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The Honorable Eleanor Holmes Norton
Chair, Subcommittee on Economic Development,
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U.S. House of Representatives
Washington, D.C. 20515

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The Honorable Sam Graves
Ranking Republican, Subcommittee on Economic Development,
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U.S. House of Representatives
Washington, D.C. 20515

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Dear Chairwoman Norton and Rep. Graves:

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We commend the leadership that you have demonstrated over the past few years to support legislative solutions to meet the ongoing challenges of disaster response and preparedness. As you prepare for the upcoming hearing on "Post-Katrina Louisiana Recovery: Progress and Impediments," I write on behalf of the American Bar Association and its more than 400,000 members nationwide to share with you some of our ideas regarding efforts to improve the capability of the federal government to respond to a future disaster such as Hurricane Katrina.

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The American Bar Association has a long-standing interest in bolstering disaster response efforts. We established the ABA Task Force on Hurricane Katrina days after this disaster occurred to coordinate the Association's timely response as well as to identify and recommend necessary steps to alleviate problems caused by Katrina and its devastation. The Task Force went to work by providing immediate assistance to victims by establishing a website with helpful information and links for victims as well as volunteers. Additionally, thousands of lawyers volunteered to staff legal assistance hotlines, travel to the affected region, provide office space to displaced lawyers, and more. To this day, our website provides a clearinghouse of information on disaster relief and includes

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resources to help lawyer victims rebuild their practices and their lives, among many other things.

Furthermore, the ABA House of Delegates adopted a series of recommendations in February 2006 addressing issues relating to Hurricanes Katrina and Rita, including one that urged Congress to investigate the response by federal and affected state and local governments to those natural disasters. Specifically, we recommended for federal, state, and/or local governments to: (1) establish and appropriately fund flood control and redevelopment plans for the Gulf Coast region; (2) take steps necessary to ensure that the civil and criminal justice systems in the affected states have the necessary resources to maintain the continuity of the rule of law; (3) explore mitigation efforts for future natural disasters; (4) afford relief from legal deadlines that adversely affect individuals, businesses, and property owners because of effects of hurricane destruction; and (5) reexamine all aspects of the federal flood insurance program.

The ABA welcomes the legislative steps that you have already undertaken over the past few years to address disaster preparedness needs. As we begin yet another hurricane season, we believe that it would be beneficial for Congress to consider taking the additional step of establishing an independent commission empowered to study and analyze these issues to coordinate existing efforts and to identify any potential gaps in the current initiatives. In August 2007, the ABA adopted a recommendation calling for the creation of an independent, bipartisan commission to investigate and recommend the appropriate measures to rebuild the infrastructure of the Gulf Coast damaged by Hurricanes Katrina and Rita, to provide reasonable hurricane and flooding protection for the people living in disaster prone areas, and to recommend appropriate measures designed to prevent or mitigate problems in responding to natural disasters in the future.

The ABA believes that the creation of a bipartisan independent commission to study the issues relating to rebuilding the Gulf Coast would complement the work that Congress has already done to respond to these devastating natural disasters. Establishment of an independent commission would create an opportunity for a bipartisan panel of experts to undertake a comprehensive review that analyzes and makes recommendations about appropriate steps to address the current needs of Gulf Coast residents, bolster our preparedness, and mitigate the future vulnerability of our communities to natural disasters. A commission would have the time and resources to study these issues and to establish accountability in its recommendations without being burdened by the partisan pressures faced by Congress in an election year.

Problems stemming from the impact of the hurricanes continue to disrupt the region and need to be examined more closely. Despite the tremendous resources provided by the federal government and the passage of almost three years since the hurricanes hit, countless persons in the Gulf Coast region continue to suffer tremendous upheaval in literally every facet of their lives. Too many displaced residents, and those who have returned to the Gulf, are still spending their days trying to find or maintain housing, employment, and education for their children. The rebuilding of neighborhoods, towns

and cities has raised troubling issues relating to the destruction of low-income housing, exclusionary zoning, and the emphasis on commercial development.

We believe that an independent commission is necessary to recommend effective strategic steps to resolve these remaining problems. Moreover, an independent commission would have the opportunity to synthesize analyses and reports by various governmental agencies and academic and research institutions about issues raised by the difficult recovery from Hurricane Katrina and the need to assure appropriate mitigation steps are adopted during recovery. Appropriately tailored mitigation measures could diminish the future risks to the community, especially to vulnerable populations such as children and the elderly. Recommendations could also provide a cost-effective road-map for enhancing the central infrastructure of the region to minimize the impact in the event of another disaster.

Such an investigation, complete with specific recommendations for the future, would allow for a thorough and objective review of the facts and circumstances and ensure that all steps have been taken to protect against this type of tragedy in the future. The ABA stands ready to work with you to develop and advance an appropriate legislative proposal to accomplish this goal. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, reading "Thomas M. Susman" with a long horizontal flourish extending to the right.

Thomas M. Susman