurate?

15 A. Yes.

16 Q. Also in this entry you state here:
17 Numbers growing, no food or water. Let me take you
18 back to the entry on the 30th which says Open
19 Convention Center. When the decision was made to
20 open the Convention Center, were there any
21 discussions about putting food and water and
22 security in the center, that you're aware of?

23 A. Yes, discussions were made -- discussions
24 existed involving all aspects of what the situation
25 was on the ground. We didn't have provisions. We

1 were asking for provisions, but we didn't have
2 provisions, but we knew with the number of people
3 walking the streets in the city that we clearly had
4 to provide shelter. We had been stopped by large
5 populations of people walking together who had been
6 put out of hotels, where hotel staff had said
7 leave, you can't stay anymore, and these were
8 wandering people who didn't have anywhere to go,
9 and as the water filled up around the Dome they
10 could not gain access to the Superdome, and we knew
11 that at least the Convention Center they could come
12 and go, unlike the Dome. At least the Convention
13 Center provided a roof over their heads.

14 Q. So when you said that there weren't
15 provisions of food and water, but there were
16 requests for those provisions, who were those
17 requests with?

18 A. It was our normal request to FEMA for
19 provisions, or the state.

20 Q. Who with the state?

21 A. I wasn't the one making the request.
22 That was probably Colonel Ebbert. Chief Matthews
23 was really handling all of that in terms of our
24 requests. The only official request I made was I
25 gave General Honore a list of everything our police

1 Andy Card and told them that we were -- that they
2 were -- it's my recollection that they acknowledged
3 what was going on, and the mayor said he needed
4 help, and they said we're going to help you. And
5 there was some reference to General Honore. The
6 mayor told the president that he had met General
7 Honore that morning and that he felt very about
8 him. But I think that it was a short conversation
9 that was very much focused on immediate issues for
10 us, which were the levee breaches, and security in
11 the city.

12 Q. During the course of that conversation --

13 A. Not security, search and rescue.

14 Q. So levee breaches and search and rescue?

15 A. Yes.

16 Q. Had the mayor been advised at any point
17 either before that call or after that there were
18 ongoing discussions between the White House and the
19 governor's office?

20 A. Not to my knowledge.

21 Q. Was the mayor made aware of any offers by
22 the White House to provide assistance to the State
23 of Louisiana or the City of New Orleans?

24 A. Not to my knowledge. The only thing that
25 we knew of with that was what happened with the

1 mayor on the plane on Friday and what happened with
2 us in the trailer on Friday. That's all we knew,
3 first bit we had of that whole conversation.

4 Q. What was it that happened on Friday with
5 the mayor on the plane?

6 A. The mayor has talked about it publicly,
7 but basically his rendition of it was that he was
8 on the plane with the president and the governor
9 and Congressmen Jindal, Jefferson, Senators Vitter
10 and Landrieu, Secretary Chertoff, Mr. Card, and
11 they were discussing the situation, and the mayor
12 said, look -- something to the effect that, look, I
13 don't care how you set this thing up. If you don't
14 want to give me the control, that's fine, but you
15 two need to figure it out and let us know so that
16 we can move forward. So they both -- this is the
17 mayor's rendition to me was that they both said,
18 yes, we agree. And he said, no, we need to make
19 sure this is set in stone right now, and the rest
20 of us will get up so that the two of you can work
21 this out.

22 Q. The two of you being?

23 A. The governor and the President. And he
24 said the President was a little bit taken aback
25 that he pushed the issue somewhat, and then the

1 governor -- I'm sorry, the President said, no,
2 there's so many of you here, we'll get up and we'll
3 excuse ourselves and go work this out in another
4 room. So the two of them went in another room, and
5 I believe Mr. Card also did. Then the governor
6 came out and they called the mayor in, and the
7 President supposedly told the mayor that he offered
8 the governor the two choices, one being the federal
9 -- this would all come under Joint Task Force
10 Katrina, and the second option being that Joint
11 Task Force Katrina would work alongside her
12 structure, and that she said she needed 24 hours to
13 think about it.

14 Q. Just to be sure I have this --

15 A. You should probably hear it from the
16 horse's mouth.

17 Q. Based on what you were told in kind of a
18 back brief, so to speak, the mayor was called onto
19 the plane or was on the plane for a meeting that
20 included, among many others, the President and the
21 governor?

22 A. Uh-huh (affirmative expression).

23 Q. And the issue of working things out is
24 really who would be in charge of -- what,
25 everything in terms of response and security? What

1 in particular?

2 A. For us it was response and recovery
3 because we were still in response mode.

4 Q. So it was pretty much everything?

5 A. Uh-huh (affirmative expression).

6 Q. From security through all recovery
7 issues?

8 A. For us it was everything. We were a
9 completely incapacitated government.

10 Q. According to the back brief you received
11 from the mayor, his position was I don't care one
12 way or the other, either federal can do it; if
13 state wants to keep the reigns in their hands,
14 fine, just somebody give us some assistance and
15 guidance?

16 A. Yes, but after it was over, he was
17 clearly frustrated that a resolution had not
18 occurred and felt like it could have been such a
19 win for everybody involved if they would have come
20 out together and said this is what we're doing.

21 Q. So again, your understanding was the
22 President and the governor then go off to have a
23 conversation between the two of them, and then the
24 mayor is called in to speak with just those two?

25 A. Just the President.

1 Q. Just the President. And the option laid
2 out by the President was, one, everything under
3 Joint Task Force Katrina; or two, side by side with
4 the state structure or the city structure or both?

5 A. The side by side was basically federal
6 support from the military and also National Guard
7 support.

8 Q. So the president was saying these were
9 the two options, and it's the governor's call as to
10 which one is chosen?

11 A. Correct.

12 Q. And then it's the mayor's understanding,
13 according to what you received, that the governor
14 took those two options and said I need 24 hours to
15 decide?

16 A. Uh-huh (affirmative expression).

17 BY MR. LEVY:

18 Q. Did she make a decision within 24 hours?

19 A. I've just begun to read some of his
20 stuff, and I believe what was ultimately chosen was
21 the dual, which is I think what the state felt was
22 what was happening anyway. So I don't know that a
23 specific decision was made, but I think there was
24 actually a letter that came from her office stating
25 exactly what the method would be for moving

1 forward.

2 BY MR. LEVY:

3 Q. Was the mayor's understanding that prior
4 to this conversation on the airplane, the governor
5 and the President had been having similar
6 conversations about whether the federal government
7 or the state should control the response to the
8 hurricane?

9 A. We really weren't privy to that.

10 Q. When the mayor and the President spoke
11 Wednesday night, you said they talked about the
12 break in the levees and search and rescue. When
13 they talked about search and rescue, to your
14 knowledge did that conversation include discussion
15 of the evacuation of the city?

16 A. No.

17 Q. Or specifically the evacuation of the
18 people at the Superdome out of the flood zone?

19 A. It may have, probably did. The mayor
20 probably said we've got a number of challenges, but
21 the ones I'd really like -- the mayor was very
22 focused in his conversations with the President by
23 not asking for too many things so that the priority
24 items that he did ask for, he wanted to be sure
25 that we got. So in each conversation with the

1 President he focused on a few high-priority
2 challenges.

3 Q. Were buses part of that conversation?

4 A. Wednesday night I believe they were, but
5 I don't recall.

6 BY MS. BOONE:

7 Q. I have a follow-up on that issue in
8 particular. Tuesday, August 30, according to your
9 time line there's an entry second up from the
10 bottom of your list that says call to Andy Kopplin
11 for number one priority from state for buses. Who
12 placed that call to Andy Kopplin?

13 A. (Indicating).

14 Q. You did. Were you expressing to Mr.
15 Kopplin the city's need for buses?

16 A. (Nods head affirmatively.)

17 Q. So you were raising to him the city's
18 need for buses?

19 A. Yes.

20 Q. For what purpose?

21 A. To get our people out. The water had
22 become a problem for us around the Dome, and we had
23 a lot of people on our bridges, and the mayor was
24 right there with me, and we wanted to make sure the
25 state knew that that was our single biggest need in

1 terms of marshaling a mass call of sorts. Not work
2 from a federal agency like the U.S. Army Corps of
3 Engineers, not broadcasting to fifty National Guard
4 units across the country to come and bring their
5 troops in. What we needed most importantly for a
6 massive call was for buses.

7 Q. Is this the first call that's made to the
8 state specifically for buses?

9 A. Probably not. We had our people in Baton
10 Rouge, and they knew what was going on in the city.
11 Many of them had left early that morning before the
12 water started filling up, so they were aware of the
13 issues. However, that could have easily been
14 because the flooding occurred sometime Tuesday
15 around the Dome. So I'll have to see when we
16 actually filled up around the Dome, but I think it
17 was Tuesday, Tuesday morning.

18 BY MR. LEVY:

19 Q. Do you know if Colonel Ebbert or Chief
20 Matthews had any conversations with state officials
21 about the need for buses before you spoke with Mr.
22 Kopplin?

23 A. I wasn't there when they did, but they
24 were clearly understanding the issue.

25 Q. Before you spoke with Mr. Kopplin, did

1 you get a sense of whether any buses were available
2 in the City of New Orleans to help with an
3 evacuation?

4 A. I actually tried to find someone at RTA
5 to see if the land, the higher land that they had
6 put their buses on, if they knew they had flooded,
7 and if there were any that hadn't flooded, if they
8 could find out could we get the keys. And I think
9 before we found out how to get the keys, we found
10 out that they were flooded.

11 BY MS. BOONE:

12 Q. So who is it with whom you speak at RTA?

13 A. I didn't actually get anybody with RTA,
14 but I did actually, believe it or not -- this is so
15 strange -- I spoke to my mother who -- we had this
16 one little phone line in the Entergy room that
17 every now and then you could dial out, but you
18 couldn't get a call in. So I was able to reach my
19 mother in the middle of the night, who
20 unfortunately got the message a little wrong, to
21 get a message to Doctor Hatfield to find someone at
22 RTA to see if there were any buses that were not
23 flooded that we could go try and get keys and try
24 and get some buses ourselves.

25 Q. Was Doctor Hatfield successful in finding

1 anyone at RTA?

2 A. I think before she was successful in
3 that, we found out that the buses had indeed
4 flooded. The word had gotten out that the city was
5 pretty much inundated with water at that point.

6 Q. Who was advising you that the RTA buses
7 had in fact flooded?

8 A. I don't recall.

9 Q. Was it someone in a position to know the
10 status of the RTA fleet?

11 A. I talked to so many people who were on
12 the streets, first responder types. I don't know
13 who I spoke to regarding that, but there were so
14 many things I was trying to find out, put out,
15 check out.

16 Q. Have you learned since that first week
17 after Katrina made landfall whether or not all the
18 RTA buses were in fact flooded, or whether there
19 were some that were viable throughout the storm?

20 A. It's my understanding that they were all
21 flooded.

22 Q. Have you had a conversation at all with
23 anyone from RTA since then?

24 A. No, I have not. You have, and I'm
25 wrong?

1 BY MR. LEVY:

2 Q. We have heard from one witness that there
3 were about 180 or so RTA buses on high ground that
4 were fueled up and on dry land and were operational
5 during the days following the storm.

6 A. I'm shocked.

7 Q. Did any report of that come to you?

8 A. No. In fact, I find that very suspicious
9 because there's been so much media here, that had
10 that really been the case, we would have been
11 blasted all over, and I'd be shocked if that were
12 really the case.

13 Q. One media image is the field of school
14 buses.

15 A. Right.

16 Q. Why were they not used?

17 A. Well, the city does not -- one, we were
18 sticking to our evacuation plan. Two, is those
19 were not our buses. The city and the School Board
20 are separate entities.

21 Q. Were they usable? Were they flooded?

22 A. Yes, the ones you saw in the flooded
23 picture. I saw the same picture.

24 Q. One of the reasons is they couldn't be
25 driven?

1 A. Correct, obviously.

2 Q. But on Monday was there any discussion
3 before -- well, Saturday, Sunday and Monday before
4 the city is completely flooded, is there discussion
5 of using those school buses?

6 A. No. I certainly didn't have a
7 discussion.

8 Q. Before you speak with Mr. Kopplin about
9 buses, is there any conversation about the
10 availability of qualified drivers for buses?

11 A. Sure.

12 Q. Can you tell us about those discussions?

13 A. We knew when we were trying to secure the
14 bus drivers just to bring people to the Dome on
15 Sunday that there were challenges to finding the 30
16 some-odd bus drivers that we had. And I don't know
17 the specifics to that, but I was told that because
18 many of these drivers were trying to evacuate
19 themselves, that there were issues about securing
20 those drivers, which we eventually did, but there
21 were challenges to it.

22 Q. When you spoke to Mr. Kopplin, did you
23 ask him for drivers?

24 A. We asked him for buses with drivers.

25 BY MS. BOONE:

1 Q. What was Mr. Kopplin's response to your
2 emphasis on the need for buses and drivers?

3 A. We felt after talking with Andy, the
4 mayor and I had a conversation in which I felt like
5 we were heard. I said I believed that Andy clearly
6 got the picture, that no matter what he was told,
7 no matter what they were doing, that we were
8 desperate for buses, and that that should be the
9 priority for the state.

10 Q. Did Mr. Kopplin during the course of that
11 have conversation give you any kind of time frame
12 or idea of numbers of what they could provide?

13 A. We talked numbers a little bit, but it
14 was just a little bit in relation to specific
15 inquires they had made, people who worked with the
16 state, particular to i.e. a particular school
17 system providing buses, but no drivers were willing
18 to accompany those buses, and the challenges they
19 were going to have, but he was very clear on the
20 fact that the number one priority they were hearing
21 from us at that point was to secure buses with
22 drivers.

23 Q. Were you given any type of time line in
24 which they would attempt to have that happen?

25 A. Yes.

1 Q. What was that?

2 A. That they would work to secure these
3 buses within the next 24 hours.

4 Q. So it was a 24-hour time frame?

5 A. He didn't guarantee it, he said he would
6 work to have them within 24 hours.

7 Q. We talked a lot about -- let me ask you
8 one more thing. On August 30 there's an entry here
9 for: Ask for update on priority list and
10 sandbagging of 17th Street Canal - told yes. And
11 then later on in that list there's an entry: Call
12 from Marcia. They never showed up with 3,000
13 sandbags to patch the levee. Went to rescue 1,000
14 people off a roof. Told governor diverted them to
15 a church in the East.

16 The first entry: Ask for update on
17 priority list and sandbagging of 17th Street
18 Canal - told yes. Who is this directed to and who
19 told you yes?

20 A. Well, this sandbagging of the 17th Street
21 Canal was directed to the state, and we were told,
22 yes, that it would happen. This was not
23 specifically the mayor's request, it was done
24 either through Colonel Ebbert or Marcia St. Martin
25 our Sewerage and Water Board director. Later that

Committee on Homeland Security and
Governmental Affairs
EXHIBIT #21



C. RAY NAGIN
MAYOR

CITY OF NEW ORLEANS

OFFICE OF THE MAYOR
1300 PERDIDO STREET, SUITE 2E04
NEW ORLEANS, LOUISIANA 70117
(504) 565-6440

October 1, 2002

VIA HAND DELIVERY AND FACSIMILE

Historical

The Honorable Mary Landrieu
SH-724 Hart Senate Office Building
United States Senate
Washington, D.C. 20510

Dear Senator Landrieu:

Thank you for quickly convening the leaders of the Southeast Louisiana region last Saturday to meet with you and Senator Jeffords to assess the damage Tropical Storm Isidore has caused in the region. As a result of our meeting, several glaring problems requiring immediate attention and focus in the City of New Orleans came to light. These include:

The Louisiana Department of Transportation and Development Pumping Station Project at the Southern Railroad Bridge crossing on Interstate-10 must be completed. This project must be our highest priority. During Isidore, I-10, the City's only evacuation route, was forced to close because fifteen feet of water under the Southern Railroad Bridge rendered the highway impassable. The State is currently constructing a new pumping station, but help is needed to complete the project on an accelerated schedule.

The City's pumping capacity must be expanded. To upgrade the City's pumping capacity completely, the United States Army Corps of Engineers' Southeast Louisiana Urban Flood Control Program (SELA) will require approximately \$1 billion dollars. To date, Congress has appropriated \$55 million for SELA, but at least an additional \$13 million from Congress is needed to help in FY 2003 to move this tremendous project forward.

The City's back-up pumps, engines, and electrical generators must be upgraded. The Sewerage and Water Board's aging pumps must be repaired and replaced. For example, during Isidore, a pump at the 17th Street Canal Pumping Station was damaged. Approximately \$500,000 is needed for this immediate repair. Furthermore, the capacity of the City's back-up electrical generators was found to be inadequate, requiring \$39 million to purchase additional equipment.

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Emergency communications and technology systems must be improved. In order to effectively communicate emergency plans among government officials and to the community en masse, the fragmented and aging technology used by police, fire, and emergency response teams must be updated. Furthermore, a community alerting system must be implemented, and the Geographic Information System (GIS) must be built to facilitate immediate processing of street flooding status, evacuation route updates, and damage assessment reports. Approximately \$15.5 million is needed to meet these urgent communications and technology needs required to secure public safety and emergency response.

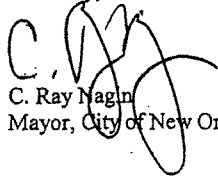
Hospital generators must be elevated above basement level. Currently, in four of the City's hospitals, the generators are located in the basement. Any flooding would render these generators incapable of providing life-saving support services critical during a future storm. Approximately \$60 million is needed to relocate the generators.

A Light Rail System is necessary to facilitate the evacuation of New Orleans residents. Another critical element in the City's struggle to devise a safe and efficient means of evacuation is the development of a light rail system. As many as 100,000 residents of New Orleans have no means of transportation, rendering it impossible for them to evacuate the City. At a time when speed and reliability are critical, the light rail system will provide an expedient means of egress from the City, effectively reducing the gridlock that occurs on the highways during evacuations. This project requires an additional \$200 million in federal funding.

A "Shelter of Last Resort" is critical for the safety of residents of the Southeast Louisiana region. Many residents need continuous medical supervision. During a severe storm such as Isidore, some of these people might be trapped in their homes, without access to the medical care they need. Approximately \$30 million is needed to secure a portion of Charity Hospital as a regional "Shelter of Last Resort" for patients needing constant medical attention.

Thank you for your continuing support for the Southeast Louisiana region, and proactive stance on its needs. Please contact me if you should need any additional information.

Sincerely,



C. Ray Nagin
Mayor, City of New Orleans

CRN/GF/hdm

Old Charity 13 floors vacant over 3rd floor windows \$10M Regional Shelter

Harris, Julie S.

From: Forster, Garey
Sent: Sunday, September 29, 2002 6:15 PM
To: julieh@new-orleans.la.us; McDowell, Heather; Montroy, Maureen; Reilford, Janita
Cc: Smith, Gloria
Subject: Landrieu Letter: Isadore
Importance: High

We need to draft a letter to Sen Landrieu as a follow up after Isadore & documenting the needs of NO. Below are points the Mayor made to her & Sen Jim Jeffords on Sat.

I'd like to divide up the topics among each of you based on what you are already working on or are interested in & get a draft together by COB Tuesday.

- 1) Pump Capacity Expanded *TP 3000*
 - 2) Back Up Generators Elevated ? *Hospital only \$60M*
 - 3) Communications/Technology
 - 4) Light Rail to exit 100k people *Jan*
- Questions? *100k people and hrs*

G
Sent from my BlackBerry Wireless Handheld (www.BlackBerry.net)

Figures by Tom
 Sent to *Landrieu*
 @ *Montroy*
 @ *Tom*
 @ *Maureen*
 @ *Chas Gen*
 @ *Medical Center*
 LA
 10M

communication part

*How many hospitals
Charity Medical Center of LA
est cost*

*metairie Rd. RPC - Talbot - Gov's Office
temp shelter cost*

Commun. Technology - Cynthia

*CAO + OEP - Get Internal report
what went to State Thursday
\$ 1 1/2 M prelim - off*