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Judge Chastises FEMA as Botching Katrina Housing Program

By THE ASSOCIATED PRESS

WASHINGTON, Dec. 13 (AP) — A federal judge on Wednesday called the Bush administration's handling of a Hurricane Katrina housing program "a legal disaster" and ordered officials to explain a computer system that cannot count evacuees with precision or explain why they were denied aid.

The judge, Richard J. Leon of Federal District Court, ruled last month that the [Federal Emergency Management Agency](#) had violated evacuees' constitutional rights by eliminating their housing payments without notice. On Wednesday, he admonished the government for not moving fast enough to restart the program for 3,600 to 5,500 storm victims.

"Let me make this clear," Judge Leon told Michael Sitcov, a lawyer for the government. "Tell FEMA that I'm expecting them to get going on this. Like, immediately."

Judge Leon ruled that the agency last spring and summer had mishandled the transition from a short-term housing program to a longer-term program. Instead of explaining why financing was being cut, the agency provided only computer-generated and sometimes conflicting program codes, Judge Leon said.

He ordered agency officials to explain those decisions so that thousands of evacuees could understand the reasoning and decide whether to appeal.

"I'm not looking for a doctoral dissertation," Judge Leon said. "I'm looking for a couple of paragraphs in plain English."

Mr. Sitcov said that FEMA's computer system could not do what the judge wanted. The eight-year-old system is set up only to produce program codes, he said. Mr. Sitcov also said the program was unable to determine for certain how many evacuees in Texas were covered by Judge Leon's order or how many people had appealed the denial of their aid.

"It's not as adept at doing these kinds of machinations," said Mr. Sitcov, who said the best

estimate of evacuees covered by the order was 5,479.

Judge Leon appeared bewildered, and ordered agency officials to testify Monday about the program. He said 10 employees, working overtime and on weekends, could translate program codes into 5,000 understandable letters in two weeks, nearly the amount of time that has passed since his initial ruling.

“This is a legal disaster,” Judge Leon said. “People’s rights are being denied. I don’t want us to get so mired in the minutiae and the law while, in the meantime, people who need help are not getting help.”

The agency has appealed Judge Leon’s initial order and is hoping a higher court will block its enforcement until the appeal plays out. That ruling will probably not come before next week, and Judge Leon said he wanted the agency to start working on the problem immediately.

“Two weeks have been lost, and I don’t want another day to be lost,” he said. “We’ve got to get moving.”

Mr. Sitcov said the agency could not comply with the order to restart the housing program because the agreements to reimburse Texas cities for rental payments had expired. Judge Leon said he was sure local governments would be willing to make those same agreements again and said he might order Texas officials to testify Monday.

Judge Leon also scheduled a telephone conference for Friday between FEMA and the Association of Community Organizations for Reform Now, which brought the lawsuit on behalf of hurricane victims.

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