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Bureaucratic Access Points

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Bureaucratic Access Points

by

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Abstract

Bureaucratic Access Points

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This paper studies how organizational mission influences policy implementation. Interagency conflicts and bureaucratic challenges affecting implementation are largely due to different missions and different assessment measures. The focus of this investigation is the relationship between humanitarian assistance/disaster relief (HA/DR) agencies and associated Department of Defense (DOD) medical components. Access point theory is important to this study, for it helps us understand how successful policy implementation is enabled in the midst of bureaucratic conflicts and challenges. The notion of access points has traditionally involved lobbyists and interest groups accessing elected officials and their staffs. I ask what is the effect of lobbyists and interest groups accessing bureaucrats directly in the policy implementation process and its subsequent evaluation. More importantly, I argue that bureaucrats take advantage of access points to other bureaucrats during policy implementation proceedings. This study offers the novel perspective that access points for HA/DR bureaucrats, to include those in the DOD, are readily available during the punctuating event (i.e., the natural disaster itself) and may be evaluated through the notions of timing, efficiency, and the information and capabilities

they possess and can leverage during these punctuations. Simply stated, bureaucratic access points theory helps us understand how policies are successfully implemented in the midst of bureaucratic conflicts and challenges.

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INTRODUCTION

Written policy does not matter. The implementation of that written policy is what matters. Policy implementation is the difference between one alien receiving a green card and another alien being deported. It is the difference between a military veteran receiving medical care and benefits and another going without one or the other or both. It is the difference between one sixteen year old girl getting her driver's license and another sixteen year old girl riding with the former because she did not get her driver's license. Implementation is the difference between written policy and what that policy provides, takes away, allows, and denies. And an organization's mission is the single most important variable in policy implementation, for an organization's mission is an enabler. It enables bureaucrats to *interpret* policy and implement it based on that interpretation. More than any other variable – organizational structure, norms, values, goals, rules, standard operating procedures – mission provides discretion and autonomy precisely because it is largely determined by these other variables. In other words, no other single element is as influenced by – or influential as – the other elements as an organization's mission. A bureaucrat at any level of the organization is therefore enabled by the organization's structure, norms, values, goals, rules, and standard operating procedures simultaneously through one element or variable: the organization's mission.

This paper looks at how organizational mission influences policy implementation. It focuses on the relationship between U.S. Government (USG) humanitarian assistance/disaster relief (HA/DR) agencies (i.e., United States Agency for International Development and Office of Foreign Disaster Assistance) and associated Department of Defense (DOD) medical components that respond to HA/DR events. Of particular importance are interagency conflicts and bureaucratic challenges affecting

implementation. These are largely due to different missions and different assessment measures carried out by the agencies and the DOD components.

Access point theory is important to this study. The notion of access points has traditionally involved lobbyists and interest groups accessing elected officials and their staffs. I ask what is the effect of lobbyists and interest groups accessing bureaucrats directly in the policy implementation process and its subsequent evaluation. More importantly, I argue that *bureaucrats* take advantage of access points to other bureaucrats and elected officials and, especially, their staffs during policy implementation proceedings. This study offers the novel perspective that access points for HA/DR bureaucrats, to include those in the DOD, are readily available during the punctuating event (i.e., the natural disaster itself) and may be evaluated through the notions of timing and the information and capabilities they possess and can leverage during these punctuations.

How do street-level, or in this case, "disaster-level" bureaucrats in a minuscule office found deep within an independent, sub-cabinet-level agency dictate the role and resource expenditures of the massive Department of Defense? Carpenter's notion of "bureaucratic autonomy" begins to explain this phenomenon.[1] Some agencies are politically differentiated or insulated from those who may wish to control them because they possess the unique capacities to assess and analyze, and to solve problems by developing new ideas and efficient programs.[2] Carpenter argues that these agencies are able to escape congressional oversight due to this autonomy, particularly when "bureaucrats take actions consistent with their own wishes, actions to which politicians

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[1] Carpenter, Daniel. 2001. *The Forging of Bureaucratic Autonomy: Reputations, Networks, and Policy Innovations in Executive Agencies, 1862-1928*. Princeton, NJ: Princeton University Press.
[2] Ibid.

and organized interests defer even though they would prefer that other actions (or no action at all) be taken."[3] Politicians defer to autonomous agencies because failing to do so would sacrifice the public's – in this case, the world's – benefits of agency competence, and the agency has partnership building ability that would make confrontation politically dangerous or untenable for the politicians.[4] In sum, "bureaucratic autonomy requires political legitimacy, or strong organizational reputations embedded in an independent power base."[5]

While the Office of Foreign Disaster Assistance (OFDA) is granted the authority of being the USG's lead federal agency (LFA) for HA/DR efforts, the DOD and the Department of State could choose to ignore and shirk their responsibilities. The LFA mandate gives OFDA the authority, but bureaucrats accessing and leveraging one another is how it becomes reality that an obscure office of less than 200 bureaucrats dictates the use of resources commanded by the behemoth DOD and State Department.

The following literature review provides this study's foundation based on organizational structure, mission, conflict, and goal assessment. The next piece of the puzzle is determining the access points that may be the bureaucrats themselves or at least available to the bureaucrats and agencies. Hammond posits that structure is the agenda and offers the idea that structure is malleable.[6] This provides the opportunity for access points to appear in the implementation process. Bureaucrats may be accessed (as access points themselves), and bureaucrats may be accessing other bureaucrats and legislators and their staffs in this construct.

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[3] Ibid., p.4.

[4] Ibid.

[5] Ibid., p.14.

[6] Hammond, Thomas. 1986. "Agenda control, organizational structure, and bureaucratic politics." *American Journal of Political Science*, 30(2):379–420.

POLICY IMPLEMENTATION

Policy implementation enjoys a vast literature. This paper is interested in policy outputs, organizational mission (and organizational structure as it relates to mission accomplishment), and the bureaucrats in the HA/DR policy domain. Therefore, a brief review of implementation literature covering outputs and outcomes and bottom-up and top-down theoretical approaches follows. Organizational mission literature and access point theory literature will be discussed after this foundational perspective.

Policy outputs are the means by which policy is implemented. For the bureaucrat, outputs are the task environment results of the policy. Policy outcomes are the results of what happens when a given policy is implemented. These may be viewed as the goals of the politicians legislating the policy. While bureaucrats can play the latter role, as well, this paper will focus more on the former role of the bureaucrat in terms of outputs. Literature discussing regimes and subgovernments[7] and formal implementation game theory informs the output versus outcome perspective. Of particular relevance to outputs and outcomes is Bardach's ideas on resources (i.e., how they are distributed), goals (i.e., how they gain support and evolve), administrative challenges (i.e., policy control and management), agency reputation, and delay.[8] Bardach's game consists of at least a

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[7] Stoker, Robert. 1989. "A regime framework for implementation analysis: Cooperation and reconciliation of federalist imperatives." *Policy Studies Review*, 9(1):29–49.
McCool, Daniel. 1990. "Subgovernments as determinants of political viability." *Political Science Quarterly*, 105(2):269–293.
Worsham, Jeffrey. 1998. "Subsystem dynamics and agenda control." *American Politics Quarterly*, 26(4):485–512.
May, Peter. 1991. "Reconsidering policy design: Policies and publics." *Journal of Public Policy*, 11(2):187– 206.
May, Peter. 1995. "Can cooperation be mandated? Implementing intergovernmental environmental management in New South Wales and New Zealand." *Publius*, 25(1):89–113.
May, Peter, Joshua Sapotichne, and Samuel Workman. 2009. "Widespread policy disruption: Terrorism, public risks, and homeland security." *Policy Studies Journal*, 37(2):171–194.
[8] Bardach, Eugene. 1977. *The Implementation Game.* Cambridge, MA: MIT Press.

provider and solicitor, and the delays in policy implementation with two actors occur with the number of decision points and transactions and issues of project management. When additional players are involved the delays occur with the onset of different goals (i.e., brought by each actor), uncertainty, and negotiations. This is very similar to what Pressman and Wildavsky found in their study of the Economic Development Administration's failed employment effort in Oakland.[9]

Moving on to the theoretical approaches to studying policy implementation, a brief description of the bottom-up and top-down evaluations follows. A bottom-up approach focuses a lens on the actors in the implementation process. It concerns itself with the influence of multiple actors, mission conflict, organizational structure, and the compromising of and within the legislative process. A top-down approaches is policy centered. The legislation itself provides the central decision maker structure and uniformity, degrees of control (i.e., monitoring the policy and its implementation), authority and coordination (i.e., federalism and policy coherence on federal, state, and local levels), legitimacy (i.e., internal checks, such as bureaucratic professionalism, norms, and rules), and coordination. These lenses yield very different "results" in terms of evaluating policy implementation. Which viewpoint one takes – the street-level bureaucrat's or the central decision maker's – results in different perspectives of what is policy success, efficiency, and effectiveness. Much literature has been devoted to these two approaches[10] with Sabatier providing a unique "best of" compilation.[11] Elmore may

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[9] Pressman, Jeffrey, and Aaron Wildavsky. 1973. *Implementation: How Great Expectations in Washington Are Dashed in Oakland; Or, Why It's Amazing that Federal Programs Work at All, This Being a Saga of the Economic Development Administration as Told by Two Sympathetic Observers Who Seek to Build Morals on a Foundation of Ruined Hopes*. Berkeley, CA: University of California Press.

[10] Top-Down theory led by (small sampling only):
Mazmanian, Daniel, and Paul Sabatier, Paul. 1983. *Implementation and Public Policy*. Chicago: Scott Foresman and Co.

provide the most succinct top-down, bottom-up combination with his authority down and expertise up idea.[12] In summary, the myriad literature on implementation evaluates policy from the following perspectives: evaluation and success; goals and goal conflict; a causal model; and trade-offs (i.e., goals are interdependent and who gets what is always at the cost of something or someone else). With this implementation literature covering outputs and outcomes and bottom-up and top-down theoretical approaches as a foundation, we now turn to how organizational mission affects policy implementation.

Organizational Mission and Policy Implementation

An organization's mission is its purpose or why it exists. When Congress creates legislation, they necessarily create an entity to accomplish their goals with that legislation. The goals of legislation may be specific or assumed from the mandate itself or by the means by which Congress empowers the responsible agency(ies) to account for its plans, procedures, and performance in the achievement of those goals. There are two general schools of thought on the interplay between organization and mission. One

Pressman, Jeffrey, and Aaron Wildavsky. 1973. *Implementation: How Great Expectations in Washington Are Dashed in Oakland; Or, Why It's Amazing that Federal Programs Work at All, This Being a Saga of the Economic Development Administration as Told by Two Sympathetic Observers Who Seek to Build Morals on a Foundation of Ruined Hopes*. Berkeley, CA: University of California Press.
Van Meter, Donald, and Carl Van Horn. 1975. "The Policy Implementation Process: A conceptual framework." *Administration and Society*, 6:445-488.
Bottom-Up theory led by (representative sample only):
Elmore, Richard. 1979. "Backward mapping: Implementation research and policy decisions." *Political Science Quarterly*, 94:601–616.
Lipsky, Michael. 1971. "Street Level Bureaucracy and the Analysis of Urban Reform." *Urban Affairs Quarterly*, 6:391-409.
Berman, Paul. 1978. "The study of macro- and micro-implementation." *Public Policy*, 26:157-184.
[11] Sabatier, Paul. 1986. "Top-down and bottom-up approaches to implementation research: A critical analysis and suggested synthesis." *Journal of Public Policy*, 6:21–48.
[12] Elmore, Richard. 1979. "Backward mapping: Implementation research and policy decisions." *Political Science Quarterly*, 94:601–616.

school, led by Moe, argues that organizational structure largely determines mission.[13] March leads the other school of thought that posits mission largely dictates an organization's structure.[14] Beyond the chicken or the egg, structure or mission argument, it is the current environment that most assuredly plays a vital role in the determination of policymakers' goals and sets the organization's mission.

The context of the policy arena and policymakers' and groups' ability to frame their issue and target certain audiences is a common theme in works by Jones, Baumgartner, and Wilkerson, to name but a few.[15] Jones and Baumgartner base much of their work on bounded rationality. Their concept of maximization of returns (2009) argues that the policy agenda space is finite due to our cognitive limits (i.e., rather short attention spans). The implications of a finite space in which only a certain number of policies can be dealt with at a given time even though many policy areas exist relates to the formulation of policy and, by extension, the organizational missions they inform and empower. More vital to this paper's focus (i.e., HA/DR agencies and policy implementation), May, Workman, and Jones discuss bureaucratic attention as a function of elites and elite agenda control rather than having a reliance on public attention in the

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[13] Moe, Terry. 1980. *The Organization of Interests: Incentives and the Internal Dynamics of Political Interest Groups*. Chicago: University of Chicago Press. And Moe, Terry. 1984. "The new economics of organization." *American Journal of Political Science*, 28:739– 777.

[14] March, James, ed. 1965. *Handbook of Organizations*. Chicago: Rand McNally. And March, James, and Roger Weissinger-Baylon, eds. 1986. *Ambiguity and Command: Organizational Perspectives on Military Decision Making*. Boston: Pitman. And March, James, and Herbert A. Simon. 1958. *Organizations*. New York: Wiley. And March, James, and Johan Olsen. 1984. "The New Institutionalism: Organizational Factors in Political Life." *The American Political Science Review,* 78 (3):734-749.

[15] Baumgartner, Frank, and Bryan Jones. 2009. *Agendas and Instability in American Politics, 2nd Ed.* University of Chicago Press.
Jones, Bryan and Frank Baumgartner. 2005. *The Politics of Attention*. University of Chicago Press.
Jones, Bryan, Heather Larsen-Price, and John Wilkerson. 2009. "Representation and American Governing Institutions." *Journal of Politics*, 71:277-90.

policy making process.[16] In summary, the preceding literature provides a foundation that places the HA/DR policy domain in a finite space where mission, influenced by organizational structure, matters and elites control the agenda. The next step is to determine the latitude the HA/DR agencies may have within that finite space. Wilson's four political environments provide an informative context for the notion of agency latitude.

Wilson attributes bureaucratic inefficiency to rules, standard operating procedures, norms, goals, incentives, constraints, culture, and values.[17] In other words, context matters. Wilson's work offers a few key ideas about the context of the HA/DR policy arena. First, bureaucrats are likely more concerned with processes than outcomes.[18] The different assessment measures used by the HA/DR agencies is an example of this observation. Next, agencies often have many bureaucrats responsible for and performing similar tasks (i.e., much similar, overlapping responsibility).[19] The overlapping DOD and DOS responsibilities, coupled with the separate assessment and accountability measures of the HA/DR agencies, are clear illustrations of this idea. Finally, various agency constraints may increase the prevalence and power of outside influences (e.g., other agencies' bureaucrats).[20]

Wilson posits four political environments that capture the affects of outside interests on an agency. His notion of outside interests is what we typically understand as interest groups. This study replaces interest groups with other agencies (or bureaucrats

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[16] May, Peter, Samuel Workman, and Bryan Jones. 2008. "Organizing Attention: Responses of the Bureaucracy to Agenda Disruption." *Journal of Public Administration Research and Theory*, 18:517-541.

[17] Wilson, James Q. 1989. *Bureaucracy: What Government Agencies Do and Why They Do It*. New York: Basic.

[18] Ibid.

[19] Ibid.

[20] Ibid.

within those agencies) as the outside interests in these environments. The first environment involves a "client agency," and this occurs when an agency favors and supports another agency's goals.[21] For example, the DOD supports the goals of HA/DR efforts and responds to OFDA requests.

The second political environment relevant to the HA/DR arena is that of an "entrepreneurial agency" in which an agency is created to solve a particular problem.[22] OFDA's role as LFA for HA/DR missions may be an example of this environment. The "problem" (i.e., the disaster) is very specific and only OFDA maintains the experts to deal with it.

Wilson's third political environment involves competing agencies that vie for influence over the "interest group agency".[23] Because HA/DR efforts offer an occasion for public attention and praise, the DOD and the DOS may view their supportive roles as opportunities to leverage success and relevance when it comes to budgetary considerations. They may compete for roles and responsibilities deemed necessary by OFDA.

The fourth relevant political environment is referred to as a "majoritarian agency," in which no particular outside agency attempts influence.[24] As long as OFDA performs its duties to everyone's satisfaction, the DOD and the DOS will likely not attempt to influence or possibly wrest its authority as LFA during HA/DR events. If OFDA fails in its mission, the DOD or the DOS may view it as a liability to their missions or an opportunity to expand their missions. These four political environments offer a context within which to place the notion of latitude.

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[21] Ibid.

[22] Ibid.

[23] Ibid.

[24] Ibid.

Latitude, or discretionary autonomy, begins with focus – a clear understanding of what an entity brings to the table in terms of responsibility, resources, information, capabilities, and reputation. Focus enables strategic planning[25], which allows the possibility of control of future interactions, a key ingredient in autonomy. An organization's strategic planning helps identify its policy niche and advantages it may enjoy in strengthening its position.[26] If "policies are inherently unstable and transitory" as Peltzman[27] asserts, their associated goals and the missions of the agencies employed to accomplish those goals must be unstable and transitory, as well. Alford argues that the mission (and purpose) of organizations is largely determined by exchange, cooperation, and compliance (i.e., in terms of the customer, but his overall point is the key here).[28] In other words, an organization's mission is not necessarily static because the goals may be adjusted, allowing the organization to anticipate different ways of implementing the legislation, or goals, that they are charged with accomplishing. Thus, we have our basis for HA/DR agency latitude in a fixed policy space. As will be discussed below, this flexibility or fluidity opens access points within the bureaucracy and the legislature. But first, an introduction to the HA/DR agencies is in order.

The Agencies – Organization and Mission

The United States Agency for International Development (USAID): carries out U.S. foreign policy by promoting broad-scale human progress at the same time it expands stable, free societies, creates markets and trade partners for

[25] Birnbaum, Bill. 2004. *Strategic Thinking: A Four Piece Puzzle*. Costa Mesa, CA: Douglas Mountain Publishing.

[26] Fairholm, Matthew, and Gilbert Fairholm. 2009. *Understanding Leadership Perspectives: Theoretical and Practical Approaches.* New York: Springer Publishers.

[27] Peltzman, Sam. 1989. "The Economic Theory of Regulation After a Decade of Deregulation." *Brookings Papers on Economic Activity Microeconomics*, 1-59.

[28] Alford, John. 2002. "Defining the client in the public sector: A social-exchange perspective." *Public Administration Review, 62*(3):337-346.

the United States, and fosters good will abroad… to promote broadly shared economic prosperity; strengthen democracy and good governance; improve global health, food security, environmental sustainability and education; help societies prevent and recover from conflicts; and provide humanitarian assistance in the wake of natural and man-made disasters (USAID, 2011).

USAID is the independent and principal federal agency that extends assistance to countries recovering from disaster, attempting to escape poverty, and engaging in democratic reforms.[29] It receives overall foreign policy guidance from the Secretary of State but, importantly, is an independent, sub-cabinet-level executive agency.[30] USAID "supports long-term and equitable economic growth and advances U.S. foreign policy objectives by supporting economic growth, agriculture, and trade; global health; and democracy, conflict prevention, and humanitarian assistance."[31] The agency plays a critical role in U.S. national security and foreign policy. USAID's development efforts address poverty in foreign nations caused by insufficient economic opportunity, a fundamental cause of violence.[32] Foreign development joins diplomacy and defense as one of three components of the nation's foreign policy triad. USAID "promotes peace and stability by fostering economic growth, protecting human health, providing emergency humanitarian assistance, and enhancing democracy in developing countries… to improve the lives of millions of people worldwide, represent U.S. values, and advance U.S. interests for peace and prosperity."[33]

Assistance and development is provided in sub-Saharan Africa, Asia and the Near East, Latin America and the Caribbean, and Europe and Eurasia.[34] U.S. strength and

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[29] USAID, 2012.

[30] Ibid.

[31] U.S. Military Joint Publication 3-08, 2011, p.A-M-1.

[32] USAID, 2012.

[33] Ibid.

[34] Ibid.

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diplomacy is projected through its many field offices throughout the world and presence in nearly 100 developing countries. Examples of the assistance USAID provides include: technical assistance and capacity building; training and scholarships; food aid and disaster relief; infrastructure construction; enterprise loans and funding; budget support; and credit.[35] USAID's authority and responsibility includes managing a network of foreign nation programs for economic and policy reforms that encourages sound economic growth, political freedom, and good governance.[36]

One of USAID's primary missions is serving as the lead agency responsible for coordinating the USG response to declared disasters and emergencies worldwide.[37] Through its Office of Foreign Disaster Assistance (OFDA), USAID carries out the President's authority to provide emergency relief and long-term humanitarian assistance in disaster relief efforts as declared by the ambassador within the affected country or higher DOS authority.[38] Important to this study is the authority USAID/OFDA has in expediting "interventions at the operational and tactical levels through NGOs, IGOs, and other sources of relief capacity," which includes the DOD.[39]

> The Office of Foreign Disaster Assistance (OFDA):
> the office within USAID responsible for facilitating and coordinating U.S. Government emergency assistance overseas. As part of USAID's Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA), OFDA provides humanitarian assistance to save lives, alleviate human suffering, and reduce the social and economic impact of humanitarian emergencies worldwide (OFDA, 2011).

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[35] Ibid.

[36] U.S. Military Joint Publication 3-08, 2011.

[37] USAID, 2012.

[38] U.S. Military Joint Publication 3-08, 2011.

[39] U.S. Military Joint Publication 3-08, 2011, p.A-M-1.

When a disaster is declared, OFDA has primary responsibility for initiating and coordinating the USG response.[40] "The Administrator of USAID, as the Special Coordinator for International Disaster Assistance, has delegated the authority to coordinate response to international disasters to OFDA, which is organized under USAID's Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA)."[41] OFDA is responsible to: "1) Organize and coordinate the total USG disaster relief response; 2) respond to embassy and/or mission requests for disaster assistance; 3) initiate necessary procurement of supplies, services, and transportation; and 4) coordinate assistance efforts with operational-level NGOs."[42] OFDA is the USG lead federal agency (LFA) for HA/DR events and formulates U.S. HA/DR policy in coordination with other USG agencies.[43] "OFDA works with national and international foreign affairs agencies, DOD, DOS, UN agencies, IGOs, NGOs, and the private sector in disaster prevention, mitigation, preparedness, response, and rehabilitation… funds and procures relief supplies and administrative support for short- and long-term disaster situations and provides humanitarian relief, rehabilitation, and reconstruction assistance to foreign disaster victims."[44]

Finally, and most important to this study of bureaucrats accessing bureaucrats, USAID/OFDA calls on the aforementioned agencies and organizations to coordinate and accomplish the USG's response to HA/DR events. These agencies and organizations rely on USAID/OFDA for advice and assistance in accomplishing their assigned responsibilities. USAID/OFDA currently has agreements with the DOD "for matters

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[40] USAID, 2012.

[41] U.S. Military Joint Publication 3-08, 2011, p.A-M-2.

[42] Ibid., p.A-M-2.

[43] Joint Humanitarian Operations Course (JHOC), 2011.

[44] U.S. Military Joint Publication 3-08, 2011, p.A-M-5.

concerning defense equipment and personnel provided to the affected country and for arranging DOD transportation."[45]   DOD Directive 5100.46, *Foreign Disaster Relief*, establishes the interagency relationship between the DOD and USAID/OFDA.

> The U.S. Southern Command's (USSOUTHCOM) HA/DR:
> missions and programs are central to efforts to enhance security and stability in Central America, South America and the Caribbean. Humanitarian assistance focuses on the provision of health care, infrastructure improvements and aid to populations temporarily or chronically underserved. Disaster relief is the response to reduce human suffering associated with natural disasters that cause the disruption of normal transportation and commerce and destroy infrastructure (USSOUTHCOM, 2011, "Humanitarian Assistance and Disaster Relief"). (Note: "The U.S. Southern Command Area of Responsibility encompasses 31 countries and 15 areas of special sovereignty… includes the land mass of Latin America south of Mexico, the waters adjacent to Central and South America, [and] the Caribbean Sea" (USSOUTHCOM, 2011, "Area of Responsibility"). Please see Area of Responsibility map in Appendix section.)

The authority for the provision of U.S. military foreign assistance is a product of various pieces of legislation beginning in 1949. The Mutual Defense Assistance Act of 1949 (MDAA) resulted from the development of the North Atlantic Treaty Organization. The MDAA stated, "[I]n view of the coming into force of the North Atlantic Treaty…, "the President is hereby authorized to furnish military assistance in the form of equipment, materials, and services to such nations as are parties to the treaty and have heretofore requested such assistance."[46]   Further, the MDAA granted the President the use of the vast USG resources in these assistance missions stating in, "[T]he President

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[45] U.S. Military Joint Publication 3-08, 2011, p.A-M-7. OFDA maintains agreements with following USG agencies, as well: USDA's U.S. Forest Service and the Department of the Interior's Bureau of Land Management for emergency managers, logisticians, communicators, and firefighting experts; Commissioned Corps of the U.S. Public Health Service and the Centers for Disease Control and Prevention for health assessment and to provide medical personnel, equipment, and supplies; U.S. Geological Survey for notification and assessment of earthquakes and volcanic eruptions; NOAA for typhoon, hurricane, and cyclone reporting and assessment; and FEMA for training in disaster management, emergency preparedness, and relief for HN disaster specialists (U.S. military joint publication 3-08, 2011, p.A-M-7).
[46] Public Law 81-329, 1949.

may exercise any power or authority conferred on him by this Act through such agency or officer of the United States as he shall direct."[47]

The Mutual Security Act of 1951 was enacted to "maintain the security and to promote the foreign policy of the United States by authorizing military, economic, and technical assistance to friendly countries."[48] The MSA created the Mutual Security Agency and the office of Director of Mutual Security, which was responsible for coordinating and supervising the military, economic, and technical assistance allowed in the act. The President was given the authority to appoint the director and the U.S. military carried out the operations. However, the Mutual Security Agency was soon abolished, and the Foreign Operations Administration assumed its foreign assistance mission. Nearly as quickly, in 1955, Executive Order 10610 abolished the Foreign Operations Administration and transferred its responsibilities to the Department of Defense (DOD) *and* the Department of State (DOS).[49] This constitutes an important shift from foreign assistance being an executive office function to that of an executive agency function. It also created the interagency dynamics we see today by sharing the responsibilities between the DOD and the DOS, albeit for only six years (1955-1961).

The Foreign Assistance Act of 1961 (i.e., U.S. Code 22) granted "continuous supervision and general direction" of U.S. foreign assistance to the DOS and created USAID.[50] That authority has rested in the DOS under the direction of USAID for the last 50 years due to the Foreign Assistance Act (FAA 1961). But the initial shared responsibilities between the DOD and DOS and the FAA 1961 have continued to create interagency conflict and points of contention as we see in the following discussion.

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[47] Ibid.

[48] Public Law 165, 1951.

[49] USAID History, 2012, and Joint Center for International Security Force Assistance, 2011.

[50] USAID History, 2012, and Foreign Assistance Act of 1961.

According to FAA 1961, the President is authorized to provide military assistance by "acquiring from any source and providing (by loan or grant) any defense article or defense service; [and] assigning or detailing members of the Armed Forces of the United States and other personnel of the Department of Defense to perform duties of a noncombatant nature."[51] The FAA 1961 makes the Secretary of State responsible for the "continuous supervision and general direction of economic assistance, military assistance, and military education and training programs, including but not limited to determining whether there shall be a military assistance (including civic action)."[52] In the eventuality of military assistance, the act stipulates the following responsibilities to the Secretary of Defense the "determination of military end-item requirements; the procurement of military equipment in a manner which permits its integration with service programs; the supervision of end-item use by the recipient countries; the supervision of the training of foreign military and related civilian personnel; the movement and delivery of military end-items; and within the Department of Defense, the performance of any other functions with respect to the furnishing of military assistance, education and training."[53] Furthermore, the "establishment of priorities in the procurement, delivery, and allocation of military equipment" is a responsibility of the Secretary of Defense.[54] These rather imprecise responsibilities and overlapping jurisdictions are manifested in interagency tension and have spawned various acts and attempted clarifications by Congress.

For example, the 1968 Foreign Military Sales Act, which increased congressional oversight of such sales, resulted from a congressional report that was concerned about the

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[51] Foreign Assistance Act, Section 503, 1961.

[52] Foreign Assistance Act, Section 622, 1961.

[53] Foreign Assistance Act, Section 623, 1961.

[54] Ibid.

ramifications of a large military sales program.[55] The concerns included the possible

development of regional arms races that could shift economic resources from other needs

and thereby create regional tensions.[56] A more lengthy evolution of a facet of the FAA

1961 concerns peacekeeping operations.

In 1974, the policy on foreign police training[57] was amended. Peacekeeping

operations funds could only be spent on police training in order to assist and augment

military peacekeepers in particular foreign assistance operations. President Kennedy had

established a public safety program to train foreign police and gave responsibility for the

program to the Agency for International Development, now known as USAID.[58] The

program was in response to growing concerns over the spread of communism. The U.S.

was funding such police training in 34 countries to the tune of 60 million dollars per year

by 1968.[59] Congress became involved in the early 1970s when questions regarding

insufficient public safety program policy guidelines and the use of funds to support

countries known for human rights abuses surfaced.[60] The updated FAA in 1973

effectively ended the public safety program. Multiple amendments to the FAA since

1974 have allowed exceptions to the funding rule. For example, since 1985 funds are

allowed for foreign police training "with respect to a country which has a longstanding

democratic tradition, does not have standing armed forces, and does not engage in a

consistent pattern of gross violations of internationally recognized human rights."[61]

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[55] House of Representatives Report Number 1641, 1968.

[56] Ibid.

[57] This prohibition did not allow police training – or related advice – in foreign countries to be paid for by foreign assistance funds. It was formally added in Section 660 of the updated 1973 FAA.

[58] Joint Center for International Security Force Assistance, 2011.

[59] Ibid.

[60] Ibid.

[61] Ibid.

Additionally, since 1996 funds can be used "to reconstitute civilian police authority and capability in the post-conflict restoration of host nation infrastructure for the purposes of supporting a nation emerging from instability, and the provision of professional public safety training, to include training in internationally recognized standards of human rights, the rule of law, anti-corruption, and the promotion of civilian police roles that support democracy."[62] An interesting side note is that the President maintains waiver authority "under 22 USC § 2364 when '…important to the security interests of the United States.'"[63]

The preceding examples illustrate the evolving nature of the FAA and the HA/DR policy arena. They also point out the fact that little guidance is provided for the humanitarian assistance portion of the term "security assistance" in this policy[64]. But a more encompassing, if still unclear, piece of guidance added to the security assistance policy in 2004. The notion of "security cooperation" sheds light on the HA/DR policy and mission.

DOD Directive 5105.65 delegates "administration of security cooperation programs in whole or in part to the Military Departments and Combatant Commands" (e.g., USSOUTHCOM). Furthermore, the directive granted the military departments and combatant commands the authority to "oversee formulation of security cooperation programs in accordance with approved guidance and policies." However, it did not define "security cooperation."

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[62] Ibid.

[63] Ibid.

[64] Security assistance is defined by U.S. military joint publication 1-02 as a "group of programs authorized by the Foreign Assistance Act of 1961, as amended, and the Arms Export Control Act of 1976, as amended, or other related statutes by which the United States provides defense articles, military training, and other defense-related services by grant, loan, credit, or cash sales in furtherance of national policies and objectives."

A 2004 DOD publication defined security cooperation as all "DOD interactions with foreign defense establishments to build defense relationships that promote specific U.S. security interests, develop allied and friendly military capabilities for self-defense and multinational operations, and provide U.S. forces with peacetime and contingency access to a host nation."[65] Further elaboration of the term security cooperation was offered in 2008 in DOD Directive 5132.03, which states that such activities include "all DOD interactions with foreign defense and security establishments, including all DOD-administered security assistance programs, that: build defense and security relationships that promote specific U.S. security interests…; develop allied and friendly military capabilities for self-defense and multinational operations…" While not overly precise, these guidelines generally place U.S. military-related HA/DR missions and capabilities within the security cooperation construct. One matter that is clear, however, is that the lack of specific HA/DR guidance in DOD policy places USAID and OFDA firmly in control of those missions. This calls for more interagency communication and agreed upon assessment measures.

Table 1. Major Types of Security Assistance Programs

Type of Security Assistance Program	Administered by
Foreign Military Sales and Sales Credit	DoD
Foreign Military Construction Services	DoD
Leases	DoD
Military Assistance Program	DoD
International Military Education and Training	DoD
Drawdown	DoD
Economic Support Fund	DoS
Peace Keeping Operations	DoS
International Narcotics Control and Law Enforcement	DoS
Nonproliferation, Anti-Terrorism, Demining, & Related Programs	DoS
Commercial Export Sales Licensed Under Arms Export Control Act	DoS

Source: Joint Center for International Security Force Assistance, 2011.

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[65] U.S. Military Joint Publication 1-02, 2004.

The interagency challenges associated with this responsibility sharing has become a concern. Then Secretary of Defense Robert Gates testified before the Subcommittee on Defense, Committee on House Appropriations stating, "[I]n recent years we have struggled to overcome the patchwork of authorities and regulations that were put in place during a very different era – the Cold War – to confront a notably different set of threats and challenges."[66] And then Under Secretary of Defense Eric Edelman commented, "[W]e need new, more responsive authorities enabling us to expedite the training and equipping of partner nations" in a hearing before the Committee on House Armed Services.[67] The DOD clearly wants more authority and opportunities to be valuable in this time of budget cuts and agency scrutiny. And it is not only the DOD that sees the need for new policy. The following examples of authority changes have been recommended by the DOS: allow DOD assistance to non-military security forces; single-year security-related appropriations should be expanded to multi-year periods; repeal or amend the ban on assistance for civilian law enforcement units with regard to peacekeeping operations (PKO) funds (i.e., the previously mentioned Section 660 of the 1973 FAA).[68]

It has been argued that new authorities are needed for faster and more accurate budgetary funding and accounting. According to the current congressional budget cycle, the Executive begins planning for the allocation of foreign and military assistance a full two years prior to the fiscal year in which the funding will be used.[69] The DOS and USAID face the same foreign assistance budget-allocation dilemma, but their difficulties

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[66] Joint Center for International Security Force Assistance, 2011. (Testimony: March 29, 2007.)

[67] Ibid. (Testimony: April 7, 2006.)

[68] Ibid.

[69] Ibid. In the case of foreign military financing, funding to deal with emergencies may not be available for up to four years in the future. Of the $4.6 billion FMF account, only $80 million was available for discretionary use by the DOD (Joint Center for International Security Force Assistance, 2011).

are exacerbated by the fact that nearly all of their funding is controlled by earmarks and various other legislative limitations.[70] Congress has, at the same time, lauded and expressed concern regarding calls for increased DOD authority. Then Chairman of the House Armed Services Committee Ike Skelton (Dem., MO) praised the DOD's effort to "jumpstart, and take responsibility for resourcing, an interagency process" but was concerned with "what appears to be the migration of State Department activities to the Department of Defense."[71] Then Secretary of Defense Gates responded to Rep. Skelton's concern by positing, "building partner capacity is a vital and enduring military requirement – irrespective of the capacity of other departments – and its authorities and funding mechanisms should reflect that reality."[72] Once again we see that the interagency challenges and responsibilities are point of contention – even when one agency is willing to cede some authority to the other.

Humanitarian Assistance/Disaster Relief

Humanitarian assistance in the USG HA/DR agency context refers to relief, not development.[73] The Foreign Assistance Act (September 4, 1961) created USAID and OFDA.[74] It was due in large part to the Marshall Plan (June 5, 1947), which outlined the need and purpose of the U.S. providing humanitarian aid and specifically by President Kennedy's inaugural speech (January 20, 1961). While an important humanitarian responsibility and diplomatic tool, less than one percent of the USG budget goes toward

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[70] USAID, 2012, and Joint Center for International Security Force Assistance, 2011.

[71] Joint Center for International Security Force Assistance, 2011.

[72] Ibid.

[73] Joint Humanitarian Operations Course (JHOC). USAID/OFDA produces and presents an educational workshop to prepare DOD personnel to work collaboratively with OFDA during HA/DR operations. I attended one of these workshops July 28-29 in San Antonio, Texas.

[74] USAID, 2011.

foreign aid, yet over 50 USG agencies are involved with the delivery of foreign aid (including HA/DR efforts) with the Departments of State, Agriculture, and Energy mainly responsible.[75] The State Department, USAID/OFDA, and the DOD are the main agencies involved in HA/DR-specific missions.[76] I will focus on USAID, generally, and OFDA and USSOUTHCOM, specifically.[77]

USAID is a sub-cabinet level position and is not a part of the State Department (DOS). USAID does not report to/through the DOS, and its budget is separate from the DOS (i.e., but "administratively" its monies flow through the DOS but DOS does not determine how or where those monies are spent).[78] USAID and DOS, jointly, promote peace and security, support democratic government, invest in people (e.g., health/wellness, education, etc.), and support local economic growth and humanitarian assistance when required.[79] Specifically, USAID provides humanitarian assistance in the form of: 1) recovery from disaster; 2) escaping poverty; and 3) engaging in democratic reforms.[80] OFDA is an office within USAID's Bureau for Democracy, Conflict, and Humanitarian Assistance. OFDA is the lead federal agency (LFA) for USG HA/DR efforts. Specifically, it is charged to: 1) save lives; 2) alleviate human suffering; and 3)

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[75] JHOC, 2011.

[76] Ibid.

[77] USSOUTHCOM was chosen as the subject DOD entity in order to provide more specificity and nuanced observations rather than studying the entire DOD. This combatant command is representative of the DOD in that it includes a joint (i.e., Air Force, Army, Navy, and Marine forces) perspective and its readiness and training and real world missions are HA/DR related. The command has a long history of such missions, dating back to its origin as the Caribbean Defense Command, 1941-1947 (USSOUTHCOM, 2012). And although the command honorably served the efforts of the wars in Afghanistan and Iraq, its geographic location and mission mitigate, to a larger degree than that of similar commands, the influence those wars had in terms of responding to HA/DR events.

[78] Ibid.

[79] Ibid.

[80] USAID, 2011, and JHOC, 2011.

reduce the economic and social impact of disasters.[81] The third charge includes mitigation and pre-disaster planning and preparation (e.g., table-top exercises; building up and storing resources, supplies, and other capabilities in specific areas of the world).[82] And USSOUTHCOM is one of nine unified combatant commands within the DOD (i.e., a joint command including Air Force, Army, Navy, and Marine personnel and resources) and is "responsible for providing contingency planning, operations, and security cooperation for Central America, South America, the Caribbean (except U.S. commonwealths, territories, and possessions)… [and] the defense of the Panama Canal and canal area."[83] Its specific HA/DR mission is described above.

The organizational structures of these agencies resemble most USG bureaucracies in that they are vertical and hierarchical. OFDA, however, is more flat due to the fact it has only about 350 personnel, many of whom are contractors, and had a budget of 800 million dollars for fiscal year 2011.[84] (Please see USAID and OFDA organization charts in Appendix.) Once a disaster is declared by the U.S. ambassador or her/his designee (e.g., Chief of Mission) or the Assistant Secretary of State for the region (i.e., located in Washington D.C.; this is the case if the U.S. does not have an embassy in the country affected) OFDA becomes the LFA and coordinates all foreign disaster assistance efforts to include requesting support from other USG entities.[85] In other words, this *office of 350 controls the vast HA/DR resources of the USG, including the DOD*. This incredible

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[81] JHOC, 2011.

[82] Ibid.

[83] USSOUTHCOM, 2011.

[84] JHOC, 2011. Notes: The $800M figure may seem small for an agency with such responsibilities, but OFDA does not need to "own" the resources as it has all of the USG HA/DR capabilities and resources at its beck and call as LFA. Mitigation efforts account for ten percent the OFDA budget, and it is estimated by OFDA that those pre-disaster efforts save seven dollars in response dollar spending for every dollar spent for mitigation. USAID includes roughly 8,000 personnel and a budget of $30B for FY2011.

[85] JHOC, 2011.

power is discussed more fully in the forthcoming interagency discussion, but the ramifications and novelty of this phenomenon cannot be overstated. The host, or affected, country is in charge of the relief effort – certainly to varying degrees – and the U.S. ambassador is the U.S. lead in the country, but OFDA is in a dominant position because of its LFA status, vast expertise and information, and control of myriad USG resources. Its small size in terms of personnel is a bureaucratic challenge as more USG agencies become involved.

May (and Winter) discuss this paradox that OFDA faces in their work on domestic disaster policy.[86] The phenomenon involves the affect of multiple agencies and entities having a responsibility in the response – the more entities involved, the greater the dispersion of control and accountability and the more difficult it is to centralize a response. Organizational and, in some sense, policy domain structure changes come with opportunity costs due to the fact that centralization creates difficulties with disparate sources of information and expertise. Therefore, the substance of the policy matters in terms of the information coming from entities who are not experts, and this creates a fog of command and control and, ultimately, implementation.

The perplexing result of this fog is that the conflicts and problems with information confuse what could be a synergistic relationship that could effectively respond to multiple policy goals at one time. For example, the Federal Emergency Management Agency (FEMA) transitioned to a terrorism focus after 9/11 and nearly

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[86] May, Peter. 1986. *Disaster Policy Implementation: Management Strategies Under Shared Governance.* New York: Plenum Press. And May, Peter, and Walter Williams. 1985. *Recovering From Catastrophes: Federal Disaster Relief Policy and Politics.* Westport, CT: Greenwood Press. And May, Peter, and Søren Winter. 2009. "Politicians, Managers, and Street-Level Bureaucrats: Influence on Policy Implementation." *Journal of Public Administration Research and Theory,* 19(3): 453-476. And May, Peter, and Søren Winter. 2007. "Collaborative Service Arrangements, Patterns, Bases, and Perceived Consequences." *Public Management Review,* 9(4): 479-502.

eliminated the natural disaster response or relief verbiage in their policy hearings.[87] In various ways the response to a terrorist act and a natural disaster – as far as what FEMA would be responsible for – would likely be similar. The idea that both responses can be handled similarly is how the DOD often addresses the dual roles of readiness and HA/DR efforts. Section 401 of the Title 10 U.S. Code, DOD Directive 2205.2 (October 1994), and DOD Instruction 2205.3 (January 1995) dictate that military resources and funds be used for training and readiness. But funds are authorized for military forces to engage in HA activities if they help obtain and advance the security interests of the U.S. and the host nation and enhance the operational readiness skills of the military members performing the HA mission.[88]

The training and readiness exercises that prepare and assess military resources for fitness and competence for duty in war and other conflict is used as humanitarian assistance that also prepares military resources to respond to disaster relief efforts. Moynihan discusses the Incident Command System (ICS) and its use in crisis response efforts that require a temporary hierarchical structure among the associated agencies.[89] The ICS attempts to address the coordination difficulties stemming from disparate views and the compilation of multiple entities identified by Wildavsky and Pressman and, more recently, May, et al. The manner in which authority is shared and contested, and the importance of trust in determining and maintaining control are key components of the ICS.[90] Having discussed the missions and organizations of USAID/OFDA and

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[87] May, Peter, Joshua Sapotichne, and Samuel Workman. 2009. "Widespread policy disruption: Terrorism, public risks, and homeland security." *Policy Studies Journal*, 37(2):171–194. And Workman, Samuel. November 2, 2011. Note: Former citation, generally; latter citation, specifically.

[88] U.S. Code: Title 10, Chapter 20, Section 401.

[89] Moynihan, Donald. 2009. "The Network Governance of Crisis Response: Case Studies of Incident Command Systems." *Journal of Public Administration Research and Theory*, 19(4): 895-915.

[90] Ibid.

USSOUTHCOM and the fog of multiple entities combining to address the disaster, we now turn to the interagency conflicts associated with assessment measures and how they affect HA/DR policy implementation.

INTERAGENCY CONFLICTS

Interagency conflicts and bureaucratic challenges affecting implementation are largely due to different missions and different assessment measures. As mentioned, OFDA, an agency with 350 individuals, in many ways controls the DOD in these HA/DR situations. That in and of itself is unique in terms of mission and implementation. Assessments of what is required to answer the disaster event's needs and differences in how those assessments are measured are the prime reasons for conflict in the HA/DR policy domain.

We will begin with the categorized types of disasters. The HA/DR community places disasters into three main categories:

1) Rapid Onset (e.g., earthquake, volcanoes, tsunamis [depending on time/warning]);

2) Slow Onset (e.g., drought);

3) Complex Emergency (CE), which have elements of conflict associated with them (e.g., the recent situation in Libya and many of the disasters in Africa).[91]

There are three main criteria for determining when disaster relief will be offered by the USG. They include the following with a fourth criterion that may play a larger role in the future:

1) The host, or affected, country must ask for or be willing to accept USG assistance.

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[91] JHOC, 2011.

2) The disaster is of such magnitude that it is beyond the host country's ability to respond adequately (i.e., therefore, most USG efforts will be in developing nations).

3) It is in the interest of the USG to provide assistance. Note: OFDA has always responded with DR efforts when #1 and #2 have been met; but a disaster in Venezuela, for instance, may be an example in which #3 changes the overall decision to provide DR. Other countries may view U.S. relief efforts in Venezuela (or a similar situation) as a "way in" politically to change that country's political course, and "ulterior motives" of DR must be kept to a minimum if U.S. assistance is to be accepted in the future.

4) Only #1-3 are "official" USG criteria, but a fourth may be resources and, in particular, money. Will budget cuts begin to dictate US involvement, and should they? This, in conjunction with #3, introduces the idea that morality trumps practicality in most cases in U.S. policy.[92]

OFDA responds with relief efforts that include funding, humanitarian commodities, and personnel. Most of the USG funding for particular DR efforts goes to non-governmental organizations (NGOs) and the United Nations (UN). As an aside, the Stafford Act, which deals with monies for DR causes, does not impact OFDA because it addresses domestic disasters only. Humanitarian commodities include plastic sheeting, water treatment units, blankets, etc.) but not food or specific medicines (i.e., other agencies are responsible for these). OFDA offers much expertise and its personnel offer specific HA/DR knowledge and lessons learned and are aware of cultural issues and

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[92] Ibid.

sensitivities, are familiar with the region's disaster profile, and have vital relationships and contacts in every region.[93]   Unfortunately, the way OFDA divides the globe into regions does not line up with the DOD combatant commands' (e.g., USSOUTHCOM) areas of responsibility.   Therefore, OFDA may be dealing with multiple combatant commands simultaneously.   One policy suggestion would be to streamline communication and interagency coordination by aligning OFDA regions with DOD areas of responsibility.

Assessments

With these foundational assessments of what constitutes a disaster, how the decision to provide relief is assessed, and the components of the relief we can turn to the assessment measures of what constitutes "need" in DR situations. Again, this is the main point of conflict in this interagency amalgam. First, and foremost, the DOD still does not have measures of effectiveness; they assess based on what they *can do* (i.e., what they can bring to the table in terms of *capabilities*). OFDA assesses on *needs*, not what could be done, but what needs to be done to return the host nation back to the state it was in one minute before the disaster occurred.   This is a very important distinction, and it is not merely semantics – "assessment" means something very different to the DOD than it does to OFDA and other relief agencies.   In addition to the DOD *pushing* (i.e., in assessment and its capabilities) while OFDA *pulls* (i.e., determines needs first, then requests capabilities), the U.S. military tends to plans for worst case scenarios, while

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[93] Ibid. OFDA personnel are included in the following: Assessment teams, which are sector specialists/experts (i.e., medical, water, sanitation, health, food, shelter) who provide the right resource, at the right place, at the right time; Disaster Assistance Response Team (DART), which are the least used response option, but have the highest visibility and expertise and manage USG relief efforts on the ground for the Ambassador (under Ambassador's authority); Response Management Team (RMT), which are initiated if a DART is placed and serve as liaisons for the DART and deals with the political/information (i.e., at the strategic level) requirements from Washington D.C. and allows the DART to do its job on the ground without having to "feed the information beast" consisting of politicians and the media.

OFDA looks at the particular need for the particular incident or event. These are important differences and cause friction between the agencies.

For example, the effective measure may not be the number of tents erected, but rather, whether the sheltering needs of the affected populace have been met. It not only thickens the fog of DR implementation in the immediate response, but it makes it difficult to transition from *relief* to plans for *development* and effectively, efficiently transitioning out of the country. The "simple" question of what constitutes "success" and mission accomplishment is therefore skewed by the differences in the initial assessments and what they are based upon. This conflict has much to do with measures. If the USG HA/DR policy goal is to get the affected nation back to its pre-disaster level or state of functioning, why is this a difficult transition? Certainly, international organizations (IOs)[94] and NGOs play a role in the conflict, but the cultures, goals, rules, and norms[95] that inform the assessments employed by the USAID/OFDA and the DOD bureaucracies are of particular interest to this discussion.

The following table offers organizational differences between humanitarian and military entities.

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[94] Examples: the International Committee of the Red Cross (ICRC), which focuses on conflicts/complex emergencies; the International Federation of Red Cross and Red Crescent Societies (IFRC), which is the "traditional" Red Cross most think of; the International Organization for Migration, which deals with anyone who voluntarily moves across a border in search of economic gain; and, of course, the UN and its subgroups (e.g., the Office for the Coordination of Humanitarian Affairs, the UN's equivalent to OFDA), all of which is large and decentralized resulting in command and control issues that affect coordination and collaboration.

[95] Please see previous literature review for references.

Table 2. Humanitarian and Military Cultures: Differences[96]

HUMANITARIAN	MILITARY
Independent	Highly Disciplined
Decentralized Authority	Hierarchical Command
On-the-job Training	Extensive Training
Few Field Manuals/Guidance	Rules and Regulations Abound
Long-term Perspective	Immediacy (Accomplish Mission and Leave)

But these groups are alike in more philosophical ways. Both groups are motivated by service and a desire to improve a situation. Both spend much time away from their loved ones often and for extended periods. Both are selfless and understand the intrinsic benefits of being a part of something larger than themselves. The differences and commonalities are generalities, but few would argue the overall ideas presented here. Yet, conflict remains in this policy domain and steps have been taken to mitigate the deleterious affects.

DOD and USAID/OFDA efforts are coordinated by the "Oslo Guidelines." These guidelines provide non-binding guidance for the use of foreign military and civil defense assets in disaster relief efforts.[97] For example, the military is only to be used when a civilian asset cannot perform the task and the military provides that unique, critical tool or capability. An important point here is that OFDA objectives and definitions of humanitarian action are couched by an emphasis on humanity, impartiality, neutrality,

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[96] JHOC, 2011.

[97] "Guidelines On the Use of Foreign Military and Civil Defence Assets In Disaster Relief - "Oslo Guidelines." 2006. (Revision 1.1 November 2007)

and independence.[98] These ideals variously espouse the notion that humanitarian action should do no harm, that allocation of resources should be based on need, and that the goal is to strengthen the host country's capacity so it can move forward and recover on its own. Under these conditions, neutrality may be the most important concept because USAID/OFDA (and NGOs) cannot be seen as favoring the military or acquiescing to other-than-humanitarian goals or objectives. The humanitarian aspect can also come into conflict with the purpose of DOD involvement in pre- or extra-disaster relief efforts, which is to train U.S. troops and prepare them for deployments, not necessarily for the delivery of wellness or medical services to the host nation (i.e., Title 10 stipulations). Finally, assessments of what type of required assistance is guided by whether the need calls for direct, indirect, or infrastructure support.[99] Direct assistance entails the military providing a capability no other entity can provide (e.g., aeromedical evacuation). An example of indirect assistance would be the provision of DOD equipment for use by relief workers (i.e., U.S. military provides assets such as trucks, tents, etc.). Infrastructure support sees the U.S. military providing the means for the accomplishment of some task (e.g., air or sea transportation, expertise, etc.).

In summary, this interagency conflict section has focused on the assessment differences leading to potential civil-military issues and confusion in HA/DR efforts. The following is a brief list of the important components to avoid, or at least lessen, this conflict:

The USG HA/DR policy goal is to bring the affected/host nation back to the level of pre-disaster status (not improve it);

- Know the context;

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[98] JHOC, 2011.
[99] Ibid.

- Know the priority needs;

- Be sensitive to partner concerns;

- Do not duplicate efforts;

- Do not compare living conditions to U.S. standards;

- Focus on institutional support (i.e., institutions, not people) and help the system to help the individual/people.

These are important fog of friction points to ponder because the U.S. military is used more often in these situations (and the military is inviting itself to help in HA/DR efforts besides being asked or requested by OFDA/USAID). Finally, actors in this policy domain would do well to remember that USAID/OFDA is LFA and is responsible for determining the appropriate USG HA/DR contributions and validates the humanitarian requirement (i.e., needs assessment) and the following keys to OFDA and DOD coordination.

- Communication

- Exchanging/embedding liaisons

- Sharing information

- Understanding the mission and the unique capabilities at appropriate levels (i.e., needs/pull, not capabilities/push)

- Right resource, at the right place, at the right time

- Validating the mission

- Understanding local capability

- Transition and phase-out (i.e., mission accomplishment)

- One team, one fight

- Managing expectations is very important (i.e., again, return to pre-disaster conditions only, not improving the affected/host nation's situation/condition beyond that criterion).[100]

Note: Please see Appendix for more information on the criteria for DOD involvement and how OFDA requests DOD resources.

The preceding sections have provided a foundation based on organizational structure, mission, conflict, and goal assessment. The next step is determining the access points that may be the bureaucrats themselves or available to the bureaucrats and agencies. To Hammond, structure is the agenda.[101] Which actor makes a decision and at what level that decision is made is what matters. Span of control is an issue in terms of what is delegated and what is reported directly, and that is based on the structure of the organization. The structure is determinative of the agenda and the outcome is based on what information is paid attention to, again, based on what level and which actor is making the decision. Importantly, Hammond's notion assumes that structure is malleable and can be adjusted. This provides the opportunity for access points to appear in the implementation process. Bureaucrats may be accessed (as access points themselves), and bureaucrats may be accessing other bureaucrats and legislators and their staffs in this construct.

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[100] JHOC, 2011.

[101] Hammond, Thomas. 1986. "Agenda control, organizational structure, and bureaucratic politics." *American Journal of Political Science*, 30(2):379–420.

ACCESS POINTS THEORY AND POSTULATES

The literature discussing interest group influence can be divided into two camps: 1) interest groups dominate and elected officials acquiesce to their demands; and 2) interest groups' influence is limited by the information sought by elected officials, and the limited time and attention of elected officials regarding specific interests further mitigates groups' power and influence. The first camp consists of various scholars generally following Schattschneider's early argument that well organized groups control legislators and that the latter then ignore everyone else.[102] They include Truman and Lowi to name two of the more notable contributors.[103] Bauer, de Sola Pool, and Dexter are the forerunners of the second camp.[104] These two broad perspectives provide the foundation for access point theory.

> According to Ehrlich, access points theory espouses that:
> a single underlying feature of many different types of political institutions provides answers to both the questions of whom policy favors and whether policy is complex or simple across a wide range of different policy areas. The central insight…is that the more points of access provided to interest groups, the more complex policy will be, and if one side of the debate has an advantage in lobbying, the more biased policy will be toward the side with the advantage.[105]

A subtle, yet key, nuance in Ehrlich's definition and my theory of access points is that he considers as an access point every policymaker who can be lobbied and who has

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[102] Schattschneider, E. E. 1935. *Politics, Pressures and the Tariff: A Study of Free Private Enterprise in Pressure Politics, as Shown in the 1929-1930 Revision of the Tariff.* New York: Prentice-Hall.

[103] Truman, David B. 1971. *The Governmental Process; Political Interests and Public Opinion.* New York: Knopf. And Lowi, Theodore J. 1979. *The End of Liberalism: The Second Republic of the United States.* New York: Norton.

[104] Bauer, Raymond, Ithiel de Sola Pool, and Lewis Dexter. 1963. *American Business and Public Policy: The Politics of Foreign Trade* (New York: Atherton Press).

[105] Ehrlich, Sean D. 2011. *Access Points: An Institutional Theory of Policy Bias and Policy Complexity.* New York: Oxford University Press. p.5

influence in a policy domain.[106] This stems from economic theory that holds the greater number of access points, in this case, the less cost to the interest groups to get their message heard because the increase in the supply of access points (i.e., again, policymakers) increases the demand for the resources (e.g., information, campaign contributions) provided by the groups. The notion of access points has traditionally involved lobbyists and interest groups accessing elected officials. I reason that legislators' staff members are also important access points. Also, bureaucrats may be seen as policymakers in how they implement policy and are, therefore, access points. Furthermore, and most importantly, I argue that bureaucrats use policymakers and their staffs as access points in a similar fashion as do interest groups and their lobbyists.

The notion of bias in Ehrlich's definition is an important aspect of access points theory, and three works from the early 1960s inform my interpretation and expansion of the theory. Schattschneider introduced the "mobilization of bias" idea (i.e., dominant values, beliefs, and institutional procedures put in place to benefit certain persons and/or groups at the expense of others) in describing how groups attempt to influence policy (outputs) and thereby garner benefits (outcomes).[107] Schattschneider also argues that when an interest group sees itself at some disadvantage, it will want to expand the conflict.[108] Such expansion creates more access points. Bachrach and Baratz add control of the policy process through power to the mobilization of bias theory.[109] They focus on the dynamics of nondecision making, or the continuance and maintenance of the status

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[106] Ibid., p.6.

[107] Schattschneider, E. E. 1960. *The Semisovereign People: A Realist's View of Democracy in America*. New York: Holt, Rinehart and Winston.

[108] Ibid.

[109] Bachrach, Peter, and Morton Baratz. 1962. "Two Faces of Power." *American Political Science Review* 56:947-952. And Bachrach, Peter, and Morton Baratz. 1963. "Decisions and Nondecisions: An Analytical Framework." *American Political Science Review* 57:632-642.

quo by limiting the scope of decision making to only "safe" issues and policies. Control of the agenda is crucial, and it relies on the mobilization of bias. This bias is sustained through nondecision making (i.e., by force or threat of sanctions; norms, values, rules, procedures, etc.), thus assuring certain persons and/or groups and their perspectives and issues are kept off of the policymaking agenda and not heard. Agenda limitation or constraint is accomplished through what they refer to as the restrictive face of power. The strength of Schattschneider's and Bachrach and Baratz's analytical framework is that it is simple and direct. Its weakness is the lack of applicability for policymakers in terms of access points that in turn affect policy implementation. Tangentially related to this discussion is Olson's work on the collective action problem faced by groups within a policy domain.[110]

Bias may be viewed as Laswell's "who gets what, when, and how" definition of politics[111] and, especially, the amount one sides gets of the "what" in relation to the amount received by the other side.[112] The benefits of the mobilization of bias leads to access points in a quid pro quo arrangement between the seekers of access and the access points themselves. Bureaucrats, lobbyists, and interest groups offer similar benefits to their sought after access points: information, expertise, and the ability to stir media and increase the public's intensity of interest (Dahl[113]). One key benefit bureaucrats cannot offer is campaign contributions. But, bureaucracies have the legitimacy of the state behind them, interest groups do not and there are no policies without bureaucracy.[114]

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[110] Olson, Mancur. 1971. *The Logic of Collective Action: Public Goods and the Theory of Groups.* Cambridge, MA: Harvard Press. And Olson, Mancur. 1982. *The Rise and Decline of Nations*. New Haven: Yale Press.

[111] Laswell, Harold. 1958. *Politics: Who Gets What, When, and How*. New York: Meridian Books.

[112] Ehrlich, Sean D. 2011. *Access Points: An Institutional Theory of Policy Bias and Policy Complexity*. New York: Oxford University Press.

[113] Dahl, Robert. 1956. *A Preface to Democratic Theory*. Chicago: University of Chicago. (p.113)

[114] Workman, Samuel. 2 November 2011.

Rent seeking and, more specifically, rent dissipation are useful theories in this discussion. Rent seeking in the political world refers to the resources expended by groups in exchange for public policy that garners the group financial benefits or some unique advantage.[115] These benefits take the form of subsidies and being granted status within a particular class (i.e., direct benefits), tariffs and regulations (i.e., indirect benefits as they usually impede competitors).[116] Rent seeking is closely tied to moneyed lobbyists and interest groups, but rent dissipation brings in the idea of government rent. Government rent is the difference between maximized cost (i.e., government inputs at competitive private market prices) and minimum cost of private goods production paid by the government.[117] Buccola and McCandlish argue that managers of government-owned firms and the associated bureaucrats form a lobbying network that defends the enterprise from competition and the "portion of government rent determined by valuing inputs at competitive factor prices is dissipative in the sense that it vanishes from productive output."[118] While this dissipative rent theory deals with government-owned enterprises and government production cost-benefit scenarios, the general idea that bureaucrats form lobbying networks is valuable to this study. Because the HA/DR policy domain is

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[115] Rent seeking origins in Economics: Tullock, Gordon. 1967. "The Welfare Costs of Tariffs, Monopolies, and Theft." *Economic Inquiry* 5(3): 224-32. And Krueger, Anne. 1974. "The Political Economy of the Rent-Seeking Society." *American Economic Review*. 64(3): 291-303. Examples of rent seeking associated with access points and mobilization of bias theories: Langbein, Laura. 1986. "Money and Access: Some Empirical Evidence." *Journal of Politics*. 48(4): 1052-1062. And Hall, Richard, and Frank Wayman. 1990. "Buying Time: Moneyed Interests and the Mobilization of Bias in Congressional Committees." *American Political Science Review*. 84(3): 797-820.

[116] Welch, William. 1982. "Campaign Contributions and Legislative Voting: Milk Money and Dairy Price Supports." *The Western Political Quarterly*. 35(4): 478-495. And Wright, John. 1990. "Contributions, Lobbying, and Committee Voting in the U.S. House of Representatives." *American Political Science Review*. 84(2): 417-438. And Stratmann, Thomas. 1991. "What Do Campaign Contributions Buy? Deciphering Causal Effects of Money and Votes." *Southern Economic Journal*. 57(3): 606-620.

[117] Buccola, Steven, and James McCandlish. 1999. "Rent Seeking and Rent Dissipation in State Enterprises." *Review of Agricultural Economics*. 21(2): 358-373, p.369.

[118] Ibid., p.358.

beholden to OFDA (i.e., the sole decision making source for the delivery of relief aid and, in this way, similar to the government-owned firm in Buccola and McCandlish's study) their bureaucrats become access points for U.S. military bureaucrats (and NGOs) forming "lobbying" groups who then access legislators for support and resources. Rent dissipation occurs in the form of OFDA controlling those resources and information and dissipating the power and authority the military (and NGOs) seeks in its support of relief efforts (i.e., credit claiming ability in having assisted with relief efforts). This mechanism is yet another example of how a small agency of 350 persons with a budget of 800 million dollars controls the policy domain that includes the exponentially larger DOD. Information and credibility is the key to this form of mobilization of bias, which enables access in this policy arena.

Accessing Bureaucrats

It stands to reason that if lobbyists and interest groups view representatives and their staffs as access points for influencing agenda setting and policy formulation, they would view bureaucrats as access points for influencing policy implementation. If lobbyists and interest groups access bureaucrats directly in the policy implementation process, then outcomes and subsequent policy evaluation will certainly be affected. Mobilization of bias would work here in a similar manner to how it works when lobbyists and interest groups access legislators and their staffs. Furthermore, Croley argues that it is the value of the information bureaucrats possess that is vital to their rule making power, which, in turn, enables the aforementioned autonomy[119] enjoyed by the HA/DR

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[119] Croley, Steven. 2007. *Regulation and Public Interests: The Possibility of Good Regulatory Government*. Princeton, NJ: Princeton University Press. Note: Croley argues that the agency's administrative law function (i.e., the legal decision making procedures that determine regulatory processes and the associated regulatory environment of the agency) determines its autonomy.

agencies. Bureaucrats make the rules as to how the legislation will be implemented. This power is nearly as important as the power to make the legislation in the first place.

Agencies lead the policy rule making process due to Congress delegating much authority to them without guidelines and standards in what Lowi described as interest group liberalism where "[L]iberalism replaces planning with bargaining."[120] Well funded and better organized interest groups are able to take advantage of this situation by bargaining and influencing agencies during the rule making phase. The 1946 Administrative Procedure Act "states that a rule means the whole or part of an agency statement of general or particular applicability and future effect intended to implement, interpret, or prescribe law or policy."[121] This broad power allows agencies the capacity to, in effect, make policy and makes rule making a vulnerable, fertile access point of opportunity for interest groups to influence policy.

What is perplexing is why bureaucrats would allow themselves to be access points for lobbyists and interest groups, but three reasons – information, choice, and responsibility – help to clear up this mystery. In the legislature, access points are created not so much by the dollars spent in the form of campaign contributions but for the information sought by the representative. The representative's uncertainty (or base desire?) with electoral strategies – knowing what her constituency wants and needs – enables access by informed interest groups.[122] Furthermore, interest groups "represent" constituents and, in so doing, they determine what types of information about those

[120] Lowi, Theodore. 1979. *The End of Liberalism: The Second Republic of the United States, 2nd Edition* (New York: Norton), p.67.

[121] Kamieniecki, Sheldon. 2006. *Corporate America and Environmental Policy: How Often Does Business Get Its Way?* Stanford, CA: Stanford University Press) p.106.

[122] Hansen, John Mark. 1991. *Gaining Access: Congress and the Farm Lobby, 1919-1981*. Chicago: University of Chicago Press.

constituents are available to the office seeker.[123]   This is a powerful incentive for allowing access that has little, if anything, to do with monetary campaign contributions. Bureaucrats need information, as well.   Their rulemaking authority demands much expertise. It is likely that they seek this rulemaking expertise from lobbyists and interest groups in a similar manner as representatives do with information about their constituents.

The choice of when contributors seek to access legislators and which ones and, more importantly, how legislators choose to make decisions with the information provided is another part of the puzzle. Ansolabehere, et al., reveal that the amount of money coming from lobbyists and corporations pales in comparison to individual contributions.[124] While those contributions are limited, they simply do not garner the same amount of attention as the monies flowing from interest groups and corporations. This may be because representatives are listening to those who share like ideology or vote according to what is best for their district and constituents. It brings the importance of information into clearer focus and greater relevance. Ansolabehere, et al., posit that consumption, or participation, rather than campaign contributions as investments (i.e., the rent seeking discussion above) is the key to understanding why there is not more money involved in campaign contributions. If it is not money buying access it must be the information that is the currency. In a similar fashion, bureaucrats associate with like-minded lobbyists and interest group members. The revolving door phenomenon, in which persons move from the public sector (e.g., executive agency leadership positions)

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[123] Ibid.

[124] Ansolabehere, Stephen, John de Figueiredo, and James Snyder, Jr. 2003. "Why is there so Little Money in U.S. Politics?" *Journal of Economic Perspectives*. 17(1): 105-130.

to the private sector (e.g., lobbyists and other forms of interest group representation), is an obvious example of this notion of choice in terms of the company bureaucrats keep.

The idea of responsibility is missing in much of this literature and further reduces the mystery of why bureaucrats are access points. Just as the legislator and voter are responsible for whom they listen to, bureaucrats are responsible for being informed and for their sources of information. Bertelli and Lynn attempt to justify the managerial function, given the inevitability of managerial discretion over crucial public tasks. "Managerial responsibility depends, in a constitutional sense, on official respect for the separation of powers and commitment to specific public service values: judgment, balance, rationality, and accountability."[125] The (hopeful) idea is that bureaucrats know a sense of responsibility and will temper the information they receive from lobbyists and interest groups with the best interests of their constituents or clients.

I have established a causal theory in terms of why bureaucrats are access points themselves. But, more important to this study is whether bureaucrats see and use legislators and their staffs as access points and when they may seek to access them. The following section and its novel theory of bureaucratic (use of) access points is informed by the preceding organizational mission and structure, implementation assessment, and "traditional" access point literatures.

Bureaucrats Accessing… A Theory of Bureaucratic Access Points

As I have postulated, lobbyists and interest groups are not the only ones who attempt to access legislators. Bureaucrats take advantage of access points (i.e., to elected

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[125] Bertelli, Anthony, and Laurence Lynn, Jr. 2006. *Madison's Managers – Public Administration and the Constitution*. Baltimore, MD: The Johns Hopkins University Press, p.X. Note: Their idea combines the personnel function (i.e., constitutionally qualified public servants recruited, hired, and maintained) and administrative law (i.e., collection of rules regarding admin practice within the separation of powers).

officials and, especially, their staffs), too, especially during policy implementation proceedings. This study offers the novel perspective that access points for HA/DR bureaucrats, to include those in the DOD, are readily available during the punctuating event (i.e., the natural disaster itself) and may be evaluated through the notions of timing and the information and capabilities they possess and can leverage during these punctuations. Furthermore, the humanitarian missions of the HA/DR agencies provide a "united front" when collectively pursuing these access points. The following framework of HA/DR policy implementation and the associated access point hypotheses help frame the investigation.

Policy implementation can be framed in terms of governmental performance or democratic accountability.[126] For HA/DR policy, the attention is decidedly on governmental performance in the formulation, implementation, and evaluation stages. In many ways it is "given" that the U.S. will assist other nations dealing with natural disasters, so the democratic accountability aspect only comes into play in which nations the U.S. would not assist and for what reason and the effective, efficient use of resources in disaster relief efforts as determined in the evaluation stage. Policy outputs are key at the time of the disaster relief effort. Policy outcomes are the focus in the evaluation process.

Table 2. Humanitarian Assistance / Disaster Relief Policy Implementation

	Governmental Performance	Democratic Accountability
Outputs	*During Event*	("Given")
Outcomes	*During Evaluation Stage*	(Use of taxpayer dollars)

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[126] Workman, Samuel. October 26, 2011.

Postulates: Bureaucratic Access Points

1) If lobbyists and interest groups access bureaucrats directly in the policy implementation process (i.e., in terms of outputs), then outcomes and subsequent policy evaluation will be affected.

2) If lobbyists and interest groups access elected officials and their staffs and bureaucrats and are at least perceived to be successful in getting what they want (e.g., rent seeking), then bureaucrats follow similar access points to attempt to get what they want from elected officials and their staffs.

3) If a natural disaster event occurs eliciting USG response and action, then HA/DR agencies' bureaucrats have the unique opportunity for access points to elected officials and their staffs *during* a punctuation in the equilibrium (i.e., the disaster event itself and the immediacy of the situation).

▪ If a natural disaster event occurs eliciting USG response and action, then *timing* (in terms of opportunity for the HA/DR agency and criticality of the response time itself in saving lives and property) creates an access point for HA/DR bureaucrats based on their credibility and relevance.

▪ If a natural disaster event occurs eliciting USG response and action, then the *information* the HA/DR agencies' bureaucrats have regarding the event and response that is demanded by elected officials and their staffs creates an access point.

▪ If a natural disaster event occurs eliciting USG response and action, then the unique *capabilities* the HA/DR agencies have provide their bureaucrats an access point for various requests (e.g., immediate funding, increased budget for future years, additional resources).

- If a natural disaster event occurs eliciting USG response and action, then the *success* the HA/DR agencies realize provide their bureaucrats an access point to request and develop new policy based on that success. (Note: *Failure* could also provide an access point, but bureaucratic credibility and autonomy in creation of new policy would suffer.)

4) If funding and other resource allocation decisions are decided at the time of the natural disaster event, then the subsequent implementation of HA/DR policy will be more *efficient* in terms of providing resources based on actual assessment rather than projected needs.

5) If HA/DR policy decisions are made or existing policy adjusted at the time of the natural disaster event, then the impetus to learn (i.e., May, 1992[127]) will be reduced.

Baumgartner and Jones develop the theory of punctuated equilibrium (PE) and policy monopolies.[128] Periods of stability are punctuated by rapid change. In the agenda setting stage changes occur incrementally (i.e., Lindblom's "muddling through"[129]) or rapidly (i.e., Kingdon's multiple streams[130]). According to the PE theory, both stability and rapid change are the result of the interplay within and among subsystems. The subsystems are representative of the incremental agenda setting process, but PE moves well beyond that idea and is a counter to incrementalism. The macro level represents the more dramatic changes in agenda setting. A policy monopoly occurs when the subsystem is dominated by a particular interest that has a "monopoly" on a popular (or powerful)

[127] May, Peter. 1992. "Policy Learning and Failure." *Journal of Public Policy*, 12(4):331-354.

[128] Baumgartner, Frank, and Bryan Jones. 1993. *Agendas and Instability in American Politics.* Chicago: University of Chicago Press.

[129] Lindblom, Charles. 1959. "The Science of 'Muddling Through.'" *Public Administration Review* 19:79-88.

[130] Kingdon, John. 2003. *Agendas, Alternatives, and Public Policies, 2nd Edition.* New York: Longman.

belief or image that translates well into policy. Such a monopoly maintains the status quo. Policy monopolies are generally very stable. But, if external pressure (i.e., exogenous shocks that redefine the policy issue) is applied at a high enough level the equilibrium or status quo may be punctuated and bring in other actors. By definition, natural disasters would be considered exogenous shocks, but not for HA/DR agencies. It is why they exist and their express mission is to provide relief in those situations.

Access points for bureaucrats during the punctuation (i.e., the disaster itself) are more available than in other policy domains because *timely information* – information held by the HA/DR agencies before anyone else has access to it because they are on the ground and at the site of the disaster relief efforts – will be demanded by politicians. The representative and her staff willingly become access points in their demand for information about the relief efforts and very fluid situation. A quid pro quo, of sorts, is thus created in which the politician wants information and the HA/DR bureaucrat wants additional resources and autonomy. Money in terms of a relief budget is not the main issue, for it will flow in most cases regardless. Furthermore, HA/DR bureaucrats do not need to seek relevance or credibility because they are the only ones who can perform the job. Therefore, armed with the resources, the credibility as experts and the sole source, and the information, HA/DR bureaucrats possess what is being sought at the time. Put another way, they have leverage, which equates to access points and more demands that will likely be met.

But with most political matters, it is not that simple. Information about the HA/DR event is demanded from elites in Washington D.C., to include the Pentagon, almost immediately. The demand for information should not be discounted. It takes valuable time and resources to answer myriad questions, many of which cannot be answered quickly. This immediate demand for information and inevitable delay in

answering creates friction between elites and the HA/DR agency representatives on the ground and in Washington D.C. The friction can influence policy implementation by delaying resources, challenging lines of authority, and shifting focus, goals, and definitions of mission and success.

The immediacy of the relief response (i.e., the event itself, the need to respond quickly for preservation of life, and the desire to affect a positive difference or change in the situation quickly) may result in different policy implementation "learning" occurring in this policy area. May's policy learning categories – instrumental learning, social learning, and political learning – are an excellent rubric with which to analyze policy. [131] However, they struggle to place HA/DR policy because the domain may be more about adaptation or advantage than learning. There appears to be very little instrumental and, especially, social learning occurring in this domain because the expertise is housed within the relief agencies and is only "tested" or evaluated at the time of the disaster event. And any political learning appears to be rather fleeting because each disaster is unique and, again, demands new information. Whether or not the legislators (or president) "forget" from disaster to disaster is largely a moot question. The fact that each natural disaster event is distinctive and can only be addressed by those agencies with the expertise and capabilities unique to them provides the agencies more autonomy, importance, and latitude. Instrumental learning would be helpful with regard to what the HA/DR agencies ask for (i.e., each disaster is an opportunity for more resources, acclaim, autonomy, importance, status, etc.). More efficient use of resources may result from more instrumental learning.

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[131] May, Peter. 1992. "Policy learning and failure." *Journal of Public Policy*, 12(4): 331–354.

But, the immediacy of the event can help with efficiency, too. Heimer argues that efficiency is fundamentally different from reliability.[132] If HA/DR agencies are acknowledged as reliable and capable of implementing the relief policy it is still not a given that efficiency follows or is assumed by the legislators. Waiting until the punctuating event occurs before dolling out resources creates less uncertainty that the resources will be managed and used efficiently. Waiting until the event also increases efficiency in terms of only requesting, receiving, and using what is needed to provide the relief. Again, this ties to assessment, and OFDA's needs based assessment is particularly useful under this efficiency lens.

In this section, I have presented the case that *bureaucrats* take advantage of access points (i.e., to elected officials and, especially, their staffs) during policy implementation proceedings. Access points for HA/DR bureaucrats, to include those in the DOD, are readily available during the punctuating event (i.e., the natural disaster itself) and were evaluated through the notions of timing, efficiency, and the information and capabilities they possess and can leverage during these punctuations. This discussion was a practical presentation of how organizational mission influences policy implementation. Finally, this program of study may be generalizable to other policy arenas, especially environmental politics. Environmental disasters, such as the B.P. oil spill, offer similar punctuation opportunities to the HA/DR events. The preceding postulates, particularly the third postulate, will help bureaucrats in various policy domains understand the opportunities they have to influence policy and budget requests when punctuations occur. In other words, this project offers practical advice to bureaucrats and policy makers going beyond the novel theory of bureaucrats accessing

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[132] Heimer, Carol. 2008. "Thinking about how to avoid thought: Deep norms, shallow rules, and the structure of attention." *Regulation and Governance*, 2: 30–47.

bureaucrats and leveraging ideas that augment the political science and public administration fields.

METHODOLOGY – ELITE INTERVIEWS AND QUALITATIVE ANALYSIS

A series of elite interviews will be conducted to ascertain the type and amount of interaction that occurs between bureaucrats in the HA/DR policy area. Bureaucrats from the DOD and OFDA are the subjects. The DOD bureaucrats include commissioned officers, enlisted members, and USG civilian employees who interpret and implement HA/DR policy to accomplish the DOD's responsibilities in HA/DR missions. The OFDA bureaucrats are those USG civilian employees who are "embedded" as liaisons within DOD organizations (e.g., the Pentagon and USSOUTHCOM).

The following is a list of the interview questions.

1) What and/or who are the most important influences on resource and budget decisions? What were most important issues, topics, concerns, and capabilities to ensure?

2) Did other bureaucrats (outside of the DOD or OFDA) try to access and influence decisions? If so, with what were they concerned?

3) Did interest groups try to access and influence for the HA/DR agencies? If so, when (i.e., timing) did they try to access the committee and who did they try to access and why? How did they gain access and influence (i.e., did they tout as credibility their success, information, and fact that they are the only persons who could accomplish the HA/DR mission)?

4) If other HA/DR bureaucrats tried to access and influence, who were they, when did they try, and what did they want (i.e., capabilities) for the military? How did they gain access and influence?

5) Would *more* bureaucratic access be a positive influence for creating better policy and budgets?

6) How would you "check" access and influence, if needed?

7) What were examples of successful (and unsuccessful) access and influence tactics, and what resourcing and budget decisions were affected (i.e., capabilities) due to them?

8) Did the access afford information that would not have otherwise been offered and received, and was it helpful or a hindrance?

9) Were HA/DR (and DOD medical) bureaucrats helpful in providing relevant information in a timely manner to the committee?

10) How important was the HA/DR agencies' (including DOD medical) success, information, current and requested capabilities, and immediacy (i.e., timing, in terms of the actual event/relief response and demand from legislators for information) and fact that they were the only agencies who were responsible for and could accomplish the HA/DR mission?

11) What, if anything, would you change about the HA/DR mission? And how do you see budget cuts impacting that mission? Does the HA/DR mission define the agencies (including the DOD components) or do the agencies (structure, leadership) define the mission?

12) In terms of assessment, what are the measures of mission success? Are they different from bureaucrat to bureaucrat? Does assessment matter in terms of how much access is granted or denied?

A systematic, protocol driven procedure of interview data collection will allow the ability to identify themes and potentially draw network system patterns. In other words, these qualitative data will identify relationships among participants in the HA/DR

policy arena that will reveal the bureaucratic access phenomenon. Additional theories and bureaucratic strategies specific to the nature of the problem will be identified through these data. Building and utilizing relationships is the purposeful application of access points for bureaucrats, and these relationships can be identified with the interview data.

The purpose of this interview research design is to help explain naturally occurring phenomena in a naturally occurring state. By identifying constructs and relationships, the participants' cognitive map of their perceptions of the HA/DR interagency dealings may be discernible. This approach understands relationships as interconnected parts with the whole being greater than the individual parts. Change in one leads to changes among all parts and the bureaucratic system. This design will answer how and why the HA/DR system functions as a whole, regardless the glaring inequities between DOD and OFDA resources.

Electronic Mail Network Analysis, Briefly

The electronic mail (email) communications between HA/DR bureaucrats has been requested. These email data can be used to help understand the nature of time and access in complex bureaucratic systems. When do such communications occur in a complex system? Traditional models have assumed that the timing of human actions is random, but human dynamics researchers such as Barabasi are finding increasing evidence that they are not. Rather, the statistical modeling of human activity patterns tends to burst and can be predicted by models.[133]

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[133] Barabasi, Albert-Laszlo. 2005. "The Origins of Bursts and Heavy Tails in Human Dynamics." *Nature* 435 (12 May): 207-211.

Appendix

USAID Organization Chart – Note "Bureau for Democracy, Conflict, and Humanitarian Assistance" which includes OFDA. (USAID, 2011, retrieved on November 20, 2011, from http://www.usaid.gov/about_usaid/orgchart.html.)

## USAID Organization Chart
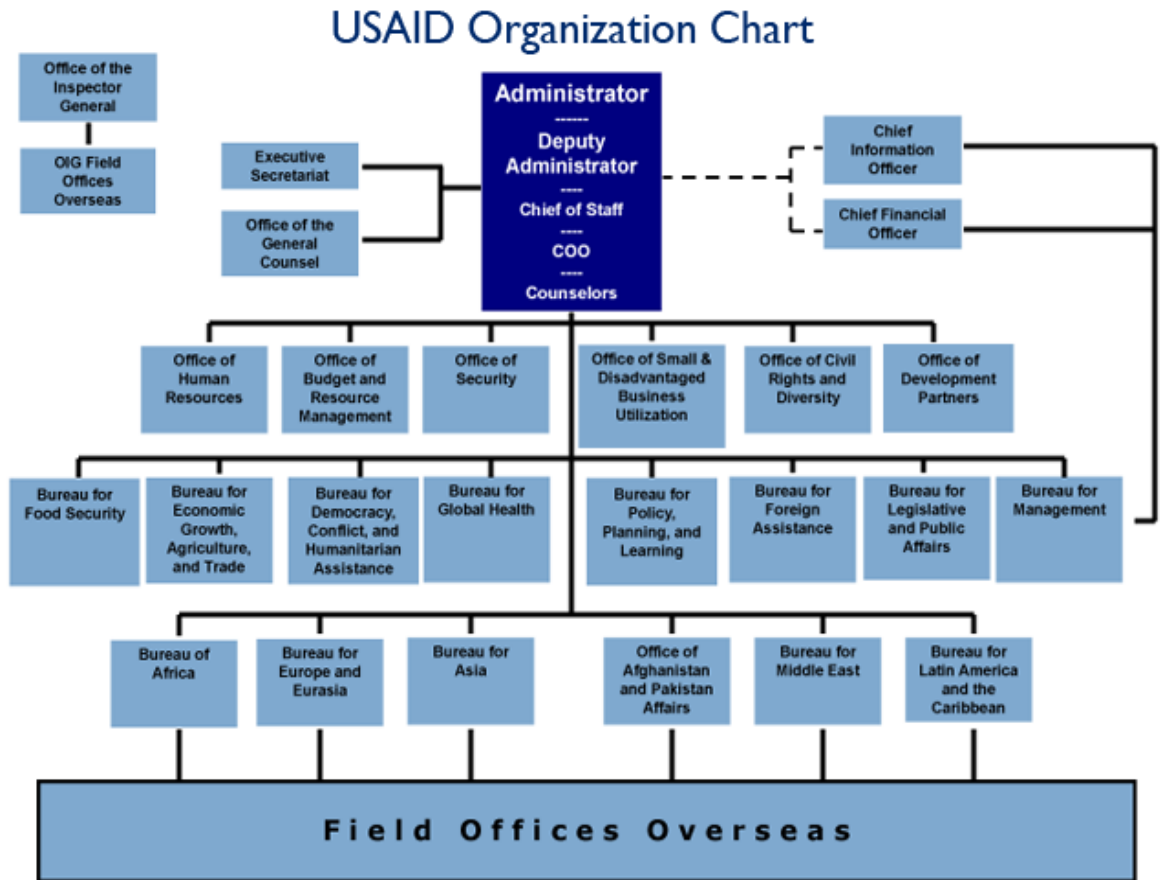
As of 04/29/2011

Headquartered in Washington, D.C., USAID's mission is carried out through four regional bureaus: Africa, Asia and the Near East, Latin America and the Caribbean, and Europe and Eurasia. These are supported by three technical (or pillar) bureaus that provide expertise in democracy promotion, accountable governance, disaster relief, conflict prevention, economic growth, agricultural productivity, environmental protection, education reform, and global health challenges such as maternal/child health and AIDS (U.S. Military Joint Publication 3-08, 2011).

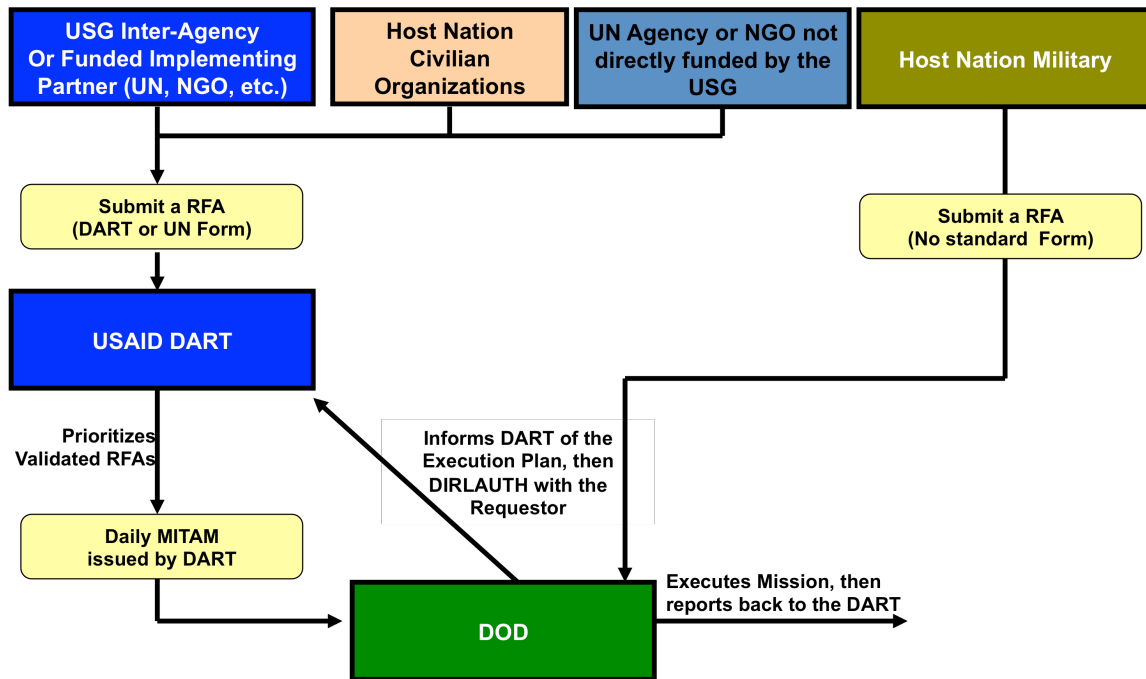OFDA Organization Chart. (USAID/OFDA informational compact disk provided at JHOC, July 29, 2011.)
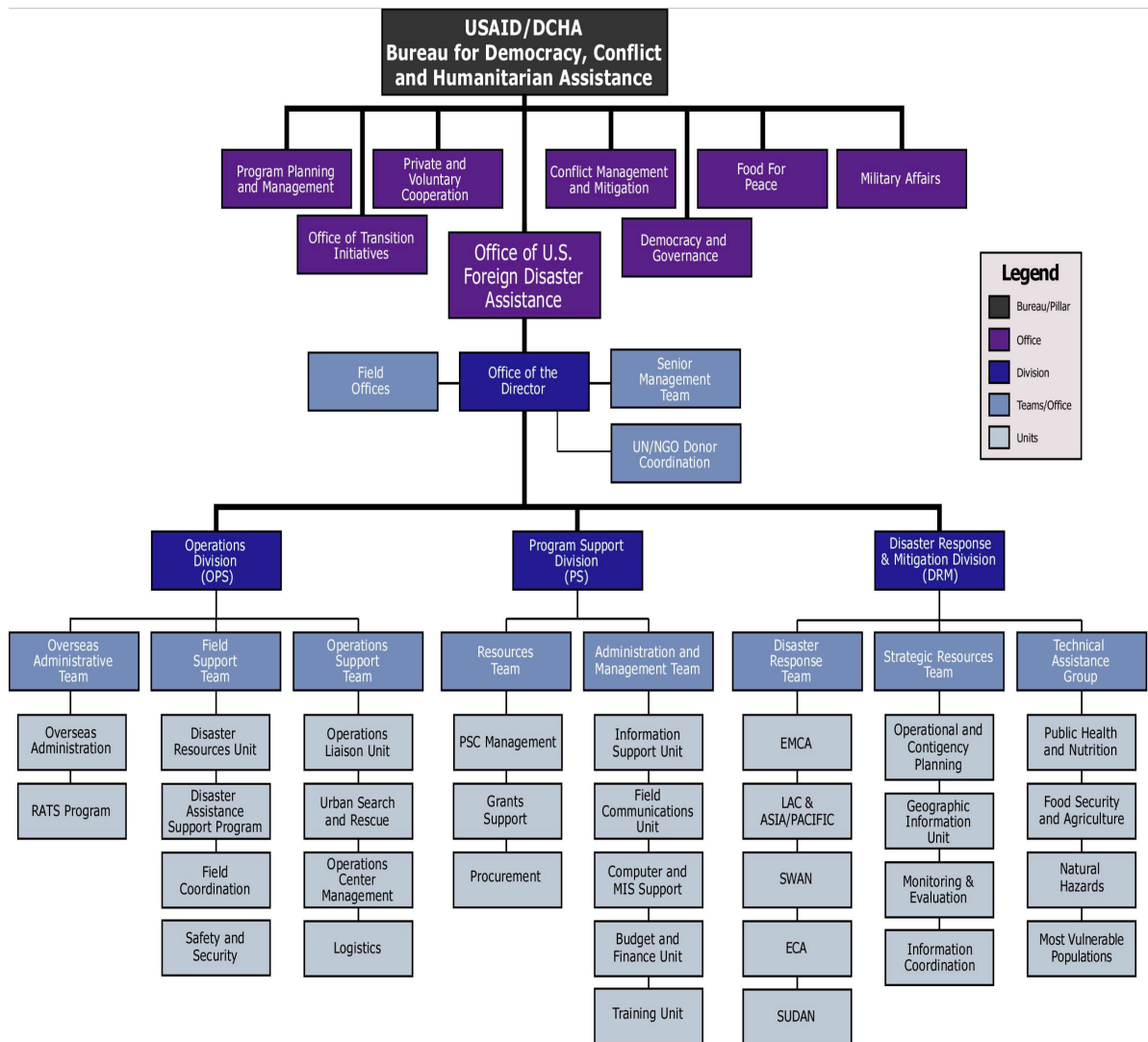
U.S. Southern Command's Area of Responsibility – Map (USSOUTHCOM, 2011, "Area of Responsibility")
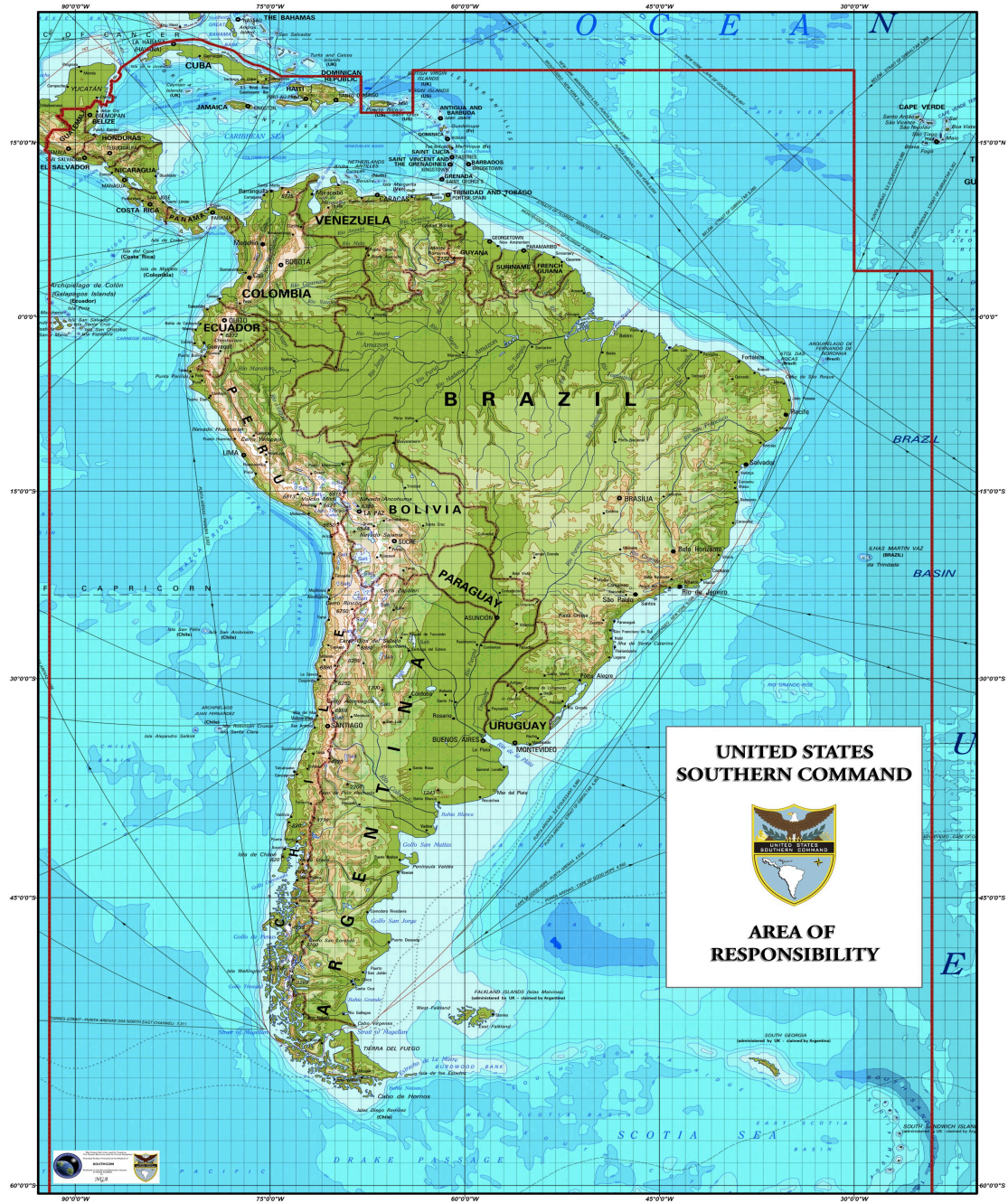
Criteria for DOD involvement and flow chart of how OFDA requests DOD resources. (Source: JHOC, 2011.)

1) Must be specific, clear mission;

2) Cannot hinder primary DOD mission/responsibilities;

3) DOD has the ONLY resource/entity that can accomplish the task and at the appropriate level.

USG Inter-Agency Or Funded Implementing Partner (UN, NGO, etc.)	Host Nation Civilian Organizations	UN Agency or NGO not directly funded by the USG	Host Nation Military

Submit a RFA (DART or UN Form)

Submit a RFA (No standard Form)

USAID DART

Prioritizes Validated RFAs

Informs DART of the Execution Plan, then DIRLAUTH with the Requestor

Daily MITAM issued by DART

Executes Mission, then reports back to the DART

DOD

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