

# Is Federalism the Reason for Policy Failure in Hurricane Katrina?

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Governmental responses to Hurricane Katrina are generally cited as policy failures. Media and popular analyses focus on the federal government's policy failures in hazard preparedness, response, and recovery. Meanwhile, disaster experts realize that disaster response is a shared intergovernmental responsibility. We examine the federal nature of natural disaster policy in the US to consider whether federalism, or other factors, had the greatest influence on the failures in Katrina. We find that some policy failures are related to policy design considerations based in federalism, but that the national focus on "homeland security" and the concomitant reduction in attention to natural hazards and disasters, are equally, if not more complicit, in the erosion of government disaster management capacity that was revealed in Hurricane Katrina.

As the most expensive natural disaster in American history and one of the deadliest in recent memory, Hurricane Katrina has been seared in the American psyche unlike any other natural disaster. Of particular note is the extent to which the response to Katrina has been cast as a failure of federal initiative and organization, notwithstanding the inherently intergovernmental nature of disaster preparedness, response, recovery, and mitigation in the US. The criticism has been particularly heated given the reforms occasioned by another "focusing event" (Kingdon 1995; Birkland 1997): The September 11 attacks and the concomitant focus on "homeland security," to the detriment of preparedness for and response to natural hazards. Since August 2005, Americans, their elected representatives, and the news media have pointedly asked, "If the federal government cannot prepare for something like Katrina, how can it prepare for a major act of terrorism?" Of course, the mantra of failure, reinforced by media coverage of the supposed overall failure of response to Katrina, failed to consider the things that worked in Katrina. Martha Derthick includes the pre-storm evacuation and the search and rescue

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function as success stories that involved considerable intergovernmental coordination (Derthick 2007). But Derthick also notes the failure of flood protection, another intergovernmental function.

The broader failure of disaster mitigation, preparedness, and response was manifest in Katrina. The nature of federalism and intergovernmental relations, particularly post-September 11, has been implicated in these failures (Tierney 2005). This article explores potential explanations for governmental failure during Hurricane Katrina, including federalism, policy, and administrative failures. The creation of the Department of Homeland Security (DHS) led to substantial changes in the nature of the federal–state–local relationship in emergency management. These changes appear to have validated fears raised by critics before Hurricane Katrina that the reorganization designed to respond to terrorism would undermine the nation's ability to respond to natural disasters (Tierney, Bevc, and Kuligowski 2006; Haddow, Bullock, and Coppola 2007). The important question, then, is this: Were the failures in Hurricane Katrina a result of federalism or of a particular *style* of federalism that characterizes disaster policy in the US? Or did these failures simply reflect the inherent difficulties in preparing for, responding to, and recovering from catastrophes?

Although former eras of federalism were conceptualized as cooperative or competitive (Grodzins 1966), *coercive federalism* and *opportunistic federalism* (Conlan 2006) are two terms that might be profitably applied to homeland security and issues raised in Hurricane Katrina. Coercive federalism describes how federal regulations, federal mandates imposed on the states, and federal preemption of state authority seek to compel state and local governments to comply with federal standards in the pursuit of national goals (Kincaid 1990, 1996; Conlan 2006; Posner 2007). Many states have claimed that post-September 11 policy is coercive in that it attaches strings to federal preparedness aid.

But *coercive federalism* is potentially misleading for at least two reasons. First, it is difficult to make as strong a case for coercion in disaster policy as one can make in transportation policy [the uniform drinking age mandates, tied to federal funding (Liebschutz 1985)] or in education [No Child Left Behind (Krane 2002)]. These are relatively high-salience issues, with rather clear linkages between state and local behavior and their receipt of federal funds. Natural hazards policies are much lower salience to most people, except on rare occasions, which makes disaster policy the province of technical experts more than political leaders (May 1990). The failure of local governments to follow mandates related to natural hazards, then, is likely to be unaccompanied by much citizen attention. The one exception may be in the flood insurance program, where communities that fail to take certain mitigation steps will make themselves ineligible for highly subsidized federal flood insurance. Even then, what undermines the coercion argument is the political utility of disaster aid for the president and members of Congress, all of whom

enjoy claiming credit for funneling money to local governments after disasters. After September 11, there was some coercion in tying various forms of aid to adoption of the National Incident Management System (NIMS) and adherence to the National Response Plan (NRP), now known as the National Response Framework (NRF). But this mild coercion is accompanied by generous federal funding for “homeland security” activities. This funding is basically redistributive (pork) spending rather than spending based on a risk or needs assessment, making such funding an attractive way to spend federal money locally.

Second, while many programs look like coercion, state and local governments have rather willingly ceded leadership and funding to federal authority, particularly given the promise of vast funding flowing from Washington to the states under the “homeland security” rubric, as well as the desire to be seen as doing their share (Posner 2007, 397).

A potentially more satisfactory model of federalism, which avoids the assumed heavy handedness of coercion and the sometimes naïve assumption of shared goals, is called *opportunistic federalism*, which Conlan (2006) defines as

a system that allows—and often encourages—actors in the system to pursue their immediate interests with little regard for the institutional or collective consequences. For example, federal mandates, policy preemptions, and highly prescriptive federal grant programs tend to be driven by opportunistic policy makers who seek to achieve their own policy and political goals regardless of traditional norms of behavior or boundaries of institutional responsibility (p. 667).

This idea of opportunistic federalism is entirely consistent with the “opportunistic” and episodic nature of nearly all disaster policy, since disaster and crisis policy is almost entirely event-driven, decisions are made rapidly, and policies are often adopted without considering their long-term influence on fundamental constitutional and institutional arrangements. This is an excellent description of federal disaster policy since September 11. In the process of creating the DHS, Congress, with the president’s assent, moved FEMA into the new agency without regard for its existing organizational and intergovernmental relationships. Furthermore, homeland security “experts” (many of whom had little experience in this new field) made policy in nearly complete ignorance of the vast amounts of knowledge accumulated by social scientists and practitioners on how people and organizations behave in disasters. The creators of the new homeland security establishment were driven by political and policy goals—in particular, the need to act quickly to bolster “homeland security”—rather than by a desire to understand whether the entire disaster preparedness, response, and recovery system really needed to be overhauled at all, or whether small parts needed reform to work better.

The creation of the DHS as it eventually emerged laid the shaky foundation for intergovernmental response that had been partially built before Katrina. This foundation, to be sure, was not undermined solely by opportunistic federalism, but by a patchwork of relationships between and among governments that combined features of coercion and cooperation in ways that were not yet well established after September 11 (McGuire 2006). These relationships reveal challenges of network governance at least as much, if not more, than they reveal problems with the federal nature of disaster policy and practice (Scavo, Kearney, and Kilroy 2008).

## **A Short History of Intergovernmental Disaster Policy**

Well into the twentieth century, disaster response, relief, and recovery were primarily a state and local function, with relatively few exceptions (Sylves and Cumming 2004; Haddow, Bullock, and Coppola 2007; Sylves 2007). This is true for constitutional and practical reasons: State and local governments are almost always “first” at the scene, regardless of the event, from a house fire to the September 11 attacks (Schneider 2008). Nor is it entirely clear that there was a great deal of demand among civic leaders for outside aid—federal or otherwise—after disasters. In many communities in the late nineteenth and early twentieth centuries, civic leaders resisted seeking aid to avoid the perception that a community had been destroyed and that business opportunities were lost (Steinberg 2000). Instead, the emphasis was often placed on the appearance of resilience and rebuilding, even when that rebuilding increased vulnerability, such as in San Francisco, where the Marina District is built on loose fill that was originally a dump for debris from the 1906 earthquake (Geschwind 2001; Winchester 2005).

Increased federal attention to emergency management is rooted in preparations taken during the Second World War to prevent damage from potential enemy bombing (Kreps 1990). The Federal Civil Defense Act of 1950 made national security a federal priority and the province of federal action; this act followed the first Soviet nuclear weapons test in 1949. By the mid-1960s the development of powerful bombs and missiles made it clear that civil defense against nuclear war was fruitless.

At the same time, the civil defense orientation began to shift toward greater federal attention to natural hazards, due, in large part, to key focusing events such as the 1964 Alaska earthquake and Hurricane Camille, which struck Louisiana and Mississippi in 1969 (Waugh 2000). Camille led to the Disaster Relief Act of 1969, while in 1972 Hurricane Agnes led to the Disaster Relief Act of 1974, which provided for relief assistance to local governments and to individual victims. The Alaska earthquake starkly revealed the extent of damage to communities in sparsely populated places; a “smaller” earthquake—on the Richter scale—in California would yield a much worse outcome, as revealed in the 1971 San Fernando quake.



Both of these events led to an explicit mention of disaster “mitigation” in the 1974 Disaster Relief Act.

The 1974 act also made clear that responsibility for planning for and responding to disasters was retained by the state and local governments. This reflects the era’s notions of “New Federalism,” which devolved decision making to the states while retaining the federal funding functions, an approach May and Williams (1986) call “shared governance.”

The Carter administration sought to shrink “big government” through deregulation and through government reorganizations that aimed to achieve greater efficiencies. In this spirit, the Federal Emergency Management Agency (FEMA) was formed in 1979 to bring together disparate disaster functions into one agency. The Reagan Administration believed that the young agency should be devoted more to creating “fantasy plans” for continuity of government and nuclear preparedness than to natural disaster preparedness and response (Clarke 1999). FEMA became known as a poorly performing “turkey farm” because of the Reagan and G. H. W. Bush Administrations’ use of FEMA as a source of patronage jobs for third-rate political appointees (Murray 2001; Tierney 2005). FEMA largely ignored natural disasters, even though the National Earthquake Hazards Reduction Act (NEHRA) had indicated that FEMA was the lead disaster response agency in the case of major earthquakes. Indeed, Julius Becton, FEMA director from 1985 to 1989, ranked earthquakes, hurricane, and flood programs at the bottom of FEMA’s program priorities (Haddow, Bullock, and Coppola 2007).

## The Stafford Act and Federalism

The notion of disaster policy as “shared governance” is reflected in the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, PL 100-707, hereinafter the Stafford Act. The history and evolution of this legislation has been treated elsewhere (Sapat 2001; Sylves and Cumming 2004; National Research Council 2006; Sylves 2007), so we will discuss the law as it existed in August 2005, when Hurricane Katrina made landfall. This law is also embedded in the broader “homeland security” rubric.

The passage of the Stafford Act was a relatively clear statement of how the federal government viewed its role vis-à-vis states and localities in natural disaster policy and in a post-Cold War world. Amendments to the Stafford Act in 1993 and 2000 were intended to improve its performance and to stress mitigation, but these amendments did not alter the understanding that the state and local governments were “first responders” in nearly all disasters.

A widespread misconception among citizens, journalists, and some members of Congress is that the federal government, under the Stafford Act, is primarily responsible for disaster relief and recovery services. Congress’s intent in the Stafford

Act, on the other hand, is quite clear in 42 USC 5121(b), which notes that Congress aims “to provide an orderly and continuing means of *assistance by the federal government to state and local governments.*” This passage underscores the prominent role of state and local governments. The four types of assistance include “encourag[ing] the development of . . . plans by the States and by local governments,” “coordination,” “encouraging individuals, States, and local governments to protect themselves . . .,” and encouraging mitigation efforts. These are all matters of assistance, not federal prescription. Most of the policy tools used to achieve these ends are quasi-market-based, such as flood insurance, or incentive-based, such as tying the availability of hazard mitigation funds to state and local planning (Section 322 of the Stafford Act, as amended by the Disaster Mitigation Act of 2000). Indeed, the history of the Stafford Act suggests that federal law was moving toward a more cooperative model involving disaster professionals at all levels and was not solely a federal initiative.

Title II of the Stafford Act addresses preparedness, while Title III deals with emergency provisions during a disaster. Title III, in particular, indicates that state governors initiate requests for aid. Mitigation was strengthened in amendments enacted in 2000. The key mitigation program is the “322 program,” codified at 42 USC 5165. In exchange for increased federal funding, the 322 program requires states and localities to submit mitigation plans to FEMA. If these plans are in effect during the disaster, more funding is available upon approval of the president, acting through FEMA. This provides a planning incentive but certainly does not compel communities to adopt plans. Historically, local attention to hazard mitigation has lagged behind attention to other, seemingly more pressing matters (Rossi, Wright, and Weber-Burdin 1982; Alesch and Petak 1986; May and Birkland 1994). It is doubtful that the mitigation programs under the Stafford Act have had much influence on state decision making in the absence of other reasons, unique to each state, for concern with disaster mitigation.

## Post-Stafford Act Disaster Policy

After the enactment of the Stafford Act, FEMA slowly turned its attention to natural disasters; it was forced to turn more quickly in the aftermath of Hurricane Hugo and the Loma Prieta earthquake, both in 1989, and Hurricane Andrew in 1992. The loudest complaints about FEMA came during the two hurricanes. Senator Ernest “Fritz” Hollings famously called FEMA the “sorriest bunch of bureaucratic jackasses” (Haddow, Bullock, and Coppola 2007, p. 9) because of FEMA’s slow response. The response to Hurricane Andrew was equally deficient, with one local official crying out for help: “Where in the hell is the cavalry on this one? They keep saying we’re going to get supplies. For God’s sake, where are they?”<sup>1</sup>

President Clinton learned important political lessons from Hurricane Andrew, as reflected in his appointment of FEMA director James Lee Witt, under whom FEMA embarked on a strategy to improve performance and the agency's reputation. The federal government became more generous in its definitions of disasters eligible for federal assistance, a decision that was politically popular but that also lowered federal expectations about the local share of disaster preparedness and management funding and effort. This sort of opportunistic federalism was supported by states and localities, which were able to shift a great deal of the fiscal burden of disaster to the federal government. Second, greater attention was given to hazard *mitigation*, resulting in a Mitigation Directorate in 1994 and, in 1997, a cooperative project with state and, in particular, local governments called Project Impact. Because Project Impact was initiated by FEMA and engaged cities and counties directly, one can argue that this initiative was itself a form of opportunistic federalism, in which FEMA sought to circumvent state governments and work directly with localities. Many states resisted this model, albeit not loudly, given the perception that some benefit might accrue from Project Impact. But it cannot be denied that Project Impact, like many federal programs starting in the 1960s, circumvented states and therefore had significant "opportunistic" features.

Mitigation goals also meshed well with sound scientific environmental management; nonstructural mitigation efforts were seen as being able to achieve both mitigation and environmental and ecological goals (Birkland et al. 2003). These programs were intended to be federal-state partnerships, and while resources were made available by the federal government, some of the states took obvious leadership roles in mitigation and preparedness of particular hazards, such as California and earthquakes, and Florida and North Carolina and hurricanes (Godschalk et al. 2000; Birkland 2006, ch. 4). The federal government dominated relief and recovery funding. These efforts also meshed well with federal devolution goals.

## **FEMA, September 11, and the Homeland Security Establishment**

There is substantial reason to believe that many gains made in natural hazard mitigation and preparedness at all levels of government have been lost as FEMA and natural hazards programs across agencies have been overshadowed by efforts to address real or perceived "homeland security" threats. FEMA was complicit, in some ways, in this degradation of capacity. James Lee Witt initially discouraged FEMA involvement in terrorism, fearing a return to FEMA's civil defense function but later raised significant concerns when the Office of Domestic Preparedness (ODP) was created in the Justice Department, charged with preparedness for all manner of mass casualty incidents (Haddow, Bullock, and Coppola 2007, ch. 1).

The major problem at FEMA post-2001 was not its existence, its location within the bureaucracy, or the nature of its staff. What changed after 2001 was the quality of its leadership and, more to the point, the administration's attitudes toward its mission. It was clear that the Bush administration was unlikely to actively promote the sorts of disaster preparedness and mitigation measures that had been proven at least moderately successful in the 1990s; it cut funding for the various Stafford Act mitigation programs and terminated Project Impact.

Russell Hanson notes that the September 11 attacks caused the national government to "once again [assert] leadership in domestic policy making" (Hanson 2004, 31). As Hanson further notes, the centralization or diffusion of government power to and from the federal government and the states ebbs and flows with events and ideological currents in American life. By defining homeland security as "national security," and by defining emergency management and disaster response as "homeland security events" (the larger of which are known as "events of national significance" in the NRP), a strong connection is made between natural disasters and the broader "homeland security" rubric. It seems almost inevitable that there has therefore been a recentralization of the emergency management function—particularly in the leadership of this function—in the federal government (Scavo, Kearney and Kilroy, 2008).

We claim this is a "recentralization" because the emergency management system in the US has, except for the Clinton–Witt anomaly in the 1990s, been focused on the civil defense aspect of *national* security. In the 1950s through the 1980s, the key fear was nuclear war; today it is terrorism. While the US has never experienced a catastrophic nuclear attack, a mass casualty act of biological terrorism, or any other catastrophe that entirely disabled a large city or metropolitan area, the September 11 attacks moved such events from a theoretical possibility to a very real threat with palpable consequences.

Even though the immediate response in New York and at the Pentagon was quite successful, the Bush administration reframed the whole emergency management function within the broader "homeland security" framework. To be fair, President Bush was not initially in favor of the creation of a DHS, but it was politically difficult to block this idea and to block the inclusion of FEMA in the DHS. Perhaps a more astute president would have sought to keep FEMA out of the DHS, just as key functions of the FBI and CIA were left out of the new agency. Even before September 11, it was quite clear that the president did not see FEMA as an important or useful organization. Thus, strategies and tactics for improving homeland security were at odds with local emergency management strategies in many ways. While DHS officials tended to think of disaster management as born on September 11, 2001, so that all decisions and plans are novel, local emergency managers frame it as a 200-year-old idea with well-established practices.

The creation of the DHS gutted FEMA. Senior personnel left the agency, and many managers either were reassigned within the DHS, left to form consultancies, or departed simply because they were displeased with the new direction. Meanwhile, the federal government was making promises it was unprepared to keep. FEMA continued to operate as if it were a “partner” in emergency management, even as the DHS was ineptly calling the shots. The FEMA director is now a subcabinet official with no formal access to the president (Derthick 2007, 37) and a reporting line that passes through the DHS secretary.

The DHS’s focus on terrorism continues largely unabated despite the problems revealed by Hurricane Katrina, as reflected in the revised *National Strategy for Homeland Security* (Homeland Security Council 2007), which claims to have applied “the lessons of Hurricane Katrina.” Even after the revelations of the department’s and FEMA’s shortcomings in Hurricane Katrina, the strategy puts the “war on terrorism” on center stage, with disaster preparedness as a secondary aspect of policy:

America is at war with terrorist enemies who are intent on attacking our Homeland and destroying our way of life. The lives and livelihoods of the American people also remain at risk from natural catastrophes, including naturally occurring infectious diseases and hazards such as hurricanes and earthquakes, and man-made accidents.

The halfhearted “all hazards” rhetoric led local governments and citizens to believe the DHS was at least minimally aware of their needs. Indeed, there was clearly a great deal of communication between FEMA/DHS and local governments over homeland security and emergency management matters, and federal aid to state and local emergency management functions actually increased considerably after September 11. But this aid was mostly related to putative terrorist threats, such as chemical and biological warfare, and that aid was at least initially not distributed on the basis of objective analysis of the risks posed by either natural disasters or terrorism.

Furthermore, the key federal agency involved in hurricane mitigation in New Orleans—the U.S. Army Corps of Engineers—was not particularly vocal about its concerns over the resources it had available to maintain and inspect the levees for which it was responsible. Before the hurricane, the Corps had sought to induce the New Orleans Sewerage and Water Board to install floodgates at the end of the drainage canals. Having failed in its efforts to mitigate the storm surge hazard with these floodgates, the Corps built flood walls along the canals that were known to be structurally deficient (Seed et al. 2006; van Heerden and Bryan 2006). Furthermore, the Corps minimized the hazards posed by the so-called Mister Go (MRGO, or Mississippi River Gulf Outlet) channel, which exposed New Orleans to substantial danger from storm surge and did significant environmental harm in exchange for

providing a seventy-mile shortcut for ships passing from the Gulf to New Orleans (van Heerden and Bryan 2006; van Heerden 2007).

We can say with confidence that the federal government's attitude toward assisting communities before and after natural disasters has changed considerably since 2001, yet the public pronouncements from FEMA and, particularly, from the DHS suggest that it will continue its pre-2001 mission of rapid response to natural disasters. This message was reinforced by the largely successful FEMA responses to the extremely active 2004 hurricane season, in which four hurricanes in relatively quick succession struck Florida. Both FEMA and the State of Florida responded effectively to these storms, creating the impression that FEMA was prepared to handle disasters of this scale. The comparison is misleading, however: Each 2004 storm was relatively small compared with Katrina, and the State of Florida was much better prepared to handle the storms than Louisiana was in 2005. Furthermore, Katrina was a remarkably large storm that likely would have overwhelmed any jurisdiction it struck, but FEMA's shortcomings seemed particularly painful in light of reassurances that the agency was still focused on its mission.

## The Roles of Government and Perceptions in Hurricane Katrina

Theories of federalism can help explain intergovernmental policy design. They can also help structure our analysis of how and why policy is or is not well implemented. But in the case of Hurricane Katrina and natural disaster policy in general, public perceptions of how the system *should* work are incongruent with expert and elite understandings of how the intergovernmental system actually does work.

A casual observer of news coverage of Hurricane Katrina could hypothesize that the federal government is likely to take a considerable amount of blame for the policy failures revealed by the storm. The perceived failure to evacuate New Orleans, the failure to address the vulnerable levees, and the failure to properly respond to victims' need for shelter all fed the idea that the federal government deserves a great deal of blame.

A preliminary test of the hypothesis that the public placed greater blame for failure on the federal government is shown in table 1, which summarizes responses to the following question, posed by a CBS News/*New York Times* poll<sup>2</sup> to a national sample:

In New Orleans, after the Hurricane [Katrina], hundreds of thousands of people [*sic*] were unable to evacuate the flooded city and they lacked food, water, and shelter. Who would you say was most to blame for those conditions?

**Table 1** Assessment of blame following Hurricane Katrina

|                                     | August 25, 2006 (%) | September 15, 2005 (%) |
|-------------------------------------|---------------------|------------------------|
| Federal government/FEMA/Bush        | 37                  | 29                     |
| City government/New Orleans/Mayor   | 20                  | 20                     |
| State government/Louisiana/Governor | 19                  | 12                     |
| Residents of New Orleans            | 2                   | 12                     |
| Government—all levels               | 1                   | 12                     |
| Mother Nature/the weather           | 1                   | —                      |
| Nothing                             | 1                   | —                      |
| Other                               | 7                   | —                      |
| Do not know/no answer               | 0                   | 9                      |
| N                                   | 1,206               | 1,167                  |

Source: CBS News via the Polling the Nations database.

While the question was based on the entirely false claim that “hundreds of thousands of people were unable to evacuate,” one could suppose that this oddly worded and factually incorrect question would reflect poorly on state and local officials if respondents correctly assigned evacuation responsibilities to the local government. Instead, nearly one year after the disaster, 37 percent of respondents cited federal agencies as most at fault, even though FEMA and the federal government have no formal responsibility for planning and conducting evacuations. While state government garners slightly more criticism in the 2006 poll compared with 2005, a plurality of respondents blame the federal executive branch and FEMA for the poor response to the storm.

This result is consistent with the literature on news-media agenda setting and blame fixing in crises and disasters. Major national and regional newspapers orient coverage toward nationally prominent elite actors and the issues these actors believe are most important. Furthermore, Molotch and Lester (1975) found that large events—in their study, the 1969 Santa Barbara oil spill—are opportunities for journalists and their sources to create meaning; news in this sense serves as “tracings or residues that can be used to reveal the purposes and programs of the social actors who had practical reasons for producing one sort of news instead of another” (p. 236). A key actor in this process, of course, is the media, which focus on news that fits preexisting frames, seek to portray tension and drama, and want news that is relatively cheap and easy to produce. Disaster news is dramatic, visual, cheap to produce, and rife with story frames such as damage, looting, and disorder, many of which are exaggerated or simply untrue (Tierney 2005; Tierney, Bevc, and Kuligowski 2006). At the same time, part of the drama of news is institutional conflict, and with conflict come heroes and villains. Since the “good guys” of



Hurricane Katrina are usually portrayed as the victims, the villains likely come from outside the area, and thus the federal government is cast in this role. Journalists seized on FEMA as the failed agency, both because FEMA's performance provided plenty of fodder for this frame, and because the frame was already constructed after FEMA's failures in Hurricane Andrew.

There are other reasons for the focus on national news. *National* news products are unlikely to parse the intricacies of intergovernmental relations given common news frames such as conflict, drama, and "normalization" of news within a narrow ideological range (Bennett and Lawrence 1995; Bennett 2003). Thus, these usual frames are employed despite their unsuitability to the questions at hand, and the blame-fixing process largely stops when an easily identified scapegoat is isolated.

Does Hurricane Katrina look like other crisis-driven news, in which the news media focus primarily on federal and elite actors? In table 2, we compare news coverage of various actors and institutions in three papers: The local paper in the disaster area, the New Orleans *Times-Picayune*; the leading national newspaper, the *New York Times*; and a fairly typical regional newspaper outside of the disaster area, in this case, the *Seattle Times*.<sup>3</sup> We also analyzed transcripts of news coverage from the major broadcast networks, the top two cable news networks (Fox and CNN), and National Public Radio (NPR), an "elite" broadcaster.

In this analysis, we do not attempt to assess blame fixing in these outlets; rather, we seek to understand how much coverage of Hurricane Katrina included at least a mention of key institutional actors at the federal, state, and local levels. We used a conservative standard for selecting stories: We searched for the terms listed below within twenty words of "Katrina" in the headlines and lead paragraphs. This search strategy was applied to both electronic and print media.

**Table 2** Media coverage of Hurricane Katrina

| LexisNexis Search Term | Times-Picayune |          | Seattle Times |          | New York Times |          |
|------------------------|----------------|----------|---------------|----------|----------------|----------|
|                        | (%)            | <i>N</i> | (%)           | <i>N</i> | (%)            | <i>N</i> |
| President Bush         | 12             | 123      | 35            | 16       | 48             | 97       |
| Nagin                  | 24             | 255      | 13            | 6        | 10             | 21       |
| Blanco                 | 18             | 188      | 4             | 2        | 8              | 16       |
| FEMA                   | 28             | 303      | 35            | 16       | 10             | 20       |
| Congress               | 15             | 160      | 11            | 5        | 23             | 46       |
| <i>N</i>               |                | 1,065    |               | 46       |                | 201      |

*Source:* LexisNexis database from August 26, 2005 to August 31, 2007. Search was defined as the institutional actor in question within 20 words of the term "Katrina" in headlines and lead paragraphs only. Double counting is possible, yielding percentages >100%.

The amount of coverage in the *Times-Picayune* mentioning FEMA is only slightly greater than that mentioning Mayor Ray Nagin, and the amount of coverage mentioning President Bush with respect to Hurricane Katrina is quite low, only 12 percent, or about one-third that in the *Seattle Times* and one-fourth that in the *New York Times*. The latter, in contrast, largely focuses the Katrina story on the president himself, with additional coverage of Congress in its institutional role. FEMA and the president enjoy equal coverage in the *Seattle Times*. FEMA's counterpart in Louisiana, the Office of Homeland Security and Emergency Preparedness, receives very little attention, while Governor Blanco is substantially more intensively covered in the *Times-Picayune* than in the other papers.

One can conclude that the *Times-Picayune* reflects a more accurate understanding of the role of federalism in emergency management. While the president and FEMA get a great deal of attention, so do the responsible local actors, Mayor Nagin and Governor Blanco. The *Seattle Times* focuses much more on the dominant popular treatment of the disaster: the presumably poor performance of Bush and FEMA. The *New York Times*, on the other hand, appears to be covering the topic as a matter of conflict between the executive and legislative branches, as befits the *Times'* focus on national political news and political conflict. Remarkably little coverage mentions Louisiana's state and local officials.

The electronic media, including NPR, show a strong tendency to focus their attention on FEMA and on the president, with remarkably less attention paid to state and local actors. For example, 44 percent of the CBS and NBC news coverage was on FEMA and 29 percent and 37 percent, respectively were on President Bush. Some 44 percent of NPR's coverage was on President Bush. Were one to consume only regional and national news aside from the *Times-Picayune*, regardless of the particular outlet, one would conclude that the major actors in Katrina are federal, ignoring the role of state and local governments. This tendency is much more pronounced in the electronic media.

We find that FEMA and the executive branch of the federal government are foci of much more discussion than are other branches of government, even though disaster response is designed as "shared governance." Only the *Times-Picayune* appears to have reflected this sense of shared responsibility in its reporting, while the examples of coverage in elite national and mass market regional outlets suggest much greater attention to the executive branch. The most focus on FEMA was in national TV news, where the focus on FEMA dominates (and, indeed, becomes the trope for) the institutional discussion of the disaster. Interestingly, the DHS, whose secretary bears statutory and regulatory responsibility for FEMA's performance (under the NRP), is largely let off the hook by the media and the public; of course, the public's attitude is very likely shaped by the way the media frame the debate, and the Secretary of Homeland Security is not often mentioned because relief is still the responsibility of the preexisting, but now reorganized, FEMA.

Further reflected in public opinion is the extent to which a credulous public took up the stories that overemphasized mis-, mal-, or nonfeasance and underemphasized the successful aspects of the preparations and response to Katrina, such as the relatively successful evacuation of hundreds of thousands of people from the region and the successes of the Coast Guard and the Louisiana Department of Fish and Wildlife (Derthick 2007).

## **Explanations for Perceived Federal Policy Failure**

The normative question raised by the above analysis is this: Why do people blame the federal government more than they do state and local government for the apparent failures in Hurricane Katrina? Potential explanations for the Katrina policy failures reveal a great deal about policy design within and across various levels of government. These explanations are neither definitive nor mutually exclusive. We can define the policy failure as the inability of federal, state, and local governments to take the appropriate steps to mitigate, prepare for, and respond to Hurricane Katrina. The successful application of these aspects of disaster policy leads to disaster-resilient communities that can “bounce back” from disasters. New Orleans, just on population figures alone, cannot be said to have returned to its pre-Katrina state. On these measures, policy failure is clear. What is not yet clear is precisely how and why these policies failed, given the interconnected nature of communities and of cascading failures.

### **The Federal Government Objectively Failed**

One reason why many people thought that the federal government failed in its perceived duties is because there is evidence that the federal government did fail in fundamental ways. FEMA’s response was slow, and then FEMA director Michael Brown was portrayed as being foolish and out of touch. Later analyses suggested that he was significantly constrained by higher ups in the DHS (Cooper and Block 2006), and major questions were raised about why the federal government lacked essential supplies and equipment in staging areas much nearer to New Orleans and the Gulf Coast.

Additional questions were raised about the nature of the new NRP, the main federal guidance document that supplanted the former Federal Response Plan (FRP). The NRP was clearly written with catastrophic terrorism in mind, and in the views of most state emergency managers it had significant problems. The plan, adopted in early 2005, muted these objections. The final draft of the NRP was even worse than the one first promulgated; it sought to centralize nearly *all* disaster response in the federal government, a model that turned the entire emergency management system, and the profession itself, on its head.

Furthermore, the NRP was a lengthy document—over 400 pages long, including various annexes—and many parts of it were unintelligible to local responders and other federal agencies. The NRP was drafted with relatively little FEMA and state and local participation, and the roles that all actors would take in emergency response, in particular, were unclear. In essence, the NRP tore asunder long-standing institutional relationships that worked reasonably well before Katrina. The controversies over the creation of the NRP, and its obvious practical shortcomings, contradicted DHS claims that FEMA and the DHS would continue to pursue an “all hazards” approach to both terrorism and natural disasters.

### **The Storm was so Overwhelming that any Response would Fail, no Matter who was in Charge**

Another reason for the fixing of blame on the federal government recognizes that the hurricane's damage was so profound that it quickly overtaxed the ability of Orleans Parish, the neighboring parishes, and the State of Louisiana to effectively respond. One can then make one of two arguments. First, the federal government was inevitably overwhelmed by this catastrophic event, just because the disaster was very big, affecting the Gulf Coast from south-central Louisiana through Mississippi to Mobile, Alabama (Quarantelli 2005). The second “causal story” (Stone 1989) is that the federal government was overwhelmed because, despite assurances to the contrary, it was ill equipped and unable to respond to a disaster of this magnitude. While this has substantially disturbing consequences—if the federal government cannot respond to Hurricane Katrina, how could it handle an act of catastrophic terrorism?—this is less a question of federalism than it is of preparedness organization within the national government. After all, the provision of aid to communities that have been overwhelmed by catastrophic events is at the very heart of the federal role in the emergency management system, and the possibility of a catastrophic event is exactly why the NRP was created.

### **Conflicting Federal and Local Policy Goals**

Another candidate explanation for failure is the classic conflict in federal systems: the conflict between federal and state goals. The state and local emergency managers, even after September 11, took the “all hazards” approach much more seriously than the federal government did. The *National Strategy for Homeland Security* (Homeland Security Council 2007), which still focuses on the “war on terrorism,” speaks for itself; meanwhile, the state and local governments have consistently recognized that they are much more likely to have to address a range of natural and technological hazards and disasters as well as terrorism. The federal government's focus on civil defense is therefore neither orthogonal to nor congruent with state and local goals. This stands in rather sharp contrast to the

situation during the 1990s, when there was considerably more cooperation between the federal, state, and local governments. One can therefore say that federal policy, on the one hand, and state and local policy, on the other, have been significantly divergent since 2001.

Beyond the question of response, however, one must consider the federal role in facilitating development in hazardous areas, and the intergovernmental role in persuading people that they were probably safer than they really were. Ray Burby (2006) calls these the "safe development" and the "local government" paradoxes. In the first, Burby argues that the federal government, through many subsidies and incentives, including flood insurance, levees, tax deductions for casualty losses, and generous disaster relief, encourages development in areas that would not otherwise be developed if the risk profile of the area were undistorted by these incentives. People whose risk perceptions are altered in this way are said to be susceptible to "moral hazard," in which people take risks they would not ordinarily assume because they believe that the additional risk is attenuated by the protection provided by government. Of course, these decisions may well be distorted by perceptions: Building behind a levee may provide the illusion of safety, but the probability of the levee's failing because of poor design, poor construction, poor maintenance, or exceeding the "design flood" (that is, the maximum flood level assumed in the design) are not often considered in the risk calculation. One can certainly argue that vulnerable areas are "safer" from routine events, such as "nuisance flooding," but whether an area is truly "safe" is a matter of probability just like any other risk.

The local government paradox suggests that even when the federal government wants to more aggressively address hazards, the state and local governments must implement federal ideas for mitigation. Students of intergovernmental relations and policy implementation know that designing such policies is very difficult; Malcolm Goggin and his colleagues argued in 1990 that intergovernmental policy implementation is more likely to be successful when credible policy designers communicate clear and credible signals to capable implementers whose interests are congruent with those of the policy originator (Goggin et al. 1990). Unfortunately, the interests of the federal government are not clear, inconsistent, and not clearly communicated. Even when an incentive, such as the Hazard Mitigation Grant Program, is provided, it may not be taken up by the local governments, or their ideas of what constitutes sound mitigation may not be congruent with those of federal policymakers.

At the same time, the paradox of local development is also at work. The costs of nearly all effective preparedness and mitigation measures are borne by state and especially local governments in at least two ways: In the funds that have to be expended to execute these plans, and in the loss of tax revenue and other economic activity that accompanies allowing for land development. The promise of increased

revenues was what induced the Orleans Parish levee board to use levees more as a way of creating new developable land than as a hazard mitigation measure (Cooper and Block 2006). This problem is not unique to New Orleans; all manner of communities, particularly those running out of the safest land on which to build, experience the same pressures, and given that local property tax revenues are the major source of municipal revenue, and that urban "growth machines" (Logan and Molotch 1988) work with civic leaders to promote development in unsafe areas (May 1995; Burby et al. 1996, 1999; Burby 1998, 2006).

### **Excessive Policy Demand**

While the government at many levels failed in Katrina, it is also possible that citizens' expectations are too great, particularly in relation to their apparent unwillingness to take self-protective measures. One reason for policy failure is "excessive policy demand" (Ingram and Mann 1980). That is, some citizens and their leaders call on government to do more than it is able to as a function of resource constraints, limits on governmental authority, or limits on political feasibility. In the first instance, while the federal government has vast resources at its disposal, these resources are not unlimited and often are the object of competition for other needs. Furthermore, at least theoretically, there are limits to what government can do in terms of the usurpation of state and local functions, the role of law enforcement officials, and the like. And some obvious responses to disasters, such as forced evacuations or forced expropriation of land in hazardous areas, are simply incongruent with our political culture and the expectations of most citizens.

One might be tempted to attribute excessive policy demand to state and local officials and their citizens, who, in the classic economic definition of efficiency, want as many services as possible for the least amount of taxes or other costs. Under this conception, state and local governments are simply seeking to offload responsibility for protecting their citizens to the federal government. On the other hand, it is equally plausible that excessive policy demand has been created and stoked by the federal government, in large part because of FEMA's apparent competence in the 1990s (Roberts 2006, 57). Much of this demand was created in the 1990s, when the Clinton administration and James Lee Witt realized that disasters are prime political opportunities to be generous with relief. Thus, the number of declared disasters and the amount of relief distributed during the Clinton administration was the greatest in history. In the 2004 hurricane season, President Bush and his staff realized that they needed to effectively respond to overcome yet another Florida debacle on the scale of Hurricane Andrew; they were largely successful in using generous disaster relief both to help victims and as a political tool to shore up their standing in a key state in the 2004 elections.

The promises that the federal government made in the 1990s were carried forward into the 2000s, even though, beginning in 2003, the executive branch gutted FEMA to the extent that the agency was unable to perform the way it had under Witt. Major programs such as hazard mitigation were cut, funds were stripped from FEMA to pay for sometimes dubious DHS expenditures, and a key FEMA function—disaster preparedness—was taken from the agency and placed in the Office of Domestic Preparedness. Hurricane Katrina did induce the reversal of this trend. But the continued focus on homeland security in the DHS raises important questions about FEMA's location within the federal bureaucracy, and whether and to what extent it should be more directly accountable to the president, particularly since the DHS secretary, at least in this case, has taken a minimal interest in natural disasters, focusing on other, far less immediate issues such as immigration.

Finally, the problems of FEMA and the DHS were exacerbated, particularly at FEMA, by the administration's initial use of that agency as a place to put third-rate party loyalists in positions of responsibility.

### **Conclusion: Federalism Prospects in Emergency Management**

Surprisingly, while September 11 triggered wholesale change in federal-state relationships in emergency management, Hurricane Katrina, a truly catastrophic event, has done little to change federal attitudes about the division of responsibilities. Indeed, the public pronouncements from FEMA and the DHS suggest that it will continue its pre-2001 mission of response to natural disasters using a post-2001 model of how the world works.

Perhaps the most obvious evidence of frustration with the system is, as Gerber (2008) notes, the federal response to implementation problems with the NRP. The NRP is lengthy, unwieldy, and in some places unclear; in any case, the new plan was sufficiently unfamiliar to the responders at all levels in Hurricane Katrina to serve as effective guidance document (it was released in late 2004). Given the manifest problems with the NRP, and also given the other problems cited above, including federal creation of excessive policy demand, one would assume that the federal government might revisit the NRP and its successor, the NRF, in hopes of both simplifying the plan and making it more usable by all stakeholders in disaster management, while simultaneously bringing the states and local partners into a *partnership* with the federal government rather than a subordinate role.

This is not what the federal government has done. Instead, the federal government has sought to replace the complex and difficult-to-use NRP with a new NRF. The shift from a plan to a framework was not accompanied by any change in federal attitudes toward centralizing emergency management; in particular, professional groups such as the National Emergency Management Association



(NEMA) claimed that their role in shaping the framework was minimal, and the focus remains on terrorism. Furthermore, the president of the International Association of Emergency Managers (IAEM) noted that a “framework is not a plan,” and bemoaned the fact that the new seventy-one page “framework,” which had the hallmarks of an executive summary, not a real plan, was drafted without consultation with state and local emergency managers.<sup>4</sup> In short, the homeland security establishment remains ascendant (Tierney 2005), local input is still devalued, centralizing tendencies continue, and evidence of any learning from Hurricane Katrina is tenuous at best.

It is therefore not “federalism” that explains the failure of government initiative but rather the *style* of federalism evidenced during Hurricane Katrina. The tendencies described in this article suggest a two-fold problem: The centralization of the broader direction of homeland security policy in the federal government and, at the same time, the creation of plans and organizations that are, if history is any guide, doomed to fail during times of “normal” natural disasters, in which the state and local governments still retain considerable responsibility and powers both under the Constitution and under relevant legislation and regulation. Cutting out the state and local governments has deprived the federal government of a considerable body of expertise and has undermined the traditional idea of “defense in depth” for natural disasters, with state and local governments responding first and then seeking federal assistance. If the federal government continues to dominate, state and local capacity could very well be eroded, as it was in Katrina, where capacity to plan for and respond to a Katrina-sized storm was not built in large part because of the federal government’s reassignment of resources from natural disaster preparedness to homeland security “needs.”

In the end, we cannot have much faith that another catastrophic disaster like Hurricane Katrina will greatly influence federal tendencies to centralize the direction of emergency management policy in Washington. After all, Katrina should have taught the folly of that approach. Rather, it is likely that only change in administration in Washington, akin to the change in 1992 that led to FEMA’s reform, is likely to result in change. As long as emergency management is valued by the president and the executive branch primarily as a facet of “homeland security” or “national security,” it is unlikely that the federal government will relinquish its domination of this domain, regardless of this stance’s actual influence on governmental performance.

## Notes

1. This quotation has become part of the legends of emergency management in general and of Hurricane Andrew in particular, and can be found, among other places, in Bill Adair,

“10 Years Ago, Her Angry Plea Got Hurricane Aid Moving,” *St. Petersburg Times*, August 20, 2002. Internet: <http://www.sptimes.com/2002/webspecials02/andrew/day3/story1.shtml>, retrieved January 2, 2008. The “cavalry” imagery is now fairly common in describing demands for assistance: for example, William Waugh notes that in Katrina, “Whether reasonable or not, there was some expectation that the cavalry would arrive in helicopters with water, food, tents, and other necessities almost as soon as the storm passed” (Waugh 2006, 11).

2. While this is clearly a rough measure, and the question of blame attribution is better addressed in Gomez and Wilson (2008), the connection between news *coverage* and blame *fixing* is not as tenuous as it might seem: Increasing news coverage of a disaster or other problem usually means greater *negative* attention being paid to the institution or agency charged with avoiding or responding to the crisis (Baumgartner and Jones 1993).
3. The *Seattle Times* also has the advantage of being locally owned (not part of a major chain), so its news product is more likely driven by editorial decisions made in Seattle about what would be most interesting to its readers in the Pacific Northwest.
4. See the letter on this issue at <http://www.iaem.com/pressroom/documents/IAEMnewsreleaseNRP080907.pdf> (last accessed January 25, 2008).

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