



# Is there coercion in local emergency management policy implementation?

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## Abstract

American governance in the twenty-first century continues down a path of enhanced coercion and direction from the federal government. Emergency management policy is no different from any other policy field in this aspect, especially in the time following the September 11 attacks. Throughout the Obama administration, the federal government continued these policies and created additional mandates that required local compliance with federal policy demands. Failure to do so would put grant funding at risk in a field where budgets are typically stretched to the limit. However, an earlier study by Hildebrand (J Homeland Secur Emerg Manag 12(2):273–298, 2015) showed that this coercive threat had no statistical significance in predicting the reported implementation behaviors of local emergency management officials during the George W. Bush administration. This study seeks to determine if attitudes of local emergency managers changed during the Obama administration, and if the potential impacts from coercion had any predictive effect upon the local agencies decision to implement policy demands from the National Response Framework (NRF), National Incident Management System (NIMS), and Incident Command System (ICS). The findings once again show that coercive threats (the potential loss of grant funding) play little-to-no role in the actions and attitudes of local emergency management professionals when reporting compliance with federal policy demands.

**Keywords** Public administration · Emergency management · Disaster preparedness · Coercion · Intergovernmental relations technical intelligence · Federalism · Public policy

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## 1 Introduction

Coercion is not a new phenomenon in the American system of federalism. Emergency management and homeland security are no different than other policy fields when considering how the different layers of government use, and/or feel the impact of coercion on their day-to-day operations. From terrorism to natural disasters to pandemics, most of the action that occurs in the field of emergency management is at the local level, and certain degree of knowledge and skill is developed over time by these organizations in an effort to prepare for and to respond to the needs of the jurisdiction, as well as to the policy demands of the federal and state governments. However, these local organizations are typically cash-strapped, so being risk averse when it comes to the potential loss of grant funding can play a significant role in how these organizations utilize their time, staffing, and other resources. But, does that mean they are being coerced to follow federal policy expectations?

Research has shown that the federal government, while attempting to take the lead role during emergency situations, has been somewhat lax regarding the degree of enforcement of the federal policy and grant expectations (Jensen 2009, 2010, 2011; Hildebrand 2015). But, disagreement exists regarding federal policy expectations in this field. Many researchers feel the federal government learned from various experiences since the establishment of the Department of Homeland Security (DHS), and in doing so clarified what resources are available across levels of government, and what local actors must do to obtain them (Comfort et al. 2010; Chang 2017; Molino 2006; Rubin 2015; Sadiq et al 2016; Kahan 2015). Criticism of the federal policy expectations focuses on DHS itself as being too terror-centric under the George W. Bush and Obama administrations, and downplay efforts made by DHS to coordinate resources as disorganized (Kahan 2015; Birkland and Waterman 2008; Derthick 2009; Gerber and Robinson 2009; Roberts 2014). Whichever path is correct, those in the field must have access to resources to respond to the needs of their citizens, and less hurdles in the way when it matters the most.

This study will examine if coercion from the federal government impacts the decisions made at the local level regarding emergency management policy implementation. To accomplish this task, the study updates one done by Hildebrand (2015) whose results did not bore out any impact from coercion in the field of emergency management. While the previous study focused exclusively on the George W. Bush administration, this study seeks to determine if things changed under President Obama, and if coercion played a greater role in predicting compliance with federal policy demands during his administration. The policies studied were created and implemented during the Bush administration, and they remained in place during the Obama administration. Given the time lag between initial policy creation and policy review in the policy process, the full impacts of the policies and their effectiveness could be better judged during Obama's time in office. It is also worth nothing due to party control of the executive and legislative branches, state and local governments may react differently to federal policies under a different administration. It is hypothesized once again that these individuals will not want to risk the loss of specific grants their organization received by not complying with federal expectations. Thus, the more of these particular grants that local emergency management agencies received, the more likely they are to implement policies that are complaint with federal demands.

## 2 Literature review—coercion

Coercive federalism can be defined as conditional aid provided by a higher level of government that compels compliance by lower governments (Kincaid 2012). This sort of preemption has expanded significantly in the latter twentieth and early twenty-first century. Conlan (2006) suggests that in our current system of governance states are viewed by the federal government as instruments to achieve national goals and programs. However, Kincaid (2012) points out efforts during the early days of the Obama administration took the form of partial preemption by establishing floors for policy expectations that state and local governments can exceed if they have the ability and desire. Policies like the Dodd-Frank Wall Street Reform and Consumer Protection Act, the Family Smoking Prevention and Tobacco Control Act, and the American Recovery and Reinvestment Act, all signed by President Obama, and all follow this path (Kincaid 2010, 2012). Conlan and Posner (2011) also cite the use of coercive strategies while the administration pursued the Affordable Care Act, though the policy gave states some leeway to exit the program if they desired. So, while the federal government continued to expand its reach in several policy areas during the Obama administration, the degree of preemption or coercion was not always consistent, and the federal government did try to extend some outlets of cooperation to its state and local partners while trying to achieve their desired policy outcomes.

Of policies held over from the George W. Bush administration, McGovern (2011) draws the same connections of coercive federalism to No Child Left Behind, though the author admits there are limits to the impacts of coercion since it could lead to disagreement between federal and state/local actors, which in turn limits cooperation. Pinder (2010) notes that local actors would see the requirements of No Child Left Behind as more coercive than collaborative, something that is similar in tone to emergency management policy expectations from the same time period.

Kincaid (2015) suggests that coercion has limitations when considering policy implementation. While the policies themselves may be viewed as coercive in tone, the actions taken by administrators to implement the policies at all levels of government are cooperative in most cases. While the policy language may seem heavy handed at times, it is in the interest of the federal government to work with state and local partners in order to accomplish the policy's desired goals, since in most cases the federal government lacks the capacity to do so within their own structural bounds. The federal government will place some controls on the grants it provides to supplement cooperation, but will focus on the ends (accomplishing the desired outcomes) rather than the means (how the local actors accomplished the outcomes) while performing oversight (Kincaid 2015). This gives local actors some discretion in how tasks are accomplished, and how money can be used.

## 3 Literature review—emergency management and homeland security policy

Several key twenty-first century policies in emergency management and homeland security follow the same path of full or partial preemption that fits with coercion. In response to the September 11 attacks, the George W. Bush administration developed several presidential directives and worked with Congress to develop new policies designed to address the problems in preparation, prevention, response, and recovery that stemmed from the terrorist

attacks. Later problems stemming from Hurricane Katrina (among other disasters) led to updates of these policies, such as replacing the National Response Plan (NRP) with the National Response Framework (NRF).

The Obama administration continued many of the Bush-era policies in this field, and expanded mandates on local governments via the Threat and Hazard Identification and Risk Assessment process (DHS 2011). The policies supported by both administrations attempt to enhance federal control over many aspects within the hazard cycle by requiring local actors to use federal plans and prescriptions even if the local actors were satisfied with pre-existing means to address local hazards.

The three policies of interest to this study are Bush-era holdovers that still drive federal, state, and local actions as of the time of the development of this article. First, the National Incident Management System (NIMS) was mandated and implemented by all federal departments and agencies by Homeland Security Presidential Directive-5, issued February 28, 2003. NIMS was meant to “provide a consistent nationwide approach for Federal, State, and local governments to work effectively and efficiently together to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity” (DHS 2003). Key portions of NIMS included use of common concepts, principles, and terminology among other things. While only mandated at the federal level, it was seen as crucial to have state and local governments adopt NIMS the system to be truly effective. As such, the federal government tied a NIMS requirement to federal preparedness grants to state and local governments. In 2005, the NIMS Integration Center wrote, “to underscore the importance of the nationwide adoption of NIMS, the Department of Homeland Security has directed that all federal preparedness assistance to states and local jurisdictions be tied to compliance with the requirements of NIMS” (NIMS Integration Center 2005). As of May 2021, the implementation of NIMS is still a requirement for federal preparedness grants.

Next, another key component of NIMS is the utilization of the Incident Command System (ICS). ICS was used by the fire service before the creation of NIMS, so the Department of Homeland Security borrowed the idea from pre-existing functions. ICS plays a specific role in incident management. As defined by FEMA, “ICS is a standardized approach to the command, control, and coordination of on-scene incident management that provides a common hierarchy within which personnel from multiple organizations can be effective” (FEMA 2018). ICS is scalable to fit the required response to an event. A larger event may require a larger number of people and resources, but a smaller event may require fewer people and resources. ICS is designed to be used in any size event. The hierarchy mentioned by FEMA includes an Incident Commander, the top position on the hierarchy, and it divides into subsections of operations, planning, logistics, and finance/administration. The common hierarchy increases the interoperability of various jurisdictions or levels of government that may be impacted by an event. If the organizations are all operating under ICS, individuals of similar roles in the different jurisdictions or levels of government should be able to operate rather seamlessly with one another. Much like the whole of NIMS, ICS is meant to standardize on-scene incident management to allow for a more efficient and effective response.

Finally, the National Response Framework (NRF) was created in the wake of Hurricane Katrina. However, this was not the first attempt at a federal level emergency management plan or framework. The Federal Response Plan was created in 1992 to describe how federal resources would be used to assist the state and local governments in response and recovery. A second federal level plan, the National Response Plan (NRP), was implemented in 2004 in the sweeping post-9/11 changes to Homeland Security. The NRP gave the lowest level

of government first authority and built upwards as resources were exhausted. For example, once local resources were exhausted, state resources were to be used next before going to the federal government. The confusion and finger pointing that followed Hurricane Katrina's sub-par response and recovery efforts lead to the NRP being rethought.

In 2008, the NRF was implemented to replace the NRP. According to FEMA, "The NRF is a guide to how the nation responds to all types of disasters and emergencies. It is built on scalable, flexible, and adaptable concepts identified in the NIMS to align key roles and responsibilities" (FEMA 2020) The NRF is predicated on maintaining what it calls "community lifelines" to ensure safety, security, and government/business continuity for any scale emergency or disaster. These "community lifelines" include areas such as food, shelter, water and transportation. Further, the NRF identifies fifteen Emergency Support Functions (ESFs) to coordinate federal resources for emergency and disaster management that can be used for federal response/recovery or to assist in state response/recovery. They are organized to support the seven community lifelines deemed essential earlier in the NRF. Examples of ESFs include ESF #1 Transportation through ESF #15 External Affairs (US Department of Homeland Security 2019). NIMS, ICS, and NRF are intentionally interwoven to create what the federal government may deem the optimal preparedness situation with adoption and implementation of all three policies. The fact that grants are tied to implementing these programs at the state and local level only further supports the notion that the federal government deems its models and frameworks as the ideal models and frameworks to be used at all levels of government.

## 4 Methodology

Given the importance of grant funding in the field of emergency management, the study considers four grants provided to local governments in an effort to mitigate, prepare for, respond to, and recover from a disaster of any type. This includes the Flood Mitigation Assistance Program, the Homeland Security Grant Program, The Hazard Mitigation Grant Program, and The National Infrastructure Protection Plan. These four grant programs were specifically chosen as their funding is tied to the implementation of the three policies discussed above. For example, in order to be eligible to obtain funding from the Homeland Security Grant Program, a local government must have adopted and implemented the National Incident Management System, which also includes implementing the Incident Command System per the FEMA Preparedness Grants Manual (FEMA 2021). The threat of losing these grants is considered to be coercive, and because of that local governments will comply with federal policy demands in order to keep the grant money flowing. The hypothesis for this study tests this impact from coercion in the same manner as Hildebrand (2015, 2017).

**Hypothesis A:** A greater number of reported federal grants received by the local department will result in a greater level of reported federal policy implementation.

In July–September 2016, the authors conducted a national web-based survey of local emergency management professionals. Overall, 3554 local professionals received the survey request, and 775 (21.8%) responded representing all 50 states. The result rates are similar to Hildebrand's previous study (2015, 2017), as well as other studies of emergency

management professionals in recent years (Jensen and Youngs 2009; Hildebrand and Malone 2021).

#### 4.1 Variables and modeling

This study will follow the same path as Hildebrand's previous studies (2015, 2017) in terms of modeling and variable development when testing for coercion. An ordinal logistic regression was used to examine the variables. The dependent variable for the study is the implementation of the NRF, NIMS, and/or ICS, all of which are required for local jurisdictions to receive various federal grants. Implementation is measured for each program using overall implementation, implementation of training, or implementation of mutual aid agreements. Jurisdictions may implement one or all of these programmatic items, so measuring each gives the most complete picture obtainable via this study.

Using the "communications model," which posits both federal and local conditions influence perceptions of control of emergency management, a number of independent variables are used in the modeling. Again, these align with those used in Hildebrand's 2015 and 2017 studies. Variables are categorized as federal inducements, local inducements, and local department capacity. Federal inducements are measured as a local jurisdiction receiving one or more grants from programs tied to policy implementation. As in Hildebrand (2015), federal inducements would serve as the primary measurement of coercion. Local inducements are measured used indexed variables on actions taken by the respondent's jurisdiction in regards to preparing for natural disaster events or terrorist events. Examples of items that fall under local inducements include conducting exercises or drills to test capabilities and plans or signing mutual aid agreements with other local jurisdictions to allow for resource and personnel assistance in the event of a disaster. The full survey questions used can be found in Appendix. Each indexed category of events was examined independently. Finally, local department capacity included variables that could impact a jurisdiction's ability to carry out emergency functions. Examples of variables used include population of the jurisdiction, increased number of full-time employees, and department budget. These variables may all play a role in a jurisdiction choosing to, or being coerced to, implement federal disaster policy. As Hildebrand (2015) states, "even with the full intention of implementing the federal demands, a local organization's limitations in manpower, funding, or decision-making ability can hinder the organization's ability to follow through." A jurisdiction is fully limited by, or enabled by, its local department capacities.

## 5 Analysis

The results of ordinal logistic regression testing illustrated in Table 1 do not demonstrate statistical significance for the receipt of grants as a predictive feature for compliance with ICS, NIMS, or NRF training, mutual aid, or overall policy requirements. Just as in the previous study by Hildebrand (2015, 2017), locations that were active in preparing for terrorism demonstrated enhanced odds of compliance with federal policy demands.

However, there are noticeable and important additional findings as well from this adaptation of the communications model. First, being active in preparing for a natural disaster demonstrated strong, significant odds ratios in compliance specifically with NIMS. Also, population produces significant odds ratios for all of the NIMS and ICS categories, as well

**Table 1** Testing of hypothesis a—policy implementation dependent variables (odds ratios and significance)

	ICS overall	ICS training	ICS mutual aid	NIMS overall	NIMS training	NIMS mutual aid	NRF overall	NRF training	NRF mutual aid
<i>Federal inducements</i>									
Received one or more grants	1.24	1.41	1.01	1.47	1.38	1.09	0.97	0.93	0.96
<i>Local inducements</i>									
Natural disaster action index	1.60	<b>1.39***</b>	1.21	<b>1.54***</b>	<b>1.64***</b>	<b>1.46***</b>	1.16	1.23	1.21
Terrorism action index	<b>1.46***</b>	<b>1.32**</b>	<b>1.33**</b>	<b>1.24*</b>	<b>1.27**</b>	<b>1.28**</b>	<b>1.34**</b>	<b>1.24**</b>	<b>1.34**</b>
<i>Local department capacity</i>									
County	1.06	0.96	1.11	1.03	0.94	1.09	1.03	0.99	1.14
Increase in annual department budget	1.08	1.06	1.09	1.06	1.09	1.10	1.10	1.02	1.09
Population (log)	<b>1.22***</b>	<b>1.11**</b>	<b>1.12**</b>	<b>1.13**</b>	<b>1.14**</b>	<b>1.10*</b>	<b>1.14**</b>	1.08	1.08
FEMA region #4	0.98	0.92	0.95	0.97	1.04	1.24	<b>1.58**</b>	1.35	<b>1.53*</b>
Increase in fte staff size	1.09	1.10	1.01	1.11	1.00	1.02	1.40	0.99	0.95
P	.000	.000	.000	.000	.000	.000	.000	.006	.000
Pseudo r-squared	.04	.04	.02	.04	.05	.03	.03	.02	.03
N	624	612	605	614	607	595	566	555	551

The statistically significant values are showing bolded on my end with the *p* values at the bottom of the table

\*\*\**p* < .01, \*\**p* < .05, \**p* < .10

as for the NRF overall, but not for specific training and mutual aid requirements. These results emulate the divisions within the literature in the field in a few different ways.

First, that natural disaster and terrorism preparation have significant odds to predict compliance with all categories of NIMS as well as ICS training demonstrate the all-hazards mentality the policies claim to support on paper. These local jurisdictions may exist in disaster prone areas of the country. For example, a local jurisdiction along Florida's east coast is under the constant threat of a catastrophic hurricane year in and year out. As such, the jurisdiction is likely to prepare for such an event. The use of NIMS and ICS as part of a larger CEM plan may simply produce the byproduct of fulfilling federal disaster assistance requirements. Jurisdictions may also have past experience with natural disasters or terrorist events that lead to increased preparedness to mitigate future events. Whatever guides each jurisdiction's decision, the results above do not support that local governments feel coerced to implement NIMS and/or ICS.

On the other hand, that increased population provides a statistically significant odds ratio for compliance with federal policy demands in most categories shows that a division between urban and rural emergency management not only exists, but may have widened as time evolved since the September 11 attacks. It is likely that the urban areas have more resources as their disposal due to the larger tax bases. This could allow for increased staff sizes and dedicated time spent on implementing federal policies. Urban jurisdictions may also see themselves as potential targets of terrorist events, especially in the wake of the 9/11 attacks, which could produce enhanced means for preparing for or mitigating against terrorist attacks. It appears that local capacities are the driver of these decisions, however, not federal coercion.

But where does that leave coercion and coercive federalism within the field of emergency management and homeland security? On face value, coercive federalism appears to be utilized by the federal government through tying funding to enacting or implementing specific policies at the state and local level. The eligibility of funding is the "carrot" dangled in front of subnational governments to push them toward enacting the policies; however, the results above show that local level emergency managers would likely implement these policies regardless of federal coercion. Perhaps this finding indicates that federal coercion, while existing in the field of emergency management and homeland security, is not as needed as in other policy arenas.

## 6 Conclusion

As financial constraints mount at all levels of government from the response to the COVID-19 pandemic, coercion will remain an important characteristic in American federalism. What forms may federal coercion take in response to the global pandemic? Could future grants be tied to more aggressive federal policies, or will emergency management and homeland security policy continue down its current path? The events of September 11, 2001, were a catalyst for major changes to emergency management and homeland security policy. Given the worldwide impacts of COVID-19, it could be a catalyst for change as well. We have already seen that it is having a negative impact on the budgets of most governments. A future study could examine COVID-19, new federal policies (if any) and grant funding, and budgetary impacts from the pandemic.

McGovern (2011) claims in an analysis of No Child Left Behind that grants are less coercive than traditional redistribution mechanisms. Perhaps the same is true regarding



emergency management and homeland security policy. Two points made by Kincaid (2015) may shed further light on intergovernmental relations in this policy arena. First, states are not bound to enact federal frameworks. For the federal government to be successful enacting their frameworks, the buy in and cooperation of state and local governments is often necessary. For the NRF and NIMS to operate at their highest potential, the federal government needs states and local governments to utilize these programs. Therefore, the access to grant funding may, on the surface, appear coercive, but in practice, it is much more cooperative. The federal government, specifically through FEMA, offers a plethora of resources to assist state and local governments implementing these federal frameworks at the subnational level.

The second point by Kincaid (2015) that ties into emergency management and homeland security policy and intergovernmental relations is the concept of professionalization of civil service. As he notes, civil servants at the local, state, and federal level may often share the same trainings, same professional memberships, and same policy goals. This is especially true in emergency management. Trainings tend to be offered to all levels of government together. Classes taught at the Emergency Management Institute in Emmitsburg, Maryland, usually include combinations of local, state, federal, and nonprofit actors together in a classroom learning the same material. Professional associations, such as the International Association of Emergency Managers, accept members from all levels of government. Finally, all levels of government have a vested interest in local, state, and federal governments being prepared for, able to respond to, and successfully recover from disasters. These shared goals transcend the ideas of coercion and lend themselves to cooperation.

Governments across the nation have implemented some or all of the National Response Framework, National Incident Management System, and Incident Command System. As the findings above show, state and local governments seemingly do this without concern for coercion by the federal government. Local emergency managers want their jurisdictions to be ready for all phases of the disaster cycle, and they will implement policies as they see fit. With disasters beginning and ending at the local level, the foundation of emergency management is action taken at the local level in response and recovery. However, as the size and scope of an event increases, the state and federal levels may need to get involved. Due to the nature of emergency management, intergovernmental relations are crucial to this, so if the federal frameworks offer locals the best options, they will take them. Emergency management and homeland security policy offers a policy arena where cooperative, rather than coercive, federalism is the ideal situation for all levels of government.

## 7 Limitations

The limitations on this study are similar to those studies that preceded this on the same topic by Hildebrand (2015, 2017). This includes the validity of the study being predicated on voluntary responses to the survey by emergency management professionals. Within this population, individuals were identified via publicly available data. Emergency management officials were only excluded from the study when contact information was faulty, an out of date e-mail address for example, or there was no publicly available contact information for an emergency manager in a given jurisdiction. This limited to available respondents to only those whose contact information could be obtained.

Public policy is consistently changing, and this holds true for a newer and evolving area such as homeland security policy. While neither homeland security nor emergency management are wholly new to the policy arena, they have gained significant attention since the attacks of September 11, 2001, and Hurricane Katrina in 2005. As this is a point-in-time survey, it is limited to the policies that were in place at the time of the survey. Policies can and likely will change over time. Also, local governments across the country are subject to numerous disaster types with varying impacts on the community and the area's larger social and/or economic infrastructure. Any long-standing efforts to prepare for or to mitigate these disasters may influence their need and/or desire to alter emergency management policy, even following significant events that happened somewhere else (Hildebrand 2015). Disasters can happen with little to no notice, so their occurrences cannot be predicted. Therefore, the authors cannot control how any major event that may occur during the study will impact its outcome. A single point-in-time study seeks to lessen these effects; however, there remains a possible problem with history's effects on this study. Research has shown greater action, such as policy development or change, which occurs in the emergency management field in times following significant local disasters and, to a lesser degree, from highly publicized disasters from across the globe (Birkland 1997).

Finally, this study is dependent on the perception of the respondents on policies and activities taken (or not taken) by their departments to implement or ignore federal policy directions. Definitions of some terms were provided for respondents, but it is possible that respondents had differing thoughts on disaster size and scope when considering what role the federal, state, and local governments have during the phases of the emergency management and homeland security cycle. Some questions about certain actions during the phases are designed to counteract this problem, but the survey needed to remain manageable to both respondents and the authors. Therefore, limitations on detail were required within some portions of the survey. It is unknown what effect this may have on the responses to the survey; therefore, there is arguably some limitation to the benefit of the data. Despite these limitations, the responses provided significant information about the implementation and requirements of federal policies, and their opinions arguably shaped any actions taken by local departments in the time since the survey entered the field.

## 8 Appendix: Survey questions used for local inducement measures

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How often does your department undertake the following activities?	Conduct a natural disaster risk assessment	More than once per year Annually Every other year Every 5 years Never Unsure
	Conduct a terror related risk assessment	More than once per year Annually Every other year Every 5 years Never Unsure

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Conduct a natural disaster drill/exercise	More than once per year Annually Every other year Every 5 years Never Unsure
Conduct a terror drill/exercise	More than once per year Annually Every other year Every 5 years Never Unsure

<p>Please select all of the following statements regarding mutual aid agreements that are applicable to your department</p>	<p>My department does not have any current mutual aid agreements with neighboring jurisdictions</p> <p>My department has mutual aid agreements with one or more neighboring jurisdictions</p> <p>Mutual aid agreements are mandated in my state, and we do not comply with the state’s expectations</p> <p>Mutual aid agreements are mandated in my state, and we comply with the state’s expectations</p> <p>Mutual aid agreements are mandated in my state, and we exceed the state’s expectations and create our own agreements</p> <p>Mutual aid agreements are not mandated in my state, and we create our own agreements</p> <p>None of the above apply to my department</p>
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## Declarations

**Conflict of interest** There are no financial contributions that create any competing interests related to the work submitted for publications. This project was deemed to be exempt via the Ball State University IRB.

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