5-1-2012

A case study of the role of the Robert T. Stafford act in the federal, state, and local government response to hurricane Katrina and hurricane Andrew

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ABSTRACT

DEPARTMENT OF POLITICAL SCIENCE

PRICE JR., AMBRUS C. B.A. UNIVERSITY OF NEVADA LAS VEGAS, 1994
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A CASE STUDY OF THE ROLE OF THE ROBERT T. STAFFORD ACT IN THE
FEDERAL, STATE, AND LOCAL GOVERNMENT RESPONSE TO
HURRICANE KATRINA AND HURRICANE ANDREW

Advisor: Dr. Fragano S. J. Ledgister

Dissertation dated May 2012

This dissertation conducts a descriptive case study analysis of the Robert T. Stafford Act and the role of the Federal, State, and Local government in the response to Hurricane Katrina and Hurricane Andrew. This dissertation investigates how race and class impacted the varying responses to Hurricane Katrina and Hurricane Andrew and demonstrates how available legislation could have prevented the massive loss of life and property.

Data presented in this study examined the effectiveness of the Robert T. Stafford Act and why it is an effective and necessary piece of legislation during natural disasters in lessening the loss of life, property, income and overall human suffering. The analysis in this dissertation examined the results of a study on whether race and class played a direct role in the type of response provided by all levels of government. The study concludes that the poor response provided to the victims of Hurricane Katrina could have
been vastly improved if the guidelines of the Robert T. Stafford Act were followed and implemented properly.
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FEDERAL, STATE, AND LOCAL GOVERNMENT RESPONSE TO
HURRICANE KATRINA AND HURRICANE ANDREW

A DISSERTATION
SUBMITTED TO THE FACULTY OF CLARK ATLANTA UNIVERSITY
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR
THE DEGREE OF DOCTOR OF PHILOSOPHY

BY

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DEPARTMENT OF POLITICAL SCIENCE

ATLANTA, GEORGIA

MAY 2012
ACKNOWLEDGMENTS

I would like to express my gratitude to the members of my dissertation committee, Dr. Hashim Gibrill and Dr. Robert DeJanes, for their expertise, guidance, and encouragement. I am also grateful to Dr. Fragano Ledgister, chairman of my dissertation committee, for his direction and assistance in completing this research project.

This dissertation is dedicated to my mother, Ms. Janet Price, my father, the late Charles Miles, and my grandmother, the late Ms. Evelyn P. Bergeron. In addition, my gratitude goes to Miss Carisa Malanum for her inspiration and all of my family and friends for giving me the love and support necessary to complete this research project and the requirements for a doctoral degree.
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CHAPTER I
INTRODUCTION

On August 29, 2005, Hurricane Katrina made its landfall. The eye of the storm passed through New Orleans, LA, creating the greatest and costliest natural disaster in the history of the United States of America. Hurricane Katrina stands as one of the greatest national shames on the United States of America. No single event represents the shame regarding the poor treatment and neglect of one race of people to the level of Hurricane Katrina. Let there be no understatement that Hurricane Katrina defines the culmination of centuries of neglect of the needs of African-American citizens in the United States of America. The failure to adhere to the principles of the Robert T. Stafford Act by the federal, state and local government caused incalculable damage to the lives of the victims of Hurricane Katrina that could have been prevented. The Stafford Act, if followed properly provided the legislation to ensure that victims of a natural disaster receive the most adequate, proficient response from all levels of government. The Stafford Act is the legislation that allows each level of government to perform its roles and responsibilities minus the bureaucracy and ambiguity that results from uncertainty in understanding which level of government is responsible for what type of response.

On Saturday, August 27, 2005 at 10:00 A.M. FEMA director Michael Brown appears on CNN to encourage residents of southeastern Louisiana to leave as soon as possible for safety inland. The National Hurricane Center issues a hurricane watch for metropolitan New Orleans and warns that Katrina could make landfall as a Category 5 storm. 1:30 P.M. Louisiana Governor Blanco and local officials
go on television advising people to evacuate; 5:00 P.M. Governor Blanco and Mayor C. Ray Nagin appear at a press conference to warn residents of the storm. Nagin declares a state of emergency in New Orleans, but stops short of calling for a mandatory evacuation. Sunday, August 28th, 6:15 A.M. The National Oceanic and Atmospheric Administration reports that Katrina is now a Category 5 storm.; 9:25 A.M. President George W. Bush calls Governor Blanco, advising that she and Mayor Nagin order a mandatory evacuation of New Orleans; 10:11 A.M. The National Weather Service issues a dire warning of the probable impact of Katrina: Most of the area will be uninhabitable for weeks...perhaps longer.¹

Several meetings were conducted with all the major decision makers including President Bush and the director of Homeland Security Michael Chertoff discussing the possible destruction that Hurricane Katrina could bring to the New Orleans, LA area and the likelihood of severe flooding. On the 29th of August, the first signs that severe flooding was becoming a reality occurred when the 17th Street Canal experienced a breach. Government officials were still hoping that the levees would be able to protect New Orleans from severe flooding, however once the 17th Street Canal was breached it became painfully obvious that several of the levees would be toppled. The eye of Hurricane Katrina reached landfall as a Category Four hurricane. Mayor Ray Nagin appeared on NBC’s Today Show informing the public that water was coming through the levees and that the city of New Orleans and its residents should expect significant flooding. President Bush declared emergency disasters in three states: Louisiana, Mississippi and Alabama at 11 p.m. The President was aware of the levees being breached in New Orleans and the extensive flooding that was coming. Hurricane Katrina was catastrophic in terms of damage compared to other disasters such as the San Francisco Earthquake of 1906, the Chicago Fire of 1871 and the Mexico City Earthquake

of 1985. "The San Francisco Earthquake of 1906 caused 3,000 deaths, 225,000 injuries and 400,000,000 in property damage."2

On the night before the Great Chicago Fire a major fire broke out that was battled by all the city's fire companies. When that blaze was brought under control it seemed that Chicago had been saved from a major disaster. And then on Sunday night, October 8, 1871, a fire was spotted in a barn owned by an Irish immigrant family named O'Leary.3

Prior to the Great Chicago Fire the Midwestern town had not experienced a disaster of this magnitude. "The fire took the lives of more than 200 people, destroyed over 2,000 acres of land and some $200 million in property, roughly one-third of the city’s value."4 This fire was later called the Great Chicago Fire. Fires were common in the Chicago area due to the extreme temperatures and residents lighting fires to warm their homes but nothing on this scale.

Natural disasters have been a part of the overall dynamics of the United States of America since the beginning of the recording of history. A timely and proper response from the local, state and federal government has always been necessary.

On September 19, 1985, at 7:17am, a Richter magnitude 8.1 earthquake occurred on the Pacific coast of Mexico. The damage was concentrated in a 25 km2 area of Mexico City, 350 km from the epicenter. Of a population of 18 million, an estimated 10,000 people were killed, and 50,000 were injured. In addition, 250,000 people lost their homes, and property damage amounted to $5 billion.5

2. Berkeley Seismological Laboratory, “Where can I learn more about the 1906 Earthquake?” http://seismo.berkeley.edu/faq/1906_0.html (accessed April 12, 2010).
4. Ibid.
On Sunday, August 28, the National Hurricane Center issued this warning to media outlets and government officials.

Devastating damage expected...hurricane Katrina...A most powerful hurricane with unprecedented strength...rivaling the intensity of hurricane Camille of 1969. Most of the area will be uninhabitable for weeks...perhaps longer. At least one half of well constructed homes will have roof and wall failure. All gabled roofs will fail...Leaving those homes severely damaged or destroyed. The majority of industrial buildings will become non functional. Partial to complete wall and roof failure is expected. All wood framed low rising apartment buildings will be destroyed. Concrete block low rise apartments will sustain major damage...Including some wall and roof failure. High rise office and apartment buildings will sway dangerously...A few to the point of total collapse.6

This turned out to be ominous warning for the city of New Orleans. The destruction that was predicted was alarming by any standard. Predictions of sport utility vehicles and light trucks being thrown about the city like toys; trees being uprooted like small potted plants and pets being in danger of experiencing massive casualties was Armageddon like. Individuals outside of the city of New Orleans viewing this warning from afar were now being informed of the pending devastation to come. The level of warning that was communicated to the public regarding the impact of Hurricane Katrina gave rise to the notion that all levels of government should have been prepared for the worse. As chaos unraveled in the heart of New Orleans and as evacuation locations such as the Louisiana Superdome and the Marc Morial Convention Center were being inundated with victims of Hurricane Katrina who had remained in the city and had no place to go for safety and shelter; the United States Government was simultaneously

experiencing a storm of its own. The majority of individuals sheltered in the Louisiana Superdome and Marc Morial Convention Center were African American. One only needed to turn on their television or computer and look at the faces of those people suffering. The government of the United States was attempting to deal with a catastrophic and monumental breakdown of the core of its functionality. That core is federalism. However, it is critical to examine race as a variable in the response of the federal government as well as the responses of state and local government. Did race play a significant role in the response of the federal government to Hurricane Katrina? There is a significant body of literature that examines race as well as class in the response to Hurricane Katrina.

The primary purpose of this study is to examine how the failure to adhere to the tenets of the Robert T. Stafford Act caused severe, unnecessary and preventable damage to the victims of Hurricane Katrina. This failure exposed the underlying issue of how race and class can play a role in the response to a natural disaster as well as how the breakdown of the structure of federalism can adversely affect the ability of each level of government to perform its roles in a response to a natural disaster.

Since Hurricane Katrina destroyed a significant portion of the city of New Orleans, LA along with several other places along the Gulf Coast such as Hattiesburg, MS, Biloxi, MS, and rural parts of the Mississippi Coast considerable attention has been given to focusing on how the levees that were designed to protect the city of New Orleans, LA were breached and compromised thus causing over 70 percent of the city to flood. The attention needs to center on the breakdown of the relationship between federal, state and local government and how this breakdown played a major role in the
events that transpired before and after Hurricane Katrina made landfall. In addition, special attention needs to focus on the relationship between the federal government and African Americans and how African Americans rely on the government in times of crisis. The inefficiency of federalism did not cause Hurricane Katrina to transform from a tropical depression to a Category Five cyclone. The failure to plan for such a natural disaster allowed a manageable disaster to become unmanageable in fact.

Hurricane Katrina placed the spotlight on and exposed the inherent and apparent flaws that exist in the coordination of federal, state and local government agencies in response to a natural disaster and in particular the incompetence of appointed and elected officials. In addition, the area of Natural Disaster Planning and Management has not been adequately addressed by federal, state and local government. The legitimacy and necessity of federalism were questioned during the Hurricane Katrina disaster. One of the central questions during the Hurricane Katrina disaster is whether or not federalism works and if not then is it still viable and necessary. It must be noted in this study that Emergency and Disaster planning is but one facet of federalism and the whole system cannot be adequately evaluated based on one single facet. Hurricane Katrina highlighted the failure of federalism during a natural disaster, particularly one that was dominated by the question of race and class. The lack of coordination among the agencies of federal, state and local government gave the impression to the general public that each agency is sovereign and unequal. A clear understanding of Federalism is a necessary step when trying to conclude if the African-American community has the right to depend on the federal government. The public perception during Hurricane Katrina was that each level of government was independent of each other and the lack of coordination in natural
disaster planning response emphasized this idea. During the disaster each agency
attempted to shift blame and negative public perception onto the others. The roles of
each level of government during a natural disaster were not clearly identified and defined
in a meaningful way, therefore making the process of escaping culpability easy.

The disaster of Hurricane Katrina quickly turned into a blame game with
representatives from each branch of government quickly blaming the others for the
failings that were causing monumental pain and heartache to the residents of New
Orleans, LA, in particular those black and poor residents. In his first inaugural address
President Ronald Reagan addressed the nation and said “all of us need to be reminded
that the Federal government did not create the states, the states created the federal
government.”
7  Reagan’s statement is poignant because it helps to explain that states
must hold a level of responsibility and there is no federal government without the states.
States want to enjoy a certain level of freedom and autonomy from the federal
government. States strive to have their autonomy preserved in the midst of federal
authority. A natural disaster the magnitude of Hurricane Katrina demands a coordinated
response from all levels of government. The federal government is expected to have the
capacity to provide an adequate response and ensure that those individuals who cannot
provide for themselves needs are not ignored. The federal government does not want to
be responsible for solving every crisis that faces an individual state. The question
becomes where should responsibility begin and end for federal, state and local
government.

Crowell Company, 1966), 36.
Since the founding of the United States, scholars have argued the pros and cons of federalism and how much responsibility and power one agency should possess. Agencies that comprise the state and local government have been since the 1930s dependent upon federal funding to function effectively. Funding for state and local government projects as well as legislative policies possess a direct impact on the way government functions. The federal government does not have the will or the desire to regulate every aspect of individual lives. States along with the individual citizen turn to the federal government in times of crisis for answers at to what to do. Natural disasters are an example of a rare instance where the overall national good is being served when federal, state and local governments work collectively to assist the citizens of the geographic area affected. When the federal, state, and local governments fail to coordinate an adequate response during a natural disaster everyone is affected but minorities and the poor are adversely affected and receive the brunt of the pain.

Legislation does not have to specifically address African Americans or any other minority group but the implication in any piece of legislation can be clear regarding who the law is meant to protect. The Robert T. Stafford Act is a law designed to ensure that when state and local governments are overwhelmed during a natural disaster that the Federal government will step in and provide the necessary resources to ensure citizen needs are met.

"Friday August 26, 2005 at 5pm warnings from the National Weather Service show that Hurricane Katrina was set to take a turn and the city of New Orleans, L.A., was
within range." The city of New Orleans soon began to order evacuations of the city and outlining suburbs. "St. Tammany, St. Charles, Plaquemines parishes announce mandatory evacuations, Orleans and Jefferson parish announce voluntary evacuations and Governor Kathleen Blanco sent a State of Emergency letter to President George Bush." Prior to Hurricane Katrina making landfall in the city of New Orleans it was clear that all agencies of government needed to work together to ensure that the citizens of the region directly in the eye of the storm were successfully evacuated. This was a critical moment when the State and Local government needed to pay special attention to minorities and the poor. Evacuation of residents needed to be the number one priority of the state and local government administrations. The federal government needed to be responsible for those issues that the state and local governments could not handle due to their limited resources. In Washington, DC, Michael D. Brown, the director of the Federal Emergency Management Agency (FEMA), received a briefing on Saturday from the National Hurricane Center on the severity of Hurricane Katrina and the likelihood that it would indeed make a direct hit on New Orleans. Like Nagin, Brown responded by letting the day pass. He did not send emergency-response management teams to the region, normally a reflex action for a FEMA director in the face of potential problems. He did not send hundreds of buses to the periphery of the Gulf Coast, within easy post-storm striking distance. Even in the earliest moments of the disaster planning associated with


9. Ibid.

Hurricane Katrina each level of government was dependent on the other to ensure any level of success.

In a natural disaster that can be foreshadowed such as a hurricane, it is essential that evacuation procedures are in place that will allow the maximum number of residents to leave the affected area in a timely manner. During Hurricane Katrina, a large number of residents were not able to evacuate the area simply due to traffic gridlock where they were either discouraged from leaving their homes due to the information (television, radio and word-of-mouth) they were given about how long it was taking for traffic to flow. These are the areas of responsibility for State and Local government. In addition, it is the responsibility of State and Local government to correctly identify those groups of people who will be in the most need of their assistance during a natural disaster.

Hurricanes are unique natural disasters due to the fact that they are able to be predicted often weeks in advance before making an impact on a specific geographic region. Media outlets were suggesting that a tropical depression was forming in the Carribean and could pose a significant threat to the city of New Orleans as early as August 23.

The timeline of Hurricane Katrina is critical in understanding why the response by the Federal, State and Local government failed on such a historic level.

On Sunday, August 28th at 9:30am Orleans Parish issued its first-ever mandatory evacuation; At 10am Hurricane Katrina became a Category Five storm with winds of 175mph (only 3 Hurricaness have reached Category Five strength in the 20th century and only 23 in the history of recorded hurricanes). At 11:30am President George Bush pledged to help those affected by the storm and there were already over 26,000 residents in the New Orleans Superdome as a refuge point of last resort.11

11. Ibid.
These timeline points on the 28th are critical because they show the "full awareness" of the federal, state and local agencies and the serious nature and threat that Hurricane Katrina posed to the city of New Orleans. Volunteer evacuations had always been the normal procedure during hurricanes for Orleans Parish and the fact that the President of the United States George W. Bush was fully briefed early in the morning of the potential danger the storm posed shows that the state of Louisiana was aware of the necessity of seeking assistance from the federal government. In addition the federal government was aware that a potential natural disaster of this magnitude was going to require the assistance of the federal government and its resources.

On Monday, August 29 at 7am water is reported coming over the levee in the Ninth Ward of New Orleans; At 8:45am six to eight-foot flood waters are reported in the Ninth Ward; At 9am the eye of Hurricane Katrina passes to the east of New Orleans Central Business District; At 11am the National Weather Service reports a breach in the Industrial Canal levee, emptying Lake Pontchartrain into the neighborhoods of Eastern New Orleans, the lower Ninth ward in Orleans parish and all of St. Bernard parish; At 2 pm the breach in the 17th Street Canal is confirmed and flooding of Lakeview, Mid-City, Broodmoor and Gentilly result over the next 48 hours also flood waters in the lower Ninth Ward reach 12 feet in some areas.  

The flawed relationship between the federal, state and local government became more and more apparent once Hurricane Katrina made landfall in the city of New Orleans.

The roles and responsibilities of federal, state and local government in disaster planning were not clearly defined in past natural disasters, therefore when the biggest natural disaster to date occurred none of the agencies were adequately prepared to deal with it. The response to the disaster by each level of government was carried out independently of the others until it was vitally necessary that each work in cooperation

12. Ibid.
with the others. However, at this point the crisis was already at the point where no one agency could handle its responsibility without the assistance and cooperation of the other. The local government needed the state, the state needed the federal and the federal needed the local and state governments in order to give the most reliable assistance to the residents of New Orleans. This was also true for other regions of the Gulf Coast. The residents of a particular region affected by a natural disaster immediately turn to the government for assistance as well as direction. In a crisis such as a natural disaster citizens want to have some level of direction and focus from its government and its officials in order to feel confident that the disaster is one that can and will be survived by them. Crisis communication is essential to the success of disaster management planning.

The public needs to and deserves to be informed in a timely and efficient manner regarding what steps need to be taken during a natural disaster. In addition the general public needs to be confident in the information they are receiving. Natural disaster planning is one of the most fundamental examples of why effective federalism is necessary.

During Hurricane Katrina, each level of government was taking action; however the actions of the federal, state and local government were not coordinated in a manner that benefited the individuals it was designed to assist. All levels of government must be in partnership and concert with each other in order to provide the best possible services to the general public. The three key players in the failure of the government response in the Hurricane Katrina disaster were the President of the United States George W. Bush, Governor of the State of Louisiana Kathleen Blanco and Mayor of the City of New Orleans Ray Nagin. Each of these individuals represents a level of government. While
these three individuals cannot and should not shoulder the entire blame alone, the responsibility for the incompetence of the response starts with each of them. The poor communication and coordination among these government officials and their levels of government represented the problems associated with federalism that is in desperate need of correction.

The bureaucracy associated with any high level coordination of responsibilities in a natural disaster is prone to hinder progress, however in a natural disaster planning is critical for human survival and there is no room for political posturing and personal differences. The politics of who is in control, which agency has first responsibilities and what agency has the highest level of authority must be clearly defined in order to achieve the number one objective of saving the lives of citizens. Individuals and the levels of government and agencies that represent them must work together in a coordinated manner which best serves the interest of the public and the country at large. The possible negative consequences of bureaucratic red tape and miscommunication during a natural disaster is too great not to have a sound viable plan implemented and ready for execution.

Citizens in areas that are directly affected during a natural disaster need to be assured that they are the recipients of the best possible planning by their officials and representatives. In addition the failure of federalism tends to disproportionately affect minorities who lack the resources to be able to survive during a natural disaster. This point was made evident during Hurricane Katrina where a large portion of the African-American community depended on the federal government as the rescuer of last resort and expected equal and fair treatment from their own local and state government.
Hurricane Katrina disproportionately adversely affected the African-American population in New Orleans.

Historically, the African-American community has turned to the federal government as well as the United States Supreme Court when it has experienced unequal justice under the law. More to the point policies that are implemented by local and state governments have historically forced African Americans into second-class citizenship and the community was forced to turn to the federal government in order to receive some redress. In other words, the African-American community has come to depend on the federal government for support in times of need and crisis.

"Hurricane Rita was the fourth most intense Atlantic Hurricane ever recorded and the most intense tropical cyclone ever observed in the Gulf of Mexico."13 "Hurricane Rita started on September 17, 2005 and dissipated on September 24, 2005."14 Rita did not impact the city of New Orleans in the same devastating destructive manner as Hurricane Katrina. Primarily because the majority of New Orleans was already evacuated after Katrina made landfall. "Before Rita, the mayor of New Orleans Ray Nagin, had planned to begin reopening the city on September 19th after the damage caused by Hurricane Katrina. However, as Rita developed in the Gulf of Mexico, the reopening was cancelled and a re-evacuation of the city was initiated on September 21st as the storm was initially forecast to make landfall much closer to the city."15 When Rita made


14. Ibid.
landfall it did cause major re-flooding to the city of New Orleans, however the vast
majority of the city was evacuated and the areas of the city that experienced flooding due
to the storm had already been flooded due to Katrina.

Hurricane Katrina affected a large city in areas of that city where the inhabitants
were predominantly African Americans. The city of New Orleans is unusual in the sense
that “49% is located below sea level.”16 The hardest hit areas of the city were the lowest
lying areas and these areas were “populated with 80-85% African Americans.”17 The
lowest areas of the city naturally experienced the highest levels of flooding during
Hurricane Katrina placing African Americans at a major disadvantage compared to other
ethnic groups in the city simply because of where they resided. Often, minorities are
congregated in areas of a city where they are vulnerable to calamities that are unique to
that area. The availability of low-income housing and low-skill employment positions
cause large groups of minorities to often live in the most undesirable areas of a city.
Frequently, minorities are disproportionately impacted by high unemployment and
unemployment leads to those individuals seeking government assistance which includes
housing. Thus, low-income housing attracts a large cluster of minorities.

Subsequently, the actions of federal, state and local governments in terms of their
response to the disaster had a direct and immediate impact on the African-American

15. Ibid.
16. Hurricane Katrina, “Honoring those who died; Fighting for those who Survived,”
17. Ibid.
community. The state and local governments failed to adequately prepare the city of New Orleans for Hurricane Katrina and its impact therefore leaving the overwhelming number of African American residents to turn to the federal government in order to force the local and state government to provide them with fair treatment in the midst of Hurricane Katrina.

The federal government has historically been seen as the means for the African-American community to combat local and state government failure. However, when the principles of federalism are implemented and the highest ranking officials are working together and in a cohesive manner, federal, state and local government together can perform the essential duties necessary for a successful disaster management plan.

The roles and responsibilities of the various levels of government in disaster planning must be clearly defined, but in order for federalism to be effective each level of government must be committed to the “idea” of federalism. There are several types of federalism and historical periods where federalism has changed and adjusted with the times. Two of these historically-defined periods of American federalism are Dual and Cooperative federalism. Dual Federalism is characterized as an era where collaboration between national and state government was minimal at best. In contrast, Cooperative Federalism is characterized by a more enhanced and developed collaboration between national and state government. “Dual Federalism holds that the federal government and the state governments are co-equals, each sovereign.”18 In this sense the levels of government are the same with the same level of authority and also the same level of

responsibility. The federal government is not seen as a savior to the state and local government rather both levels are seen as equals with their own level of authority as well as responsibility. “Cooperative Federalism asserts that the national government is supreme over the individual states.” In this sense the federal government has power over each state’s individual government and in a position to make decisions over the individual states.

The period from 1960 to 1968 was called Creative Federalism by President Lyndon Johnson’s administration. President Johnson’s creative federalism as embodied in his Great Society Program, was by most scholar’s assessments a major departure from the past. It further shifted the power relationship between governmental levels toward the national government through the expansion of grant-in-aid system and the increasing use of regulations.

“Contemporary Federalism, the period from 1970 to the present, has been characterized by shifts in the intergovernment grant system, the growth of unfunded federal mandates, concerns about federal regulations, and continuing disputes over the nature of the federal system.” A clear distinction must be made regarding the goals and intent of federalism and what happens when it is actually practiced. During the ratification debates, James Madison famously wrote “the powers delegated by the proposed constitution to the federal government are few and defined; those which are to remain in state governments are numerous and indefinite.” There are many ways to analyze how federalism was meant to be implemented and how it has transformed over

19. Ibid.


21. Ibid.

the last few decades into what it is today. In addition, the disproportionate way the Katrina disaster affected minorities in particular African Americans gives credence to the argument that the powers of the federal government need to be expanded in order to ensure fair and equal treatment of all people in the wake of a natural disaster.

The relationship between the federal, state and local government has significantly deteriorated to the point where the African-American community suffers disproportionately when compared to other races when a natural disaster strikes. Michael S. Greve argues “that federalism’s purpose is to enhance and protect the citizens’ liberty and welfare.” The idea is that federalism is meant to improve the lives of U.S. citizens, however, local and state governments use the federal government as a point of last resort and oftentimes as with Hurricane Katrina it is the individual while in the most need of help who is adversely affected by the decisions made by the state and local government. The main goal of any actor in federalism is unity, unity among all levels of governments and all individuals who are in positions of authority within the system of federalism.

There are three essential features that characterize a federal system of government.

1. First, there must be a provision for more than one level of government to act simultaneously on the same territory and on the same citizens.

2. Second, each level of government must have its own authority and sphere of power, though they may overlap.

23. Ibid.
3. Third, neither level of government (federal or state governments) can abolish the other.\textsuperscript{24}

The idea that power should be divided equally and no government should have a monopoly over any other government is ideal in a world that is free from discrimination and racism. However, the United States of America is not such a place. Hurricane Katrina served as a reminder of the fact that discrimination against certain groups of people must be taken into account during natural disaster planning and the role of federalism must be clearly defined.

\textbf{Statement of the Problem}

The federal, state, and local response to Hurricane Katrina violated the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The violation of the Stafford Act and the failure to implement its provisions caused the unnecessary pain and suffering of the citizens of the city of New Orleans, LA. "The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. 5121 et seq., is designed to provide a means by which the federal government may supplement state and local resources in major disasters or emergencies where those state and local resources have been or will be overwhelmed. The Act provides separate but similar mechanisms for declaration of a major disaster and for declaration of an emergency."\textsuperscript{25} The Stafford Act clearly states that the Governor of the affected state bears a large amount of responsibility


\textsuperscript{25} CRS Report for Congress: Received through the CRS Web: "Robert T. Stafford Disaster Relief and Emergency Assistance Act: Legal Requirements for Federal and State Roles in Declarations of an Emergency or a Major Disaster," September 16, 2005, \url{http://fpc.state.gov/documents/organization/53688.pdf} (accessed March 11, 2011).
in the mobilization of federal resources. A declaration of a major disaster and a declaration of emergency must be formally requested by the Governor of the affected state to the President of the United States. The Governor of the affected state is directly responsible for making the formal request to the President of the United States. In other words, the President’s hands are tied until the request is made by the Governor of the state.

All requests for a declaration by the President that a major disaster exists shall be made by the Governor of the affected State. Such a request shall be based on a finding that the disaster is of such severity and magnitude that effective response is beyond the capabilities of the State and the affected local governments and that Federal assistance is necessary. As part of such request, and as a prerequisite to major disaster assistance under this chapter, the Governor shall take appropriate response action under State law and direct execution of the state’s emergency plan. The Governor shall furnish information on the nature and amount of State and local resources which have been or will be committed to alleviating the results of the disaster, and shall certify that, for the current disaster, State and local government obligations and expenditures (of which State commitments must be a significant proportion) will comply with all applicable cost-sharing requirements of this chapter. Based on the request of a Governor under this section, the President may declare under this chapter that a major disaster or emergency exists.26

A natural question arises regarding why would the Governor of a state impacted by a natural disaster the magnitude of Hurricane Katrina be reluctant to make a formal request to the President along with the federal government for assistance. One can only speculate that a battle for power and control played a role.

Hurricane Katrina was the type of major natural disaster where the provisions of the Stafford Act should have been implemented immediately by the federal, state and local government. Under the guidelines of the Stafford Act:

26. Ibid.
Eligibility for disaster assistance begins on the date of the occurrence of the event which results in a declaration a major disaster exists, except that reasonable expenses incurred in anticipation of and immediately preceding the event may also be eligible for federal assistance. A major disaster declaration by the President opens the door to two types of federal disaster assistance: general federal assistance under Section 402(a) of the Stafford Act, 42 U.S.C. 5170a, and essential federal assistance under Section 403 of the Stafford Act, 42 U.S.C. 5170b. These provide:

5170a. General Federal assistance

In any major disaster, the President may

(1) Direct any Federal agency, with or without reimbursement, to utilize its authorities and the resources granted to it under Federal law (including personnel, equipment, supplies, facilities, and managerial, technical, and advisory services) in support of State and local assistance efforts;

(2) Coordinate all disaster relief assistance (including voluntary assistance) provided by federal agencies, private organizations, and state and local governments;

(3) Provide technical and advisory assistance to affected State and local governments for

   (A) the performance of essential community services;
   
   (B) issuance of warnings of risks and hazards;
   
   (C) public health and safety information, including dissemination of such information;
   
   (D) provision of health and safety measures; and
   
   (E) management, control, and reduction of immediate threats to public health and safety; and
   
   (F) assist State and local governments in the distribution of medicine, food, and other consumable supplies, and emergency assistance.

5170b. Essential assistance
(a) In general

Federal agencies may on the direction of the President, provide assistance Essential to meeting immediate threats to life and property resulting from a major Disaster, as follows:

(1) Federal resources, generally

Utilizing, lending, or donating to State and local governments Federal equipment, supplies, facilities, personnel, and other resources, other than the extension of credit, for use or distribution by such governments in accordance with the purposes of this chapter.

Medicine, food and other consumables

Distributing or rendering through State and local governments, the American National Red Cross, the Salvation Army, the Mennonite Disaster Service, and other relief and disaster assistance organizations medicine, Food, and other consumable supplies, and other services and assistance to Disaster victims.

(3) Work and services to save lives and protect property

Performing on public or private lands or waters any work or services Essential to saving lives and protecting and preserving property or public Health and safety, including

(A) debris removal

(B) search and rescue, emergency medical care, emergency mass care, emergency shelter, and provision of food, water, medicine, and other essential needs, including movement of supplies or persons;

(C) clearance of roads and construction of temporary bridges necessary to the performance of emergency tasks and essential community services;

(D) provision of temporary facilities for schools and other essential community services;

(E) demolition of unsafe structures which endanger the public;

(F) warning of further risks and hazards;

(G) dissemination of public information and assistance regarding health and safety measures;
(H) provision of technical advice to State and local governments on disaster management and control; and

(I) reduction of immediate threats to life, property, and public health and safety.27

44 C.F.R. 206.35 sets out the requirements for requests made by the Governor of a State or the Acting Governor in his/her absence for emergency declarations by the President under 42 U.S.C. 5191

206.35 Requests for emergency declarations.

(a) When an incident occurs or threatens to occur in a State, which would not qualify under the definition of a major disaster, the Governor of a State, or the Acting Governor in his/her absence, may request that the President declare an emergency. The Governor should submit the request to the President through the appropriate Regional Director to ensure prompt acknowledgement and processing. The request must be submitted within 5 days after the need for assistance under Title V becomes apparent, but no longer than 30 days after the occurrence of the Incident, in order to be considered. The period may be extended by the Associate Director provided that a written request for such extension is made by the Governor, or Acting Governor, during the 30-day period immediately following the incident. The extension request must stipulate the reason for the delay.

(b) The basis for the Governor’s request must be the finding that the situation:

(1) Is of such severity and magnitude that effective response is beyond the Capability of the State and the affected local government(s); and

(2) Requires supplementary Federal emergency assistance to save lives and to protect property, public health and safety, or to lessen or avert the threat of a disaster.

(c) In addition to the above findings, the complete request shall include:

(1) Confirmation that the Governor has taken appropriate action under State law and directed the execution of the State emergency plan;

(2) Information describing the State and local efforts and resources which have been or will be used to alleviate the emergency;

27. Ibid.
(3) Information describing other Federal agency efforts and resources which have been or will be used in responding to this incident; and

(4) Identification of the type and extent of additional Federal aid is required.

(d) Modified declaration for Federal emergencies. The requirement for a Governor’s request under paragraph (a) of this section can be waived when an emergency exists for which the primary responsibility rests in the Federal government because the emergency involves a subject area for which, under the Constitution or laws of the United States, the Federal government exercises exclusive or preeminent responsibility and authority. Any part may bring the existence of such a situation to the attention of the FEMA Regional Director. Any recommendation for a Presidential declaration of emergency in the absence of a Governor’s request must be initiated by the Regional Director or transmitted through the Regional Director by another Federal agency. In determining that such an emergency exists, the Associate Director or Regional Director shall consult the Governor of the affected State, if practicable.

(e) Other authorities. It is not intended for an emergency declaration to preempt other Federal agency authorities and/or established plans and response mechanisms in place prior to the enactment of the Stafford Act.\(^\text{28}\)

“A hurricane, or cyclonic storm, is an intense, rotating oceanic weather system that possesses maximum sustained winds exceeding 119 km/hr (74mph), it forms and intensifies over tropical oceanic regions.”\(^\text{29}\) The force and power a hurricane can generate coupled with the enormous amount of damage it can cause to a large metropolitan area makes it a natural disaster that deserves attention from all levels of government the moment it forms.

The city of New Orleans, LA, is vulnerable to hurricane destruction when it’s struck by hurricanes due to the fact that approximately 49% of the city lies below sea level. In addition the Gulf of Mexico is located at the end of what is

\(^{28}\) Ibid.

essentially a major pathway for hurricanes. The predicting and tracking of
hurricanes is a science that has become relatively reliable thanks to satellite
observation and residents who live in areas that are prone to hurricanes are
usually given an adequate warning of the pending storm. Tropical storms can
develop into tornadoes if certain conditions are present. At 23 miles per hour, the
disturbance becomes a ‘tropical depression;’ at 39 miles per hour, the depression
becomes a ‘tropical storm’ and gets a name from an annual list; and at 74 miles
per hour, the tropical storm is classified as a hurricane.30

The National Hurricane Center (NHC) located in Miami determines when a tropical
storm becomes a hurricane. The NHC usually gives an advance warning 36 hours or
more before hurricane conditions may affect a particular geographic area.31 All storm
warnings are essential due to the fact that they can cause major structural damage as well
as a significant loss of life. Government officials were fully aware that a hurricane such
as Katrina was more than likely to strike the city of New Orleans at some point based on
past hurricanes and current trends and predictions. Hurricane Katrina has been described
as a once-in-a-lifetime storm by several meteorologists and government officials,
however that does not excuse the type of response the citizens of New Orleans received
before, during and after the storm. Government officials on all levels did not adequately
prepare for the impact of Hurricane Katrina. A larger issue resides in the fact that all
levels of government were well informed ahead of time of the pending storm and the
level of destruction it could wreak on property and life.

The National Weather Service warned that Hurricane Katrina could develop into a
Category Four or Five Hurricane. Previous hurricanes that struck the city of New

30. Hurricane Katrina: “A Nation Still Unprepared” Special Report on the Committee on

31. Ibid.
Orleans such as Hurricanes Georges, Betsy and Andrew provided government officials with the experience to know that a category four or five hurricane would be catastrophic to New Orleans if the city took a direct hit from the storm. Nonetheless, the response to Hurricane Katrina by government officials proved to actually be more fatal to the citizens of the city of New Orleans than the storm itself.

The House Committee on Homeland Security and Governmental Affairs determined that there were many factors that contributed to the failure of response to Hurricane Katrina; however, the committee determined that there were four overarching ones:

1. Long-term warnings went unheeded and government officials neglected their duties to prepare for a forewarned catastrophe;

2. Government officials took insufficient actions or made poor decisions in the days immediately before and after landfall;

3. Systems on which officials relied on to support their response efforts failed; and

4. Government officials at all levels failed to provide effective leadership.32

One only has to read this list by the Committee on Homeland Security and Governmental Affairs to clearly see where most of the blame should be placed. The determination that there were long range warnings and that the government did not act on these warnings is particularly disturbing. The city of New Orleans experiences hurricanes on a regular and consistent yearly basis. “Louisiana was hit by 49 of the 273 hurricanes that made landfall

32. Ibid.
on the American Atlantic Coast between 1851 and 2004.”33 “On average, one major storm crosses within 100 nautical miles of New Orleans, LA every decade.”34 The local, state and federal government should have been trained as well as prepared for a disaster the magnitude of Hurricane Katrina. A monumental catastrophe the size of Katrina and the potential damage it could cause could in all likelihood surpass the resources that are available at the state and local levels. In catastrophes of this magnitude the federal government is called upon to serve a prominent and significant role in the planning and execution of the response. The citizens of the particular community impacted by the catastrophe depend on the federal government when the local and state government fails to meet their needs either through incompetence or lack of resources.

The inadequate actions and poor decisions before and after Hurricane Katrina made landfall are symptomatic of the entire failure of the response. Those poor decisions began with the effort to evacuate the residents of the city of New Orleans in a manner in which all residents who wanted to leave were given the opportunity to and those residents who were steadfast in staying were inadequately warned of the possible negative consequences of staying including loss of life. Once the evacuation of residents in a timely manner was not executed properly the possibility of a myriad of problems was fertile. These were all examples of why the role of the federal government needed to be more prominent before, during and after the disaster.

34. Ibid.
The issue of incompetence on the part of local, state and government officials must also be addressed adequately. In order for the federal government to work effectively during a natural disaster the local and state governments must be proficient in expressing and explaining the needs of the area directly impacted. The hierarchy that exists for the levels of government is necessary to ensure that the federal government can serve as a 'safety net' when local and state government fails the citizens of that particular area.

**Purpose of the Study**

The primary purpose of this study is to provide some insight into why the response to Hurricane Katrina was insufficient, particularly to residents of New Orleans, LA and to provide an objective analysis of the role of federalism in natural disaster planning. New Orleans has surfaced as the face of the Hurricane Katrina disaster and a road map to understanding how our local, state and federal government can fail its citizens experiencing a natural disaster. The question of how over 25,000 residents of New Orleans ended up at the Superdome as a refuge of last resort begs for analysis that goes deeper than just the theory that data shows they were black and therefore poor or poor and therefore black. The fact that shortly after the disaster made its impact all levels of government including the President called for zero tolerance on looting gave indication as to the lens that government looked through to see the victims of the disaster. Although, other areas were severely affected by Hurricane Katrina such as Mississippi, those areas do not have the geographic challenges faced by New Orleans and the ineffectiveness of levee protection.
In some respects, officials did prepare for Katrina with an understanding that it could be a catastrophe but however vigorous these preparations, ineffective leadership, poor advance planning, and an unwillingness to devote sufficient resources to emergency management over the long term doomed them to fail when Katrina struck.\(^{35}\)

It is important to note that it was a conglomerate of errors that made the response to Hurricane Katrina failure inevitable. However, regardless of the in-depth level of analysis conducted on the various errors of the response to Hurricane Katrina the failure to adhere to the principles of the Robert T. Stafford Act remains as the foundation from which all other errors spring forth from.

In addition to the obvious failures of the local, state and federal government the issue of how race affected the response of government officials during Katrina must be addressed and answered with more than a cursory response. Hurricane Katrina was truly an American disaster but it was also a national shame and an African-American tragedy. A major objective of this study is to emphasize not only the failures of the levels of government during a natural disaster but also to examine the response citizens receive from its government and its officials based on their race and class.

A brief analysis of FEMA storm damage data shows that the storm’s impact was disproportionately borne by the region’s African-American community, by people who rented their homes, and by the poor and unemployed. In the study conducted by Brown University and Dr. John R. Logan titled, “The Impact of Katrina: Race and class in Storm-Damaged Neighborhoods” the argument is made that class and race must be accounted for in any analysis of Hurricane Katrina. Logan states:

Prior research leads us to expect that although residents of the Gulf South share a common region, their responses to Hurricane Katrina varied in non-random ways reflective of racial and class divisions that have taken root and grown in the area over time. In the present paper, we treat this expectation as a matter for empirical investigation. Focusing specifically on race and class, we ask which, if either dimension of social life most differentiated human responses to Hurricane Katrina before and shortly after it hit the Gulf coast. Logically, the answer to this question can take one of three general forms: (1) class differences were more prominent than racial differences; (2) racial differences were more prominent than class differences; or (3) neither dimension was more prominent.36

It is important to note that regardless of the number of hypothesis and model analyzing the response to Hurricane Katrina the response was controlled by humans and when humans are in charge of a response the idea of race and class playing a role in the type of response provided cannot be marginalized. The argument can be asserted that the relationship between race and class is intertwined to the level that it is difficult if not impossible to separate one from the other for the sake of debate.

The report continues to argue that class differences were more prominent than racial differences, “For decades social scientists have debated which is more salient for explaining observed inequalities in the U.S. society: race or class? They have also wrestled with whether this ‘race versus class’ framework is too simplistic for understanding the intricacies of social inequality, since race and class, while analytically distinct, constitute overlapping systems of social stratification that remain experientially entangled and causally circular. Our position is that both approaches—the analytically

simple and the theoretically cautious—are useful: the first for identifying basic patterns of variation; the second for interpreting them.”

Logan continues his argument asserting that race and class cannot be ignored when analyzing the response to Katrina:

Similarly Gladwin and Peacock (1997, 66) contend that, faced with hurricane warnings, ‘Ethnic minorities are less likely to evacuate than Anglos...probably as a result of economic conditions rather than race or ethnicity per se.’ In other words race ‘matters’ but through more proximate, or direct, factors associated with class resources. This perspective is echoed in Molotch’s (2005) commentary on events immediately following Hurricane Katrina. Answering his own opening question, ‘Would so many white people struggling for life be ignored for so long?’ Molotch writes that, ‘Racism explains some of what went on, but its route was indirect.’ Molotch explains that ‘One of the race-based explanations is that those left behind are consistently the most deprived. The legacy of slavery, exclusion, and segregation corral those with the least resources into a vulnerable space, natural, and economic.’

“Commenting on the same events in the wake of Hurricane Katrina, Reed (2005, 31), a political scientist, put matters more bluntly. “Granted, the images projected...seemed to cry out a stark statement of racial inequality. But that’s partly because in the contemporary US, race is the most familiar language of inequality or injustice. It’s what we see partly because it’s what we’re accustomed to seeing, what we look for.”

While it is clear in Logan’s early arguments that class cannot be ignored it is imperative to note that racial differences are equally worthy of detailed examination. It is natural to question whether class was a more salient factor than race in the response to

37. Ibid.
38. Ibid.
39. Ibid.
Katrina than race, however race supersedes class in the debate and the discussion should always address race before any other variable. Logan continues the debate:

Critics of the ‘class’ perspective contend that although economic resources certainly influence individual opportunities and outcomes, racial differences persist and shape how people organize, interpret, and respond to opportunities and outcomes around them. From this perspective, emphasis falls less on material differences among individuals and more on distinctive affiliations, institutions, and world views that inform modes of thinking and knowing and doing. We might call this influence loosely culture.40

This study places emphasis on the idea of federalism and how it should work in a natural disaster but it also examines the possibility that the way federalism is currently structured in dealing with natural disasters that racism can easily manifest itself in the response or lack there of. Finally, emphasis is also placed on determining how the citizens of the region view the response of the local, state and federal government and do they believe the response was adequate and fair.

Race has always been central to many of the debates on the role of the United States government and how it should progress in assisting those individuals who suffer from discrimination in services provided to citizens on the national, state and local levels. It is important to recognize that specific legislation is needed to combat institutional racism and discrimination against minorities in the United States. The federal government must position itself to adequately provide protection for minorities experiencing discrimination through laws invoked by state’s rights.

“The reason federalism debates are so powerful is because our national political institutions are fundamentally divided over race, a division that is as old as the nation

40. Ibid.
itself. To maintain racial hierarchies, Southern Democrats and racial conservatives consistently invoke states rights when it suits them."41

Research Questions

After a review of the literature, the following research questions were derived. The objectives of this research project consist of addressing and answering seven questions regarding federalism and the failure of its principles in the response to Hurricane Katrina. Studies are being conducted to investigate whether the response to Hurricane Katrina by government officials on the local, state and federal level was sufficient and what could be done to ensure that the response will be adequate during the next natural disaster. New Orleans, LA had a significant minority population of over 68% African American, so it stands to reason that there should be an adequate investigation as to whether or not the race of the victims of Hurricane Katrina played a role in the type of response government officials enacted. The following research questions were investigated and guided this study:

RQ1: Does evidence indicate that the concept of federalism when implemented properly failed in its preparation for natural disasters?

RQ2: Could a properly implanted Federal system of government have prevented the breakdown of government during Hurricane Katrina?

RQ3: Does federalism need to take into account the social, political and economic makeup of African-American neighborhoods susceptible to natural disasters when designing the system for natural disaster planning?

RQ4: Can the inherent flaws of federalism be altered to deal with natural disasters when local and state governments are overwhelmed?

Additional questions that deserve attention include:

RQ5: What role did race and class play in the response to Hurricane Katrina?

RQ6: What type of response did other similar natural disasters receive from the local, state and federal government along with FEMA?

RQ7: If followed properly, how would the tenets of the Robert T. Stafford Act have changed the type of response during Hurricane Katrina?

Federalism is defined as a system of government in which power is divided between a central authority and constituent political units.  Federalism is most effective when the role of the central authority and the secondary political units are clearly defined. During a natural disaster there must be concessions made to the level of government that can be most effective in assisting the victims of the disaster. The central authority must define its responsibilities clearly within its own jurisdiction as well as to those other political entities that will be dependent upon it to carry out specific duties. The federal government must be proactive and forward thinking when preparing for a natural disaster particularly one with the magnitude of a Category Five hurricane such as Katrina. There

must be clearly defined goals of each level of government when preparing for a pending natural disaster which will ensure that a solution to essentially every possible scenario can be in place when needed.

In addition to examining the failure of all levels of government to adhere to the principles of the Stafford Act, this study assists in investigating what steps can be taken by all levels of government to ensure that the principles of federalism are carried out during a natural disaster. This study is particularly relevant in the current climate of minorities experiencing racism and discrimination in all areas and walks of life. Social, economic, judicial and political discrimination is widespread in the African-American community and the response to a natural disaster should be free from any form of discrimination by any level of government. Those essential and basic needs and services that are required for sustaining life during a natural disaster should never be viewed as being determined by the race of a particular group of people. Hurricane Katrina left the most of the African-American community in New Orleans, L.A., feeling that had the catastrophe affected a predominantly white area the response would have been different and the outcome would have been more positive.

A strong plan by the local, state and federal government in dealing with natural disasters and well defined roles for each level of government is but one step in allaying the negative outlook currently held by the African-American community towards government.
Significance of the Study

There are few studies dedicated to assessing how the principles of federalism were compromised during the response to Hurricane Katrina. In addition, few studies illustrate how when the local, state and federal government fail to communicate effectively and deliver those basic necessities during a natural disaster that because of the inherent socioeconomic circumstances and overall climate more often than not the African-American community will be disproportionately affected in a negative manner. Some researchers such as Michael Eric Dyson, Christopher Cooper and Douglas Brinkley touch on the subject of how race affected the response to the disaster of Hurricane Katrina, however they fail to make the connection between the failure of federalism and the role it plays in the treatment of African Americans in any situation particularly a natural disaster. African Americans have a history of turning to the federal government to right the wrongs perpetrated against them by local and state governments. In other words, the African-American community has come to depend on the federal government as a safeguard against discrimination and racism exercised by the local and state governments of the geographic areas in which they reside. This research attempts to determine how the breakdown of the federal government and what is known as federalism adversely impacts the African-American community.

There is a gap in the literature examining the relationship between the federal government and the African-American community and how that relationship plays a role in level of dependency African Americans on all levels of government but particularly the Federal government. The federal government has long played the role of surrogate parent to the African-American community when there have been cries of racism and
discrimination in which they have no defense. The demographics of the city of New Orleans show a large percentage of African Americans in a concentrated area. When Hurricane Katrina struck and the majority of the individuals affected were African Americans in lower-lying areas of the city questions naturally arose as to why the response by the local, state, and federal government was inadequate. This study considers the constant struggle for equality by African Americans in America and why in many instances the federal government is the only entity that some level of confidence can be placed to receive fair and just treatment. “New Orleans has one of the highest poverty rates of any of America’s big cities. According to a report by Total Community Action a New Orleans public advocacy group, nearly one out of every three New Orleans residents live below the poverty level, the majority of whom are black. A spokesman for the United Negro College Fund noted that the city’s poor live in some of the most dilapidated housing in the nation.”

Most studies will indicate that African Americans are subjected to poor living conditions in the majority of major cities in the United States of America. While New Orleans is not the only city where African Americans struggle economically it is unique in terms of its geography and susceptibility to catastrophic hurricanes. The response to a natural disaster by all levels of government is expected to be adequate. However, there is a certain level of sensitivity in the African-American community that needs to be examined when there is a dependency on the government to respond in a particular crisis.

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43. Ibid.
While there is no uniform assumption that African Americans are poor and lower-class, there are inherent inequalities that exist in the United States of America. Hurricane Katrina assisted in exposing those inequalities and show that many have not been resolved.

African Americans are in a unique position in America. Earl Ofari Hutchinson eloquently states: “The poverty crisis has slammed them hardest of all. Even during the Clinton era economic boom, the unemployment rate for young black males was double, and in some parts of the country, triple of that of white males. During the last couple of year’s state and federal cutbacks in job training and skill programs, the brutal competition for low and semi skilled service and retail jobs from immigrants, and the refusal of many employers to hire those with criminal records have further hammered black communities and added to the Great Depression era high unemployment numbers among young blacks.”

While Hutchinson makes the argument for young black males this type of situation exists throughout the entire African-American community and affects young and old male and female. The literature tends to focus on the failure of the local, state, and federal governments without giving enough attention to the specific individuals this failure struck the most and why. In addition, the majority of studies on Hurricane Katrina do not focus on the breakdown of the fundamental principles of federalism and the failure of the current version of federalism to incorporate itself into the natural disaster planning. Hurricane Katrina gave credence to the fact that race can and does play a part in the

44. Ibid.
response by local, state, and federal government in a natural disaster. According to most of the literature I have read whites and blacks view the response to Hurricane Katrina as one that was directly affected by the race of the victims. A CNN/Gallup poll found that “Six in 10 blacks interviewed said the federal government was slow in rescuing those stranded in New Orleans after Hurricane Katrina because many of the people in the Louisiana city were black.”\(^45\) President George W. Bush baldly stated “the storm did not discriminate and neither will we in the recovery effort.”\(^46\) However, previous storms and natural disasters in areas that were not predominately African American clearly show a more effective and complete response by previous administrations. It is very important to hold elected officials in all levels of government accountable for their decision making in all areas and ensure that those decisions are fair, equal and just.

The difference between this study and earlier ones is there will be focus given to the relationship between the African-American community and the federal government and the dependency that African Americans still rely upon from the federal government. The failure to adhere to the principles of the Robert T. Stafford Act will remain the overarching focus of this study. However, this study examines the role of race and class played in the government to hurricane Katrina. The role of the federal government is a key component in natural disaster planning and the impact of race on the type of response rendered cannot be understated.

\(^{45}\) Ibid.

\(^{46}\) Ibid.
Theoretical Framework

Although there has been research conducted in the years since Hurricane Katrina struck the Gulf Coast detailing the failure of the local, state and federal governments along with FEMA, there is little information available concerning the role the Robert T. Stafford Act played in the disaster and how this directly impacted African Americans and other minorities the legislation was designed to protect. The individuals most vulnerable to the severe consequences of a category five hurricane are the urban poor and low-income minorities.

The general approach for researchers has been to focus on the logistical aspects of the response and to determine which level of government or which government agency deserves the most blame for the poor response. This approach discounts the idea that African Americans were disproportionately impacted by the inadequate response of all levels of government and FEMA and that the race and class cannot be understated.

African Americans are in need of a model that would take into account the uniqueness of their circumstances prior to Hurricane Katrina. The model would determine how decision makers at the local, state, and federal level should address the specific needs of African Americans during a natural disaster as well as ensure that all the resources at the disposal of the government are used efficiently and effectively. Such a model, would allow the examination of similar natural disasters in the past to help determine the specific needs of groups of people and provide a framework for understanding the role of government in a natural disaster and how most effectively the tenets of federalism can be used to prove the most efficient response to the natural disaster. One of the goals of this study is to stimulate additional research on what are the
deciding factors on how the local, state and federal governments respond to a natural disaster and how this is defined by the Robert T. Stafford Act.

**Methodology**

The case-study approach is utilized for this study. The case-study approach allowed the researcher to determine and define the research questions; select the cases and determine data gathering techniques; collect data in the field; and evaluate and analyze the data. The case study is augmented by information gathered in survey and interviews. This approach enabled the researcher to analyze and compare the findings of Hurricane Camille with Hurricane Katrina. The case-study approach highlights the differences in the response of different but similar natural disasters. In addition, the researcher was personally affected by the events of Hurricane Katrina and that personal impact is indicated in the study. The technique used to complete this research project consists of survey research, data analysis and a detailed questionnaire. These various methods were employed to answer the research questions presented in this study. This study utilizes the case-study approach to not only explore answers to the stated research questions but to also describe the overall differences in the response to Hurricane Camille versus Hurricane Katrina. Survey respondents were randomly selected and stratified by race and geographic locale. The data that were collected assisted in answering the research questions and proving the hypothesis.

A primary purpose of this study is to determine why the local, state and federal response to Hurricane Katrina was poor and inadequate and what factors contributed to the poor response. Case studies provide critical information about a particular subject
matter isolating that information for further analysis. A case is any member of a unit of a larger population or group. Hurricane Camille provides this study with invaluable information on the typical response to a natural disaster such as a hurricane.

Observational research solely involves the researcher or researchers making observations, a case study is a type of observational research. In addition a number of interviews will be conducted of individuals directly impacted by Hurricane Katrina. The surveys were distributed to those individuals whose input can contribute to the research. A case study is a research strategy, an empirical inquiry that investigates a phenomenon within its real life context. The conclusions drawn were based on the data obtained and analyzed in detail.

The research questions were analyzed from data collected community members and government officials in New Orleans, LA. The research questions were analyzed using data collected at random from residents of the New Orleans, L.A., community. Data was collected utilizing the Internet and analyzing public documents and records of the local, state and federal government.

A problem arises when an examination of the literature fails to provide a sufficient answer to why the response of the local, state and federal government was so poorly conducted. A thorough review of the Robert T. Stafford Act and the failure of its implementation during the response to Hurricane Katrina illustrate the lack of a clear pattern in the literature to address the legislative issues in the response. Focusing on the failure to adhere to the principles of the Stafford Act allows this study to provide the research and analysis that is lacking in the current literature.
Organization of the Study

This study is divided into six chapters. Chapter One defines the research questions and gives the theoretical framework, purpose and significance of the study and the methodology. Chapter Two examines the body of literature that provides an in-depth perspective on the research questions from chapter one. Chapter Three develops a case study on Hurricane Andrew comparing the response with that of Hurricane Katrina. Chapter Four examines disaster relief and the responsibilities of all levels of government. Chapter Five examines Federalism, race and class and minority care. Chapter Six addresses the research questions and presents the findings and conclusions of this study.
CHAPTER II

REVIEW OF THE LITERATURE

A large body of literature on hurricane Katrina and the response of the state, local and Federal government provide the basis for this study. The following review was developed through a systematic study of previous literature on the subject of the response to Hurricane Katrina. Several theories have been advanced to explain exactly what went wrong with the response and what could have been done to prevent the tragedy the victims experienced. This chapter will explain the search process in reviewing that literature and then examine both the theoretical and empirical studies in the field. The previous research relates directly to this study as a means of understanding how authors and researchers have assessed and analyzed the response to hurricane Katrina by all levels of government. This study was needed to for a better understanding of all the contributing factors to the poor response by the local, state and federal government to Hurricane Katrina. The empirical studies that have been conducted thus far have primarily focused on the incompetence of the government officials and the insensitivity displayed toward the victims of the disaster. Several elements have been received considerable attention from scholars including the race and class of the majority of the victims of the disaster. Major studies of the government response to Hurricane Katrina have examined what went wrong but have failed in identifying what legislation existed to
prevent such failures. In addition, the literature has addressed whether or not there is a causal relationship between the response to Hurricane Katrina with race and class.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, PL 100-107 was signed into law on November 23, 1988; amending the Disaster Relief Act of 1974, PL 93-288 United States Code Title 42. Following is Public Health and Welfare Chapter 68, Disaster Relief—Findings, Declarations and Definitions:

5121. CONGRESSIONAL FINDINGS AND DECLARATIONS (Sec. 101)

a. The Congress hereby finds and declares that

1. because disasters often cause loss of life, human suffering, loss of income, and property loss and damage; and

2. because disasters often disrupt the normal functioning of governments and communities, and adversely affect individuals and families with great severity; special measures, designed to assist the efforts of the affected States in expediting the rendering of aid, assistance and emergency services, and the reconstruction and rehabilitation of devastated areas, are necessary

b. It is the intent of the Congress, by this Act, to provide and orderly and continuing means of assistance by the Federal Government to State and local governments in carrying out their responsibilities to alleviate the suffering and damage which result from such disasters by

1. revising and broadening the scope of existing disaster relief programs;

2. encouraging the development of comprehensive disaster preparedness and assistance plans, programs, capabilities, organizations by the states and by local governments

3. achieving greater coordination and responsiveness of disaster preparedness and relief programs

4. encouraging individuals, States and local governments to protect themselves by obtaining insurance coverage to supplement or replace governmental assistance

5. encouraging hazard mitigation measures to reduce losses from natural disasters, including development of land use and construction regulation; and

6. providing Federal assistance programs for both public and private losses sustained in disasters

This act by Congress clearly indicates that the federal government understood that natural disasters have the potential to devastate the capabilities of state and local governments. Understanding this fact the Federal government could not rely on the basic tenets of Federalism in responding to the needs of its citizens in the midst of a natural disaster. The roles and responsibilities of the federal, state, and local governments needed to be clearly defined in order for an efficient and effective response to the disaster. Moreover, legislation was needed to establish the exact roles and responsibilities of each level of government during a natural disaster.

"The Stafford Act establishes a process for state governors to request assistance from the federal government when an incident overwhelms state and local resources. To provide and coordinate federal aid to the people and the state and local governments by a disaster using all federal agencies, the Act authorizes the President to issue major disaster emergency declarations, and to appoint a Federal Coordinating Officer (FCO) to

coordinate the administration of Federal relief."\textsuperscript{3} The Stafford Act has an unprecedented history in being implemented during a natural disaster and emergency response. The President of the United States is no stranger to issuing emergency declarations. In the calendar year 2004, the President issued over sixty major disaster declarations.

The journal article, "President Bush and Hurricane Katrina: A Presidential Leadership Study," Richard T. Styles states: "When Presidents decide on whether to approve requests for declarations of disaster, they have an opportunity to make or shape public policy. For example, since 1950 presidents from Harry S. Truman to George W. Bush have been able to use presidential political ideology on matters of federal-state relations they have been able to do this subtly on a case-by-case basis or overtly after a mega disaster that demands an improved government response."\textsuperscript{4} Styles argument strongly suggests that President Bush had the opportunity to use the Hurricane Katrina disaster as an opportunity to define his presidency and his administration.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, as amended, 42 U.S.C. 5121-5206, and implementing regulations in 44 C.F.R. 206-31-206.48, provide the statutory framework for a Presidential declaration of an emergency or a declaration of a major disaster. Such declarations open the way for a


wide range of federal resources to be made available to assist in dealing with the
emergency or major disaster involved. The Stafford Act structure for the declaration
process reflects the fact that federal resources under this act supplement state and local
resources for disaster relief and recovery. Except in the case of an emergency involving a
subject area that is exclusively or preeminently in the federal purview, the Governor of an
affected state, or Acting Governor if the Governor is not available, must request such a
declaration by the President.5

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, is
designed to provide a means by which the federal government may supplement state and
local resources in major disasters or emergencies where those state and local resources
have been or will be overwhelmed. The Act provides separate but similar mechanisms
for declaration of a major disaster and for declaration of an emergency. Except to the
extent that an emergency involves primarily federal interests, both declarations of major
disasters and declarations of emergency must be triggered by a request to the President
from the Governor of the affected state.

5170. Procedure for declaration

All requests for a declaration by the President that a major disaster exists shall be
made by the Governor of the affected State. Such a request shall be based on a
finding that the disaster is of such severity and magnitude that effective response
is beyond the capabilities of the State and the affected local governments and that
Federal assistance is necessary. As part of such request, and as a prerequisite to
major disaster assistance under this chapter, the Governor shall take appropriate
response action under state law and direct execution of the state’s emergency
plan. The governor shall furnish information on the nature and amount of State
and local resources which have been or will be committed to alleviating the
results of the disaster, and shall certify that, for the current disaster, state and local

5. Ibid.
government obligations and expenditures (of which state commitments must be a significant proportion) will comply with all applicable cost-sharing requirements of this chapter. Based on the request of a Governor under this section, the President may declare under this chapter that a major disaster or emergency exists.  

A critical examination and analysis of the response by disaster authorities and the plans implemented pre-disaster and post disaster by federal, state, and local government is warranted to understand the need for the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The Robert T. Stafford Act is a clear example of why Federalism has failed the citizens of the United States particularly those who classify themselves as African Americans. African Americans have disproportionately turned to the federal government to receive those basic inalienable rights guaranteed under the United States Constitution when the state and local government have failed to provide those rights to them. According to the literature the federal government was clearly aware of the inherent shortcomings of the state and local government in terms of dealing with the issues arising from a natural disaster. The federal government understood that the services available at the state and local level in many instances were not sufficient to deal with a natural disaster. Examples include the San Francisco Earthquake of 1906 and the Great Chicago Fire of 1871.

This is especially true when analyzing the once-in-a-lifetime natural disaster Hurricane Katrina. State and local governments have limited resources to deal with any natural disaster particularly one of the magnitude of Hurricane Katrina.

6. Ibid.
In the congressional report, "Establishing the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina," U.S. Representative David Dreier states: "Congress has an important constitutional role to play in providing oversight to the executive branch and Federal agencies, and this select committee is designed to carry out that responsibility in a bipartisan, bicameral fashion." 7

"The resolution provides that the Select Bipartisan Committee is authorized to conduct an investigation to review the development, coordination, and execution by local, state, and federal authorities of emergency response plans and other activities in preparation for Hurricane Katrina, as well as the local, state and federal government response to the hurricane. The Select Bipartisan Committee must investigate how each entity worked together, and what can be done in the future to ensure the smooth functioning of these entities during another disaster." 8

Congress immediately recognized the fundamental breakdown of the relationship between the local, state and federal government. The governmental response to Hurricane Katrina is generally viewed as a failure of policy at the local and state level in general and the federal level to be specific. Congressional investigation is necessary to determine how each level of government responded during the disaster and to ameliorate rumor, gossip and hearsay.

The authors of the article "Katrina’s Political Roots and Divisions: Race, Class, and Federalism in American Politics" Dara Strolovitch; Dorian Warren and Paul Frymer


8. Ibid., 3.
stated, “In the public imagination, natural disasters do not discriminate, but are instead “equal opportunity” calamities. Hurricanes may not single out victims by their race, class, or gender, but neither do such disasters occur in historical, political, social, or economic vacuums. Instead, the consequences of such catastrophes replicate and exacerbate the effects of extant inequalities, and often bring into stark relief the importance of political institutions, processes, ideologies, and norms. In the words of New York Times’ columnist David Brooks, storms like Hurricane Katrina “wash away the surface of society, the settled way things have been done. They expose the underlying power structures, the injustices, the patterns of corruption and the unacknowledged inequalities.” Katrina hit the Gulf Coast just as America prepared to mark the fourth anniversary of the 9/11 attacks, and consequently, the fourth anniversary of the American government’s quest to bring American-style freedom and democracy to other nations. The hurricane made clear, however, that the U.S. had not resolved fundamental domestic disparities and inadequacies. Subsequently, scholars and non-scholars alike, frequently blame the inability of the citizens to provide for themselves during a natural disaster on race and class. Katrina did not create these inequities; it simply added an important reminder that they are deeply embedded and constitutive of American political, economic, and social life. From the voting rights violations of 2000, to the vast disparities in drug laws that have resulted in the imprisonment of hundreds of thousands of young African-American and Latino men, to the continued widening of racial and wealth gaps when it comes to finances, education, and health services, the last two decades alone have provided a series of examples that demonstrate the vast inequalities of our democratic system, particularly as they are manifested along racial
lines. Were Katrina simply an accident of geography and ecology, we could perhaps
be sanguine that its effects might be resolved. But the disparities exposed by Katrina
have deep-seated, historical and institutional roots. While it is therefore unlikely that
public policies in the aftermath of Katrina will resolve the disparities, perhaps the
inequalities laid bare by the hurricane will provide a longer-term wake-up call to those
who wish to actively build a more fair and meaningful democracy in the United States.\textsuperscript{9}

The implication by the authors Strolovitch, Warren and Frymer is that Hurricane Katrina
helped to expose the social, political and economic disparities that existed between
African Americans and whites long before the hurricane struck New Orleans. The
authors suggest that these disparities are only magnified during a natural disaster. The
American government is expected to provide assistance to those individuals who are not
able to provide for themselves for whatever reason. The role of the American
government must be clearly defined in order to assist those individuals who are in need
during a natural disaster. Strolovitch, Warren and Frymer states “Highlighting the roles
of race and class in attitudes about the identities of those most affected by the aftermath
of Katrina draws attention to the ways in which these divisions have played an
historically significant role in conflicts about the proper relationship between local, state,
and federal governments in American politics.\textsuperscript{10}

Hurricane Katrina exposed the breakdown of American federalism and the
manner in which the roles of local, state and federal government were undefined during a

\textsuperscript{9} Understanding Katrina: “Katrina’s Political Roots and Divisions: Race, Class, and Federalism
in American Politics,” http://understandingkatrina.ssrc.org/Frymer StrolovitchWarren (accessed November
24, 2010).

\textsuperscript{10} Ibid.
natural disaster. In addition Hurricane Katrina placed a spotlight on the response of the federal government to the needs of the mostly African-American and poor citizens of the city of New Orleans when the state and local government failed to address those needs.

The Urban Institute argues that “Low-income families and individuals in particular bore the brunt of the storm and flooding, losing their homes, jobs, and resources for recovery. Public programs had served many of these people before the hurricane hit, and many others became newly eligible as a result of it.” In other words, Hurricane Katrina served to exacerbate the already prevalent social and economic problems that plagued minorities and low-income families.

Michael Eric Dyson asks in “Come Hell or High Water Hurricane Katrina and the Color of Disaster,” would Bush and the federal government have moved faster to secure the lives of the hurricane victims if they had been white? The question must be partnered with a second one that permits us to tally a few of the myriad injuries of the racial contract that has bound American citizens together: did the largely black and poor citizens in the Gulf Coast get left behind because they were black and poor? It is clear that President Bush and officials of the federal government, like the rest of us, have been shaped by racial forces that have continually changed our society since its founding.12


Dyson suggests that African Americans in New Orleans, LA., lived in a condition he terms “concentrated poverty.” Dyson argues that concentrated poverty is a condition that persists in essentially every major United States city but is more pronounced in New Orleans. The most glaring feature of their circumstance suggests that Katrina’s survivors lived in concentrated poverty—they lived in poor neighborhoods, attended poor schools, and had poorly paying jobs that reflected and reinforced a distressing pattern of rigid segregation. Nearly 50,000 poor folk in New Orleans lived in areas where the poverty rate approached 40 percent. In fact, among the nation’s fifty largest cities with poor black families jammed into extremely poor neighborhoods, New Orleans ranked second. Those households living in concentrated poverty often earn barely more than $20,000 a year. In neighborhoods with concentrated poverty, only one in twelve adults has a college degree, most children are reared in single-parent families, and four in ten working-age adults, many of who are disabled, have no jobs.\textsuperscript{13}

The literature provides an invaluable source for analyzing problems associated with the dependency of the African-American community on the federal government. The alarming statistics surrounding the living conditions of African Americans in New Orleans, LA pre-Hurricane Katrina indicates that many were not in a position to help themselves therefore relying heavily on the actions of local, state and federal authorities and organizations. By reviewing the literature, one can easily infer that a breakdown of the core principles of federalism would adversely and disproportionally affect the lives of African Americans and the poor. The literature indicates that the local and state

\textsuperscript{13} Ibid.
governments have always been the first entities that African Americans have turned to in their time of need and the federal government has been a last line of hope.

Dyson states, “It should be clear that although one may not have racial intent, one’s actions may nonetheless have racial consequence.” In discussing the charge that racism was at the heart of the response to Hurricane Katrina, Senator Barack Obama said, “I’ve said publicly that I do not subscribe to the notion that the painfully slow response of FEMA and the Department of Homeland Security was racially-based. The ineptitude was colorblind.” Obama went on to say that “I see no evidence of active malice, but I see a continuation of passive indifference on the part of our government towards the lease of these.” However, one may agree with Obama that there was no racial intent, no “active malice,” in the response to Katrina, and yet hold the view that there were nonetheless racial consequences that flowed from the “passive indifference” of the government to poor blacks. Active malice and passive indifference are but flip sides of the same racial coin, different modalities of racial menace that flare according to the contexts and purposes at hand. In a sense, if once conceives of racism as a cell phone, then active malice is the ring tone at the highest volume, while passive indifference is the ring tone on vibrate. In either case, whether loudly or silently, the consequence is the same: a call is transmitted, a racial meaning is communicated.14

Moreover, the literature explores the scope of natural disaster and emergency management relief and how this relief is provided by the government can differ to individuals based on race even if not intentional. Dyson discusses the inefficient

response of the federal government during Hurricane Katrina and illustrates the responsibility of government during natural disasters. The literature regarding Hurricane Katrina can serve to provide clear and coherent explanations as to why disaster planners and government officials in decision making roles fail to better coordinate those necessary emergency services to the residents of New Orleans, LA and in particular the African-American community in New Orleans, LA. Several pieces of literature suggest that the Bush Administration was slow to react to the devastation of Hurricane Katrina because none of the victims shown on the national news looked like them and they could not relate to the pain and suffering that African Americans were experiencing during the aftermath of the storm. It is more pragmatic to approach the literature from a perspective that race permeates every aspect of our society including the government response to a natural disaster rather than believing the premise that “all things are equal.”

The environmental laws and the stewardship of the land encompassing New Orleans, LA must be assessed in order to understand the impact of Hurricane Katrina and the idea that the government not only failed the people of the region but also the land. “Signed into law by President Nixon on January 1, 1970, the National Environmental Policy Act was the first of several major environmental laws passed in the 1970s. It declared a national policy to protect the environment and created a Council on Environmental Quality in the Executive Office of the President. To implement the national policy, the National Environmental Policy Act (NEPA) required that a detailed statement of environmental impacts be prepared for all major federal actions significantly affecting the environment. For many federal actions undertaken in response to an emergency or major disaster, NEPA’s environmental review requirements are exempted
under provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.\textsuperscript{15}

The failure to adhere to the principles of the Robert T. Stafford Act caused extreme and necessary harm to the residents of New Orleans, LA. The Robert T. Stafford Act allows all the agencies of the federal government to provide the most comprehensive plan to provide the necessary resources to residents of the impacted area. “Emergency response actions, such as providing essential relief to victims, managing disaster debris, and repairing or restoring public facilities damaged by the disaster, are exempted from NEPA’s under provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.”\textsuperscript{16} In other words the language of the Stafford Act ensures that agencies that were created to assist citizens in the immediate aftermath of a disaster would be able to perform those essential and critical activities needed for residents of the impacted area to have the best chance of survival.

**Federal Emergency Management Agency (FEMA)**

President Johnson’s impulsive response to Hurricane Betsy had been extraordinary, but throughout the 1960s and 1970s natural disasters became an almost routine national problem. The nation was pounded by hurricanes Carla in 1962, Betsy in 1965, Camille in 1969, and Agnes in 1972. Major earthquakes struck Alaska in 1964 and Southern California in 1971. Dozens of federal agencies took a hand in disaster relief,


\textsuperscript{16} Ibid.
with confusing, erratic results. Congress took a stab at organizing disaster relief in 1974 with the Disaster Relief Act, which authorized the president to formally declare disasters, mobilizing federal help from the top. But President Jimmy Carter decided the act was not enough, and in 1979 he created the Federal Emergency Management Agency after governors appealed to him to organize disaster response under a single agency.17

McQuaid and Schleifstein states “FEMA was supposed to be the cavalry,” in describing the role of the agency in a natural disaster. Reviewing the literature gives one the impression that the federal government was addressing the issue of dealing with the response for a natural disaster by creating an all-encompassing agency that would have access to all the available resources of the government. In other words, FEMA was supposed to be “the answer.”

The Federal Emergency Management Agency was the brainchild of President Jimmy Carter, who created it in 1979 as a direct result of a National Governor’s Association petition. “At that time there were sixteen different federal agencies that dealt with disasters like Katrina and we put it together with three specific commitments that I hoped at the time were permanent,” Carter explained in a speech on September 19, 2005, at American University. “One was that it would be headed by highly qualified professionals in dealing with disaster. Secondly, that they would be completely independent and not under another agency that would submerge it. And third, that it would be adequately funded. Well, I thought that that’d be a permanent commitment. But, as you know, all three of those provisions have been violated in recent years and

obviously there were deep problems at the local and the state level and at the federal
level, so I think now is the best time not to look at blaming about Katrina, but to try to
correct the defects that have evolved in recent years and make sure they’re not repeated.\(^\text{18}\)

In addition, the research on FEMA exposes a large scale historical incompetence
attributed to those in decision making positions for the agency as well as the federal
government which funds the agency. At the time of Hurricane Katrina Michael Brown
was the head of FEMA. In *The Great Deluge*, Brinkley states, “Whatever the
circumstances were the year before, Brown was still very much on the job August 29,
2005. He was the head of the U.S. government response to Katrina. The White House
took its cues from him. Brown sent e-mails that would become permanent monuments to
a detached Washington mind-set, out of touch with the needs of everyday Americans.

One politician who was onto Brown’s ineffectiveness early on was Mississippi Governor
Haley Barbour. After Katrina decimated the Gulf Coast, Brown assured Barbour that the
disaster would soon be handily addressed. “FEMA,” Brown boasted, “had lots of
hurricane practice in Florida.” A gruff, blunt Barbour wasn’t impressed. “I don’t think
you’ve seen anything like this,” he snapped. “We’re talking nuclear devastation.”

During 2004, Brown’s first full year as director, FEMA had responded to the four big
hurricanes in Florida. The state of Florida had been well prepared. And with the 2004
presidential election approaching, so was President George W. Bush’s financial response.
FEMA was conspicuously generous in its open-checkbook response, taking criticism
afterward only for handing out too much money. Over $100 million went to the people

\(^\text{18}\) Douglas Brinkley, *The Great Deluge: Hurricane Katrina, New Orleans, and the Mississippi
and businesses that had not sustained any damage at all. Brown whom the President nicknamed “Brownie,” served the administration fairly well. If a rash of deadly disasters can ever be said to have “gone well,” the 2004 Florida hurricane season had met the criteria. State officials in Tallahassee, in fact, knew days before each hurricane made landfall exactly what recovery funding and rescue operations they might need, and Brown was given a blank check with which to satisfy their robust requests. With the help of state officials and relief workers, FEMA moved displaced victims into hotels and produced fleets of trailers for the homeless. A political lesson had been learned, one that unfortunately wouldn’t help the Gulf Coast in 2005: it’s best to have a natural disaster in the heat of campaign season, when your state is up for grabs during a presidential election year. “FEMA’s often invisible and incompetent reaction to the devastation in New Orleans stands in sharp contrast to the way the relief agency and the entire Bush administration sprang into action last summer as a series of deadly hurricanes—Charley, Frances, Ivan and Jeanne—battered the crucial swing state of Florida just weeks before election day,” editorialized Eric Boehlert of Salon.com. “Partisan politics were certainly in the air during the busy [2004] hurricane season."19

The author makes a clear argument that there are differing responses to natural disasters and that those individuals in control of the resources and the decisions being made have the ability to respond in a manner where lives can be saved or lives can be lost. The literature provides the foundation for the argument that race played a part in the federal, state and local response to hurricane Katrina. The issue then becomes the

19. Ibid., 248-249.
responsibility of the federal government to ensure that the mandates of the Stafford Act are upheld and that the social contract is not broken. Brinkley asserts that FEMA was well prepared to deal with hurricanes in the past in other areas of the country and with proper leadership should have been able to better respond to Hurricane Katrina. Studies have argued that Hurricane Katrina was a once-in-a-lifetime storm however with proper leadership and proper use of federal funding FEMA could have been better prepared to deal with the storm.

At the end of the 1980s, FEMA was clearly in trouble—Robert H. Morris returned as acting director in 1989 for a year, succeeded in that capacity by Jerry D. Jennings for an even shorter stay, while Wallace E. Stickney served from 1990 to 1993, all under George H. W. Bush. FEMA’s wobbly position under the elder Bush was underscored by two major natural disasters in 1989: Hurricane Hugo struck the Carolinas, leaving eighty-five dead and $15 billion in damage, and less than a month later, the Loma Prieta earthquake shattered Northern California’s Bay Area. In both instances, FEMA proved dangerously tentative. FEMA was slow to respond to Hugo, relying on the two states’ governors to take the lead. FEMA’s focus on nuclear attack planning rendered the organization of little use in the Bay. Fortunately, state leaders in emergency management saved the day and performed far better than their federal counterparts. Although FEMA had been lucky with the Loma Prieta quake (there were great costs but little loss of life), its weaknesses were exposed in 1992. That is when Hurricane Andrew clobbered Florida and Louisiana and, a few months later, Hurricane Iniki struck Hawaii. Neither the parent organization nor its state partners were prepared for the crisis, a failure that was widely dissected in the media. President George H. W.
Bush had to send Secretary of Transportation Andrew Card and the military to clean up the political and structural mess. Hurricanes Hugo, Andrew and Iniki revealed the flaws in FEMA’s system and process of responding to emergencies. But for the first time in the nation’s history, FEMA leveraged its national security assets in a natural disaster during Hurricane Andrew. The gesture proved largely ineffective because it came too late. FEMA was a national disgrace, if not disaster, and the agency withstood cries for its abolition.20 Dyson is asserting that FEMA had several opportunities before Hurricane Katrina to resolve its internal issues and become a more effective agency when responding to natural disasters. One can certainly argue that natural disasters such as Hurricane Katrina do not discriminate in the people that they affect. However, the literature shows that the response to such natural disasters can discriminate. It is possible to isolate certain variables when attempting to analyze the response to Katrina such as race, class and socio-economic positions. The response of FEMA to the victims of Katrina must be analyzed under the microscope of race and class. One must only look at the visual images of the victims of Hurricane Katrina to understand why race must be analyzed in determining the adequacy of the level of response from all branches of government.

FEMA is charged with guiding the federal response to the nation’s disasters—both natural and man-made. The agency manages the National Flood Insurance Program and the U.S. Fire Administration as well as helps prepare state and local emergency managers by providing first responder and emergency preparedness training. The

20. Dyson, Come Hell or High Water, 45.
Department of Homeland Security channels funding to federal operations and provides grants to state and local agencies. FEMA defers to state and local emergency teams to handle disasters at their level. If a city cannot respond, the county or the state provides help. If the state lacks the resources, the federal government responds, but only at the request of the governor and on the recommendation of the region’s FEMA director. In order to tap into FEMA resources, the state’s governor must submit a letter to the President requesting to formally invoke the Robert T. Stafford Disaster Relief and Emergency Assistance Act. In the letter, the governor estimates what resources would be necessary to assist state and local crews responding to the situation. The governor’s request doesn’t go directly to the president; instead, the regional FEMA director makes recommendations to the undersecretary of emergency preparedness and response, also known as the director of FEMA. The undersecretary then makes recommendations to the head of the Department of Homeland Security, who then briefs the President on the situation. “It’s always the state’s call. The state tells what kind of help they need. We don’t come in and take over,” said Phillip Clark, spokesman for FEMA’s Region III which includes Washington, D.C., Delaware, Maryland, Pennsylvania, Virginia and West Virginia. “The Congress assumes responsibility begins at the local level and moves up. Congress didn’t mean for FEMA to come into every disaster.” If the president approves a federal response, he has the power to provide the resources requested from the state but the federal government is not meant to take over the situation. The president can,
however, authorize executive orders that allow the federal government to assume control of transportation, communication, food resources, and all airports and aircrafts.21

The role of FEMA, the state, local and federal government along with the President of the United States in a natural disaster is made clear. State and local officials must understand and make it known when the resources available to them will not suffice in addressing the needs of its citizens. Communication breakdowns and a fundamental disregard for the needs of African-American and poor citizens of New Orleans were prevalent in the response to Katrina. FEMA has the responsibility to understand the needs of citizens during a natural disaster and become the eyes and ears of the federal government. FEMA is the government first line of defense during a natural disaster and if the leadership from the top is inadequate it is not the government that suffers it is the people that suffer.

But it was not until the Disaster Relief Act of 1950 that Congress established a permanent pot of federal money to deal with emergencies. Even so, by the lights of most officials, disaster relief was a local operation, if not a private, charitable one. So in the early days, direct federal rebuilding money was used only to replace government buildings. But after Hurricane Camille raked the Mississippi coastline in 1969, virtually wiping out whole communities and killing 143 people, federal disaster recovery money was extended to cover individuals and private businesses. In the years leading up to FEMA’s creation, the main complaint of local governments was that there was no central

agency where they could seek disaster assistance. Piecemeal congressional action over the years, often linked to specific calamities, had left federal disaster aid programs cattered over dozens of Washington agencies; piercing the vast bureaucracy to get at this assistance tied the states in knots.22

In other words, FEMA was envisioned to be the “fix-it-all” organization to deal with ever growing natural disasters. State and local governments were no provided with an organization that they could convey their needs to and that could eliminate areas of bureaucratic red tape that would have to be siphoned through to receive a satisfactory response from the federal government. There are basic approaches to dealing with disaster and emergency response. The federal government does not have the luxury of pointing fingers and blaming local and state officials when a crisis impacts a city and state. The approach of the federal government must be to find a solution not to point blame at officials. Previous natural disasters acted as an “alert” to the federal government that many state and local governments did not have the resources to deal with a large scale disaster.

Assessing FEMA’s status as Hurricane Katrina struck the Gulf Coast is fundamental to determining whether the federal government was prepared to respond to a catastrophic event. The Committee’s investigation found systemic and leadership failures, displayed in both the preparation for and response to Hurricane Katrina, at both the Department of Homeland Security (DHS and FEMA. These failures contributed to human suffering and the loss of life. The causes of many of these failures were known

long prior to Katrina and had been brought repeatedly to the attention of both DHS and FEMA leadership. Despite warning, leadership failed to make vital changes. In August 1992, Hurricane Andrew struck Florida as a Category 5 hurricane. Its $43.7 billion bill of damages (in 2005 purchasing power) was the worst ever recorded in the U.S. until Hurricane Katrina. A post-storm study by the National Academy of Public Administration (NAPA) revealed failures in the response to Andrew that would repeat themselves in the response to Katrina, such as the erroneous initial assumption that heavily populated areas were spared the brunt of the storm, which delayed response when those assumptions turned out to be wrong. In evaluating the response, NAPA concluded that FEMA was “a patient in triage,” adding that the “President and Congress must decide whether to treat it or let it die . . . FEMA has been ill-served by congressional and White House neglect, a fragmented statutory charter, irregular funding, and uneven quality of its political executives . . . the agency remains an institution not yet built.” The report found that FEMA had inadequate leadership. It recommended a limit on the number of presidential appointees and filling leadership positions with the most qualified FEMA employees. The report also found that FEMA needed to do far more to develop state and local emergency-management capacity. If the key changes it recommended were beyond reach, the report added, more dramatic action—such as “abolishing FEMA”—should be taken.23

In addition, it is not the role of FEMA to define the roles of the federal, state and local governments in a natural disaster. FEMA must provide coordination between all the entities of government and be the eyes and ears of the federal government as to the needs of the city and state and its citizens. Local and state officials must take the lead role mitigating the damage caused by a natural disaster and ensuring citizen needs are met but it is the federal government that must be ready and available to address those concerns of citizens that are not being met, particularly from minorities and the poor.

The director of FEMA must be a competent leader and have an earned level of trust from the President of the United States. The importance of local and state officials cannot be marginalized in dealing with a natural disaster. James Lee Wit, the former director of the Federal Emergency Management Agency, states that, “Local governments will be the focal points for bringing the many elements of communities together to plan and prioritize hazard mitigation projects that will protect citizens, businesses and public infrastructures from disasters.”

Prior to Katrina’s landfall, FEMA suffered from a number of problems; unqualified senior political leadership, budget shortages, personnel shortages, and inadequate response capabilities. FEMA simply was not prepared. Although some have argued that FEMA’s merger in DHS weakened FEMA, there is no evidence that the merger itself was indeed the problem. Instead, decisions made by DHS leadership weakened FEMA and impeded its ability to respond to disasters. These weaknesses notwithstanding, Brown testified on September 24, 2003, before a Senate Environmental

and Public Works subcommittee, that FEMA was taking steps to reduce disaster—response times so that “disaster teams will be able to respond anywhere in the country within 12 hours and disaster logistics packages, commodities, and equipment can be delivered anywhere within 24 hours.” By any measure, FEMA’s response capabilities fell short of this goal when Hurricane Katrina made landfall.25

The Levee

Hurricane Katrina was a catastrophic storm that exceeded the design limits of parts of the levee system. Many have argued that there was no way to anticipate the breach of the levee system in New Orleans. The National Weather Service warned that the levees could be toppled and that the flooding would be catastrophic. All levels of government had no excuse for not being prepared in case the levees were overtopped. The notion that the levees could be overtopped made the evacuation of the residents of New Orleans more pressing and urgent. In addition, the possibility of severe flooding for the city during a major hurricane had been forecasted for years from major government agencies. “In 2001, a FEMA report concluded that a catastrophic hurricane in New Orleans was among the three likeliest disasters facing this country.”26 Nevertheless, some portion of the flooding that occurred could have been lessened had the levees themselves not been eroded—and ultimately breached—by overtopping. The hurricane protection system designed to protect the people living within the metropolitan New


Orleans area could have (and should have) been constructed with enhanced protective features. As noted in one report:

A fundamental flaw in the floodwalls and levees is that they include no means of accommodating overtopping that does not inflict major damage or destruction . . . Most of the 350 miles of levees in New Orleans are unprotected from devastating damage and potentially total destruction if overtopped. The question is not whether the levees will again be overtopped but when and by how much they will be overtopped. Another report found that the performance of many levees and floodwalls could have been greatly improved “and some of the failures likely prevented, with relatively inexpensive modifications” of the system, such as riprap (a loose assemblage of broken stones and concrete), concrete splash slabs, or pavement on the protected side of the levees to guard against anticipated overtopping. The failure of the system’s design to adequately address the impact of significant overtopping likely resulted in a system more prone to failure in a major hurricane and should have raised greater concern about the effects of overtopping. 27

The literature makes the argument that the failure to address the levee system in New Orleans was an issue that made the disaster of Hurricane Katrina inevitable. A Houston Chronicle article titled “Keeping Its Head Above Water: New Orleans Faces Doomsday Scenario,” made the point that a major hurricane could drown the city of New Orleans in over 20 feet of water. In addition, it emphasizes the need for the federal government to step in and provide the necessary resources to protect the lives of the citizens of an area where the vulnerability for a massive storm is disproportionately high. The levees being overtopped is even more disturbing considering the fact that major budget cuts were made in the Army Corps of Engineers. “For Instance, in 2004, the $750-million Lake Pontchartrain and Vicinity Hurricane Protection project, a huge Corps undertaking aimed at building up levees and protecting pumping stations on the east bank of the Mississippi River in Orleans, St. Bernard, St. Charles, and Jefferson parishes,

27. Ibid., 278.
endured proposed budget slashes by Bush as the cost of the war in Iraq escalated. The President sought to spend less than 20 percent of what the Corps estimated it would take to complete the project, which remains 20 percent incomplete because of insufficient funds.28 While it is difficult to determine whether or not these budget cuts played a major role in the poor performance of the levees, it is clear that adequate funding for the maintenance of the levees would have improved the outcome. "For the last ten years, the Army Corps of Engineers has been commissioned by Congress to steer the Southeast Louisiana Urban Flood Control Project. Southeast Louisiana Urban Flood Control Project was authorized by Congress after flooding from a huge rainstorm in May 1995 killed six people. Since that time, the Army Corps of Engineers has spent $430 million on strengthening the levees and building pumping stations, however, federal funds for another $250 million worth of projects aimed at strengthening levees eroded or sunken by hurricane activity in the Atlantic basin have all but dried up."29

The breech of the levees in New Orleans brings into question the notion that the primarily African-American residents of the city suffered from a lack of environmental justice. Environmental justice is based on the idea that all citizens are entitled to live in a healthy environment as a human right regardless of economic, social or political standing. Inequities in the level of risk to exposure of hazardous elements based solely on the clustering of ethnic and racial groups are unfair and intolerable. The uneven distribution of environmental risks in New Orleans, primarily the lower wards; i.e. Ninth Ward


proves the high level of environmental inequality that disproportionately affected areas dominated by African Americans.

"In theory, the principle of environmental justice means that we can no longer ignore who benefits and loses in the environmental game or in whose backyard the unwanted facility is located. The increasing salience of environmental degradation to urban residents and people of color means a broader based constituency for action."³⁰

A large amount of research conducted on environmental justice deals with hazardous materials and waste sites primarily built in areas with large concentrations of minorities particularly African Americans. However, the failure to address the failing levees in New Orleans and the inadequacy of them to protect the residents from a major hurricane is also an act of injustice. The areas of New Orleans that are most susceptible to major flooding with a breach of the levees are those areas that are primarily inhabited by African Americans. The idea that the local, state and federal governments were aware of the imminent danger associated with an inadequate levee system and did not invest the necessary resources to address the problem shows a lack of concern for the residents of that area.

"The empirical evidence for environmental discrimination is mixed. The ambiguity in the research results is a consequence of four factors: (1) the environmental threat chosen for analysis; (2) the geographic scale or area unit chosen for measurement; (3) the subpopulation selected; and (4) the time frame. Unfortunately, poor

environmental quality is associated with economically depressed regions wherever they are located.”

Inequalities attributed to race have existed since the founding of the United States of America. The lack of resources assigned to address specific needs of African-American communities and their environments has not equaled the resources used to protect the environments of the majority of the population.

The manner in which we define and measure inequity depends on the circumstances of what is trying to be determined. The levees of New Orleans that were designed to protect the residents clearly failed. Local and state government agencies were aware of the potential for a major catastrophe if the levees were toppled during a major hurricane. In addition, local and state government agencies were aware of the poor economic circumstances of the residents of the areas that depends the most on the success of the levees. “For all the criticism of the Bush Administration’s confused response to Hurricane Katrina, at least two federal agencies got it right: the National Weather Service and the National Hurricane Center. They forecast the path of the storm and the potential for devastation with remarkable accuracy. The performance by the two agencies calls into question claims by President Bush, and others in his administration, that Katrina was a catastrophe that no one envisioned.”

31. Ibid.

32. MSNBC.com staff, “Katrina forecasters were remarkably accurate; Levee breaks, catastrophic damage predicted, contrary to bush claims,” http://www.msnbc.msn.com/id/9369041 (accessed June 3, 2011).
Department of Homeland Security

Both in design and in fact, the Department of Homeland Security (DHS) is the central federal entity for preparedness and response to disasters, including catastrophic events like Hurricane Katrina. The Homeland Security Act of 2002 established the Department and provides that one of DHS’s missions is “acting as a focal point regarding natural and manmade crises and emergency planning. DHS was created to bring together multiple, disparate agencies to create synergy and ensure a coordinated approach to preventing, preparing for, and responding to catastrophes, whether caused by terrorism or nature. Since DHS’s creation, several executive actions have further articulated its role. Homeland Security Presidential Directive 5, issued by President Bush on February 28, 2003, formally designated the Secretary of Homeland Security as the “principal federal official for domestic incident management.” It also made the Secretary responsible for developing and administering the National Response Plan (NRP) and the National Incident Management System (NIMS), a system for enabling responders from different jurisdictions to work together. Homeland Security Presidential Directive 8 (HSPD-8), issued on December 17, 2003, further designated the Secretary as “the principal Federal official for coordinating the implementation of all-hazards preparedness in the United States,” and gave the Secretary, in cooperation with other Federal departments and agencies, responsibility for “coordinating the preparedness of federal response assets, and the support for, and assessment of, the preparedness of state and local first responders.”

“In addition, DHS has assumed responsibilities under the Robert T. Stafford Relief and
Emergency Assistance Act (Stafford Act)."33 Among other things, the Stafford Act authorizes and provides the administrative mechanisms for the federal government to assist state and local governments in disasters. The President, or the Secretary of Homeland Security as his delegate, has the authority to provide "assistance essential to meeting immediate threats to property resulting from a major disaster. This authority specifically allows the Secretary to do any work essential to saving lives or preserving public health and safety, including search and rescue, emergency medical care, emergency mass care, emergency shelter, and provision of food, water, medicine, and other essential needs, including movement of supplies or persons. In addition, the Homeland Security Act gives the Secretary, through the Under Secretary for Emergency Management and Response, the responsibility for "providing the federal government's response to terrorist attacks and major disasters," and charges FEMA with conducting emergency operations to save lives and property "through positioning emergency equipment and supplies, through evacuating potential victims, through providing food, water, shelter, and medical care to those in need, and through restoring critical public services." On February 28, 2003, the day before the new Department began operating and FEMA became part of DHS, President Bush modified Executive Order 12148, delegating most Presidential responsibilities under the Stafford Act to the Secretary of

Homeland Security, rather than to the Director of FEMA, as had previously been the case.\textsuperscript{34}

Homeland security, at its core, is about coordination. It is not only about developing new tools but—more fundamentally—weaving together more effectively the nation's existing experts and resources. It is a matter of doing some new things, many old things much better, and some old things differently, all in an environment that can punish any mistakes severely.\textsuperscript{35} The review of literature points out the importance of Homeland Security and why FEMA falls under the umbrella of the agency. Kettl states, "Different agencies were responsible for providing aid in case of a terrorist attack. The Department of Health and Human Services housed several agencies (including the CDC, the Public Health Service, and the National Institutes of Health or NIH) charged with responding to public health emergencies. The Federal Emergency Management Agency (FEMA) responded to natural disasters, such as hurricanes, tornadoes, and floods. But its workers also were trained—and in turn trained state and local officials—to deal with terrorism-related disasters such as building collapses. The Department of Transportation’s Federal Highway Administration (FHA) and FAA had highly trained crews ready in case of damage to critical infrastructure. The Environmental Protection Agency (EPA) had specialists on radiological and chemical threats.\textsuperscript{36} The author makes it clear that from its inception FEMA held clearly defined roles and responsibilities and

\textsuperscript{34} Ibid., 203.


\textsuperscript{36} Ibid.
was primarily responsible for natural disasters. The literature gives credibility to the notion that there is no excuse for FEMA’s incompetence in dealing with Hurricane Katrina or any other natural disaster.

According to the National Response Plan, the Department of Homeland Security “will assume responsibility on March 1 [2005] for ensuring that emergency response professionals are prepared for any situation. This will entail providing a coordinated, comprehensive federal response to any large scale crisis and mounting a swift and effective recovery effort.” The state evacuation plan (Part 1 Section D7) states [72], evacuation is the responsibility of the local parish. In Orleans Parish that responsibility fell to Mayor Ray Nagin. Many critics have noted that while Mayor Nagin gave a mandatory evacuation order on August 28, before the storm hit, he did not make sufficient provision to evacuate the homeless, the poor, the elderly, the infirm, or the car- less households. Hospitals, nursing homes, group homes, were supposed to have pre- determined evacuation and/or refuge plans in place. [73] Foreign Nationals without transport claimed that the police refused to evacuate them providing buses only for American citizens. [74] Prior to this, on August 27 the White House issued a statement [75], effective August 26, authorizing federal emergency assistance for Louisiana. The statement authorized the DHS and FEMA to coordinate disaster relief and “... required emergency measures, authorized under Title V of the Stafford Act, to save lives, protect property and public health and safety, or to lessen or avert the threat of a catastrophe in
the parishes. This includes all the parishes in the state of Louisiana except the coastal parishes which are inherently exposed to the most destructive forces of a hurricane. 37

Hurricane Pam—The Simulation

Some call Hurricane Katrina the perfect storm. It was not The Perfect Storm, which the Federal Emergency Management Agency (FEMA) calls Hurricane Pam, exists only on a computer disk, the creation of a small federal contractor located in a nondescript office park on the outskirts of Baton Rouge. Developed in the spring of 2004 over a period of fifty-three days and at a cost of $800,000, Hurricane Pam is a low-tech affair, nothing more than a simulated computer storm surge that plays out on a monitor accompanied by a stack of descriptive documents that catalog the dargage the storm wrought when it made its fictitious landfall. Hurricane Pam is a training exercise, designed to get local and federal disaster responders thinking about how they might deal with the aftereffects of a catastrophic storm that hit New Orleans. Louisiana is lousy with emergency disaster plans, and its various government agencies have invested millions of dollars cooking them up. The city of New Orleans has one specifically for hurricanes, as do all the parishes (counties) along the coast. Inland, the rest of the state’s sixty-four parishes have created generic plans to deal with a wide variety of calamities, natural and man-made. Not to be out-done, about twenty state agencies have disaster plans. Some have several. The federal government, as well, has dumped hurricane plans on the state over the years, and they are all hundreds of pages long, thick with appendixes and

crammed with dense, jargon-filled prose. Most of them were cooked up in Washington by small teams of bureaucrats; a few were created without any local input at all. Most sit unread in disaster offices throughout southern Louisiana. In the office of Jesse St. Amant, the longtime emergency preparedness director for Plaquemines Parish, the collection of disaster plans on his long, low bookshelf stretches for several feet.\(^{38}\)

The literature regarding the Hurricane Pam simulation indicates that the federal government, FEMA and the Department of Homeland Security were aware of the possibility of a hurricane striking New Orleans, LA with the power and magnitude to cause catastrophic damage. While Hurricane Pam was a simulation and real life variables that occur in the moment cannot always be accounted for, clearly there should have been a much more coordinated response from all levels of government and FEMA.

Hurricane Pam was intended to address a threat that was well known to everyone. "FEMA brought together hundreds of people from dozens of federal agencies and the military to sit down with state troopers and school superintendents and volunteer firefighters to hammer out the details of response, drawing clear lines of authority and responsibility, and calculating just exactly what resources would be needed. Though, the federal government paid for Hurricane Pam, the locals were the ones who brought the plan to life, hanging it with the minutiae of the first response, working through the

logistics of evacuation and preparation, and crafting the government’s initial reaction
to a storm everyone knew was coming.”39

Hurricane Pam was good in “theory.” The Hurricane Pam simulation did not take into account the “human element” of a response to any natural disaster. The human element allows race and economics to play a role in the type of response deemed necessary. Hurricane Pam did not take into account those disparities between the African-American community and the city of New Orleans as a whole. The economic reality of the African American residents of New Orleans suggests that they would hold a disproportionate dependency on the federal government; particularly if the state and local government failed to meet their basic needs during a hurricane such as Katrina.

The Failure of Federalism

James Carafona and Matt Mayer’s article “FEMA and Federalism: Washington is Moving in the Wrong Direction,” states “Since Hurricane Katrina, Congress has focused too much attention on promoting Washington-centric solutions for dealing with disasters. Efforts to reform and restructure the Federal Emergency Management Agency (FEMA) are emblematic of the problem. While building a more efficient and effective FEMA is important, that is not Washington’s most important job. Congress can best contribute to building a resilient and sustainable national capacity to deal with disasters by fostering systems that are consistent with the best practices of governance. This means returning to a reliance on the principle of federalism, which respects the roles and responsibilities of local, state, and federal governments. Instead of focusing on Washington-centric

39. Ibid., 13-14.
answers, Congress should, "Establish a higher threshold for what triggers a federal emergency declaration (e.g., a major disaster, emergency or fire) and focus FEMA primarily on preparing to respond to catastrophes, not routine emergencies."

The founders created a constitutional framework in which each state, upon ratification of the Constitution, ceded some of its powers to the Federal government to create one united yet limited central government. The Constitution sets forth the specific and delegated powers to delineate Federal and State roles. It tells us which branches and offices will be a part of the Federal government, what powers they may exercise, and what limitations constrain them. The Constitution also respects State powers by reserving those powers not given to the Federal government to the States or to the people. Our federal system provides a structure to enable coordination between the United States government and State governments to create a balance that respects the sovereignty of both entities.40

The United States has long operated on the general premise that governments exist to do those things that individuals alone, or in free voluntary association (e.g., families and charities) are not best positioned to do for themselves, such as ensuring public safety and providing law enforcement. Following these principles, the Founders created the federal government to do those things that states cannot or should not do individually, such as defending the nation, conducting foreign relations, and ensuring open and free interstate commerce. Accordingly, state and local governments assume the first and foremost line of defense against civil disturbance and threats to public safety.

The federal government guarantees its assistance to protect the states in their existence as representative republican governments from the external threat of invasion or attack, and against internal subversion or rebellion. Federal laws reinforce the concept that the federal government should respect state sovereignty.41

Raising and not lowering the bar for federal intervention during emergencies will increase FEMA’s capacity to respond effectively to large-scale disasters that would overwhelm state and local governments – the kinds of catastrophes that demand a national response.42 Carafona and Mayer make a strong argument for the idea that FEMA must be the direct link to the federal government during a natural disaster. In addition they make a sound case that the core principles of federalism are the foundation for local, state and federal government during a disaster.

President Clinton understood the value of an activist federal government in responding to local disasters. “Clinton and Witt,” wrote investigative journalists Christopher Cooper and Robert Block, viewed disasters as golden opportunities to help regular folks connect to local politicians, and maybe pick up a few votes along the way... But it wasn’t just the stepped-up response that delighted Congress; it was FEMA’s ability to deliver loads of pork as well.” President Clinton elevated FEMA to a Cabinet-level position, strengthening the impression that every federal response reflected an activist White House. Under George W. Bush Administration, FEMA supported an average of 126 declarations per year, or one every third day of the year. When the

41. Ibid.

Homeland Security Department was created in 2002, FEMA was moved into the department. Rather than being marginalized or forgotten as some post-Katrina critics contend, little changed in FEMA administration after the Cold War. The agency spent all of its time and resources responding in some form or fashion to the latest routine disaster. Little time or attention was spent building an organization able to respond effectively to a catastrophic event. FEMA’s function continued to be avoiding another Hurricane Andrew problem and ensuring that no local disaster became a national political problem.43

The literature is clear in making the case that the federal government understood the importance of FEMA and its role in representing its interest and therefore being a direct reflection of its policies when a natural disaster would occur. Federalism is the heart of the “social contract” and its core principles if implemented and adhered to properly can ensure that the as then Senator Barack Obama stated, the least of these can receive an adequate and efficient response when victimized by a natural disaster.

Our nation has a system of dual sovereignty. The federal government has limited, enumerated powers, and state governments retain primary responsibility to protect the public’s health and safety, so-called “police powers.” This is commonly known as “federalism.” Traditionally, state and local officials have managed the response to an incident in the first instance, and the federal government for the most part provides assistance only as requested. This approach makes sense: during an emergency, states

43. Ibid.
typically have authority to exercise extraordinary powers to commandeer resources, control property, order evacuations, suspend law, and take other extreme measures.

In addition, state and local authorities have large numbers of public-safety employees that are first responders to every emergency. The individuals closest to an emergency incident generally know the locality best, and are wholly accountable to the local electorate for their actions. Congress established the Stafford Act to provide assistance “by the federal government to state and local governments in carrying out their responsibilities to alleviate the suffering and damage which result from . . . disasters.” The Stafford Act respects the state’s role in determining when it is overwhelmed and the assistance that it wants from the federal government. The Stafford Act requires that the governor of a state request the President declare a major disaster for a portion or all of a state. Such requests include a description of how the state’s resources are overwhelmed. The President can then decide to declare a major disaster and determine the federal assistance that will be provided “in support of state and local assistance efforts.”

Thus, the Stafford Act provides for consultation with state officials prior to the provision of federal assistance in the first instance. The subsequent federal government response is cognizant of underlying concerns for the state’s continued authority over the direction of the response efforts and respects state autonomy under our federal system of government. Traditionally, FEMA has required that states make requests not only for the initial declaration of a disaster or emergency but also for specific types of assistance such as the provision of commodities or assistance with search and rescue efforts. In a catastrophic situation, however, the traditional mode of operation under the Stafford Act may not serve the Act’s purposes because state and local governments may become so
overwhelmed that they can not effectively make specific requests for assistance. In such circumstances, the federal government may have to act without a request from a state. The implication is clear, the federal government must be the over-arching umbrella to respond to a natural disaster when state and local governments are overwhelmed.

In sum, the literature provides a foundation for understanding the inadequate response by the federal, state and local government to hurricane Katrina and the failure to uphold the Robert T. Stafford Act. In addition, the literature shows an analysis of the response by the government to Hurricane Katrina cannot omit race as a factor to the dismal response.

CHAPTER III

METHODOLOGY

A Case Study of the Government Response to Hurricane Andrew

This chapter explains the methods used in carrying out this study, giving special emphasis to the analysis of data. Prior to Hurricane Katrina making landfall, Hurricane Andrew was considered the costliest and deadliest storm to ever strike the United States of America.

Hurricane Andrew was the third most intense storm at the time of landfall to strike the U.S. mainland this century. It struck Dade County, Florida on August 24, 1992 as a category 4 hurricane with a central pressure of 922 mb, the third lowest for a hurricane at landfall this century. Andrew made a second U.S. landfall on a sparsely populated section of the south-central Louisiana coast as a category 3 hurricane. In southeast Florida, Louisiana, and Mississippi, rainfall totals in excess of seven inches were recorded. Rainfall amounts near five inches occurred in several neighboring states. Estimated damages in the U.S. of $25 billion make hurricane Andrew the most expensive natural disaster in U.S. history.1

The facts surrounding Hurricane Andrew make it an ideal natural disaster to study in comparison to the events and circumstances surrounding Hurricane Katrina. Hurricane Andrew as with all natural disasters raises questions regarding the response of the local, state and federal governments to the disaster.

Hurricane Katrina became the ideal example used by researchers to examine and understand the role of government in a natural disaster. The similarities between Hurricane Andrew and Hurricane Katrina are easily identifiable. In terms of geography, damage and length of time the disaster occurred. Analyzing Hurricane Andrew allows for a critical review of how the United States Government reacted to the needs of the citizens of those areas affected along with how each level of government local, state, and federal along with its officials interacted and worked with each. All levels of government were presented with a number of unique challenges during each hurricane. However, it is necessary to look at the atmosphere surrounding Hurricane Andrew and compare the response of the government to that of Hurricane Katrina to determine if race and/or class played a prominent role in the type of recovery that was afforded to individuals impacted by both storms.

The literature has shown that both race and class played a role in the response of the government to Hurricane Katrina. There is a lingering question as to whether the lack of response was primarily centered on and around race of was the race of the victims confused with the class position of the victims. In order to properly understand the race/class dynamic of the government response a study of the response to other similar natural disasters is necessary.

During both Hurricane Andrew and Hurricane Katrina, there was a Republican administration in the White House headed in the former case, President George H.W. Bush, and in the latter case by President George W. Bush. The local and state government resources were overwhelmed by the events of Hurricane Andrew and each branch immediately turned to the Federal government for assistance and answers. A
large number of the victims felt the federal government should have responded more quickly and that there was no room for red tape and bureaucracy that plagued the response to other natural disasters. In other words, by the time Hurricane Andrew had made landfall citizens believed that the government should have been prepared for such a disaster based on the probability of hurricanes in that region and the idea that there is an annual hurricane season year and specific regions are more susceptible than others to being hit by cyclonic tropical storms.

FEMA was already established and the coordination between the local, state and federal government was expected to be efficient. The literature suggest that race and class may not have played a role in the government response for Hurricane Andrew and that any delay that plagued the response was primarily due to bureaucracy and a lack of knowledge of the procedures necessary for federal government intervention in state affairs. The New York Times reported:

Pentagon officials said today that they were prepared to deliver large amounts of emergency aid to victims of Hurricane Andrew on Monday, the day it devastated South Florida. But they did not do so because neither President Bush nor other civilian officials ordered a large-scale Federal response to the devastation until late Thursday.  

The New York Times article indicates one of the major differences between the response to Hurricane Andrew and the response to Hurricane Katrina from the federal government. One only needed to turn on one's television during the time Hurricane Katrina struck to see the disproportionate impact the storm had on African-American

citizens of New Orleans, LA. While the circumstances may be similar; while the conditions may be similar; it is clear that the individuals who were primarily affected by Hurricane Andrew and Hurricane Katrina were vastly different. “At a White House news conference today Mr. Bush asserted that the Federal Government was responding promptly and massively to the hurricane disaster and added that even though Florida officials had criticized the Federal relief effort, I am satisfied that we responded properly.”

In any natural disaster proper, efficient and effective communication is essential. Communication between all levels of government as well as communication between government officials and the general public at large is critical. It is not inconceivable that the local government can feel that they are meeting all of their responsibilities and the state government can feel the same while the federal government believes the local and state are in control of the situation.

“The Bush Administration’s initial response appears to have been slowed by bureaucratic snarls and legal concerns. In addition, White House officials did not realize the severity of the damage.” This was the case during Hurricane Andrew. There was a severe breakdown in communication as to what the needs of the state of Florida were and what resources were at their immediate disposal. Due to the overwhelming disparity in the race of the individuals affected by Hurricane Katrina that people viewed on their televisions it is easy to generalize and blame the poor response on race without first

3. Ibid. 
4. Ibid.
looking at race versus class as well as analyzing other similar natural disasters to understand if the response was typical or atypical.

How did the government response to Hurricane Katrina compare to other similar natural disasters. A case study of Hurricane Andrew allows the reader to understand government response and the relationship between all levels of government to natural disasters. The role of government in a natural disaster has no room for ambiguity the very lives of the citizens in the community impacted are literally at stake.

The National Response Plan establishes a comprehensive all-hazards approach to enhance the ability of the United States to manage domestic incidents. The plan incorporates best practices and procedures from incident management disciplines – homeland security, emergency management, law enforcement, firefighting, public works, public health, responder and recovery worker health and safety, emergency medical services, and the private sector – and integrates them into a unified structure. It forms the basis of how the federal government coordinates with state, local, and tribal governments and the private sector during incidents.5

Any one of the four following conditions must apply for the National Response Plan to be implemented:

1. A federal department or agency acting under its own authority has requested the assistance of the Secretary;

2. The resources of State and local authorities are overwhelmed and Federal assistance has been requested by the appropriate State and local authorities;

3. More than one Federal department or agency has become substantially involved in responding to the incident; or

4. The Secretary has been directed to assume responsibility for managing the domestic incident by the President.\(^6\)

"Local and state governments share the responsibility for protecting their citizens from disasters, and for helping them to recover when a disaster strikes. In some cases, a disaster is beyond the capabilities of the State and local government to respond.\(^7\) This was clearly the case with Hurricane Katrina. The resources available at the state and local level were not sufficient enough to deal with the disaster. However, if the local and state government are correct in proclaiming that they did not have the resources to deal with a hurricane the magnitude of Katrina then it is up to the federal government to fill in those areas/gaps where the local and state government fall short. Understanding this point is a crucial step in analyzing race and class in the response.

Did the overall mood of those affected during Hurricane Andrew suggest that the poor response was due to the race and/or class of the citizens of South Florida affected by the storm? Did the government response to Hurricane Katrina indicate that race and/or class played a role in the type of response the citizens received? This is a theory that has been suggested in the past however there is a gap in the literature in terms of the responsibility of all levels of government and the direct discrepancies between the response to Hurricane Katrina and other similar natural disasters.


“Disaster response in America traditionally has been handled by State and local governments, with the Federal government playing a supporting role. Limits on the federal government’s role in disaster response are deeply rooted in American tradition.”

The state and local government have always been best positioned to respond to the specific needs of its residents. The state and local government has a unique relationship with its residents and must be able to effectively communicate those needs that they cannot meet to the federal government. The federal government should play a supporting role in natural disaster response in and until the state and local governments resources are overwhelmed and cannot meet the needs of its residents. There are certain events in history such as the terrorist attacks of 9/11 and the devastation of Hurricane Katrina that calls for all levels of government to tailor the application and implementation of those constitutional principles that call for the autonomy of each level. The role of the Governor of an impacted state and the necessary coordination of response with the federal government calls for compromise among all individuals with decision making authority. It is the clear that the first line of defense in any natural disaster is the local and state government along with its officials. A clear understanding of the defined roles of each level of government is essential in the response efforts to a natural disaster. The federal government must respect the sovereignty of the state but the state must understand when they are overwhelmed and that federal resources are needed.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, was written to give the federal government the authority to act immediately on behalf of the citizens when a natural disaster overwhelmed state and local municipalities. Hurricane Katrina proved that the federal government must do a more efficient job in identifying those individuals who have historically needed the assistance of the resources of the federal government. The African-American community has traditionally turned to the federal government when the local and state government failed to meet their unique needs. Hurricane Katrina is the ideal example of the federal government responsibility to those individuals who cannot do for themselves.

Under the Stafford Act, requests for major disaster declarations must be made by the Governor of the affected state. The Governor’s request must be based on a finding that the disaster is of such severity and magnitude that effective response is beyond the capabilities of the State and the affected local governments and that Federal assistance is necessary. The Governor of an impacted state should have a working knowledge of the amount of resources available to officials for immediate use. In addition, the Governor should be aware of his or her responsibility to formally request the assistance of the federal government when deemed necessary. It is up to the Governor to know when the state can no longer meet the needs of its residents alone. The failure to adhere to the Stafford Act caused much of the response to Hurricane Katrina to be inadequate at best. The responsibility of the Governor of the State of Louisiana to declare a major disaster in a timely manner and the President not to recognize the level of the disaster was not met by both levels of government.

9. Ibid.
"The system for providing Stafford Act assistance, set forth in the NRP and FEMA regulations, reflects the American system of Federalism, allocating roles and responsibilities between levels of government by utilizing a layered system that requires local governments to first request assistance from their state."\(^{10}\) While it is a natural response to a natural disaster by the state to exhaust all its resources it must have a system designed to request the assistance of the federal government before using all its resources even if that means requesting federal assistance before the natural disaster is scheduled to arrive. The state’s emergency plan should be designed to respond to the immediate needs of its residents during a natural disaster and provide the basic necessities to sustain them until federal assistance can arrive.

"After a Stafford Act declaration, FEMA, on behalf of the Federal government, receives State requests for assistance and fulfills them by tasking other Federal departments or agencies with the appropriate expertise or resources to meet the specific needs."\(^{11}\) States must be specific. This notion cannot be emphasized enough. States must be aware of their needs and be able to effectively communicate those needs to the federal government. This allows the federal government to respond effectively during a natural disaster. Governor Kathleen Blanco was famously quoted as saying “Give me everything you got,” when President Bush asked her what did she need. States must have an inventory of its supplies and be able to express its needs in a clear coherent fashion to the federal government.

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10. Ibid.

11. Ibid.
It is critical to understand the Stafford Act to determine whether or not race and/or class can be held as independent variables to determine if they played a role in the inadequate response to Hurricane Katrina or was the lack of response simply a breakdown of communication between the levels of government. A comparison with Hurricane Andrew gives insight into how a similar natural disaster was responded to by the State, local and federal governments. From President George W. Bush Jr. to New Orleans, LA, Mayor Ray Nagin and all other government officials a breakdown in communication and poor coordination was admitted by all parties. However, what was not readily admitted was the notion that the response would have been better if the race and/or class or the citizens in need would have been different. While it is easy to confuse race with class and blame race when it is a class issue the response to Hurricane Andrew highlights the glaring discrepancies in response to one group of people to the next group of people.

For example, the demographics for the city of New Orleans indicated that the majority of the city consisted of African Americans and a large percentage were poor or living below the poverty line. Michael Eric Dyson stated:

The most glaring feature of their circumstance suggests that Katrina’s survivors lived in concentrated poverty—they lived in poor neighborhoods, attended poor schools, and had poorly paying jobs that reflected and reinforced a distressing pattern of rigid segregation. Nearly 50,000 poor folk in New Orleans lived in areas where the poverty rate approached 40 percent. In fact, among the nation’s fifty largest cities with poor black families jammed into extremely poor neighborhoods, New Orleans ranked second. Those households living in concentrated poverty often earn barely more than $20,000 a year.\(^{12}\)

\(^{12}\) Michael Eric Dyson, *Come Hell or High Water: Hurricane Katrina and the Color of Disaster* (New York, Basic Civitas Books, 2006), 75.
This statement is a clear reflection of the conditions that African Americans were living in pre-Katrina. In addition, this is an indicator that state and local officials should have been aware of the possibility that if a major hurricane was to strike the area those individuals who would be most in need of assistance would be predominately African American. Clearly, the federal government can sympathize with the conditions of the African-American community as a whole due to the fact African Americans continually turn to them when they are seeking redress.

“In 1960, New Orleans was 37 percent black; in 1970, it was 43 percent black; by 1980, it was 55 percent black. In 1990 the city was 62 percent black, and by 2000 it was more than 67 percent black.”13 Dyson’s acknowledgement of the large number of African Americans concentrated in New Orleans gives rise to the notion that it’s not unusual to see the high level of African Americans in need of assistance during hurricane Katrina.

Still, state and local officials knew that tens of thousands of Gulf Coast residents either could not or would not evacuate. A large number of residents who did not own a vehicle depended on relatives, neighbors, charitable organizations, or public transportation to evacuate; New Orleans hurricane plans estimated that over 100,000 residents did not own an automobile.14 Various reports clearly indicate that State and local officials were aware of the number of people who were of African-American descent and living in poverty that would be “special needs” individuals in the case of a catastrophic hurricane. In addition the federal

13. Ibid., 81.
government was aware of the historical nature of the needs of the African-American community. Dyson states:

If President Bush is serious about what he said in his first speech on national television in Katrina’s aftermath, that the deep, persistent poverty of the Gulf Coast has roots in a history of racial discrimination, which has cut off generations from the opportunity of America, and that we must rise above the legacy of inequality then he must foster public policy and legislation that help the poor to escape their plight.15

There are virtually no reports where race was introduced in the dialogue regarding the response to Hurricane Andrew. Isolating Hurricane Andrew makes the notion that race had an adverse affect on the response by the state, local, and federal governments pronounced. The local, state, and federal governments have the responsibility of developing effective plans to evacuate those individuals who are the most in need (i.e., blacks and the poor). Evacuation is a central theme in understanding the uniqueness of Hurricane Katrina when compared to other hurricanes and natural disasters. The argument can be made that poor evacuation planning was the main difference between Hurricane Katrina and Hurricane Andrew.

A hurricane evacuation involves several governmental agencies and private organizations performing such functions as storm warning, evacuation decision making, communications, traffic control, and shelter management. These agencies and organizations also have an indispensable role in hurricane preparedness planning. The ultimate decision to evacuate an area is usually left to the elected officials in charge of that jurisdictional unit, who are advised by the local Director of Emergency Management.16

15. Dyson, *Come Hell or High Water*, 127.

“In preparing hurricane evacuation plans, assumptions must be made regarding the manner in which the population in and around the vulnerable area will react to the threat. These assumptions are necessary for shelter planning, transportation modeling, and guidance in evacuation decision-making and public awareness efforts.”17 The local, state, and federal governments did not take into account the special needs of those individuals centrally located in areas most vulnerable to the effects of Hurricane Katrina. The failure of the government to respond properly to Hurricane Katrina can be akin to a failure in leadership.

Hurricane Katrina exposed the U.S. government’s failure to learn the lessons of the September 1, 2001, terrorist attacks, as leaders from President Bush down disregarded ample warnings of the threat to New Orleans and did not execute emergency plans or share information that would have saved lives, according to a blistering report by House investigators.18

Although criticized in some literature, the evacuation of residents during Hurricane Andrew was more detailed, effective and efficient that that during hurricane Katrina.

Comparing the government response to Hurricane Katrina to other similar natural disasters, particularly Hurricane Andrew provides insight into the glaring differences in the level of response and the leadership provided by local, state and federal officials. The wide extent of the damage caused by Hurricane Katrina in New Orleans stretched beyond ruined homes and stranded families:

The local, state and federal government all took a beating to their image in the field of emergency preparedness. According to the National Response Plan, disaster prevention and response planning are first and foremost a responsibility

17. Ibid.

of the local government of the affected area. Once local resources run out, the burden climbs the bureaucratic ladder, going from county to state until it reaches the federal government. In the light of this responsibility, many were outraged to find after the storm hit that, according to a Congressional report, the Louisiana government had been aware of the inadequacy of its emergency response system for decades. 19

FEMA absorbed a large percentage of the blame during Hurricane Andrew as well as Hurricane Katrina for the agency's lack of preparation in addressing the immediate needs of residents affected by the storms. However, FEMA was lauded with praise during other natural disasters such as Hurricane Charley.

Charley was the fifth costliest storm in U.S. history, according to the Insurance Information Institute. With torrential rainfall and maximum sustained winds of 145 mp, Hurricane Charley whipped across the state of Florida and left behind an estimated $15 billion insured and uninsured losses. 20 The Federal Emergency Management Agency and state and local authorities are being praised for their response to Charley, something that did not happen after Andrew. Disaster officials said they learned their lesson from Andrew and were better prepared when Charley struck August 13. 21

The literature strongly suggests that the local, state and federal government along with FEMA made critical errors during Hurricane Andrew and diligently solved those issues by the time hurricane Charley made landfall.

In other words, FEMA evolved and learned from the circumstances of previous disasters to be able to respond more efficiently to current natural disasters. A study of


Hurricane Andrew indicates that indeed mistakes were made in the response by FEMA and the government to the disaster, however a study of Hurricane Katrina shows those mistakes were minor in comparison. When examining the local, state and federal government along with FEMA’s response to Hurricane Katrina one can only wonder where was the growth, evolution and lessons learned from the response to Hurricane Andrew that was practiced during Hurricane Charley.

Charley storm generated 18 million cubic yards of debris from destroyed and damaged homes and businesses, with cleanup costs of more than $286 million, according to the Federal Emergency Management Agency. The National Flood Insurance Program paid more than $50 million in damage claims from property owners.22

Charlotte County emergency director Wayne Sallade has not been able to contain his boasting about the response to Charley. He said the first day of response after Charley accomplished more than the first three days after Andrew. On day four, he challenged anyone in Miami-Dade County to tell him that they were delivering ice, food and water door-to-door after the same period in 1992. From the courthouse to the White House, it’s been a remarkable response on all levels.23

“From Andrew we learned,” said Justo Hernandez, deputy federal coordinating officer for FEMA, “Andrew taught us we have to move faster, move into areas quicker and hit the ground running.”24 Here are some facts regarding Hurricane Charley:

- 3,800 patients were treated by FEMA Disaster Medical Assistance Teams following the storm.


24. Ibid.
4,700 temporary housing units, including travel trailers and mobile homes, were set up by FEMA to house Floridians.

7,100 state agencies, local governments and non profits received FEMA Public Assistance grants associated with Hurricane Charley.

100,000 people were sheltered by the American Red Cross in the first couple of weeks of the disaster.

182,000 homes inspected to determine eligibility for FEMA housing assistance.

273,000 individuals registered for state and federal assistance in Florida.25

If the local, state and federal government along with FEMA learned from the criticism leveled its way regarding their response to Hurricane Andrew and applied those lessons to their response to Hurricane Charley, one must question why the response to Hurricane Katrina was so poor. There are certain variables that were not factored into the analysis and evaluation of the government response to Hurricane Andrew and Charley, specifically race and class. The literature does not address race and class primarily because they were not seen as factors in the level of government response. In other words, no one questioned if the race and class of the citizens affected by Hurricane Andrew played a role in the level of response from the local, state and federal government.

One only needed to turn on the television, log onto the internet or read any news publication and look at the faces of the victims of Hurricane Katrina to infer that if the race of the victims of Hurricane Katrina was different the response would have likely been different. The argument that the response to Hurricane Katrina was inadequate is

difficult if not impossible to dispute, however the reasons behind the poor response leaves room for debate. Hurricane Andrew struck in 1992 Hurricane Charley struck in 2004 and Hurricane Katrina struck in 2005. A 12 year gap existed between when Hurricane Andrew struck and when Charley struck, however there was only a one year gap between when Charley struck and Katrina struck. The growth of FEMA and the new attention to detail of the local, state and federal government responding to a natural disaster was lauded during hurricane Charley. However, in less than one calendar year FEMA, along with the local, state and federal government failed in literally every aspect of its response to hurricane Katrina.

An in-depth look analysis of both Hurricane Charley and Hurricane Katrina illustrate that there were very few differences in the scope of each natural disaster. For instance, the director of FEMA was the same during each disaster, Michael Brown. Time magazine states, “When President Bush nominated Michael Brown to head the Federal Emergency Management Agency (FEMA) in 2003, Brown’s boss at the time, Joe Allbaugh, declared, ‘the President couldn’t have chosen a better man to help...prepare and protect the nation.’” President George W. Bush Jr. served from 2001 to 2009. In terms of the federal government and the President the leadership was the same for both Hurricane Charley and Katrina. One would think that the competency shown during the response to Hurricane Charley would be the same or better during Hurricane Katrina.

However, the response to Hurricane Katrina from FEMA and the federal government was worse than Hurricanes Andrew and Charley combined. Could this be

easily explained away by geography and demographics? Are the logistics of New Orleans, LA, so unusual that any natural disaster, particularly a hurricane, that would strike would cause major response problems that no other area would face regardless of the severity of the storm? New Orleans, LA, faces the risk of mild to major hurricanes every calendar year. Hurricane Katrina was forecast over a week before it made landfall. The Hurricane Pam simulation foreshadowed essentially all the worst-case scenarios that New Orleans, LA, could face from a possible Category 5 hurricane such as Katrina.

The failure to adhere to the Robert T. Stafford Act was the main cause of the poor response to hurricane Katrina. The race and class of the victims played a significant role in the immediate reaction of the local, state and federal government. The literature provides a foundation for the hypothesis that if the race of the victims had been different the response would have more than likely been different.
CHAPTER IV
MINORITIES, DISASTERS, AND INSTITUTIONAL DISASTER RELIEF

Allocation of Responsibilities

When disasters such as floods, tornadoes or earthquakes occur, assistance from FEMA and/or the Small Business Administration may be provided if requested by state governors. FEMA’s assistance is triggered if the President declares that an emergency or disaster exists and that federal resources are required to supplement state and local resources.¹

A presidential disaster declaration is critical. It allows FEMA to be able to determine which counties within that state are the most impacted and in need of the most assistance. Agencies such as the Small Business Administration (SBA) can now move forward with providing assistance to the residents of the impacted state. The presidential disaster declaration speeds the bureaucratic process up and allows residents to receive assistance quicker and with less red tape.

“SBA’s declaration process and criteria are published in the Code of Federal Regulations.”² The SBA can provide loans to residents to assist in rebuilding their lives. The SBA is an integral component of the federal government in times of natural disasters.


² Ibid., 4.
“SBA’s policy is to suspend action on requests it receives if a governor has requested a presidential declaration that includes individual assistance.”3 “There are four steps in disaster management: mitigation, preparedness, response and recovery.”4 Every disaster is different and response is determined by the events at hand. Disasters are often categorized as natural and unnatural.

“Mitigation: The mitigation phase of disaster management focuses on long-term preparation or avoidance of disaster altogether.”5 Mitigation is crucial because it implements preventive measures to alleviate the pain and suffering expected during a natural disaster. The levees in New Orleans were breached during Hurricane Katrina which caused massive flooding and loss of life. During mitigation the levees of an at-risk area are shored up and as well as other structural mechanisms. Mathematical calculations are used during mitigation to determine which areas are high risk and thus determine what measures should be taken to minimize damage.

“Preparedness: Preparedness involves gathering supplies in anticipation of disaster scenarios as well as training of emergency and non-emergency staff.”6 A disaster must be managed. It must be managed from the standpoint that the essential needs of the residents in the impacted area must be addressed first. Those individuals who are in need of special assistance; the sick, elderly and poor should receive special

3. Ibid., 5.


5. Ibid.

6. Ibid.
attention and focus from state and local officials. Basic needs such as shelter food and water must be made readily available during a natural disaster. Training exercises and how-to drills should be conducted routinely to ensure everyone is aware of their duties and responsibilities.

"Response: First responders to a disaster are usually law enforcement, firefighters and emergency medical technicians."\(^7\) During a natural disaster there should be a well-defined chain of command. Depending on the magnitude of the natural disaster the response of the local, state and federal government should be understood. Evidence suggests that the majority of the victims of a natural disaster die within the first 48 hours of the impact. First responders are critical in sustaining life.

"Recovery: Once the initial crisis has passed, it is time to rebuild and restore what was lost. This is known as the recovery phase of disaster management."\(^8\) Once a natural disaster has passed it is the responsibility of the federal government to provide the bulk of the assistance to citizens. It is not logical to expect the impacted area to provide post-disaster assistance to its residents. The recovery phase is also critical in analyzing the performance of each level of government and its officials. This phase is not just about determining who failed and who succeeded and who should absorb the bulk of the praise and blame. It is critical in determining what can be done better the next time. There will certainly be more natural disasters and previous disasters can teach a lot about what to do the next time. Each phase of disaster management that is implemented

\(^7\) Ibid.

\(^8\) Ibid.
correctly vastly improves the survival and recovery chances of the residents affected by the disaster.

The failure of effective disaster management played a major role in the suffering of the victims of hurricane Katrina. "Emergency planners have long recommended that local officials follow an ‘all risk’ strategy: build a strong, basic capacity for local emergency response and deploy that capacity when needed to deal with problems, regardless of what caused them—storms, accidents, or terrorist attacks."9

The Washington Post detailed a report by U.S. House investigators that point direct blame at all levels of government for the poor response to hurricane Katrina.

A draft of the report, to be released publicly Wednesday, includes 90 findings of failures at all levels of government, according to a investigation staffer who requested anonymity because the document is not final. Titled ‘A Failure of Initiative,’ it is one of three separate reviews by the House, Senate and White House that will in coming weeks dissect the response to the nation’s costliest natural disaster. The 600-plus-page report lays primary fault with the passive reaction and misjudgments of top Bush aides, singling out Homeland Security Secretary Michael Chertoff, the Homeland Security Operations Center and the White House Homeland Security Council, according to a 60-page summary of the document obtained by The Washington Post. Regarding Bush, the report found that ‘earlier presidential involvement could have speeded the response’ because he alone could have cut through all bureaucratic resistance.10

The failure of the government response cannot fall on the shoulders of one individual or agency. Reports indicate those who should be held responsible for the poor response to hurricane Katrina are the local, state and federal government along with


FEMA. All parties are responsible for the poor response. Those individuals most affected by the incompetence of all levels of government are those individuals who are most in need of government assistance in a time of crisis. Minorities living at or below the poverty level were subjected to the poor government response. The Robert T. Stafford Disaster Relief Act was designed to alleviate the damage caused by a natural disaster, it amended the Disaster Relief Act of 1974, PL 93-288. The act would alleviate the suffering of victims by accomplishing the following:

1. revising and broadening the scope of existing disaster relief programs;

2. encouraging the development of comprehensive disaster preparedness and assistance plans, programs, capabilities and organizations by the states and by local government;

3. achieving greater coordination and responsiveness of disaster preparedness and relief programs;

4. encouraging individuals, states, and local governments to protect themselves by obtaining insurance coverage to supplement or replace governmental assistance;

5. encouraging hazard mitigation measures to reduce losses from disasters, including development of land use and construction regulations, and

6. providing federal assistance programs for both public and private losses sustained in disasters.\textsuperscript{11}

The Stafford Act was developed to ensure that all citizens would be able to count on the resources of the federal government when the local and state governments were overwhelmed during a natural disaster.

CHAPTER V

FEDERALISM AND MINORITY CARE

Race, Class, Government, and Response

Cynthia Tucker of the Atlanta Journal Constitution, stated:

In fact, it’s easy for all of us who live in relative prosperity to forget that most of us are here because we had the good sense to be born to the right parents. While a few impoverished young adults can still scratch and claw their way into the mainstream, it is getting harder and harder to do so as the industrial jobs that created the great middle class are disappearing. (Why do you think so many working-class sons and daughters volunteer for the armed forces?) Income inequality is increasing in this country; the latest census shows that the number of people living in poverty is still rising. Still, a few predictable voices on the far-right fringe are already thinking up ways to blame Hurricane Katrina’s victims for their plight. Some are playing up the lawlessness of a few thugs; others are casting responsibility for the crisis solely on local authorities. Haven’t we listened to those callous self-promoters long enough? Didn’t have $50 for a bus ticket out of town. If we want to learn something from this disaster, the lesson ought to be: America’s poor deserve better than this.¹

The majority of the victims of the poor government response on the local, state and federal level were African American. Other racial groups were certainly negatively affected by the government response to Hurricane Katrina. However, the notion that African Americans were significantly disproportionately impacted in a negative manner by the government response during Hurricane Katrina cannot be disputed.

With the exception of Secretary of State Condi Rice, nearly every black person I’ve seen quoted in the press or on television and most every white liberal believes that African Americans suffered disproportionately from government neglect in the aftermath of Hurricane Katrina. Those being pulled from waist deep corpse water sometimes put the case much more bluntly.\(^2\)

One can certainly, argue that the majority of studies and scientific polls will show a high percentage of African Americans and other race liberals with strong opinions regarding race playing a role in the response to Katrina. While at time it is easy to dismiss these claims as bias, one must respect the opinions of clusters of people who all believe a certain way. The history of those individuals undoubtedly plays a role in the manner in which they view a certain situation as well as the undisputed facts of the incident.

Both the Ninth Ward and the Lower Ninth Ward had once been the proud domains of Irish, Italians, and Germans. By the time Katrina hit, they were predominately African American. Many of the clapboard houses, dating from the early or middle twentieth century, were in the ‘shotgun’ style popular in the South, with two adjoining homes laid out front (living room) to back (kitchen and bedrooms). The Ninth Ward developed much of its defiant personality during the late era of segregation. But even with white oppression, the African-American residents built a close-knit community.”\(^3\)

The local, state and federal officials were aware of the demographics of the Lower Ninth Ward of New Orleans, LA and how vulnerable that particular region was to flooding as the result of a direct hit from a powerful hurricane.

The people huddled together, making a home of the barren roadway, holding their belongings in a pillowcase or on a cart, looked like refugees from some war-torn area overseas. The term ‘refugees’ offended some Americans, particularly African Americans. Because the crowds awaiting rescue were overwhelmingly black, the term seemed to imply that they were strangers in their own land.


Indeed, they were refugees, in that they sorely needed refuge of some sort, but in the American perception, shaped by centuries of good fortune, refugees were necessarily foreigners. Americans gave refuge; they didn’t have to seek it. Katrina changed that. A whole population fit the description, if a refuge was someone who had nowhere to go – but went anyway and no one to care about them. And so, although Reverend Jesse Jackson said, ‘It is racist to call American citizens refugees,’ it was only the truth. Oprah Winfrey led the anti-refugee crusade. ‘I think we all in this country owe these people an apology,’ Winfrey said. ‘We still don’t know how many of our fellow Americans lost their lives in the Katrina catastrophe...They are not refugees...They are survivors and we, the people, will not let them stand alone.’ Truth be told they were evacuees and refugees and survivors. All three. And racism was in play, to some degree. If thousands of storm-ravaged citizens were stranded in Boston’s Back Bay, caught on some portion of the Massachusetts Turnpike during a flood and if they were white, you can be sure it wouldn’t have taken days for them to be evacuated. Whatever the conditions, it wouldn’t have taken officials four days to rescue them. With that assumption—that there were certain conditions for so many days—the question is whether the I-10 gathering was ignored because it was predominately African American or largely poor. A third possibility was that the treatment stemmed from the fact that the hurricane occurred in the state of Louisiana; rescue was complicated enough in isolation, but apparently impossible when it was at the mercy of an unresponsive White House.4

The argument regarding refugees was critical to understanding the degree in which race placed a role in the response to Hurricane Katrina. The idea that the overwhelming majority of individuals seen on television suffering from the immediate effects of Hurricane Katrina were primarily African American cannot be devalued. Words have power and words leave a lasting impression on the individual reading and/or listening. The term refugee presented African-American victims of Hurricane Katrina as ‘visitors’ in their own county, city, state and country. It was not necessary for someone in a powerful position such as Oprah Winfrey to point out the negative connotation of the term. Granted it helped to garner attention to the derogatory nature of the term but one only needed to hear it one time while watching the images of the those African

4. Ibid., 465.
Americans attempting to survive the horror of Hurricane Katrina to understand the hidden meaning behind it. The theory that ‘if it was a different race of people in a different city,’ the response by the local, state and federal government would have been more efficient has been heavily purport ed in the literature.

One can conjecture whether a poor white crowd would have fared better in New Orleans or whether the black population of another state would have been treated so shabbily. For those on the I-10, there was no question about why they were being left to fend for themselves. Watching one another weaken in the heat, many of them came to believe that, when push came to shove, they were regarded as second-class because they were black. The truth was not in the comforting supportive words of the government but in its deeds. Thousands of African Americans were cast back to primitive conditions, and in the scheme of the response to Katrina, the attitude seemed to be that it was all right that way. Four days later, the President’s parents, George H. W. and Barbara Bush, visited Reliant Park in Houston. They found conditions that were clean and orderly, but hardly homelike. It was a goodwill tour that was much appreciated until Barbara Bush expressed her opinion that ‘so many of the people in the arena here, you know were underprivileged anyway, so this, this is working very well for them.’

No one would blame the President’s mother if she misspoke in the fray of an interview, but many people leapt to her defense. And that indicated hers was a broadly held opinion and therefore worth pondering, in view of the racial questions raised by the slow response to Katrina.5

History will always debate whether or not a primarily Caucasian population was streamed across every television channel in the country and indeed the nation would have resulted in a different response from all levels of government. That notion can be fodder for debate on any university campus. However, what cannot be debated is the fact that the African Americans who were victimized by the impact of Hurricane Katrina deserved better treatment and a more efficient response from all levels of government. The idea of an “eye test” has credibility in the sense that evaluating the history of the United States of America and their treatment of their formal chattel slaves it is fair to question whether or

5. Ibid., 465-466.
not another more dominant race of people would have received the same level of response.

Did race contribute to the poor response of the federal government or did the class of the victims of hurricane Katrina supersede the race of those impacted in determining the level of response?

Following Hurricane Katrina, many people sought to answer the question of whether its social effects and the government response to the country’s biggest natural disaster had more to do with race or with class. Media images broadcast from the Big Easy showed nearly all those left behind to suffer and die were black Americans—it looked like race. However, those families most able to afford homes in safer flood-protected areas and that had resources to evacuate easily suffered much less than poorer families, which seemed to make it more a class issue. There was no denying that those left behind were mostly poor and black. As public debate escalated amidst increasing allegations of lawlessness among the evacuees, white and conservative Americans vehemently fought the idea that racism had caused the extreme levels of black impoverishment and slowed the government response.6

Much public and progressive discourse sought to contribute to the ‘race and class’ question. Some arguing the debate’s class side asserted that what became apparent in Katrina’s aftermath was basically a class dynamic: ‘Sure they’re black, but the reason they didn’t get out in time is because they’re poor, not skin color.’ Political scientist Adolph Reed, Jr. argued that for liberals to blame racism for the Katrina disaster was a terrible political strategy. Although acknowledging discrimination historically, Reed asserted that those citing contemporary racism, addressing the response to Katrina as a race issue is useless. Others, like Michael Dyson, said that the argument for class over race was used by many only to deflect attention away from race and thus discourage a deeper discussion about the ways race and class intertwine.7

To represent well the structure of New Orleans, or any urban area, one must look at the development of race and class there from past to present. We argue that race and class have always been used as tools by the white elite and have usually been supported by the white citizenry, first and foremost, to maintain white supremacy and white privilege. We view race and class inextricably intertwined categories because of this country’s centuries of racial oppression.


7. Ibid.
The reason the Katrina disaster seemed like a race issue was because it was. The reason it seemed like a class issue was because it was. In reality, race and class are deeply intertwined in New Orleans primarily because of a long history of well-institutionalized racism.  

In a nationally-televised address from post-Katrina New Orleans, even President George W. Bush admitted that 'deep, persistent poverty' in that area 'has roots in a history of racial discrimination, which cut off generations from the opportunity of America' and acknowledged a 'duty to confront this poverty with bold action.' Although Bush administration policies have not shown a commitment to ameliorate discrimination, Bush's comment was here on target.

The literature illustrates that the more in-depth the analysis of the role of class in the Katrina disaster the more pronounced the impact of race becomes evident. The role of class begins to fade in comparison to the impact that race played in the government response to the Katrina disaster.

While a number of studies have been conducted on the impact of race and class on the response to hurricane Katrina, there are insufficient data on why race and class was specific and unique to the disaster. This fact is due, in part, to the theory that the poor response can be explained solely through the prism of race and class. This research study is an effort to demonstrate how the failure to adhere to the Robert T. Stafford Act along with the principles of federalism being ignored by the local, state and federal government were problematic before race and class could be introduced into the equation. Basically, this study indicates that there were major issues before the race and class of the victims of hurricane Katrina were made more pronounced. The historic element of institutionalized racism, discrimination along with a history of Jim Crow laws and prejudice cannot be ignored. Many of the issues facing African Americans in New

8. Ibid.  
9. Ibid.
Orleans in terms of all the things that would prevent or hinder them from evacuating on their own by their own means was prevalent and known to all levels of government.

Then Senator Barack Obama stated, "I hope we realize that the people of New Orleans weren’t just abandoned during the hurricane, they were abandoned long ago – to murder and mayhem in the streets, to substandard schools, to dilapidated housing, to inadequate health care, to a pervasive sense of hopelessness."¹⁰ Senator Obama was stating the obvious but under the tidal wave of frustration and outrage by American citizens that allowed for honest and open dialogue without the fear of political career retribution. Hurricane Katrina pulled the curtains back and opened the window to America’s soul and conscious when dealing with race and class. The shame of the United States of America was put on display for the world to view and judge. Many people suggested that Katrina was a reminder to America that it has inherent issues and flaws in regard to race that still needed to be resolved. However, Katrina was not just a reminder; Katrina was a wakeup call that silence to those issues could no longer continue as the status quo. Hurricane Katrina allowed people to voice their opinion without the concern over how their family, friends, neighbors and coworkers would opine them.

The stain of Hurricane Katrina was not just on the city of New Orleans but on the entire nation. Individuals who pay taxes expect a certain level of service to come from their tax dollars. When the citizens of New Orleans were denied basic life-saving services during Hurricane Katrina people questioned where their tax dollars were going. The poor are no longer an isolated community of individuals who failed to meet their

potential in life. Hurricane Katrina brought to light the inter connectivity of all members of society and the human family. In other words, suffering is suffering regardless the race of the sufferer. However, Hurricane Katrina also exposed the fact that the notion of have’s and have not’s, is a reality in America and those things Americans take for granted cannot be taken for granted by all. An equal and adequate response from all levels of government for all people during a natural disaster; the necessary vital resources for residents to achieve living sustainability; the protection of the police and military; along with a level of humanity and compassion extended to those citizens who cannot provide for themselves.

The failure to provide those basic services to the residents of New Orleans who suffered during Hurricane Katrina who were primarily African American, constitutes a stain placed on the progression of racial equality in America that simply electing a black President can not erase. Immediately after the impact of Hurricane Katrina and the poor government response the blame game began at all levels of government and all departments within the government. At the heart of every debate, every theory, every hypothesis about what went wrong and why it went wrong race was present. Republicans and Democrats were guilty of the same error; believing that because of the policies in place and the amount of time elapsed between chattel slavery and today that black people in America were now equal citizens with all the rights and protections of all citizens. Programs such as Affirmative Action and quotas helped to give a false sense of advancement on the part of African Americans. Hurricane Katrina was a snap back to reality.
Traditional bureaucratic solutions were now seen as outdated and antiquated. The issue of poverty and hopeless that exist in the African-American community can no longer be explained away as laziness and lack of drive and determination. Hurricane Katrina advanced the argument that indeed the government does have a specific role in equalizing the available opportunities and it must address the historical ramifications of discrimination, racism and Jim Crow.

In other words, the socioeconomic issues facing African Americans in New Orleans did not start the day Hurricane Katrina struck. There were and are historical deeply embedded issues that challenged African Americans up until and after Hurricane Katrina.
CHAPTER VI

THE RESEARCH QUESTIONS ADDRESSED

Summary

Hurricane Katrina was a once-in-a lifetime storm in many regards. The government response to Hurricane Katrina was a once-in-a lifetime response in many ways. Race and class did indeed play a role in the level of response by the local, state and federal governments. The primary purpose of this dissertation is to examine the role of politics at the state, local and federal level along with race and class on the response to hurricane Katrina.

This study addresses the following research questions:

RQ1: Does evidence indicate that the concept of federalism when implemented properly failed in its preparation for natural disasters?

RQ2: Could a properly implemented federalist system of government have prevented the breakdown of government during Hurricane Katrina?

RQ3: Does federalism need to take into account the social, political and economic makeup of African-American neighborhoods susceptible to natural disasters when designing the system for natural disaster planning?

RQ4: Can the inherent flaws of federalism be altered to deal with natural disasters when local and state governments are overwhelmed?
RQ5: What role did race and class play in the response to Hurricane Katrina?

RQ6: What type of response did other similar natural disasters receive from the local, state and federal government along with FEMA?

RQ7: If followed properly, how would the tenets of the Robert T. Stafford Act have changed the type of response during Hurricane Katrina?

**Findings**

RQ1: Does evidence indicate that the concept of federalism when implemented properly failed in its preparation for natural disasters?

The information gleaned from the literature shows that if the political concept of federalism had been implemented and followed properly by the federal, state and local government not only would the response to hurricane Katrina been better but potentially thousands of lives of victims could have been saved. The relationship between the federal and state government is essential in natural disaster preparedness. Conflict between the entities of federalism has no place when dealing with the lives of citizens during a natural disaster. Each group must work in concert with the other in order to provide the best response for the residents of an affected area. "Federalism, as the term is used in political science and legal scholarship, refers to a means of governing a polity that grants autonomy to geographically defined subdivisions of the polity."1

Federalism is defined in many different ways by many different scholars, however one common denominator in all of the definitions of federalism is the idea that a clear

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division of authority and responsibility for each level of government. The literature illustrates that in a natural disaster the division of authority must be clearly defined between all levels of government and they must understand each other's role in order to execute an effective response.

The susceptibility of New Orleans, LA, to severe and destructive hurricanes is well documented. The threat of a major hurricane is present every year during hurricane season for the vicinity of New Orleans. It is critical for the federal government to be on constant 'high alert' during hurricane season and be fully aware of those cities and states that have the potential for the most resources during the natural disaster. The states must be aware of their potential shortcomings in natural disaster preparedness and convey those deficiencies the federal government. This allows the federal government to be prepared when a natural disaster strikes a community. Effective communication between the local, state and federal government is the most essential element of federalism.

A defining feature of federalism is that it grants partial autonomy to geographical subdivisions, or subunits. As both political scientists and political economists have established, the subunits must exercise exclusive jurisdiction over some set of issues; that is, there must be some types of decisions that are reserved to the subsidiary governmental units and that the central government may not displace or countermand.²

The role of the federal government is not to replace the state government and their autonomy in various matters. The federal government does not have complete autonomous authority in decision during a natural disaster. The state has been and remains the first line of defense and the first with decision making authority.

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2. Ibid.
Cooperation allows each level of government the ability to perform what is necessary and what is in their capacity of authority.

The powers and limits of the federal and state government are well defined by the constitution. Federalism is not a constraint to the federal and state government rather it is a blueprint for the cooperation between all levels of government that is necessary for an efficient response during a natural disaster. Federalism helps to alleviate ‘red tape’ in government decision. Ironically, the response to Hurricane Katrina was largely viewed as mired in bureaucracy and procedural red tape that delayed the response. In other words, federalism failed the victims of hurricane Katrina.

The difference between federalism and local democracy is that federalism reserves particular issues to sub-national governmental units, regardless of the political process that exists within these units, whereas local democracy establishes a particular political process in the sub-national units without granting these units any particular area of authority. A national regime may limit the responsibilities of the local, democratically organized units to the implementation of centrally established policy or may grant a certain range of policy-making authority but subject it to review and revision by central authorities.  

RQ2: Could a properly implemented federalist system of government have prevented the breakdown of government during Hurricane Katrina?

The breakdown in communication between the various levels of government along with the bureaucratic red tape involved in procuring the necessary resources needed to respond to Hurricane Katrina properly is illustrated by the literature. However, placing blame on the federal government or the President of the United States at the time of the disaster without understanding the intricacies of federalism and how the relationship between all levels of government work is unfair.

3. Ibid.
Bush is not to blame for Katrina, he is not to blame for inadequate evacuation plans in Louisiana, he is not to blame for the collapse of the floodwalls or the bad behavior of some New Orleans residents. Many people are engaging in 'magical thinking' about the President of the United State, especially where it concerns some wizard power to instantaneously organize and transport goods and people over thousands of miles. No such power exists. And aside from practical limitations, there are also legal limitations. Bush does not have the authority to simply take over a state or city.4

The bulk of the blame was levied at President George W. Bush following the poor response to hurricane Katrina. While Bush certainly deserves his fair share of the blame he is not solely responsible for the inefficient response nor is he solely responsible for the breakdown in communication between all the levels of government. In other words, the President of the United States has restrictions on his level of authority and does not hold omnipotent power. Understanding the role of federalism in natural disasters means understanding the limitations of each level of government and those individuals currently in decision-making positions at each level.

Most of you will probably be surprised to hear that the National Guard troops in Louisiana are under the command of the Governor of Louisiana, and that the president is not part of the chain of command. The president's power to 'federalize' the National Guard in domestic situations is granted under the 'Insurrection Act.' In the case of Katrina, according to Sunday's Washington Post, President Bush was advised that he lacked clear legal authority to unilaterally federalize the guard, so he requested permission from the governor of Louisiana to do so. She turned him down.5

The literature is eye opening in the sense that much of it absolves those individual decision makers of complete culpability in the response to hurricane Katrina but it


5. Ibid.
simultaneously points out the flaws of federalism when addressing natural disasters such as Katrina.

We are a federal republic and we have laws that limit the power of the president and the federal government. We have these laws for good reasons. Citizens of each state are free to select the form and officers of their state government. Each of the fifty states is sovereign, with the powers that cannot be usurped by the federal government unless the state or some large portion of it denies the authority of the federal government in some domain over which the federal government holds sway.6

Each level of government has its own powers and its own responsibilities. However, when there is not adequate communication between each level of government as to what the limits of its capabilities are and what exactly it can accomplish human suffering is the result.

“The consequences of this governmental paralysis were appalling human suffering, the humiliation of the U.S. government in the eyes of the nation of the world, and delay after delay in the rendering of needed aid.”7 “The evacuation of tens of thousands of people from the Louisiana Superdome arena was delayed unnecessarily because the federal and state governments could not communicate effectively about who was supposed to provide transportation.”8 It is evident there are serious flaws in which federalism is interpreted during a natural disaster. The power struggle that exists between

6. Ibid.


all levels of government and the manner in which each communicates with the other
during a natural disaster needs revamping.

All of these melancholy examples of governmental failure tell us something valuable about the nature of federalism. Federalism is not simply about the sheer fact of the existence of federal and state governments. Federalism is also about localism. Despite being dependent for their legal authority on state governments, local governments have substantial legal and political authority. Federal disaster policy has been based formally on the idea that local governments know local conditions best. Hence, the requirements that the federal government wait patiently as state governments collate local requests in time of disaster.9

In essence, it is the local level of government that plays the most important role in response to a natural disaster even though it possesses the least amount of resources. The weight of importance does not lay with only the state and federal government. The local government is as important and vital during a natural disaster as any of level.

RQ3: Does federalism need to take into account the social, political and economic makeup of African-American neighborhoods susceptible to natural disasters when designing the system for natural disaster planning?

Does federalism in the manner in which it is currently designed have the ability to generalize the needs of all citizens of a natural disaster or should it compartmentalize groups of individuals based on their social, political, and economic needs?  From the 13th and 14th amendments of the United States Constitution to the Civil Rights Act of 1964 to the Voting Rights Act of 1965 to Affirmative Action, African Americans have always turned to the federal government to provide them justice and fairness when the state failed to do so. One would think this would be no different during a natural disaster.

This need may actually be more pronounced during a natural disaster because a disaster exposes all the inherent issues that exist in the African-American community.

The social, political and economic needs of African Americans that are neglected by the state often land on the doorstep of the federal government. Many people wondered when they turned on their televisions why there was such a discrepancy between the amount of African-American victims and other ethnicities. To understand this phenomenon one must understand the geography of New Orleans, LA and the demographics of each area of the city.

Overall, nearly 50,000 poor New Orleanians lived in neighborhoods where the poverty rate exceeded 40 percent. New Orleans ranked second among the nation's 50 largest cities on the degree to which its poor families, mostly African American, were clustered in extremely poor neighborhoods like the Lower Ninth Ward. In these places, the average household earned barely more than $20,000 annually, only one in twelve adults held a college degree, four in five children were raised in single-parent families, and four in ten working-age adults—many of them disabled—were not connected to the labor force.¹⁰

Certainly the argument can be made that this phenomenon exists in a large number of major U.S. cities. However, the hardest hit areas of New Orleans during Katrina were subjected to extreme poverty and segregation by any cities standards. The cause of the poor must be the cause of us all.

In 2000 the population of the Lower Ninth Ward was 14,008 persons and with 98.3% of the population being African American, is one of the most segregated neighborhoods in New Orleans. The age cohorts of the residents are also of interest with 30.7% of the population under the age of 18, in contrast to the Orleans Parish where only 26.7 was under the age of 18. According to the 2000 U.S. census, the Lower Ninth Ward has a poverty level of 36.4 percent. A quarter

of households have an annual income of less than $10,000, while half live on less than $20,000.11

This data reveals that the residents of the Lower Ninth Ward and African Americans throughout the city of New Orleans in general deserved special attention. The local, state and federal governments were aware of the social and economic conditions of African Americans living in New Orleans. In addition it has been estimated that between 49 and 78 percent of the Lower Ninth Ward lies below sea level, the area was a recipe for catastrophe.

It was the responsibility of the local government to convey the historical attitudes of the residents of the Lower Ninth Ward and how this could impact their decisions during all aspects of a natural disaster particularly evacuations.

Prior to hurricane Katrina the Lower Ninth Ward had the highest rates of home ownership in the city of New Orleans. Approximately 60% of the households were owner-occupied, in contrast to 53% of the Orleans Parish at large. However, as a result of low investment due to homeowners financial restraints, many of these homes are in poor physical condition. Construction of the majority of the homes occurred in the 1950s, since that time the homes have been passed down to family members by the original occupants. More than half of the residents of the Lower Ninth have occupied their homes for more than 15 years. The long term occupancy rates combined with the high rates of home ownership suggest a desire on the part of the residents to remain in a neighborhood where they were born and raised. However the long term occupancy rates may also be a reflection of the high poverty rates resulting in a lack of affordable housing options on behalf of the residents. The median home value of the Lower Ninth Ward was significantly lower than that of the Parish at $52,420 versus $88,100, a reflection of the depreciation in home values from lack of upkeep and investment.12


12. Ibid.
The quotation illustrates that residents of the Lower Ninth Ward were "life long" residents and their homes were family homes passed down from loved ones. The high rate of poverty in that region indicates that in many cases the homes the residents occupied were the only thing of value they owned. In other words, the homes of the residents of the Lower Ninth Ward were not just homes they were a symbol of pride. This notion assists in explaining why many of the residents did not evacuate when the mandatory order was issued by the mayor. It was the responsibility of the local officials to ensure that the residents were aware of the seriousness of Hurricane Katrina and the geographical challenges the Lower Ninth Ward presented in the event of a major hurricane. This information needed to be conveyed to the federal government by local authorities in order for them to understand the unique challenges of this region.

RQ4: Can the inherent flaws of federalism be altered to deal with natural disasters when local and state governments are overwhelmed?

One of the first issues during a natural disaster that hinders the efficiency of a response is each level of government having ambiguous roles. The roles of each level of government when responding to a natural disaster must be clearly defined in order for an efficient response. Local and state government must be the first responders during a natural disaster and must be aware of their limitations in addition to their power. During Hurricane Katrina many people confused the role and responsibilities of each level of government. The moment the hurricane made landfall many people believed the entire response was the responsibility of the federal government and the President of the United States. As their fellow citizens watched in horror the victims of Hurricane Katrina the overwhelming reaction was "where is the federal government, where is the President of
the United States?" Policy makers have debated about who is responsible during a natural disaster and the scope of the powers of each level of government. A natural disaster is not simply a local event that only deserves the attention of local officials and government. Rather it is a complex occurrence that requires the attention of the federal government as well as the local and state government.

The coordination of the resources needed to aid the victims of a natural disaster by the local, state and federal government is critical to the success of the response. In other words, each level of government should be clear as to what is needed if and when the disaster strikes.

U.S. Federalism has produced intergovernmental disaster management that relies upon both informed state and local government risk assessment, disaster mitigation, and crisis preparation and federal administrative support, technical assistance, and resource mobilization. Therefore, the inability of one level of government to transition from routine public service to emergency relief inhibits the capacity of other levels of government to function in supportive roles. System failure often results from breakdown in the process of interdependent communication and action, particularly when and where geographic and demographic redistribution of resources is most needed.¹³

The evidence strongly supports the idea that local and state governments have limited resources at their disposal and when the demand for those resources outweigh the supply it is critical that the information is communicated properly to the federal government in order for them to fill in the gaps. Disaster relief is a shared responsibility.

On Wednesday, August 31, 2005, two days after Hurricane Katrina made landfall on the Gulf Coast, Secretary of Homeland Security Michael Chertoff held a press conference at which he was asked a question about the chain of command and how conflicts among levels of government are worked out during a natural disaster.

disaster. He responded, ‘We come to assist local and state authorities, under the Constitution, state and local authorities have the principal first line of response obligation, DHS has the coordinating role, or managing role, the President has, of course, the ultimate responsibility for all the federal effort here, I want to emphasize the federal government does not supersede the state and local government, we fit in a comprehensive response plan.’

The impact of Hurricane Katrina was beyond the resources available to the local and state government of New Orleans, LA. Hurricane Katrina made it clear that during a natural disaster it is virtually impossible to understand the magnitude of the disaster once it strikes and how the residents of the impacted area will respond. In addition, even when a mandatory evacuation is called for there are a number of residents will not obey the evacuation order and remain at their residences in the city. The federal government must be prepared to act immediately when a natural disaster strikes because of the limited resources of the local and state government. Federal authorities must now anticipate the needs of the state because states can be overwhelmed to the degree that they do not know what to request of the federal government during the time of a disaster the level of hurricane Katrina. In addition, the necessary equipment needed for effective communication can be essentially wiped out during a natural disaster and the local and state officials themselves can be injured or killed. This scenario can leave the federal government with a misconstrued understanding of what exactly is needed by the local and state government of the affected area to provide an efficient response.

Behind the scenes, a power struggle emerged, as federal officials tried to wrest authority from Louisiana Governor Kathleen Babineaux Blanco (D). Shortly before midnight Friday, the Bush administration sent here a proposed legal memorandum asking her to request a federal takeover of the evacuation of New

Orleans, a source within the State’s emergency operations center said Saturday. The administration sought the unified control over all local police and state National Guard units reporting to the Governor. Louisiana officials rejected the request after talks throughout the night. A senior administration official said that Bush has clear legal authority to federalize National Guard units to quell civil disturbances under the Insurrection Act and will continue to try to unify the chains of command that are split among the president, the Louisiana governor and the New Orleans mayor. Blanco made two moves Saturday that protected her independence from the Federal government: she created a philanthropic fund for the state’s victims and hired James Lee Witt, Federal Emergency Management Agency director in the Clinton administration, to advise her on the relief effort.15

The literature makes it clear that there were inherent flaws in the manner in which the rules of federalism were instituted during the response to Hurricane Katrina. There was clearly a battle for independence and authority at all levels of government. The states battle for independence from the federal government in some instances is admirable, however during a severe natural disaster the state must recognize the overarching power of the federal government and use it to achieve the ultimate goal which is saving the lives of its citizens.

As the city of New Orleans became paralyzed both by water and by lawlessness, so did the response by government. The fractured division of responsibility—Governor Blanco controlled state agencies and the National Guard Mayor Nagin directed city workers and Mr. Brown, the head of FEMA, served as the point man for the federal government—meant no one person was in charge.16

RQ5: What role did race and class play in the response to Hurricane Katrina?

The role of race and class cannot be ignored when analyzing the response of all levels of government particularly the federal level to hurricane Katrina. There has always


been an interest in the race or class debate and how it impacted government interaction with its citizens. A natural disaster is not different. Michael Eric Dyson expressed the thought:

It is safe to say that race played a major role in the failure of the federal government especially for Bush and FEMA head Michael Brown to respond in a timely manner to the poor black folk of Louisiana because black grief and pain have been ignored throughout the nation’s history. Bush and Brown simply updated the practice. Southern black suffering in particular has been overlooked by Southern whites those in power and ordinary citizens as well.\(^\text{17}\)

In the region as a whole, the disparities in storm damage are shown in the following comparisons (arranged in order of degree of disparity):

- **By race:** Damaged areas were 45.8% black, compared to 26.4% in undamaged areas.

- **By housing tenure:** 45.7% of homes in damaged areas were occupied by renters, compared to 30.9% in undamaged communities.

- **By poverty and employment status:** 20.9% of households had incomes below the poverty line in damaged areas, compared to 5.3% in undamaged areas. 7.6% of persons in the labor force were unemployed in damaged areas (before the storm), compared to 6.0% in undamaged areas.\(^\text{18}\)

There were several neighborhoods that were severely damaged by Hurricane Katrina where the majority of the population was white. In addition, there were neighborhoods that were predominately African American that received little to no damage. In other words, the storm itself did not discriminate natural disasters do not have that ability. However, without preparation for the arrival of the storm on the part of

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the local, state and federal government and a clear understanding of the needs of the citizens of the possible impacted area, a storm can inadvertently discriminate particularly against African Americans. For example, the Ninth Ward was one of if not the hardest hit area during Hurricane Katrina and it was predominantly inhabited by African Americans who lived at or below the poverty line. In The Great Deluge, Douglas Brinkley stated:

But there was that other side to the Ninth Ward. Nearly 40 percent of its residents did live below the poverty line, twice the statewide rate. Per capita income was only $10,300, less than half the U.S. average, according to the 2000 census. Many of the houses were raised two feet on cinder blocks, a precaution against flooding. The area of the Lower Ninth Ward was 97 percent black. Crime in that part of the ward was off the charts. If you wanted to save anything, especially a car, in the Lower Ninth Ward, you practically needed to drape it in coiled barbed wire.19

The notion that race and class played a role in the response particularly in the Lower Ninth Ward of New Orleans during Hurricane Katrina is clear and transparent. The victims of the disaster were overwhelming poor and overwhelming African American. Hurricane Katrina helped to reinforce the economic, social and political long held stereotypes of African Americans and minorities. From the idea that as a race of people they did not possess the mental capacity to evacuate in time and from an economic perspective they did not possess the resources necessary to get out of the city before Katrina made landfall, and from a political perspective they did not hold the political weight to demand better living conditions before the storm hit.

RQ6: What type of response did other similar natural disasters receive from the local, state and federal government along with FEMA?

A comparison of similar natural disasters with Hurricane Katrina and the response those disasters received illustrates the fact that not only was Katrina a unique storm but the inefficiency of the local, state and federal governments was as unique. An analysis of similar hurricanes in other areas of the country demonstrates that the inefficiency of the response to hurricane Katrina was essentially an isolated incident.

Had the residents of New Orleans been white Republicans in a state that mattered politically, instead of poor blacks in a city that didn’t, Bush’s response surely would have been different. Compare what happened when hurricanes Charley and Frances hit Florida in 2004. Though the damage from those storms was negligible in relation to Katrina’s the reaction from the White House was instinctive, rapid, and generous to the point of profligacy. Bush visited hurricane victims four times in six weeks and delivered relief checks personally. Michael Brown of FEMA, now widely regarded as an incompetent political hack, was so responsive that local officials praised the agency’s performance. The kind of constituency politics that results in a big life-preserver for whites in Florida and a tiny one for blacks in Louisiana may not be racist by design or intent. But the inevitable result is clear racial discrimination.20 Comparing the response of the local, state and federal government of Hurricane Katrina with other similar natural disasters allows one to understand that natural disasters do not receive a “universal” response. A study of the response to hurricane Andrew illustrates the point that all natural disasters experience issues in the efficiency of the response it receives. However, Hurricane Andrew exposes the glaring differences between the manner in which the federal government provided assistance to its victims and the assistance it gave to the victims of Hurricane Katrina.

The response by the federal government during hurricane Andrew as well as hurricane Charley suggests that at the very least the response to Katrina could have been better.

RQ7: If followed properly, how would the tenets of the Robert T. Stafford Act have changed the type of response during Hurricane Katrina?

The Robert T. Stafford act was designed to address a natural disaster such as Hurricane Katrina. The act is a piece of legislation established to provide the necessary tools for the federal government to step in and assist the local and state government when they become overwhelmed and can no longer provide the resources needed for an efficient response to the natural disaster. In addition, the Stafford Act has specific language addressing the needs of African Americans and minorities during a natural disaster. In other words, when drafted the Robert T. Stafford Act took into account the unique special needs of minorities such as African Americans and addressed those needs in its text.

Section 629 MINORITY EMERGENCY PREPAREDNESS DEMONSTRATION PROGRAM of the Stafford Act points specifically at the special needs of African Americans.

(a) In General – The Director shall establish a minority emergency preparedness demonstration program to research and promote the capacity of minority communities to provide data, information, and awareness education by providing grants to or executing contracts or cooperative agreements with eligible nonprofit organizations to establish and conduct such programs.

(b) ACTIVITIES SUPPORTED - An eligible nonprofit organization may use a grant, contract, or cooperative agreement awarded under this section

(1) to conduct research into the status of emergency preparedness and disaster response awareness in African-American and Hispanic Households located in urban, suburban, and rural communities,
particularly in those States and regions most impacted by natural and manmade disasters and emergencies; and

(2) to develop and promote awareness of emergency preparedness education programs within minority communities, including development and preparation of culturally competent educational and awareness materials that can be used to disseminate information to minority organizations and institutions.21

Section 629 of the Stafford Act makes it evident that lawmakers understood that minorities particularly African Americans required special attention during a natural disaster and their needs had to be addressed before, during and after the disaster. In other words, 629 illustrates the idea that the federal government needed to pay extra attention to the African-American community during a natural disaster because there was a good chance they did not possess the resources necessary to survive the event. Section 629 also indicates that lawmakers understood that oftentimes African Americans and other minorities are clustered in areas where a severe natural disaster could have the most devastating amount of impact.

Congress understood that the state and local government oftentimes would need assistance in carrying out their duties to preserve life and minimize damage during a natural disaster. The Stafford Act reinforced the President of the United States with greater power and authority during a natural disaster to assist local and state government when they were in need of additional resources. An underlying theme of the Stafford Act is the notion that it is more probable than possible that the local and state government will

be overwhelmed during a natural disaster and that the federal government needs to be prepared if and when the occurrence happens.

Also the Stafford Act emphasizes the importance of the role of the Governor of the affected state and how vital the communication from the Governor’s office is in emergency preparedness and response.

Section 401. PROCEDURE FOR DECLARATION (42 U.S.C. 5170) states:

All requests for a declaration by the President that a major disaster exists shall be made by the Governor of the affected State. Such a request shall be based on a finding that the disaster is of such severity and magnitude that effective response is beyond the capabilities of the State and the affected local governments and that Federal assistance is necessary. As part of such request, and as a prerequisite to major disaster assistance under this Act, the Governor shall take appropriate response action under State law and direct execution of the State’s emergency plan. The Governor shall furnish information on the nature and amount of State and local resources which have been or will be committed to alleviating the results of the disaster, and shall certify that, for the current disaster, State and local government obligations and expenditures (of which State commitments must be a significant proportion) will comply with all the applicable cost-sharing requirements of this Act. Based on the request of a Governor under this section, the President may declare under this Act that a major disaster or emergency exists.22

The communication from the Governor of the affected State is critical in procuring the necessary resources needed from FEMA and the federal government. It is the responsibility of the Governor of the impacted State to notify the President of the United States that the current resources available at the state level are inadequate and will not meet the needs of the residents of the area. The Stafford Act ensures that the states are able to rely on the federal government in a time of crisis when a natural disaster

occurs. Congress understood that the federal government has unlimited resources at its disposal but it also understood that even during a natural disaster there is a chain of command that needs to be respected and adhered to.

**Conclusion**

In all literature, analysis and second guessing after Hurricane Katrina the central theme remains ‘federalism’ and how it works during a natural disaster. A major natural disaster can test the design of federalism and the manner in which it is implemented. However, if federalism is implemented properly lives can be saved and all levels of government can be viewed as effective and efficient. Hurricane Katrina forever altered the manner in which everyday citizens view the federal government and how it is perceived when dealing with different races and classes of people. Hurricane Katrina showed that the individuals making decisions in the White House are not the only important decision makers. Local and State officials are critical during a natural disaster and the federal government cannot be expected to solve all local and state problems. The manner in which a Mayor, Governor, and President govern is critical to the masses of people who do not have the economic means to support themselves in the wake of a severe natural disaster.

Oftentimes, politicians govern based on the manner in which they were elected into public office. President Bush was heavily criticized in the aftermath of Hurricane Katrina for not being sensitive to the needs of African Americans. However, it was not African Americans who helped President Bush get elected. President Bush tailored his campaign to those majority white citizens who he believed would overwhelming vote for
him. It should come as no surprise when the policies he implements favors that segment of the population. Part of the criticism can be fairly levied at President Bush and his predecessor President Clinton's administration and policies. Clinton left office giving African Americans the impression that significant progress had been made on their behalf by the federal government. Hurricane Katrina was the wakeup call that America could not ignore.

In addition, Hurricane Katrina gave America as well as the world a glimpse into the bureaucracy that is inherent in the federalist system of government in this country. A large percentage of Americans were under the impression that the moment a natural disaster occurred that the President along with the federal government was omnipotent and completely responsible for planning, evacuation, rescue and recovery. The relationship among the local, state and federal levels of government were misunderstood and overestimated in the scope of its power. The idea that a natural disaster can be predicted, foreseen and forecasted weeks in advance and American citizens still experience monumental pain and suffering broadcasted for the world to see is unacceptable. Subsequent post Katrina interviews of President George W. Bush, Governor Kathleen Blanco and Mayor Ray Nagin exposed the inherent flaws of federalism during a natural disaster and the blame game that follows by government officials.

For example, the tenets of the Robert T. Stafford Act along with the procedures that must be followed during a natural disaster for citizens to receive adequate assistance are unfamiliar to most Americans. We as Americans expect the President along with the Governor and the Mayor to work in concert with one another in order to address the
needs of the citizens of the impacted area. Agencies such as FEMA and Homeland
Security are expected perform those direct duties to assist the residents of the impacted
area in meeting their immediate needs. In his book, Decision Points, President Bush
makes the point that the Stafford Act is in place to ensure the proper response to natural
disasters and defines the responsibilities of each level of government so there can be no
ambiguity.

As governor of Texas, I managed numerous natural disasters, from fires in Parker
County to floods in the Hill Country and Houston to a tornado that tore through
the small city of Jarrell. There was never any doubt about the division of labor.
Under the Stafford Act, passed by Congress in 1998, state and local officials were
responsible for leading the initial response. The federal government arrived later,
at the state’s request. As a governor, that was exactly the way I wanted it.23

Hurricane Katrina failed to adhere to the principles of the Stafford Act that President
Bush was such a huge fan of. If those same principles of the Stafford Act that President
Bush lauded in his book as effective during natural disaster responses he oversaw as
Governor of Texas were applied during Katrina immediate history may have reported a
very different outcome. Clearly there was a failure of leadership at every level of
government during the response to Hurricane Katrina the government let its citizens
down.

The response to hurricane Katrina turned government officials into spectators and
they played on the idea that we are all victims in this tragedy. Each level of government
blamed another level of government for the failure to respond and officials portrayed
themselves as victims in the media. Local blamed the state; state blamed the local; state
and local blamed the federal and the federal blamed the state and local. Government

officials were quick to present themselves to the public being on the side of the victims but being inhibited by other levels of government from giving an adequate response to the victims. The Stafford Act provided a clear chain of command and allowed each level of government to know its role and responsibilities in the response to a natural disaster. Hurricane Katrina overwhelmed the resources available to the state and local government of city of New Orleans and the state of Louisiana and the federal government was the only level of government that had the necessary resources at its disposal to provide an effective response.

The principles of the Stafford Act could have prevented the massive loss of life and allowed each level of government to be effective if followed. The Governor has the ability to request that the federal government assume control of a natural disaster however this does not absolve the federal government of responsibility. In other words, the federal government does not sit and do nothing until the Governor of the affected state requests assistance under the Stafford Act. Agencies under the direct control of the federal government such as FEMA and Homeland Security should be prepared to provide those immediate and necessary to the state and the victims of the disaster. The President cannot throw his or her hands up during a natural disaster claiming there is nothing I can do until the Governor of the affected state authorizes me to act. Those agencies that are under the direct control of the federal government must be prepared at all times for a natural disaster and ready to respond at the command of the President. Mayor Ray Nagin, Governor Kathleen Blanco and President George W. Bush were all equally culpable in the failure to provide an efficient effective response for the victims of hurricane Katrina.
The perception of the federal government was that they did not care about the
plight of African Americans and poor people. That perception primarily fell on the
shoulders of the federal government and its officials. President Bush was seen as an
incompetent unsympathetic leader of an administration that was emotionless in its
response to the disaster. Whatever trust the African-American community and poor
people held for government was decimated by the poor response to hurricane Katrina.
Hurricane Katrina was a national shame and a tragedy that went well beyond the loss of
property and life it changed the overall impression of the government of the nation and
how it regards the importance of its citizens.

In general Americans are a giving, caring, charitable nation. No country of
people donates more to charity than Americans. In other words, Americans care.
Therefore, Americans wonder where there tax dollars when a natural disaster strikes such
as Katrina. Americans expect those individuals impacted by the disaster to receive the
same level of treatment from their government that they themselves would expect. The
tax dollars Americans pay are expected to provide those services we can see on a daily
basis but also safety nets for when disaster strikes that we can’t see. When the
government cuts funding for storm preparations, flooding and levee protections the
general public is not aware of those cuts. Hurricane Katrina shed light on where cuts are
made and how those cuts impact the safety of the American citizens. September 11
(9/11) was a failure in United States intelligence; Hurricane Katrina was a failure in
human preparation. Not only was the storm forecasted weeks in advance but the dooms
day scenario that predicted the impact Hurricane Katrina would inflict on the city of New
Orleans was also forecasted.
The response to Hurricane Katrina was even more troubling due to the fact that President Bush and the White House experienced the aftermath of 9/11 and the consequences that followed; 9/11 alone should have prepared the administration for the challenges of Hurricane Katrina. A comparison of the response to 9/11 and Hurricane Katrina allows for a critical analysis of race and class and how collectively and individually they affect the response of all levels of government to disasters. Granted one is man made and the other is natural but the difference in the response by the federal government to each is drastically different and can be analyzed through the prism of race and class; particularly race.

Researches, meteorologists, scientists and public officials have been able to describe in detail the catastrophe that New Orleans would experience if a Category 5 Hurricane would make direct landfall in the region. Predictions have been made for decades about the potential of Armageddon for New Orleans and the problems with the poor levee system when a mega hurricane made landfall. In order to analyze all the errors made during the aftermath of Hurricane Katrina by local, state and federal officials will take a significant amount of time and study. However, isolating the race and class of the majority of victims of the disaster can be analyzed and understood. In other words, we can gather a clear understanding of how we got here.

Those individuals who were in the business of predicting storms and analyzing the possibilities of severe storms were acutely aware of the lack of preparation on the part of the city of New Orleans and its officials. The Hurricane Pam simulation along with the lack of changes made to the infrastructure and resources of the city afterwards showed a lack of urgency on behalf of New Orleans to prepare for the worse. Certainly
the argument can be made that a hurricane the magnitude of Katrina would have
topped any levee system in place and would have overwhelmed the resources of any
metropolitan city. However, the poor response to Katrina is what is not acceptable.
Surely, the levees could have been toppled and the flooding could have been devastating
due to the geography of the city, but the manner in which all levels of government
responded to the conditions after the storm is unacceptable to all Americans and human
beings.

Natural disasters and the response to them must be a priority for any and all levels
of government and their administrations. One can argue that people should not live in
areas such as New Orleans which lies so far below sea level that it could be considered a
lake bed. The argument is legitimate. However, once it is evident that the city of New
Orleans is not going to simply pick up and move itself to somewhere safer it then
becomes the job of the government to provide the necessary protection for the residents
of the city. The task cannot be viewed as too expensive or too time consuming. It must
be a priority. In addition, this task cannot be left to private citizens and the charity of
good hearted Americans who want to help. After the remnants of the impact of
Hurricane Katrina were shown on every television station, every website and newspaper
the private citizen response to help appeared greater than the government response.

Hurricane Katrina exposed America to a subculture that it chose to ignore and
simply wished it did not have to see or have any level of contact with. The African-
American residents of New Orleans stranded in the city during the disaster were bundled
in the same group as bums, vagabonds and common criminals. They became the people
that America wanted to avoid and pretend as if they did not exist. The face of America
became the African Americans stranded at the Marc Morial Convention Center and the Louisiana Superdome. There was no longer the idea of “Two Americas.” America was now on display for the world to see. America was now a family. The problems of the least of us became the problems of all of us.

The criticism should not be focused on how the government failed to build adequate levees but rather how it failed to build an adequate response plan to a severe hurricane to ensure the safety of the residents. The emphasis and focus must be on the residents of areas susceptible to natural disasters. There are no plans to close areas vulnerable to a natural disaster therefore it is important to develop an effective evacuation plan and proper response time for residents who do not evacuate. The response must be viewed as nondiscriminatory regardless of race or class. The response to Hurricane Katrina demanded an analysis that had to factor in race and class, while 9/11 was seen as a national cause.

Hurricane Katrina exposed the nation to criticism from the world that it had not experienced from any of natural disaster. The United States reputation as a compassionate giving nation was now up for debate and cynicism. How could a nation that professes to be the first in line for humanitarian issues throughout the world still treat African Americans and poor people as second class citizens? Hurricane Katrina tested the resolve of not only the African American and poor citizens of the city of New Orleans but also the nation itself. Questions will always linger around the notion that the response would have been drastically different if the hue of the victims had been drastically different. However, what is clear is that the legislation was in place with the
Robert T. Stafford Act to ensure that the victims receive the most adequate and efficient response humanly possible.
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