

Opening Statement By Chairman James L. Oberstar

Statement of
The Honorable James L. Oberstar
Subcommittee on Economic Development, Public Buildings, and Emergency
Management
Hearing On
Readiness in the Post-Katrina and Post-9/11 World: An Evaluation of the New National
Response Framework”
September 11, 2007

Today marks the anniversary of a very significant day in our Nation’s history. Much like the anniversary of the attack of Pearl Harbor, September 11 is a date “which will live in infamy”.

It is not a coincidence that on the anniversary of this day, the Subcommittee holds a hearing to probe the plan and the organizational structure put in place after the tragic events of September 11, 2001. After reading the testimony of today’s witnesses, as well as the press reports about the new National Response Framework, I have serious concerns not only about the content of this plan, but about the process by which it was developed.

In response to the Hurricane Katrina, Congress clearly instructed the Department of Homeland Security (“DHS”) in the Post Katrina Emergency Management Reform Act of 2006 (Public Law 109-295), to restore the Federal Emergency Management Agency (“FEMA”) to a professional organization with the expertise, responsibility, authority, and capability to prepare for and manage all aspects of disasters and emergencies. Importantly, in this Act, Congress specifically aimed to avoid confusion over authority and reunited preparedness with the rest of emergency management functions within FEMA.

Rather than complying with the law, DHS is heading in the complete opposite direction with this document. The National Response Framework attempts by DHS to marginalize FEMA and its Administrator. This new framework stands to reinstate the patterns and mistakes that led to the Department of Homeland Security’s dismal response to Hurricane Katrina.

Testimony from our expert panel indicates a deeply flawed National Response Framework. To quote from the written testimony of Dr. Stockton from Stanford University: “...the framework also ignores – and is likely to subvert – key changes that Congress enacted in the Post-Katrina Emergency Management Reform Act of 2006...and would put the Nation at risk to some of the same systematic failures that hobbled the Federal response to Katrina.”

It is disturbing, and counterintuitive, that state and local emergency managers and first responders were locked out the final drafting of this document. These responders, not only by common sense but by law, are supposed to have a key role in the development of

this framework. It is indicative that his shift occurred when DHS took over the development of the process from FEMA. This new plan also sheds light on the way DHS views its relationship with FEMA and with state and local governments. The consequences of DHS defying the common-sense, practical direction required by Congress, are profound.

I repeatedly questioned the wisdom of placing FEMA, which was a universally recognized as a nimble and effective organization when independent, into the larger DHS bureaucracy. Even though I believe the Post Katrina Emergency Reform Act did not go far enough, because it kept FEMA within DHS, I have been willing to give this reform a chance to see if it works. However, in light of the disregard DHS is showing for even the modest FEMA reforms enacted last year, I think it may be time for Congress to revisit whether this country can afford to continue to have FEMA buried in and hobbled by the Department of Homeland Security.

I look forward to the testimony of the witnesses with us today.