

**American Association of Port Authorities
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**Lessons Learned From 9/11
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For those of you who don't know what the Port Authority of New York and New Jersey is, I think it would be good to briefly explain that now as background.

The Port Authority is an agency of the States of New York and New Jersey and was created by a Compact or treaty between the two States with the consent of Congress. The Port Authority unlike most public agencies receives no tax revenues, it generates from the facilities that it operates. How big is the agency and how large those revenues?

In 2001, the gross operating revenues of the Port Authority were \$2,714,802,000. That's considerably larger than the counties of Jamaica, Cambodia, Panama.....

On 9/11 The Port Authority operated a number of facilities that you may be familiar with.

Airports:

Kennedy International Airport
LaGuardia Airport
Newark International Airport
Teterboro Airport

We also operated the largest and busiest bus terminal in the world.
The Port Authority Bus Terminal.

We were responsible for the major Marine Terminal facilities in the Port of New York/New Jersey:

Port Newark
Port Elizabeth
Howland Hook Marine Terminal
Auto Marine Terminal

We also operated a major rapid transit system, Port Authority Trans-Hudson Corporation (PATH)

And on 9/11/01 we owned and had our offices, and I had my office in:

The World Trade Center.

I mention all of this because while the attack on that date was against the World Trade Center, all of our facilities and operations were impacted.

At 8:30AM on the morning of 9/11, our Law Department had a modern well-equipped office, with files and equipment needed for the operation of a law department staffed with 75 attorneys. At 8:46AM that began to change. By 10:30 AM, or more precisely 10:28 AM, it was all reduced to rubble with a horrendous loss of life. Between 8:46 AM when the North Tower was hit and 10:28 AM when it collapsed, there were innumerable acts of heroism and an amazing effort that resulted in preserving the lives of tens of thousands of people. After 10:28 AM, we were immediately involved in recovery and attempting to manage a situation that was as catastrophic as anything this nation had ever experienced.

The key staff of the Port Authority started literally at the bottom. People emerged from the debris covered with pulverized cement, bruised and battered and went to work.. We learned a lot from the experience..

Leadership

If there is one lesson that you can learn from the events of 9/11 it is that there is a great difference between management and leadership. Often in a business setting, we confuse the two but in a time of crisis, the distinction becomes clear. You will find that just because a person occupies a particular slot on an organization chart it does not mean that they will provide the leadership that you need.

Imagine that today you are told that you no longer have an office. That all of your books, files, memos, forms, computers, telephones, fax machines and creature comforts are gone but that you will be expected to continue to provide services to your organization. And by the way, the executive offices of the organization are also gone along with the Secretary's Office, the Financial Offices and virtually every other corporate record is gone. Where would you start?

As an attorney, of course, I had a concern regarding the legal issues surrounding the event that destroyed the headquarters. But the operations and functions of the organization had to continue if the organization was to survive. And of course, there was a continuing concern regarding the possibility of another event, or attack, like the one we just survived. On 9/11 there were in fact other attacks, namely the Pentagon, so such a concern was not unrealistic.

Prior Attacks

The Port Authority's facilities have been attacked at least three times by terrorists. In addition to the 1993 bombing of the World Trade Center and 9/11, LaGuardia Airport was the target of a locker bomb in the TWA terminal years ago. What many have already forgotten is that the Holland Tunnel was a follow up target after the 1993 bombing and people were convicted of plotting that attack.

We learned many lessons in 1993 and built on that experience since 9/11. One important lesson from both experiences is to learn from your own experience and that of others. I hope that you never have to apply the lessons we've learned.

The sight of a second plane hitting the South Tower and the horrible sight of the buildings collapsing is so etched on our memories that we often do not recall what followed those events. You may recall seeing pictures of the rubble and firemen covered with cement dust. The entire New York area was in a confused state and in some cases, near panic.

Secondary Impacts.

As a result of the damage to the World Trade Center Station and a concern regarding possible later attacks, PATH, our rapid transit system was shut down. That system carried almost a quarter of a million people a day. The Lincoln and Holland Tunnels were immediately closed for security reasons thus, cutting off vehicular access between New Jersey and Manhattan. The President ordered that all commercial aircraft be grounded and our airports immediately became crowded with confused travelers. The nation's ports were closed which meant that ships that were scheduled to sail remained tied to a wharf and ships scheduled to arrive were either diverted or had to remain at sea. The business of the Port Authority remained, but operations faced chaos. We were fortunate in having excellent experienced facility managers who knew their jobs and were operating from offices that were undamaged. They were some of our most valuable assets and that is one of the most important lessons to be learned.

People

First and foremost, in the wake of any great catastrophe, you have to take an inventory of and protect your most valuable asset. People. The staff, particularly, the experienced staff immediately should be the primary concern of any organization. Yet surprisingly, they can be forgotten or ignored by senior staff in the rush to focus on financial or media issues. We found, however, that concern for the welfare of staff is not only the morally and ethically correct thing to do, it is good business. Without your staff, it is not likely that the other issues will be resolved.

We learned that some people are simply more fragile than others and react differently to severe stress. This has nothing to do with dedication, work ethic, gender, education or background. Everyone is different. Many individuals who before the attack appeared strong and self-confident crumbled after the event and became nonfunctional. Others who had been perceived as quiet and unassuming rose to the occasion and asserted strong leadership.

How many executives in any organization have a list of employees, their addresses and telephone numbers, email addresses, pager numbers and cell phone numbers available at a site away from the office? I recommend it.

Communications.

There are three very important things in the wake of a catastrophe. To paraphrase Harry Helmsley they are: communication, communication and communication. If you ask anyone who was in the building at the time of the attack, what was the most important thing immediately after, almost without exception, they will say “getting to a phone to call my loved ones to say I’m all right.” In our case, cell phones were useless. The cells had been knocked out with the destruction of the Trade Center. Eventually, when we got access to land lines, we were able to begin communicating. Our police radio network was also a valuable means of coordinating activities.

It is no different with an organization. One of our first concerns was to attempt to contact staff to determine who was lost, how the staff was and where they were. We established a telephone net in New Jersey at our Operations Center to keep the staff in touch and informed.

Alternative Operations Site

I recommend that an alternative site at which to conduct emergency operations be designated before a crisis arises. It can be offices at another facility, remembering that the site will not necessarily be substitute offices that will be used for a long period, only a pre-designated site to work from temporarily. Lists of employees and communication information should be available at that site and a copy of department lists kept at home by each department manager, if necessary.

I found after 9/11, that our legal staff wanted to be involved and wanted to be kept informed. The sooner they were active, the better they felt. We established temporary offices at the Newark Legal Center, one of our facilities. We worked in one very large room that was unfinished with no ceiling, a concrete floor and a poor ventilating system. 40 to 50 of our 75 attorneys were able to work there on wooden tables. Later, we expanded the operation and initially brought people in in shifts so all would participate. Coffee and Danish was supplied in the morning and lunch was brought in. This was another lesson we learned, “comfort food”. It not only was efficient but was a message to the staff that the organization cared about them.

I received good advice that because of the crowded conditions, time of year and the stress the staff was under the staff should receive flu shots. I arranged and insisted that our legal staff all would be offered flu shots and even purchased the lollipops that were distributed when the shots were given.. This had the effect of not only providing good preventive medicine but also established in the employees’ minds that the organization cared about their welfare.

Eventually, we arranged for psychological therapy to be available to staff members. It was recommended that small group sessions be held as discussion groups to permit employees to recount their experiences. After that, follow up was offered as the

need appeared. We discovered that many employees had significant problems and that by sharing their experiences; they discovered they were not alone. You will notice a pattern developing. We were protecting the most valuable asset the Port Authority had, its people. As time went on, we realized even more how valuable an experienced staff can be.

Improvise

.An important lesson we learned was that the experienced staff was able to improvise and resolve problems with a minimum of supervision, if allowed to do so. As I mentioned, on 9/11 all aircraft in the United States were grounded and thousands of people were stranded at airports. We operate three major commercial airports and had a difficult operational problem on our hands. One experienced supervisor thought to simply activate our snow plan and treat the situation the same as if passengers were stranded by a major snowstorm. With the exception of actual snow removal, the operational problems were similar. There was a need to expand food service, coordinate ground transportation, provide information and coordinate with area hotels.

There is a need after any crisis to empower managers and allow them to operate with some autonomy.

One interesting observation regarding communications is that there is a need and a desire for staff to be kept informed. This I suggest is absolutely critical for effective crisis management. Staff wants to know the facts, what will become of them, what happened to others, what plans were being made, are there any current threats and other things relevant and significant to them. I noticed, however, that almost unconsciously senior staff began what seemed to be a policy of information containment instead of information dissemination. There was a reluctance to share information, I believe for a number of reasons. Most senior staff was located at a different site from the Law Department and line departments which complicated the situation. Eventually, I insisted on daily information from the front office and held daily meetings with our Law Department division chiefs. They were then expected to pass the information on to their staffs.

The need for the establishment of an operations center was evident after our experience with the 1993 bombing. Such a center was established in Jersey City and began operations immediately following the attack on 9/11. This was independent from the efforts to continue everyday operations which for the most part were being dealt with on a facility level. Remember, we had to deal with the effects of the horrendous attack while at the same time re-establishing operations.

Continued Operations

What many people don't realize is that the World Trade Center had as much office space and housed as many workers as many major cities. The World Trade Center had more office space than St. Louis and as much as the City of Baltimore. Suddenly, thousands of displaced workers from the World Trade Center and other effected buildings, some still in shock, were wandering the streets of Manhattan seeking a way home. Some walked across bridges to Brooklyn and Queens. Others bound for New Jersey appeared stranded

and we realized that it was necessary to transport them to avoid panic and confusion. The situation in Manhattan could have easily gotten out of hand as the day continued and night fell. The PATH station in the World Trade Center was destroyed and we weren't sure of the integrity of the south tunnel under the Hudson River between Jersey City and lower Manhattan. Security remained a concern. From the Communications Center, directions were sent dispatching engineers to check the tunnels and police were directed to the PATH 33rd Street Station for crowd control. By mid-afternoon, we were able to resume PATH service from midtown Manhattan and we implemented a no fare, load and go operation just to move people out of the city. For security reasons, no packages were allowed to be carried onto the trains. Through control, direction and experience, we were able to move thousands out of the City and avoid what would have become at nightfall, a panic situation.

The staff went on a 12 hours on, 12 hours off routine at the Operation Center immediately. We began coordinating with New York City officials, federal officials and our own police force and facilities.

One of the most difficult tasks at the Operation Center was to handle inquiries from families seeking information about family members. Handling those matters and later assisting the families of deceased employees is something few want to plan for but should. Attorneys were designated to respond to telephone calls, establish a point of contact and to the best of their ability answer questions. We also maintained contact with area hospitals to try to establish the location of injured staff. Sadly, although the area hospitals were ready with catastrophe plans, few emergency rooms were crowded

Computers

One immediate need was to simplify access to office email from home computers. A concern regarding security had limited such access up until then. Consider how dependent you are now on computers and internet access.

Improved access improved communication and productivity as well as morale. I strongly recommend that access to office email from home computers be S.O.P. at any office in which you work. Access to information is also vitally important during a crisis management phase. We also found that the use of Blackberry's by key staff was useful.

Records

When considering planning for emergency offices, thought should also be given as to what records should be copied and stored off site. Again, we learned a lesson in 1993 and on 9/11, were reasonably well prepared. Financial records, employee records, insurance policies and information, and maps, drawings and facility plans should be available at more than one location in an emergency. We did lose our personnel folders and medical records however.

Blue prints of the World Trade Center were extremely important both in 1993 and again on 9/11. In 1993 it was necessary to obtain blue prints of the World Trade Center from the architects who designed it. This slowed down recovery.

For attorneys and financial people, the importance of the availability of insurance information is obvious. In a case of luck, sometimes being more important than brains, a few weeks before 9/11 the Port Authority contracted out the service of our group life insurance program. All records, including a record of named beneficiaries had been moved from the Trade Center; otherwise they would have been lost. You will find that it is common that such records are located in the Human Resources Department. We did have available other insurance information regarding the losses off site. This information became critical.

I suggest some contingency planning be done and vital records be identified, copied and stored off site.

All of our litigation files were destroyed. There were hundreds of cases pending against the Port Authority and all of those files were gone. One of the first tasks assigned to the litigation staff was to reconstruct these records, in most cases with the cooperation of the other parties. In New York, the cooperation was court ordered. In New Jersey, we handled it on a case by case basis but it was made clear to other litigants that their matters would not move until we had a file to work with. For the most part, the courts were very cooperative. We have used the reconstruction of these files as an opportunity to electronically store litigation files.

After 1993, we began to back up information on our computers at a site we maintain on Staten Island known as the Teleport. This proved to be extremely valuable. So valuable, that on the night of 9/11, heavily armed police officers were dispatched to secure the facility. Once we had computers and achieved connectivity, we were able to retrieve vast amounts of material from that facility. They permitted our staff attorneys to pick up where they left off before the attack on a number of transactions. Note, that I said when we had our computers. The availability of hardware under emergency conditions is something often forgotten. It is not always easy to get the hardware necessary to resume operations.

Within one week, the time it took to replace some of our computers, we were completing procurement contracts, leases and financing documents. Legal advice was being provided to all of our facilities from day one and we had attorneys assigned to the Operation Center on a 24/7 basis and a Family Assistance Center was established. The Friday after 9/11 was a payday. We were able to access our financial information and pay every employee on schedule. The importance of this can't be emphasized enough. In the case of direct deposit, the problem was eased. In other cases, checks were delivered by federal express. It became an eloquent statement as to the commitment of the organization to its employees.

Procurement

The need to obtain necessary equipment including computers on an expedited basis became obvious very early. Any organization, particularly a government organization, has layers of authority and approvals. Procurement is often subject to bidding procedures and subject to close scrutiny. We found that it was necessary initially to suspend the

need for certain approvals although financial accountability remained tight. By being able to acquire computers quickly, we were able to continue legal operations within a week. Once we returned more to “normal” operations, the process slowed down. Any crisis management plan should include expedited processes and a suspension of certain oversights. The need for later accounting for insurance claims cannot be ignored however.

Insurance

Following any catastrophe, insurance is naturally a legal concern. Not just the existence of policies and the level of coverage but the terms of policies. As an example, does a policy contain a war or terrorism exclusion? Stockholders, or in our case bondholders, will seek information and comfort and the financial community will have many questions that could effect the financial future of the organization. A review of the coverage and the preparation of a fact sheet should begin immediately. In fact, I have recommended that an annual review be done to assure no gaps exist. Any Board of Directors or Commissioners will be very concerned with coverage questions. I found that the question, “are we insured” was one very frequently asked.

After any catastrophic loss, work should begin immediately preparing an insurance claim. This you will find is an ongoing process. We established a multi department team to work on that. Accounting should be kept from day one of all expenses incurred relating to the event. Overtime, computers, extra costs of delivery, the cost of alternative offices are but a few expenses that will be included in a claim. It should all be documented. Starting a system early will avoid many problems later on.

While many questions relating to liability will inevitably arise following any catastrophic event, they are seldom issues that must be resolved within days. Usually such issues are more a media concern than a business or legal one. I suggest that dealing with the liability issues will become a concern after the crisis stage.

Public Relations

The need to deal with the media is necessary but it can be a dreadful distraction. It is better to leave that chore to professional media relations people and as an organization speak with one voice, that of a designated spokesperson. There is a tendency for many people with various motives to want to appear on camera and be quoted. In the case of political figures, it is virtually impossible to prevent them from appearing at the scene of any catastrophe with their publicity representatives and a collection of reporters and photographers. Without mentioning the politician, we once had a very prominent one appear at the scene of an aircraft accident. Her staff wanted to set up an interview so that the wreckage, which was still burning, would be visible in the background. It didn't happen.

For any organization just about anything said will be on the record, it is better that only one person release information.

Prior Planning

One thing we learned and should be emphasized is the value of prior planning. It is far easier to deal with a crisis if some thought has been put into the planning for it.

After the bombing of the World Trade Center in 1993, we adopted practices and procedures that I believe resulted in saving many, perhaps thousands of lives. On 9/11, evacuations were conducted in an extremely orderly manner. Routes were clearly marked and lit. Other emergency plans were activated systematically and smoothly. We've estimated that over 25,000 people were safely evacuated from the World Trade Center after the attack.

After 1993, the Port Authority reviewed all evacuation plans. Back up lighting was installed and fluorescent strips placed on all evacuation routes. Fire drills became a routine and fire marshals were designated for each floor.

I believe that the alarms and drills contributed in no small part to the successful evacuation. I suggest that every company or organization consider evacuation plans and periodic drills. After any incident, a review and upgrading of such plans is very helpful.

Many of the things that were accomplished immediately after 9/11 were the result of staff dedication. Some people escaped from the building, went to the Command Center and immediately went into a 24/7 routine. Others went to other sites such as our air terminal and port facilities to volunteer to work. This takes me back to my first point. The most important asset of any organization is, the people.

No management book that I know of adequately deals with managing a crisis of this magnitude. I've spoken at university business schools and found that there is little training for how to manage a crisis.

I have, however, found guidelines that went back to my days in the military that provided direction as good as any I've seen. They are called Leadership Principles and immediately after 9/11 I had copies made and posted at prominent places in our department. Let me read them to you and you'll see what I mean.

1. Know yourself and seek self-improvement.
2. Be technically and tactically proficient.
3. Seek responsibility for your actions
4. Make sound and timely decisions
5. Set the example
6. Know your staff and look out for their welfare
7. Keep your staff informed
8. Develop a sense of responsibility in your subordinates
9. Insure the task is understood, supervised, and accomplished
10. Train your staff as a team
11. Employ your unit in accordance with its capabilities.

These principles should be principles that are applied by any management team particularly, during a time of crisis. In some cases, these principles were violated and in some upheld but without exception the application of these principles contributed enormously to the success of the recovery and the continuing of operations.

Conclusion

On 9/11 more people died than from the attack on Pearl Harbor. The attack was more than an attack on two buildings, it was an attack on the American people. It has tested our resolve and what we are made of.

We at the Port Authority lost 75 co-workers. We lost our Executive Director and the top three officials on our police force. Seven members of my department died that day. 37 Port Authority police officers died, the greatest one day loss for any police department in our nation's history. For months, we attended funeral or memorial services almost daily. Attendance became almost a management function.

We learned a lot from our experience, an experience that we hope that no one will ever have to share. It is good to share the lessons learned because from our experience, you may be better able to organize to meet the challenge of a future crisis even if it is not of the magnitude of 9/11.

One important lesson is not to forget 9/11.

HUGH H. WELSH

Hugh H. Welsh retired after 33 years with the Port Authority of New York and New Jersey where he served as the First Deputy General Counsel of that organization, an agency of the States of New York and New Jersey. He graduated from Saint Peter's College and was awarded his Juris Doctorate degree in 1964 from Rutgers University School of Law. Mr. Welsh is a member of the Bar of the State of New Jersey and the District of Columbia and is admitted to practice before federal district and Appellate Courts and the Supreme Court of the United States. He is currently providing consulting services to public agencies including ports.

Mr. Welsh served in the United States Army reaching the rank of Captain in the Army Intelligence. He served in Vietnam where he participated in special military intelligence operations and was awarded several decorations including the Bronze Star.

As First Deputy General Counsel, Mr. Welsh was responsible for all major Port Authority legal matters and the administration of the Authority's 75 attorney Law Department and represented that agency in all courts up to and including the Supreme Court of the United States.

He survived both attacks on the World Trade Center, 1993 and on 9/11. He coordinated and managed the reestablishment of legal services for the Port Authority after the bombing of the World Trade Center in 1993 and managed the recovery and reestablishment of legal services and operations in the wake of the September 11, 2001 attack on and destruction of the World Trade Center. Subsequent to 9/11 he was also involved in the development of security practices for both aviation and maritime facilities and has lectured on both Crisis Management and Security Issues. Mr. Welsh was awarded a special citation for bravery and professionalism for his actions on 9/11.

In addition to his responsibility for litigation in the New Jersey Courts as well as Federal Courts involving the Port Authority, Mr. Welsh has been responsible for all Federal Administrative Law proceedings involving that Agency, particularly on issues dealing with the maritime, aviation and railroad industries. He has practiced before the Federal Maritime Commission, the Surface Transportation Board, the Federal Railroad Administration and other regulatory agencies. A nationally recognized expert on maritime and transportation law, he has represented the Port Authority and the AAPA on numerous occasions before Congressional Committees and has lectured throughout the United States. He has consulted with a number of port authorities and governments regarding the organization of port agencies.

Mr. Welsh is a member of the American Bar Association serving in the local government law section and the Admiralty and Maritime Law Committee, the New Jersey State Bar Association, the District of Columbia Bar Association, the Federal Bar Association, the New Jersey Trial Lawyers Association, the Railway Trial Lawyers Association, the Association of Transportation Law, Logistics and Policy and served as Chairman of the Law Committee of the American Association of Port Authorities for more than 16 years. He also served on the Board of Directors of the AAPA. He was also elected to the Board of Directors of the North Atlantic Ports Association. He served as Chairman of the Committee of Legal Counselors of the International Association of Ports and Harbors, one of only six such legal counselors in the world and was designated Senior Advisor to that organization. He also has served as an adjunct professor at New Jersey Institute of Technology and has lectured at several law schools.

Mr. Welsh has served as a consultant to a number of state and foreign governments on transportation and maritime issues and at the request of the federal government conferred with Officials of the Republic of Panama regarding the creation of an agency to manage the Panama Canal after 1999.

The International Association of Port and Harbors elected Mr. Welsh as an Honorary Member. He is the recipient of the Distinguished Achievement Award from the American Association of Port Authorities and was awarded the Robert F. Wagner Medal for Distinguished Public Service. He has received four Executive Director Unit Citations from the Port Authority of New York and New Jersey for outstanding work on specific projects.