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Part 1

ESTABLISHING THE SELECT BIPARTISAN COMMITTEE TO INVESTIGATE THE PREPARATION FOR AND RESPONSE TO HURRICANE KATRINA

SEPTEMBER 14, 2005.—Referred to the House Calendar and ordered to be printed

Mr. DREIER, from the Committee on Rules,
submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H. Res. 437]

The Committee on Rules, to whom was referred the resolution (H. Res. 437) to establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, having considered the same, report favorably thereon, by a record vote of 9 to 4, and recommend that the resolution be adopted.

PURPOSE OF THE RESOLUTION

The purpose of H. Res. 437 is to establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina.

SUMMARY OF THE RESOLUTION

H. Res. 437 creates a select bipartisan committee in the House to investigate the preparation for and response to Hurricane Katrina. The resolution provides that the select committee shall be composed of 20 Members appointed by the Speaker, of whom 9 shall be appointed after consultation with the Minority Leader, and of whom one shall be designated by the Speaker as chairman.

The resolution provides that the Speaker and the Minority Leader shall be ex officio members of the select committee but shall have no vote in the select committee and may not be counted for purposes of determining a quorum. The resolution also provides that the Speaker and the Minority Leader each may designate a

leadership staff member to assist in their capacity as ex officio members, with the same access to select committee meetings, hearings, briefings, and materials as employees of the select committee and subject to the same security clearance and confidentiality requirements as staff of the select committee.

The resolution authorizes and directs the select committee to conduct a full and complete investigation and study and to report its findings to the House no later than February 15, 2006. The resolution directs the committee to investigate the development, coordination, and execution by local, State, and Federal authorities of emergency response plans and other activities in preparation for Hurricane Katrina, and the local, State, and Federal government response to Hurricane Katrina.

The resolution provides that rule XI, regarding procedures of committees, shall apply to the select committee, including clause 2(j)(1) of rule XI, guaranteeing the minority additional witnesses, and clause 2(m)(3) of rule XI, providing for the authority to subpoena witnesses and documents.

H. Res. 437 authorizes the chairman of the select committee, in conducting the investigation and study described in section 3 of the resolution, to consult with the chairman of a Senate committee conducting a parallel investigation and study regarding meeting jointly to receive testimony, the scheduling of hearings or issuance of subpoenas, and joint staff interviews of key witnesses.

The resolution provides that the select committee may utilize the services of the staff of the House to the greatest extent practicable. The resolution provides that staff of the House or a joint committee may be detailed to the select committee to carry out this resolution and shall be deemed to be staff of the select committee, at the request of the chairman in consultation with the ranking minority member.

The resolution provides that the chairman, upon consultation with the ranking minority member, may employ and fix the compensation of such staff as the chairman considers necessary to carry out the resolution. The resolution also authorizes the payment of $500,000 out of the applicable accounts of the House for the expenses of the select committee. The resolution provides that such payments shall be made on vouchers signed by the chairman and approved in the manner directed by the Committee on House Administration, and that amounts made available by the resolution shall be expended in accordance with regulations prescribed by the Committee on House Administration.

Finally, H. Res. 437 provides that the select committee shall cease to exist 30 days after filing the report required under section 3 of the resolution, and that upon dissolution of the select committee, the records of the select committee shall become the records of any committee designated by the Speaker.

LEGISLATIVE HISTORY

Through the establishment of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, the House will be able to move forward in a bipartisan, bicameral way to fully investigate the response to Hurricane Katrina at all levels of government and do so in a manner which

will minimize any negative impact on the ongoing recovery efforts in the region.

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. Congress owes the victims of Hurricane Katrina, as well as the compassionate citizens across the country who have so generously given their time and resources to assist the victims of this disaster, a thorough examination of the response to one of the greatest natural disasters in American history.

Congress has a strong tradition of select committees, many of which have examined the most difficult moments in American history—Pearl Harbor, the Kennedy Assassination, the Iran Contra affair. Since 1946, the House has established 41 major Select Committees through similar resolutions. This resolution is consistent with previous resolutions authorizing similar investigative select committees, all of which have had a ratio reflecting the general composition of the House at the time. It is worth noting that the majority of these committees were created when Democrats were the party in power.

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.

These broad charges should be construed as directing the Select Bipartisan Committee to conduct a thorough investigation into the apparent failures that occurred in the wake of Hurricane Katrina and the events that precipitated those failures.

In particular, the Select Bipartisan Committee should investigate the roles and responsibilities of the local authorities in a disaster response and recovery situation and investigate the possible need for additional legal authorities during a disaster. They should review local disaster planning activities, including exercising and mitigation of the plan. Additionally the Committee should review local mutual aid coordination with other localities, strategies for evacuation of a locality, including the use of shelters, and the requirements for appropriate staffing, policing, and supplies for those shelters.

Regarding the role of State governments, the Select Bipartisan Committee needs to investigate the roles and responsibilities of Governors and State agencies in a disaster response and recovery situation and investigate the possible need for additional legal authorities during a disaster. In addition, they should review the execution of the State disaster response plans, including the authority to call the National Guard as well as requesting National Guard assistance from surrounding States, to avoid a delay in National Guard response.

No review of this situation would be complete without a thorough review of the role of the Federal Government. The Select Bipar-

tisan Committee should investigate the role and responsibilities of Federal Emergency Management Agency (FEMA) as the lead Federal agency in a disaster, and the most expeditious way for the Federal Government to establish command and control in an emergency, in order to ensure the timely delivery of Federal relief supplies and medical assistance. In addition, they should investigate the ability of FEMA to preposition assets to respond to affected disaster areas, communicate with local, State, and other Federal agencies, and coordinate with private relief agencies such as the Red Cross, Salvation Army, and donations from private corporations, as well as any impediments to the effective delivery of relief services by those same entities.

Finally, the Select Bipartisan Committee should review the basic communications capacity of each entity, including the communication capabilities of the localities, the Governors' offices, State emergency operations centers, and Federal authorities, and their respective abilities to communicate with each other.

Rules of the Select Committee. The resolution provides that the primary rule governing the activities of the committees of the house, rule XI of the Rules of the House, fully applies to the Select Bipartisan Committee. The Committee expects that, in accordance with those rules, the Select Bipartisan Committee will adopt written rules which will incorporate all of the required elements of the House rules, and will mirror the rules of other committees which routinely engage in similar kinds of oversight activities, such as the Committee on Government Reform, the Committee on Homeland Security, or the Committee on Energy and Commerce.

In particular, the Committee intends that all of the rights given to minority members under the rules of the House will carry over to the operations of the Select Bipartisan Committee. For instance, the resolution specifically references the right of the minority to a day of hearings with witnesses of their choice, by referring to clause 2(j)(1) of rule XI, which states that whenever a hearing is conducted by a committee on a measure or matter, the minority members of the committee shall be entitled, upon request to the chairman by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

The Committee also intends that the Select Bipartisan Committee have the same authority to compel the testimony of witnesses and the production of documents as granted to the other committees of the House by clause 2(m)(3) of rule XI. However, the highlighting of this provision in the resolution should not be construed to limit the Select Bipartisan Committee's ability to establish such other processes as it may deem necessary to facilitate the authorization and issuance of subpoenas in furtherance of the investigation and study required by the resolution.

Joint Operations. It is important to note the Committee's intention that the Select Bipartisan Committee conduct as much of its business as possible in conjunction with a committee of the Senate conducting a similar investigation. The resolution allows the House and Senate Select Committees to hold hearings and interview witnesses jointly, which will limit the need for officials to testify in multiple instances. This provision will enable Congress to carry out

its investigative duties thoroughly and expeditiously, with the additional benefit of both chambers being present for each hearing. The Committee believes that there must be balance between a thorough investigation into what happened with awareness that there are ongoing recovery missions taking place at all levels of government and that to impede on those missions only further endangers the public's well-being.

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 117

Date: September 14, 2005.

Measure: H. Res. 437, To establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina.

Motion by: Mr. Lincoln Diaz-Balart.

Summary of motion: To report to the House H. Res. 437.

Results: Agreed to 9 to 4.

Vote by Members: Diaz-Balart—Yea; Hastings (WA)—Yea; Sessions—Yea; Putnam—Yea; Capito—Yea; Cole—Yea; Bishop—Yea; Gingrey—Yea; Slaughter—Nay; McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Dreier—Yea.

CONSTITUTIONAL AUTHORITY

Although clause 3(d)(1) of rule XIII does not apply to this resolution, the Committee finds that the constitutional authority of Congress to enact this legislation is provided by article 1, section 5, clause 2 (providing that each House may determine the rules of its proceedings) and section 8, clause 18 (providing the authority to make all Laws which are necessary and proper) of the Constitution of the United States.

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September 14, 2005

The Honorable Bob Ney, Chairman
Committee on House Administration
U.S. House of Representatives
1309 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Ney:

Thank you for your recent letter regarding your Committee's jurisdictional interest in the resolution establishing the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina.

I acknowledge your committee's jurisdictional interest in section 6 of the resolution and appreciate your cooperation in allowing speedy consideration of the resolution. I agree that your decision to forego further action on the bill will not prejudice the Committee on the House Administration with respect to its jurisdictional prerogatives on this or similar legislation.

Finally, I will include a copy of your letter and this response in the Committee's report on the resolution and the *Congressional Record* when the legislation is considered by the House.

Thank you again for your assistance.

Sincerely,

David

David Dreier
Chairman

ROBERT W. NEY, OHIO,
CHAIRMAN

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September 14, 2005

The Honorable David Dreier, Chairman
Committee on Rules
U.S. House of Representatives
H312, the Capitol
Washington, DC 20515

Dear Chairman Dreier:

It is my understanding that the Committee on Rules intends to report out a resolution establishing the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina. As you know, section 6 of the resolution contains matters which fall within the jurisdiction of the Committee on House Administration pursuant to the Committee's jurisdiction under Rule X of the Rules of the House of Representatives over appropriations from accounts for committee salaries and expenses.

In recognition of the need to move this resolution expeditiously and the cooperative manner in which these provisions were developed, I will waive consideration of the bill by the Committee on House Administration. By agreeing to waive its consideration of the bill, the House Administration Committee does not waive its jurisdiction over this resolution.

I request that you include this letter and your response as part of your committee's report on the resolution and the *Congressional Record* during consideration of the legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

Bob Ney
Chairman

MINORITY VIEWS

We oppose this resolution, H. Res. 437, in the strongest possible terms. We feel it is an inadequate, tone-deaf response to an immense national tragedy. It will do little or nothing to restore Americans' badly shaken confidence in their government's ability to protect them from future natural disasters or terrorist attacks.

1. "A national disgrace"

On August 27, 2005, the National Hurricane Center upgraded Tropical Storm Katrina to a Category 1 hurricane and forecast that the storm would be "a dangerous hurricane in the northeastern Gulf of Mexico in about three days." True to this prediction, Hurricane Katrina, which in the interim had developed into a Category 4 hurricane over the open waters of the Gulf of Mexico, hit the Louisiana coast near New Orleans on the morning of August 29, 2005. Later that morning, the storm's force breached the 17th Street Canal levee and flooded a large part of the City of New Orleans and portions of Jefferson and St. Bernard Parish.

As each day passes, it becomes clearer that our federal government's emergency response system was not up to the job of dealing with this natural disaster as it unfolded in the final days of August 2005. During the days leading up to Katrina's landfall and the first few days of flooding, the federal government's multi-billion-dollar homeland security and emergency response apparatus failed the people of Alabama, Mississippi, and Louisiana in their time of greatest need.

In spite of numerous studies and planning exercises conducted both inside and outside the government that predicted dire consequences if and when a powerful hurricane hit the Gulf Coast, the White House, the Department of Homeland Security (DHS), and the Federal Emergency Management Agency (FEMA) were flat-footed and unprepared for these events. The costs of their failure are so high they may be difficult to ever truly calculate—hundreds, perhaps thousands, of American lives, billions of dollars in property losses, a destroyed transportation and communication infrastructure in a major urban area, and extensive environmental damage to the Gulf Coast region.

Although President Bush declared a state of emergency in Louisiana as early as August 27th, his FEMA director, Michael Brown, only got around to requesting the deployment of federal emergency workers to the region on August 29th, hours after the 17th Street levee had been breached. Secretary Chertoff, who as head of DHS had responsibility for the overall preparedness and response effort, did not seem to know that the City of New Orleans had flooded until sometime late Monday or Tuesday morning—almost 24 hours after the levees had broken—and then waited another two days to declare Hurricane Katrina an "Incident of National Significance."

As the floodwaters covered New Orleans with up to 20 feet of water in some places, President Bush continued his relaxed summer schedule, which included presenting a birthday cake to Senator John McCain and strumming a guitar with country singer Mark Willis.

Responsibility for this debacle is not limited to a few high-profile executive branch officials, however; the current structure of our emergency preparedness system is the product of Congressional legislation. Congress not only created the current disaster response structure within DHS, but it also has an ongoing obligation to oversee this agency and the many legacy agencies like FEMA it put under the aegis of DHS. Moreover, Congress oversees and authorizes the spending for the Army Corps of Engineers, the Department of Transportation, and other federal agencies whose action or inaction contributed to the Katrina disaster. The aftermath of Katrina was not only a failure of executive leadership, it was also a failure of the legislative branch to hold the executive branch accountable for its conduct. As congressional scholar Norman Ornstein commented last week: "the performance of the federal government in the Hurricane Katrina disaster—the policy wing of the federal government, not the dedicated employees—has been abysmal."

2. An independent commission is necessary to restore the American people's confidence in our nation's disaster response system

The last time our country endured a large-scale disaster, in that case a disaster caused by terrorists intent on harming our country rather than a meteorological event, Congress wisely stepped aside and allowed the independent, bipartisan 9/11 Commission to investigate the circumstances and the lessons of the 9/11 attacks. Through public hearings and painstaking evidence-gathering, the ten members of the 9/11 Commission were able to help us understand the events of that day and recommend policy changes our government could take to protect Americans from such attacks in the future. Adopting a tone different than the usual partisan finger-pointing, the 9/11 Commission played an important role in helping our nation heal from that disaster, while also providing a number of constructive ideas for reform.

We feel that the magnitude of the recent Katrina disaster, and the obvious failure of our government to properly prepare for and respond to it, demands a thorough, independent investigation like the one undertaken by the 9/11 Commission. Even in the early days of this disaster, as many New Orleans residents remained trapped without food or water in their homes or in the Superdome, politicians were already trading charges and accusations in what the President quickly dubbed the "blame game." We believe an investigation conducted by these very same politicians will have inherently less credibility with the American people than an independent investigation.

If our country is to learn the lessons this disaster can teach us about emergency preparedness and response, and if we really want to prevent the unnecessary human suffering that occurred in the past few weeks from happening in a future natural disaster or terrorist attack, Congress should again step aside and allow an independent commission to uncover what happened and let the political

chips fall where they may. Nothing less will restore Americans' badly shaken confidence that their government can protect them in times of emergency. Former Republican Senator Slade Gorton, who served on the 9/11 Commission, recently observed that "in Congress, this issue has already become a political football . . . If we're really going to learn anything from this new catastrophe, that's much more likely to happen through an objective look."

Because we feel that an independent, bipartisan commission is the appropriate way to investigate this tragedy, we oppose this resolution establishing a majority-controlled Select Committee to investigate the apparently system-wide failures of the Bush Administration's disaster response system. We question whether such a committee would conduct the serious, thorough, and credible investigation the Katrina disaster demands; and, even if the committee conducted such an investigation, we question whether the American people would accept its conclusions. We find it hard to believe that a Republican Congress that has expressed so little interest in overseeing the past failures of the Bush White House could suddenly find the courage to investigate what is likely to be remembered as this Administration's biggest failure.

The American people appear to agree with us that an independent commission is the best way to figure out how this tragedy was allowed to happen and recommend how we can improve the government's disaster response system in the future. According to a Washington Post-ABC News poll released this week, 76% of Americans think an independent commission should investigate the government's response to Hurricane Katrina. Even 64% of Republicans interviewed for the poll prefer an independent investigation to a congressional investigation. We think these poll results reflect the depth of the shock and sorrow Americans felt as they watched the events of the past several weeks unfold. We think they reflect Americans' desire to get beyond the political squabbling and get to the bottom of this national tragedy.

Unfortunately, the Republican-controlled Select Committee proposed in H. Res. 437 does not convey this sense of urgency. Instead, the Republicans have put forward what they call the "standard" select committee structure Congress has used over the years to investigate political scandals. They seem to miss the obvious point that the events of the past few weeks are not the equivalent of a political scandal. They represent a national tragedy, during which our government appeared unable to safeguard the lives of hundreds of thousands of our fellow American citizens, especially the lives of our young and elderly fellow citizens who were least capable of protecting themselves.

3. The resolution is not "bipartisan" as the House leadership has claimed.

H. Res. 437 establishes a Select Committee to investigate the actions of local, state, and federal authorities before and during the Katrina disaster and report back to the House by February 15, 2006. It applies Rule XI of the standing House Rules to the Select Committee's conduct of business. Most importantly, the resolution establishes a ratio of 11 Republican Members to 9 Democratic Members, which guarantees that the majority will be able to com-

pletely control the issuing of subpoenas and the scope of the investigation.

We find it truly astounding that the Majority continues to refer to this resolution as "bipartisan." According to press reports, Speaker Hastert and Majority Leader Frist met several times early in the week of September 5th without Democratic leaders and then announced on Wednesday, September 8th, that they would be forming a "bipartisan" select committee. Ironically, no Democratic leaders were asked to attend this press event, although the Speaker's office said it had been kind enough to "notify" Minority Leaders Pelosi and Reid of the announcement.

Since last week's announcement, House Republicans have continued to tightly control access to this resolution. After waiting almost a week to share even an initial draft of a so-called "bipartisan" Hastert-Frist committee resolution with Democrats, the House leadership hurried the resolution through the Rules Committee, where they protected H. Res. 437 with a closed rule blocking floor amendments. When Ranking Member Slaughter tried to amend the rule so the House would have an opportunity to debate and vote on Representative Hastings of Florida's independent commission alternative (H.R. 3764), Rules Committee Republicans rejected it on a party-line vote of 9 to 4. This Hastings proposal, which enjoys the support of more than 160 Members of the House, is based on the 9/11 Commission model. We find it hard to believe that jamming this resolution through the House in this partisan manner will help gamer the broad public support the proposed select committee would need to conduct a credible investigation into the Katrina disaster. Simply labeling a resolution "bipartisan" does not make it so.

4. An investigation in which a Republican Congress investigates a Republican White House will not be credible

Over the past week, we have heard the Republican leadership regularly compare the select committee they are proposing in H. Res. 437 to the select committee the 100th Congress set up to investigate charges that the Reagan Administration had sold arms to Iran and had provided military assistance to the Nicaraguan Contras. This is a misleading and inaccurate analogy, because the Iran-Contra committee operated in an era when different parties controlled the legislative and executive branches. The Iran-Contra investigation was an inquiry conducted by a Democratic Congress into the actions of a White House run by a Republican President. The same dynamic operated in the investigations conducted by Republican-led House select committees into the activities of the Clinton Administration, such as 1998 investigation into technology transfer to China.

In those situations, the investigating Congressional committee had strong institutional and political incentives to conduct a rigorous investigation of Administration conduct. The interests of the American people in having a law-abiding White House aligned with the interests of Congressional leaders in asserting the power of the legislative branch and challenging the conduct of their rival political party which at that time controlled the executive Branch. The result was adversarial investigations that helped uncover the facts

and restore the American people's faith in their government. This type of adversarial investigation exemplifies Woodrow Wilson's maxim that the legislative branch has a duty to "look diligently into every affair of government and to talk much about what it sees."

We are quite skeptical that the current majority's Katrina investigation would have the diligence and the energy Wilson envisioned for the Congressional oversight process. House Republicans have no institutional or political incentive to ask tough questions about the Bush Administration's handling of Hurricane Katrina and then "to talk much about what it sees." If possible, the Republican Congress has even less incentive to ask whether its own policies contributed to the federal government's tragic failure to respond to the Katrina disaster in a timely and effective way. As Senator Reid quipped last week: "An investigation of the Republican administration by a Republican-controlled Congress is like having a pitcher call his own balls and strikes."

Further fueling our skepticism about this process is the Republican Congress' failure to hold the Bush White House accountable for any of its questionable behavior over the past five years. Neither the Republican majorities of the current Congress, nor those of the 107th or 108th Congresses, have shown any interest in conducting serious oversight of the Bush White House or the many federal officials and agencies that so richly deserve closer scrutiny. Since 2001, the legislative branch has abdicated its constitutional responsibility to make sure that the executive branch obeys the law and uses taxpayers' money responsibly. As Rep. LaHood commented in a moment of unusual candor last year: "Our party controls the levers of government. We're not about to go out and look beneath a bunch of rocks to try to cause heartburn."

It is worth quickly reviewing some of the Administration's rocks the Republican Congress has left unturned. It has never investigated who was responsible for concealing from the Congress the HHS chief actuary's estimate that the 2003 Medicare legislation would cost more than a hundred billion dollars more than the White House was publicly stating. Nor has it investigated the role of top Bush campaign contributors in writing Vice President Cheney's energy plan, or the numerous reports that industry lobbyists are writing and re-writing our country's environmental regulations. It has not investigated the circumstances surrounding the outing of a covert CIA agent whose husband disputed the Bush Administration's claims about Iraq's nuclear weapons program and it has ignored the numerous reports of war profiteering by various companies in Iraq, including Vice President Cheney's old company Halliburton. Congressional Republicans did not even bat an eyelash when the Special Inspector General for the Iraqi Reconstruction found that $9 billion of Iraqi reconstruction money was missing. Perhaps most disturbingly, the Republican Congress has never investigated the military chain of command decisions that led to the mistreatment of U.S. detainees at Guantanamo and at Abu Ghraib prison in Iraq.

Given this track record, it is hard for us to have any faith that a Republican-controlled select committee would energetically delve into the numerous failures in the emergency response chain of com-

mand that occurred in the days leading up to and immediately after Hurricane Katrina made landfall. It is hard to believe the select committee proposed in H. Res. 437 would follow the facts if they led to embarrassing revelations about how the Bush Administration mismanaged our government's emergency planning and response agencies. It is hard to believe this Select Committee would subpoena high Administration officials, such as Secretary Chertoff, much less Vice President Cheney or President Bush, and ask them the tough questions that would be necessary to get to the truth and ensure that the federal government will not fail the next time it is called in to manage a man-made or natural disaster or a terrorist attack.

The Bush Administration and the Congress have had four years to analyze and investigate the events surrounding the 9/11 disaster. They have spent billions of dollars reorganizing our government's homeland security and emergency preparedness systems. Given this effort and huge expenditure of taxpayer dollars, it is fair to ask why these systems functioned so badly in a time of national emergency. Commenting on the Katrina disaster, the Republican chairman of the 9/11 Commission, Thomas Kean, said: "What makes you so mad is that it's the same things we saw on 9/11. Whoever is responsible for acting in these places hasn't acted. Are they going to do it now? What else has to happen for people to act?" Mr. Kean and the American people are right to ask what the government has been doing over the four years since the 9/11 attacks to make them safer. And they have the right to honest answers to these questions, not answers produced as part of an effort to shift the blame on to other parties or to minimize the government's failure to respond to this natural disaster.

It is not surprising to us that the American people have very little confidence that the current Congress could conduct a credible investigation into the botched federal response to Katrina. As we noted above, a recent Washington Post-ABC News poll shows that three-quarters of Americans prefer an independent commission to a congressional investigation. They seem to share our opinion that the only credible investigation of the Bush Administration we have seen in the last 5 years was that of the bipartisan, independent 9/11 Commission. The work of that Commission is the only recent example the American people have of a vigorous investigation that followed the facts wherever they led, even if they led to criticism of the executive and legislative branches.

Conclusion

Newsweek magazine recently reported that President Bush did not appreciate the "reality" of the situation on the ground in the Gulf States until Thursday, September 1, three days after Katrina hit the Gulf Coast. Judging from this resolution, we are not sure that House Republican leaders have yet fully comprehended the "reality" of this disaster. The reality is that hundreds of thousands of our fellow citizens have lost their homes, their personal effects, their jobs, their health insurance and everything else that made up their lives before the hurricane hit. The even more horrible reality is that hundreds, perhaps thousands of people, lost their lives in this disaster.

We find it amazing that the majority can still insist that Congress can address this tragedy through what they call the "standard" select committee process. We disagree. A disaster of this magnitude demands an extraordinary response that transcends the usual partisan divisions and rhetoric. We believe the select committee established by this resolution is a weak, inadequate response to this massive breakdown of the federal emergency response process and strongly oppose it.

LOUISE M. SLAUGHTER, *Ranking Member.*
JIM MCGOVERN.
ALCEE L. HASTINGS.
DORIS O. MATSUI.

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