

EMERGENCY CONTRACTING FOR HURRICANE KATRINA IN NEW ORLEANS GULF AREA

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ABSTRACT. The organizational capability to provide remedy and relief to hurricane affected areas requires leadership and bureaucratic skills within an institutional framework of professionalism and commitment to objectives. In the case of Hurricane Katrina aftermath, U.S. taxpayers paid \$2 billion in mismanagement out of the \$19 billion expended. An examination of organizational failings within theoretical context and possible pointers for creating an organizational structure that would prove more effective is provided.

INTRODUCTION

Acts of God have been occurring since the beginning of time. Since the development of modern nation states, there is the expectation on the part of the citizens that the government will care for the vulnerable and victims, either through planning and preparation or remedies after the fact. The example of the New Orleans Category Four hurricane Katrina catastrophe illustrates what can happen with poor planning, preparation and lack of institutional support to respond in a timely fashion.

According to a South Florida newspaper headline “Katrina fiascos cost us \$2 billion: Audacious schemes, waste, bureaucratic mismanagement cited” (Lipton, 2006, p. A1). News reports after the disaster efforts were underway shed light on mismanagement and an inability to effectively help the victims of New Orleans and the Gulf area following the category 4 or 5 storm on August 25 to 29, 2005. Because

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the reports consistently blame bureaucratic mismanagement, one needs to examine the organizational context, leadership involved and the rules that were followed that produced an inadequate organizational response.

While there are organizations dedicated to these types of situations and provisions in the Federal Acquisition Regulations (FAR) to allow for emergency contracts, these were not effectively utilized during the time of hurricane notice or immediately after the fact. Part of the problem was the inexperience of this region in handling hurricanes and the learning that goes on after repeated experience. Another part of the problem was the institutional shortcomings of the organizations responsible for coordinating resources to remedy the situation in the affected area. This paper will review relevant theories of leadership in organizations, to pinpoint shortcomings in the bureaucratic response. Pertinent organizational theories describe the problems with the institutional response and possible remedies for future improvements. Furthermore, a review the improvements that could possibly result from the learning that could occur after the hurricane experience in that region will be discussed. Special attention shall be paid to the institutional capacity of procurement actors in the governmental arena to remedy and provide goods and supplies in the immediate aftermath and reconstruction.

GOVERNMENTAL INSTITUTIONS

The primary governmental institution responsible for supplying disaster regions with federal aid support in the provisions of goods and services is the Federal Emergency Management Agency (FEMA). Under the reorganization of the Department of Homeland Security (DHS), FEMA was placed under the management of the DHS. The Director of FEMA tends to attract public attention and credit or displeasure depending on the abilities to execute effective emergency response. The previous director, James Witt, appointed under the Clinton administration was extremely popular and known for responsible leadership and effective delivery. The director of FEMA under George W. Bush, Michael Brown, was assumed to be appointed to the position as a “political plum” since he lacked prior experience or qualifications to lead the agency.

In conditions of extreme disaster, such as this, the White House tends to play a role in guiding the activities and commitment of the FEMA and related support services. In the case of Katrina, George W. Bush was criticized as being remote, and not returning phone calls promptly. In addition, other key personnel on staff were distant and non-responsive. An important player in the Bush administration, Karl Rove, was out the week that the disaster occurred. It wasn't until approximately a week after the disaster that the White House became actively involved and engaged in policy decisions to put in place a recovery agenda.

Institutions under Similar Circumstances

A construction company field manager wrote in *Contract Management* that partnerships with preferred contractors who have experience in similar situations should be established so that work can begin almost immediately after disaster occurs. Chriss (2006) wrote that the reconstruction efforts of the Gulf Coast are not significantly different than those reconstruction efforts in the Middle East in the war zone area. The most effective way to initiate and sustain reconstruction efforts by the government is to engage in partnerships with pre-qualified business partners with track records of experience and success in this area. For instance, a business entity, under a retainer for contract work can prepare for disasters by "kitting" or preparing packaged bundles of supplies on hand for ready deployment. This technique remedies many of the last minute preparations and ensures rapid deployment.

CONTRACTING METHODS IN PLACE TO ENSURE RAPID DEPLOYMENT

The Federal Acquisition Regulations (FAR) Part 16.603 provides for letter contracts whereby the Contracting Officer can engage in a contract by one-page letter agreement if the price is considered fair and reasonable and the contract is "definitized" within 180 days of signing the contract or before 40 percent of the contract work is completed. To definitize a contract is to fill in and complete the necessary clauses, formatting requirements and terms and conditions required by the FAR. This allows a contract to be enacted in short notice under conditions of duress.

Another contractual vehicle that may be employed is the usage of U.S. General Services Administration (GSA) schedules contracts. A list

of the supplies that can be ordered through www.gsaadvantage.com may be found on the website and government purchasers with a purchasing card may order a wide range of products immediately from the website with direct deployment from the supplier within a week. The terms and conditions are established by GSA prior to posting on the website as well as the negotiated prices. It should be noted that state and local government purchasers are also allowed to utilize the GSA schedules for purchases. The products and services included in the schedules are vast and comprehensive and cover a multitude of supplies that could be engaged for remedy in case of disaster.

WHY WAS FEMA ILL-PREPARED TO RESPOND TO HURRICANE KATRINA?

Given the methods described above to provide contractual support in case of disaster, one could ask: why was the response to the victims so slow? One organizational theory proposed by Richard Scott (2001), is that the founding of the organization affects its behavior. In this case, the shift in organizational identity from an independent agency to being placed under DHS may have caused some problems with perceptions of organizational competency. Furthermore, the lack of experience of the director, as a political appointee without a track record in this area, may have also affected the commitment of the agency and its personnel to capably respond to the disaster.

Anecdotally, similar complaints about the slowness in response to Hurricane Andrew disaster in Florida some ten years ago should be noted (September 10, 2005. Retrieved from: PalmBeachPost.com on April 20, 2006). However, as a learning organization, the state and South Florida region in particular, evaluated the problem and began preparing remedies so that if another disaster were to occur, the response would be timelier. For instance, the state now has a system of satellite phones in place that allow communication should land and cell phone lines be rendered useless. In the case of Katrina, there were no satellite phones in place and communication was nil (Mohr, 2006).

Furthermore, one could hypothesize that when the president appointed a non-qualified person as head of FEMA, that there was a message sent about the leadership in relation to the "carriers of institutional values and relational structures" (Scott, 2001,

p. 106) that cause the informal structures of professionalism and linkages to fall short. In organizational theory, it is presumed that the carriers of institutional values and relational structures will “link the organization with salient external actors, both individual and collective” (Scott, 2001, p. 106). Indeed, professionalism and commitment to the field of emergency management on the part of leadership could have led to a different record of performance and more effective deployment of support supplies and services.

In this sense, one could say that FEMA organization was not prepared as the primary national actor to lead a rapid and effective response to the area where the victims suffered from the aftereffects of Hurricane Katrina. A more committed and professional leadership could have initiated preparation efforts such as a supply of satellite phones to be deployed to the area to allow better communications. Or the kitting of necessary tools and supplies necessary to set up immediate response centers could have been put in place.

Furthermore, the more effective use of GSA schedules would allow a cost effective and timely delivery of products and services to provide for the hurricane victims. A staff of professional contract managers would have the knowledge of how to utilize GSA schedules and post orders and requests for quotation for bidder’s response.

THE MIDDLE RANGE THEORY APPROACH

Jreisat (2002) suggests that in comparative public administration, the most effective approach in offering pathways for those who wish to follow and imitate a successful public intervention is “the middle range theory” approach. This theoretical approach allows for application of a similar response under roughly similar circumstances or environment.

This theory applies to the reconstruction efforts experienced by contractors in Iraq or Afghanistan to be applied to the Katrina case. It allows for process improvements such as the kitting technique or partnership alliances to be transferred across national boundaries so that the technique can be applied to other situations as well. It also applies to the effectiveness of satellite phones when land lines are nil or when traditional cell phones lack towers to carry the frequency and are rendered useless.

A similar process improvement is to put in place a network of preferred and qualified contractors who are experienced and on contingency to enact the necessary disaster response and minimize chaos. If a group of skilled contractors were formed with procedures and controls in place to be deployed on short notice, the response could be quicker with less confusion. Furthermore, it should be noted that federal regulations require these contractors to subcontract to small and disadvantaged as well as local suppliers.

By building linkages and a flexible institutional structure that is ready to be deployed with contractors who are skilled and possess internal controls, the government would be situated in a position of readiness to deploy teams of skilled workers to assist in whatever disaster should occur.

PREFERRED PROVIDERS

It should be noted that FEMA did utilize the services of experienced government contracting partners for this type of situation. Of the initial outlay of \$60 billion awarded to FEMA, \$100 million went to the Shaw Group to refurbish existing structures, \$100 million went to Bechtel to provide temporary housing in Mississippi, \$100 million went to Fluor Group to construct temporary housing, \$100 million was awarded to CH2m Hill For temporary housing in Alabama and Dewberry received \$100 million for hazard mitigation, technical assistance, inspections and management (Fineman, 2005).

FEMA also utilized government agencies to assist with the effort. Health and Human Services (HHS) received \$155 million to provide care and establish 26 new health center, the Department of Transportation (DOT) used \$145 million to repair roads, bridges and airports as well as trucks for delivery of goods, the Environmental Protection Agency (EPA) was employed for \$134 million to assess damage to water systems and restore service, the Department of Labor (DOL) used more than \$450,000 on unemployment insurance or temporary jobs for workers displaced by Katrina. In addition, the Department of Defense (DOD) spent \$2.1 billion on military missions (Fineman, 2005).

The Army Corps of Engineers was awarded \$400 million in funding for repairing civil engineering projects. Of this, \$170 million was dedicated for operations and maintenance, i.e. repairs to damaged locks, channels and waterways. In turn, \$100 million was awarded to the Shaw

Group for unwatering and roof repairs, and KBR (Halliburton firm) is owed \$16 billion in previous contracts for levee fixes. Ashbrite was awarded four contracts for debris removal in Louisiana and Mississippi for \$500 million, and Phillips and Jordan were one of three firms awarded \$500 million contracts for debris removal in Louisiana. (Fineman, 2005).

APPLICATION OF STRUCTURALISM THEORY TO EMERGENCY PREPAREDNESS

If we consider the high performing organization as complex organization in a heterogeneous environment as stated above, then the most appropriate fit of organizational form to the environment of hurricane disaster recovery efforts would be an alliance of preferred provider contractors under the leadership of FEMA to the multitude of comprehensive measures needed to properly restore the affected area. In turn, these providers would be required to seek local and small or small disadvantaged firms to subcontract with. The complex and comprehensive requirements of disaster recovery efforts qualify for an environment of a heterogeneous nature. In this sense, we could strive to construct an organizational “class” of governmental preferred contractors who are “loosely coupled” with the local environment and the supply of subcontractors locally or available as contractor suppliers through the GSA schedules or other contract mechanism.

The FEMA organization, independent from DHS, could effectively establish leadership as the “channel” in the provider environment and the “class” of preferred providers could serve as the “net” in case of a needed response to a disaster or recovery to an affected war zone. With a multitude of decision makers in the implementation of recovery efforts, the living systems paradigm described by Ashmos and Huber (1987) could be implemented.

Furthermore, the forms of fit described by Drazin and Van de Ven (1985, p. 523) in the “task-contingency theory of work-unit design” model, with units of “specialization, standardization and discretion” will be able to produce a high performing organization capable of effective and immediate response. These “modes” reflect the complexity of the work difficulty and a method of organizing a thorough and comprehensive remediation that occurs in a timely fashion.

It is to be remembered that the ideal solution will produce recurring patterns that exhibit a form which fits within the societal context. As noted in the theoretical construct, the managerial archetypes will serve a useful purpose in disseminating the broad policies and guidelines. It is the decision makers within the class of preferred providers to effectively implement the recovery efforts under standards of professionalism and best business practices. It is the contractor suppliers who wish to establish the practice of “kitting” as a business best practice that can improve the process of supplying the affected situation with an immediate and effective response.

With continuous improvement, one can hope to see the co-evolution of governmental management with business to produce an environment of cooperation and management that is dedicated and committed to an effective emergency response. An integrated system of actors, either loosely coupled or linked together in a form of organizational connectivity, could select a process that has tools and techniques capable of rapid and effective recovery in situations of disaster management.

REVIEW OF LEADERSHIP THEORY

Decision Lapses

News reports consistently cite bureaucratic mismanagement (Lipton, 2006), thereby a review of relevant leadership theory is provided below. According to Hammond et al (2001, p. 144), “Making decisions is the most important job of any executive.” Drucker (2001) lists six steps toward effective decisions. These include appropriate category of problem and its definition, as well as developing an appropriate response. It is important to distinguish a “right” answer before negotiations between concerned parties adapt the solution to serve vested interests. The decisions to provide individual payments, purchase trailers for temporary housing and restore certain community centers share a concern for the victims and an effort to alleviate their misery. However, the action plan to implement the decision needs feedback mechanisms to evaluate and improve the response. In the case of Katrina, evaluations and audits occurred after the fact and not during the process. It appears that some of these steps were followed in the government administration’s effort to remedy the disaster by the series of news

analyses and reports that followed. Thereby, the bureaucratic failure must be analyzed from another perspective.

Creating the Organization That Works in the Environmental Conditions

Perhaps the solutions and programs implemented reflect an organizational problem. Weick and Sutcliffe (2001, p. 10) propose an alternative view in their “hallmarks of high reliability” organizational traits. It should be noted that the “high reliability organization (HRO)” (Weick and Sutcliffe, 2001, p. xiii) does not distinguish between situations of emergency and status quo because the group is forward thinking and persist in organizing for action according to its purpose. These organizational traits are: 1) a preoccupation and careful reflection of every failure, 2) a reluctance to simplify and deliberate inclusion of observed important details, 3) concern with operations or front-line implementation effects, 4) dedicated resiliency or a commitment to provide solutions to operational details, and 5) “deference to expertise” (Weick and Sutcliffe, 2001, p. 16). Starting with the fifth trait, deferring to the experts, the characteristics of a “high reliability organization (HRO)” were not observed in the appointment of the administrator, Michael Brown. The individual was not trained or experienced in emergency management.

To take the analysis one step further, consider the “resource dependence perspective” by Pfeffer and Salancik (2003, p. xii) in their book entitled *The External Control of Organizations*. In this book, emphasis is made on the social and environmental influences of the organization. According to the authors, these effects are felt in the system of interdependencies that result in the rules, values and leadership selection. As a consequence, the organization seeks to remain viable through linkages and alliances with other organizational bodies to politically advance the survival of the organizational unit. Immediately following the Katrina disaster, administrator Brown was unresponsive in initiating a response. President Bush knew of the impending disaster, but failed to put a plan in place to remediate the spiraling problem. Advisor Karl Rove, was out of commission with an injury. Other important insider players dropped the ball at the initial onset. The alliances that sprang up to remediate the disaster after the fact showed that FEMA had support from Congress to put into place a plan of recovery that would alleviate the damaging effects of the hurricane. It was after Congress passed the legislation that high profile remediation companies were put

into place and monitored by the host of organizations concerned, from the U.S. Army Corp of Engineers to the Department of Defense and all others in between. In this manner, an effort was made to turn to the professional remediation responders to implement a solution and remedy. However, the traits of the HRO were not adhered to through a lack of attention to the complexities and front-line reflections. Operational details were inadequately addressed and the necessary “preoccupation with failure” was not given adequate attention. Thereby, in the haste of solving the problems, wastage resulted as well as fraud. These were discovered later through audits by Congress, the Government Accountability Office (GAO) and the South Florida *Sun-Sentinel* newspaper. From leadership to project implementation, the operation suffered from many pockets of inexperienced bureaucratic administration. The environment attempted to respond, but lacked operational concern, attention and reflection to avoid the massive waste of \$2 billion out of \$19 billion spent (Lipton, 2006).

Prospect Theory

This theory emerges from value theory in the mid-1970’s as described by Kahneman (2000). A decision theory is constructed incorporating utility theory and rational choice theories to illustrate the gambit of decision selection when monetary effects are involved with specific probabilities and the outcome is between two possible results. The model is comprised of ideas such as: decision weights that are not linear, the relative values posing a referential condition, and the importance of framing. The importance of this theory is that the concept of rational agent is exposed as a flawed explanation in light of other factors affecting decisions, choices and values.

March’s Decision Making Observations

Decision selection is based upon the participants’ “perceptions of the preferences and identities” (March, 1994, p. 111). In addition, social institutions shape the preferences. Thirdly, the preferences that are outside the norm and observed as “divergences” (March, 1994, p. 112) are the choices that are reported. Thereby, one can assume that the role of organizational values, context and norms of behavior are the core of decision making behavior in organizations. March argues that decision makers are proactive in the selection of choices they pursue because of the future effects of developing habits or patterns of behavior. Furthermore, a note should be made about the development of identity.

This can be developed in context and how it is measured is of utmost importance. For instance, if one considers him or herself as a professional by means of education and specialized training, this would be entirely different concept of identity of promotion by political appointment according to cronyism. In the case of the appointment by Michael Brown, a detachment from the operational side of things was exhibited because of concept of identity in relation to the president's team rather than the field perspective grounded in technical and professional knowledge of emergency management. As preferences by decision makers are exercised, there are some basic assumptions such as a consistent pattern of selection, and the reliability of the decision over time. Furthermore, inadequate attention is paid to the effects of these "preferences" on the status of the choices that they are meant to produce outcome. Due to the social and hierarchical nature of the organization, the learned preferences that are taught and reinforced throughout the organization and lead to a belief in the efficacy of ingrained behavior.

Garbage Can Decision Processes in Emergency Situations

According to March (1994, p. 199), conditions of a temporal nature such as emergency environments or military engagements are aptly described as "organized anarchies." In these conditions, a multitude of actors are involved, and loose coupling occurs in the complexity of the moment. Under these conditions, success is difficult to define and there are ambiguous preferences to guide the key players. The participation by actors is irregular and unorganized. Participation fluctuates as many persons and organizations are involved. Each organization and its representative(s) brings with him or her the context of the organizational environment from which they originate. This environment results in conflicting views of proper solutions and means by which to accomplish the appropriate results. The bauble of interaction and communication occurs in a compressed time frame and is appropriately described as a model of the garbage can theory. Concerted and unified methods of action are difficult to reach consensus and agreement in the context of a need for rapid deployment. The widespread involvement of a multitude of actors from many levels and organizational frames makes a coordinated and orchestrated response next to impossible to achieve.

Military Model

In the introduction of the book entitled *High-Performance Government: Structure, Leadership, Incentives*, Klitgaard (2005)

suggests that the president should be given authority to lead a structural organization of agencies and their responsibilities. Evidently, an attempt was made to improve the efficiency and effectiveness of FEMA by placing it under the Department of Homeland Security. However, the decision was reversed after much spirited opposition on many fronts and returned to independent agency status. Robbert (2005) suggests that an effective way to promote leadership equipped to deal with management situations that require an organizational capacity to serve would be a model similar to the military. In particular, the organization would utilize the internship system to foster comradery and development of a professional corps as well as increased expenditures in education and learning seminars. That's not to mention an organization that would be hierarchically structured with a command and control orientation. Furthermore, the organization should be established so that it is highly mobile and able to respond to various demographic locations. Throughout the process, the observation and promotion of effective leaders within the group would be fostered to cultivate a culture of professionalism and commitment to operational capabilities as well as logistical abilities to achieve results.

It is this concern with professionalism in operational implementation, organizational leadership capable of carrying out productive outcomes in the context of incorporating feedback during the process that is needed to create a backbone of professionalism and commitment to emergency management leadership.

RATIONAL MODELS

According to Quattrone and Tversky (2003), a key component of the rational model is the assumption of invariance. That is, given a set of circumstances and alternatives available, the person in a decision making position will likely make the same choice without respect to background or training. This assumes that logical consideration will lead to a common consensus of maximum utility in a plan of action.

Drucker (2003) describes every decision-making activity as an inherently risk-taking proposition. However, a rational person would follow a sequence that involves a classification of the problem and its definition. Next, the rational man or woman would select among

alternative courses the proper response given the conditions under which the circumstance exists. A plan of action would be designed to carry out the desired course, followed by evaluation and modification during implementation. A key element in the initial stages is defining the specifications, or what purpose the decision(s) are to accomplish within the context within the action plan is to operate.

According to Hayashi (2003), an effective decision maker continually examines his conscience and reflects objectively and subjectively about the progress of a decision or its enactment. A certain amount of emotional involvement is necessary in the personal reflections of decisions and courses of action.

Decision Traps

The psychological dimensions of making a decision in the mind of an executive leader goes beyond commonly considered errors in consideration according to Hammond, et al. (2003). For instance, the blame can not only rest with inadequate consideration of alternatives or lack of adequate alternatives and thorough evaluation. Causes for inadequate decision making can find their roots in aspects of anchoring, or giving extra consideration to initial alternatives, or forces of inertia that favor the preservation of existing circumstances. Alternatively, there is a tendency to repeat previous courses of action and reflect upon current models while lending a blind ear to alternative views. If one fails to adequately diagnose the problem in adequate detail, solutions are hindered. Moreover, a common fallacy to be avoided is the representation of an overly optimistic forecast that leads to criticism in the end.

CONCLUSION

If one were to pinpoint the source of organizational failure and bureaucratic mismanagement so frequently cited, it should be noted that the leadership appointment to head the agency was a source of many of the problems. However, leadership alone cannot account for the bureaucratic failings in the organizational context. Inadequate attention to professionalism and preparation resulted in an organizational capacity unable to enact operational responses that were effective and efficient in implementation. It is anticipated that the attention given to this case of

emergency contracting management will produce learning that will enable organizations to construct a capable response in case future disasters of this type would occur. Moreover, best business practices in the field can result in the construction of an effective contingency response system and decision makers prepared to make a ready response in time of need. In some cases, the military model can contribute to an organizational structure capable of ready response.

A new commitment to professionalism by practitioners, government leaders and contractors can help contribute to methods, processes and effective implementation. Given the criticism aimed at FEMA commissioner Brown, it seems unlikely that future presidents would place someone in the post without the prerequisite experience or in-field service. The appointment of President Bush of Florida veteran R. David Paulison indicates a renewed commitment to experience and professionalism in the director position of FEMA (FEMA Head: I'll Watch Katrina Movie. retrieved from: <http://www.cbsnews.com/stories/2006/> on July 31, 2006).

By utilizing the experience of contractors and agencies that have performed in similar circumstances, the construction of best practices and linkages can be built and applied to a variety of environments. With continual improvement, the best practices can be selected and applied with the most appropriate fit to the environment with maximum benefits and results in the context of middle range theory. At that time, the organization will be prepared to respond appropriately to disasters such as Katrina and better serve the populace affected by these challenging conditions requiring skilled professionalism in leadership and organizational capacity.

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