

Session No. 2

Course Title: Disaster Planning and Policies

Session 2: U.S. Disaster Policies: History and Institutions:

Time: 3 hrs

Learning Objectives:

- 2.1 Discuss the early roots of U.S. disaster policies
 - 2.2 Explain the evolution and early history of disaster management institutions
 - 2.3 Describe the modern history of disaster management in the United States, and the changes made to disaster management institutions in the last 20-30 years.
 - 2.4 Discuss the institutions responsible for disaster management at the federal level.
 - 2.5 Discuss the assignments for the module and criteria for evaluation.
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Scope:

In this session, the instructor should provide an understanding of the historical evolution of U.S. disaster policies and the institutions that developed to deal with the policy problems that emerged. The instructor should also provide an overview of the various institutions that developed to deal with different aspects of disaster and emergency management. A key theme in this session is that the policy has been reactive, in response to crises and disasters, rather than proactive. Students should also be provided with clear assignments to assess their knowledge and the criteria on which they will be evaluated.

Student Readings (also referred to in the subsections below):

- Lindell M., C. Prater, R.W. Perry with W.C. Nicholson. 2006. Chapter 1 and 2 “Introduction to Emergency Management” and “Emergency Management Stakeholders” in *Fundamentals of Emergency Management*.
<http://training.fema.gov/EMIWeb/edu/fem.asp>
- Haddow, G. J. Bullock, and D. Coppola. 2010. *Introduction to Emergency Management*. Burlington, MA: Butterworth-Heinemann. (Chapter 3).
- Federal Emergency Management Agency. (2004b). History of the federal emergency

management agency. Washington DC: FEMA. Retrieved March 14, 2011, from <http://www.fema.gov/about/history.shtm>

- W. Waugh, Living with Hazards: Chapter 2.
 - Sylves, Rick. 2008. Disaster Policy and Politics: Emergency Management and Homeland Security. Washington D.C.: CQ Press, Chapters 1, 2, and 3
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General Requirements:

The materials for this session are on the syllabus and the instructor should remind students that the materials should be read and reflected upon before class. The information about the readings materials should also be placed on an appropriate course website.

Instructional Methodologies: The instructor can choose to employ a mixture of tools for presenting the materials. The materials presented here can be summarized into a PowerPoint presentation. The instructor can use the links provided to access the organizational charts for DHS and FEMA and discuss those with the students.

2.1 Discuss the early roots of U.S. disaster policies.

2.2 Explain the evolution and early history of disaster management institutions

The instructor should discuss these two sections together in tracing the evolution of U.S. disaster management. The discussion is broken up into three main phases corresponding to critical turning points and phases in disaster management early in the nation's history.

The three main phase are:

- I 1800-1930: The Early Years
- II 1930-1950: The Cold War
- III 1950-1979: Natural Disasters and Shifts from Civil Defense to Disaster Management

2.2.1 I. 1800-1930: The Early Years

During the early history of the nation , there was very little systematic management of disasters. Till around 1930, most of measures taken by the government were efforts to address threats of fire and diseases and took the form of disaster relief bills and legislation.

Threats of fire and disease came about due to increasingly crowded urban areas and wooden construction used for buildings.

-1803 Fire Disaster Relief Act: Federal funds were made available to help the city of Portsmouth and the state of New Hampshire recover from extensive fires. “This congressional act of 1803 is commonly regarded as the first piece of national disaster legislation (Drabek 1991, 6).”

-1906: Fires swept and devastated much of the city of San Francisco in the wake of the Great Earthquake of 1906. The city had had major fires during the 1800s as well which kill hundreds.

-1916: Congress established the Council of National Defense, which consisted of the Secretaries of War, Navy, Interiors, Commerce, Labor and Agriculture. The focus was primarily on civil defense.

-1928: Lower Mississippi Flood Control Act: This legislation was passed as a means of responding to the lower Mississippi River flooding in 1927 (Platt, 1998, 38 in Lindell et al. 2006, 16). Despite this legislation, federal involvement was mostly in form of providing troops and disaster relief.

Learning Check: During the 1800s, what were the main threats that existed and how were they dealt with?

Sample answer: Main threats were fire, diseases, and floods. There was no systematic disaster management. Responses were mostly in the form of disaster relief bills.

2.2.2 II. 1930-1950: The Cold War

As discussed in the first session, reiterate that the Cold War had a profound and major impact on the development of emergency management as a government function and as a profession; the biggest threat was the prospect of a nuclear war.

-1933: President Franklin Roosevelt granted the Reconstruction Finance Corporation “authority to provide loans for the repair and reconstruction of certain public facilities that had been damaged by earthquakes...” (Drabek 1991, 6). In 1934, executive authority was also given for repairs of federal-aid highways and bridges damaged by natural disasters. Many other New Deal social programs were created to provide services and various types of financial aid to natural disaster victims. Between 1933 and 1939, the National Emergency Council which operated primarily to deal with the Great Depression, also conducted oversight of natural disaster relief (Lindell et al. 2006, 15).

-1936: The National Flood Program was set up under the Flood Control Act of 1936. Among other things, this act gave authority to the Army of Engineers to manage much of the nation's waterways and numerous dikes, dams, and levees were erected to reduce vulnerability to floods (Drabek 1991, 7).

-1940: The Office for Emergency Management was established in the Executive Office of the President and was responsible for crisis management and natural disaster relief.

-W.W. II: Civil defense programs were established by Office of Civil Defense headed by Fiorello LaGuardia (this office was within the Office of Emergency Management). These programs included air raid watch, warning and alert systems, rescue units, shelter management, public information and volunteer training (Drabek 1991, Lindell et al. 2006). In 1945, the Office of Civil Defense was abolished (Yoshpe 1981).

Learning Check: Question: What was the impact of the Cold War on the management of disasters? Which other factors were important in the development of the field?

Sample Answer: It led to an emphasis on civil defense, which also led to the emergence of disaster management as a government responsibility and as a profession. Job-creation programs during this phase were used to repair bridges and infrastructure damaged by natural disasters?

2.2.3 1950-1979: Natural Disasters and Shifts From Civil Defense to Disaster Management

Damage and devastation caused by a succession of major hurricanes and earthquakes in the 1960s and 1970s encouraged more attention to natural disasters and in part were responsible for the creation of FEMA in 1979.

-1950: The Federal Civil Defense Act (FCDA) of 1950 (Public Law 920): While civil defense still remained a state/local responsibility, the federal government would, among other things, prepare plans and programs, provide guidance, assistance, training, and matching grants for the procurement of supplies and equipment.

-1950: The Disaster Relief Act: Put into place a national and permanent disaster relief program, replacing ad-hoc, event-specific aid packages with general disaster relief law (Birkland 1997, 49). Authority to declare disaster was given to the

President, not to Congress and the principle of cost-sharing was introduced. The focus during most of the 1950s was however, on civil preparedness for war (for instance, funding and building a nationwide blast shelter program). This continued in the early 1960s with Kennedy's emphasis on a federally funded nationwide fallout shelter program. This emphasis was driven in large part by the atmosphere of the Cold War and development on the Soviet side. The threat of war, nuclear conflict, and the Cuban Missile crisis also influenced the importance accorded to civil defense.

-1964: National Plan for Emergency Preparedness was signed by President Johnson. Emphasis also shifted from fallout shelters to crisis-implemented programs such as evacuation (Blanchard 1986, 14-15).

-Emphasis was also placed on community disaster planning which was broadened to include a wider range of disasters with an emphasis on the viability of the local community (Dynes and Quarantelli 1977, 17).

-1965: Hurricane Betsy hits South Florida and Louisiana. This prompted a study of floods.

-1968: The National Flood Insurance Protection Act: established the National Flood Insurance Program (NFIP). Other pieces of legislation were passed in the 1960s following other disasters.

-1969: Disaster Relief Act passed following Hurricane Camille, which introduced the role of the Federal Coordinating Officer to represent the President in coordinating disaster relief.

-1973: The Flood Disaster Protection Act of 1973

-Further changes were made during the Nixon administration:

As noted in Lindell et al:

"In 1973, President Richard M. Nixon dismantled the Office of Emergency Preparedness and assigned responsibility for post-disaster relief and reconstruction to the Federal Disaster Assistance Administration in the Department of Housing and Urban Development. General management and oversight of federal programs was assigned to the Office of Preparedness, which was moved to the General Services Administration and, in 1975, became the Federal Preparedness Agency." (Lindell et al. 2006, 17)

-1974: The Disaster Relief Act of 1974 was passed following the destruction left in the wake of Hurricane Agnes, impacting six States. (Rubin and Tanali 1999)

-During the rest of the 1970s, federal legislation was passed in response to different events.

-Lindell et al. note that : "In the late 1970s, four major programs were established

within the Executive Office of the President: Dam Safety Coordination, Earthquake Hazard Reduction Program, Warning and Emergency Broadcast System, and Consequences Management in Terrorism. Other technological hazards programs also involved such agencies as the Environmental Protection Agency, Nuclear Regulatory Commission, and the Departments of Energy and Transportation (Lindell et al. 2006, 18).

-1978: National Governor's Association (NGA) Report on Emergency Preparedness: Governors were concerned about the lack of a comprehensive national emergency policy and the dispersion of federal responsibilities. They wanted the consolidation of these dispersed federal programs, the adoption of a *comprehensive* emergency management philosophy and more attention paid to mitigation and recovery (Drabek 1991, 17-18).

-In response to this report and to criticisms of the federal response to the Three Mile Island nuclear power plant incident, President Carter initiated a reorganization of federal programs, leading to the creation of a new agency.

-1979: Creation of the Federal Emergency Management Agency (FEMA): FEMA was given the power to establish federal disaster policies, mobilize federal resources for disaster response, coordinating federal efforts with state and local governments, and managing federal disaster response.

Several agencies were consolidated with FEMA:

- Defense Civil Preparedness Agency, Department of Defense.
- Federal Preparedness Agency, General Services Administration.
- Federal Insurance Administration, Housing and Urban Development.
- Federal Disaster Assistance Administration, Housing and Urban Development.
- National Fire Prevention and Control Administration, Department of Commerce.
- National Fire Academy, Department of Commerce.
- Community Preparedness Program, National Weather Service (Commerce).
- Dam Safety Coordination, Executive Office of the President.
- Earthquake Hazard Reduction Program, Executive Office of the President.
- Consequences Management of Terrorism, Executive Office of the President.

- Warning and Emergency Broadcast Program, Executive Office of the President. (Drabek 1991, 10)

The FEMA Director was appointed by the President of the United States and was, until the establishment of the Department of Homeland Security, was part of the cabinet.

As Lindell et al. note, “the establishment of FEMA represented the third time that all federal disaster efforts and functions were combined; the first was the National Emergency Council (1933-1939), followed by the Office of Civil Defense Mobilization”... and that “the early history of FEMA was dominated by attempts to define its mission and organize its own bureaucracy (1958-1961) (2006, 20)”. The task of creating a single bureaucracy from 13 entrenched organizations in the newly created FEMA foreshadowed the problems that plagued the creation of the Department of Homeland Security years later: both efforts proved to be herculean task.

Learning Check: Questions for Students:

What factors led to the creation of FEMA?

Suggested Answer: Students should be able to discuss how various disasters and the inability to respond to them adequately led to the push for consolidation of federal disaster management efforts. However, since it was a conglomeration of different bureaucracies with different missions and entrenched power sources, it faced a number of growing pains after its creation.

2.3 Describe the modern history of disaster management in the United States, and the changes made to disaster management institutions in the last 20-35 years.

Two Phases: 1980- 2001 and 2001- Present

2.3.1 1980- 2001: The Fall and Rise of FEMA

What were the main events that occurred in these two decades? What role did FEMA play?

-1980: National Contingency Plan for Accidents at Nuclear Power Plants, precipitated by the Three Mile Island nuclear power plant incident.

-1980, December 11: The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) was passed, commonly known as the Superfund Law.

-1983: Integrated Emergency Management System (IEMS) adopted by FEMA. The stated goals for this program were to develop and maintain emergency management

capabilities nationwide for all types of emergencies and across all hazards at all levels of government.

- The aim was also to reduce a duplication of efforts and resources through joint, community planning. For instance, as noted by several scholars, communities would often have multiple plans that existed simultaneously without reference or coordination with each other, such as a county disaster plan, a police department emergency plan, a fire department plan, an emergency medical response plan, a city-wide post-disaster clean-up plan, etc. (Perry and Mushkatel 1986, Blanchard 1986).

-1986: Superfund Amendments and Reauthorization Act (SARA Title III).

-1987: President Reagan's Presidential Policy Guidance: last attempt at nuclear-attack related civil defense programs (Lindell et al. 2006).

-1988: Robert Stafford Disaster Relief and Emergency Assistance Act: This boosted state and local emergency management efforts and established federal cost sharing for planning and public assistance (family grants and housing).

-1989- 1993: Hurricane Hugo hit the Southeastern United States and FEMA's inability to respond was severely criticized. A year later, the earthquake in Loma Prieta also led to more criticism for FEMA. In 1992, Hurricane Andrew hit in 1992. The devastation was widespread and led to a renewed reexamination of FEMA's competencies.

As noted by Tierney,

“As the widespread criticisms and the subsequent investigation of federal emergency management policies following Hurricane Andrew showed, the public expects government to respond swiftly and effectively in emergencies and has little tolerance when those expectations are not met.” (Tierney 2001, 152).

- In 1993, flooding in the Midwest caused \$15-20 billion in losses and led to six states receiving Presidential Disaster Declarations (Lindell et al. 2006, 22).

-1993: James Lee Witt is appointed Director of FEMA by President Clinton, marking the first time that a professional Emergency Manager was appointed to this post. Under Witt, there were many changes. The focus of FEMA changed. Mitigation became a priority. The changes led to a major reorganization of FEMA's Directorates to reflect its critical functions; emphasis was laid on professionalism. Sweeping reforms streamlined disaster relief and recovery.

-1993: The Hazard Mitigation and Relocation Act allocated money for the first time to proactively reduce flood risk by hazard mitigation through measures such as relocating homes and businesses through the acquisition of property in floodplains.

- 1996: Money allocated for counter-terrorism, through the Defense Against Weapons of Mass Destruction Act (also known as (Nunn-Lugar-Domenici Act); this legislation was precipitated by the World Trade Center Bombing, NYC (1993), the Tokyo, Japan Subway Sarin Gas Attack (1993), and the Murrah Federal Office Building Bombing, Oklahoma City, OK (April 19, 1995).

- 1997 Project Impact adopted by FEMA- Mitigation continues to be a focus and this project sought to create disaster-resistant communities in every state.

Learning Check: Questions for Students:

1) *What led to the appointment of James Lee Witt? How did his appointment affect FEMA's organizations and programs?*

Suggested answer: Students should discuss the various disasters at the end of the 1980s and beginning of the 1990s and how these led to criticism of FEMA and the President. Focus of FEMA changed after Witt's appointment. Mitigation became a priority. Major reorganization of FEMA's Directorates reflecting its critical functions. Sweeping reforms streamlined disaster relief and recovery.

2.3.2 *2001- Present: Homeland Security and Disaster Management*

Instructors should refer to Haddow et al. 2010 (pp 13-25) on the creation of DHS and developments in the last decade.

-Since 9-11, the focus has been on terrorism. This decade has seen the creation of the Department of Homeland Security and numerous changes in disaster management organizations.

-2003 (March): FEMA joined 22 other federal agencies, programs and offices in the Department of Homeland Security (DHS).¹ PA Governor Tom Ridge was named as secretary of the new Department of Homeland Security (DHS). The new department

¹ *About FEMA.* "FEMA History." www.fema.gov/about/history.shtm

joined together over 179,000 federal employees from 22 existing federal agencies under a single, cabinet-level organization. This mammoth agency under which a number of different bureaucracies have been consolidated represented a phenomenal challenge with regard to organizational consolidation.

-In 2005, under Michael Chertoff who succeeded Ridge in leading DHS, a reorganization of the agency moved virtually all of the remaining preparedness capabilities in FEMA to a new Office of Preparedness, leaving FEMA to focus exclusively on response and recovery. This situation was similar to what existed before FEMA's 1979 creation when Federal emergency management and disaster assistance capabilities were scattered across the Federal government and in the White House (Haddow et al. 2010).

Supplemental Reading: Department of Homeland Security. 2008. Brief Documentary History of the Department of Homeland Security: 2001-2008. http://www.dhs.gov/xlibrary/assets/brief_documentary_history_of_dhs_2001_2008.pdf

-2005: Hurricane Katrina (August 25, 2005): Prior to Katrina, FEMA had conducted a number of evacuation exercises for New Orleans area, including "Hurricane Pam" an exercise that was convened in July 2004, which led to a number of recommendations to correct the problems and deficiencies discovered in the exercise. Due to funding reallocations by DHS management to other DHS priorities, the funds initially allocated by FEMA for these corrective actions never materialized. Forecasters and meteorologists continued to warn of the potential dangers of Katrina: Max Mayfield of the National Hurricane Center took the unusual step of calling the governors of the affected states and Mayor Ray Nagin of New Orleans, two days before Katrina hit. As documented in Haddow et al. (2010, 18): "The storm impacted a broad geographic area stretching from Alabama to coastal Mississippi and southeast Louisiana, an estimated 90,000 square miles. In May 2006, the death toll from the storm was 1,856 with another 705 individuals listed as missing."

-Other facts noted by Haddow et al. (2010, 18):

- 800,000 displaced
- 24,273 rescued by the U.S. Coast Guard and 6,600 people rescued by FEMA.
- Disaster relief expenses: \$100 billion
- Insurance losses: \$35 billion

-2006: The Administration's Report, "[The Federal Response To Hurricane Katrina: Lessons Learned](#)," was released in February 2006. This was based on a number of congressional hearings and investigations that were held after Katrina to determine what went wrong. It included 125 recommendations and 11 critical actions that needed to be completed by June 1, the start of the 2006 hurricane season. Based on this report and other hearings, along with the media attention on the failings of FEMA, Supported by this

and other reports and a public demanding action, federal emergency management policies were revised to vest more power in the President; FEMA was reorganized; and, the mission, functions, and authorities of DHS were clarified (Haddow et al. 2010). .

-Post-Katrina changes (Haddow et al. 2010): A number of changes were made after Katrina. Six notable pieces of legislation were passed, which were:

- The Security and Accountability for Every Port Act of 2005, known as the Safe Port Act
- The Federal Judiciary Emergency Special Sessions Act of 2005
- The Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA)
- The Pets Evacuation and Transportation Standards Act of 2006
- The Student Grant Hurricane and Disaster Relief Act
- The John Warner National Defense Authorization Act for Fiscal Year 2007

Of these, PKEMRA made the most changes with respect to FEMA and disaster management. This statute expand FEMA's statutory authority, reorganized the agency, required that DHS reconsolidate all of the emergency management functions, including preparedness, into FEMA, and elevated the status of FEMA within the department. This legislation also restored some of FEMA's power by providing autonomy for the FEMA Administrator to communicate directly with Congress, giving it more organizational autonomy, protecting FEMA asses from reassignment within DHS, and providing resources for FEMA to maintain its ten regional offices. Other changes provided by this legislation were to provide FEMA with a disability coordinator, a National Advisory Council, Regional Advisory Council, a small state and rural advocate, and regional strike teams (Haddow et al. 2010, 21-22).

-Supplemental Reading:

- GAO. 2006. Hurricane Katrina: GAO's Preliminary Observations Regarding Preparedness, Response, and Recovery.
<http://www.gao.gov/new.items/d06442t.pdf>

2.4 Discuss the institutions currently responsible for disaster management at the federal level.

Note to Instructors: Start this section by pointing out that the historical evolution of U.S. disaster management discussed in sections 2.1, 2.2, and 2.3 has influenced the missions, culture, and goals of current U.S. disaster institutions at various levels of government in numerous ways. Instructors can emphasize that while official functions and tasks are laid out for different organizations, institutional culture and communication between various disaster management institutions both horizontally and vertically have been critical in determining overall efficacy of response and long-term disaster management challenges.

Federal Level:

DHS Organizational Chart:

<http://www.dhs.gov/xlibrary/assets/dhs-orgchart.pdf>

FEMA Organizational Chart:

http://www.fema.gov/pdf/about/org_chart.pdf

Horizontally, many different agencies involved. The National Response Framework (NRF) specifies for instance, the responsibility of different agencies. The NRF currently serves as the guide for response to major disaster events in the United States. Through the NRF, the Federal Government organizes resources and capabilities under 15 Emergency Support Functions (ESFs). ESFs align categories of resources and provide strategic objectives for their use. During a response, ESFs are a critical mechanism to coordinate functional capabilities and resources provided by Federal departments and agencies, along with certain private-sector and nongovernmental organizations. ESFs may be activated to support headquarters, regional, and/or field activities.

Learning Check: Questions for Students:

Discuss some of the main changes made to FEMA after 9-11 and then after Katrina. Suggested answer: Students should discuss the reaction to 9-11 and the creation of DHS. They should also discuss how the focus on terrorism affected the priorities placed on natural disasters and hazards. In discussing the changes after Katrina, they should be able to identify the major changes after Katrina, particularly through PKEMRA and how these changes sought to restore FEMA's abilities to deal with disasters. Discussion could be held on how the current organizational structure at the federal level will affect FEMA's ability to respond to large scale disasters and catastrophes.

2.5 Discuss the assignments for the module and criteria for evaluation.

Note to Instructors: Depending on the level the class is being taught at (graduate or undergraduate), the background of your students, and the remaining class time, you can consider one or more of the following options for assignments.

Assignment Options:

Option 2.5.1: Explore and investigate the organization of disaster and emergency management functions in your city or state. Access relevant website to find out the current organization of disaster management functions, who the local or state emergency manager is, and who they report to. Find out where they fall in the organizational chart.

Option 2.5.2: Explore disaster statutes passed in your state in the last two decades. Find out what led to the passage of legislation, which factors led to the passage (for e.g. disasters/crises), and what the main provisions of the legislation were.

Option 2.5.3: Explore these timelines at <http://www.clairerubin.com/> :

- a. *Disaster Timeline: Major Focusing Events and U.S. Outcomes (1978 – 2006)*. Rubin, Claire, I. Renda-Tanali, W. Cumming. 2007. Disaster Timeline Series. www.disaster-timeline.com.
- b. *Emergency Management: The American Experience, 1900 – 2005*. Rubin, Claire, I. Renda-Tanali, W. Cumming. 2007. Disaster Timeline Series. www.disaster-timeline.com.
- c. *Terrorism Timeline*. Rubin, Claire, I. Renda-Tanali, W. Cumming. 2007. Disaster Timeline Series. www.disaster-timeline.com.

Discuss the general patterns you can discern in the timing of adoption of legislation and policies and analyze some of the reasons for crisis-driven policy-making.

Option 2.5.4: Interview a manager at your local Emergency Operations Center (EOC). Acquire information from her/him about the organizational structure of the EOC and her/his role there. Ask them about changes, if any that s/he has seen at the EOC since they started employment there and the reasons for the changes.

2.6 Discuss the instructional methodologies the instructor will employ and the reason for selecting them.

References

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