

February 2008

**EMERGENCY  
TRANSIT  
ASSISTANCE**

**Federal Funding for  
Recent Disasters, and  
Options for the Future**





Highlights of [GAO-08-243](#), a report to the Committee on Banking, Housing, and Urban Affairs, U.S. Senate

## Why GAO Did This Study

Major disasters can disrupt transit operations, destroy vehicles and facilities, and impede the ability of people to reach essential relief and medical services and return to their homes and jobs. GAO determined (1) the federal role in assisting transit agencies after a major disaster; (2) the amounts, sources, and uses of federal disaster assistance for transit since 1998; (3) the factors that affected the timeliness and effectiveness of transit assistance after the 2005 Gulf Coast hurricanes; and (4) additional options for providing assistance to transit after a major disaster. GAO reviewed laws, regulations, and guidance; analyzed DOT and FEMA data; and interviewed officials with FEMA, DOT, state and local agencies, and others.

## What GAO Recommends

To promote timely and effective assistance to transit, FEMA should develop guidance on the types of transit services that it will fund after a disaster and criteria for the duration of funding. DOT should evaluate the feasibility of options to increase FTA's authority to provide financial disaster assistance to transit, and seek legislative authority as appropriate. DHS and DOT generally agreed with the facts presented, and DHS stated it would take the recommendations under advisement. DOT agreed with the recommendations and said these options would be considered by FTA in developing DOT's legislative proposal for reauthorizing surface transportation programs.

To view the full product, including the scope and methodology, click on [GAO-08-243](#). For more information, contact Katherine Siggerud at (202) 512-2834 or [siggerudk@gao.gov](mailto:siggerudk@gao.gov).

# EMERGENCY TRANSIT ASSISTANCE

## Federal Funding for Recent Disasters, and Options for the Future

### What GAO Found

The federal government provides transit services and assists transit agencies after a major disaster, primarily through two federal agencies—the Department of Homeland Security's Federal Emergency Management Agency (FEMA) and the Department of Transportation's (DOT) Federal Transit Administration (FTA). FEMA is authorized to provide emergency transportation services under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act). FTA administers federal support for transit but does not have a specific ongoing program or funding to help restore transit after disasters.

FEMA and FTA have provided approximately \$5.0 billion in disaster assistance to fund transit services and assist transit agencies since 1998, primarily through supplemental appropriations. The agencies provided nearly \$4.7 billion to New York City after the terrorist attacks of September 11, 2001, primarily to rebuild destroyed transit infrastructure, and another \$232 million after the 2005 Gulf Coast hurricanes, largely to provide transit services for displaced populations. FEMA and FTA have also provided at least \$51 million for other disasters since 1998. FEMA's database for its Public Assistance program does not have the capability to sort transit projects from other projects. GAO took steps to identify this funding, but the information presented should be considered minimum amounts. Additional funds may have been dedicated for transit purposes. GAO believes the magnitude of uncertainty is small compared with the \$5.0 billion in assistance for transit.

After the 2005 Gulf Coast hurricanes, FEMA and FTA faced challenges that impeded both the timeliness and effectiveness of their assistance to transit. Although the Stafford Act authorizes federal assistance to meet emergency needs, neither FEMA nor FTA had mechanisms to provide transit funding immediately after the disasters. FEMA also lacked guidance on the types of transit services it would fund and criteria for determining the duration of funding. As a result, funding approvals after the 2005 Gulf Coast hurricanes took from 1 month to as long as 4 months, and FEMA ended funding even though transit agencies in Louisiana and Mississippi believed that they had continuing needs.

Additional options exist—at the state, local, and federal levels—for providing assistance to transit after a major disaster. At the state and local levels, mutual aid agreements between states and others can direct needed resources to transit agencies following a disaster. Existing programs and temporary authorities that Congress had provided to DOT also suggest options, including giving FTA permanent authority to allow transit agencies to use existing grant funds for disaster recovery. As another option, Congress could establish an emergency relief program for FTA, similar to the DOT program for highways, or expand the scope of the highway program to include transit. Such a program could include "quick release"—a mechanism used to approve and release emergency highway funds within 1 to 2 days. Each of these options has advantages, such as expedited release and better targeting of funds, and consequences, such as potentially increased costs to the federal government.

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## Abbreviations

APTA	American Public Transportation Association
CTA	Coast Transit Authority
DHS	Department of Homeland Security
DOT	Department of Transportation
EMAC	Emergency Management Assistance Compact
ESF	Emergency Support Function
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
MTA	Metropolitan Transit Authority
NEMIS	National Emergency Management Information System
NORTA	New Orleans Regional Transit Authority
PATH	Port Authority Trans-Hudson
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users

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United States Government Accountability Office  
Washington, DC 20548

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February 15, 2008

The Honorable Christopher J. Dodd  
Chairman  
The Honorable Richard C. Shelby  
Ranking Member  
Committee on Banking, Housing,  
and Urban Affairs  
United States Senate

Major disasters or acts of terrorism can disrupt transit operations and destroy transit agencies' vehicles and facilities. The loss of transit can worsen the impact of a disaster by impeding a community's access to relief services, medical care, and jobs. For example, when multiple hurricanes struck the Gulf Coast in August and September, 2005, many thousands of residents left their homes and resettled in group sites established by FEMA that had no access to transit services. Tens of thousands more residents relocated to Baton Rouge, where the existing transit services were insufficient to meet the needs of the expanded population. Major disasters may exhaust the available financial capacity of transit agencies and state governments, precluding them from restoring or providing essential services on their own. Yet, the restoration or provision of transit services after a disaster can be crucial to recovery, allowing people to reach essential relief and medical services and return to their homes and jobs.

Federal funding to help restore transit services after a disaster comes primarily from the Federal Emergency Management Agency (FEMA), within the Department of Homeland Security (DHS). FEMA was established to respond to disasters and emergencies. In carrying out its mission, FEMA supports emergency activities, including preparedness, response, recovery, and hazard mitigation. FEMA's authority to provide major disaster and emergency assistance to state and local governments and others was established by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act),<sup>1</sup> which includes the authority to provide temporary public transportation services to meet

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<sup>1</sup>Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. No. 93-288; codified at 42 U.S.C. ch. 68.

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emergency needs and to help communities resume their normal pattern of life as soon as possible.<sup>2</sup> The Federal Transit Administration (FTA), within the Department of Transportation (DOT), administers federal programs that support public transit and may make funding available for transit services after a disaster.

You asked us to evaluate the federal government’s provision of assistance to transit operations in the wake of a major disaster, particularly after the 2005 Gulf Coast hurricanes. To do so, we determined (1) the role of the federal government in providing transit services and assisting transit agencies after a major disaster; (2) the amounts, sources, and uses of federal disaster assistance provided for transit since 1998; (3) factors that affected the timeliness and effectiveness of federal assistance for transit after the 2005 Gulf Coast hurricanes; and (4) additional options for providing transit services and assistance for transit after a major disaster.

To address these objectives, we reviewed and analyzed relevant laws, regulations, and guidance on FEMA’s and FTA’s authorities and responsibilities in responding to disasters affecting transit, and we interviewed FEMA and FTA officials. In addition, to determine the amounts, sources, and uses of federal financial disaster assistance provided to transit agencies since 1998—the earliest date for which FEMA data were available—we reviewed and analyzed data from FEMA and FTA to quantify the agencies’ disaster assistance funding. We were unable to reliably determine the total amounts provided for transit from FEMA’s Public Assistance program because FEMA’s database for this program information does not have the capability of sorting transit projects from other projects. The information we present in this report should be considered minimum amounts—additional funds may have been dedicated for transit purposes—and the steps we took to identify this funding are presented in appendix I. To identify factors that affected the timeliness and effectiveness of the assistance that was provided to transit agencies after the 2005 Gulf Coast hurricanes, we identified the procedures that FEMA and FTA used to provide disaster assistance for transit. We discussed these procedures with FEMA and FTA officials and with representatives from two state transportation departments, and selected major transit agencies affected by the hurricanes in Louisiana and Mississippi. We assessed FEMA’s and FTA’s performance and reviewed other documentation. To identify additional options for providing services

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<sup>2</sup>42 U.S.C. § 5186.

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and assistance to transit after a major disaster, we reviewed documents and interviewed selected officials from FTA, the American Public Transportation Association (APTA), the Community Transportation Association of America, and the Florida Department of Transportation. A more detailed discussion of our scope and methodology appears in appendix I. We conducted this performance audit from March 2007 through February 2008 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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## Results in Brief

The federal government provides transit services and assists transit agencies after a major disaster, primarily through two federal agencies—FEMA and FTA. FEMA is the federal government’s primary agency for disaster response. FEMA is also specifically authorized to provide public transportation services in areas affected by a major disaster as part of its authority under the Stafford Act. After the September 11, 2001, terrorist attacks, FEMA received supplemental appropriations to the Disaster Relief Fund, which initially funded temporary facilities and services for the resumption of services after the attacks and, later, the construction of permanent subway and ferry terminals and other facilities. After the 2005 Gulf Coast hurricanes, FEMA provided financial disaster assistance to transit, primarily through (1) mission assignments (i.e., requests to another federal agency for specific services within that agency’s functions) to fund transit operations in New Orleans and the Mississippi Gulf Coast, including supplemental transit services to temporary FEMA group sites and other places where displaced populations were living in Louisiana and Mississippi, and (2) Public Assistance program grants to transit agencies to repair or replace damaged equipment or facilities, such as maintenance facilities and passenger shelters. FTA administers a variety of grant programs to support urban and rural transit operations throughout the United States. FTA programs fund planning, vehicle purchases, facility construction, and other transit needs. However, FTA has no specific program or funding dedicated to disaster response or recovery. Instead, Congress has provided FTA with supplemental appropriations and other temporary authority to aid transit, as FTA did after the September 11 terrorist attacks and after the 2005 Gulf Coast hurricanes.

Since 1998, congressional appropriations to FEMA and FTA have provided approximately \$5 billion for emergency transit services, rebuilding transit

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infrastructure, and assisting transit agencies in repairing facilities and replacing buses after disasters. About \$4.7 billion of the \$5 billion was provided in response to the September 11 terrorist attacks in New York City, and \$232 million was provided in response to the 2005 Gulf Coast hurricanes. The differences in these two disasters also required different responses by FEMA and FTA—financial assistance in response to the September 11 attacks was mainly for funding new infrastructure, such as the commuter facilities at the World Trade Center site, while financial assistance after the 2005 Gulf Coast hurricanes was mainly for transit services for residents and evacuees. Funding for these two events came from supplemental appropriations to the Disaster Relief Fund—which supports FEMA’s disaster relief programs, including programs FEMA used to fund transportation recovery—and to FTA for emergency transit needs. In addition to the funding provided in response to the September 11 terrorist attacks and the 2005 Gulf Coast hurricanes, FTA provided \$5 million in discretionary program funding to support expanded transit services in the Minneapolis area following the August 1, 2007, collapse of the I-35 bridge. FEMA has also provided at least \$46 million, through its Public Assistance program to restore transit after other disasters since 1998. Table 1 shows the amounts, sources, and uses of federal assistance provided to transit agencies for major disasters, since 1998.



**Table 1: Funding Amounts, Sources, and Uses of Federal Assistance Committed to State Transportation Departments and Transit Agencies for Major Disasters, since 1998**

Dollars in millions

Major disaster	Amount	Funding source	Uses
September 11, 2001, terrorist attacks on the World Trade Center	\$4,676 <sup>a</sup>	Supplemental appropriations to FTA and FEMA Public Assistance grants	To fund the reconstruction of transit and related infrastructure in New York.
2005 Gulf Coast hurricanes	88	FEMA Disaster Relief Fund <sup>b</sup> mission assignments to DOT	To fund emergency public transportation service in Louisiana and Mississippi.
	70	FEMA Disaster Relief Fund <sup>b</sup> —Public Assistance grants	To fund bus and bus facilities repair and replacement in Louisiana and Mississippi.
	35	Supplemental appropriation to FTA	To provide operating and capital assistance for 19 transit agencies in Alabama, Florida, Louisiana, Mississippi, and Texas that were directly impacted by Hurricanes Katrina and Rita.
	39	FTA authorizing transit agencies to waive matching fund requirements, and use other program funds for disaster recovery	To provide financial support to state transportation departments and transit agencies in Louisiana and Mississippi that were affected by Hurricane Katrina.
Other disasters (since 1998)	51 <sup>a</sup>	FEMA Public Assistance grants and FTA discretionary program funds	To support transit operations and the repair and replacement of transit facilities and equipment after other disasters.
<b>Total</b>	<b>\$4,959</b>		

Source: GAO analysis of FEMA and FTA information.

<sup>a</sup>FEMA's database that tracks Public Assistance program funding does not have the capability of sorting transit projects from other projects. Therefore, the information we present in this report should be considered minimum amounts—other funds might have been dedicated for transit purposes.

<sup>b</sup>The Disaster Relief Fund is funded through both annual and supplemental appropriations.

Several factors affected the timeliness and effectiveness of FEMA's and FTA's assistance to transit after the 2005 Gulf Coast hurricanes, including a lack of mechanisms to provide immediate funding for transit services and FEMA's lack of guidance and criteria for the types and duration of transit services it would fund. Although the Stafford Act authorizes federal assistance to meet emergency needs and help affected communities to resume their normal pattern of life as soon as possible, neither FEMA nor FTA had mechanisms in place to provide funding to transit providers immediately after the 2005 Gulf Coast hurricanes. FEMA provided funding as reimbursement, requiring recipients to spend money from other sources

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first,<sup>3</sup> and FTA had no program for emergency assistance to transit. However, transit providers had little money to spend from other sources before being reimbursed. According to officials from the two major transit agencies affected by the 2005 Gulf Coast hurricanes, transit operations shut down after the disasters, and the agencies' revenues from fare collections and other sources were curtailed, limiting their ability to begin restoring transit services on their own. Furthermore, FEMA's timeliness and effectiveness in providing assistance for transit after the hurricanes were limited by the agency's lack of guidance on the types of services it could fund, and lack of criteria for the duration of the funding. Without such guidance and criteria, funding approvals took from 1 month to as long as 4 months, and officials from the two major transit agencies affected by the hurricanes contended that FEMA mission assignments ended before some emergency needs were met. DHS and FEMA addressed a number of issues raised by their response to the 2005 Gulf Coast hurricanes in DHS's *National Response Framework*, issued in January 2008, which replaced DHS's *National Response Plan*.<sup>4</sup> However, the *Framework* does little to help clarify the agencies' roles in responding to a disaster affecting transit. FEMA has also begun drafting "prescribed" mission assignments to facilitate common language between FEMA, other federal agencies, and state and local organizations and, thus, to expedite the issuance of mission assignments after a disaster. However, a FEMA official indicated the agency does not plan to draft a prescribed mission assignment for transit operations because FEMA will assume parts of DOT's emergency response functions for transportation under a memorandum of understanding signed by the two agencies in October 2007. However, this memorandum states that DOT will continue to be responsible for "alternative transportation services" after a disaster. According to DOT officials, "alternative transportation services" could include such things as transit services or ferry services when a bridge has been damaged or destroyed. We are recommending that FEMA develop guidance or regulations identifying the types of transit services that FEMA will or will not fund after a disaster, and criteria for determining the duration of funding for those services to facilitate timely decision making

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<sup>3</sup>FEMA can provide partial "immediate needs funding" under its Public Assistance program, for debris removal and emergency protective measures within the first 60 days after a disaster, but this funding would not be available for transit operations.

<sup>4</sup>DHS's *National Response Plan*, issued in 2004, described how the federal government coordinates with state, local, and tribal governments and the private sector in responding to disasters. The plan's Emergency Support Function annexes detailed specific federal agencies' responsibilities.

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following future disasters—especially catastrophic disasters that affect multiple states. We are also recommending that FEMA draft prescribed mission assignments for public transportation services, which could reduce ambiguity and expedite the issuance of mission assignments for these services when time is critical in the aftermath of a future disaster. In commenting on a draft of this report, DHS stated that it would take these recommendations under advisement.

Additional options exist for providing transit services and assistance for transit after a disaster. At the state and local levels, mutual aid agreements can support transit recovery after a disaster by providing transit agencies with needed resources and personnel from agencies outside of the disaster area. For example, the Emergency Management Assistance Compact (EMAC) provides for assistance between member states when a disaster transcends state borders, and APTA has developed a program that allows transit systems across the country to volunteer their resources, including buses and drivers, for temporary emergency transit needs. The Florida Department of Transportation has a similar mutual aid agreement between transit systems in the state. At the federal level, existing authorities and programs that Congress has provided to DOT suggest additional potential options. One option would be to give FTA permanent authority to waive certain grant fund requirements in response to disasters. After the Gulf Coast hurricanes, Congress gave FTA temporary authority (for 2 years) to allow transit agencies directly affected by the hurricanes to use FTA grant funds—generally intended for capital uses—for transit operations. If given this authority permanently, FTA could quickly make grant funds available to affected transit agencies for operations during disasters. A second option would be to provide a disaster relief program for transit similar to the Federal Highway Administration’s (FHWA) program for federal highways. FHWA’s Emergency Relief program provides funds for both emergency and permanent repairs of highways that have suffered serious disaster damage. The program also provides a “quick release” funding option that can be used when disaster damage is readily evident, to begin the flow of funds to a state within 1 to 2 days. A separate FTA program could be established to provide disaster relief for transit, or transit disaster relief could be incorporated as an eligible activity under FHWA’s Emergency Relief program. Establishing or expanding emergency relief for transit, however, could significantly expand the scope and cost of emergency relief for DOT at a time when, as we have reported,<sup>5</sup> there are

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<sup>5</sup>GAO, *Highway Emergency Relief: Reexamination Needed to Address Fiscal Imbalance and Long-term Sustainability*, [GAO-07-245](#) (Washington, D.C.: Feb. 23, 2007).

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increasing demands placed on the Emergency Relief program, while the purchasing power of the principal revenues to its funding source, the Highway Trust Fund, is eroding. We recommend that DOT evaluate the feasibility of options to increase FTA's authority to provide immediate financial assistance, and seek legislative authority as appropriate. DOT agreed with this recommendation and stated that these options would be considered by an FTA policy working group that is developing portions of the department's legislative proposal for reauthorizing surface transportation programs.

In commenting on a draft of this report, DHS and DOT also generally agreed with the facts presented and provided technical comments, which we incorporated into this report as appropriate.

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## Background

In recent years, the United States has experienced two of the most severe disasters in its history—the September 11, 2001, terrorist attacks and the 2005 Gulf Coast hurricanes. These disasters claimed several thousand lives and resulted in billions of dollars in damage. In addition, there have been over 500 declared disasters and emergencies of smaller magnitude since 1998.

Catastrophic disasters, such as the terrorist attacks and Gulf Coast hurricanes, place particularly wideranging demands on emergency response capabilities. By their very nature, catastrophic disasters involve high levels of casualties, damages, and disruptions that are likely to immediately overwhelm state and local responders. Historically, the federal role in disaster response has been to support and assist states and localities, providing resources and other assistance when the demands of the situation exceed their combined capabilities. However, when a catastrophic disaster overwhelms the ability of state, local, and voluntary agencies to adequately provide essential services, the federal government generally plays a more central role—providing selected resources where they are needed.

The Stafford Act authorizes the federal government to respond to disasters, and to assist state and local governments and others in saving lives, reducing human suffering, mitigating the effects of lost income, and repairing or rebuilding damaged facilities. FEMA leads the nation's efforts to prepare for, protect against, respond to, recover from, and mitigate the risk of natural disasters, acts of terrorism, and other man-made disasters. The Disaster Relief Fund, which supports a wide range of the agency's disaster response programs, is funded through both regular and supplemental appropriations. Before FEMA can respond to a catastrophic

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disaster, the President has to declare that a major disaster or emergency exists. This declaration is typically made at the request of the governor of the affected state. A disaster declaration activates an array of federal programs to assist in the recovery effort. FEMA's response to a disaster begins with the appointment of a Federal Coordinating Officer by the Director of FEMA. The Federal Coordinating Officer manages and coordinates the application of programs and funds under the Stafford Act. FEMA then staffs the core management and administrative functions to respond to the disaster, including a Joint Field Office, Regional Response Coordination Center, and Emergency Response Teams.

Until 2008, the *National Response Plan*, issued by DHS in December 2004, outlined the principal roles and responsibilities of federal agencies in a major disaster. The plan has been superseded by DHS's *National Response Framework*, which was issued in January 2008. The *Framework*, like the *National Response Plan* before it, identifies Emergency Support Functions (ESF), which provide the structure for coordinating federal interagency support during declared disasters and emergencies. Whenever there is a major incident, DOT must provide support under the *Framework* through the department's role as primary agency for ESF-1 for Transportation. This function is responsible for, among other things, transportation safety and restoration of transportation infrastructure.

FTA administers federal funding to support a variety of local public transportation systems throughout the United States, including bus, subway, light rail, commuter rail, streetcar, passenger ferryboat, and other transportation systems. FTA funds public transportation through a number of grant programs; grant recipients include states, local governments, transit authorities, and others. FTA programs fund planning, vehicle purchases, facility construction, and other needs. The Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU)<sup>6</sup> authorized funding levels for each program, and Congress provides an annual appropriation to fund them. FTA's funding comes, in part, from the general fund, but its grant programs are primarily funded through the Mass Transit Account of the Highway Trust Fund, which is funded partly by federal fuel taxes.

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<sup>6</sup>The Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users, Pub. L. No. 109-59.

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The September 11 terrorist attacks in New York City and the 2005 Gulf Coast hurricanes caused severe damage to transit services in both areas. The transit authority in New York City, the Metropolitan Transportation Authority (MTA), provides New Yorkers with 2.4 billion trips each year through bus, subway, and rail services. This transportation network serves 14.6 million people in the New York City area, including Long Island, southeastern New York State, and Connecticut. The Port Authority Trans-Hudson Corporation (PATH) operates a heavy rail transit system between Manhattan and neighboring New Jersey communities that serves approximately 227,000 passengers each weekday. As a result of the attacks on the World Trade Center, subway stations and the PATH commuter rail terminal were destroyed, sections of local roads became impassable due to damage or recovery efforts, and the remaining transportation options were overcrowded as commuters returned to work using different routes or means of transportation. On the Gulf Coast, public transit consists of bus, streetcar, and paratransit service—which is service for disabled persons that complements bus or rail service—to a widely dispersed population. The New Orleans Regional Transit Authority (NORTA) provides approximately 30 bus routes, 3 streetcar lines, and paratransit service for passengers with disabilities, and it carries more than 2 million passengers each year. The transit provider on Mississippi’s Gulf Coast, Coast Transit Authority (CTA), serving Gulfport and Biloxi, offers fixed-route bus service and demand-response service for seniors and passengers with disabilities over a three-county area. According to local transit agency officials in Louisiana and Mississippi, the 2005 Gulf Coast hurricanes flooded buses, administration buildings, and roads; destroyed bridges, bus stop signs, and shelters; and forced tens of thousands to evacuate. As a result, according to transit and FEMA officials, transit agencies had to find working vehicles and create new routes that allowed the dispersed population to reach disaster relief centers and essential services.

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## FEMA and FTA Share Responsibility for Helping Transit Recover after a Disaster, but Funding Comes Primarily from FEMA

The federal government, through FEMA and FTA, provides transit services and assists transit agencies after a major disaster. FEMA, the federal government’s primary agency for disaster response, is authorized to provide emergency transportation services as part of its authority under the Stafford Act. FTA administers federal programs and funding that support transit operations across the United States, but it does not have a specific program or designated funding to help transit agencies recover from a disaster.

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## FEMA Provides Emergency Transportation Services through Its Authority under the Stafford Act

FEMA is the federal government's primary agency for disaster response. In carrying out its mission, FEMA (1) funds and coordinates emergency preparedness activities, (2) provides and coordinates the immediate federal response to save lives and property, (3) funds the reconstruction of damaged infrastructure to help stricken families and communities recover, and (4) supports hazard mitigation activities to lessen the destructive impact of future disasters. FEMA is authorized to provide temporary public transportation service to meet emergency needs and to provide transportation to governmental offices, supply centers, stores, post offices, schools, major employment centers, and other places that may be necessary for a community to resume its normal pattern of life as soon as possible.<sup>7</sup> Funding for FEMA's disaster response programs comes from the Disaster Relief Fund. Supplemental funding is requested when funds provided through the regular appropriations to the fund are insufficient to respond to certain disasters. The Disaster Relief Fund received supplemental appropriations following both the terrorist attacks on New York City and the 2005 Gulf Coast hurricanes.

Following the 2005 Gulf Coast hurricanes, FEMA provided financial disaster assistance to transit providers, primarily in two ways—through mission assignments to DOT during the response phase and through its Public Assistance program during the recovery phase. Mission assignments are FEMA's requests to federal agencies to complete specified disaster response tasks that are within that agency's functions. Mission assignments can also authorize a dollar amount of FEMA funding for the specified tasks. Because mission assignments are used during the initial response to a disaster, they are intended for immediate and short-term assistance that is essential to save lives, protect property and public health and safety, and lessen or avert the threat of a catastrophe. FEMA officials involved in providing transit aid to the Gulf Coast after the hurricanes told us they did not have transit expertise and largely relied on FTA, the states, and transit agencies to define what was needed. FTA worked with the state transportation departments and transit agencies to develop proposals that identified needed transit services, indicated how and by whom those services would be provided, and estimated the cost of the services. Proposals for mission assignments were then negotiated with FEMA, which subsequently issued mission assignments to DOT that described the services to be provided, authorized funding from FEMA to DOT, and set the start date and end date of the mission assignment. DOT

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<sup>7</sup>42 U.S.C. § 5186.

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then contracted with the state transportation departments or transit agencies that would receive the reimbursement funds from DOT. These contracts further detailed the services to be provided.

A second type of financial assistance is available to states and transit agencies through FEMA's Public Assistance program. As mission assignments are concluded, the recovery phase begins, and transit agencies and others can apply for additional financial assistance through the Public Assistance program. This program provides grants to state and local governments and some nonprofit organizations for recovery needs, including debris removal, emergency protective measures, and the repair or replacement of damaged equipment or facilities. Many of the Public Assistance program grants awarded to transit agencies after the 2005 Gulf Coast hurricanes were for bus replacement and for the repair or replacement of structures, such as maintenance facilities and passenger shelters. For example, the CTA used public assistance funding to replace bus stop shelters that were destroyed during the storm.

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### FTA Administers Federal Transit Programs but Has Limited Ability to Directly Assist Transit Agencies after a Disaster

FTA administers a number of programs to support urban and rural transit in the United States. FTA programs provide funding to support transportation planning, capital investments, operating assistance in rural and nonurban areas, and efforts to meet the transportation needs of persons with disabilities and the elderly. FTA's Urbanized Area Formula Program, for example, provides funding to transit authorities and state governments to support planning; engineering; crime prevention and security; the construction of passenger facilities; and the replacement, overhaul, or rebuilding of buses. Generally, program funds may not be used to pay operating expenses in urbanized areas exceeding 200,000 in population.

Although FTA administers a variety of grant programs to serve local communities throughout the United States, it does not have a specific program or dedicated funding to help transit agencies recover from a disaster. FTA will, on a case-by-case basis, allow transit agencies impacted by a disaster to defer their matching local share contribution required to receive FTA grants. In addition, transit agencies that serve fewer than 200,000 people can also use FTA capital grant program funds for operations, including operations in response to a disaster. FTA has also provided emergency assistance when it has received supplemental appropriations from Congress for that purpose, as it did after the September 11, 2001, terrorist attacks and the 2005 Gulf Coast hurricanes. In addition, Congress has granted FTA other specific authority. For example, a 2006 supplemental appropriation act gave the Secretary of



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Transportation authority, until June 15, 2008, to waive (as opposed to defer) matching share requirements for transit assistance program grants to agencies directly affected by Hurricane Katrina and to allow these affected agencies to use certain capital grant funds for disaster recovery.<sup>8</sup>

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## Federal Disaster Assistance for Transit Services Has Totaled about \$5 Billion since 1998

Since 1998, the federal government has provided approximately \$5 billion through FEMA and FTA to assist transit agencies and provide transit services after disasters, with most of this assistance following the September 11, 2001, terrorist attacks on New York City and the 2005 Gulf Coast hurricanes. Both of these disasters devastated transit where they occurred, but they resulted in different needs for transit recovery and different responses by FEMA and FTA—primarily rebuilding infrastructure in New York, and funding transit operations on the Gulf Coast. Of the \$5 billion, about \$4.7 billion was for transit services and reconstruction after the September 11 terrorist attacks, \$232 million was for transit recovery after the 2005 Gulf Coast hurricanes, and at least \$51 million was for transit services following other disasters. This \$51 million included \$5 million in funding from FTA for transit services after the August 2007 I-35 bridge collapse in Minneapolis, Minnesota. It also includes at least \$46 million of FEMA Public Assistance grants to support transit recovery since 1998. FEMA’s database that tracks Public Assistance program funding does not have the capability to sort transit projects from other projects. Therefore, we needed to identify transit grants by searching the database records for key transit-related terms as discussed in appendix I. Because there may be additional funding for transit that we did not identify, the \$46 million should be considered a minimum amount.

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## Congress Provided about \$4.7 Billion for Transit Recovery in New York after September 11, 2001

The September 11, 2001, terrorist attacks on the World Trade Center severely damaged the public transportation system that was used by more than a quarter-million daily commuters to Lower Manhattan. The PATH commuter station beneath the World Trade Center was destroyed, and subway stations serving the area were rendered unusable. In addition, many streets were closed because of debris, and some tunnels were temporarily closed. FEMA and FTA have committed about \$4.7 billion to fund emergency transit services and the reconstruction of transit and

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<sup>8</sup>Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006, Pub. L. No. 109-234 § 7025.

related infrastructure in New York after the September 11 terrorist attacks. This funding was provided through supplemental appropriations following the attacks and includes (1) \$200 million in FTA funding and \$176 million in FEMA Public Assistance grants to fund the resumption of public transportation service after the attacks and (2) \$4.3 billion of FEMA and FTA funding committed to the permanent reconstruction of the subway system and terminals at and near the World Trade Center site.

FEMA and FTA committed a combined \$376 million to help restore transportation operations in the initial response phase after the attacks, as summarized in table 2.

**Table 2: Initial FEMA and FTA Emergency Public Transportation Projects in Lower Manhattan**

Dollars in millions

Project	Project description	Agency	Funding obligated
Temporary Port Authority Trans-Hudson Terminal	Temporary terminal to replace the destroyed transit terminal under the World Trade Center	FEMA	\$140.0
Emergency Ferry Service	Additional ferry service to support commuter capacity diverted by the loss of subway service as well as vehicle restrictions	FEMA	36.0 <sup>a</sup>
FEMA subtotal			\$176.0
Ferry Facilities	Eight projects to operate and construct ferry facilities in New York and New Jersey	FTA	\$100.0 <sup>b</sup>
Meadows Maintenance Complex	Accelerated modifications to New Jersey transit system maintenance facility due to increased transit traffic on system	FTA	56.2 <sup>c</sup>
Penn Station	Passenger connection improvements	FTA	4.6
Lincoln Tunnel Feasibility Study	Feasibility study for a second exclusive bus lane in the Lincoln Tunnel	FTA	1.1
Other	Various projects to increase capacity, improve travel conditions, enhance system safety, and oversight and administration	FTA	38.2
FTA subtotal			\$200.1
<b>Total</b>			<b>\$376.1</b>

Source: GAO analysis of FEMA and FTA information.

<sup>a</sup>FEMA calculated this amount by searching its database of Public Assistance grants for ferry funding in New York after the terrorist attacks. This approach does not ensure that all funding for ferry service was identified, and there may be other funding not included. Therefore, the \$36 million should be considered a minimum amount.

<sup>b</sup>FTA and FHWA jointly administered these projects.

<sup>c</sup>An additional \$8.9 million in Department of Defense supplemental grant funds, previously awarded to reconfigure track near Newark Penn Station, was reallocated to the Meadows Maintenance Complex project.

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FEMA funding came from the Disaster Relief Fund, which received about \$8.0 billion in supplemental appropriations for all response and recovery purposes, including transit, after the terrorist attacks. DOT funding included a \$100 million supplemental appropriation to FTA for various transit projects and a second \$100 million appropriation from the Highway Trust Fund for the operation and construction of ferries and ferry facilities.

The next phase of the federal government's action to restore transit services in New York after the terrorist attacks was the reconstruction of transit facilities at and near the World Trade Center site. An August 2002 memorandum of understanding between FEMA and FTA identified FTA as the lead federal agency for the administration of the \$2.75 billion committed by FEMA and the \$1.8 billion appropriated to FTA—a total of \$4.55 billion—to replace public transportation facilities in Lower Manhattan that had been damaged or destroyed by the terrorist attacks. FEMA funding came from supplemental appropriations to the Disaster Relief Fund. FTA funding for these projects came from an August 2002 supplemental appropriation to FTA for emergency expenses to replace, rebuild, or enhance the public transportation systems serving Manhattan.<sup>9</sup> Part of the FEMA funding has been made available to FHWA for a highway project<sup>10</sup> leaving approximately \$4.3 billion of the \$4.55 billion to fund transit projects. Four major transit projects were identified. As of October 2007, the estimated cost of these projects, including the costs of a construction command center and of oversight and administration, was over \$4.0 billion. Table 3 summarizes these projects, their estimated cost, and their scheduled completion dates.

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<sup>9</sup>The 2002 Supplemental Appropriations Act for further Recovery from and Response to Terrorist Attacks on the United States, Pub. L. No. 107-206, ch. 11.

<sup>10</sup>In addition to funding transit projects, a portion of FEMA funds went toward the restoration of Route 9A and the establishment of a promenade adjacent to the World Trade Center site. The Route 9A and promenade project is estimated to cost \$287.3 million.

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**Table 3: Transit Infrastructure Projects in Lower Manhattan**

Dollars in millions

Project	Project description	Agency	Current estimated cost (as of October 2007)	Scheduled completion date
The World Trade Center Permanent PATH Terminal	Builds a new terminal that serves the subway system that provided service to commuters between New York and New Jersey.	FEMA and FTA	\$2,201.0	July 2013
Fulton Street Transit Center	Builds a new center that will serve 12 different subway lines and over 275,000 daily commuters.	FTA	847.0	April 2012
South Ferry Terminal Station	Replaces the obsolete station that serves Staten Island ferry riders.	FTA	420.0	November 2008
WTC Vehicle Security Center	Screens all vehicles for security threats.	FEMA	478.0	August 2012
Lower Manhattan Construction Command Center	Coordinates and oversees the large number of construction projects planned for Lower Manhattan.	FEMA	12.4	Operational
Oversight and administration	FEMA and FTA Project Oversight and Administration.	FEMA and FTA	86.7	Ongoing
<b>Total</b>			<b>\$4,045.1</b>	

Source: GAO analysis of FEMA and FTA information.

According to an FTA official, the difference between the current estimated project costs and the total FTA and FEMA funds committed consists of designated reserves for each project, plus an unassigned reserve of \$47.5 million that, by an agreement between FTA and the state of New York, is available for use at the governor's discretion.

Responding to the scale of damage caused by the September 11 terrorist attacks in New York, Congress expanded FEMA's and FTA's authority to fund recovery efforts. After most disasters, assistance is available only to rebuild or restore damaged infrastructure to its predisaster condition. However, because the extensive destruction required large-scale rebuilding of transit facilities at the World Trade Center site, DOT was authorized to rebuild and improve the New York transportation system substantially beyond its predisaster condition.<sup>11</sup> Similarly, in 2003, Congress authorized FEMA to go beyond the assistance it typically would

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<sup>11</sup>Pub. L. No. 107-206, ch. 13.

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provide by permitting it to rebuild and enhance infrastructure to substantially improve commuter mobility.<sup>12</sup>

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**The Federal Government Provided about \$232 Million to Support Transit Providers and State Agencies after the 2005 Gulf Coast Hurricanes**

The 2005 Gulf Coast hurricanes caused heavy flooding in the Louisiana and Mississippi Gulf Coast, bringing public transportation to a standstill, with tens of thousands of Gulf Coast residents being forced to relocate to Baton Rouge and other cities or to FEMA group sites. The hurricanes created a need for assistance to fund transit operations, including restoring transit in the devastated areas to connect residents with relief services, providing new services to those who evacuated to FEMA group sites, and expanding existing services in Baton Rouge. The hurricanes also damaged and destroyed transit property and equipment—administration and maintenance facilities were flooded and their contents destroyed, and buses and other vehicles were damaged or destroyed.

FEMA and FTA have provided a total of about \$232 million in financial assistance to support transit providers and state transportation departments after the 2005 Gulf Coast hurricanes. Of this amount, \$158 million was provided by FEMA through mission assignments and Public Assistance funding, while FTA provided \$35 million from a fiscal year 2007 supplemental appropriation to assist transit agencies directly affected by Hurricanes Katrina and Rita. FTA also assisted transit agencies by allowing them to use an additional \$39 million in existing funds from other FTA grant programs for disaster recovery. Finally, in addition to the funds provided to transit agencies and state transportation departments, FEMA and FTA awarded a total of \$65 million in contracts for other transit services and support functions.

**FEMA Provided \$158 Million through Mission Assignments and Its Public Assistance Program**

FEMA has provided approximately \$158 million to support transit after the 2005 Gulf Coast hurricanes, including about \$88 million awarded to DOT from the Disaster Relief Fund for mission assignments and \$70 million from the Public Assistance program. FEMA mission assignments to DOT were used to fund transit operations in New Orleans and the Mississippi Gulf Coast, such as supplemental transit service for residents of temporary FEMA group sites and other displaced populations. See table 4 for the amounts and uses of mission assignment funding that DOT awarded to transit agencies and state transportation departments.

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<sup>12</sup>Consolidated Appropriations Resolution, 2003, Pub. L. No. 108-7.

**Table 4: Amounts and Uses of Mission Assignment Funding That DOT Awarded to Transit Agencies and State Transportation Departments**

DOT awardee	Contract amount	Uses
<b>Louisiana</b>		
New Orleans Regional Transit Authority	\$67,343,537	To provide supplemental emergency public transportation services to Baton Rouge following the influx of displaced persons from New Orleans. The services were intended to eliminate traffic congestion, expand the service area, extend service hours and provide more frequent service, and transport people from temporary FEMA trailers. The funding also helped reestablish transit service in New Orleans.
Louisiana Department of Transportation and Development	19,043,538	To provide supplemental emergency public transportation service to 62 parishes in Louisiana (excluding Baton Rouge and New Orleans). Services included new routes and destinations, new service to temporary FEMA trailers, paratransit service for the displaced disabled population, and new routes to feed into the LA Swift emergency bus service (a service that transports displaced people between Baton Rouge and New Orleans).
<b>Mississippi</b>		
Coast Transit Authority	1,420,546	To provide supplemental emergency public transportation service to three Gulf Coast counties—Hancock, Harrison, and Jackson. The service included both fixed-route and demand-response transit service to housing and temporary shelters, medical transportation, and transportation service for disaster recovery in support of the Red Cross and essential government services as necessary.
Mississippi Department of Transportation	316,710	To provide supplemental emergency public transportation service to three other counties located north of the Gulf Coast—Pearl River, Stone, and George. This service included demand-response transit service to local residents and evacuees to access essential government and life-sustaining support services. Transit service provided access to housing and temporary shelters, medical transportation, and transportation for disaster recovery in support of the Red Cross.
<b>Total</b>	<b>\$88,124,331</b>	

Source: GAO analysis of FEMA information.

These four mission assignments have been concluded—the mission assignment to the Louisiana Department of Transportation and Development was the last to end, on April 30, 2007.

As of September 2007, FEMA had committed \$70 million to the 2 primary Gulf Coast transit agencies through its existing Public Assistance program, and these funds are primarily being used to repair and replace buses and bus facilities. The 2 agencies provided us with information on the funding they received. NORTA had over \$66.4 million approved for 117 projects that include replacing buses, repairing streetcar lines, and repairing and reequipping maintenance facilities. The CTA in Mississippi had more than \$3.2 million approved for 11 projects, including a transit center, new

**FTA Provided \$35 Million to Transit Providers from a Supplemental Appropriation**

vehicles and equipment, bus shelters, and repairs and furnishings for its administrative building. Most of the 2 transit agencies' Public Assistance projects are ongoing, and the 2 agencies have received only limited reimbursement to date.

In May 2007, Congress enacted a \$35 million supplemental appropriation for FTA to provide services to transit agencies directly affected by Hurricanes Katrina and Rita.<sup>13</sup> In August 2007, FTA awarded the \$35 million to 19 transit agencies in Alabama, Florida, Louisiana, Mississippi, and Texas to fund operating and capital costs incurred from the hurricanes. See table 5 for the amounts and uses of FTA's \$35 million supplemental appropriation.

**Table 5: Amounts and Uses of FTA's \$35 Million Supplemental Appropriation for Hurricanes Katrina and Rita Transit Relief, by State**

State	Number of agencies receiving grants	Amount	Uses
Alabama	2	\$646,064	For facility and vehicle repairs
Florida	1	475,476	For facility repairs, operating assistance, and replacement of signs for bus stations and shelters
Louisiana	13	20,453,154	For facility repairs, operating assistance, replacement buses and shelters, and other uses
Mississippi	1	12,704,800	For bus replacement and operating assistance
Texas	2	720,506	For replacement buses, satellite telephones, and transport of vehicles
<b>Total</b>	<b>19</b>	<b>\$35,000,000</b>	

Source: Information provided by FTA.

**FTA Allowed Transit Agencies to Redirect over \$39 Million from Other Programs to Disaster Recovery**

In addition to the \$35 million from supplemental appropriations, transit providers have access to an additional \$39.5 million in funds obtained through other FTA programs that FTA has allowed them to redirect to support disaster recovery. The supplemental appropriation in June 2006 gave the Secretary of Transportation authority—until June 15, 2008—to waive matching share requirements for transit assistance program grants

<sup>13</sup>U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007, Pub. L. No. 110-28, title IV, ch. 8.

to agencies directly affected by Hurricane Katrina and to allow these affected agencies to use certain grant funds for disaster recovery.<sup>14</sup> FTA grants are usually allocated by formula and can be used for capital projects such as purchases of new buses, passenger shelters, bus stop signs, and some other purposes. Although this authority did not provide the transit agencies with new funding, it enabled them to use funding that had been designated for other purposes for disaster recovery. As of October 2007, these affected entities were allowed to waive requirements for about \$24.9 million in matching funds, and to convert over \$14.6 million in grant funds from capital uses to operating uses. See table 6 for the amounts waived or converted to disaster recovery and their uses.

**Table 6: Waivers and Conversions of Capital Grants to Operating Uses in Louisiana and Mississippi**

Transit agency	Amount		Uses
	Waived share	Converted grant assistance	
<b>Louisiana</b>			
Shreveport Transit Management	\$138,252		For the purchase of two new buses, one for the expansion of night service and the other to add to its fleet to accommodate the influx of new transit riders.
Houma Terrebonne Parish Consolidated Government	848,856		For the purchase of eight new buses to replace buses currently in its fleet.
Louisiana Department of Transportation and Development	4,166,758		For repairing damage to the facility where the New Orleans Regional Planning Commission performs its regional planning duties; and for the administration of the LA Swift emergency bus service.
New Orleans Regional Transit Authority	15,859,854	\$14,410,590	For operating assistance, and for repairing damage to infrastructure and equipment that resulted in substantial loss of riders and economic hardship.
St. Bernard Parish Government	40,000	40,000	For operating assistance.
City of Monroe	190,358		For the purchase of three buses.
Baton Rouge Capital Area Transit System	50,312	214,801	For operating assistance.
<b>Subtotal</b>	<b>\$21,294,390</b>	<b>\$14,665,391</b>	

<sup>14</sup>Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006, Pub. L. No. 109-234, § 7025.



Transit agency	Amount		Uses
	Waived share	Converted grant assistance	
<b>Mississippi</b>			
Coast Transit Authority	\$3,586,132		For repairing damage to the multimodal bus transportation facility, and other operating, capital, and preventive maintenance costs.
<b>Subtotal</b>	<b>\$3,586,132</b>		
<b>Total</b>	<b>\$24,880,522</b>	<b>\$14,665,391</b>	

Source: GAO analysis of FTA information.

Another \$65 Million in Contracts Was Awarded for Transportation Services and Other Disaster Recovery Needs

In addition to the funding provided to state transportation departments and transit agencies, FEMA and FTA awarded over \$65 million to contractors and other entities to support transit recovery in the Gulf Coast. FEMA issued an \$8.5 million mission assignment to DOT for a contract for bus service, known as LA Swift, between Baton Rouge and New Orleans for 10 months, ending November 30, 2006. NORTA then provided this service from December 2006 through June 2007 under contract with the Louisiana Department of Transportation and Development, using FTA-approved grant funds and waivers of local matching fund requirements. Effective July 1, 2007, the service was extended for 1 year, under a contract with and funded by Louisiana. In December 2006, FEMA also awarded a \$55 million contract to Global Charter Services, Ltd.,<sup>15</sup> to provide essential transit services for individuals residing in temporary FEMA housing and to provide for the emergency evacuation of those residents if needed. FTA also awarded about \$1.6 million in contracts for technical assistance to support transit agencies in preparing damage assessment reports and estimates of costs to repair and replace assets. For example, FTA awarded a contract for \$350,000 for technical assistance to Gulf Coast transit agencies for posthurricane transit service recovery.

FEMA and FTA Have Provided at least \$51 million of Other Disaster Assistance for Transit since 1998

Congress responded to the August 1, 2007, collapse of the I-35 bridge in Minneapolis by authorizing the Secretary of Transportation to provide up to \$5 million of discretionary Bus and Bus Facility program funds, normally used for capital expenditures, for the operation of transit services to substitute for the highway capacity lost with the bridge

<sup>15</sup>Global Charter Services, Ltd., operating under the name “The BusBank,” provides charter bus services.

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collapse. The Minneapolis city and suburban transit agencies are using this funding to cover the cost of drivers, mechanics, fuel, and other operating costs associated with operating additional buses and running longer trips needed to avoid closed roads.

In addition to the Public Assistance program funding provided for transit in response to the September 11, 2001, terrorist attacks and 2005 Gulf Coast hurricanes, FEMA has provided Public Assistance grants to repair, restore, reconstruct, or replace transit equipment and facilities after other disasters. However, we were unable to reliably determine the total amounts provided for transit from the Public Assistance program. FEMA's Public Assistance program records are in its National Emergency Management Information System (NEMIS) database, but NEMIS does not have the capability to sort Public Assistance grants that supported transit out of the total database. Therefore, we searched Public Assistance records in the database for transit-related key words, as described in appendix I. As a result of this search, we identified at least \$46.7 million in Public Assistance grants for transit from 1998 through August 2007. The \$46.7 million figure should be considered a minimum level of Public Assistance funding for transit because we cannot ensure that we were able to identify all Public Assistance funding for transit.

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## **Lack of an Immediate Funding Mechanism and Funding Guidance and Criteria Affected Federal Transit Assistance after the 2005 Gulf Coast Hurricanes**

Several factors affected the timeliness and effectiveness of FEMA's and FTA's assistance to transit after the 2005 Gulf Coast hurricanes, including the lack of mechanisms to provide immediate funding for transit services and FEMA's lack of guidance and criteria for the types and duration of services it would fund. Although the Stafford Act authorized transportation assistance to enable communities to resume their normal pattern of life as soon as possible, neither FEMA nor FTA had a mechanism in place to get funding to transit providers immediately after the 2005 Gulf Coast hurricanes. Furthermore, FEMA's effectiveness in responding to the disaster was limited by the agency's lack of guidance on the types of transit services it can fund and criteria for the duration of funding. These factors contributed to delays in getting funding approved and, according to some funding recipients, led to ending mission assignment funding before some transit needs were met. Although DHS and FEMA are taking actions to address a number of issues raised by the response to the 2005 Gulf Coast hurricanes, these actions largely have not addressed FEMA's response to providing transit services after a disaster.

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## FEMA and FTA Lacked a Mechanism to Provide Financial Assistance Immediately after the Hurricanes, and Existing Funding Mechanisms Took Time

Both of FEMA's main means of providing disaster funding for transit—mission assignments and its Public Assistance program—provide reimbursement funding, requiring transit agencies to have other funding to pay for their recovery efforts before they get FEMA funding. In a recent report, we noted that FEMA, following the 2004 hurricanes in Florida, had developed a process for applying for limited, expedited Public Assistance funding for emergency work to be carried out within 60 days after a disaster.<sup>16</sup> However, a FEMA official indicated that this expedited funding would be available only for debris removal and emergency protective measures within the first 60 days after a disaster. Therefore, this process would not have been a funding option for funding transit operations. FTA does not have a program to provide financial assistance to transit agencies after a disaster. FTA can allow its grant recipients to defer their matching share of program funding, and an official of one transit agency we contacted said that FTA's deferral of local matching requirements for its grant funds after Hurricane Katrina was important in allowing the agency to resume very limited operations, even though the deferral was not an infusion of new funds. However, such a deferral of matching requirements may not provide sufficient help for a transit system recovering from a major disaster.

According to NORTA, the primary transit agency for New Orleans, a lack of financial resources immediately after Hurricane Katrina delayed its response to the disaster. NORTA officials told us that their agency depends on fare box revenues and a sales tax for operating support. After Hurricane Katrina struck, funding from these sources stopped, and the agency had no financial resources other than its bank balances and was unable to pay its employees. On September 5, 2005, NORTA requested financial assistance from FTA. Because of the extensive flooding in New Orleans, the general public was evacuated from New Orleans, and regular transit service could not be restored there immediately after the disaster. However, Baton Rouge had absorbed tens of thousands of residents and needed additional transit support. Immediately after the evacuation of New Orleans, NORTA began contacting employees and locating equipment that could be used to restore transit services. NORTA told us it had vehicles and operators that could have supported service in Baton Rouge if funding had been available. It took just over 1 month after the hurricane

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<sup>16</sup>GAO, *Emergency Management Assistance Compact: Enhancing EMAC's Collaborative and Administrative Capacity Should Improve National Disaster Response*, [GAO-07-854](#) (Washington, D.C.: June 29, 2007).

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to develop a FEMA mission assignment to DOT for NORTA, and for DOT to award a contract to NORTA to implement the mission assignment. In the interim, NORTA provided no services. NORTA officials also stated that, before the mission assignment was approved, they had considered obtaining a line of credit through their bank, but decided against borrowing money to pay for their operations until funding from FEMA to repay the borrowed funds was assured. FTA staff assisted NORTA in its recovery, including assisting in establishing a maintenance facility and defining NORTA's needs to support the proposal for the mission assignment, and the DOT contract to implement the mission assignment was drafted at the same time. The contract implementing NORTA's mission assignment was signed on October 1, 2005. According to NORTA officials, the day after reimbursement was assured, and days after the general public was allowed to return to New Orleans, NORTA began to provide limited service in New Orleans, and 2 weeks later, the transit agency began to provide service in Baton Rouge and to nearby communities.

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### FEMA's Timeliness and Effectiveness in Providing Assistance for Transit Was Further Limited by a Lack of Guidance and Criteria

FEMA had not developed any guidance to define the types of transit assistance it could provide. According to some FEMA officials, this lack of guidance provides the agency with flexibility in responding to unpredictable situations and finding ways to save lives immediately after a disaster. On the other hand, the experience following the 2005 Gulf Coast hurricanes suggests that this lack of guidance could also delay decisions about funding transit services following a catastrophic disaster. A FEMA official involved in developing mission assignments for transit after the Gulf Coast hurricanes indicated that mission assignments are ordinarily used to meet emergency response needs for up to 60 days after a disaster. However, the scope of the damage left by the hurricanes required long-term recovery assistance beyond what FEMA typically provides through mission assignments, and deciding what services could be funded without violating the Stafford Act was a constant concern for FEMA staff who needed to consult FEMA's General Counsel on all mission assignments. For their part, the transit agencies and state transportation departments with whom we spoke generally said that the DOT contracts in support of the mission assignments were difficult and time-consuming to negotiate, requiring multiple discussions to resolve a variety of issues, including types of service, service routes, hours of service, and reimbursement rates for services. This process added to the time needed to finalize the four contracts in support of the mission assignments issued for emergency public transportation services in Louisiana and Mississippi after the Gulf Coast hurricanes. Finalizing these mission assignments, and the contracts

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to implement them, took from just over 1 month to more than 4 months after the hurricane.

FEMA's lack of criteria for determining the duration of disaster assistance for transit resulted in FEMA's ending funding while transit agencies believed they had continuing needs. FEMA officials with whom we spoke said that decisions to conclude the mission assignments for transit reflected factors such as declines in ridership or the availability of other funding. However, some transit and state agency officials with whom we spoke indicated that transit services were curtailed when the mission assignment funding ended. NORTA officials said that when their mission assignment funding ended, they discontinued their support for paratransit service in Baton Rouge as well as for service on 12 routes that served Baton Rouge and nearby trailer sites. In addition, NORTA officials told us they had to lay off some employees.<sup>17</sup> An official of the CTA in Mississippi also indicated that his agency could not continue the services FEMA had funded after the agency's mission assignment ended in February 2006, and service reverted to the reduced levels provided before the mission assignment began. The official also said that as of September 2007, 2 years after the hurricane, some FEMA group sites in Mississippi still had no transit service.

According to the state transportation department and transit agency officials with whom we spoke, FEMA decided when to let mission assignments end and did not always consider the communities' need for the funded services or the transit agency's ability to continue the services on its own. For example, the Mississippi Department of Transportation received funding through a FEMA mission assignment to provide demand-response service in three rural counties. A department official stated that FEMA's reason for allowing the mission assignment funding to end was the low level of demand for the service. The official acknowledged that demand for the service was less than initially expected, but he stated that a real need for the service for the elderly and other public transportation-dependent individuals continued after the funding ended. He said that community organizations were able to provide some of this service, but not at the levels provided under FEMA funding.

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<sup>17</sup>However, NORTA, through a contract with the Louisiana Department of Transportation and Development, was able to begin operating the LA Swift service between New Orleans and Baton Rouge in December 2006 with FTA-approved funding from other grants and waived local matching funds.

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The problems that arose in connection with providing disaster assistance for transit after the 2005 Gulf Coast hurricanes are not unique to the transit sector. In our earlier report on the response to Hurricane Katrina,<sup>18</sup> we identified three basic elements necessary to prepare for and respond to a major disaster—including clearly defined leadership roles and responsibilities, the capability to fulfill those roles and responsibilities, and balance between the need to respond quickly and to maintain accountability for the use of resources. Both FEMA and FTA lacked the capability to provide funding to transit agencies quickly after the disaster, and FEMA’s lack of guidance on its role in and responsibility for assisting transit was a factor that FEMA had to resolve in deciding on the types and duration of services it would support.

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### FEMA Changes after the 2005 Gulf Coast Hurricanes Are Not Addressing Issues Raised by the Agency’s Experience with Transit

FEMA has begun to make a number of changes in response to lessons learned from the 2005 Gulf Coast hurricanes. Thus far, however, none of these changes directly addresses FEMA’s assistance for public transportation. DHS’s *National Response Framework* reflects key lessons learned from the 2005 Gulf Coast hurricanes, focusing particularly on how the federal government is organized to support communities and states after a catastrophic incident. Recognizing the need to issue mission assignments quickly, FEMA is also developing prescribed mission assignments to simplify and expedite the mission assignment process.

According to DHS, the *Framework* is intended to accelerate and make more disciplined the federal government’s capacity to rapidly assess and respond to an incident that will need federal assistance. The *Framework* also identifies ESFs, which designate federal agencies’ roles for different aspects of disaster response. DOT remains the lead agency for ESF 1 for transportation, with responsibility for assessing and reporting on damage to the transportation system in a disaster and for coordinating its restoration and recovery. However, a memorandum of understanding signed by DHS and DOT in October 2007 shifts responsibility for coordinating all emergency transportation services, including the movement of commodities, goods, equipment, and emergency response personnel, from DOT to FEMA. Neither the *Framework* nor the memorandum of understanding helps clarify the federal government’s

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<sup>18</sup>GAO, *Catastrophic Disasters: Enhanced Leadership, Capabilities, and Accountability Controls Will Improve the Effectiveness of the Nation’s Preparedness, Response, and Recovery System*, [GAO-06-618](#) (Washington, D.C.: Sept. 6, 2006).

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response to a disaster's impact on transit. For example, ESF-1 under the *Framework* includes new wording, stating that FEMA should provide timely funding to activate transportation activities that are eligible for funding under the Stafford Act. However, this wording does not help to clarify FEMA's or FTA's roles or to establish any new direction that would result in more timely assistance to restore transit services. In addition, under the memorandum of understanding, DOT will continue to be responsible for "alternative transportation services" after a disaster. According to DOT officials, "alternative transportation services" could include providing ferry service when a bridge has been damaged or destroyed, but could also include transit services.

In addition to issuing the *Framework*, to date FEMA has developed over 180 prescribed mission assignments for various agencies for disaster response functions. The purpose of prescribed mission assignments is to facilitate common language between FEMA, other federal agencies, and state and local organizations to expedite their issuance, because mission assignments are intended to be FEMA's mechanism for quickly directing other federal agency actions. The use of prescribed mission assignments could also promote consistency in an agency's response when a major disaster affects multiple states. While some prescribed mission assignments address DOT's role in evacuation and transporting first responders—by, for example, identifying the personnel responsible for aiding in an evacuation—FEMA has not yet drafted any prescribed mission assignments for operating or restoring transit services. According to a FEMA official, the agency does not plan to draft a prescribed mission assignment for transit operations, because under the memorandum of understanding between DHS and DOT, FEMA is to assume parts of DOT's emergency response functions for transportation, and, therefore, prescribed mission assignments are not necessary.

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## Additional Options Exist for Providing Assistance for Transit after a Major Disaster

Additional options exist at the state, local, and federal levels for providing transit services and assistance for transit after a major disaster. At the state and local levels, mutual aid agreements can support transit recovery after a disaster by allowing transit agencies to obtain resources and personnel from agencies outside of the disaster area. At the federal level, existing DOT authorities and programs suggest potential additional options of (1) making permanent the temporary authorities that FTA has been given to respond to the 2005 Gulf Coast hurricanes and (2) adopting the existing DOT emergency program for highway repairs administered by FHWA, either by establishing a comparable program for FTA and transit or incorporating transit assistance as an eligible activity within FHWA's

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program. Despite potential advantages, both options at the federal level face certain challenges and consequences, including funding the expanded scope and cost of an emergency relief program.

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### Mutual Aid Agreements Can Support Recovery at the State and Local Levels

Existing mutual aid agreement programs can also support transit recovery after a disaster. Such agreements can allow transit agencies to network across state and local jurisdictions to obtain needed transit resources after a disaster. We recently reported on an interstate mutual aid program, EMAC.<sup>19</sup> This program establishes a structure for states to collectively address issues that transcend state borders by allowing member states to, among other things, request assistance, reimburse assisting states, and be covered by liability and workers' compensation protection. Representatives from the affected state inform EMAC leadership that interstate assistance may be needed. The assisting states work with the requesting state to identify required resources and other details. Once the missions have been completed and resources have returned home, the assisting states prepare formal requests for reimbursement, which are then sent to, and processed by, the requesting state. While EMAC reimbursement is intended to be independent of any federal assistance, impacted states can request funding from FEMA's Public Assistance program to help cover eligible costs for missions under EMAC.

APTA has recently developed an Emergency Response and Preparedness Program that allows transit systems to volunteer their resources—including buses, fueling systems, trailer trucks, generators, drivers and mechanics—for temporary emergency transit needs. APTA maintains information on the resources of each member agency, and it gives members' access to the national Emergency Response and Preparedness Program resource so that transit agencies can locate needed resources in an emergency. As of September 2007, no transit agencies had yet made use of APTA's program.

Mutual aid agreements can also work within states. For example, the Florida Department of Transportation established a mutual aid agreement between all of the transit systems in the state, agreeing that they would assist each other in times of disaster by providing transit resources, such as buses, temporary facilities, and personnel, that can be loaned immediately to meet the needs of agencies affected by a disaster.

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<sup>19</sup>[GAO-07-854](#).



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According to Florida Department of Transportation officials, public transportation agencies must become actively involved with others in their communities in planning for emergencies. To this end, the department also works with local transit agencies to support disaster planning and response.

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### Modifying Existing Federal Authorities and Programs Could Enhance Recovery Capabilities but Would Also Impose Costs

At the federal level, existing DOT authorities and programs suggest further potential options, including giving FTA permanent authority to waive certain grant fund requirements and creating a disaster relief program for transit similar to an FHWA program for federal highways. In June 2006, Congress gave FTA temporary authority, for 2 years, to allow transit agencies directly affected by Hurricane Katrina to use grant funds—generally for capital expenditures—for operating expenses. FTA was also authorized to waive the requirement for transit agencies to provide matching funds in order to receive federal funds. If made permanent, this authority would enable FTA to make an existing source of funds immediately available for transit agencies to begin restoring transit services after a disaster. Transit agencies in Louisiana and Mississippi told us that immediate funding was one of their most urgent needs after Hurricane Katrina, once regular revenue sources, such as fare receipts, ceased. Under this option, however, funding would be limited to the amount that the affected transit agency had received from FTA through its regular grant programs, rather than being based on specific needs. This amount might support only limited service. In addition, the projects that the grant money was intended to fund would be delayed or not done at all.

FHWA's Emergency Relief program could also serve as a model for providing assistance for transit. This program makes funds available for the repair or reconstruction of roadways on the federal-aid highway system and on federal lands that have suffered serious damage as a result of a natural disaster or catastrophic failure from an external cause.<sup>20</sup> Assistance for the repair or reconstruction of roadways that are not on the federal system remains the responsibility of FEMA. FHWA regulations and guidance provide detailed standards for the nature and type of work that is eligible for federal funding and criteria for the duration of assistance in the two major categories—emergency repairs and permanent repairs.

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<sup>20</sup>Federal-aid highway systems means the National Highway System, the Dwight D. Eisenhower National System of Interstate and Defense Highways, and all other public roads not classified as local roads or rural minor collectors.

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Emergency repairs are those accomplished during and immediately following a disaster to restore essential traffic, minimize damage, and protect remaining facilities. Such assistance is generally limited to 180 days following a disaster and includes activities such as removing debris and constructing detours, but specifically prohibits other work such as repairing roadway surfaces damaged by traffic. Permanent repairs are those done to restore the highway to its predisaster condition. Again, FHWA regulations and guidance provide eligibility parameters, including prohibiting “betterments” that increase capacity, correct nondisaster-related deficiencies, or otherwise improve highway facilities. For both emergency repairs and permanent repairs, FHWA regulations and guidance specify maximum percentages of project funding that the program will provide and set a cap on the total program funding that can be provided within a state for any disaster.

The Emergency Relief program also provides for a “quick release” of funding in some cases. According to FHWA’s guidance, the quick release method is not appropriate for all disasters, but is generally used for larger disasters where extensive damage is readily evident and where there is a desire at the state and federal levels to have funds flowing quickly to the state. No on-site damage surveys or formal disaster assessments are required, as they normally are for the program; instead, the assessment may be based on other readily available information, such as credible media reports or aerial surveys done by the state. The goal of the quick release method is to begin the flow of funds to the state within 1 to 2 days.

FHWA’s Emergency Relief program could be adapted for transit through either of two approaches:

- First, Congress could establish a comparable emergency relief program for FTA and transit. Under this approach, FTA could provide either limited, short-term funding for transit operations after a disaster or longer-term funding for the repair and replacement of facilities and equipment. This approach would provide specific funding for FTA to meet transit needs after a disaster; however, establishing such a program would require defining criteria for transit disasters that would qualify for assistance, setting limits on the amount or duration of financial assistance, and ensuring accountability for the use of funds. In addition, this approach would enable FTA to target funding to the transit providers with the greatest needs, as opposed to allowing transit agencies to use whatever grant funding they had already received. Such a program could reduce or eliminate the need for FEMA mission assignments and reduce the delays and uncertainty that characterized the provision of assistance to Gulf

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Coast transit agencies. Moreover, such a program, if modeled along the lines of the FHWA program, could also include a quick release method of funding.

- Second, Congress could incorporate transit assistance as an eligible activity within FHWA’s Emergency Relief program. This approach would have the advantage of using the existing FHWA processes for administering the program, and it could support greater coordination between the highway and transit communities in disaster recovery. Some of the current program’s eligibility criteria for disaster assistance—such as the thresholds for the minimum damage amounts that qualify for program assistance—could be applicable to transit. Other criteria, such as the types of work eligible for funding, would need to be developed.

Despite potential advantages, both approaches to implementing a disaster relief program for transit pose challenges and consequences. For example, it would be necessary to determine the extent to which any new or expanded DOT program would assume responsibility for assistance formerly provided by FEMA. Developing consistent eligibility standards for transit operations would also be daunting, given the diversity of providers and differences in the size of transit operations and in the scope of services that transit systems provide.

The most important challenge under either approach would be a significant expansion of the scope and cost of DOT’s Emergency Relief program. As we have recently reported, this program already faces a fiscal imbalance and its long-term sustainability is a concern.<sup>21</sup> Although funding for the program is provided annually from the Highway Trust Fund, since 1990, 86 percent of the program’s costs have been funded through supplemental appropriations because the program’s annual demands have greatly exceeded the funding provided. Contributing to these additional demands has been the gradual expansion of eligibility criteria for disaster relief—for example, projects have grown in scope and costs because of environmental and community concerns, and Congress and FHWA have expanded the definition of eligible disasters and added to the types of work that could be funded. Identifying funding for an expanded or new emergency relief program would be problematic. Revenues supporting the Highway Trust Fund—the major source of federal highway and transit funding—are eroding and may not be sufficient to support existing

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<sup>21</sup>[GAO-07-245](#).

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programs in the coming years. According to a recent Congressional Budget Office estimate, expenditures from the Mass Transit Account within the Trust Fund will exceed revenues by 2012. Furthermore, as entitlement programs grow and consume increasing shares of federal spending, the funding for all discretionary federal programs will be constrained.

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## Conclusions

The restoration of transit facilities and services after major disasters has taken different forms since 1998, and each disaster has posed unique challenges. The September 11, 2001, terrorist attacks on New York City caused massive destruction of transit infrastructure at the World Trade Center site, requiring over \$4 billion in federal assistance to rebuild the destroyed infrastructure. By comparison, the 2005 Gulf Coast hurricanes caused far less destruction to transit infrastructure, but created a need to provide continuing transit services for displaced populations.

Although the Stafford Act authorizes public transportation services to meet emergency needs and to help communities resume their normal pattern of life as soon as possible, FEMA's experiences after the 2005 Gulf Coast hurricanes illustrate the many hurdles that may be involved in providing such services. Already burdened with a massive response and recovery effort, FEMA had to make some difficult decisions about the extent of its authority to fund transit operations. Without guidance on the types of public transportation services that could be funded and criteria for determining the duration of that funding, FEMA took up to 4 months to make funding decisions. Such guidance and criteria would provide a frame of reference for all parties involved in responding to future disasters and could expedite future funding decisions. Moreover, with such guidance, FEMA could develop prescribed mission assignments for public transportation, as it has done for other response and recovery activities, which could reduce ambiguity and further expedite the mission assignment process when time is critical following a disaster. Although FEMA officials do not believe it is necessary to develop prescribed mission assignments for transportation, because FEMA will be assuming parts of DOT's responsibility for emergency response, DOT can still be tasked with providing alternative transportation services that can be carried out by others, and prescribed mission assignments could expedite its provision of those services.

Additional options for increasing FTA's authority and capacity to respond to disasters affecting transit require congressional action. A careful examination of the advantages, consequences, and feasibility of these options could help enhance the limited ability of the federal government to

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provide immediate financial assistance to transit agencies in response to a disaster, to fund emergency services and to enable communities to quickly resume a normal pattern of life.

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## Recommendations for Executive Action

To promote timely and effective disaster assistance for public transit, we recommend that the Secretary of Homeland Security direct the Administrator of FEMA to take the following two actions:

- Develop guidance or regulations outlining the types of operating assistance for transit that FEMA will or will not fund following a disaster and criteria for determining the duration of funding for these services.
- Draft prescribed mission assignments for public transportation services to provide a frame of reference for FEMA, FTA, and state transportation departments in developing mission assignments after future disasters. The prescribed mission assignments could reflect FEMA's guidance and criteria for funding public transportation services, reduce ambiguity, and potentially expedite their issuance so that agencies that are relying on FEMA funding could begin their disaster recovery.

To enable FTA to provide more direct and timely assistance to transit agencies following a disaster, we recommend that the Secretary of Transportation evaluate the feasibility of options to increase FTA's authority to provide immediate financial assistance, and seek legislative authority as appropriate.

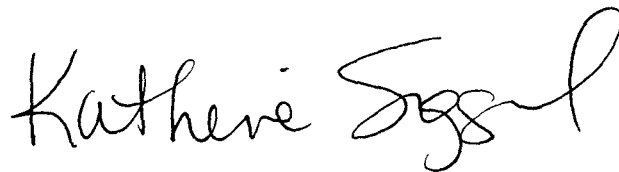
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## Agency Comments

We provided DHS and DOT with copies of this report for their review and comment. DOT provided oral comments on January 17, 2008. DOT generally agreed with the facts presented and with our recommendation that it evaluate the feasibility of options to increase FTA's authority to provide immediate financial assistance, and seek legislative authority as appropriate. FTA stated that these options would be considered by its policy working group that is developing portions of the department's legislative proposal for reauthorizing surface transportation programs. On January 22, 2008, DHS responded by e-mail that it would take our two recommendations under advisement. DHS and DOT also provided technical comments, which we incorporated into this report as appropriate.

We will send copies of this report to interested congressional committees, the Secretary of Homeland Security, the Secretary of Transportation, and other interested parties. We will make copies available to others upon request. In addition, the report will be available at no charge on GAO's Web site at <http://www.gao.gov>.

Please contact Katherine Siggerud at (202) 512-2834 or [siggerudk@gao.gov](mailto:siggerudk@gao.gov) if you or your staffs have any questions about this report. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix II.

A handwritten signature in black ink that reads "Katherine Siggerud". The signature is written in a cursive style with a large, looping initial "K".

Katherine Siggerud  
Director, Physical Infrastructure Issues

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# Appendix I: Objectives, Scope, and Methodology

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The objectives of this report were to determine (1) the role of the federal government in providing transit services and assisting transit agencies after a major disaster; (2) the amounts, sources, and uses of federal disaster assistance provided for transit since 1998; (3) factors that affected the timeliness and effectiveness of federal assistance for transit services after the 2005 Gulf Coast hurricanes; and (4) additional options for providing transit services and assistance for transit after a major disaster.

To determine the role of the federal government in providing transit services and assisting transit agencies after a major disaster, we reviewed and analyzed relevant laws, regulations, and guidance on the Federal Emergency Management Agency's (FEMA) and the Federal Transit Administration's (FTA) authorities and responsibilities in responding to disasters affecting transit. We interviewed FEMA and FTA officials to determine their roles in providing disaster assistance to transit agencies. We also reviewed applicable legal materials. In addition, we reviewed emergency supplemental appropriations related to the terrorist attacks of September 11, 2001; the 2005 Gulf Coast hurricanes; and the Minneapolis, Minnesota, I-35 bridge collapse of August 2007 to identify appropriations designated for emergency transit. We analyzed regulations and guidance—including FEMA's *National Response Plan* and *National Response Framework*, FEMA Mission Assignment Standard Operating Procedures, and FEMA Public Assistance guidance—to gain an understanding of FEMA's role in disaster assistance to transit. We also visited FEMA headquarters in Washington, D.C.; FEMA Region VI in Denton, Texas; FTA headquarters in Washington, D.C.; FTA Region IV in Atlanta, Georgia; and FTA Region VI in Fort Worth, Texas. During these visits, we talked with agency officials about the role of the federal government during recent disasters. Furthermore, to better understand the federal response to disasters, we reviewed information included in several GAO and Congressional Research Service products.

To determine the amounts, sources, and uses of federal disaster assistance provided for transit since 1998, we reviewed and analyzed, among other materials, supplemental appropriations funding designated for transit recovery after September 11, 2001; the 2005 Gulf Coast hurricanes; and any other disaster since 1998. Through interviews and documentation obtained from FTA officials, we quantified FTA indirect financial support to transit provided through waivers of local matching funds and conversions of capital grant funds to disaster recovery uses. We also reviewed and analyzed FEMA and FTA financial assistance for transit after recent disasters—specifically, the September 11 terrorist attacks on New York and the 2005 Gulf Coast hurricanes. FEMA provided data on Public

Assistance program funding for response actions after the September 11 terrorist attacks, and two Gulf Coast transit agencies provided data on funding they received from FEMA's Public assistance program after the Gulf Coast hurricanes. Finally, we discussed the uses of this federal assistance with officials from the New Orleans Regional Transit Authority, the Coast Transit Authority, the Capital Area Transit System, the Louisiana Department of Transportation and Development, and the Mississippi Department of Transportation. On the basis of interviews with knowledgeable agency officials and checks of the reasonableness of the information, we determined that these data were sufficiently reliable for our purposes. In addition to information developed for the September 11 terrorist attacks and the 2005 Gulf Coast hurricanes, we also attempted to quantify FEMA Public Assistance disaster funding to transit providers over time. FEMA officials indicated they did not have information on Public Assistance grants that supported transit; developing this information would require a search of Public Assistance grant information in their National Emergency Management Information System (NEMIS) database. We limited the scope of our analysis to disasters occurring from 1998 to August 2007 because FEMA officials indicated that NEMIS data prior to 1998 were incomplete. The NEMIS system is not able to sort transit grants from grants for other purposes. As an alternative approach, we searched grant applicant names and scope of work descriptions for any of several key words, such as "transit," "bus," or "rail," to identify Public Assistance grants that supported transit. We then reviewed individual Public Assistance grants identified by this process to select those that related to transit. Because our methodology for searching the database did not ensure that we identified all Public Assistance grants to transit for the time period we searched, the amount we report for FEMA Public Assistance grants for transit should be viewed as a minimum figure. There may have been other funds provided for transit purposes that we did not identify. In addition, FEMA staff used a similar approach to determine the amount of Public Assistance program funding for emergency ferry service in New York after the terrorist attacks, which resulted in the same uncertainty about identifying all funding. Although the reliability of these dollar amounts is undetermined, we believe their magnitude of uncertainty is relatively small compared with the nearly \$5 billion in federal spending for emergency transit purposes. Therefore, we found these data to be sufficiently reliable for our purposes. Also, the inclusion of these data does not affect our conclusions or recommendations.

To determine the factors that affected the timeliness and effectiveness of federal assistance for transit after the 2005 Gulf Coast hurricanes, we identified and analyzed the criteria and guidance that FEMA and FTA use



in providing disaster assistance for transit. We assessed FEMA's and FTA's guidance and criteria related to the timeliness and duration of assistance to transit agencies and discussed the implementation of the guidance and criteria with FEMA and FTA officials. To evaluate the timeliness of assistance, we reviewed mission assignment documentation and determined the period between the date of the disaster and the date of issuance for each mission assignment. To evaluate the duration of assistance, we reviewed mission assignment documentation and determined the period from the issuance date to the end date for each mission assignment. To obtain transit agencies' perspectives on the timeliness and effectiveness of federal assistance, we interviewed officials from the New Orleans Regional Transit Authority, the Coast Transit Authority, the Capital Area Transit System, the Louisiana Department of Transportation and Development, and the Mississippi Department of Transportation.

To identify additional options for providing transit services and assistance for transit after a major disaster, we reviewed and analyzed, among other materials, the Federal Highway Administration's Emergency Relief program guidance; the American Public Transit Association's Emergency Response and Preparedness Program guidance; the Community Transportation Association of America's documents related to lessons learned from Hurricane Katrina, including what is needed for future disasters; the Florida Department of Transportation's Transit Emergency Planning and Response Assessment Initiative; and our report on the National Emergency Management Association's Emergency Assistance Compact. We discussed alternative options for providing assistance for transit after a catastrophic disaster with officials from FTA and the American Public Transit Association, the Community Transportation Association of America, and the Florida Department of Transportation and determined whether these options were feasible for providing or improving federal assistance for transit after a catastrophic disaster.

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# Appendix II: GAO Contact and Staff Acknowledgments

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## GAO Contact

Katherine Siggerud, (202) 512-2834 or [siggerudk@gao.gov](mailto:siggerudk@gao.gov)

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## Staff Acknowledgments

In addition to the contact named above, Steve Cohen, Assistant Director; Dwayne Curry; Elizabeth Eisenstadt; Cynthia Grant; Kristin Hughes; Bert Japikse; and Donald Kittler made key contributions to this report.

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