Institutions, incentives, and disaster relief
The case of the Federal Emergency Management Agency following Hurricane Katrina

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Abstract
Purpose – The purpose of this paper is to highlight the importance of property rights institutions to disaster relief efforts, with a focus on the US Federal Emergency Management Agency in the aftermath of Hurricane Katrina in New Orleans, Louisiana.

Design/methodology/approach – The paper utilizes public choice, Austrian, and new institutional analyses of bureaucracy. It discusses private and public sector responses to the situation in New Orleans following Katrina and to disasters in general, and compares the institutional frameworks that develop over time in both sectors.

Findings – The paper finds that a large and bureaucratized response to disasters hinders economic calculation, incentive structure, and property rights institutions, all of which are crucial for rapid disaster response, the relief of human suffering, the minimization of knowledge problems, and the promotion of an efficient allocation of resources.

Practical implications – This research suggests that the role of the price system in allocating resources is especially important following disasters and that in order to ensure relief efforts are as efficient as possible, public-sector actors should do nothing to impede them. It also suggests that the incentives to prepare an efficient emergency preparedness program are greater when those most affected by potential disasters are held responsible for their implementation.

Originality/value – The paper provides a critical evaluation of the role of highly centralized approaches to disaster relief.

Keywords Public finance, Bureaucracy, Emergency measures, Resource allocation, Disasters, United States of America

Paper type Case study

Introduction
On August 29, 2005, Hurricane Katrina slammed into the Gulf Coast of the USA, with the harshest portions devastating the Mississippi coast. After it passed, many residents of New Orleans ventured out of their shelters thankful that the worst had passed. Little did they know that that while their city had largely withstood the immediate effects of the...
hurricane, its levee system would prove insufficient to weather the increase in water levels that occurred after the storm. Several hours after the hurricane passed, those levees broke, creating one of the most devastating disasters in US history, the effects of which persist to this day (27 months following the levee breach, New Orleans' population was 63 percent of its pre-Katrina size, according to Warner (2007)). The events that followed the storm caused us to wonder about the role of a federally-managed emergency disaster relief organization during and after a natural disaster, and we sought to compare its conduct with what might have resulted if private entities were able to provide disaster relief following catastrophic events[1].

In this paper, we demonstrate that the institutional framework that developed in New Orleans over the decades leading up to Hurricane Katrina proved to be faulty. We note (following Pejovich, 1998, pp. 23-4) that societal institutions are characterized as systems of formal and informal rules, with the former reflective of written, positive law, and the latter reflective of “experiences, traditional values, customs, religious beliefs, ethnicity, and other factors that influence the subjective perceptions individuals form to interpret reality.” In the case of New Orleans following Hurricane Katrina, we believe that the preponderance of formal rules hindered individuals acting in response to the informal ones. We focus especially on the role played by the Federal Emergency Management Agency and the full costs of a centrally-managed, taxpayer-supported system (in contrast to those of a less centralized, private system). The second section considers how market forces and informal rules might have evolved if FEMA had never existed. The third section argues that FEMA’s actions during and after the disaster highlight the different incentive structures facing private- and public-sector actors, specifically with respect to the latter’s incentive to be conspicuous in providing aid versus the incentive to be effective and efficient with resources. The final section concludes with a discussion of the calculation problem that afflicted FEMA, discusses the role of property rights in explaining FEMA’s actions, and argues that private efforts would have been more successful in providing relief.

Emergency response in the absence of FEMA
Following Hurricane Katrina and its aftermath, FEMA was criticized for inaction, epitomized by then-Director Michael Brown’s August 29th memo suggesting workers be allowed two days to get to the ravaged region (Homeland Security Spokesman Russ Knocke defended the two-day delay as necessary to provide workers with adequate training). On the same day (as noted in the New York Post), Brown urged local fire and rescue departments outside Louisiana, Alabama, and Mississippi not to send trucks or emergency workers into disaster areas without an explicit request for help from state or local governments. Above all, the goal of any relief effort (as Brown wrote in another memo) is to “convey a positive image of disaster operations to government officials, community organizations and the general public” (Transcribed in Jones, 2005, p. 3).

Conveying such an image would prove to be a tall order. Other news reports noted how FEMA prevented the coast guard from delivering fuel and the Red Cross from delivering food, barred morticians from entering New Orleans, blocked a 500-boat flotilla from delivering aid, and ignored a Navy ship equipped with a 600-bed hospital – all while thousands died. When powerful individuals behave so irresponsibly and cause such havoc in the private sector – the example of Ken Lay comes to mind – Congress often seeks criminal charges[2].
But, such a comparison is not fair to the former Enron chief. While Lay resigned and found legal representation soon after Enron crashed, Brown never immediately resigned, but was instead taken off New Orleans duty under pressure for oddities in his resume. What is more, the agency itself faced no repercussions and its budget was increased. In contrast, Enron dissolved once its abuses became known to the public. The comparison of Enron to FEMA does have its limits. Enron, after all, was effectively abolished by market forces. But, since FEMA operates outside the market, and indeed exists because of government’s legal monopoly on the use of force, it remains in a position to interfere with relief efforts during a future emergency. More than a week following the catastrophe and several days of bad press, FEMA announced a program to give $2000 cash to every household that claimed to be affected by Katrina. If there were no FEMA, no such wealth distribution (to say nothing of the waste) would take place, while much of the squelched efforts by private individuals, non-profits, and firms would have flourished all along the Gulf Coast. FEMA’s behavior illustrates a key aspect of the Austrian school and public choice theory of bureaucracy. The Austrian theory, best represented by Mises (1969), states that bureaucracies themselves proliferate beyond levels required by the market in response to the growing scope of the state in society, resulting in a misallocation of productive resources. Meanwhile, public choice theory, as explained by Niskanen (1968), emphasizes that the public bureaus’ chief goal is to spend their budgets until the marginal benefit of additional spending equals zero, in part because such activities will reflect well on the public sector, create demand for its services, and promote increased budgets in the future. When these institutional incentives are present (and enforced), “Katrina teaches a broader lesson … [which is] no one should expect government to respond quickly and effectively to natural disasters” (Shughart, 2006, p. 31).

We can contrast these public sector incentives with the goal of private relief organizations such as the Salvation Army or the Red Cross. Because their spending is limited to voluntary donations, they have a greater incentive to spend their funds in ways that bring the most benefit. Since no one household or individual situation is the same, no one needs exactly the same amount of aid. Six-member Household A may need medical supplies, diapers, and food, while four-member Household B may have been taken in by friends or family members and may only need food. Whatever the situation, private relief organizations have a greater incentive to discriminate in such cases. They certainly would not assume that the marginal cost of serving every household is the same, as did FEMA with its arbitrary and uniform disbursements to all comers. More importantly, FEMA’s generosity with other people’s money discourages families and other private networks from forming and reaching out to help each other in times of need. Household B above would have less of an incentive to search out family or friends when FEMA is making funds available. The result is a weaker social fabric and greater dependence on the State.

These considerations raise the question about what would have resulted, in New Orleans and elsewhere, if FEMA did not exist in the first place. We can assume that if it did not, there would be:

- reduced moral hazard problems that result when individuals’ incentives are skewed by the impression that no matter what, the federal government will bail them out;
- a greater incentive to give to private relief organizations by people who withhold funds now because they are already being taxed to fund FEMA;
- less rebuilding in areas prone to disasters (and, given New Orleans’ levee system, obvious targets of terrorism); and
- less of the fraud that is FEMA’s trademark, such as when the agency distributed $28 to 13,000 million Miami-Dade residents in Florida following Hurricane Frances, even though Dade County experienced no hurricane conditions[3].

For a small glimpse of how the private sector can respond to tragedies such as those occurring along the Gulf Coast, one only needed to look as far as Wal-Mart, which demonstrated that it is about more than low prices and economies of scale. The firm had 45 trucks loaded and ready for delivery in its Brookhaven, Mississippi, distribution center and secured a special line at a nearby gas station to ensure that its employees could arrive to work before Hurricane Katrina made landfall. After the storm, Wal-Mart offered $20 million in cash donations, 1,500 truckloads of free merchandise, food for 100,000 meals, and the promise of a job for every one of its displaced workers. According to the Washington Post, the firm:

[…] turned the chain into an unexpected lifeline for much of the Southeast and earned it near-universal praise at a time when the company is struggling to burnish its image (Barbaro and Gillis, 2005).

This is simply good business, and Wal-Mart is far from the only firm that tried to provide it along the Gulf Coast, reflecting the naturally cooperative relationship between producers and consumers. Such cooperation provides a glimpse of what might have been if there was no such thing as FEMA in the first place.

**Katrina, the knowledge problem, and informal rules**

For the most part, we know what happened, and what did not happen, after Katrina had battered parts of the US Gulf Coast and flooded most of New Orleans. Despite promises of aid “around the corner,” adequate government assistance did not reach many of the refugees, and especially the people of New Orleans who were stranded in the Superdome and the New Orleans Convention Center, not to mention nursing homes and roofs of houses. As we now know, government agents stymied attempts by private individuals and organizations to bring provisions to people who had none. People languished for about five days before government relief agents arrived, bringing provisions and some bit of hope.

The explanation for FEMA’s apparent heartlessness and incompetence often varies depending on one’s political preferences. Many people – including most Democrats – say that it was because the Bush Administration is racist, and that since most of the refugees in New Orleans were black and poor, the president and his minions simply did not care about them.

Others point to the war in Iraq because it has diverted both funds and manpower that were needed immediately after the storm. Still others (like novelist Anne Rice in a New York Times column on September 4, 2005) claim that it was total indifference by the people of the USA, not just a failure of government. The huge outpouring of private aid, from donation of money, food, clothing, time, and housing (many people simply have taken in refugees – White and Black – in their own homes) stands in
contrast to Rice’s assertion that “America is hopelessly racist and hates the poor” and demonstrates that the will to sacrifice for those truly in need certainly exists in this country. Yet, for all of the public angst over the federal government’s – and especially FEMA’s – post-disaster response, most observers missed what is painfully obvious: the government’s response was perfectly typical of how people in government act in such situations.

The first rule that a government agent follows when confronted with an emergency is to “secure the area.” For example, when two young men were going on a murder and mayhem spree at Columbine High School in 1999, the police “SWAT” team stayed outside and encircled the complex because someone said that the area had to be “secured” before police actually could try to save anyone. In this same vein, immediately after the hurricane had passed through New Orleans (for example), FEMA officials turned away a Wal-Mart truck loaded with bottled water, declaring that it was “not needed.” Before we dismiss this incident as yet another example of incompetent government, we should realize that the official’s actions were completely within the character of government. When governments act to provide services to individuals, they are done within a very different context than what occurs when private organizations provide services. The post-Katrina services performed by the Red Cross and other organizations such as civil groups and churches did not come with the threat of force attached to them. Church volunteers cannot arrest or even kill someone in those circumstances, but a representative of the government can perform such things without recrimination (and on more than one occasion did just that post-Katrina).

Another apparent rule of government services is that they be performed in as visible a manner as possible. Anyone who has watched some of the post-hurricane coverage has seen press conference after press conference after photo-opportunity of government officials from President George W. Bush to mayors, governors, FEMA and military personnel and the like, people whose job is to be seen doing “good” for political constituents. These things are done with the podium and the TV camera in mind. The FEMA official who waved off the Wal-Mart truck was correct; FEMA did not “need” Wal-Mart to help. In fact, given their incentives, it is entirely rational for FEMA officials to genuinely not want Wal-Mart to help, as the company would have been able to steal some of the thunder that otherwise would accrue to FEMA and other government agencies.

Although it is typical of government agents to adopt a “secure the area” mentality in all emergency circumstances, in the case of Katrina it was unnecessary. Yes, there are risks that people take going into areas just after something devastating like a hurricane or earthquake has occurred, but the vast majority of people who put themselves into such situation know beforehand about the nature of dangers they are facing. Because FEMA has been designated the main provider and organizer of post-natural disaster rescue and relief operations, this presents a number of problems that occur at the outset. Despite all of the pre-disaster planning that might occur, a real event has its own set of problems that must be evaluated (literally) on the ground, not in an office in Washington, DC. To put it another way, a Hayekian “knowledge problem” exists in a situation in which immediate responses are critical von Hayek (1945).

This observation underscores that it was not simple incompetence, or insufficiently altruistic leaders, that led to the problems. Even if the heads of FEMA were stellar professionals, they still would not have been able to make informed and intelligent
decisions from their original vantage points. Instead, the very people who should have been making decisions – the ones who were closest to the disaster – were the ones purposely left out of the loop. As pointed out earlier, the “knowledge” problem comes to the fore. However, others have tried to give their own explanations, though they do not stand up to scrutiny. Princeton University Economist Paul Krugman, for example, said that the poor initial response was due to the influx of conservative ideology that fails to recognize the greatness and wisdom of government. He writes:

The federal government’s lethal ineptitude wasn’t just a consequence of Mr Bush’s personal inadequacy; it was a consequence of ideological hostility to the very idea of using government to serve the public good. For 25 years the right has been denigrating the public sector, telling us that government is always the problem, not the solution. Why should we be surprised that when we needed a government solution, it wasn’t forthcoming? (Krugman, 2005).

The way that we should address such issues is not to give the government more power, which is what the political classes of the left and right are demanding. Krugman is calling for a breach in the rule of law, the creation of what only can be called mini-dictatorships. Two emergency medical workers attending a New Orleans conference when the disaster struck give an account of living under such dictatorial rule:

We organized ourselves and the 200 of us set off for the (Greater New Orleans) bridge (that crosses the Mississippi River) with great excitement and hope. As we marched pasted [sic] the convention center, many locals saw our determined and optimistic group and asked where we were headed. We told them about the great news. Families immediately grabbed their few belongings and quickly our numbers doubled and then doubled again. Babies in strollers now joined us, people using crutches, elderly clasping walkers and others people in wheelchairs. We marched the 2-3 miles to the freeway and up the steep incline to the Bridge. It now began to pour down rain, but it did not dampen our enthusiasm.

As we approached the bridge, armed Gretna sheriffs formed a line across the foot of the bridge. Before we were close enough to speak, they began firing their weapons over our heads. This sent the crowd fleeing in various directions. As the crowd scattered and dissipated, a few of us inched forward and managed to engage some of the sheriffs in conversation. We told them of our conversation with the police commander and of the commander’s assurances. The sheriffs informed us there were no buses waiting. The commander had lied to us to get us to move.

We questioned why we couldn’t cross the bridge anyway, especially as there was little traffic on the 6-lane highway. They responded that the West Bank was not going to become New Orleans and there would be no Superdomes in their City.

They later attempted to build a small camp on the abandoned freeway, only to be attacked by police and forced to move, so they were forced to survive in other ways.

In the pandemonium of having our camp raided and destroyed, we scattered once again. Reduced to a small group of 8 people, in the dark, we sought refuge in an abandoned school bus, under the freeway on Cilo Street. We were hiding from possible criminal elements but equally and definitely, we were hiding from the police and sheriffs with their martial law, curfew and shoot-to-kill policies.

And when they finally made it to the airport, there were the final acts of official degradation.

We arrived at the airport on the day a massive airlift had begun. The airport had become another Superdome. We 8 were caught in a press of humanity as flights were delayed for several hours while George Bush landed briefly at the airport for a photo op. After being evacuated on a coast guard cargo plane, we arrived in San Antonio, Texas.

There the humiliation and dehumanization of the official relief effort continued. We were placed on buses and driven to a large field where we were forced to sit for hours and hours.
Some of the buses did not have air-conditioners. In the dark, hundreds if us were forced to share two filthy overflowing porta-potties. Those who managed to make it out with any possessions (often a few belongings in tattered plastic bags) we were subjected to two different dog-sniffing searches.

Most of us had not eaten all day because our C-rations had been confiscated at the airport because the rations set off the metal detectors. Yet, no food had been provided to the men, women, children, elderly, disabled as they sat for hours waiting to be “medically screened” to make sure we were not carrying any communicable diseases.

This official treatment was in sharp contrast to the warm, heart-felt reception given to us by the ordinary Texans. We saw one airline worker give her shoes to someone who was barefoot. Strangers on the street offered us money and toiletries with words of welcome. Throughout, the official relief effort was callous, inept, and racist (Sheppard, 2007).

No doubt, defenders of the police will say that they were “keeping order,” but one also has the sense that the actions of the police helped to make things even more disorderly. On the other hand, the so-called “renegades” who are criticized by the government and larger organizations like the Red Cross, help bring order to the chaos. After a visit to crisis areas in Mississippi, one newspaper reporter wrote:

I’m telling you, without the churches, this disaster would be even worse, as hard as it is to believe that’s possible. Donate if you will to the Red Cross or the Salvation Army, but know that the bureaucracy behind the big organizations is simply staggering. Without the people setting up the “renegade” food, clothing and supplies distribution centers, usually at churches, there would be many, many more deaths. Supplies are pouring into this area from all across the nation, huge truckloads of canned goods, water, medical stuff. They’re being collected at these churches, and they’re very organized about getting the supplies out to folks. I’m very impressed (Holloway, 2005).

The above account is certainly not the message the government wishes to publicize. Government officials often classified such private, mini-relief activities as “not helpful.” However, many of the most “helpful” people are those who have not carried weapons, but rather a strong commitment in their hearts to do whatever is necessary. Continue the “refugee” EMTs:

We also suspect the media will have been inundated with “hero” images of the National Guard, the troops and the police struggling to help the “victims” of the Hurricane. What you will not see, but what we witnessed, were the real heroes and heroines of the hurricane relief effort: the working class of New Orleans. The maintenance workers who used a fork lift to carry the sick and disabled. The engineers, who rig, nurtured and kept the generators running. The electricians who improvised thick extension cords stretching over blocks to share the little electricity we had in order to free cars stuck on rooftop parking lots. Nurses who took over for mechanical ventilators and spent many hours on end manually forcing air into the lungs of unconscious patients to keep them alive. Doormen who rescued folks stuck in elevators. Refinery workers who broke into boat yards, “stealing” boats to rescue their neighbors clinging to their roofs in flood waters. Mechanics who helped hot-wire any car that could be found to ferry people out of the City. And the food service workers who scoured the commercial kitchens improvising communal meals for hundreds of those stranded.

Most of these workers had lost their homes, and had not heard from members of their families, yet they stayed and provided the only infrastructure for the 20% of New Orleans that was not under water (Sheppard, 2007).

Although such reports reflect Pejovich’s “informal rules,” cited earlier, we would argue that the government did indeed perform successfully following Katrina,
so long as we properly define “success.” True, the government seems to have “failed” according to commonsense criteria in making things better, especially in the days directly after the storm passed. However, government is a mechanism by which some people impose their will by force over others, and by that definition government succeeded beyond its own expectations. One can always expect government to behave exactly like government. Its behavior with respect to Hurricane Katrina and its aftermath should cause many to question whether this institution ought to be put in charge or disaster relief, or the economy, or society, foreign policy, health care, education, courts, the environment, or anything at all. The Katrina fiasco is only the latest exhibit in the ongoing historical documentary in favor of a government-free society.

Katrina’s aftermath: a property rights perspective
In one sense, FEMA bureaucrats did not do anything particularly outrageous. Yes, it is true that the main damage to New Orleans was caused not by the hurricane per se, but by the government’s poorly designed levee system. It is also true that, given the flooding, the federal presence only made matters worse. As discussed earlier, FEMA officials almost seemed to purposely sabotage relief efforts, by blocking private shipments of aid, detouring volunteer firefighters to Atlanta for two days to receive sexual harassment training, and even telling “First Responders” to wait before responding. And of course, the escalating threats against “price gouging” only further staunched the flow of vital supplies into the ravaged region.

However, the situation that presented itself in New Orleans on the evening of August 29, 2005, can best be described as a planner’s nightmare. The FEMA officials were “in charge” of relief efforts for the ravaged areas. As news reports of the disaster alerted the nation to its severity, thousands upon thousands of people and agencies offered help. In that scenario, what were the overwhelmed officials supposed to do? They obviously did not have a fully specified contingency plan to which they could refer. Since they had no idea where, say, 500 bottles of water should be delivered, it is not surprising that they often said, “Thanks for the offer, but hold off on shipping it here until we get back to you.” This problem, identified by Sobel and Leeson (2006) as one resulting from layered bureaucracy, is inherent in more centralized response arrangements.

The full complexity of the problem becomes apparent when we consider that some offers should have been refused. For example, suppose a group of well-meaning college age women wanted to go door to door handing out batteries in a neighborhood that was teeming with looters, sewer water, and downed power lines. Depending on the specifics, it is entirely possible that the “right” thing (and for the moment we will be vague about the criteria of goodness here) would be to politely refuse their offer. This is because the cost in resources needed to escort them or give aid to them if they became sick, would likely exceed the benefits of getting batteries to the few residents still in the flooded area.

Also, FEMA officials suffered specifically from a calculation problem. Those familiar with Austrian economics will immediately recognize the similarity between FEMA’s woes and those of a central economic planner. As Mises (1990) famously demonstrated, socialist economy is simply impossible. Beyond the incentive problems, there is a much more fundamental calculation problem: without private ownership of
the “means of production,” there are no meaningful prices for capital goods and raw materials. Therefore, the socialist planners cannot use the profit and loss test to decide if a particular enterprise uses up “too much” of the scarce resources in comparison to the benefits people get from the goods and services the enterprise yields.

However, it is too glib to simply say “calculation problem” when considering FEMA, and then move on to other examples of government folly. In the typical exposition, the reason the private entrepreneur is not himself plagued by a calculation problem is that his customers’ expenditures give him the ability to bid away the necessary resources from other entrepreneurs. If the good or service he makes cannot fetch enough revenues from customers to “cover costs,” then that’s the market’s way of saying, “The resources you want to use in your line are more urgently demanded elsewhere, according to the preferences of the consumers. Therefore, you go out of business.”

But how does this work in the case of disaster relief? Is the laissez-faire economist really advocating the Dickensian caricature of companies selling bottles of water and first aid kits to the highest bidder?

They are not, and this is a point often overlooked even by pro-market writers. Despite the clichés to the contrary, the market does not allocate goods to those who are willing to pay the most for them. On the contrary, in a free market goods are “allocated” to whatever use the owners decide. In many cases, the owners will indeed not care for the identity of the prospective buyer or the uses to which they will put the goods in question, and will truly sell to whichever party offers the most. However, there are many cases where this rule does not hold. When parents maintain a college-bound child’s room for Thanksgiving visits (for instance), they are not maximizing revenue. They are deciding to forego renting the room to a much higher bidder, and instead are giving it for free to their child. To pick a more “economic” example, it is not true that laborers always sell their services to the highest bidder. Someone may give up the stressful (yet highly paid) life of corporate law and opt to be a librarian.

As these examples illustrate, the function of market prices is not to dictate how resources are deployed, but rather to let the owners make an informed decision. If there is a tremendous housing shortage, then the rising rental rates will let the parents know just how much someone else would like to use their child’s room. And the best trial lawyer in the world will probably not end up as a librarian, because of the outrageous salary she would be turning down. Again, the market price of her services signals how much others value them.

After Katrina, plenty of individuals (including shareholders acting through corporations) were willing to donate their property (including labor services) to help the victims. Naturally they were not looking to make a buck, but market prices were still essential to coordinating relief efforts. This is most obviously true when one considers all of the tremendous coordination that the market achieves on a day to day basis during times of normalcy: all of the crude oil that is sent to refineries and ultimately finds its way into everyone’s vehicle, all of the truckers who deliver products to various retail stores before spoiling, all of the clerks who show up at work in order to facilitate the purchase of these goods.

The situation is just far more complicated following a natural disaster. Certain established production routes are disrupted, and consumer preferences are suddenly different. Contrary to popular belief, it is in such situations where the dynamism and
The adaptability of the free market are needed most. There does not need to be anyone “in charge” of disaster relief, just as there does not need to be anyone in charge of computer production or tuna fish. In a truly free market, private relief agencies would still exist. They would solicit donations and use the funds to help in ways they deemed most important. The crucial difference between private organizations and FEMA, however, is that the former would have to engage in voluntary activities. In particular, they could not prevent others from trying rival strategies for assisting the victims. Thus, although individuals would still make mistakes (everyone is fallible), the overall relief effort would be far more effective, because competing agencies would quickly make such mistakes obvious.

As in all other areas, the free market is superior to monopoly governments when it comes to disaster relief. Once we recognize that it is not prices per se but rather private property (with its associated voluntary exchanges) that undergirds the commercial success of the market, it is easy to see how private relief efforts could have helped Katrina victims far more than FEMA did.

Notes
2. These news reports, as well as much of the events discussed in this section, are summarized in Reed (2006).
3. FEMA’s record in Florida following Hurricane Frances in 2004 is recounted in Brasch (2005).

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